

Northampton County Reporter

(USPS 395-280)

VOL. LVII

EASTON, PA November 21, 2013

NO. 99

Garrett K. Petti, Administrator of the Estate of Patrick Petti, Deceased and Marcia A. Karrow, Administratrix of the Estate of Barbara Warren, Deceased, Plaintiffs v. Riverview Golf and Country Club, Inc. d/b/a, a/k/a, t/a Riverview Country Club d/b/a, a/k/a, t/a The Sand Trap Pub and James Black, Defendants (Continued)

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INSERT: Goldenrod: 1. PBI/CLE Seminars – NCBA Office – November-December 2013
2. 2013-2014 Calendar
3. PA CLE Requirements
4. NCBA/Miller Keystone Blood Center Blood Bank Program
Cream: 1. "Fee Agreements"
2. "Opening Speech—Civil Case"
3. "Brown v. Board of Education"
4. "Why Am I Being Sued for My Parents' Nursing Home Bill?"

NOTICE TO THE BAR...

Please note that we are adding October 29, 2014, as an additional ARD and Summary Appeal date to the 2014 Court Calendar. This is necessary because there is no scheduled date for these proceedings between September 24 and December 10, 2014. If you have any questions, please call the Court Administrator's Office at 610-559-6700.

* * * * *

N.C. Reporter Deadline for November 28, 2013 Issue

Deadline to publish in the November 28, 2013 issue of the N.C. Reporter is changed to Friday, November 22 @ 2:00 p.m.

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Northampton County Reporter

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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.

Subscription Price—\$75.00 per year.

Periodical Postage Paid at Easton, PA and additional office.

Postmaster: Send all communications and address changes to:

NORTHAMPTON COUNTY REPORTER

155 South Ninth St., Easton, PA 18042-4399

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Editor

NOTICE TO NCBA MEMBERS – BAR NEWS

Ceremonial Admissions – Friday, December 6, 2013.

Courtroom #1, N.C. Courthouse.

Application is available at the NCBA Office or Court Administration.

N.C. Reporter – Publishing deadline changes

Deadline to publish in the December 26th issue is Friday, December 20 by 2:00 p.m.

Deadline to publish in the January 2nd issue is Friday, December 27 by 2:00 p.m.

We tend to forget that happiness doesn't come as a result of getting something we don't have, but rather of recognizing and appreciating what we do have.~
Frederick Koenig

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**BARR, SUSAN M.,** dec'd.

Late of Lower Saucon Township, Northampton County, PA
Administratrix: Susan Barr Hoffman c/o Daniel J. Paci, Esquire, Grim Biehn & Thatcher, 104 S. 6th Street, P.O. Box 215, Perkasio, PA 18944-0215
Attorneys: Daniel J. Paci, Esquire, Grim Biehn & Thatcher, 104 S. 6th Street, P.O. Box 215, Perkasio, PA 18944-0215

BLOODWORTH, ELEANOR F., dec'd.

Late of Palmer Township, Northampton County, PA
Executor: Peter M. Freeman c/o The Law Offices of Charles W. Gordon, 680 Wolf Avenue, Easton, PA 18042
Attorneys: The Law Offices of Charles W. Gordon, 680 Wolf Avenue, Easton, PA 18042

CAHN, MILDRED W., dec'd.

Late of Nazareth, Northampton County, PA

Executor: Robert J. Lohr, II 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

DALY, JOHN H., dec'd.

Late of Nazareth, Northampton County, PA

Executrix: Mary D. Einkauf, 8 Powder Horn Lane, Acton, MA 01720

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

GOLDEN, EUGENE P., dec'd.

Late of the Borough of Northampton, Northampton County, PA
Administratrix: Mary Ann Eckel, 108 Epic Court, East Stroudsburg, PA 18302-6668

Attorney: John L. Obrecht, Esquire, 1731 Main Street, Northampton, PA 18067-1544

GRABIAS, STANLEY F., dec'd.

Late of the City of Bethlehem, Northampton County, PA
Executor: Edward V. Bucko c/o Richard S. Luse, Esquire, Reybitz & Luse, 316 West Broad Street, Bethlehem, PA 18018

Attorneys: Richard S. Luse, Esquire, Reybitz & Luse, 316 West Broad Street, Bethlehem, PA 18018

HECKMAN, FLORA W., dec'd.

Late of the Borough of Bath, Northampton County, PA
Executor: Ronald L. Minnich, 35 Water Street, Wind Gap, PA 18091-1342

Attorneys: Peters, Moritz, Peischl, Zulick, Landes & Brienza, LLP,

1 South Main Street, Nazareth,
PA 18064-2083

HRICAK, IRENE F., dec'd.

Late of the Township of Lehigh,
Northampton County, PA

Administrators: John T. Hricak
and Robert D. Hricak c/o
Gregory R. Reed, Esquire,
Attorney-at-Law, 141 South
Broad Street, P.O. Box 299,
Nazareth, PA 18064-0299

Attorney: Gregory R. Reed,
Esquire, Attorney-at-Law, 141
South Broad Street, P.O. Box
299, Nazareth, PA 18064-0299

MULARIK, JOHN R., dec'd.

Late of the Township of Upper
Nazareth, Northampton County,
PA

Executors: John A. Mularik, 240
Bayberry Street, Nazareth, PA
18064 and Rebecca Durbin
a/k/a Rebecca McGinley, 4536
Fir Drive, Nazareth, PA 18064
Attorneys: Peters, Moritz, Peischl,
Zulick, Landes & Brienza, LLP,
1 South Main Street, Nazareth,
PA 18064

PAGOTTO, PETER, dec'd.

Late of Lehigh Township, North-
ampton County, PA

Trustee: Sarah L. Pagotto c/o
Timothy J. Duckworth, Esquire,
Mosebach, Funt, Dayton &
Duckworth, P.C., P.O. Box
20770, Lehigh Valley, PA 18002-
0770

Attorneys: Timothy J.
Duckworth, Esquire, Mosebach,
Funt, Dayton & Duckworth,
P.C., P.O. Box 20770, Lehigh
Valley, PA 18002-0770

PIECHOTA, GREGORY J., dec'd.

Late of 2912 Sickel Road, Bath,
Northampton County, PA

Executrix: Joanne V.B. Piechota
c/o Edward P. Sheetz, Esquire,

Gardner, Racines & Sheetz,
5930 Hamilton Boulevard, Suite
106, Allentown, PA 18106

Attorneys: Edward P. Sheetz,
Esquire, Gardner, Racines &
Sheetz, 5930 Hamilton
Boulevard, Suite 106, Allentown,
PA 18106

POTOCKI, ANTHONY C., JR.,
dec'd.

Late of the Township of
Bethlehem, Northampton
County, PA

Executrix: Stella Ferguson, 363
Indian Mills Road, Shamong, NJ
08088

Attorney: Keene Jabbour,
Esquire, 701 Washington Street,
Easton, PA 18042

RATUSHNY, RANDI, dec'd.

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

Executor: James G. Emlen c/o
Corriere and Andres, LLC, 433
East Broad Street, P.O. Box
1217, Bethlehem, PA 18016-
1217

Attorneys: Corriere and Andres,
LLC, 433 East Broad Street, P.O.
Box 1217, Bethlehem, PA 18016-
1217

RUHLE, EMMA, dec'd.

Late of Easton, Northampton
County, PA

Executrix: Diane M. Young 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

**VASKO, ANN H. a/k/a ANN
VASKO**, dec'd.

Late of Hellertown, Northampton
County, PA

Administratrix C.T.A.: Lisa A. Bartera, Esquire, The Roth Law Firm, 123 North Fifth Street, Allentown, PA 18102

Attorneys: Lisa A. Bartera, Esquire, The Roth Law Firm, 123 North Fifth Street, Allentown, PA 18102

WHITE, RICHARD J., dec'd.

Late of Freemansburg Borough, Northampton County, PA

Executrix: Kimberly S. Boonie, 8852 Boonie Lane, Petersburg, PA 16669

Attorneys: Thomas E. McDowell, Esquire, BMZ Law, P.C., 113 Fourth Street, Huntingdon, PA 16652-1417

WILSON, MARY JANE a/k/a MARY J. WILSON a/k/a MARY WILSON, dec'd.

Late of the City of Easton, Northampton County, PA

Executor: Stephen J. Wilson a/k/a Stephen Wilson 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

ZOWE, BEULAH G., dec'd.

Late of the Borough of Nazareth, Northampton County, PA

Executrix: Nancy G. Snyder, 3003 Shakespeare Road, Bethlehem, PA 18017-3219

Attorneys: Peters, Moritz, Peischl, Zulick, Landes & Brienza, LLP, 1 South Main Street, Nazareth, PA 18064-2083

SECOND PUBLICATION

AMATO, NATHAN V., dec'd.

Late of the Borough of Bath, Northampton County, PA

Executrix: Josephine A. Vine 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

BAKER, ELVIRA, dec'd.

Late of Easton, Northampton County, PA

Personal Representative: Evelena J. Baker c/o Kirby G. Upright, Esquire, King Spry Herman Freund & Faul LLC, One West Broad Street, Suite 700, Bethlehem, PA 18018

Attorneys: Kirby G. Upright, Esquire, King Spry Herman Freund & Faul LLC, One West Broad Street, Suite 700, Bethlehem, PA 18018

BREINIG, ROBERT R., dec'd.

Late of the City of Bethlehem, Northampton County, PA

Executor: National Penn Investors Trust, 1620 Pond Road, Allentown, PA 18014

Attorneys: Peters, Moritz, Peischl, Zulick, Landes & Brienza, LLP, 1 South Main Street, Nazareth, PA 18064-2083

GASSLER, MICHAEL a/k/a MICHAEL GASSLER, JR., dec'd.

Late of Wind Gap, Northampton County, PA

Co-Executors: Kerry R. Gassler and Craig R. Walck c/o John M. Ashcraft, III, Esquire, 20 North 5th Street, Suite #1, Emmaus, PA 18049-2406

Attorney: John M. Ashcraft, III, Esquire, 20 North 5th Street, Suite #1, Emmaus, PA 18049-2406

HUTCHINSON, MARION E., dec'd.

Late of the Township of Bethlehem, Northampton County, PA

Administrator: Ronald L. Hutchinson, 4534 Greystone Drive, Nazareth, PA 18064

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

JULIO, ANN a/k/a ANNA R. LOKI, dec'd.

Late of Lower Nazareth Township, Northampton County, PA

Executor: Manuel Julio c/o Thomas J. Maloney, Esquire, Maloney, Danyi, O'Donnell & Tranter, 901 West Lehigh Street, P.O. Box 1279, Bethlehem, PA 18016-1279

Attorneys: Thomas J. Maloney, Esquire, Maloney, Danyi, O'Donnell & Tranter, 901 West Lehigh Street, P.O. Box 1279, Bethlehem, PA 18016-1279

KOLLER, JOSEPH C., dec'd.

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

Executor: James G. Koller 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

LEMMERMAN, SARA E., dec'd.

Late of the Township of Palmer, Northampton County, PA

Executor: David Oren, 3322 Vermont Street, Easton, PA 18045

Attorneys: Charles Bruno, Esquire, Pfeiffer, Bruno, Minotti & DeEsch, P.C., P.O. Box 468, Easton, PA 18044-0468

TAGLANG, ANN L. a/k/a NANCY L. TAGLANG, dec'd.

Late of Northampton Borough, Northampton County, PA

Executrices: Kathleen A. Gaston and Ann C. Peczenyj 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

THIRD PUBLICATION**BLAZINSKI, LOUISE V.,** dec'd.

Late of the Township of Bethlehem, Northampton County, PA

Executor: Gregory Blazinski, 4211 Alder Road, Bethlehem, PA 18020

Attorney: Holly V. Calantoni Houser, Esquire, 801 Lehigh Street, Easton, PA 18042

BOWEN, DALE T. a/k/a DALE THOMAS BOWEN, dec'd.

Late of the City of Bethlehem, Northampton County, PA

Executrix: Barbara E. Bowen 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

BROWN, ELMER JOSEPH, JR. a/k/a ELMER J. BROWN, JR., dec'd.

Late of the Borough of Upper Nazareth, Northampton County, PA

Executor: Joseph David Brown, 16 Schoeneck Avenue, Nazareth, PA 18064

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

DAVIS, DORIS M., dec'd.

Late of the City of Bethlehem, Northampton County, PA
Executrix: Karen L. Karom c/o Robert C. Brown, Jr., Esquire, Fox, Oldt & Brown, 940 West Lafayette Street, Suite 100, Easton, PA 18042-1412
Attorneys: Robert C. Brown, Jr., Esquire, Fox, Oldt & Brown, 940 West Lafayette Street, Suite 100, Easton, PA 18042-1412

DIEHL, PATRICIA A., dec'd.

Late of Williams Township, Northampton County, PA
Executor: Shawn M. Diehl, 105 Crescent St., Easton, PA 18042
Attorney: Steven B. Molder, Esquire, 904 Lehigh Street, Easton, PA 18042

FEFLIE, LEROY a/k/a LEROY R. FEFLIE, dec'd.

Late of Easton, Northampton County, PA
Executrix: Louise Feflie c/o E. Keller Kline, III, Esquire, Kline and Kline, 731 Turner Street, Allentown, PA 18102
Attorneys: E. Keller Kline, III, Esquire, Kline and Kline, 731 Turner Street, Allentown, PA 18102

LARMON, LEONARD LARS a/k/a LARS LARMON, dec'd.

Late of Walnutport, Northampton County, PA
Executor: Peter John Larmon 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

PEFFER, JOHN D., dec'd.

Late of 4514 Kathi Drive, Bethlehem, Northampton County, PA

Executrices: Lonna J. Wentling and Judith G. Samer 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

STOUT, AMANDA J., dec'd.

Late of the Borough of East Bangor, Northampton County, PA

Executrix: Patricia Ann Williams c/o P. Christopher Cotturo, Esquire, Attorney-at-Law, 75 Bangor Junction Road, Bangor, PA 18013

Attorney: P. Christopher Cotturo, Esquire, Attorney-at-Law, 75 Bangor Junction Road, Bangor, PA 18013

WESSNER, WILFRED R., dec'd.

Late of the Township of Upper Nazareth, Northampton County, PA

Executrix: Delores M. Bigley, 118 E. Lawn Road, Nazareth, PA 18064

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

NOTICE OF INCORPORATION

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on October 1, 2013 for:

LUTIAN ADVISORS INC.

1280 Sycamore Avenue, Bethlehem, PA 18017.

The corporation has been incorporated under the provisions of the Business Corporation Law of 1988, as amended.

Nov. 21

**FICTITIOUS NAME
REGISTRATION NOTICE**

NOTICE IS HEREBY GIVEN that an Application for Registration of Fictitious Name was filed in the Commonwealth of Pennsylvania on September 23, 2013 for:

IGNITE Fitness

located at: 1079 Constitution Avenue, Pen Argyl, PA 18072. The name and address of the individual interested in the business is: Jennifer C. Mutchler, 1079 Constitution Avenue, Pen Argyl, Pennsylvania 18072. This was filed in accordance with 54 Pa. C.S. 311.

Nov. 21

**LIMITED LIABILITY COMPANY
NOTICE**

NOTICE IS HEREBY GIVEN that a Certificate of Organization for a Domestic Limited Liability Company has been filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania for the purposes of obtaining a Certificate of Organization of a proposed Domestic Limited Liability Company to be organized under the provisions of the Pennsylvania Limited Liability Company Law of 1994, 15 Pa. C.S. §8901 et seq. and any successor statute as amended from time to time.

The name of the Limited Liability Company is:

POTSYPizza, LLC

Christopher T. Spadoni, Esquire
Pa. I.D. No. 24817
1413 Easton Avenue
P.O. Box 522
Bethlehem, PA 18016-1409

Nov. 21

**IN THE NORTHAMPTON COUNTY
COURT OF COMMON PLEAS
ORPHANS' COURT DIVISION**

The following Executors, Administrators, Guardians & Trustees have filed Accounts in the Office of the Orphans' Court:

ESTATE; Accountant

MELROSE LAND COMPANY
d/b/a BETHLEHEM MEMORIAL
PARK; PNC Bank Association, Trustee

AUDIT NOTICE

All Parties interested are notified that an audit list will be made up of all Accounts and the said list will be called for audit at the Northampton County Government Center, Easton, PA on: WEDNESDAY, NOVEMBER 27, 2013 at 9:00 A.M. in Courtroom #1.

Gina X. Gibbs

Clerk of Orphans' Court

Nov. 14, 21

NOTICE FOR CHANGE OF NAME

NOTICE IS HEREBY GIVEN that on October 25, 2013, the Petition of Dorothea Mae Christie was filed in Northampton County Court of Common Pleas at No. C-48-CV-2013-11393, seeking to change the name of Petitioner from Dorothea Mae Christie to Sarvataa Mae Christie. The court has fixed Friday, December 20, 2013 at 9:00 a.m., in courtroom #1 at the Northampton County Courthouse as the date for 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.

Nov. 21

**NORTHAMPTON COUNTY
COURT OF COMMON PLEAS**

Nationstar Mortgage LLC d/b/a
Champion Mortgage Company

Plaintiff

v.

Margaret A. Bauer, known surviving
 heir of Jean F. Blaukovitch,
 deceased mortgagor and real owner,
 Patricia A. Culkins, known
 surviving heir of Jean F.
 Blaukovitch, deceased mortgagor
 and real owner, Roberta Dougherty,
 known surviving heir of Jean F.
 Blaukovitch, deceased mortgagor
 and real owner and unknown
 surviving heirs of Jean F.
 Blaukovitch, deceased real owner
 and mortgagor

Defendants

NUMBER C-48-CU-2013-9376

TO: UNKNOWN SURVIVING HEIRS
 OF JEAN F. BLAUKOVITCH,
 DECEASED REAL OWNER AND
 MORTGAGOR

TYPE OF ACTION: CIVIL ACTION/
 COMPLAINT IN MORTGAGE FORE-
 CLOSURE.

PREMISES SUBJECT TO FORE-
 CLOSURE: 2023 DAVIS STREET,
 BETHLEHEM, PENNSYLVANIA
 18017.

NOTICE

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

YOU SHOULD TAKE THIS
 NOTICE TO YOUR LAWYER AT
 ONCE. IF YOU DO NOT HAVE A
 LAWYER, GO TO OR TELEPHONE
 THE OFFICE SET FORTH BELOW.
 THIS OFFICE CAN PROVIDE YOU
 WITH INFORMATION ABOUT
 HIRING A LAWYER.

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

Lawyer Referral Service
 155 South Ninth Street
 Easton, PA 18042
 (610) 258-6333

TERRENCE J. McCABE, ESQUIRE
 ID # 16496

MARC S. WEISBERG, ESQUIRE
 ID # 17616

EDWARD D. CONWAY, ESQUIRE
 ID # 34687

MARGARET GAIRO, ESQUIRE
 ID # 34419

ANDREW L. MARKOWITZ,
 ESQUIRE
 ID # 28009

HEIDI R. SPIVAK, ESQUIRE
 ID # 74770

MARISA J. COHEN, ESQUIRE
 ID # 87830

CHRISTINE L. GRAHAM, ESQUIRE
 ID # 309480

BRIAN T. LaMANNA, ESQUIRE
 ID # 310321

ANN E. SWARTZ, ESQUIRE
 ID # 201926

JOSEPH F. RIGA, ESQUIRE
 ID # 57716

JOSEPH I. FOLEY, ESQUIRE
 ID # 314675

CELINE P. DerKRIKORIAN,
 ESQUIRE
 ID # 313673

McCABE, WEISBERG AND
 CONWAY, P.C.

Attorneys for Plaintiff

123 South Broad Street
 Suite 1400
 Philadelphia, PA 19109
 (215) 790-1010

Nov. 21

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

NOTICE OF ACTION IN
MORTGAGE FORECLOSURE
PHH MORTGAGE CORPORATION
Plaintiff

vs.

UNKNOWN HEIRS, SUCCESSORS,
ASSIGNS AND ALL PERSONS,
FIRMS OR ASSOCIATIONS
CLAIMING RIGHT, TITLE OR
INTEREST FROM OR UNDER
SOPHIA ROBLES, DECEASED
Defendants

NO. C-48-CV-2013-5307
NOTICE

To: UNKNOWN HEIRS, SUCCESSIONS, ASSIGNS AND ALL PERSONS, FIRMS OR ASSOCIATIONS CLAIMING RIGHT, TITLE OR INTEREST FROM OR UNDER SOPHIA ROBLES, DECEASED

You are hereby notified that on June 4, 2013, Plaintiff, PHH MORTGAGE CORPORATION, filed a Mortgage Foreclosure Complaint endorsed with a Notice to Defend, against you in the Court of Common Pleas of NORTHAMPTON County, Pennsylvania, docketed to No. C-48-CV-2013-5307. Wherein Plaintiff seeks to foreclose on the mortgage secured on your property located at 4363 HIGH VIEW DRIVE, NAZARETH, PA 18064-9648 whereupon your property would be sold by the Sheriff of NORTHAMPTON County.

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

NOTICE

If you wish to defend, you must enter a written appearance personally or by attorney and file your

defenses or objections in writing with the court. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you without further notice for the relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS NOTICE TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

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

Lawyers Referral Service (ARIS)
155 South 9th Street
Easton, PA 18042
(610) 258-6333

Nov. 21

**IN THE DISTRICT COURT
OF LANCASTER
COUNTY, NEBRASKA**

LEGAL NOTICE
SIDDARTH KOTHARI,

Plaintiff

vs.

MARIA LILIANA RAMIREZ,
Defendant

CASE NO. CI 13-3117

NOTICE TO THE DEFENDANT:

Take notice that Siddarth Kothari, by and through his attorney, has filed a petition in the above-named court praying for dissolution of marriage, and other relief. Unless you answer on or before December 11, 2013, a decree may be entered against you.

ANGELICA W. McCLURE,
ESQUIRE (#23470)
KOTIK & McCLURE
Attorneys for Plaintiff
2935 Pine Lake Road
Suite E
Lincoln, NE 68516
(402) 423-0553
(402) 423-0354 FAX
Nov. 14, 21, 28; Dec. 5

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

The following real estate will be sold by the Sheriff of Northampton County, Pennsylvania, on DECEMBER 6, 2013 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-2012-03436**

ALL THAT CERTAIN tract of land located in the Township of Upper Nazareth, County of Northampton and Commonwealth of Pennsylvania, shown as Lot 50 on the record plan for Creekside Estate—Phase III prepared by Lehigh Engineering Associates, Inc., recorded in Map Book 2002-5, Page 404-405, bounded and described as follows; to wit:

BEGINNING at an iron pin located along the roadway right-of-way of Fieldview Drive, 25.00 feet from centerline; said pin also located along Lot 51 of the aforementioned subdivision, and the lands herein described thence,

1) S-19°-50'-37"-W, 90.00 Feet along the roadway right-of-way of Fieldview Drive, 25.00 Feet from centerline to an iron pin, thence,

2) N-70°-09'-23"-W, 100.00 Feet along Lot 49 of the aforementioned subdivision to an iron pin; thence,

3) N-03°-39'-06"-E, 93.72 Feet along Lot 55 of the aforementioned subdivision to an iron pin; thence,

4) S-70°-09'-23"-E, 126.13 Feet along Lot 51 of the aforementioned subdivision to the aforementioned point and place of BEGINNING.

CONTAINING, 10,176.01 square feet.

BEING KNOWN AS: 2352 Blue Jay Drive, Nazareth, PA 18064.

BEING THE SAME PREMISES which CMC Development Corporation, by Deed dated July 24, 2003 and recorded July 25, 2003 in the Office of the Recorder of Deeds in and for Northampton County in Deed Book Volume 12003-1, Page 293414, granted and conveyed unto Steven J. Buckley and Denise M. Buckley.

TAX PARCEL NUMBER: J7 14 2-50 0432.

THEREON BEING ERECTED a two-story single style dwelling with vinyl siding and shingle roof; attached two-car garage.

SEIZED AND TAKEN into execution of the writ as the property of Steven J. Buckley and Denise M. Buckley.

RICHARD J. NALBANDIAN, III,
ESQUIRE

**No. 2
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2011-00649**

ALL THOSE CERTAIN lots situate in the Township of Bethlehem, County of Northampton and State of Pennsylvania, being Lots 1079, 1080, 1081 and 1082 on Plan of "Bethlehem

Annex" recorded in Northampton County in Map Book 6 page 49, bounded and described as follows:

BEGINNING at a point on the South side of Northampton Street 80 feet West of 6th Street; thence extending Westwardly along the South side of Northampton Street a distance of 80 feet; thence extending Southwardly between parallel lines at right angles to Northampton Street a distance of 110 feet to a 15 feet wide alley.

BOUNDED North by Northampton Street, East by Lot 1083 on said Plan, South by said 15 foot wide alley and West by Lot 1078 on said Plan.

BEING KNOWN AS 2840 Northampton Street, Bethlehem, PA 18020.

TAX PARCEL NUMBER: N7NW3 46 5 0205.

THEREON BEING ERECTED an A-Frame single style dwelling with vinyl siding and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Elsa M. Flores.

ROBERT P. DADAY, ESQUIRE

No. 4
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2010-14052

ALL THAT CERTAIN lot or piece of ground situate, lying, and being in Miller Heights, Township of Bethlehem, County of Northampton, and State of Pennsylvania, being composed of lots known and designated as Lot Nos. 1, 2, and 3 in Block No. 59 on a certain map or plan of said Miller Heights, bounded and described as follows, to wit:

BEGINNING at the point of intersection of the Easterly side or line of Twelfth Street with the Northerly side or line of Hamilton Street in Miller Heights aforesaid; thence extending

Northwardly in and along the said Easterly side or line of the said Twelfth Street, in front and breadth, 75 feet and extending of that width in length or depth Eastwardly between lines parallel with the said Hamilton Street, the Southerly line thereof along the said Northerly side or line of the said Hamilton Street, 110 feet to the Westerly side or line of a certain 20-foot wide street or alley called Line Street. Bounded on the North by Lot No. 4, Block 69, according to the said map or plan; on the South by the said Hamilton Street; on the East by the said Line Street; and on the West by the said Twelfth Street.

BEING KNOWN AS 1902 Twelfth Street, Bethlehem, PA 18020.

TAX PARCEL NUMBER: N7NE4 34 6 0205.

THEREON BEING ERECTED a cape cod single style dwelling with aluminum siding and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Joseph E. Gross and Amy L. Gross.

