

# Northampton County Reporter

(USPS 395-280)

VOL. LIII

EASTON, PA March 25, 2004

NO. 65

**Patricia A. Searles and Wayne Searles, Plaintiffs v.  
Alberto G. Estrada, M.D., Defendant**

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### **COULD YOU USE AN INTERN FOR THE SUMMER?**

*Please contact the following students:*

**NACC Paralegal students** wanting summer work, please contact Mary Kate Smereczynsky and/or Gina Smereczynsky at (610) 258-7227

**Political Science Major/Pre-law at Arcadia University** is looking for an internship this summer. Contact Michael C. Bertolino at (610) 253-0499

**NORTHAMPTON COUNTY BAR ASSOCIATION  
2004 BAR ASSOCIATION OFFICERS**

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***Northampton County Reporter***

**Attorney Referral & Information Service**

**155 South Ninth Street, Easton, PA 18042-4399**

**Phone (610) 258-6333 Fax (610) 258-8715**

***E-mail: ncba@norcobar.org***

**PBA (800) 932-0311—PBI (800) 932-4637**

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

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155 South Ninth St., Easton, PA 18042-4399  
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Robert C. Brown, Jr., Esquire  
Editor

## NOTICES TO NCBA MEMBERS—BAR NEWS

☞ **See front page for students needing internships this summer!**

☞ **PLEASE NOTE** it is not too late to send me a photograph of yourself to be included in the 2004 Photo Directory of Attorneys. For your review, proofs from the February photo sessions are still available at the NCBA Office. *The March 12<sup>th</sup> proofs will be ready shortly.*

☞ **PLEASE NOTE** 40 Hours Divorce Mediation Training offered April 15-17 and April 22-24 located at the Comfort Inn on Route 202, Brandywine Valley. Pennsylvania lawyers will earn 31 Substantive and 2.5 Ethics CLE Credits to complete the course as a Divorce Mediator. Contact Medication Works at (610) 725-8061 or go online at [www.mediationworks.ws](http://www.mediationworks.ws)

☞ **INCLUDED IN THIS ISSUE** are the announcements and registration forms for the following events: (1) April 1<sup>st</sup>—Lunch/Lecture “*Individualized Education Plan (IEP) Basics.*” (2) April 20<sup>th</sup>—Lunch/Lecture “*Three Perspectives of Zoning Appeal: Municipality, Applicant & Objectors.*” (3) “*Northampton County DUI Practice Under the New Act*” (4) “*Estate Recovery Program*”

### ☞ **ANNOUNCEMENTS (NCBA Future Events)**

**April 22<sup>nd</sup>—TAKE YOUR SONS & DAUGHTERS TO WORK DAY—NCGC**

**May 5<sup>th</sup>—Lunch/Lecture—“Criminal Law”—Title & speakers (TBA)**

**May 13<sup>th</sup>—Lunch/Lecture—“Medical Assistance/Estate Recovery”**

**May 20<sup>th</sup>—Lunch/Lecture—“Workers’ Comp Step 1”**

**June 10<sup>th</sup>—Lunch/Lecture—“Estate Planning”**

**September 23<sup>rd</sup>—Lunch/Lecture—“Workers’ Comp Step 2”**

**October 14<sup>th</sup>—Lunch/Lecture—“Corporation, Banking & Business Law”**

**October 29<sup>th</sup>—Lunch/Lecture—“Workers’ Comp Judges Seminar & Reception”**

☞ **PBI/CLE SEMINAR @ NCBA—Friday, April 2, 2004—9:30 a.m. to 2:00 p.m.—4/0 CLE Credits** “*The Nuts and Bolts of Adoption Practice.*” Register early by calling (800) 932-4637 or go online at [www.pbi.org](http://www.pbi.org)

### **BAR ASSOCIATION OF LEHIGH COUNTY**

#### **SPONSORED SEMINARS FOR 2004:**

[April 7<sup>th</sup>—“*The Ins & Outs of the PA Disciplinary System*”] [April 20<sup>th</sup>—“*Basic International Trade Law*”] [Call BALC for details such as times, fees, credits, meals and/or to register at (610) 433-6401, ext. 16.]

**ESTATE NOTICES**

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

**FIRST PUBLICATION****ARNOLD, ERWIN J.**, dec'd.

Late of the Borough of Hellertown, Northampton County, PA

Executrix: Helen A. Buchanan c/o Frank J. Danyi, Jr., Esquire, Maloney, Danyi, Davis & Sletvold, 901 West Lehigh Street, Bethlehem, PA 18016-1279

Attorneys: Frank J. Danyi, Jr., Esquire, Maloney, Danyi, Davis & Sletvold, 901 West Lehigh Street, Bethlehem, PA 18016-1279

**BEDICS, MARY A.**, dec'd.

Late of the City of Bethlehem, Northampton County, PA

Executrix: Irene Marich c/o James C. Omdahl, Esquire, 54 South Commerce Way, Suite 172, Bethlehem, PA 18017

Attorney: James C. Omdahl, Esquire, 54 South Commerce Way, Suite 172, Bethlehem, PA 18017

**BOUCHER, JOHN M.**, dec'd.

Late of the Borough of Hellertown, Northampton County, PA

Executor: Martin Boucher c/o Karl H. Kline, Esquire, Karl

Kline P.C., 2925 William Penn Highway, Suite 301, Easton, PA 18045-5283

Attorney: Karl H. Kline, Esquire, Karl Kline P.C., 2925 William Penn Highway, Suite 301, Easton, PA 18045-5283

**GOLDEN, HELEN a/k/a HELEN W. GOLDEN**, dec'd.

Late of the Borough of Bangor, Northampton County, PA

Executor: Dennit Golden c/o Michael A. Gaul, Esquire, King, Spry, Herman, Freund & Faul, One West Broad Street, Suite 700, Bethlehem, Pa 18018