ROBERT P. DADAY, ESQUIRE

No. 5
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2013-02855

ALL THAT CERTAIN lot or parcel of land situate on the North side of Wynnwood Lane East, in the Township of Forks, County of Northampton and State of Pennsylvania, being known as Lot No. 100 Wynnwood Lane East on the Subdivision Plan of Ramblewood, recorded in the Office of the Recording of Deeds, at Easton, Pennsylvania, in and for the County of Northampton, in Plan Book 46, page 45, bounded and described as follows, to wit:

BEGINNING at a point on the Northerly line located twenty-five (25 feet) feet radially from the centerline

of Wynnwood Lane East, said point being a corner in common with lands herein described and Lot 102 Wynnwood Lane East, thence along Lot No. 102 Wynnwood Lane East, North nineteen (19) degrees sixteen (16) minutes one (1) second West, one hundred fifty-two and sixty-five one-hundredths (152.65 feet) feet to a point in line of lands now or late of Ann Martino, thence along land now or late of the said Ann Martino South seventy-two (72) degrees forty (40) minutes six (6) seconds West, one hundred thirty-one and thirty-nine one-hundredths (131.39 feet) feet to a point, a corner in common with lands herein described and Lot No. 1820 Wynnwood Lane North, thence along Lot No. 1820 Wynnwood Lane North, South thirty-eight (38) degrees thirteen (13) minutes fifty-nine (59) seconds East one hundred seventy-nine and two one-hundredths (179.02 feet) feet to a point on the Northerly line located twenty-five (25 feet) feet radially from the centerline of Wynnwood Lane East parallel to and twenty-five (25 feet) feet distant from the centerline thereof on a curve to the right having a radius of two hundred twenty-five (225 feet) feet, an arc length of seventy-four and forty-eight one-hundredths (74.48 feet) feet to the point and place of beginning; containing sixteen thousand four hundred seventeen (16,417) square feet or three hundred seventy-seven one-thousandths (0.377) acre of land, more or less.

TITLE TO SAID PREMISES IS VESTED IN Stephen M. Flaherty and Kerri A. Flaherty, h/w, by Deed from Mark J. Mieczkowski and Marybeth Mieczkowski, h/w, dated 09/09/2005, recorded 09/12/2005 in Book 2005-1, Page 351086.

BEING KNOWN AS 100 Wynnwood Lane East aka 100 Wynnwood Lane, Easton, PA 18040.

TAX PARCEL NUMBER: K9 16 10-22 0311.

THEREON BEING ERECTED a colonial single style dwelling with vinyl siding and shingle roof; attached one-car garage, above-ground pool.

SEIZED AND TAKEN into execution of the writ as the property of Kerri A. Flaherty and Stephen M. Flaherty.

ADAM H. DAVIS, ESQUIRE

No. 6

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2013-01162**

ALL THAT CERTAIN messuage, tenement and lot or piece of land situated in the City of Easton, County of Northampton and State of Pennsylvania, bounded and described as follows:

ALL THAT CERTAIN tract or piece of land and premises situate on the South side of Delaware Avenue, now Wilkes-Barre Street, in the City of Easton, County of Northampton and State of Pennsylvania, said Lots being numbered 45 and 46 in Section 3 on a Plan of Lots of Seitzville, as laid out by Charles Seitz.

CONTAINING in front on said Wilkes-Barre Street 50 feet and extending Southwardly of that width 125 feet, more or less.

BOUNDED On the North by said Wilkes-Barre Street, On the East by land now or late of Magdalena Klein's Estate, On the South by Chestnut Street as shown on said Plan, and On the West by land now or late of Gottlieb Bokel.

TITLE TO SAID PREMISES IS VESTED IN James P. Libiano, unmarried, by Deed from Ruth Libiano, by Janice G. Libiano,

Attorney-in-Fact, dated 11/08/1996, recorded 11/21/1996 in Book 1996-1, Page 122163.

BEING KNOWN AS 309 East Wilkes Barre Street, Easton, PA 18042.

TAX PARCEL NUMBER: L9SE3C 9 2 0310.

THEREON BEING ERECTED a two-story single style dwelling with vinyl and wood exterior and shingle roof; detached two-car garage.

SEIZED AND TAKEN into execution of the writ as the property of James P. Libiano.

ADAM H. DAVIS, ESQUIRE

No. 7

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2010-04341**

ALL THOSE TWO CERTAIN tracts or parcels of land and premises hereinafter particularly described, situate, lying and being in the Borough of Portland, in the County of Northampton, and State of Pennsylvania, bounded and described as follows, to wit:

NO. 1: BEGINNING at a corner in Main Street; thence along said street South sixty-seven degrees West forty feet to a corner in Good Street (now Pennsylvania Avenue); thence along said Avenue, South fifteen degrees East one hundred and ten feet to a corner in land of the Estate of Enos Goble; thence along said land North sixty-six degrees East forty feet to a corner in land of the same; thence along line of said land North fifteen degrees West one hundred and ten feet to the place of beginning.

NO. 2: BEGINNING at a corner in Main Street and Lot No. 8; thence South seventy-five degrees West to a corner of Lot No. 10; thence by other land now or late of David R. Hull, South fifteen degrees East one

hundred and ten feet to a corner of Lot No. 12; thence North seventy-five-degrees East thirty-five feet to a corner of Lot No. 8; thence by Lot No. 8 North fifteen degrees West one hundred and ten feet to the place of Beginning. Said lot being designated on Plot as No. 9.

BEING PARCEL NUMBER: C11NE2B4-1-0127.

Property address: 117 Main Street, Portland, PA 18351.

BEING the same premises which Wayne J. McIntyre by Deed dated 03/04/2005 and recorded 03/10/2005 in the Recorder's Office of Northampton County, in Deed Book 2005-1 Page 87006, granted and conveyed unto Donald R. Lewis.

THEREON BEING ERECTED a two-story single style dwelling with vinyl siding and shingle roof; shed.

SEIZED AND TAKEN into execution of the writ as the property of The Unknown Heirs of Donald R. Lewis, Deceased and Charlene Lewis, Solely in Her Capacity as Heir of Donald R. Lewis, Deceased.

MICHAEL T. MCKEEVER, ESQUIRE

No. 8

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2012-06645**

All that lot or parcel of ground situate, lying and being in Northampton County, Commonwealth of Pennsylvania, and being more particularly described as follows:

ALL THAT CERTAIN lot or piece of ground situate in the Township of Palmer, County of Northampton and Commonwealth of Pennsylvania, designated as Lot No. 20 as shown on a plan of lots entitled 'Final Plan—Hillcrest (Phase I)' prepared by Environmental Design and Engineering dated November 11, 1992, revised through March 7, 1994 and recorded in the Office of the Recorder of Deeds

of Northampton County, Pennsylvania on June 13, 1994 in Record Book Volume 1994-5, page 170, and being more fully described as follows, to wit:

BEGINNING at a point on the easterly right-of-way line of Clairmont Avenue (60 feet wide) on line of the Remaining Lands of Gerhard and Marilyn Riethmuller, thence along said easterly right-of-way line of Clairmont Avenue (60 feet wide) the following two courses and distances:

1) Along the arc of a curve deflecting to the right having a radius of 220.00 feet and central angle of 30 degrees 24 minutes 43 seconds of an arc length of 116.77 feet (chord: North 23 degrees 36 minutes 58 seconds West 115.41 feet) to a point; thence

2) North 08 degrees 24 minutes 37 seconds West 3.77 feet to a point; thence along the arc of a curve deflecting to the right, having a radius of 25.00 feet and central angle of 90 degrees 00 minutes 00 seconds, for an arc length of 39.27 feet (chord: North 36 degrees 35 minutes 23 seconds East 35.36 feet) to a point on the southerly right-of-way line of Barberry Lane (50 feet wide); thence along the southerly right-of-way line of Barberry Lane (50 feet wide); thence along the southerly right-of-way line of Barberry Lane (50 feet wide); North 81 degrees 35 minutes 23 seconds, East 75.00 feet to a point at a corner of Lot 29 of Hillcrest (Phase I); thence along said lands of Lot 29 Hillcrest (Phase I), South 08 degrees 24 minutes 37 seconds East 99.21 feet to a point on line of the Remaining Lands of Gerhard and Marilyn Riethmuller; thence along said Remaining Land of Gerhard and Marilyn Riethmuller, South 51 degrees 10 minutes 40 seconds West 80.85 feet, to a point, the place of beginning.

Containing 11,361.40 square feet or 0.261 acres.

TITLE TO SAID PREMISES IS VESTED IN Rabih Dollari, by Deed from Raymond F. Cerankowski, Jr. and Patricia N. Cerankowski, h/w, dated 04/06/2010, recorded 04/06/2010 in Book 2010-1, Page 61763.

BEING KNOWN AS 2 Barberry Lane, Easton, PA 18045.

TAX PARCEL NUMBER: L8NE3 20 9 0324.

THEREON BEING ERECTED a two-story single style dwelling with brick exterior and shingle roof; attached two-car garage.

SEIZED AND TAKEN into execution of the writ as the property of Rabih Dollari.

MELISSA J. CANTWELL, ESQUIRE

No. 9

BY VIRTUE OF A CERTAIN WRIT OF EXECUTION CV-2009-03786

ALL THAT CERTAIN lot or piece of ground situate in Bushkill Township, County of Northampton, Commonwealth of Pennsylvania designated as Lot No. 9 on a certain plan of Lots known as "Fehr Acres" which said plan is recorded in the Office of the Recorder Deeds in and for the County of Northampton in Plan Book 34 at Page 8 dated November 19, 1974, bounded and described s follows to wit:

BEGINNING At an iron Pin in the northerly edge of a cul de sac (50'radius) terminating Luther Lane, said pin also being the southwest corner of Lot No. 8 of Fehr Acres; thence along the edge of said cul de sac on a curve to the left having a radius of fifty (50) feet and a chord bearing in the distance of south nine degrees eight minutes zero seconds East ninety-nine and ninety-nine one

hundredths feet (S 9°8'0" E 99.99') to a point; thence along land now or late of Frantz and Wagner South eighty-one degrees zero minutes zero seconds West two hundred twenty-six and three one hundredths feet (S 81° 00'00" W 226.0') to an iron pin; thence along land now or late of Franklin Hahn North four degrees thirty minutes zero seconds West one hundred twenty feet (N 4°30'00" W 120.00') to an iron pin; thence along land now or late of Fred Koehler North eighty-six degrees thirty minutes zero seconds East thirty-three feet (N 86°30'00" E 33.00') to an iron pin; thence along same North four degrees thirty minutes zero seconds West one hundred fifty-eight and thirty-four one-hundredths feet (N 4° 30'00" W 158.34") to an iron pin; thence North eighty degrees thirty-five minutes zero seconds East one hundred seventy feet (N 80° 35' 00" E 170.00') to an iron pin; thence along the aforementioned Lot No. 8 South nine degrees sixteen minutes zero seconds East One Hundred seventy-six and thirteen one hundredths feet (S 9° 16'00" E 176.13') to the place of beginning.

CONTAINING 1.2347 acres of land.

BEING THE SAME PREMISES which Kevin M. Brown and Lisa Brown, by deed dated 5/5/2008 and recorded in the Northampton County Recorder of Deeds Office on 5/8/2008 as Instrument No. 2008017976, granted and conveyed unto Marjan Ivanovski.

BEING KNOWN AS 670 Luther Lane, Nazareth, PA 18064.

TAX PARCEL NUMBER: H6 22 4Q 0406.

THEREON BEING ERECTED a bi-level single style dwelling with brick and stucco exterior and shingle roof; attached two-car garage.

SEIZED AND TAKEN into execution of the writ as the property of Marjan Ivanovski.

CHRISTOPHER A. DeNARDO,
ESQUIRE

No. 10
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2011-05375

ALL THAT CERTAIN lot or piece of land situate in the Township of Forks, County of Northampton and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point on the North boundary line of Dogwood Terrace and land now or late of Joseph L. Metzendorf, et ux; thence North three degrees twenty-nine minutes East (N. 3 degrees 29 minutes E.) two hundred ten and fifty-one one-hundredths feet (210.51 feet) to the North boundary line of Lot No. 1 as shown on the Plan of Lots of Kenneth H. Mitman dated March 22, 1954, and recorded in the Office for the Recording of Deeds in and for Northampton County in Map Book 13, Page 27; thence along said North boundary line of Lot No. 1, South eighty-nine degrees fifty-five minutes West (S. 89 degrees 55 minutes W.), one hundred forty and twenty-seven one-hundredths feet (140.27 feet) to the East boundary line of Lot No. 7, as shown on the aforesaid plan; thence along the East boundary line of Lot No. 7 and Lot No. 8 South three degrees twenty-nine minutes West (S 3 degrees 29 minutes W.) two hundred one and seventy-eight one-hundredths feet (201.78 feet) to the aforesaid North boundary line of Dogwood Terrace; thence along the North boundary line of Dogwood Terrace eastwardly one hundred forty (140 feet) feet to a point, the place of BEGINNING.

BEING Lot No. 1 on the aforesaid Plan of Kenneth H. Mitman.

THIS CONVEYANCE IS UNDER AND SUBJECT TO THE FOLLOWING RESTRICTIONS:

No structures or part of a structure shall be erected on the said premises within ten (10') feet of the boundary lines, save and excepting the Northern boundary line along Dogwood Terrace.

No structure or part of a structure shall be erected within thirty-five (35') feet from the southern building line of Dogwood Terrace.

A single residence only shall be erected on Lot No 1.

UNDER AND SUBJECT to the conditions and restrictions set forth in the chain of title.

TITLE TO SAID PREMISES IS VESTED IN Richard F. Williams and August L. Williams, h/w, by Deed from D. Wayne Barefoot and Margaret A. Barefoot, h/w, dated 01/25/2008, recorded 01/28/2008 in Book 2008-1, Page 24614.

BEING KNOWN AS 310 Dogwood Terrace, Easton, PA 18040.

TAX PARCEL NUMBER: K9SE2 10 4B 0311.

THEREON BEING ERECTED a ranch single style dwelling with aluminum siding and shingle roof; attached two-car garage.

SEIZED AND TAKEN into execution of the writ as the property of August L. Williams and Richard F. Williams.

MEREDITH WOOTERS, ESQUIRE

No. 11

BY VIRTUE OF A CERTAIN WRIT OF EXECUTION CV-2013-01424

ALL THAT CERTAIN messuage, tenement and lot or piece of land situated in the City of Easton, County

of Northampton, State of Pennsylvania, known as Lot No. 26, on Plan of Lots of the Provident Building Association of Easton, Pennsylvania, recorded in the Office for Recording of Deeds in Map Book 8, Page 20, formerly in Book for Miscellanies No. 14, Page 596, Etc., being situated on the south side of Washington Street in said City, running West from the corner of Lot No. 25, twenty-four (24) feet to Lot No. 27 and running of that same width south to Green Lane, now Wolf Street, excepting thereout, however, in the east end, a two-inch strip heretofore sold to Sarah Feit. Also known as 718 Washington Street under the present numbering system for the City of Easton. Also Known As Northampton County Tax Parcel No. L9SE1C 23 19 0310.

Being known as: 718 Washington Street, Easton City, Pennsylvania 18042.

Title to said premises is vested in Joseph G. Pumillo and Ashley B. Smith by deed from JUDITH LYNN JONES, WIDOW dated October 17, 2006 and recorded October 23, 2006 in Deed Book 2006-1, Page 438967.

TAX PARCEL NUMBER: L9SE1C 23 19 0310.

THEREON BEING ERECTED a two-story half-of-double style dwelling with vinyl siding and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Joseph G. Pumillo and Ashley B. Smith.

JOSEPH I. FOLEY, ESQUIRE

No. 12

BY VIRTUE OF A CERTAIN WRIT OF EXECUTION CV-2012-12367

ALL THAT CERTAIN lot of ground and building erected thereon located along the Southerly side of Mountain

View Drive (S.R. 0946) (50 foot wide) in Lehigh Township, Northampton County, Commonwealth of Pennsylvania and shown as Lot #1 on the Minor Subdivision Plan of Bruce A. & Martina Biechy prepared by Martin, Bradbury & Griffith, Inc., Plan #2841-000 dated 1/09/07 last revised 4/23/08 and being bounded and described as follows to wit:

BEGINNING at a concrete monument (found), said concrete monument being located on the Southerly right-of-way line of Mountain View Drive (S.R. 0946) (50 feet wide) said concrete monument also being a point on the Westerly property line of the property now or late of Daniel & Rochelle Kochenasih; THENCE, along the same, the three following courses and distances:

1. South 00 degrees 31 minutes 43 seconds West, 17.46 feet to an iron pin (found);

2. South 28 degrees 55 minutes 58 seconds West 75.19 feet to an iron pin (found);

3. South 26 degrees 41 minutes 15 seconds West 418.80 feet to an iron pin (found) on the Northerly property line of the property now or late of William J. Borger, Jr.;

thence, along the same, North 85 degrees 42 minutes 47 seconds West, 125.00 feet to an iron pin (set); thence, along Lot #3 of the Minor Subdivision of Bruce A. & Martina Biechy the following four courses and distances:

1. North 13 degrees 41 minutes 42 seconds East, 167.08 feet to an iron pin (found);

2. North 19 degrees 04 minutes 37 seconds East, 113.79 feet to an iron pin (set);

3. North 44 degrees 58 minutes 55 seconds East, 115.88 feet to an iron pin (found)

4. North 00 degrees 15 minutes 59 seconds West, 140.17 feet to an iron pin (set) located along the Southerly right-of-way line of Mountain View Drive (S.R. 0946);

thence, along the same, South 77 degrees 04 minutes 27 seconds East, 196.24 feet to the place of BEGINNING.

TITLE TO SAID PREMISES IS VESTED IN James Baab a and Kimberly Baab, H/W, and Jacquelyn Baab, as joint tenants with the right of survivorship given by Bruce A. Biechy and Martina Biechy, H/W dated 4/30/2009, recorded 5/12/2009 in book 2009-1 page 111404 instrument # 2009015705.

BEING KNOWN AS 3931 Mountain View Drive, Danielsville, PA 18038.

TAX PARCEL NUMBER: H3 2 1 0516.

THEREON BEING ERECTED a two-story single style dwelling with vinyl siding and shingle roof; attached three-car garage, barn.

SEIZED AND TAKEN into execution of the writ as the property of James Baab and Jacquelyn Baab and Kimberly Baab.

JOHN MICHAEL KOLESNIK,
ESQUIRE

No. 13
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2013-02337

ALL THAT CERTAIN message, tenement and lot or parcel of land situate along the northerly side of the Seidersville Road, between Ravena Street and the Reading Company Right of Way, in the City of Bethlehem, County of Northampton and Commonwealth of Pennsylvania, bounded and described according to a survey thereof, made the 18th day of November, 1948, by Leonard M. Fraivillig Company, Engineers,

Bethlehem, Pennsylvania, as follows, to wit:

BEGINNING at an iron pipe on the northerly side of the Seidersville Road, distant one hundred twenty-seven and twenty-eight one-hundredths (127.28) feet eastwardly along the said northerly side of the Seidersville Road from its intersection with the easterly side of Ravena Street; thence extending South seventy-five degrees twelve minutes East (S. 75 12 minutes E) along the northerly side of the Seidersville Road, a distance of sixty (60.0) feet to a rail monument in line of land of the Reading Company; thence extending North six degrees no minutes East (N. 6 00 minutes E) along land of said Reading Company, a distance of one hundred (100.0) feet to an iron pipe; thence extending through and across land now or late of Guadalupe J. Salgado, of which this conveyance is a part, the two following courses and distances, to wit: North seventy-five degrees twelve minutes West (N 75 12 minutes W) a distance of sixty (60.0) feet to an iron pipe, and South six degrees no minutes West (S. 6 00 minutes W) a distance of one hundred (100.0) feet to the iron pipe on the northerly side of the Seidersville Road, the point the place of beginning.

ALSO, ALL THAT CERTAIN tract or parcel of land, situate in the City of Bethlehem, Northampton County, Pennsylvania, bounded and described in accordance with a survey and Plan prepared by Kenneth B. Fogle, Jr., described as follows:

BEGINNING at a rail monument in the northerly right-of-way line of Seidersville Road, being one hundred eighty-seven and twenty-eight hundredths feet (187.28 feet) eastwardly from the intersection of the northerly right-of-way line of Seiders-

ville Road with the easterly right-of-way line of Ravena Street, being also the southeasterly corner of other lands of the grantee; thence along lands of the grantee North six degrees seven minutes fifty seconds East (North 6 degrees 7 minutes 50 seconds East) one hundred feet (100.00 feet) to a point, the northeasterly corner of other lands of the grantee; thence along lands now or formerly of the grantor South seventy-seven degrees thirty minutes East (South 77 degrees 30 minutes 0 seconds East) forty-three and twenty hundredths feet (43.20) to a point; thence along lands now or formerly of the Consolidated Rail Corporation South five degrees fifty-one minutes fifty-four seconds West (South 5 degrees 51 minutes 54 seconds West) one hundred and five hundredths feet (100.05 feet) to a point in the northerly right-of-way line of Seidersville Road; thence along said right-of-way line North seventy-seven degrees thirty minutes West (North 77 degrees 30 minutes 0 seconds West) forty-three and sixty-seven hundredths feet (43.67 feet) to a point, the place of beginning.

CONTAINING four thousand, three hundred seventeen (4,317) square feet of land, more or less.

TITLE TO SAID PREMISES IS VESTED IN Raymond L. Torres, Jr. and Rosemarie A. Torres, h/w, by Deed from Raymond Torres, Jr., aka Raymond L. Torres, Jr., dated 01/15/1997, recorded 01/23/1997 in Book 1997-1, Page 7130.

BEING KNOWN AS 1851 Seidersville Road, Bethlehem, PA 18015.

TAX PARCEL NUMBER: Q7NW4B 2 1 0204.

THEREON BEING ERECTED a two-story single style dwelling with vinyl, brick, and cinder block exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Rosemarie A. Torres and Raymond L. Torres, Jr. aka Raymond Torres, Jr.

JOHN MICHAEL KOLESNIK,
ESQUIRE

No. 14
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2009-11068

All that certain parcel of land situate in the Borough of Wilson, County of Northampton and Commonwealth of Pennsylvania, and being described as follows:

Beginning at a point in the eastern right of way line of North Seventeenth Street and being a corner of Lot #2,

thence 1), Northerly along the easterly right of way line of North Seventeenth Street North 8 degrees 00 minutes 00 seconds W, 35.00 feet to a point,

thence 2), Easterly North 82 degrees 00 minutes 00 seconds East, 140.00 feet to a point in the westerly right of way line of Apple Street,

thence 3), Southerly along the westerly right of way line of Apple Street, South 8 degrees 00 minutes 00 seconds East, 35.00 feet to a point and corner of Lot #2,

thence 4) Westerly along Lot #2, South 82 degrees 00 minutes 00 seconds West, 140.00 feet to a point the place of beginning.

TITLE TO SAID PREMISES IS VESTED IN Jonathan Campbell and Melissa Williamson, as joint tenants with the right of survivorship by Angelo E. Dibiagio and Lisa A. Dibiagio, h/w, dated 04/23/2007, recorded 05/07/2007 in Book 2007 Page 168101.

BEING KNOWN AS 29 North 17th Street aka 29 17th Street, Easton, PA 18042.

TAX PARCEL NUMBER: L9SW2A 17 1 0837.

THEREON BEING ERECTED a two-story single style dwelling with vinyl siding and shingle roof; detached one-car garage.

SEIZED AND TAKEN into execution of the writ as the property of Jonathan Campbell and Melissa Williamson.

JOHN MICHAEL KOLESNIK,
ESQUIRE

No. 15
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2009-10405

ALL THAT CERTAIN messuage, tenement, and lot or parcel of ground situate on the West side of Main Street, and being designated as No. 262 Main Street according to the numbering system of the Borough of Freemansburg, in the Borough of Freemansburg, County of Northampton and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point on the West side of Main Street distance 27.23 feet Southwardly from the Southwest corner of Main and Monroe Streets, thence extending South 03 degrees, 15 minutes West along the West side of Main Street a distance of 12.88 feet to a point, thence extending through the property of F.L. Donchez, the grantor hereof, of which this conveyance is a part, the 3 following courses and distances, to wit: North 86 degrees, 45 minutes West, and passing in and along the party or partition wall located between the dwelling on the premises herein conveyed and the dwelling located on the premises adjoining to the South, a distance of 28.15 feet to a point, South 03 degrees, 15 minutes West a distance of .95 feet to a point, and

North 86 degrees, 45 minutes West, passing through aforesaid party or partition wall located between the dwelling on the herein conveyed premises and the dwelling located on the premises adjoining to the South, a distance of 138.85 feet to an iron pipe; thence extending North 03 degrees, 15 minutes East along property of the Central Railroad of Pennsylvania (formerly the Lehigh and Susquehanna Railroad Company), a distance of 13.83 feet to an iron pipe; thence extending South 85 degrees, 45 minutes East, through property of F.L. Donchez, the grantor hereof, of which this conveyance is a part, and passing through the party or partition wall located between the dwelling on the premises herein conveyed and the dwelling located on the premises adjoining to the North, a distance of 167 feet to the point on the West side of Main Street, the point the place of beginning.

TOGETHER with the uninterrupted free use, right and privilege to the Grantees herein, their heirs and assigns, of ingress, egress and regress to a 4 foot wide strip of ground or walkway over and across the premises now designated as Nos. 264 and 266 Main Street, being immediately to the North of the within described premises to Monroe Street. The Easterly side of said 4 foot wide walkway being parallel and distant 52 feet from the Westerly side of said Main Street.

TITLE TO SAID PREMISES IS VESTED IN Christopher Zeeh McDermott from Ann L. Hugosson formerly known as Ann L. Wooten, by Warranty Deed, dated 10/25/2002 and recorded 12/10/2002 in Book 2002-1 Page 348204.

BEING KNOWN AS 262 Main Street, Freemansburg, PA 18017.

TAX PARCEL NUMBER: P7NW2B
3 3 0212.

THEREON BEING ERECTED a two-story row home style dwelling with stone exterior and slate roof.

SEIZED AND TAKEN into execution of the writ as the property of Christopher Zeeh McDermott.

JOHN MICHAEL KOLESNIK,
ESQUIRE

No. 16
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2013-00767

ALL THAT CERTAIN tract or parcel of land situate in the Township of East Allen, County of Northampton and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a corner marked by an iron pipe on the easterly property line of Route 512 (LP. 48046), said corner being located no degrees 15 minutes East a distance of 218.21 feet from the southwest-erly corner of land of the grantors herein; thence along the easterly property line of Rt. 512, North no degrees 15 minutes East a distance of 106.79 feet to a corner marked by an iron pipe; thence in and through land of the grantors herein, South 89 degrees 45 minutes East, a distance of 183.47 feet to an iron pipe; thence by the same South no degrees 15 minutes West a distance of 106.79 feet to a concrete monument; thence along line of other land to be conveyed, passing through an iron pipe 33.47 feet distant, North 89 degrees 45 minutes West a distance of 183.47 feet to a point, the place of beginning. Containing 19,592.76 square feet.

Being known as: 6996 Beth-Bath Pike, Bath, Pennsylvania 18014.

Title to said premises is vested in William J. Heiber, III by deed from VIRGINIA E. AMORE AND IRENE M. AMORE dated February 27, 2008 and

recorded March 3, 2008 in Deed Book 2008-1, Page 56970.

TAX PARCEL NUMBER: L6 16 1A-1A 0508.

THEREON BEING ERECTED a two-story single style dwelling with aluminum and brick exterior and shingle roof; attached one-car garage.

SEIZED AND TAKEN into execution of the writ as the property of William J. Heiber, III.

JOSEPH I. FOLEY, ESQUIRE

No. 17
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2012-05754

ALL THAT CERTAIN lot or piece of land situate in the Township of Upper Mount Bethel, County of Northampton and State of Pennsylvania, and lying on the West side of the Public Road leading from Easton to Delaware Water Gap, in the Village of Slateford:

BEGINNING at the said public road on the North side of a farm road leading up the hill; thence by the said Farm Road South seventy degrees West One Hundred and eighty-five feet to a corner; thence by land of Albert O. Allen North twenty degrees West eighty-eight feet to a corner; thence by land of William Roberts North seventy degrees East one hundred and eighty five feet to the said Easton and Delaware Water Gap Road; thence along the said Road South twenty degrees East eighty-eight feet to the place of beginning.

EXCEPTING AND RESERVING therefrom a tract, having dimensions of approximately fifty feet (50 feet) x ninety feet (90 feet), conveyed by Ellen Stein to the D.L.&W Railroad Company by Deed dated July 29, 1908 and recorded in the Office for the Recorder of Deeds in and for Northampton County at Easton, Pennsylvania, in Deed Book G Volume 37 at Page 298.

TITLE TO SAID PREMISES IS VESTED IN William Zalewski, by Deed from William F. Brodt, Jr., administrator C.T.A. of the Estate of Martha M. Bartholomew, deceased, dated 08/18/1984, recorded 08/22/1984 in Book 669, Page 561.

BEING KNOWN AS 450 Slateford Road, Mount Bethel, PA 18343.

TAX PARCEL NUMBER: B11NE1 6 14 0131.

THEREON BEING ERECTED a two-story single style dwelling with aluminum siding and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of William Zalewski.

MEREDITH WOOTERS, ESQUIRE

No. 19
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2012-10223

ALL THOSE CERTAIN THREE TRACTS OF LAND with the buildings thereon erected, situate in the Township of Bushkill, County of Northampton, and State of Pennsylvania, bounded and described as follows, to wit:

TRACT NO. 1: ALL THAT CERTAIN lot or tractor land situate in the Township of Bushkill, County of Northampton and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point marked by an iron pin on the northern right-of-way of a macadam road leading from Cherry Hill to Moorestown which point is Three hundred ninety-six and seventy-one one-hundredths (396.71) feet measured along the centerline of road on a course of South eighty-eight (88) degrees East (magnetic bearing) East of the intersection of the Western fence line of James R. McGrath (now or formerly) and the centerline of the aforesaid road: thence from this point

the following courses and distances: South eighty-eight (88) degrees East seventy-five (75) feet to an iron pin, North two; (2) degrees East for One hundred fifty (150) feet, to an iron point, North eighty-eight (88) degrees West for seventy-five (75) feet to an iron pin, South two (2) degrees West for One hundred fifty (150) to the place of beginning. BOUNDED on the South by above-mentioned road, on the East, North and West by other lands now or late of James R. McGrath.

TRACT NO. 2: ALL THOSE TWO CERTAIN parcels or pieces of land situate in the Township of Bushkill, County of Northampton, and State of Pennsylvania, bounded and described as follows, to wit:

PARCEL NO. 1: BEGINNING at an iron pin marking the Southeast corner of other lands of Edwin K. Pensyl, thence by said land North eight (8) degrees West, One hundred fifty and forty-two one-hundredths (150.42) feet to an iron pin marking the Northeast corner of said land; thence through land now or late of Cora A. McGrath, South nineteen (19) degrees thirty-four (34) minutes East, One hundred fifty-three and five tenths (153.5) feet to an iron bolt at the side of the public road leading to Nazareth, thence along the said road South eighty two (82) degrees West, thirty and eight-tenths (30.8) feet to the place of beginning.

PARCEL NO. 2: BEGINNING at an iron pin in line of other land of the said Cora A. McGrath, thence by said land South eighty-two (82) degrees West, seventy-five (75) feet to an iron point, the northwest corner of said land; thence by land now or late of Cora A. McGrath, the three (3) courses and distances following. North fourteen (14) degrees fifty (50) minutes West, seventy-one and forty

two one hundredths (71.42) feet to an iron point, North seventy-eight (78) degrees thirty (30) minutes East, sixty-eight and twenty-nine one-hundredth (68.29) feet to a first iron pin and South nineteen (19) degrees thirty-four (34) minutes East, seventy-six and seventy two one-hundredths (76.72) feet to the place of beginning.

TRACT NO.3: ALL THAT CERTAIN piece of parcel of land situate in the Township of Bushkill, County of Northampton and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at an iron bolt on the northerly side of the state highway leading from Cherry Hill to Moorestown, corner of land of Edwin H. and Maria G, Pensyl, thence along said land North nineteen (19) degrees thirty-four (34) minutes West, Tow hundred thirty and fourteen one-hundredths (230.14) feet to a flat iron pin; thence along land now or late of Cora A. McGrath, North seventy-eight (78) degrees thirty (30) minutes East, twenty-eight and five-tenths (28.5) feet to an iron pipe; thence still along the same South eighteen (18) degrees fifty-four (54) minutes East, One hundred twenty-eight (128) feet to a pipe; thence still along the Same, South sixty-eight (68) degrees twenty-three (23) minutes West, twelve (12) feet to a pipe; thence still along the same, South nineteen (19) degrees thirty-six (36) minutes East, one hundred (100) feet to a pipe on the north side of the said state highway; thence along the North side of said Highway, South seventy-nine (79) degrees forty-nine (49) minutes West, fifteen (15) feet to the place of beginning.

BEING THE SAME PREMISES which Gene Bonomo by Deed dated November 14, 2006 and recorded

November 17, 2006 in the Office of the Recorder of Deeds in and for Northampton County in Deed Book Volume 2006-1, Page 476689, granted and conveyed unto JASON R. MILLER.

BEING KNOWN AS 280 Cherry Hill Road, Nazareth, PA 18064.

TAX PARCEL NUMBER: J7 3 4 0406.

THEREON BEING ERECTED a cape cod single style dwelling with aluminum siding and shingle roof; detached two-car garage.

SEIZED AND TAKEN into execution of the writ as the property of Jason R. Miller.

RICHARD J. NALBANDIAN, III,
ESQUIRE

No. 20
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2013-02556

ALL THAT CERTAIN message or tract of land situated in Bethlehem Township, Northampton County, in the Commonwealth of Pennsylvania, bounded and described as follows:

BEGINNING at a point on the Southerly right-of-way line of Bigal Court (50 feet wide), being a common corner of Lots 16 and 17 as shown on a plan titled 'Phase 1—Final Plan, Nancy Run Estates, Record Plan' dated January 1, 1997, prepared by Reimer Associates, Inc., and recorded September 1, 1998 in Map Book 1998-5, Page 244, 245; thence along said right-of-way line North 86 degrees 11 minutes 22 seconds East 98.04 feet to a point, being a common corner of Lots 17 and 18 of Nancy Run Estates; thence along said Lot 18 South 03 degrees 48 minutes 38 seconds East 104.03 feet to a point in line of lands of N/L Hampton Meadows Limited Partnership, being a common corner of the aforementioned Lots 17 and 18; thence along said lands of N/L Hampton Meadows

Limited Partnership South 86 degrees 55 minutes 30 seconds West 98.06 feet to a point, being a common corner of the aforementioned Lots 16 and 17; thence, along said Lot 16 North 03 degrees 48 minutes 38 seconds West 102.77 feet to the place of BEGINNING.

CONTAINING 10,138.04 square feet or 0.233 acres more or less.

UNDER AND SUBJECT TO drainage and utility easements and buffer easements shown on the aforementioned subdivision plan.

TITLE TO SAID PREMISES IS VESTED IN John Giglio, separated, by Deed from John Giglio and Alexandra Giglio, h/w, dated 06/13/2005, recorded 06/23/2005 in Book 2005-1, Page 233512.

BEING KNOWN AS 3965 Bigal Court, Bethlehem, PA 18020.

TAX PARCEL NUMBER: N7NE2 4 12 0205.

THEREON BEING ERECTED a two-story single style dwelling with vinyl and brick exterior and shingle roof; attached two-car garage.

SEIZED AND TAKEN into execution of the writ as the property of John Giglio.

ADAM H. DAVIS, ESQUIRE

No. 21
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2013-02930

ALL THAT CERTAIN lot, piece or parcel of land situate in the Township of Washington, County of Northampton, Commonwealth of Pennsylvania, shown as Lot Number 1 of the Ohland Subdivision No. 2, as prepared by Policelli Engineering, Inc., recorded in the Northampton County Recorder of Deeds Office in Map Book 2001-5 Page 195, bounded and described as follows, to wit:

BEGINNING at an iron pipe found on line of land of Robert L. Schwartz,

said iron pipe also marking the southerly 30 feet wide right of way known as Brodt Road, TR684; thence along said road, North 47 degrees 32 minutes 39 seconds East 287.42 feet to a concrete monument set; thence along the same along a curve to the right having a central angle of 93 degrees 41 minutes 18 seconds, a radius of 30 feet, an arc length of 49.06 feet, and a chord bearing and distance of South 85 degree S 36 minutes 42 seconds East 43.77 feet to a concrete monument set on the westerly 30 feet right of way of the public road known as Mt. Pleasant Road, TR 678; thence along said road, South 38 degrees 46 minutes 03 seconds East 232.18 feet to an iron pipe set, said iron pipe also marking the northern most corner of Lot Number 2; thence along said lot through the center of a proposed drainage swale, South 51 degrees 28 minutes 03 seconds West 315.76 feet to an iron pipe found, said iron pipe also marking a corner of land of Robert L. Schwartz, first above-mentioned; thence along said land, North 39 degrees 28 minutes 37 seconds West 242.35 feet to the place of beginning. Containing 1.8391 acres.

Being known as: 623 Mount Pleasant Road, Bangor, Pennsylvania 18013.

Title to said premises is vested in Thomas K. Winter and Wendy M. Winter by deed from JAMES OHLAND AND CHARLAYNE OHLAND, HUSBAND AND WIFE dated October 29, 2001 and recorded October 30, 2001 in Deed Book 2001-1, Page 227589.

TAX PARCEL NUMBER: F10 4 2 0134.

THEREON BEING ERECTED a two-story single style dwelling with

vinyl siding and shingle roof; attached two-car garage.

SEIZED AND TAKEN into execution of the writ as the property of Thomas K. Winter and Wendy M. Winter.

JOSEPH I. FOLEY, ESQUIRE

No. 23

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2013-03455**

ALL THAT CERTAIN lot or piece of ground situated in the Township of Forks, County of Northampton and Commonwealth of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a corner in land of Joseph Fulmer and on the East side of the Old North Delaware River Road; thence North 11 degrees 15 minutes East, 70.00 feet to a corner of a lot about to be conveyed to Carrie M. Kressley; thence along the said last mentioned lot, South 78 degrees 45 minutes East 140.33 feet to a corner of other land of the said Joseph Fulmer; thence along the said Joseph Fulmer's land, South 19 degrees 30 minutes West, 70 3/4 feet to a corner in land of the said Joseph Fulmer; thence along said Joseph Fulmer's land, North 78 degrees 45 minutes West, 130.00 feet to the place of BEGINNING.

BOUNDED on the East by a public highway known as Route 611, on the North by property now or late of Carrie M. Kressley, on the South by land now or late of Harley S. Fulmer and wife, Ella P. Fulmer, and on the West by said Old North Delaware River Road.

HAVING THEREON ERECTED A DWELLING KNOWN AS 2377 OLD RIVER ROAD EASTON, PA 18040.

BEING THE SAME PREMISES WHICH Dolores Parsons Klock, et. al.

by deed dated 06/24/10 and recorded 07/15/10 in Northampton County Record Book 2010-1, Page 137268, granted and conveyed unto Paul McLoughlin.

TAX PARCEL NUMBER: K10NW2 4 6 0311.

THEREON BEING ERECTED a colonial single style dwelling with aluminum siding and shingle roof; attached one-car garage.

SEIZED AND TAKEN into execution of the writ as the property of Paul McLoughlin.

LEON P. HALLER, ESQUIRE

No. 24

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2013-02649**

ALL THAT CERTAIN parcel of land situate in the Township of Forks, County of Northampton, Commonwealth of Pennsylvania, and being more particularly bounded and described as follows, to wit:

BEGINNING at a point in the northern right of way line of Hunter Road, and being the southeast corner of Lot #5, thence (1) northerly along Lot #5, North 07 degrees, 40 minutes 06 seconds West 203.50 feet to a point, thence (2) easterly North 79 degrees, 23 minutes, 20 seconds East 90.12 feet to a point and corner of Lot #8, thence (3) southerly along Lot #8 and #7, South 07 degrees, 40 minutes, 06 seconds East 208.13 feet to a point in the northern right of way line of Hunter Road, thence (4) westerly along the northern right of way line Hunter Road, South 82 degrees, 19 minutes, 54 seconds West 90.00 feet to a point, the place of beginning. Containing 18,523.4 square feet of land.

Being known as: 791 Hunter Road, Easton, Pennsylvania 18040.

Title to said premises is vested in Terry C. Neve and Ana M. Neve by

deed from MARSHA S. PLOG dated August 13, 1999 and recorded August 19, 1999 in Deed Book 1999-1, Page 126891.

TAX PARCEL NUMBER: J9 13 42 0311.

THEREON BEING ERECTED a two-story single style dwelling with vinyl siding and shingle roof; attached two-car garage.

SEIZED AND TAKEN into execution of the writ as the property of Terry C. Neve and Ana M. Neve.

CELINE P. DerKRIKORIAN,
ESQUIRE

No. 25

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2013-02031**

ALL THAT CERTAIN lot or piece of land situate in the Township of Bethlehem, County of Northampton and Commonwealth of Pennsylvania, being designated as Lot No. 13, Phase 2, according to the map or plan entitled "College View West Subdivision", prepared by Heikki K. Elo, consulting engineers, Easton, Pennsylvania, as revised February 16, 1979 and as recorded June 20, 1979 in Northampton County Plan Book Volume 54, Page 1, etc.

Being known as: 3430 Temple Court, Bethlehem, Pennsylvania 18020.

Title to said premises is vested in Rubina R. Egnoto by deed from SHERWIN L. MOWERY AND JOANNE M. MOWERY, HUSBAND AND WIFE dated May 17, 2007 and recorded May 29, 2007 in Deed Book 2007-1, Page 195210.

TAX I.D. #: M7SE1 4 4 0205.

BEING KNOWN AS 3430 Temple Court, Bethlehem, PA 18020.

TAX PARCEL NUMBER: M7SE1 4 4 0205.

THEREON BEING ERECTED a ranch single style dwelling with vinyl and brick exterior and shingle roof; attached one-car garage.

SEIZED AND TAKEN into execution of the writ as the property of Rubina R. Egnoto.

CELINE P. DerKRIKORIAN,
ESQUIRE

No. 26
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2010-06278

ALL THAT CERTAIN message, tenement, and lot or parcel of land situate in the Township of Forks, Northampton County, Pennsylvania, designated as Lot No. 330 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, being more fully bounded and described as follows, to wit:

BEGINNING at a point on the eastern right-of-way line of Hawthorn Drive (46 feet wide), said point being the northwest corner of Lot 331 and the southwest corner of the herein described Lot 330;

thence along a curve having a radius of four hundred seventy-seven feet (477.00 feet), central angle of seven degrees twenty-two minutes and fifty-five seconds (07 degrees 22 minutes 55 seconds), a length along the arc of sixty-one and forty-six one-hundredths feet (61.46 feet), and a tangent distance of thirty and seventy-seven one-hundredths feet (30.77 feet) to a point;

thence along the southern boundary line of Lot 329, South eighty-eight degrees fifty minutes thirty-two seconds East (S 88 degrees 50 minutes 32 seconds E), a distance of one hundred twenty-six and

seventy one-hundredths feet (126.70 feet) to a point;

thence along the western boundary lines of Lot 307 and Lot 306, South two degrees fifty-six minutes five seconds West (S 2 degrees 56 minutes 05 seconds W), a distance of thirty-five and eight one-hundredths feet (35.08 feet) to a point;

thence along the northern boundary line of Lot 331, South seventy-eight degrees forty-three minutes twenty-seven seconds West (S 78 degrees 43 minutes 27 seconds W), a distance of one hundred nineteen and seven one-hundredths feet (119.07 feet) to the place of BEGINNING.

CONTAINING in area 5,924.16 square feet or 0.136 acres.

UNDER AND SUBJECT, nevertheless, and together with, a certain ten-foot wide access easement as more fully described and illustrated in a certain Declaration and Imposition of Cross-Easement document recorded in the recorder's office in Miscellaneous Volume 2003-1, Pages 436891-436897.

UNDER AND SUBJECT to covenants, easements and restrictions as shown on the aforementioned Plan of Penn's Ridge and otherwise of record.

TITLE TO SAID PREMISES IS VESTED IN Ryan A. Alin and Kristen L. Moll and Louise T. Perugini, as joint tenants with the right of survivorship and not as tenants in common from Hornstein Enterprises, Inc., by Warranty Deed, dated 08/02/2005 and recorded 8/8/2005 in Book 2005-1 Page 299363 Instrument # 2005040866.

BEING KNOWN AS 2480 Hawthorn Drive, Easton, PA 18040.

TAX PARCEL NUMBER: K9 10 6-330 0311.

THEREON BEING ERECTED a two-story condominium style dwelling with vinyl and brick exterior and shingle roof; attached two-car garage.

SEIZED AND TAKEN into execution of the writ as the property of Louise T. Perugini and Ryan A. Alin and Kristen L. Moll.

JOHN MICHAEL KOLESNIK,
ESQUIRE

No. 27
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2013-02619

ALL THAT CERTAIN parcel of land situate in the Township of Palmer, County of Northampton, Commonwealth of Pennsylvania, and being all of Lot No. 49 as shown on the recorded plan of Woodmont, which plan is recorded in Map Book 2, at Page 102, in the Office for the Recording of Deeds in and for Northampton County, Pennsylvania, bounded and described as follows:

BEGINNING at a point on the west side of Arlington Street, said point being South 4 degrees 05' East 200.00 feet from the southwest corner of Arlington Street and Caanan Avenue; thence along the line between Lot No. 49 and Lot No. 67, South 4 degrees 05' East 40.00 feet to a point; thence along the line between Lot No. 49 and Lot No. 50, North 85 degrees 55' East 110.00 feet to a point; thence along the west side of Arlington Street, North 4 degrees 05' West 40.00 feet to the place of BEGINNING.

CONTAINING 4,400 square feet of land.

Being known as: 446 Arlington Street, Easton, Pennsylvania 18045.

Title to said premises is vested in Michelle Kazar by deed from SIMON

BALLANTYNE dated July 20, 2004 and recorded July 26, 2004 in Deed Book 2004-1, Page 287358.

TAX PARCEL NUMBER: M8NE4 4 6 0324.

THEREON BEING ERECTED a two-story half-of-double style dwelling with vinyl and brick exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Michelle Kazar and Simon Ballantyne.

CELINE P. DerKRIKORIAN,
ESQUIRE

No. 29
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2012-06250

ALL THAT CERTAIN message and tenement and lot or piece of ground situated in the City of Bethlehem, County of Northampton and State of Pennsylvania, known as 318 State Street, (formerly called Cemetery Street), bounded and described as follows, to wit:

BEGINNING at the Southwest corner of State (formerly Cemetery) Street and Mechanic Streets, thence extending Southwardly along said State (formerly Cemetery) Street, a distance of fourteen and sixty one-hundredths feet (14.60 ft.) more or less to a point the center of partition wall of this property and property #320 State (formerly Cemetery) Street, thence extending in a Westerly direction through the center of partition wall of this property and property #320 State (formerly Cemetery) Street and along land of the grantor a distance of seventy-six and fifty-five one-hundredths feet (76.55 ft.) to a point, thence extending in a Northerly direction a distance of thirteen feet (13 ft.) to a point on Mechanic Street, thence extending in

an Easterly direction along the South side of Mechanic Street a distance of seventy-seven and fourteen one-hundredths feet (77.14 ft.) to a point on Mechanic Street, the place of BEGINNING.

BOUNDED on the North by Mechanic Street, on the South by #320 State (formerly Cemetery) Street, on the East by State (formerly Cemetery) Street, and on the West by a six feet ten inch (6 ft. 10 in.) private alley.

The sewer lines running through this property from properties on the South being Nos. 318-320-324 and 326 are at no time to be in any way changed or obstructed and the expenses for maintaining of same are to be paid pro rata.

TITLE TO SAID PREMISES IS VESTED IN Federico Presto and Evelyn Presto, h/w given by Rosa M. Rodriguez, dated 07/18/2005, recorded 07/20/2005 in Book 2005-1 Page 268877.

BEING KNOWN AS 318 State Street, Bethlehem, PA 18015.

TAX PARCEL NUMBER: P6SE2A 17 11 0204.

THEREON BEING ERECTED a two-story row home style dwelling with brick exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Federico Presto and Evelyn Presto.
MELISSA J. CANTWELL, ESQUIRE

No. 30

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2012-09712**

ALL THAT CERTAIN tract of land together with improvements thereon located in the Borough of Northampton, County of Northampton and Commonwealth of Pennsylvania, (shown as Lot 6 on a final major

subdivision plan entitled, Wynnewoode North, recorded in Volume 1997-5, Page 1), bounded and described as follows, to wit:

BEGINNING at an iron pin located along the right-of-way of Michael Court, said pin also located along lot 7 of the same subdivision, and the lands herein described; thence,

1) Along an arc deflecting to the right having a radius of 25.00 feet and a length of 24.86 feet (long chord N 15 degrees-08 minutes-14 seconds E, 23.84 feet) along the right-of-way of Michael Court to an iron pin; thence,

2) Along an arc deflecting to the right having a radius of 125.00 feet and a length of 19.89 feet (long chord N 48 degrees-10 minutes-39 seconds E, 19.86 feet) along the right-of-way of Michael Court, 25.00 feet from centerline to a concrete monument; thence,

3) N 52 degrees-44 minutes-06 seconds W, 11.97 feet along the same to an iron pin; thence,

4) S 44 degrees-04 minutes-01 second E, 155.36 feet along lot 5 of the same subdivision to an iron pin; thence,

5) S 53 degrees-44 minutes-06 seconds W, 31.01 feet along lands now or former of Louis & Pauline Cogossi to an iron pin; thence,

6) N 52 degrees-43 minutes-28 seconds W, 142.76 feet along lot 7 of the same subdivision to the aforementioned point and PLACE OF BEGINNING.

CONTAINING 6,458.00 square feet.

TITLE TO SAID PREMISES IS VESTED IN Patricia L. Fiorilli, by Deed from Mark Hummel and Belle Hummel, h/w, dated 11/08/2004, recorded 11/22/2004 in Book 2004-1, Page 454333

BEING KNOWN AS 108 Michael Court, Northampton, PA 18067.

TAX PARCEL NUMBER: L3 4 3-6 0522.

THEREON BEING ERECTED a two-story half-of-double style dwelling with vinyl and stone exterior and shingle roof; attached one-car garage.

SEIZED AND TAKEN into execution of the writ as the property of Patricia L. Fiorilli.

ALLISON F. ZUCKERMAN,
ESQUIRE

No. 31

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2013-03059**

All that certain tract or piece of land situate in the Borough of Wilson, County of Northampton, Commonwealth of Pennsylvania, comprising of Lot No. 205 as appears on a certain map of the Fairview Park Association entered of record in the Office for the Recording of Deeds, at Easton, PA in and for the said County of Northampton, in Map Book 2, Page 64.

Containing in front on the South side of Ferry Street, between 19th and 20th Street, as laid out on the said map, twenty (20) feet and extending of that width between parallel lines southwardly one hundred and thirty (130) feet to Spruce Street, as appears on said map.

Bounded on the north by said Ferry Street, on the east by Lot No. 204, on the south by Spruce Street, and on the west by Lot No. 206.

Being known as 1948 Ferry Street, Easton, PA 18042.

TAX PARCEL NUMBER: L9SW1C 12 2 0837.

THEREON BEING ERECTED a two-story half-of-double style dwelling with brick and vinyl exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Matthew J. Cascioli.

MICHAEL T. MCKEEVER, ESQUIRE

No. 32

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2013-03214**

ALL THAT CERTAIN lot together with the improvements thereon erected shown as Lot No. 2, Washington Township, Northampton County, on a Major Subdivision Plan for Marie Teel and Ned Garis, being recorded in Plan Book 2004-5, Page 843.

BEING the same premises which LTS Builders, LLC by Deed dated 01/15/2011 and recorded 01/31/2011 in the Recorder's Office of Northampton County, Pennsylvania, in Deed Book 2011-1 Page 21767, Instrument# 2011002750, granted and conveyed unto Michelle D. Jones.

PARCEL NO.: E10-4-3A-1 0134.

PROPERTY ADDRESS: 864 Five Points Richmond Road, Bangor, PA 18013.

TAX PARCEL NUMBER: E10 4 3A-1 0134.

THEREON BEING ERECTED a two-story single style dwelling with vinyl siding and shingle roof; attached two-car garage.

SEIZED AND TAKEN into execution of the writ as the property of Michelle D. Jones.

SALVATORE FILIPELLO, ESQUIRE

No. 34

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2013-02183**

All that certain property situated in the Borough of Chapman Quarries, in the County of Northampton, Commonwealth of Pennsylvania, and being described as follows: J6-5-23.

Being more fully described in a deed dated 08/04/05 and recorded 08/10/05, among the land records of the County and State set forth above, in Deed Volume 2005-1 and Page 304648.

BEGINNING at a point, being the intersection of the northerly line of the Public road, leading from bath to Klecknersville and the middle line of the road, leading in a northerly direction from the Bath-Klecknersville road to Moorestown; thence extending in and along the middle of the said Las Mentioned road, north 41 deg 08 minutes 30 seconds east, 104 feet to a point; thence along an old fence line, marking the division of the former Chapman Slate company store property and the former hotel property, northern 48 deg 51 minutes 30 seconds west, 220 feet to the easterly edge of the concrete paved portion of the road, leading to north Main street in the borough of Chapman quarries; thence along the edge of the said Paved road, along a curve to the let, in a southeast direction, 257 feet to the place of beginning.

BOUNDED on the north by the former hotel property, east by the aforesaid road, leading to Moorestown and south and west by the Paved Roads, hereinbefore mentioned.

THE conveyance is made subject to all restrictions, easements, rights of way, covenants and conditions contained in the deeds forming the chain of title to this property.

TITLE TO SAID PREMISES IS VESTED IN Michael Sora, a single man and his parents and Theresa Sora and Steven A. Sora, h/w, as joint tenants with right of survivorship, by Deed from Michael Sora, single and his mother and Theresa Sora, a

married woman, by Greg Perdziola as agent / aif, joined by her spouse Steven A. Sora, as joint tenants with the right of survivorship, dated 01/31/2007, recorded 04/02/2007 in Book 2007-1, Page 118593.

BEING KNOWN AS 2558 Monocacy Avenue, Bath, PA 18014.

TAX PARCEL NUMBER: J6 5 23 0507.

THEREON BEING ERECTED a two-story duplex with brick and T-1-11 siding and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Theresa Sora and Steven A. Sora and Michael Sora.

JOHN MICHAEL KOLESNIK,
ESQUIRE

No. 35

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2013-00284**

ALL THAT CERTAIN messuage or tenement and lot or piece of ground, situated in said Township of Bethlehem (now the Borough of Free-mansburg); BOUNDED and described as follows to wit:

BEGINNING at a point on New Street at a twelve feet wide alley, thence Westwardly along said alley One Hundred and Twenty feet more or less to a point on another twelve feet wide alley, thence Southwardly along said last mentioned alley, Sixty feet to a point on lands formerly of Samuel Getter now or late of Jacob Schaffner, thence Eastwardly along the same, One Hundred and Twenty feet more or less to a point on said New Street, thence Northwardly along said New Street Sixty feet to the place of beginning.

BOUNDED on the East by New Street; on the North and West by said alley's and on the South by lands formerly of Samuel Getter now owned by Jacob Schaffner as aforesaid.

TITLE TO SAID PREMISES IS VESTED IN George Hitcho, Jr., married, by Deed from George Hitcho, Jr. and Jeanette A. Hitcho, h/w, dated 12/15/2005, recorded 12/30/2005 in Book 2005-1, Page 530163.

BEING KNOWN AS 440 New Street, Bethlehem, PA 18017.

TAX PARCEL NUMBER: N7SW3C 8 1 0212.

THEREON BEING ERECTED a two-story single style dwelling with vinyl and asbestos shingle siding and shingle roof; small barn.

SEIZED AND TAKEN into execution of the writ as the property of George Hitcho, Jr.

JONATHAN LOBB, ESQUIRE

No. 36
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2013-03732

All that lot or piece of ground together with the improvements thereon, located on the south side of and known as #1338 Pine Street, between Peach and Fourteenth Streets in the Eighth Ward of the City of Easton, Pennsylvania, bounded and described as follows, to wit:

Beginning at a point in the south building line of Pine Street and also in line with the center of the dividing wall between house #1336 and #1338 Pine Street, the said point being distant westwardly 42.75 feet from the west curb line of Peach Street measured westwardly along the south building line of Pine Street thence extending westwardly along the south building line of Pine Street for a distance of 21.5 feet more or less and extending of that width between parallel lines which are also parallel with Peach Street for a distance of 115 feet to a ten feet wide alley.

Being the same premises which Charles D. Knecht, Jr. and Edith L. Knecht, his wife, by their deed dated March 26, 1947 and recorded in the Office of the Recorder of Deeds in and for Northampton County at Easton, Pennsylvania, in Deed Book Volume A81, Page 313, did grant and convey unto Earl W. Michael and Olive M. Michael, his wife, and the said Earl W. Michael having since died, fee simple title to the above-described premises vested in his spouse, Olive M. Michael, by virtue of the laws of the Commonwealth of Pennsylvania relating to tenancies by the entireties.

Title to said premises vested in Alambri Gil-Rodriguez by Deed from Angela A. Bock dated 05/16/2008 and recorded 05/30/2008 in the Northampton County Recorder of Deeds in Book 2008-1, Page 160868.

BEING KNOWN AS 1338 Pine Street, Easton, PA 18042.

TAX PARCEL NUMBER: L9SW2C 5 3 0310.

THEREON BEING ERECTED a two-story half-of-double style dwelling with vinyl siding and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Alambri Gil-Rodriguez.

PATRICK J. WESNER, ESQUIRE

No. 37
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2010-09264

ALL THAT CERTAIN tract of land situate on the West side of Crosswinds Drive (50 feet wide) in the Township of Bethlehem, County of Northampton, Commonwealth of Pennsylvania, as shown on the Final Plan of Lake View Estates, Plan No. 2K085-02 Rev. 8, prepared by BASE Engineering, inc, being known as Lot #32 and being more fully bounded and described as follows:

BEGINNING at a point on the Western right of way line of Crosswinds Drive a corner of Lot 31; thence along Lot 31 and Lot 35; thence along Lot 35 North 06 degrees 50 minutes 38 seconds West 140.00 feet to a point a corner common to Lot 33 and Lot 35; thence along Lot 33 North 83 degrees 09 minutes 22 seconds East 165.00 feet to a point on the Western right of way line of Crosswinds Drive; thence along the Western right of way line of Crosswinds Drive the two following courses (1) South 06 degrees 50 09 minutes 38 seconds East 140.00 feet to a point the place of beginning.

TITLE TO SAID PREMISES IS VESTED IN Adrienn Gangotena, by Deed from Adrienn Gangotena and Ivan Gangotena, dated 08/04/2005, recorded 08/17/2005 in Book 2005-1, Page 314402.

BEING KNOWN AS 4255 Crosswinds Drive, Easton, PA 18045.

TAX PARCEL NUMBER: L8 11A 14-32 0205.

THEREON BEING ERECTED a two-story single style dwelling with vinyl and stucco exterior and shingle roof; attached three-car garage.

SEIZED AND TAKEN into execution of the writ as the property of Adrienn Gangotena.

ADAM H. DAVIS, ESQUIRE

No. 38

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2013-02186**

ALL THAT CERTAIN lot or piece of ground situate on the southeast side of Eagle View drive in the township of Bushkill, county of Northampton, commonwealth of Pennsylvania, being lot 5 on a final subdivision plan entitled 'eagle point subdivision' as prepared by Benchmark Civil Engineering Services, Inc., dated and last

revised 10/17/05, and being bound and described as follows:

BEGINNING at a point in the southeasterly 25-foot right of way line of Eagle View drive, said point marking the northeasterly corner of lot 4 of this subdivision;

THENCE extending along the southeasterly 25-foot right of way line of Eagle View drive, north 32 degrees 10 minutes 13 seconds east, 175.00 feet to a point;

THENCE extending along the southwesterly property line of lot 6 of this subdivision, south 57 degrees 49 minutes 47 seconds east, 250.00 feet to a point;

THENCE extending along the northwesterly property line of now or formerly Gordon Biechy, south 32 degrees 10 minutes 13 seconds west, 175.00 feet to a point;

THENCE extending along the northeasterly property line of lot 4 of this subdivision, north 57 degrees 49 minutes 47 seconds west 250.00 feet to the place of beginning;

CONTAINING 43,750.00 square feet, 1.00 acres.

TITLE TO SAID PREMISES IS VESTED IN Neville Carrington and Cherry Carrington, by Deed from Ashview Development Company, LLC., dated 05/18/2007, recorded 06/04/2007 in Book 2007-1, Page 204662.

BEING KNOWN AS Lot 5 218 Eagle View Drive aka 218 Eagle View Drive, Bath, PA 18014.

TAX PARCEL NUMBER: H6 13 7B-5 0406.

THEREON BEING ERECTED a two-story single style dwelling with vinyl, stone, and stucco exterior and shingle roof; attached three-car garage.

SEIZED AND TAKEN into execution of the writ as the property

of Neville Carrington and Cherry Carrington.

JOHN MICHAEL KOLESNIK,
ESQUIRE

No. 39
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2013-03282

ALL THAT CERTAIN parcel of land know as Lot No. 3-39 located I Palmer Township, Northampton County, Commonwealth of Pennsylvania, as shown on a plan entitled 'The Villages At Mill Race Record Plan Phase III' prepared by Harte Engineering, Inc., recorded September 17, 2004, in Northampton County Map Book Volume 2004-5, page 613 et seq., bounded and described as follows:

BEGINNING at a point on the westerly right-of-way line of Mill Race Drive, said point being in line with the lands known as Lot 3-40 of The Villages At mill Race—Phase Three; thence,

Along the same, on a curve to the left having a radius of 330.00 feet, a chord bearing of South 13 degrees 32 minutes 18 seconds West, a chord length of 61.72 feet and an arc length of 61.81 feet to a point; thence,

Along the lands known as Lot 3-38 of The Villages At Mill Race—Phase Three, North 81 degrees 49 minutes 39 seconds West 25.00 feet to a point; thence,

Along the same, South 81 degrees 11 minutes 20 seconds West 86.12 feet to a point; thence,

Along the lands known as Lot 2-33 of The Villages At Mill Race—Phase Tow, North 03 degrees 07 minutes 46 seconds West 87.79 feet to a point; thence,

Along the lands known as Lot 2-32 of the Villages At Mill race—Phase Two and Lot 3-40 of The Villages At Mill Race—Phase Three, North 86

degrees 40 minutes 17 seconds East 111.24 feet to a point; thence,

Along said Lot 3-40, South 71 degrees 05 minutes 44 seconds East 25.00 feet to the PONINT OF BEGINNING.

TITLE TO SAID PREMISES IS VESTED IN Neophytos Zambas and Susan Pitarqui, h/w, by Deed from CMC Development Corporation, a Pennsylvania corporation, dated 07/28/2005, recorded 07/29/2005 in Book 2005-1, Page 286707.

BEING KNOWN AS 108 Mill Race Drive, Easton, PA 18045.

TAX PARCEL NUMBER: K9 1 1-39A 0324.

THEREON BEING ERECTED a two-story single style dwelling with vinyl and brick exterior and shingle roof; attached two-car garage.

SEIZED AND TAKEN into execution of the writ as the property of Neophytos Zambas and Susan Pitarqui.

MEREDITH WOOTERS, ESQUIRE

No. 40
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2010-10820

ALL THAT CERTAIN messuage, tenement and tract of ground situate in the Township of Lehigh, County of Northampton and Commonwealth of Pennsylvania, and known as Lot No. and part of Lot No. 40 as shown on a Plan of Indian Trail Park, Inc., dated April, 1930 and prepared by Beacon and Sieger, Civil Engineers of Allentown, Pennsylvania, said tract being bounded and described as follows:

BEGINNING at a point on Monocacy Street, 49.00 feet East of a 10 feet wide alley; thence along Monocacy Street 66.33 feet, more or less, to a point, a corner of property now or late of Katye L. Vogel; thence

extending along said property known as Lot No. 42 in a Northwesterly direction 82.54 feet to a point on Seneca Street; thence extending along Seneca Street in a Southwesterly direction 71.00 feet, more or less, to a point in Lot No. 40, a corner of property now or late of Lloyd T. Acker; thence extending through Lot No. 40 and along property of said Lloyd T. Acker South 23 degrees 31 minutes East 89.70 feet, more or less, to a point on Monocacy Street, the place of Beginning.

ALSO DESCRIBED AS FOLLOWS:

ALL THAT CERTAIN messuage, tenement and lot or piece of ground situate on the South side of Seneca Street, now known as Teak Drive, in the Township of Lehigh, County of Northampton and Commonwealth of Pennsylvania, and being Lot No. 41 and part of Lot No. 20 as shown on Plan of Indian Trail Park, Inc., as recorded in Map Book 10, Page 47, and also shown on a survey plan prepared by Kenneth R. Hahn, R.S., Drawing No. 70-249, dated June 27, 1979, bounded and described as follows:

BEGINNING at a point on the South right-of-way line of Teak Drive, formerly known as Seneca Street, 25.00 feet wide, said point being located 55.00 feet West of the West right-of-way line of Sioux Street, 25.00 feet wide; thence along the property of Lot No. 42 South 26 degrees 57 minutes East 84.54 feet to a point on the North right-of-way line of Redbud Drive; thence along the North right-of-way of Redbud Drive, 25.00 feet wide, South 58 degrees 42 minutes West 66.33 feet to a point; thence along Lot No. 40 of said Plan North 30 degrees 03 minutes 23 seconds West 89.70 feet to a point on the South right-of-way line of Teak

Drive; thence along the South right-of-way line of Teak Drive North 63 degrees 03 minutes East 71.00 feet to the place of Beginning.

TITLE TO SAID PREMISES IS VESTED IN Ryan P. Hartnett, by Deed from Lynda A. Cole, dated 04/24/2009, recorded 04/30/2009 in Book 2009-1, Page 99373.

BEING KNOWN AS 3803 Teak Drive, Northampton, PA 18067.

TAX PARCEL NUMBER: J3SE2 3 3 0516.

THEREON BEING ERECTED a split-level single style dwelling with aluminum siding and shingle roof; attached two-car garage.

SEIZED AND TAKEN into execution of the writ as the property of Ryan P. Hartnett.

ADAM H. DAVIS, ESQUIRE

No. 41

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2011-09298**

ALL THAT CERTAIN lot or tract of land situated on the east side of Monastery Place in the Township of Lehigh, County of Northampton and Commonwealth of Pennsylvania, being Lot 25 as shown on the subdivision plan known Friar's View Estates, said plan being recorded in the Recorder of Deeds Office in and for the County of Northampton in Map Book Volume 45, Page 18, bounded and described as follows, to wit:

BEGINNING at a point on the eastern right of way line of Monastery Place located South 0° 56' West 420.00 feet from the intersection formed by the said eastern right of way line extended of Monastery Place with the southern right of way line extended of Chapel Court.

THENCE along the southern property line of Lot 24 South 09° 04'

East 312.50 feet to a point on the western property line of Lot 14.

THENCE along the same and along the western property line of Lot 15 and also along the center of a P.P. & L. right of way South 0° 56' West 140.00 feet to a point on the northern property line of Lot 26.

THENCE along the same North 89° 04' West 312.50 feet to a point on the eastern right of way line of Monastery Place. Thence along the same North 0° 56' East 140.00 feet to the point of BEGINNING.

CONTAINING 1.00 acres.

PARCEL NO.: J3-5-10D-0516.

ALSO being known as 608 Monastery Place, Northampton, PA, 18067.

BEING the same premises which JOSEPH E. TEMPLE AND ANNETTE E. TEMPLE, HUSBAND AND WIFE, by Deed dated May 1, 1998 and recorded May 8, 1998 in and for Northampton County, Pennsylvania, in Deed Book Volume 19981 , Page 057838 , granted and conveyed unto Thomas M. Kanard and Jennifer Kreimendahl, both unmarried, as joint tenants with right of survivorship.

THEREON BEING ERECTED a ranch single style dwelling with vinyl and brick exterior and shingle roof; attached two-car garage.

SEIZED AND TAKEN into execution of the writ as the property of Thomas M. Kanard and Jennifer Kanard fka Jennifer Kreimendahl.

SCOTT A. DIETTERICK, ESQUIRE

No. 42
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2012-08027

ALL THAT CERTAIN lot or piece of ground with the improvements thereon erected, in the Borough of South Easton, now the City of Easton,

County of Northampton and Commonwealth of Pennsylvania, being Lot Numbered 212 according to the Plan or Plot of Packer Farm, situated on the west side of Packer Street and containing in front or breadth on said street 30 feet, and extending of that breadth between parallel lines at right angles with said Packer Street, a distance of 120 feet to Linden Street.

BOUNDED on the north by Bird Street, on the east by Packer Street, south by Lot Numbered 213, and west by said Linden Street.

TITLE TO SAID PREMISES IS VESTED IN Thomas E. Spencer, Jr. by Patrick M. Fistler, dated 01/07/2005, recorded 01/11/2005 in Book 2005-1 Page 13909.

BEING KNOWN AS 623 Packer Street, Easton, PA 18042.

TAX PARCEL NUMBER: M9NW2B 14 1 0310.

THEREON BEING ERECTED a two-story single style dwelling with vinyl siding and shingle roof; detached one-car garage.

SEIZED AND TAKEN into execution of the writ as the property of Thomas E. Spencer, Jr.

ADAM H. DAVIS, ESQUIRE

No. 43
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2012-09172

ALL THAT CERTAIN lot or parcel of land situate in the Borough of Bangor, County of Northampton and State of Pennsylvania, shown as Lot No. 2 on a Plan of a Subdivision of land for Gregory J. Adams and Christine Adams, being recorded in Plan Book 1998-5, Page 352, bounded and described as follows:

BEGINNING at a point on the Northerly property line of Market Street, a corner also in land of

Merchants National Bank of Bangor; thence along said Market Street North 85 degrees 27 minutes 00 seconds West 15.34 feet to a point; thence along Lot No. 1 of the above mentioned Subdivision, the following three courses and distances: (1) passing through the middle partition wall of the double dwelling North 5 degrees 19 minutes 08 seconds East 61.40 feet; (2) North 10 degrees 49 minutes 24 seconds East 37.13 feet; (3) passing through the concrete block garage North 5 degrees 05 minutes 00 seconds East 22.99 feet to a point on the Southerly line of Municipal Drive; thence along said Drive South 84 degrees 38 minutes 56 seconds East 11.31 feet to a point; thence along land of Merchants National bank of Bangor South 5 degrees 03 minutes 00 seconds West 121.18 feet to the place of beginning.

TITLE TO SAID PREMISES IS VESTED IN Elvin Vega and Alexandria Vega, h/w by Deed from Jeffrey N. Swope, dated 07/14/2005, recorded 07/28/2005 in Book 2005-1, Page 283034.

BEING KNOWN AS 115 Market Street, Bangor, PA 18013.

TAX PARCEL NUMBER: E9NE2A 7 11 0102.

THEREON BEING ERECTED a two-story half-of-double style dwelling with aluminum siding and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Elvin Vega and Alexandria Vega.

MELISSA J. CANTWELL, ESQUIRE

No. 44

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION**

CV-2013-05994

ALL THAT CERTAIN lot or piece of ground, together with the building

situate thereon, located in the Borough of Freemansburg, Northampton County, Pennsylvania bounded and described as follows, to wit:

BEGINNING at a point on the northern boundary line of Lincoln Street, a fifty foot road, at a point dividing Lots 13 and 14, as shown on Plan of "Monroe Acres" prepared by Estate Developers and Engineers, Consulting Engineers, of W. Easton, Pa., dated August 6, 1986 and last revised December 12, 1986 and recorded in the Office of the Recorder of Deeds in and for Northampton County in Map Book Volume 87, page 158; thence from said point of beginning and along the boundary line of Lot 14 and partly through a party wall North 00 degrees 11 minutes 03 seconds East, a distance of 120.00 feet to a point on the southern boundary line of Lot 12; thence along the same, South 89 degrees 48 minutes 57 seconds East, a distance of 54.57 feet to a point on the eastern boundary line of Garfield Street; thence along the same, south 00 degrees 09 minutes 03 seconds West, a distance of 94.99 feet to appoint of tangency; thence along the arc of a circle curving to the right, with a radius of 25.00 feet, an arc distance of 39.29 feet to a point of tangency on the northern boundary line of Lincoln Drive; thence along the same, North 89 degrees 48 minutes 57 seconds West, a distance of 29.63 feet to a point, the place of BEGINNING.

CONTAINING 6,419.00 square feet and being known as Lot 13, Monroe Acres, and having a street address of 901 Lincoln Street, Freemansburg, PA.

ALSO BEING KNOWN AS Northampton County Uniform Parcel Identifier: P7NW1B-8-7.

LESS AND EXCEPTING a certain tract or piece of land known as Lot 39, Monroe Acres, having a street address of 1002 Lincoln Street, Freemansburg. Lot No. 39 was conveyed to Marie A. Black and Robert Black, her husband, by Deed dated July 11, 1996, and recorded in the Office of the Recorder of Deeds in and for Northampton County in Deed Book Volume 1996-1, Page 074441.

PARCEL UNDER AND SUBJECT to covenants, restrictions and easements as appear of record and especially those shown on Plan of Monroe Acres, hereinabove referred to.

*Deed description excepts Lot #39, Monroe Acres, but does not include Lot #39 in the description.

BEING the same premises which Robert Black, individually, by Deed dated May 30, 2001, and recorded June 14, 2001, in the Office of the Recorder of Deeds in and for Northampton County in Deed Book 2001-1, Page 110013, as Instrument No. 2001022974, granted and conveyed unto John Lynch and Joann Sutton-Lynch, husband and wife, in fee.

BEING KNOWN AS 901 Lincoln Street, Bethlehem, PA 18017.

TAX PARCEL NUMBER: P7NW 1B 8 7 0212.

THEREON BEING ERECTED a two-story half-of-double style dwelling with vinyl siding and shingle roof; attached one-car garage.

SEIZED AND TAKEN into execution of the writ as the property of John Lynch and Jo Ann Sutton-Lynch.

ANDREW J. MARLEY, ESQUIRE

No. 45
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2013-04168

ALL THAT CERTAIN tenement, messuage, tract, parcel of land lying

and being in the Borough of Pen Argyl, County of Northampton and Commonwealth of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at the corner on the South side of George Street and the center and dividing line of a two-family (double) dwelling situate on Lot No. 70 on a plan of lots of William Lobb, thence in a Southerly direction a distance of one hundred fifteen (115') feet to a corner, thence in an Easterly direction a distance of twenty-four and one-half (24 1/2') feet, more or less, to the Southeast corner of said Lot No. 70, thence in a Northerly direction a distance of one hundred fifteen (115') feet to a corner on the aforesaid George Street, thence in a Westerly direction a distance of twenty-four and one-half (24 1/2') feet, more or less, to the PLACE OF BEGINNING.

SUBJECT TO restrictions, easements, covenants, rights of way, and agreements, as recorded in previous documents, deeds and plans.

ALSO KNOWN AS NORTHAMPTON COUNTY UNIFORM TAX PARCEL IDENTIFIER NO.: E8NE4B-3-5.

BEING the same premises which Mark L. Getz and Kimberly M. Getz, husband and wife, by Deed dated September 30, 2008 and recorded October 6, 2008 in the Office of the Recorder of Deeds in and for Northampton County in Deed Book 2008-1 Page 275683, as Instrument Number 2008038855, granted and conveyed unto John Fassl and Jennifer Fassl, husband and wife, as tenants by the entirety, in fee.

BEING KNOWN AS 736 George Street, Pen Argyl, PA 18072.

TAX PARCEL NUMBER: E8NE4B 3 5 0625.

THEREON BEING ERECTED a two-story half-of-double style dwelling with vinyl siding and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of John Fassl and Jennifer Fassl.

CHRISTINA C. VIOLA, ESQUIRE

No. 46

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2013-06221**

ALL THAT CERTAIN lot or piece of land, together with the northern one-half of a double dwelling thereon erected, situate, lying and being in the City of Easton, County of Northampton and State of Pennsylvania, and known as No. 234 Folk Street (formerly Philadelphia Road), containing in front on said Philadelphia Road, twenty-two (22) feet six (6) inches, and extending of that width in depth eastwardly one hundred twenty (120) feet, more or less, to a private alley, bounded and described as follows, to wit:

BEGINNING at a point on the east side of Philadelphia Road, which said point is in line with the middle of the partition wall dividing the dwelling hereby conveyed and the dwelling adjoining it on the south; thence in a northwardly direction along the east side of said Philadelphia Road, twenty-two (22) feet six (6) inches; thence extending eastwardly in a line parallel with St. Joseph Street, one hundred twenty (120) feet, more or less, to a private alley; thence extending southwardly along the western side of said alley, twenty-two (22) feet six (6) inches to a point; thence extending westwardly in a line parallel with St. Joseph Street, one hundred twenty (120) feet, more or less, to the point of beginning.

BOUNDED on the east by a private alley, on the south by property now or late of Anthony Muratore, on the west by Philadelphia Road, and on the north by property now or late of John E. Stout and wife.

TITLE TO SAID PREMISES IS VESTED IN Jennifer M. Anderson, by Deed from Beatrice M. Dragotta, dated 12/30/2009, recorded 12/30/2009 in Book 2009-1 Page 322385.

BEING KNOWN AS 234 Folk Street, Easton, PA 18042.

TAX PARCEL NUMBER: L9SE3B 7 34 0310.

THEREON BEING ERECTED a two-story half-of-double style dwelling with brick exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Jennifer M. Anderson.

JONATHAN LOBB, ESQUIRE

No. 47

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2013-03593**

ALL THAT CERTAIN lot or piece of land with improvements thereon erected known as No. 121 South Mulberry Street, situate in the City of Easton; County of Northampton, and Commonwealth of Pennsylvania.

CONTAINING in front on the Westerly side of Mulberry Street 15 feet 6 inches and extending of that width in a Westwardly direction 68 feet to a point, being the middle of a row of three houses.

BOUNDED on the North by property No. 119 South Mulberry Street; on the East by said South Mulberry Street; on the South by property No. 123 South Mulberry Street; and on the West by land late of Leah L. Hilburge, deceased.

BEING the same premises which Frank Schmieder and Christine

Schmieder, husband and wife, by Deed recorded 10/27/2006 in the Recorder's Office of Northampton County, in Deed Book 2006.1 Page 447565, granted and conveyed unto Rohan M. Thompson.

BEING KNOWN AS 121 South Mulberry Street, Easton, PA 18042.

TAX PARCEL NUMBER: L9SE1C 2 12 0310.

THEREON BEING ERECTED a two-story half-of-double style dwelling with vinyl siding and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Rohan M. Thompson.

MICHAEL T. MCKEEVER, ESQUIRE

No. 48

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2012-09710**

ALL THAT CERTAIN message, tenement, tract, parcel or piece of land lying and being in the Borough of Bangor, County of Northampton and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point in the west building line of South Main Street, corner of lot now or late of Edward and Violetta Jones, the said point being distant 44.70 feet measured southwardly along the west building line of South Main Street from the intersection of the west building line of South Main Street with the south building line of Miller Avenue; thence generally west, along lot now or late of Edward and Violetta Jones, through the center of the partition wall dividing House No. 308 (Jones) and House No. 306 (hereby conveyed) 47.24 feet to a point in the rear partition wall of said houses; thence still along lot now or late of Jones, generally west 25.76 feet to a point on the east side of a 14 foot wide private alley, which is to be kept open

at all times; thence along the east side of said alley North 16 degrees 30 minutes East 15.61 feet to a point and other lands of prior grantors, now or late tenanted by Mrs. George Hopper; thence generally east 25.74 feet to a point, the southwest corner of House No. 304, now or late tenanted by Hopper; thence generally east and through the partition wall dividing House No. 304 (tenanted now or late by Hopper) and House No. 306 (hereby conveyed) to a point on the west building line of South Main Street; thence along the west building line of South Main Street South 16 degrees 30 minutes West 14.55 feet to a point, the place of beginning.

TITLE TO SAID PREMISES IS VESTED IN Anissa Talley, married, by Deed from Barry W. Hocking, Jr., unmarried, dated 02/27/2009, recorded 03/05/2009 in Book 2009-1, Page 46669.

BEING KNOWN AS 306 South Main Street, Bangor, PA 18013.

TAX PARCEL NUMBER: E9NE3A 7 1D 0102.

THEREON BEING ERECTED a two-story row home style dwelling with vinyl siding and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Anissa Talley.

ADAM H. DAVIS, ESQUIRE

No. 49

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2012-04252**

ALL THOSE CERTAIN lots situate in the Township of Palmer, County of Northampton, Commonwealth of Pennsylvania, being lots numbered and described hereinafter mentioned on the Plan of Lots known as 'Jones Terrace, Palmer Township, Northampton County, Pennsylvania', laid out by A. D. Chidsey, Jr., Civil Engineer,

and recorded in Map Book 8, page 15 described as follows:

BEGINNING at a point on the north side of Vermont Street, said point being South 67 degrees West 163.63 feet from the northwest corner of Vermont and Oakwood Streets; thence along the north side of Vermont Street, South 67 degrees 00 minute West 51.37 feet to a corner of Lot 6 of Block 26; thence along the line of Lot 6, North 23 degrees 00 minute West 102.91 feet to a corner in the southerly line of a 20 feet wide public alley; thence along said alley, North 76 degrees 34 minutes East 52.07 feet to a corner; thence through the land of which this lot was a part and through the common wall of a pair of semi-detached dwellings, South 23 degrees 00 minute East 94.25 feet to the place of Beginning.

CONTAINING 5,064 square feet of land and being Lots 448, 449 and the westerly 11.37 feet width of Lot 450 as shown on the aforesaid Plan of Jones Terrace.

THE ABOVE DESCRIPTION was prepared by and based on a survey made by John P. O'Donnell, Civil Engineer and Land Surveyor, dated August 21, 1978

TITLE TO SAID PREMISES IS VESTED IN Eissa E. Hassanein, single, by Deed from Gregg L. Fina and Dawn R. Fina, h/w, dated 03/19/2004, recorded 03/22/2004 in Book 2004-1, Page 106046.

BEING KNOWN AS 3117 Vermont Street, Easton, PA 18045.

TAX PARCEL NUMBER: M8NE2 26 3A 0324.

THEREON BEING ERECTED a two-story half-of-double style dwelling with vinyl and brick exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property

of Eissa E. Hassanein aka Eissa Hassanein.

MELISSA J. CANTWELL, ESQUIRE

No. 50

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2012-02938**

ALL THAT CERTAIN tract or parcel of land lying and being in Forks Township, Northampton County, Pennsylvania, said property being more particularly described as follows:

BEGINNING at a point marked by a bolt located at or near the intersection of the centerline of Sullivan Trail (Township Road 762) (having a 33 foot right of way) and the Northern boundary line of property now or formerly owned by James R. Blake by instrument recorded at Deed Book Volume 797, Page 570 (said point being the Northeastern corner of the James R. Black Property); thence South 67 degrees 45 minutes 00 seconds West along said Northern boundary line a distance of 225.00 feet to a point marked by an iron pin; thence continuing South 22 degrees 15 minutes 00 seconds East along the Western boundary line of James R. Blake property a distance of 129.70 feet to a point marked by a p.k. nail located on the Northern margin of right of way Paxinosa Road West (having a 33 foot right of way); thence South 66 degrees 55 minutes 00 seconds West along the Northern margin of the right of way of Paxinosa Road West a distance of 250.52 feet to a point marked by a p.m. nail located on the centerline of Knox Avenue (State Road 2025) (have a 50 foot right of way); thence Northwest-erly along the centerline of Knox Avenue along an arc of a curve to the right an arc distance of 712.29 feet to a point marked by a p.k. nail (said arc

having a radius of 1441.68 feet, a chord bearing North 21 degrees 58 minutes 29 seconds West and a chord distance of 705.07 feet); thence leaving the centerline of Knox Avenue South 89 degrees 33 minutes 00 seconds East a distance of 520.39 feet to a point marked by a railroad spike located at or near the centerline of Sullivan Trail; thence South 21 degrees 01 minutes 06 seconds East in and along Sullivan Trail a distance of 370.98 feet to a point, said point being the true POINT OF BEGINNING; said parcel containing 6.408 acres, more or less, and being more particularly shown and delineated on that certain plat of survey for Patterson Allentown Broadcasting Corp., prepared by Thomas J. Rowe, Professional Land Surveyor No. SU-042309-E of Spotts, Stevens and McCoy, Inc., dated July 31, 1995, last revised August 31, 1995, which plat of survey is incorporated herein by reference.

BEING the same premises which Clear Channel Broadcasting, a Nevada corporation, (formerly known as Clear Channel Radio, Inc. a change in name only), successor in interest by merger to Clear Channel Metroplex, Inc., by Indenture dated 2/13/2001 and recorded 2/22/2001 in the Office of the Recorder of Deeds in and for the County of Northampton in Deed Book Volume 2001-1 Page 26310, granted and conveyed unto Nassau Tower Holdings, LLC, a New Jersey limited liability company, in fee.

BEING KNOWN AS 107 Paxinosa Road, Easton, PA 18040.

TAX PARCEL NUMBER: K9SE4 14 8 0311.

THEREON BEING ERECTED an office building with stucco exterior and flat roof; three sheds.

SEIZED AND TAKEN into execution of the writ as the property of Nassau Tower Holdings, LLC.

JENNIFER D. GOULD, ESQUIRE

No. 51

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2012-08032**

The following described premises in the County of Northampton, and State of Pennsylvania, to-wit:

PART 1:

ALL THAT CERTAIN lot or piece of land situated in Palmer Township, in the County of Northampton, and State of Pennsylvania, designated on the plan of the "Highland Park Land Company", recorded in the Office for the Recording of Deeds, at Easton, in Book of Maps No. 6, Page 20, etc. as Lots Nos. 70, 71 and 72 being bounded and described as follows:

On the north by Freemansburg Avenue, on the east by Lot Number 69, on the south by K Street and on the west by Lot No. 73.

CONTAINING in front on said Freemansburg Avenue 60 feet and extending in depth of that width southerly 115 feet to K Street.

PART 2

ALL THAT CERTAIN lot or piece or ground situate in the Township of Palmer, in the County of Northampton and State of Pennsylvania, designated on the plan of lots of the Highland Park Land Company, laid out by C.M. Brady for Hiller S. Willever, et al, and recorded in the Office for the Recording of Deeds, etc., at Easton, Penna., in and for the said County of Northampton, in Book of Maps No. 6, Page 20, etc., as Lot No. 68-69, said lot or piece of ground being bounded and described as follows:

Northerly by Freemansburg Avenue, easterly by Lot No. 67, (incor-

rectly referred to as Lot 61 in prior deed) southerly by K Street and westerly by Lot No. 70.

CONTAINING in front on Freemansburg Avenue 40 feet and extending in depth that width southerly 115 feet (incorrectly referred to as 15 feet in prior deed) to K Street.

PART 3:

ALL THAT CERTAIN portion of lot and pieces of land situated in the Township of Palmer, in the County of Northampton and State of Pennsylvania. Being a part of Lot No. 73 on plan of building lots known as Highland Park and surveyed by C.M. Brady, C.E., said land being bounded and described as follows:

CONTAINING in front on Freemansburg Avenue 3 feet and extending in depth of that width southerly 115 feet to the 20 feet wide alley;

BOUNDED on the east by Lot No. 72, on the west by the remaining portion of Lot No. 73, on the north by Freemansburg Avenue and on the South by a 20 feet wide alley.

PART 4:

ALL THAT CERTAIN lot or tract of land situate in the Township of Palmer, County of Northampton and State of Pennsylvania, bounded and described as follows:

BEGINNING on the south side of the public road leading from Easton to Freemansburg, said point being 100 feet west of the extension of the west building line of Berks Street, also being an extension of line dividing Lots No. 67 and No. 68 as laid out on the plan of Highland Park Land Company and recorded in the Office of the Recorder of Deeds at Northampton County Court House at Easton, Pennsylvania, in Map Book No. 6, Page 20; thence running westwardly

along said public road 103 feet to a point, of Lot No. 73; thence southwardly 25 feet more or less, to the north building line of a 12 foot public street; thence eastwardly along same 103 feet to a point, said point being an extension of the line dividing Lots No. 67 and No. 68; thence northwardly along said line 25 feet, more or less, to the south side of the public road leading from Easton to Freemansburg, the place of BEGINNING.

CONTAINING in front 103 feet and in depth of equal width 25 feet more or less.

EXCEPTING therefrom and thereout the following:

ALL THAT CERTAIN lot or piece of ground with the improvements thereon erected, being the eastern half of a double frame dwelling, known as 3236 Freemansburg Avenue, situated on the south side of Freemansburg Avenue, in the Township of Palmer, County of Northampton and State of Pennsylvania, bounded and described as follows:

BEGINNING at a point on the south side of Freemansburg Avenue in line with the middle partition wall separating said double dwelling house known as 3236-3238 Freemansburg Avenue; thence extending eastwardly along the south side of Freemansburg Avenue 56 feet, more or less, to a point in line of premises known as 3334 Freemansburg Avenue; thence extending of that width in depth, southwardly, 115 feet, more or less, to K Street.

BOUNDED on the north by said Freemansburg Avenue, on the east by premises known as 3234 Freemansburg Avenue, on the south by K Street, and on the west by the western half of said double dwelling

house known as 3238 Freemansburg Avenue.

TITLE TO SAID PREMISES IS VESTED IN James W. Ferraira, married, and Tori L. Ferraira, his wife, as tenants by the entirety BY DEED FROM Jennifer S. Beiser and Thomas W. Beiser, Jr., her husband DATED 11/17/2003 RECORDED 11/26/2003 IN DEED BOOK 2003-1 PAGE 494020 OR AT INSTRUMENT NUMBER.

BEING KNOWN AS 3238 Freemansburg Avenue, Easton, PA 18045.

TAX PARCEL NUMBER: M8NE3 33 2 0324.

THEREON BEING ERECTED a two-story half-of-double style dwelling with aluminum siding and slate roof; detached two-car garage.

SEIZED AND TAKEN into execution of the writ as the property of James W. Ferraira and Tori L. Ferraira.

JORDAN DAVID, ESQUIRE

No. 52
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2013-03125

BEING all of that certain property located in the Borough of Walnutport, County of Northampton, and being more particularly described as follows:

ALL THAT CERTAIN lot or parcel of land situated on the east side of State of Pennsylvania Route 145, partially in the Borough of Walnutport and partially in the Township of Lehigh, County of Northampton, and Commonwealth of Pennsylvania, being Lot No. 2 on a plan entitled "Subdivision for Carefree Village Home Sales, Inc.," as recorded in the Office of the Recorder of Deeds in and for Northampton County at Easton, Pennsylvania, in Map Book Volume

1996-5, Page 359, which parcel is more fully bounded and described as follows, to wit:

BEGINNING at an iron pin set on the eastern right-of-way line State Route 145, said iron pin also marking the southwest corner of Lot No. 1; Thence along Lot No. 1, South eighty-nine degrees twenty-nine minutes forty-one seconds East, four hundred eleven and nineteen hundredths feet to an iron pin set; Thence by lands now or formerly of Nick Koran, South two degrees twenty-six minutes zero seconds East one hundred twenty-five and sixteen hundredths feet to an iron pin set; Thence along Lot No. 3, North eighty-nine degrees twenty-nine minutes forty-one seconds West four hundred eighteen and seven hundredths feet to an iron pin set on the eastern right-of-way line of State of Pennsylvania Route 145; Thence along the eastern right-of-way line of State of Pennsylvania Route 145, by a curve to the left with a radius of three thousand eight hundred fifty-five and eighty-three hundredths feet, a central angle of one degree fifty-one minutes twenty-seven seconds, an arc length of one hundred twenty-five and one hundredths feet, a chord bearing of North zero degrees forty-six minutes two seconds East, and a chord length of one hundred twenty-five and zero hundredths feet to an iron pin set, the place of BEGINNING.

CONTAINING one and one hundred eighty-nine thousandths (1.189) acres.

TOGETHER WITH and under subject to a thirty foot wide driveway easement to be shared with and subject to the use of the owner of Lot No. 3, as shown on the approved subdivision plan entitled "Subdivision for Carefree Village Home Sales, Inc." as recorded in the Office of the

Recorder of Deeds in and for Northampton County at Easton, Pennsylvania, in Map Book Volume 1996-5, Page 359.

UNDER AND SUBJECT to a twenty foot wide utility easement for sewer and water lines located along the western lot line and more specifically shown on the approved subdivision plan entitled "Subdivision for Carefree Village Home Sales, Inc.," as recorded in the Office of the Recorder of Deeds in and for Northampton County at Easton, Pennsylvania, in Map Book Volume 1996-5, Page 359.

SUBJECT TO all conditions and restrictions as noted on the approved subdivision plan entitled "Subdivision for Carefree Village Home Sales, Inc.," as recorded in the Office of the Recorder of Deeds in and for Northampton County at Easton, Pennsylvania in Map Book Volume 1996-5, Page 359.

BEING KNOWN AS 421 South Best Avenue, Walnutport, PA 18088.

TAX PARCEL NUMBER: J2 18 30C 1033.

THEREON BEING ERECTED an office building with aluminum siding and flat roof.

SEIZED AND TAKEN into execution of the writ as the property of Daniel R. Evans and Judy A. Evans.

CHRISTINE L. BARBA, ESQUIRE

No. 53
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2012-09517

PARCEL NO. 1:

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

BEGINNING at a point in the center of the roadway of County

Bridge #213 and 3.50 feet westerly from the easterly edge of the span member of said bridge; thence along the land of the grantors of which this was a part, North 12 degrees 40 minutes West 203.65 feet, passing the west edge of the power pole, marked M-E-P-P-NX95, to a stake 23 feet beyond the center of the pole; thence still along the land of the grantors, South 82 degrees no minutes East 166.00 feet passing over a stake at the edge of the road, to a twenty penny spike in the center of Township Road #650; thence along the land of Floyd Houck and the road, South 8 degrees no minutes West 165.50 feet to a mark in the intersection with Township Road #629; thence in and along Township Road #629, South 83 degrees no minutes West 97.40 feet to the point and place of beginning.

CONTAINING in area 0.542 of an acre of land.

PARCEL NO.2:

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

BEGINNING at a point marked by an iron pipe, said point being the northwesterly corner of land of the grantees herein; thence in and through the land of the grantors the following two courses and distances: (1) North 27 degrees 34 minutes 10 seconds East a distance of 61.23 feet to a corner marked by an iron pipe; and (2) North 88 degrees 59 minutes East a distance of 116.92 feet to a point; thence along line of land offered for dedication to the Township, parallel to and 30.00 feet distant from the centerline of Township Road #650, known as Heimer Road, South 8 degrees 0 minutes West a distance

of 76.81 feet to a point; thence along line of land of the grantees herein North 82 degrees 0 minutes West a distance of 136.00 feet to a point, the place of beginning.

CONTAINING 0.191 acres.

BEING KNOWN AS NORTHAMPTON COUNTY TAX PARCEL IDENTIFIER NO. G8-6-1A 0626.

TITLE TO SAID PREMISES IS VESTED IN Louis Boscia and Sandra Boscia, h/w, tenants by the entireties, by Deed from David A. Sciabatassi, dated 10/27/2003, recorded 10/28/2003 in Book 2003-1, Page 451883.

BEING KNOWN AS 799 Benders Church Road, Pen Argyl, PA 18072.

TAX PARCEL NUMBER: G8 6 1A 0626.

THEREON BEING ERECTED a ranch single style dwelling with vinyl and brick exterior and shingle roof; attached one-car garage.

SEIZED AND TAKEN into execution of the writ as the property of Louis Boscia and Sandra Boscia.

ALLISON F. ZUCKERMAN,
ESQUIRE

No. 54
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2013-03056

Parcel No. 1

ALL THAT CERTAIN lot or piece of ground situate in the City of Bethlehem, (formerly the Borough of South Bethlehem) County of Northampton and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point in the North line of East Third Street at a distance of one hundred forty (140) feet West from the West line of Hobart Street (formerly North Street), thence extending Westwardly along the North line of East Third Street forty

(40) feet to a point, thence running back of the same width between parallel lines at right angles to the said East Third Street, one hundred twenty two (122) feet to a division line between lots fronting East Third Street and lot fronting the North Pennsylvania Railroad (known now as Railroad Street), said lot being No. 12 on a certain map of John E. Trone as laid out by Herman A. Doster.

Parcel No. 2

ALL THAT CERTAIN lot of piece of ground situate in the City of Bethlehem, (formerly the Borough of South Bethlehem), Northampton County, Pennsylvania and designated on Plan of Lots published by Herman Doster A.D. 1868 as Lot #7 and bounded and described as follows, to wit:

SITUATE on the South Side of a public road now known as Railroad Street and beginning at a point on the South side of said public road (known now as Railroad Street) one hundred and forty (140) feet West from the Southwest corner of said Railroad Street Westwardly along the same Southwardly one hundred twenty two (122) feet more or less to Lot #12 East Third Street, thence along the same Northwardly one hundred and twenty two (122) feet more or less to said Railroad Street, the place of BEGINNING.

BOUNDED on the North by Railroad Street; on the South by Lot #12 East Third Street; on the East by Lot #8 and on the West by Lot #6 said Railroad Street.

DEDUCTING AND EXCEPTING THEREFROM the following described premises conveyed by the said Elsie Thatcher, widow, to Ida A. Snyder on September 12, 1921 and recorded in the Office for the Recording of Deeds in and for Northampton County in

Deed Book A, Volume 49, Page 686. Said premises being more particularly described as follows:

BEGINNING at a point on the South Side of Railroad Street one hundred and forty (140) feet West from the Southwest corner of said Railroad Street and North Street (now Hobart Street), thence along said Railroad Street Westwardly thirty (30) feet and of that width extending Southwardly one hundred twenty two (122) feet, more or less to Lot #12 Third Street.

BOUNDED on the North by Railroad Street; on the East by other lands of Ida Snyder; on the South by Lot #12 East Third Street and on the West by other lands of Elsie Thatcher.

HAVING ERECTED THEREON a dwelling known and numbered as 1165-1167 East Third Street, Bethlehem, County of Northampton, Pennsylvania, according to the present system of City Numbering.

TITLE TO SAID PREMISES IS VESTED IN Wilfredo Mendez, by Deed from Angel Antonsanti and Encarnacion Antonsanti, known and h/w, dated 12/30/2004, recorded 01/04/2005 in Book 2005-1, Page 2871.

BEING KNOWN AS 1165 East 3rd Street aka 1165-67 3rd Street, Bethlehem, PA 18015.

TAX PARCEL NUMBER: P6NE3C 5 6 0204.

THEREON BEING ERECTED a three story half-of-double style dwelling with aluminum siding and slate roof.

SEIZED AND TAKEN into execution of the writ as the property of Wilfredo Mendez.

ALLISON F. ZUCKERMAN,
ESQUIRE

No. 55

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2013-04271**

ALL THAT CERTAIN parcel of land, with improvements thereon erected, situated on the south side of Northampton Street in the Borough of Wilson, County of Northampton, and Commonwealth of Pennsylvania, known as 1918 Northampton Street, and being more particularly described as follows:

BEGINNING at a point in the northerly property line of Pine Street, in line of 1916 Northampton Street, property now or late of Bessie Green, said point being distant two hundred twenty (220) feet on a course, North eight-five degrees no minutes West (N 85 00' W) from the intersection of the westerly property line of South Nineteenth Street produced, and the northerly property line of Pine Street, thence (1) along the northerly property line of Pine Street, North eighty-five degrees no minutes West (N 85 00' W) forty-eight and twenty one-hundredths (48.20) feet to a stake in line of 1920 Northampton Street, thence (2) along 1920 Northampton Street, North eighty-five degrees no minutes East (N 85 00' E) seventy-seven (77) feet to a stake in the southerly property line of Northampton Street, thence (3) along the southerly property line of Northampton Street, South eighty-five degrees no minutes East (S 85 00' E) forty-eight and twenty one-hundredths (48.20) feet to a stake in line of 1916 Northampton Street, thence (4) along 1916 Northampton Street, South five degrees no minutes West (S 5 00' W) seventy-seven (77) feet to the point or place of BEGINNING.

The improvements thereon being known as 1918 Northampton Street, Easton, Pennsylvania -18042.

Being known as: 1918 Northampton Street, Easton, Pennsylvania 18042.

Title to said premises is vested in Elizabeth Demel by deed dated January 13, 2006 and recorded February 23, 2006 in Deed Book 2006-1, Page 74903.

TAX PARCEL NUMBER: L9SW2D 1 3 0837.

THEREON BEING ERECTED a two-story single style dwelling with cement exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Elizabeth Demel.

CELINE P. DerKRIKORIAN,
ESQUIRE

No. 56
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2013-03728

ALL THAT CERTAIN PIECE, parcel or tract of land situate in the Township of Forks, County of Northampton, and Commonwealth of Pennsylvania, shown as Lot TH E 111 on the Final Plan of Vista Estates as recorded in Map Book 1985-5, Page 340, in the Office of the Recorder of Deeds for Northampton County of Easton, Pennsylvania and being further bounded and described as follows, to wit:

BEGINNING at a point on the Easterly right of way line of Upper Way (50.00 feet wide) at the Northwest corner of Lot TH E110 of Vista Estates;

THENCE along said Easterly right of way line of Upper Way (50.00 feet wide) the following two courses and distances;

1. Along the arc of a curve deflecting to the right having a radius of 125.00 feet and a central angle of 04 degrees 02 minutes 49 seconds for an arc length of 8.83 feet, (chord:

North 21 degrees 33 minutes 49 seconds East, 8.83 feet) to a concrete monument; thence.

2. North 23 degrees 35 minutes 14 seconds East, 17.34 feet to a point at a corner of Lot TH E112 of Vista Estates;

THENCE along said lands of Lot THE112 of Vista Estates, South 73 degrees 33 minutes 58 seconds East, 130.88 feet to a point on line of lands of Lot TH E145 of Vista Estates:

THENCE along said lands of Lot TH E145 of Vista Estates South 10 degrees 45 Minutes 05 seconds West, 26.13 feet to a point at a corner of Lot NH E110 of Vista Estates:

THENCE along said lands of Lot TH E110 of Vista Estates North 73 degrees 33 minutes 58 seconds West, 136.42 feet to a point, the place of the BEGINNING.

TITLE TO SAID PREMISES IS VESTED IN Marcia Davis, by Deed from Deborah Parker, fka, Deborah Steiner, dated 06/14/2007, recorded 09/04/2007 in Book 2007-1, Page 324083.

BEING KNOWN AS 2565 Upper Way, Easton, PA 18040.

TAX PARCEL NUMBER: K9 37A 3 0311.

THEREON BEING ERECTED a two-story townhouse style dwelling with brick and vinyl exterior and shingle roof; attached one-car garage.

SEIZED AND TAKEN into execution of the writ as the property of Marcia Davis.

ADAM H. DAVIS, ESQUIRE

No. 57
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2013-03731

ALL THAT CERTAIN messuage, tenement, and certain lots or pieces of land situate, lying and being in the 15th Ward of the City of Bethlehem,

County of Northampton and Commonwealth of Pennsylvania, and designated as Lots Nos. 26 and 26-A of Block No. 4000 according to a certain map or plan of lots entitled "Sub-division Layout for Section 2 of the property of the Zinzendorf Realty Corporation at Bethlehem, Pennsylvania, planned by the Engineering Department of the Potruch Construction Company, Allentown, Pennsylvania, February 9, 1927", said plan being recorded in the Office for the Recording of Deeds at Easton in and for the County of Northampton aforesaid, in Map Book 9, Page 90, said lots or pieces of land being more particularly bounded and described as follows, to wit:

BEGINNING at a point of intersection of the northwesterly line of Englewood Street with the northeasterly line of Crawford Street; thence extending northeastwardly along said northwesterly line of Englewood Street a distance of forty feet (40 feet) to a point; thence extending northwesterly along the southwesterly line of Lots Nos. 27 and 27-A, according to plan aforesaid, a distance of one hundred ten feet (110 feet) to the southeasterly line of a certain eighteen feet (18 feet) wide alley; thence extending southwestwardly along the southeasterly line of said alley a distance of sixty-four and five tenths feet (64.5 feet) more or less, to the northeasterly line of Crawford Street; thence extending southeastwardly along said northeasterly line of Crawford Street a distance of one hundred ten feet (110 feet) more or less, to the northwesterly line of Englewood Street, the point or place of BEGINNING.

BOUNDED on the northwest by the eighteen feet (18 feet) wide alley aforementioned, on the northeast by

Lots Nos. 27 and 27-A, according to plan aforesaid, on the southeast by Englewood Street, and on the southwest by Crawford Street

HAVING ERECTED THEREON a dwelling.

TITLE TO SAID PREMISES IS VESTED IN Ramiro Perdomo, single, by Deed from Marcia Garcia, married, dated 08/30/2005, recorded 09/07/2005 in Book 2005-1, Page 344203.

BEING KNOWN AS 1427 Englewood Street, Bethlehem, PA 18017.

TAX PARCEL NUMBER: N7SW1D 8 8 0204.

THEREON BEING ERECTED a two-story single style dwelling with vinyl and fieldstone exterior and shingle roof; attached one-car garage.

SEIZED AND TAKEN into execution of the writ as the property of Ramiro Perdomo.

ADAM H. DAVIS, ESQUIRE

No. 58
BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2013-03064

ALL THAT CERTAIN messuage, tenement and lot or piece of ground situate in the City of Bethlehem, County of Northampton and Commonwealth of Pennsylvania, known as 712 Maple Street according to present city numbering, bounded and described as follows, to wit:

BEGINNING at a point on the east side of Maple (formerly North Maple) Street, eighty-three (83) feet seven (7) inches North from the northeast corner of North and Maple Streets; thence extending northwardly along the east side of Maple Street, a distance of nineteen (19) feet six (6) inches, and extending eastwardly of that width, between parallel lines, one hundred thirty (130) feet, more or

less, to the western line of a ten-foot wide alley.

BOUNDED on the north by property now or late of the United Realty Company of Bethlehem, PA.; on the east by said ten-foot wide alley; on the south by property now or late of the United Realty Company of Bethlehem, PA.; and on the west by Maple Street.

Also known as Northampton County Uniform Parcel Identifier: Tax Map: P6NE2A; Block: 21; Lot: 6 subject to conditions and restrictions of prior deeds and recorded plans.

TITLE TO SAID PREMISES IS VESTED IN Lillian Seifert BY DEED FROM Paul F. Seifert and Lillian Seifert, husband and wife DATED 12/13/2001 RECORDED 01/22/2002 IN DEED BOOK 2002-1 PAGE 019885 OR AT INSTRUMENT NUMBER.

BEING KNOWN AS 712 Maple Street, Bethlehem, PA 18018.

TAX PARCEL NUMBER: P6NE2A 21 6 0204.

THEREON BEING ERECTED a two-story row home style dwelling with brick exterior and slate roof.

SEIZED AND TAKEN into execution of the writ as the property of Lillian Rodriguez aka Lillian Seifert.

JORDAN DAVID, ESQUIRE

No. 59

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2009-10116**

ALL THAT CERTAIN parcel of land known as Lot No. 1-T46 located in Palmer Township, Northampton County, Commonwealth of Pennsylvania, as shown on a plan entitled "The Villages At Mill Race Record Plan Phase I" prepared by Harte Engineering, Inc., recorded July 2, 2002, in Northampton County Map Book

Volume 2002-5, pages 170-178, bounded and described as follows:

BEGINNING at a point on the westerly right-of-way line of Willow Drive, said point being in line with the lands known as Lot 1-T45 of The Villages At Mill Race; thence, along said Lot 1-T45, South 73° 48' 47" West 111.12 feet to a point; thence, along the lands known as Lot 1-T49 of The Villages At Mill Race, North 11° 32' 29" West 24.08 feet to a point; thence, along the lands known as Lot 1-T47 of The Villages At Mill Race, North 73° 48' 47" East 110.83 feet to a point; thence, along the westerly right-of-way line of Willow Drive, on a curve to the right having a radius of 175.00 feet, a cord bearing of South 12° 14' 44" East, a chord length of 24.06 feet and an arc length of 24.08 feet to the POINT OF BEGINNING.

CONTAINING: 2,670 square feet or 0.0613 acres.

Title to said premises is vested in Neolyn C. Stephenson by deed from CMC DEVELOPMENT CORPORATION dated December 8, 2003 and recorded December 24, 2003 in Deed Book 2003-1, Page 526306.

BEING KNOWN AS 24 Willow Drive, Easton, PA 18045.

TAX PARCEL NUMBER: K9 1 1-R46 0324.

THEREON BEING ERECTED a two-story townhouse style dwelling with vinyl and stone veneer exterior and shingle roof attached one-car garage.

SEIZED AND TAKEN into execution of the writ as the property of Neolyn C. Stephenson.

MARC S. WEISBERG, ESQUIRE

No. 60

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2011-01596**

ALL THAT CERTAIN messuage, tenement, and lot or parcel of land,

situate in the Township of Forks, Northampton County, Pennsylvania, designated as Lot No. 117 on the Plan of Penn's Ridge, Phases 1, 2 and 3, as said plan is recorded in the Recorder of Deeds Office in and for Northampton County, Pennsylvania in Plan Book Vol. 1998-5, pages 235-237, being more fully bounded and described as follows, to wit:

BEGINNING at a point on the Western right-of-way line of Chestnut Lane (50 feet wide), said point being the Northeast corner of Lot 118 and the Southeast corner of the herein described Lot 117; thence along the Northern boundary line of Lot 118, North 75 degrees 56 minutes 08 seconds West, a distance of 133.34 feet to a point; thence along the Eastern boundary lines of Lots 176 and 177, North 14 degrees 31 minutes 25 seconds East, a distance of 20.00 feet to a point; thence along the Southern boundary line of Lot 116, South 75 degrees 56 minutes 08 seconds East, a distance of 133.18 feet to a point; thence along the Western right-of-way line of Chestnut Lane, South 14 degrees 03 minutes 52 seconds West, a distance of 20.00 feet to a point.

UNDER AND SUBJECT further, to easements, restrictions and covenants of record.

BEING LOT 117 in Plan 1 of The Penn's Ridge Development.

TITLE TO SAID PREMISES IS VESTED IN Yvette Duval, by Deed from Scott Yacker and Shira Yacker, h/w, dated 10/06/2005, recorded 10/13/2005 in Book 2005-1, Page 403867.

BEING KNOWN AS 2627 Chestnut Lane, Easton, PA 18040.

TAX PARCEL NUMBER: K9 37 117 0311.

THEREON BEING ERECTED a three-story townhouse style dwelling with vinyl and brick exterior and shingle roof; attached one-car garage.

SEIZED AND TAKEN into execution of the writ as the property of Yvette Duval.

ADAM H. DAVIS, ESQUIRE

No. 61

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2007-00672**

TRACT NO. 1

ALL THOSE CERTAIN lots or pieces of ground together with the buildings and improvements located thereon situate on the West side of Schwalb Avenue on the tract known as 'Bethlehem Steel City' in the Township of Lower Saucon, County of Northampton and Commonwealth of Pennsylvania, being Lots Nos. 23, 24, 25, 26 and 27 in Block No. 1 of the first sub-division of Bethlehem Steel City as surveyed and laid out by A. M. Cawley, Civil Engineer, on November 6, 1915, and recorded in the proper office for the Recording of Deeds, etc. at Easton, Pennsylvania, in and for the County of Northampton, bounded and described as follows, to wit:

BEGINNING at a point in the Southwest corner of Grace and Schwalb Avenues; thence extending along Schwalb Avenue, Southwardly one hundred twenty-five (125) feet to a point; thence extending Westwardly along Lot No. 28, one hundred twenty (120) feet to a twenty (20) feet wide alley; thence extending Northwardly along said twenty (20) feet wide alley one hundred twenty-five (125) feet to a point in the Southeast corner of Grace Avenue and said twenty (20) feet wide alley; thence extending along Grace Avenue Eastwardly one hundred twenty (120) feet to the place of Beginning.

BOUNDED on the East by Schwalb Avenue, on the South by Lot No. 28, on the West by the twenty (20) feet wide alley and on the North by Grace Avenue.

TRACT NO. 2:

ALL THAT CERTAIN lot or piece of ground situate in the Township of Lower Saucon, County of Northampton and Commonwealth of Pennsylvania, being Lot No. 28 in Block No. 1 of the first subdivision of Bethlehem Steel City as laid out and surveyed by A. M. Cawley, Civil Engineer, on July 17, 1916, for Herman & Jones, and recorded in the office for the Recording of Deeds, etc., in and for Northampton County at Easton, Pennsylvania, relation thereunto being had will more fully and at large appear and more particularly described as follows:

BEGINNING at a point in the North line of Schwalb Avenue, distant Westwardly one hundred twenty-five (125) feet from the Northwest corner of Schwalb Avenue and Grace Avenue, thence in and along the North line of Schwalb Avenue Westwardly twenty-five (25) feet to a point in the division line between these premises and Lot No. 29 in Block No. 1 of the first subdivision of Bethlehem Steel City and extending in depth of that width Northwardly one hundred twenty (120) feet to a twenty (20) feet wide alley.

BOUNDED on the South by Schwalb Avenue, on the West by Lot No. 29 in Block No. 1, first subdivision of Bethlehem Steel City, on the North by said twenty (20) feet wide alley and on the East by Lot No. 27 in Block No. 1, first subdivision of Bethlehem Steel City.

Being the same premises which Barry D. Crouthamel and Patricia G. Nesfeder n/k/a Gail Patricia

Crouthamel, by Deed dated 12/06/2002 and recorded 12/10/2002 in the Office for the Recorder of Deeds in and for the County of Northampton, and Commonwealth of Pennsylvania in Deed Book 2002-1, Page 349160, granted and conveyed unto Barry D. Crouthamel and Gail Patricia Crouthamel, h/w, grantor herein.

TITLE TO SAID PREMISES IS VESTED IN Roderick J. McDuffie and Tina R. Miller-McDuffie, h/w, by Deed from Barry D. Crouthamel and Gail Patricia Crouthamel, h/w, dated 05/31/2005, recorded 06/01/2005 in Book 2005-1, Page 202877.

Tax Parcel: N7SE4 30 1 0719.

Premises Being: 2077 SCHWAB AVENUE, BETHLEHEM, PA 18015-6140.

THEREON BEING ERECTED a bi-level single style dwelling with vinyl and brick exterior and shingle roof; attached one-car garage.

SEIZED AND TAKEN into execution of the writ as the property of Tina R. Miller-McDuffie and Roderick J. McDuffie.

ALLISON F. ZUCKERMAN,
ESQUIRE

No. 62

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2013-01428**

ISSUED TO PLAINTIFF: PEOPLE
FIRST FEDERAL CREDIT UNION
PROPERTY BEING KNOWN AS:

ALL THAT CERTAIN unit, designated as Unit 10, being a Unit in the Greenleaf West Condominium, situate in the City of Bethlehem, County of Northampton and Commonwealth of Pennsylvania, as designated in Declaration of Condominium of Greenleaf West Condominium dated 8/13/1986 and recorded on 8/14/1986 in Northamp-

ton County Miscellaneous Book Volume 314, page 773, and as amended by the Amendment to the Declaration of Greenleaf West, Condominium dated 10/6/1986 and recorded in Northampton County, Miscellaneous Book Volume 315, page 1141, and as further described in the Plans of the Greenleaf West Condominium dated 2/19/1986 and recorded on 8/15/1986 in Northampton County Condo Book Volume 86, page 255, and as amended by Plans of Greenleaf West Condominiums dated 9/30/1986, and recorded on 10/8/1986 in the Northampton County Condo Book Volume 86, page 316.

TOGETHER with a 3 1/8 percent undivided interest of, in and to the common elements as set forth in the aforesaid Declaration of Condominium and Amendment thereto.

BEING known as 1201 Butztown Road, Unit No. 10 Bethlehem, Pennsylvania.

BEING Tax Parcel No. M7SW4 22 16-10.

BEING the same premises which Robert D. Miskevich, by Indenture bearing date 4/25/2003 and recorded 5/11/2003 in the Office of the Recorder of Deeds, in and for the County of Northampton in Record Book 2003-1 page 149226 etc., granted and conveyed unto Pauline M. Karpinski, in fee.

PARCEL IDENTIFICATION NO: M7SW4-22-16-10.

IMPROVEMENTS THEREON CONSIST OF: Residential Dwelling.

TITLE TO SAID PREMISES IS VESTED IN Ann Marie Barndt, by Deed from Pauline M. Karpinski, dated 08/29/2008, recorded 09/10/2008 in Book 2008-1, Page 256609.

SEIZED AND TAKEN IN EXECUTION AS THE PROPERTY OF

Estate of Ann Marie Barndt, Deceased and John Mahoney, Heir at Law of the Estate of Ann Marie Barndt, Deceased and Grace Mahoney Heir at Law of the Estate of Ann Marie Barndt, Deceased and All Unknown Heirs.

Ann Marie Barndt is deceased as of 7/17/12.

BEING KNOWN AS 1201 Butztown Road, Unit No. 10, Bethlehem, PA 18017.

TAX PARCEL NUMBER: M7SW4 22 16-10 0204.

THEREON BEING ERECTED a two-story condominium with brick exterior and shingle roof; attached one-car garage.

SEIZED AND TAKEN into execution of the writ as the property of the Estate of Ann Marie Barndt, deceased, John Mahoney and Grace Mahoney, Heirs at Law of the Estate of Ann Marie Barndt, deceased, and All Unknown Heirs of the Estate of Ann Marie Barndt, deceased.

MARTHA E. VON ROSENSTIEL,
ESQUIRE

No. 63

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2012-08940**

ALL THAT CERTAIN messuage or tenement and lot of ground situate on the Southerly side of Crawford Street, between Carlisle and Englewood Streets, in the City of Bethlehem, County of Northampton, Commonwealth of Pennsylvania, being the Easterly and greater portion of Lot 15 and 15A and a small portion of the Westerly part of Lot 14 and 14A, Section 2, Block 3800, on map or plan entitled "Sub- Division Layout for Section 2 of the Property of the Zinzendorf Realty Corporation at Bethlehem, PA, dated February 9,

1927, recorded in the Office for Recording of Deeds in and for Northampton County in Map Book 9, page 90, and known as 924 Crawford Street according to present city numbering, bounded and described as follows:

BEGINNING at an iron pipe on the Southerly side of Crawford Street, distant 223 feet, more or less, Eastwardly from the intersection of the Southerly side of Crawford Street, with the Easterly side of Carlisle Street; THENCE extending Eastwardly along the Southerly side of Crawford Street along a curve curving to the right, having a radius of 944.57 feet and the chord thereof having a bearing of South 80 degrees 49 minutes 30 seconds East, a distance of 45 feet to an iron pipe; THENCE extending South 13 degrees 19 minutes 30 seconds West, through Lot 14 and 14A on said plan a distance of 105.10 feet to an iron pipe on the Northerly side of Lloyd Street of the width of 18.00 feet; THENCE extending Westerly along the Northerly side of Lloyd Street along a curve curving to the left, having a radius of 839.57 feet and the chord thereof having a bearing of North 81 degrees 01 minutes 30 seconds West, a distance of 40.00 feet to an iron pipe; THENCE extending North 10 degrees 35 minutes 30 seconds East, through Lot 15 and 15A an said plan, a distance of 105.10 feet to the iron pipe on the Southerly side of Crawford Street, the point the place of BEGINNING.

PARCEL NUMBER N7SW1D-12-2.

Being the same property acquired by Richard W. Frikkers, by Deed recorded 12/28/2000, of record in Deed Book 2000-1, Page 173549, in the Office of the Recorder of Northampton County, Pennsylvania.

BEING KNOWN AS 924 Crawford Street, Bethlehem, PA 18017.

TAX PARCEL NUMBER: N7SW1D 12 2 0204.

THEREON BEING ERECTED an A-Frame single style dwelling with wood exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Jana Frikkers aka Jana Kaloudis, Richard Frikkers, IV, Bradley Frikkers, and Penelope Repyneck, known surviving heirs of Richard W. Frikkers, and Unknown Surviving Heirs of Richard W. Frikkers, deceased.

CELINE P. DerKRIKORIAN,
ESQUIRE

No. 64

**BY VIRTUE OF A CERTAIN
WRIT OF EXECUTION
CV-2013-03957**

ALL THAT CERTAIN messuage, tenement and lot or parcel of land situate on the northerly side of West Fourth Street between Vine Street and Brodhead Avenue and being known as Nos. 125-127 West Fourth Street, in the City of Bethlehem, County of Northampton, and Commonwealth of Pennsylvania, bounded and described according to a survey thereof made the twentieth day of May, 1969, by Leonard M. Fraivillig Company, Engineers, Bethlehem, Pennsylvania, as follows:

BEGINNING at a point on the northerly side of West Fourth Street, distant two hundred seventy-five and seventy-three hundredths feet westwardly along the northerly side of West Fourth Street from the northwest corner of West Fourth Street and Vine Street; thence extending North 88 degrees 00' West, along the northerly side of West Fourth Street, a distance of forty and fifty hundredths (40.50) feet to a point in line of land now or

formerly of Earl H . Gier; thence extending North 2 degrees 12' East, along land of the aforesaid Earl H. Gier and land now or late of William E. Puhon, a distance of one hundred twenty (120) feet to a point on the southerly side of Rink Street; thence extending South 88 degrees 00' East, along the southerly side of Rink Street, a distance of forty and eight hundredths (40.08) feet to a point in line of land now or late of John P. Santa Maria; thence extending South 2 degrees 00' West, along land of John P. Santa Maria, a distance of one hundred twenty (120) feet to the point an the northerly side of West Fourth Street, the point the place of beginning.

BEING KNOWN AS 125-127 West Fourth Street, Bethlehem, PA 18015.

TAX PARCEL NUMBER: P6SE1A
18 13 0204.

THEREON BEING ERECTED a commercial use building with wood exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Scott P. Matus, Individually and as Executor of the Estate of Paul G. Matus, deceased.

LAWRENCE CENTER, 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.

RANDALL P. MILLER
Sheriff

Northampton County,
Pennsylvania

CHRISTOPHER T. SPADONI
ESQUIRE

Solicitor to the Sheriff

Nov. 14, 21, 28

By a brief contra the motion, Defendant Riverview notes that pursuant to the comment to Pa. R.E. 602, which, as noted *supra*, precludes a witness from testifying to a fact absent personal knowledge,

A witness having firsthand knowledge of a hearsay statement who testifies to the making of the statement satisfies Pa. R.E. 602; the witness may not, however, testify to the truth of the statement if the witness has no personal knowledge of the truth of the statement. Whether the hearsay statement is admissible is governed by Pa. R.E. 801 through 805. Generally speaking, the firsthand knowledge requirement of Rule 602 is applicable to the declarant of a hearsay statement. *See e.g.*, *Commonwealth v. Pronkoskie*, *supra* and *Carney v. Pennsylvania R.R. Co.*, *supra*. However, in the case of admissions of a party opponent, covered by Pa. R.E. 803(25), personal knowledge is not required. *See Salvitti v. Throppe*, 343 Pa. 642, 23 A.2d 445 (1942); *Carswell v. SEPTA*, 259 Pa. Super. 167, 393 A.2d 770 (1978).

Pa. R.E. 602.

Accordingly, Defendant Riverview argues that Ms. Parks should be able to testify as to what Defendant Black told her regarding his cell phone use just prior to the accident because such testimony is firsthand knowledge of a hearsay statement, otherwise admissible under the hearsay exceptions relevant to party admissions and state of mind, at Pa. R.E. 803(25) and Pa. R.E. 803(3) respectively.

In resolving this motion, the Court notes that Ms. Parks' deposition is devoid of any reference to whether or not Defendant Black appeared visibly intoxicated on the evening of the accident. However, the failure to ask that question at deposition does not preclude counsel from asking it at trial. Accordingly, the Court finds Plaintiffs' motion to preclude Ms. Parks from testifying as to whether or not Defendant Black appeared visibly intoxicated on the night of the accident must be DENIED as premature. Likewise, to the extent that Plaintiffs seek to preclude Ms. Parks from testifying to what she recalls Defendant Black telling her with regard to his cell phone use purely on the basis of the uncertainty in her deposition response, we note that what she may have been able to recall at deposition is no guarantee of what she may be able to recall at trial. As such, Plaintiffs' motion is DENIED insofar as it seeks to preclude this testimony. This ruling is made without prejudice to Plaintiffs' right to raise any relevant objections to Ms. Parks' testimony at the time of trial, or to use her deposition testimony to impeach her, pursuant to Pa. R.C.P. 4020.

Motion to preclude reference to Defendant Black's PBT and results.

Subsequent to the accident, Defendant Black submitted to a PBT¹⁶ administered by the arresting officer at the scene. That test resulted in a

¹⁶ A PBT is otherwise known as a portable or a preliminary breath test. It measures a person's level of intoxication.

reading of .09%. By the present motion, Plaintiffs seek to preclude reference both to the fact that Defendant Black submitted to the PBT and the results thereof.¹⁷ As the basis of the motion, Plaintiffs cite to case law for the proposition that given the unreliability of PBT testing, the courts do not allow admission of their results at trial. *Commonwealth v. Brigidi*, 607 Pa. 329, 6 A.3d 995 (2010). Rather, Plaintiffs argue, their purpose is limited to probable cause for arrest. *Id.* On this basis, and also because they believe that the admission of evidence demonstrating both a PBT of .09% and the BAC of .16%¹⁸ would only serve to confuse the jury, Plaintiffs seek to preclude evidence of the PBT from trial.

Defendant Riverview, joined by Defendant Black, opposes the motion. Defendant Black argues that contrary to Plaintiffs' assertion as to the law, in fact there is no preclusion on the admissibility of a PBT result in a criminal proceeding provided calibration and accuracy can be proven, and further, there is absolutely no preclusion as to the admissibility of a PBT in a civil case such as this.¹⁹ Alternatively, Defendant Riverview argues that if the Court determines that the PBT should be excluded from evidence, the BAC should likewise be precluded, given the absence of evidence in this case establishing the reliability of the BAC via proof of authentication and chain of custody.²⁰ See *Commonwealth v. Dyarman*, 33 A.3d 104, 107-108 (Pa. Super. 2011). Defendant Riverview concurs with Defendant Black as to the fact that the law only precludes the admission of PBTs in certain criminal cases, and further argues that contrary to Plaintiffs' assertion, no confusion would result from the admission of both the PBT and the BAC.

A review of the relevant case law reveals that evidence of blood alcohol content is admissible in cases where service to a visibly intoxicated person, visible intoxication, or reckless or careless driving is at issue, and there is other evidence of record as to the conduct of the person "which

¹⁷ Officer Arredondo, who arrested Defendant Black, testified to the PBT and the results in his deposition, taken March 8, 2011 and defense expert Dr. Ronald E. Gots referenced the same in his report.

¹⁸ After his arrest at the scene of the accident, Defendant Black was taken to the Easton DUI Center for processing, at which time he submitted to a blood test, the results of which indicated a blood alcohol content of .16%.

¹⁹ Pursuant to the Vehicle Code, "in any summary proceeding or criminal proceeding in which the defendant is charged with a violation of section 3802 (relating to driving after imbibing) or any other violation of this title arising out of the same action, the amount of alcohol or controlled substance in the defendant's blood, as shown by chemical testing of the person's breath, blood or urine, which tests were conducted by qualified persons using approved equipment, shall be admissible in evidence." 75 Pa. C.S. §1547(c).

However, it is well-settled that in fact, the courts do not admit evidence of PBT results to prove a violation of 75 Pa. C.S. §3802, pursuant to which a driver is subject to mandatory penalties on the basis of his or her blood alcohol level, because while PBT tests are sufficient to demonstrate a person's consumption of alcohol, they are not considered reliable enough to prove the particular degree of intoxication required by the statute.

²⁰ The Court addresses this argument in the disposition of a separate motion by Defendant Riverview to preclude the admission of Defendant Black's BAC, appearing *infra*.

fairly suggests that he was intoxicated.” *Ackerman v. Delcomico*, 336 Pa. Super. 569, 576, 486 A.2d 410, 414 (1984). *See also*, *Couts v. Ghion*, 281 Pa. Super. 135, 421 A.2d 1184 (1980) (reversing and remanding dram shop action in part upon the finding that the trial court had erred in denying the admission of breath and blood test results, which along with other evidence, was “relevant circumstantial evidence bearing on the question of whether [defendant driver] was visibly intoxicated when ... served at [defendant establishment]”); *Cusatis v. Reichert*, 267 Pa. Super. 247, 406 A.2d 787 (1979) (while evidence of a defendant’s legal intoxication, here by breathalyzer, is the only evidence in support of that finding, it shall not reach the jury because consumption of alcohol may not be the only reason for a positive test. However, where there is independent evidence of intoxication, breath test admissible to bolster that evidence).

The theory behind allowing a blood alcohol level to be admitted into evidence in a civil case is that it is relevant circumstantial evidence relating to intoxication. However, blood alcohol level alone may not be admitted for the purpose of proving intoxication. There must be other evidence showing the actor’s conduct which suggests intoxication. Only then, and if other safeguards are present, may a blood alcohol level be admitted. *Custasis v. Reichert*, *supra*, *Couts v. Ghion*, *supra* (test must be given within a reasonable time after accident); *Schwarzbach v. Dunn*, *supra* (test results, where test given three hours after accident, may not be extrapolated by expert who will testify as to probable blood alcohol level at time of accident).

Ackerman, *supra*.

In *Ackerman*, the Superior Court noted that “[t]he sole statutory provision concerning blood alcohol content is in 75 Pa. C.S. §1547, relating to criminal prosecution for driving under the influence.” *Id.* at 575, 486 A.2d at 413. The statute provides in pertinent part that:

Any person who drives, operates or is in actual physical control of the movement of a vehicle in this Commonwealth shall be deemed to have given consent to one or more chemical tests of breath, blood or urine for the purpose of determining the alcoholic content of blood or the presence of a controlled substance if a police officer has reasonable grounds to believe the person to have been driving, operating or in actual physical control of the movement of a vehicle ...

75 Pa. C.S. §1547(a).

Subsection (c) of the statute speaks to the admissibility of test results:

In any summary proceeding or criminal proceeding in which the defendant is charged with a violation of section 3802 or any other violation of this title arising out of the same action,

the amount of alcohol or controlled substance in the defendant's blood, as shown by chemical testing of the person's breath, blood or urine, which tests were conducted by qualified persons using approved equipment, shall be admissible in evidence.

(1) Chemical tests of breath shall be performed on devices approved by the Department of Health using procedures prescribed jointly by regulations of the Departments of Health and Transportation. Devices shall have been calibrated and tested for accuracy within a period of time and in a manner specified by regulations of the Departments of Health and Transportation. For purposes of breath testing, a qualified person means a person who has fulfilled the training requirement in the use of the equipment in a training program approved by the Departments of Health and Transportation. A certificate or log showing that a device was calibrated and tested for accuracy and that the device was accurate shall be presumptive evidence of those facts in every proceeding in which a violation of this title is charged ...

75 Pa. C.S. §1547(c).

Notably, the statute makes a separate provision for the administration of a PBT. It states:

A police officer, having reasonable suspicion to believe a person is driving or in actual physical control of the movement of a motor vehicle while under the influence of alcohol, may require that person prior to arrest to submit to a preliminary breath test on a device approved by the Department of Health for this purpose. The sole purpose of this preliminary breath test is to assist the officer in determining whether or not the person should be placed under arrest. The preliminary breath test shall be in addition to any other requirements of this title. No person has any right to expect or demand a preliminary breath test. Refusal to submit to the test shall not be considered for purposes of subsections (b) and (e) (relating to suspensions for refusal of breath or blood test, and the admissibility of such refusal in criminal proceedings).

75 Pa. C.S. §1547(k).

In resolving this motion, the Court is guided by the Superior Court's discussion on the admissibility of blood alcohol content evidence in *Ackerman*. We note that therein, the court based its analysis on 75 Pa. C.S. §1547(c), governing the admissibility of blood alcohol test results. As noted supra, subsection (c) requires that in order to be admissible in criminal proceedings, chemical breath tests must be performed on approved, calibrated and tested devices by a properly trained individual. Likewise, in *Ackerman*, the Superior Court took care to note that blood alcohol content evidence may only be admitted where safeguards are in place (noting the

inadmissibility of a test too remote in time to the incident at the center of the litigation). In light of the reference to safeguards, in the absence of any civil case law condoning the use of PBT evidence, and because the evidence in this case fails to show that the PBT equipment used to read Defendant Black's alcohol content level was approved or calibrated,²¹ the Court finds that the challenged evidence does not satisfy the requirements for admissibility in this matter and therefore must be excluded. Accordingly, Plaintiffs' motion as to the same is hereby GRANTED.²²

Motion to preclude certain opinions of Defendant Black's liability expert, Joseph Muldoon, P.E.

By the present motion, Plaintiffs seek to preclude the admission of certain opinions rendered by Defendant Black's liability expert as irrelevant to the issues in the case and therefore excludable under Pa. R.E. 401 and 402, or alternatively, more prejudicial than probative and therefore excludable under Pa. R.E. 403. The first of the opinions subject to the motion is set forth as follows:

Owing to the constricted cartway devoid of shoulders, the pick-up [sic] truck travelled approximately a quarter mile until Mr. Black could find a place to pull over whereupon he exited the pick-up [sic] truck and proceeded back to the crash site on foot.

Plaintiffs' Motion, Exhibit A, Muldoon Report at 2.

As to this opinion, Plaintiffs argue that it is both speculative and self-serving, and therefore excludable. Specifically, Plaintiffs contend that this opinion lacks any scientific or factual basis, and ignores the evidence of record. With regard to the evidence of record, Plaintiffs note the deposition testimony of lay witness Brent Lawton, who stated in his deposition that he flagged Defendant Black's vehicle down in the road on the night of the accident and then returned to the scene with him. *Plaintiffs' Motion*, Exhibit B, 13:12-14:19. Further, Plaintiffs suggest that by his opinion, Mr. Muldoon ignores other possible courses of action Mr. Black could have taken after the accident and other reasons for his failure to stop.

²¹ Although not appended to the motion or any response thereto, Officer Arredondo's deposition testimony, of record as appended to Plaintiffs' Pretrial Memorandum, reveals his uncertainty as to the particular piece of equipment he used to perform the PBT of Defendant Black on the night of the accident, and his lack of knowledge as to the standards and schedules pursuant to which the Department's PBT testing equipment is calibrated. *Plaintiffs' Pretrial Memorandum*, Exhibit H, 40:22-41:1, 48:16-49:1.

²² In the instant case, there is no suggestion that the piece of equipment used to take Defendant Black's PBT can even be identified. For that reason, the Court sees no benefit to allowing the parties to amend their witness lists to allow for the presentation of evidence on the approval and calibration of the device used. Moreover, even if such evidence could be produced, the Court would still preclude the evidence in the absence of any legal authority for the admission of a PBT in a civil case.

In response, Defendant Black argues that this, and indeed each of Mr. Muldoon's challenged opinions are based on evidence produced in discovery, and that such evidence is of the nature typically relied upon by experts in Muldoon's field. Accordingly, he contends their admissibility.

Defendant Riverview responds to Plaintiffs by arguing that in preparing his report, Mr. Muldoon investigated the portion of the roadway between the point of impact and where Defendant Black stopped his vehicle and on that basis, found it to be constricted and devoid of shoulders in the area of the crash site. Moreover, Defendant Riverview urges that the challenged conclusion has been corroborated by other witnesses, including several police officers, and Defendant Black himself. The officer testimony referenced by Defendant Riverview confirms the character of the roadway and the testimony of Defendant Black sets forth his stated reason for failing to stop before he did.

Upon review and consideration of the cited evidence and the arguments of the parties, the Court finds that the portion of Mr. Muldoon's opinion as to the character of the roadway is clearly permissible as based on his own observation and training as a civil engineer. However, with regard to the portion of his opinion attributing Defendant Black's failure to stop until he had proceeded approximately a quarter mile down the road from the site of impact, the Court finds this conclusion purely speculative and without basis in Mr. Muldoon's expert training and experience.

Only Mr. Black can testify as to his motives for the actions he took that night. The purpose of expert testimony is to elucidate for a jury those matters with regard to which "scientific, technical or other specialized knowledge beyond that possessed by a layperson will assist the trier of fact to understand the evidence or to determine a fact in issue." Pa. R.E. 702. While the factors that may have influenced Defendant Black's choices with regard to the maneuvering of his vehicle immediately after the accident are sufficiently within the purview of an expert, the reasons therefore are those of Defendant Black alone and to allow an expert to testify on those issues would be to allow impermissibly speculative testimony. Thus, with regard to the first of the challenged opinions, Plaintiffs' motion is GRANTED IN PART and DENIED IN PART. As such, Mr. Muldoon shall be permitted to testify as to the character of the roadway in the area between the site of impact and the place where Defendant Black's vehicle came to rest, and he may testify to the fact that upon stopping his vehicle approximately a quarter mile away, Defendant Black proceeded back to the crash site on foot. However, he shall be precluded from testifying that Defendant Black drove "until he could find a place to pull over."

The second of Mr. Muldoon's challenged opinions is that:

Centerline encroachments on the order of this magnitude need not be caused by alcohol consumption. More often than not, they will arise from distraction such as tuning the car radio,

reaching for a CD or cell phone—all of which are occasionally performed by anyone. And clearly, the proclivity for such centerline encroachment is greatly augmented along stretches of highway where there is a combination of a constricted highway and horizontal curvature—as manifest by the accident site.

Plaintiffs' Motion, Exhibit A, Muldoon Report at 3.

In opposition to this opinion, Plaintiffs argue that it is conclusive and speculative with regard to the cause of the accident, without regard to the evidence of Defendant Black's state of intoxication at the time, and must therefore be precluded as irrelevant, potentially confusing and misleading to the jury, and more prejudicial than probative.

In response, Defendant Black renews his argument that the opinion is based on evidence produced in discovery, which is of the nature typically relied upon by experts in Muldoon's field, and is therefore admissible. Defendant Riverview's argument contra the motion is that Mr. Muldoon's opinion is supported by Defendant Black's testimony as to the circumstances of the crash, as well as cell phone data and an expert report analyzing that data, which indicate that he received a text message just before the accident.

In consideration of the parties' arguments and on review of the challenged opinion, the Court finds that does not draw any impermissible conclusions, but merely sets forth a number of observations in support of Defendants' theory of the accident. That opinion, and Defendants' theory, will be subject to cross-examination at trial. As such, Plaintiffs' motion in limine as to Mr. Muldoon's second challenged conclusion is DENIED.

The third of Mr. Muldoon's challenged conclusions is that:

It cannot be proven, let alone beyond a reasonable doubt, that Mr. Black's centerline encroachment was caused by alcohol consumption. The more likely scenario is that was caused by distraction abetted by the curvature and the constricted cartway.

Plaintiffs' Motion, Exhibit A, Muldoon Report at 5.

Plaintiffs base their objection to this opinion on the same arguments made relative to their earlier objections, namely that the opinion is conclusive and speculative with regard to the cause of the accident, without regard to the evidence of Defendant Black's state of intoxication at the time, and must therefore be precluded as irrelevant, potentially confusing and misleading to the jury, and more prejudicial than probative.

Whereas, Defendant Black once again advances the argument that the opinion is based on evidence produced in discovery, which is of the nature typically relied upon by experts in Muldoon's field, and is therefore admissible. Defendant Riverview accords, and points the Court to Defendant

Black's own testimony as to the cause of the accident. Additionally, Defendant Riverview notes a portion of defense expert Schorr's written opinion wherein he notes that Defendant Black had negotiated twenty-one (21) separate curves before reaching the site of the accident.

Careful consideration of the challenged opinion leads the Court to conclude that it is impermissibly beyond the scope of this expert's realm of knowledge and experience and therefore inadmissible. While expert witnesses may opine as to the ultimate issues in a case, they must also be limited to the scope of their expertise. Pa. R.E. 704; Pa. R.E. 702. Here, Mr. Muldoon is purporting to be an expert in transportation and forensic engineering, and the challenged opinion goes to the weight and the sufficiency of the evidence offered to show that the accident was a result of Defendant Black's intoxication, which is far beyond the purview of the expert. As such, Plaintiffs' motion to preclude his third opinion, as set forth supra, is hereby GRANTED.

Plaintiffs' final challenge to the expert opinions of Mr. Muldoon is in response to the following:

Given that Mr. Petti was operating the motorcycle too close to the centerline at a likely speed of 6 to 10 mph above the posted speed limit, his conduct was a substantial factor in the likely causation of this accident.

Plaintiffs' Motion, Exhibit A, Muldoon Report at 5.

Plaintiffs, acknowledging Pa. R.E. 704, which provides that "[t]estimony in the form of an opinion or inference otherwise admissible is not objectionable because it embraces an ultimate issue to be decided by the trier of fact," nevertheless object to this opinion on that very basis. In so doing, Plaintiffs note that "the trial judge has the discretion to admit or exclude expert opinions on the ultimate issue depending on the helpfulness of the testimony versus its potential to cause confusion or prejudice." *Plaintiffs' Motion*, ¶8 quoting *McManamon v. Washko*, 906 A.2d 1259, 1278-79 (Pa. Super. 2006). Accordingly, Plaintiffs request that the Court strike Mr. Muldoon's opinion as speculative at best, absent any evidence that Decedent Petti was driving on or over the centerline, or any scientific basis for the conclusion that Decedent Petti was travelling at 6 to 10 miles over the posted speed limit.

Just as with Plaintiffs' other challenges to Mr. Muldoon's report, Defendant Black counters with the argument that the opinion is based on evidence produced in discovery, which is of the nature typically relied upon by experts in Muldoon's field, and is therefore admissible. Yet, Defendant Riverview argues that Muldoon's opinion is based directly on the results of his accident reconstruction and should therefore be permitted to come before the jury at trial.

A review of Muldoon's report reveals that his opinion that the motorcycle was very close to the centerline at the time of impact arises from

his analysis of the skid marks at the scene. *Plaintiffs' Motion*, Exhibit A, Muldoon Report at 7. As to his conclusion that Decedent Petti was traveling between 6 and 10 miles over the speed limit at the time of the crash, he bases that on analysis of the scene, detailed in a section of his report entitled "Vehicular Speeds." *Plaintiffs' Motion*, Exhibit A, Muldoon Report at 6. Upon consideration, the Court finds this opinion sufficiently rooted in the evidence as well as Mr. Muldoon's training and experience, and as such, Plaintiffs' motion to preclude it from presentation to the trial jury is hereby DENIED.

Motion to preclude certain opinions of Steven M. Schorr, P.E. and Curtis M. Beloy, P.E.

Plaintiffs also seek to preclude certain opinions offered by Defendant Riverview's liability experts Steven M. Schorr, P.E. and Curtis M. Beloy, P.E. (collectively "experts"), as set forth in their expert report, on the basis that the opinions are irrelevant to the case, and therefore excludable under Pa. R.E. 401 and 402, or alternatively, more prejudicial than probative and therefore excludable under Pa. R.E. 403. In the first of the challenged opinions, the experts state that:

There is no physical evidence or testimony that establishes the drifting of the Ford Ranger over the centerline was a result of anything other than Mr. Black being distracted (*i.e.*, reaching for and opening his cell phone). Additionally, there is no data, conclusions or opinions noted in the reports by Dr. Kilareski or Dr. DiGregorio that establish that the drifting of the Ford Ranger over the centerline was a result of alcohol as opposed to driver distraction.

Plaintiffs' Motion, Exhibit A, Schorr/Beloy Report at 13.

As the basis for the motion, Plaintiffs argue that the challenged opinion contravenes, and in fact ignores, certain evidence tending to show that the accident was a result of Defendant Black's alcohol consumption, as evidenced by his guilty pleas to two counts of homicide by motor vehicle/DUI related and reckless driving, blood alcohol evidence, witness testimony and the expert report of Dr. DiGregorio, who stated in his report that "to a reasonable degree of medical and scientific certainty ... James Black ... was impaired at the time of his accident by ethyl alcohol and was unfit to operate a motor vehicle. The symptoms of this impairment ... directly contributed to Mr. Black's motor vehicle accident." *Plaintiffs' Motion*, Exhibit D, DiGregorio Report at 3.

In response, Defendant Black argues, as he does in response to each challenged opinion, that it was formulated on the basis of testimony and facts adduced during discovery and such evidence was of the type normally relied upon by experts in the field. Accordingly, he seeks the denial of the motion. Defendant Riverview joins Defendant Black and further

takes the position that there is no evidence of record that the accident was caused by Defendant Black's intoxication. To that end, Riverview notes a complete absence of testimony to indicate that Black drifted over the centerline due to intoxication. Indeed, the only witness testimony as to the cause of the accident is the self-interested testimony of Defendant Black himself, who attributes the accident solely to his receipt of a text message on his cell phone.

Upon consideration, the Court notes that there is evidence, as noted *supra*, to suggest that the cause of the accident was Defendant Black's intoxication, and there is evidence to suggest that the cause of the accident was Defendant Black's receipt of a text message. As such, the Court finds that the first challenged opinion of Schorr and Beloy is an impermissible mischaracterization of the evidence and does not fall within the proper scope of an expert opinion, which is to elucidate certain issues in the case with the benefit of the expert's training and experience. The challenged report excerpt is not an expert opinion, in that it offers nothing more than an evaluation of the evidence, which falls not within the purview of an expert, but the purview of the jury. In light of the foregoing, Plaintiffs' motion in limine to preclude defense experts Schorr and Beloy from offering the conclusion set forth in the first challenged opinion is hereby GRANTED.

Plaintiffs' second challenge to the Schorr/Beloy report concerns the following:

The physical evidence and available data are consistent with the Ford Ranger's movement into the northbound lane being a result of Mr. Black being distracted by his cell phone, and consequently his not maintaining his position within the southbound land [sic] as the roadway curved to his right.

Plaintiffs' Motion, Exhibit A, Schorr/Beloy Report at 13.

Plaintiffs seek to preclude this opinion as speculative and ignorant of the other evidence in the case tending to show that Defendant Black's intoxication was the cause of the accident. As such, Plaintiffs contend that the opinion should be precluded from reaching the jury on the basis that it would serve to confuse and mislead the jury and would be unduly prejudicial to Plaintiffs. In addition to the position taken by Defendant Black with regard to each of the challenged opinions, that they are properly rooted in the facts and evidence adduced during discovery and therefore permissible, Defendant Riverview specifically points out that the opinion is supported by the experts' physical examination of the scene and document review, and is therefore admissible. Upon consideration, the Court agrees. While the challenged opinion does not take into account the role that Defendant Black's intoxication may have played in the accident, it does no more than state an opinion based on certain evidence, which is well within the proper scope of an expert report. To the extent that Plaintiffs disagree with

the opinion, they will have ample opportunity at trial to present their own evidence and to cross-examine the experts. Accordingly, Plaintiffs' second challenge to the opinions of Schorr and Beloy is hereby DENIED.

Plaintiffs' final challenge to the Schorr/Beloy report concerns the following:

There is no physical evidence, data, testimony, analysis or expert reports reviewed that establish that the movement of the Ford Ranger over the centerline was a result of Mr. Black's alcohol consumption as opposed to his admitted distraction as a result of reaching for the cellphone [sic].

Plaintiffs' Motion, Exhibit A, Schorr/Beloy Report at 14.

Again, Plaintiffs take the position that this excerpt from the Schorr/Beloy report ignores certain evidence in the case related to Defendant Black's intoxication at the time of the crash, and should therefore be precluded as speculative, irrelevant, confusing and misleading to the jury, and unduly prejudicial to their own position. In contrast, Defendants contend that the opinion is soundly grounded in the evidence adduced during discovery.

Upon review and consideration the Court finds that this conclusion, just like the first challenged conclusion, runs afoul of the purpose for expert testimony and into the domain of the jury by again characterizing, in fact mischaracterizing the evidence. Evidence can be of two different types; both direct and circumstantial. Thus, while there may not be any direct evidence of which conclusively demonstrates the cause of the accident, there is evidence of two different causes, which forms the basis of the parties' dispute. It is the job of the jury, and the jury alone, to weigh the evidence, both direct and circumstantial, and come to a determination as to liability, and thereafter, damages. As such, the Court cannot allow an expert to characterize the evidence. Accordingly, Plaintiffs' motion to preclude Schorr and Beloy's third challenged opinion is hereby GRANTED.

Motion to preclude certain opinions of Defendant Riverview's vocational expert, Gary R. Kutay.

As previously noted, Defendant Riverview elicited an expert opinion from vocational expert Gary R. Kutay as to Decedent Warren. By the present motion, Plaintiffs seek to preclude the admission of certain opinions set forth in his report. In preparing his report, Kutay reviewed a number of documents, including the deposition testimony of Plaintiff Marcia Karrow, Administratrix of Decedent Warren's estate. From his review of her testimony, he stated the following:

Mrs. Karrow perhaps did not have a complete understanding of the circumstances surrounding [Decedent Warren's] employment, as much as she may have thought.

Plaintiffs' Motion, Exhibit A, Excerpt of Kutay Report at 7.

Plaintiffs seek to strike this statement as impermissibly speculative and irrelevant. In response, Defendant Black asserts that all of Mr. Kutay's

opinions are admissible pursuant to Pa. R.E. 701, which relates to lay opinion testimony. Defendant Riverview responds to the motion by asserting that the challenged opinion is properly based on the type of facts and data usually relied upon by experts in his field, and is therefore permissible pursuant to Pa. R.E. 703 governing the bases for expert opinions.

While it may be true that Mrs. Karrow was not particularly well informed with regard to Decedent Warren's employment history, Mr. Kutay's statement in this regard is a speculative statement, or a mere observation, which fails to advance any issues in the case and is made without reliance on his training and experience. As such, the Court agrees with Plaintiffs as to the irrelevance of the statement. Accordingly, Plaintiffs' motion in limine to preclude the same from admission at trial is hereby GRANTED.

In the next of the opinions to which Plaintiffs raise a challenge, Mr. Kutay states:

I was able to discuss wages with Ms. Iverson, HR Department at Michael's On East Restaurant. She informed me that she was able to pull up earnings for a waiter, whom she would classify as the same skill level as [Decedent Warren]. She indicated that his wages were approximately \$28,000 in 2007. She felt this was an honest as well as accurate estimate. Since this was two years post [Decedent Warren's] firing at Michael's On East Restaurant, wages would have been slightly less.

Plaintiffs' Motion, Exhibit A, Excerpt of Kutay Report at 9.

Plaintiffs seek to strike this portion of Kutay's report on the basis that it is inadmissible hearsay pursuant to Pa. R.E. 802. Moreover, they contend that Ms. Iverson's reported research, uncorroborated by any other source and subject to her own untrained assessment that the wage information she provided to Mr. Kutay would have been in line with Decedent Warren's wage history is too speculative to be reliable, and is not the sort of evidence upon which an expert in the field would regularly rely, as required by Pa. R.E. 701.²³ In response, Defendants jointly assert that Mr. Kutay's opinion is properly based on reliable evidence, Defendant Riverview points out that the evidence relied upon by an expert in the formation of his or her opinion need not be admissible in court, rendering the hearsay quality of the evidence irrelevant.

The threshold to the resolution of this motion is whether or not the information provided by Ms. Iverson is of the type typically relied upon by experts in the field,²⁴ and while that is a question for the Court to resolve

²³ In fact, Plaintiffs improperly cite Pa. R.E. 701 for this proposition, which is set forth at Pa. R.E. 703.

²⁴ See *Kearns by Kearns v. DeHaas*, 377 Pa. Super. 200, 209, 546 A.2d 1226, 1231 (1988) (recognizing applicability of Pa. R.E. 703 to the testimony of vocational experts).

pursuant to Pa. R.E. 104,²⁵ at present, it does not have sufficient information upon which to make that determination. Accordingly, this portion of the motion shall be held in abeyance until trial, subject to the opportunity for the Court to illicit further information from the witness prior to his in-court testimony as to the reliability of the information provided to him by Ms. Iverson, and whether experts in his field regularly rely on this type of information in formulating their opinions.

Plaintiffs' third challenge to Mr. Kutay's report is in response to the following, wherein he states that as to Daniel Rappucci, one of Plaintiffs' experts:

The evaluator's comment that typically waiters and waitresses do not report accurate wages to the IRS is surely a discriminating statement. The evaluator basically states that every waiter or waitress goes against the law in their tax obligation to the US Government. I find this statement self serving [sic] for the report written. What is reported to the IRS is considered one's earnings. Not to report such is a direct violation of the IRS code and is subject to fines and potential arrest and incarceration. If I were a waitress/waiter, I would not want to have such a label of cheating the government of taxes by falsifying a tax return.

Plaintiffs' Motion, Exhibit A, Excerpt of Kutay Report at 9.

Plaintiffs object to this passage from Mr. Kutay's report on the basis that it is impermissibly speculative, hypothetical and irrelevant. Defendant Riverview, joined by Defendant Black, who merely asserts that all of Mr. Kutay's opinions are amply supported by the evidence adduced in discovery, argues that Kutay's opinion is relevant given Plaintiffs' failure to produce any tax returns for Decedent Warren, as well as that fact that the challenged comment is merely a response to Rappucci's impermissibly speculative musings.

Having reviewed and considered the relevant portion of the record in light of the applicable law, the Court finds that evidence of the common practices of waitstaff is not germane to the issues in this case. As such, the Court finds the challenged statement too irrelevant, too speculative and too potentially confusing or misleading to the jury to be admissible. In light of the foregoing, Plaintiffs' motion to preclude Mr. Kutay's third challenged opinion from presentation to the jury is hereby GRANTED.

²⁵ The rule provides in pertinent part that:

[p]reliminary questions concerning the qualification of a person to be a witness, the existence of a privilege, or the admissibility of evidence shall be determined by the court, subject to the provisions of subdivision (b). In making its determination it is not bound by the rules of evidence except those with respect to privileges.

Pa. R.E. 104(a).

Finally, Plaintiffs object to the following statement by Mr. Kutay:

This writer is appalled at the Scenario Section presented by the vocational evaluator [Plaintiffs' vocational expert, Daniel M. Rappucci.] They are presented with no data nor [sic] personal experience. They represent to me an unprofessional and borderline unethical presentation. It is hard to imagine how someone could actually portray these figures with any ounce of integrity.

Plaintiffs' Motion, Exhibit A, Excerpt of Kutay Report at 11.

Plaintiffs seek to preclude this portion of Kutay's report as irrelevant to the issues in the case and unduly prejudicial. Aside from the general position of Defendants that the opinion is soundly based on the evidence in the case, Defendant Riverview contends that if the Court allows Rappucci to testify as to certain scenarios posited in his report, their expert should have a fair opportunity to respond to his methodology. We agree. However, we also agree with Plaintiffs that the language used by Mr. Kutay to criticize Mr. Rappucci's methodologies is unduly prejudicial to Plaintiffs. Accordingly, Plaintiffs' motion is GRANTED IN PART and DENIED IN PART. As such, Mr. Kutay shall be permitted to testify to his criticism of Mr. Rappucci's methodology insofar as he believes that it is devoid of any factual basis, and he may also testify as to whether he has ever seen this methodology employed by others in the field. However, he shall be precluded from making any reference to being "appalled" by Mr. Rappucci's report; to characterizing the report as "unprofessional" or "borderline unethical," and he shall also be precluded from stating to the jury his belief that "it is hard to imagine how someone could actually portray these figures with any ounce of integrity."

Defendant Black's Motions

Motion to preclude testimony or other evidence of the details of alcohol consumption by the Defendant, James Black.

By his first motion, Defendant Black seeks to preclude the introduction at trial of any evidence as to his alcohol consumption on the date of the accident. As the basis for the motion, he asserts that as a result of his guilty plea to two counts of vehicular homicide/DUI related, the issue of his alcohol consumption has already been determined, and thus, the presentation of any evidence as to the amount consumed or the timing of his consumption would only serve to inflame the passions of the jury and unduly prejudice him. Accordingly, he seeks to preclude the introduction of such evidence pursuant to Pa. R.E. 403. Defendant Black is joined in his motion by Defendant Riverview. In support of their position with regard to the motion, Defendant Riverview contends that such evidence is irrelevant and therefore inadmissible pursuant to Pa. R.E. 401 and 402. In furtherance of that position, they point to the absence of any witness who

has testified to Defendant Black having been visibly intoxicated during the time he spent at Riverview, and as such, they contend that the issue is moot and the evidence is irrelevant. The Court respectfully disagrees. Proof of visible intoxication is not dependent upon direct evidence in the form of eyewitness accounts. Rather, it may be proven circumstantially. *Fandozzi v. Kelly Hotel, Inc.*, 711 A.2d 524 (Pa. Super. 1998). Here, the quantity and timing of Defendant Black's alcohol consumption on the date of the accident is both relevant and admissible to Plaintiffs' claims. As such, Defendant Black's motion to preclude evidence as to the amount and timing of his alcohol consumption is hereby DENIED.

Motion to preclude Plaintiffs from bringing into evidence the distance driven by Defendant Black after the collision.

Defendant Black also seeks to preclude Plaintiffs from introducing evidence that he drove approximately a quarter mile from the site of the collision before stopping his vehicle, on the basis that such evidence would only serve to confuse and prejudice the jury, in contravention of Pa. R.E. 403. Defendant Riverview joins in the motion, arguing that such evidence is irrelevant to causation and too speculative to be of any evidentiary value with regard to Defendant Black's state of intoxication at the time of the accident, which, they argue, is the sole purpose for which Plaintiffs seek its admission.

In resolving this motion, the Court rejects Defendants' characterizations of the evidence and its purportedly prejudicial effect. The evidence subject to this motion is of a purely factual nature and it is a fact upon which other facts in the case rely. Notably, the place where Defendant Black stopped his vehicle is where he encountered Mr. Lawton, a witness in this case, who returned to the scene of the crash with Defendant Black and made certain observations of him during that period. While the parties may have opposing theories as to the significance of this evidence, the Court can see no reason to preclude the presentation of the evidence to the jury. Rather, it shall be permitted, and counsel shall be entitled to present its own version as to its significance at trial. The interpretation and weighting of the evidence is ultimately a matter for the jury to decide. As such, Defendant Black's motion to preclude Plaintiffs from referencing the distance he drove after the collision is hereby DENIED.

Motion to include jury instruction that a harm arising from driving while using a cell phone is not a sufficient basis for the imposition of punitive damages.

By his next motion, Defendant Black, who posits that the accident occurred as a result of him reaching for his cell phone upon receipt of a text message, seeks to have the jury charged on the fact punitive damages cannot be imposed for driving while using a cell phone. As set forth supra,

in order to succeed on a claim for punitive damages, a plaintiff must prove that the defendant engaged in conduct that was “outrageous,” and done with a bad motive, or with “reckless indifference” to the safety of others. *Hutchison ex rel. Hutchison v. Luddy*, 582 Pa. 114, 121, 870 A.2d 766, 770 (2005). A tortfeasor acts recklessly if he acts in conscious disregard of the potential for harm arising from his conduct, where the risk of harm is so great as to rise above that associated with simple negligence. *Junk v. East End Fire Department*, 262 Pa. Super. 473, 482, 396 A.2d 1269, 1273 (1978); see also, *Krivijanski v. Union Railroad Company*, 357 Pa. Super. 196, 204, 515 A.2d 933, 937 (1986). This Court, in an opinion issued by the Honorable Leonard N. Zito, has stated that the use of a cell phone while driving is not outrageous or reckless conduct, and as such, cannot serve as the basis for a punitive damages claim. See *Xander v. Kiss*, 0048-CV-2010-11945 (Pa. Com. Pl. January 11, 2012) (striking plaintiff’s punitive damages claim upon a finding that without additional indicators of outrageous conduct done either recklessly or with a bad motive, cell phone use alone is not a sufficient predicate for a punitive damages claim). On the basis of this case law, Defendant Riverview joins in the motion and further suggests that Plaintiffs’ punitive damages claim against Defendant Black should be stricken.

In response, Plaintiffs argue that punitive damages are warranted against both Defendants, and whether or not Defendant Black may or may not have been reaching for his cell phone at the time of the accident is of no consequence. In support of the same, Plaintiffs note the following as further evidence in support of their punitive damages claim: Defendant’s BAC on the night of the accident; that Defendant Black had a history of driving while intoxicated; the fact that Defendant allowed his vehicle to cross over the centerline of the roadway; the fact that he struck Plaintiffs’ Decedents and continued travelling down the road for approximately a quarter mile; his guilty plea and his sentencing; and evidence of his demeanor at the time of the accident. These facts, Plaintiffs argue, are precisely the “additional indicators” noted in the *Xander* case as warranting punitive damages in cases involving cell phone use.

In consideration of the parties’ competing theories with regard to the accident and their legal arguments in support thereof, the Court finds it appropriate to instruct the jury on the state of the law in this regard. An appropriate instruction shall direct the jury that if they find that the sole cause of the accident was Defendant Black reaching for his cell phone, such a finding shall preclude a claim for punitive damages. However, such instruction shall also caution the jury that if they believe that the accident was caused, in whole or in part by any other conduct on the part of Defendant Black, the assessment of punitive damages shall be appropriate upon a finding that such conduct was done recklessly or with an evil motive. In light of the foregoing, Defendant Black’s motion seeking an instruction to

the jury with regard to the fact that the use of a cell phone, standing alone, is an insufficient basis for the imposition of punitive damages is hereby GRANTED.²⁶ The parties may submit proposals as to the language of this instruction when directed by the Court either prior to or during the course of trial.

Motion to preclude evidence of blood alcohol content.

Finally, Defendant Black seeks to preclude evidence of his blood alcohol content on the basis of Plaintiffs' alleged failure to establish the qualifications of the laboratory and personnel responsible for administering the test, and to show the chain of custody with regard to the evidence. Defendant Riverview joins in the motion and argues further that because Defendant Black has already pled guilty to two counts of Homicide by Vehicle and Reckless Driving, he is not contesting liability and therefore such evidence is both irrelevant and more prejudicial than probative. Further, Defendant Riverview contends that such evidence is not admissible against it because under the law, "evidence of another party's guilty plea for driving under the influence cannot be used against another party." *Defendant Riverview's Response to Defendant Black's Motions* at 8, citing *Arnold v. Davis*, 32 D. & C.4th 253, 269 (Pa. Com. Pl. Pike Co. 1996) (memorandum opinion pursuant to Pa. R.A.P. 1925(a)) *affirmed in an unpublished memorandum opinion*, 697 A.2d 270 (Pa. Super. 1996).

In *Arnold*, plaintiff brought a Dram Shop claim against an establishment where plaintiff's decedent and additional defendant driver were drinking prior to getting into an accident that killed plaintiff's decedent. *Arnold v. Davis*, 32 D. & C.4th 253, 255 (Pa. Com. Pl. Pike Co. 1996). A jury trial resulted in a verdict in favor of defendant. Post-trial motions were filed, and an appeal to the Superior Court followed. In a memorandum opinion, the trial court noted that its refusal to admit evidence of the driver's BAC into evidence with regard to the Dram Shop claim against the defendant bar was due to (1) the absence of evidence laying a foundation for and authentication of such evidence; and (2) the absence of other evidence tending to show that the driver was intoxicated when he was served at defendant bar (noting that after he and the victim left the bar, they purchased a six-pack of beer).

Upon consideration, the Court finds the facts of this case somewhat distinguishable from *Arnold*, because in contrast to that case, there is other evidence in support of Plaintiffs' Dram Shop claim against Riverview. Accordingly, we reject that as a basis for preclusion of the subject evidence.

²⁶ To the extent that Defendant Riverview seeks the dismissal of the punitive damages claim against it under the ambit of Defendant Black's motion, the Court declines in the absence of a nexus between the arguments advanced pursuant to the motion and the Plaintiffs' claim against Defendant Riverview. Defendant Riverview's request will be fully addressed under their own motion to strike the punitive damages claims against them, appearing *infra*.

However, as to Defendant Black's threshold argument regarding Plaintiffs' inability to establish the authenticity of the evidence, for which he relies exclusively on Defendant Riverview's motion, appearing *supra*, to preclude evidence of Defendant Black's blood alcohol content for failure to establish chain of custody and authenticity, we find that Defendant Black's motion is properly GRANTED, subject to an opportunity for Plaintiffs to seek revision of their witness list and reconsideration of the Court's decision.

Defendant Riverview's Motions

Motion to preclude evidence in support of Plaintiffs' Dram Shop claim.

As an initial matter, Defendant Riverview seeks to preclude Plaintiffs from presenting any evidence in support of their Dram Shop claim. As noted, the Dram Shop Act makes it unlawful for a licensee to "sell, furnish or give" alcohol to a visibly intoxicated person, or to permit it to be sold, furnished or given them. 47 P.S. §4-493(i). In the instant case, the parties agree that there is no evidence that Defendant Black was personally served alcohol by a bartender while at Riverview on the night of the accident, or that he was observed to be visibly intoxicated while on the premises. Nor, Riverview asserts, can Plaintiffs establish that Defendant Black's consumption of alcohol while at Riverview caused or contributed to the accident. As such Defendant Riverview argues that Plaintiffs cannot proceed on their Dram Shop claim.

In response, Plaintiffs contend that the Honorable Emil Giordano's denial of Defendant Riverview's motion for summary judgment is dispositive of the present motion, and as such, Riverview's motion should be denied and it should not be given a "second bite at the apple." We agree. Despite Defendant Riverview's protests to the contrary, the absence of any direct evidence that (1) Defendant Black was personally served or furnished alcohol by Defendant Riverview, or that (2) he was observed to be visibly intoxicated while drinking at Riverview is not fatal to Plaintiffs' claim. While such proof would undeniably strengthen Plaintiffs' case, there is evidence of record in support of Plaintiffs' Dram Shop claim, and by the entry of an Order denying Defendant Riverview's motion for summary judgment, Judge Giordano passed upon that evidence and found that it raised issues of material fact sufficient to place the matter before a jury. That decision is binding, and it dictates the resolution of this motion. Accordingly, Defendant Riverview's motion to preclude evidence of Plaintiffs' Dram Shop claim is hereby DENIED without further consideration of the parties' arguments.²⁷

²⁷ While not entertaining the remaining arguments of the parties at length, the Court pauses to respond to Defendant Riverview's contention that the Court would be committing a "significant prejudicial error" if it were to allow Plaintiffs' lay and expert testimony (the latter of which Defendant Riverview indicates, is impermissibly speculative) in support of its

Decedent Petti: Motion to preclude Plaintiffs from asserting a claim for economic loss.

By its first motion, Defendant Riverview seeks to preclude Plaintiffs from bringing a claim for economic loss on Decedent Petti's behalf. Defendant Riverview asserts two arguments in support of its motion. As Defendant Riverview points out, a plaintiff seeking damages bears the burden of establishing the elements of their claims. *See Gordon v. Trovato*, 234 Pa. Super. 279, 282, 338 A.2d 653, 654 (1975). Accordingly, a plaintiff in a wrongful death action bears the burden of presenting evidence as to a decedent's lost earnings and their maintenance costs. *See generally, Vizzini v. Ford Motor Co.*, 569 F.2d 754 (3rd. Cir. 1977); 2 Summ.Pa.Jur.2d Torts §25:27 (2012).

In the instant case, Defendant Riverview argues that any economic loss claim that Plaintiffs are asserting on behalf of Decedent Petti is unsupported by his inconsistent work history,²⁸ particularly in light of Plaintiffs' expert, Andrew Verzilli's projection of Decedent Petti's economic loss ranging from Seven Hundred Ninety-Six Thousand Two Hundred Seventy-Two Dollars (\$796,272) and Nine Hundred Thirty Thousand Three Hundred Ten Dollars (\$930,310). Such damages, Defendant Riverview correctly points out, must not be speculative. *Klein v. Weisberg*, 694 A.2d 644 (Pa. Super. 1997). As to the insufficiency of Plaintiffs' evidence, Defendant Riverview further notes that in response to interrogatories, Plaintiffs failed to offer any information with regard to support offered by Plaintiffs' Decedent to any third party; his personal maintenance costs at the time of the accident; the amounts he spent for groceries, clothing and hygiene, entertainment, internet, cell phone, mortgage or rental costs; vehicle expenses; and several other items. Additionally, Defendant Riverview complains that Plaintiffs failed to provide any information with regard to the accounts held by Plaintiffs' Decedent, or otherwise provide information with regard to his assets and expenses. Defendant Riverview asserts that such failure was part of a willful attempt by Plaintiffs to shield relevant and discoverable

Dram Shop claim. To that end, we refer Defendant Riverview to the evidence of record that Defendant Black consumed alcohol provided by Riverview, that shortly after he left Riverview and caused the fatal accident that killed Plaintiffs' decedents, witnesses observed him to appear visibly intoxicated, the existence of blood alcohol evidence, and case law standing for the proposition that visible intoxication may be proven by circumstantial evidence. *See Schuenemann v. Dreemz, Inc.*, 34 A.3d 94 (Pa. Super. 2011). While relation back expert testimony alone is insufficient to support a Dram Shop claim, expert testimony of the very nature condemned by Defendant Riverview as impermissibly speculative is admissible to prove a Dram Shop claim where, as here, there is additional evidence of visible intoxication. *Fandozzi v. Kelly Hotel, Inc.*, 711 A.2d 524 (Pa. Super. 1998).

²⁸ As Defendant Riverview notes, at the time of the accident, Decedent Petti was unemployed, having been fired from Goodyear several months earlier, he had filed bankruptcy in 2006, and his reported income for the following year was Four Thousand Twenty-Eight Dollars (\$4,028). Further, they assert that he had no job prospects at the time of the accident.

information from it on the issue of future economic losses. In light of these alleged failures, Defendant Riverview argues that Plaintiffs' claim for economic loss on behalf of Decedent Petti must be stricken for failure to meet their evidentiary burden. Defendant Black joins in the motion and presents no supplemental argument.

In response, Plaintiffs first note that all of the economic information available to them was handed over in discovery. As such, they refute Defendant Riverview's assertion that they engaged in any sort of willful attempt to preclude the discovery of relevant information with regard to Decedent Petti's financial information. As to the substance of the motion, Plaintiffs contend that in order to succeed on their claim, they must present evidence to demonstrate the type of work that Decedent Petti was capable of doing, and the extent of his harm, which they say, will be offered via the testimony of Plaintiff Garrett Petti. They will also present the testimony of their expert, Andrew C. Verzilli, who on the basis of Decedent's biographical information, earnings history and work history, in light of labor statistics and other information usually relied upon by experts in the field, calculated his economic losses to be between Seven Hundred Ninety-Six Thousand Two Hundred Seventy-Two Dollars (\$796,272) and Nine Hundred Thirty Thousand Three Hundred Ten Dollars (\$930,310). Mr. Verzilli's report also calculates Decedent Petti's maintenance costs to be Forty-Two percent (42%) of his earnings, as based on the Consumer Expenditure Survey. Accordingly, Plaintiffs contend that such proof is sufficient to support their economic loss claim with regard to Decedent Petti. We agree.

Defendant Riverview's assertion that Plaintiffs' failure to answer certain interrogatories to their satisfaction is fatal to their economic loss claim is unsupported by the law. The type of information sought by Defendant Riverview, while potentially very helpful in supporting a claim for economic losses, is not required. The Supreme Court has held that a projection of damages based upon mere guess or speculation cannot stand, but that a projection which represents a fair estimate based upon the available evidence is sufficient, as the plaintiff cannot be held to a "standard of mathematical exactness." *Smail v. Flock*, 407 Pa. 148, 155, 180 A.2d 59, 62 (1962) (internal citation omitted). In *Smail v. Flock*, the Supreme Court upheld an award of damages arising out of the death of a dairy farmer, who, it was alleged, had a successful business, but kept no financial records. Absent financial records, the plaintiff met his burden of proof as to damages by calling, as witnesses, customers of the farm, and farmers who ran similar-sized dairies. The Supreme Court held that such testimony was sufficient to provide a reasonable estimate of the decedent's lost earnings.

Sources of evidence for proof of lost earning capacity vary. The courts have accepted expert testimony, testimony from the decedent's employer, earnings as set forth in tax returns, and testimony from family members as the basis for a

claim of lost earning capacity. In practice, expert analysis of the decedent's earning history is the most prevalent means of establishing loss of future earning capacity.

4 West's Pa. Prac. Torts: Law and Advocacy §14.11 (2011).

Defendant Riverview also places undue emphasis on the role of a plaintiff in proving damages, stressing that a plaintiff must provide such information and evidence, in an effort to suggest that such proof cannot be provided by an expert witness. Defendant Riverview further contends that a plaintiff's proof must be exact, and not based on projections, given the prohibition on speculative damages awards. This is a misstatement of the law. In fact, the kind and character of the evidence cited by Plaintiffs as serving as the basis for their claim is sufficient to satisfy their evidentiary burden and of the type frequently relied upon in such cases.²⁹ Accordingly, Defendant Riverview's motion to preclude Plaintiffs from asserting an economic loss claim on behalf of Decedent Petti is hereby DENIED.

Decedent Warren: Motion to preclude Plaintiffs from asserting a claim for economic loss.

By the instant motion, Defendant Riverview, joined by Defendant Black, seeks to preclude Plaintiffs from bringing a claim for economic loss on behalf of Decedent Warren. As with the previous motion, Defendant Riverview once again contends the insufficiency of Plaintiffs' evidence given Decedent Warren's inconsistent work history,³⁰ and they assert Plaintiffs' willful attempt to shield relevant and discoverable information from it on the issue of future economic losses by failing to respond to interrogatories seeking support offered by Plaintiffs' Decedent to any third party; her personal maintenance costs at the time of the accident; the amounts she spent for groceries, clothing and hygiene, entertainment, internet, cell phone, mortgage or rental costs; vehicle expenses; and several other items. Likewise, they complain that Plaintiffs have failed to provide any information with regard to the accounts held by Plaintiffs' Decedent, or otherwise provide information with regard to her assets and expenses. The only evidence in support of their claim, Defendant Riverview notes, is the report of Plaintiffs' expert Daniel Rappucci, who projected her economic losses to be between Nine Hundred Six Thousand Four Hundred Thirty-Three Dollars (\$906,433) and One Million Eighteen Thousand Nine Hundred Eight Dollars (\$1,018,908), based purely on statistical information and without reference to any earnings of record during Decedent Warren's

²⁹ *Smail v. Flock*, 407 Pa. 148, 180 A.2d 59 (1962); *Brodie v. Philadelphia Transportation Company*, 415 Pa. 296, 203 A.2d 657 (1964).

³⁰ Decedent Warren was fired from long-term employment on June 30, 2005 and remained unemployed until securing employment in November 2007 at Country Griddle Restaurant in Flemington, New Jersey, where she was earning little more than minimum wage.

lifetime, which Defendant Riverview contends, is impermissibly speculative and therefore insufficient to support a claim.³¹

Plaintiffs argue that their evidence is indeed sufficient to support an economic loss claim on behalf of Decedent Warren and that therefore, Defendant Riverview's motion should be denied. In support thereof they note that in order to establish a claim for economic loss, a plaintiff must present evidence as to the type of work a person did or was capable doing prior to their injury, and the extent of their injury. With regard to the first prong of the inquiry, they argue that prior to the accident, Decedent Warren had worked as a server in high-end restaurants, and she remained capable of doing that work until her death. Further, they contend that this information forms a sufficient basis for Rappucci and Verzilli to render their expert opinions. Expert opinions, Plaintiffs further note, "need not be based on absolute certainty, [but] ... also cannot be based solely upon conjecture." *Plaintiffs' Brief* at 3, citing *Helpin v. Trustees of the University of Pennsylvania*, 969 A.2d 601, 617 (Pa. Super. 2009) (internal citation omitted). Their expert opinions, Plaintiffs contend, are soundly based upon the deposition testimony of Plaintiff Marcia Karrow, Decedent Warren's biographical history, her known work history and known training and experience. As such, Plaintiffs argue that their expert opinions are not impermissibly speculative but rather, relevant and admissible evidence, which, together with Ms. Karrow's testimony, is sufficient to support an economic loss claim on behalf of Decedent Warren. We agree. Accordingly, Defendant Riverview's motion to preclude Plaintiffs from asserting an economic loss claim on behalf of Decedent Warren is hereby DENIED.

Motion to preclude Plaintiffs' expert opinion testimony as to causation and "visible intoxication."

By their next motion, Defendant Riverview seeks to preclude Plaintiffs' experts from testifying that (1) Defendant's consumption of alcohol served by Defendant Riverview at their premises caused or contributed to the accident; and (2) that Defendant Black was visibly intoxicated while on the premises of Defendant Riverview. Plaintiffs' expert G. John DiGregorio, MD, Ph.D. specifically draws the conclusion that Defendant Black's visible intoxication contributed to the accident, stating:

I can state with a reasonable degree of medical and scientific certainty that James Black would have appeared visibly intoxicated when he was at Riverview Country Club. Further, Mr. Black was impaired at the time of his accident by ethyl alcohol and was unfit to operate a motor vehicle. The symptoms

³¹ In contrast to the information provided by Plaintiffs with regard to their economic loss claim on behalf of Decedent Petti, Defendant Riverview notes Plaintiffs' failure to provide "any information regarding [her] actual earnings in the ten years prior to her death." *Defendant Riverview's Brief* at 7.

of this impairment include but are not limited to lack of concentration, decreased reaction time, some incoordination and loss of inhibitions and these directly contributed to Mr. Black's motor vehicle accident.

Defendant Riverview's Motion, Exhibit A, DiGregorio Report at 3.

In seeking to preclude DiGregorio from testifying that Defendant Black was visibly intoxicated while at Defendant Riverview, Riverview notes that not one witness who was present at the establishment that night has testified to Defendant Black being in a state of visible intoxication. Thus, because "[i]t is impermissible under Pennsylvania law to infer from a person's presence at an establishment that serves alcoholic beverages that such person was served alcoholic beverages," Riverview argues that allowing DiGregorio to testify that Defendant Black was served while visibly intoxicated would unduly prejudice and confuse the jury by adding facts not in evidence." *Defendant Riverview's Brief* at 11; *see e.g., Conner v. Duffy*, 438 Pa. Super. 277, 652 A.2d 372 (1994) (grant of summary judgment on Dram Shop claim, decided in favor of defendant concessionaire at Veteran's Stadium, affirmed upon a finding that evidence of driver's appearance at the time of his arrest, blood alcohol content and expert's relation back testimony was insufficient to prove visible intoxication at time of service, *where there was evidence that the driver had consumed more beer in the car after leaving the stadium*) (emphasis added).

In response, Plaintiffs initially concede the absence of direct evidence to show proof of Defendant Black's visible intoxication while at Riverview. However, they argue that notwithstanding the absence of direct evidence, there is sufficient circumstantial evidence to show that Defendant Black was furnished alcoholic beverages at Riverview while in a state of visible intoxication. Specifically, they point to Defendant Black's testimony that while at Riverview, he drank a beer purchased by his golf partner, and he then drank from a pitcher purchased by another patron, consuming two glasses of beer in fifteen minutes.³² Additionally, they note Riverview bartender Krystal Americus' testimony that on the night in question, she served pitchers of beer to purchasing patrons but then had no means by which to monitor who partook from the pitcher, or how much they consumed.³³

With regard to Defendant Riverview's contention as to the lack of proof that Defendant Black was served by Defendant Riverview, the Court finds that even without direct evidence to show that he was personally served by an agent of Riverview, there is sufficient evidence for a jury to conclude that Defendant Black was furnished alcohol by Defendant Riv-

³² *Plaintiffs' Brief*, Exhibit D, 38:1-9; 41:241:18.

³³ *Plaintiffs' Brief*, Exhibit E, 28:10-12; 29:18-21.

erview. See *Plaintiffs' Memorandum of Law*, Exhibit E, Portion of Defendant Black's Deposition at 115:24-117:18. Moreover, the facts of this case are inapposite to *Conner*, where circumstantial evidence of the defendant's visible intoxication was frustrated by evidence of intervening drinking prior to the accident. Here, there is no evidence of intervening alcohol consumption and as per the Honorable Emil Giordano's denial of Defendant Riverview's motion for summary judgment, the circumstantial evidence offered to prove Defendant Black's visible intoxication while at Riverview is sufficient, in both quality and quantity, to create a jury question with regard to the issue of Defendant Riverview having furnished alcohol to Defendant Black when he was in a state of visible intoxication.

Defendant Riverview further argues that DiGregorio's opinion as to Defendant Black's visible intoxication while at Riverview must be precluded in the absence of direct evidence as to the same. As Defendant Riverview correctly notes, proof of alcohol consumption, or even legal intoxication alone is insufficient to prove visible intoxication.³⁴ Accordingly, in the absence of direct evidence to support their claim of visible intoxication, Defendant Riverview contends the absence of sufficient support for DiGregorio's opinion that Defendant Black would have been visibly intoxicated while at Riverview, rendering it impermissibly speculative. The Court disagrees.

Indeed, as noted above, there is circumstantial evidence, which is both relevant and admissible to prove Defendant Black's visible intoxication while at Riverview. This is not a case where the only evidence in that regard is mere alcohol consumption, or even the relation back testimony of an expert who, based upon a later blood alcohol content, is opining that Defendant Black must have been visibly intoxicated while at Riverview. Here, DiGregorio's opinion is based not only on relation back evidence, but also on the evidence of record demonstrating what alcohol Defendant Black consumed, where and when he consumed it, and his condition at the time of the accident, just minutes after leaving Riverview. Further, as previously noted, this case is inapposite to cases such as *Conner*, because there is no evidence that Defendant Black consumed any additional alcohol between the time he left Riverview and the time of the accident. A careful review of DiGregorio's report in light of the relevant law, leads the Court to conclude that the evidence is sufficient to support DiGregorio's opinion

³⁴ *Schuenemann v. Dremz, Inc.*, 34 A.3d 94 (Pa. Super. 2011) (noting that the relationship between legal intoxication and visible intoxication is attenuated); *Fandozzi v. Kelly Hotel, Inc.*, 711 A.2d 524 (Pa. Super. 1998) (setting forth the elements of a Dram Shop claim as service of alcohol to a visibly intoxicated person, and the establishment of proximate cause between that service and the tortious conduct of the visibly intoxicated person).

that Defendant Black would have appeared visibly intoxicated at Defendant Riverview, and to the extent that Defendants believe otherwise, they may avail themselves of the opportunity to cross-examine the witness. Accordingly, the Court hereby DENIES the portion of Defendant Riverview's motion seeking to preclude DiGregorio from testifying that Defendant Black would have appeared visibly intoxicated in the time that he was imbibing on the premises of Defendant Riverview.

As to the portion of the motion seeking to preclude Plaintiffs' experts from testifying that Defendant Black's consumption of alcohol while on Defendant Riverview's premises either caused or contributed to the accident, Defendant Riverview contends that such conclusions are not contained in any of Plaintiffs' expert reports,³⁵ and would therefore be impermissibly speculative. Whereas, Plaintiffs contend that DiGregorio should be permitted to testify that Defendant Black's receipt and consumption of alcohol from Defendant Riverview caused or contributed to the accident, based on the facts of the case and his stated opinion that Defendant Black would have appeared visibly intoxicated while consuming alcohol at Defendant Riverview.

Upon review of DiGregorio's report, the Court notes that he does not draw the specific conclusion that Defendant Black's consumption of alcohol while at Defendant Riverview directly caused or contributed to the accident. While a jury may conclude that from the evidence presented, DiGregorio shall be limited to testifying in accordance with the four corners of his report. Accordingly, Defendant Riverview's motion is GRANTED insofar as DiGregorio shall be precluded from testifying that Defendant Black's consumption of alcohol while at Defendant Riverview directly caused or contributed to the accident. However, he may testify, in accordance with his report, that: (1) Defendant Black would have appeared visibly intoxicated while at Defendant Riverview; (2) Defendant Black was impaired by ethyl alcohol at the time of his accident and unfit to operate a motor vehicle, such that he exhibited a lack of concentration, decreased reaction time, some incoordination and loss of inhibitions; (3) all of which directly contributed to the accident.

³⁵ Specifically, Defendant Riverview notes DiGregorio's report, wherein he concludes that:

I can state with a reasonable degree of medical and scientific certainty that James Black would have appeared visibly intoxicated at Riverview Country Club. Further, Mr. Black was impaired at the time of his accident by ethyl alcohol and was unfit to operate a motor vehicle. The symptoms of this impairment include but are not limited to a lack of concentration, decreased reaction time, some incoordination and loss of inhibitions and these directly contributed to Mr. Black's motor vehicle accident.

Defendant Riverview's Brief at 7.

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