Attorneys: Michael A. Gaul, Esquire, King, Spry, Herman, Freund & Faul, One West Broad Street, Suite 700, Bethlehem, Pa 18018

**HANLON, JOSEPH ROBERT**, dec'd.

Late of HCR Manorcare, 2600 Northampton Street, Easton, Northampton County, PA

Executrix: Jennifer Mae DeLaTorre c/o Robert B. Roth, Esquire, Roth & Roth, Attorneys at Law, 123 North Fifth Street, Allentown, PA 18102

Attorneys: Robert B. Roth, Esquire, Roth & Roth, Attorneys at Law, 123 North Fifth Street, Allentown, PA 18102

**HUNSICKER, RICHARD L.**, dec'd.

Late of the Township of Williams, Northampton County, PA

Executrix: Judy L. Kunsman c/o Karl H. Kline, Esquire, Karl Kline P.C., 2925 William Penn Highway, Suite 301, Easton, PA 18045-5283

Attorney: Karl H. Kline, Esquire, Karl Kline P.C., 2925 William Penn Highway, Suite 301, Easton, PA 18045-5283

**LaBAR, NORMAN W.**, dec'd.

Late of the Township of Upper Mt. Bethel, Northampton County, PA

Co-Executrices: Arlene J. Raub, 4706 Cheryl Drive, Bethlehem, PA 18017-8717 and Joyce E. Weidlick, 223 Independence Way, Mount Bethel, PA 18343

**McCARTHY, PATRICIA KELLEY a/k/a PATRICIA K. McCARTHY**, dec'd.

Late of the City of Bethlehem, Northampton County, PA

Executor: Justin K. McCarthy, Esquire, Law Offices of Justin K. McCarthy, Suite 100, 528 North New Street, Bethlehem, PA 18018

Attorneys: Justin K. McCarthy, Esquire, Law Offices of Justin K. McCarthy, Suite 100, 528 North New Street, Bethlehem, PA 18018

**SCANLON, EDWARD C. a/k/a EDWARD C. SCANLAN**, dec'd.

Late of the Township of Hanover, Northampton County, PA  
Administratrix: Heather Scanlon c/o Leigh A. Jerner, Esquire, Jerner & Palmer, P.C., 7152 Germantown Avenue, Suite 200, Philadelphia, PA 19119

Attorneys: Leigh A. Jerner, Esquire, Jerner & Palmer, P.C., 7152 Germantown Avenue, Suite 200, Philadelphia, PA 19119

**THOMPSON, ROSEMARY C.**, dec'd.

Late of Forks Township, Northampton County, PA

Administrator: William A. Thompson c/o Ralph J. Bellafatto, Esquire, 4480 William Penn Highway, Easton, PA 18045

Attorney: Ralph J. Bellafatto, Esquire, 4480 William Penn Highway, Easton, PA 18045

**SECOND PUBLICATION**

**BRASCH, CLARENCE F.**, dec'd.

Late of the Township of Williams, Northampton County, PA

Executor: David Ferguson c/o Holly V. Calantoni, Esquire, 451 Main Street, Bethlehem, PA 18018

Attorney: Holly V. Calantoni, Esquire, 451 Main Street, Bethlehem, PA 18018

**CABASIN, CARL A.**, dec'd.

Late of Moore Township, Northampton County, PA

Executrix: Nancy Shappelle, 838 Colonna Lane, Nazareth, PA 18064

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

**DRISKO, JOHN B.**, dec'd.

Late of Nazareth, Northampton County, PA

Executor: David K. Gardner c/o Judith A. Harris, Esquire, Tallman, Hudders & Sorrentino, P.C., The Paragon Centre, 1611 Pond Road, Suite 300, Allentown, PA 18104-2258

Attorneys: Judith A. Harris, Esquire, Tallman, Hudders & Sorrentino, P.C., The Paragon Centre, 1611 Pond Road, Suite 300, Allentown, PA 18104-2258

**FONTANELLA, VALENTINE R.  
a/k/a VALENTINE RUSSELL  
FONTANELLA, dec'd.**

Late of the Township of Upper Mt. Bethel, Northampton County, PA

Co-Executors: Brenda J. Brobst and Carl A. Fontanella c/o McFall, Layman & Jordan, P.C., Attorneys at Law, 134 Broadway, Bangor, PA 18013  
Attorneys: McFall, Layman & Jordan, P.C., Attorneys at Law, 134 Broadway, Bangor, PA 18013

**HALEWICH, OLGA, dec'd.**

Late of 326 Spruce Street, Hellertown, Northampton County, PA

Co-Executrices: Esther R. Rodriguez and Louise M. Lee c/o Lawrence M. Klemow, Esquire, Glassberg and Klemow, 81 North Laurel Street, Hazleton, PA 18201

Attorneys: Lawrence M. Klemow, Esquire, Glassberg and Klemow, 81 North Laurel Street, Hazleton, PA 18201

**KUHAR, CHARLES A., dec'd.**

Late of Bethlehem, Northampton County, PA

Personal Representative: Beverly A. Kuhar c/o Peter P. Perry, Esquire, 1600 Lehigh Parkway East, 1E, Allentown, PA 18103

Attorney: Peter P. Perry, Esquire, 1600 Lehigh Parkway East, 1E, Allentown, PA 18103

**SCHAEFFER, CATHERINE E.,  
dec'd.**

Late of the Township of Palmer, Northampton County, PA  
Executrix: Catherine A. Schaeffer Staples c/o James

J. Narlesky, Esquire, 717 Washington Street, Easton, PA 18042

Attorney: James J. Narlesky, Esquire, 717 Washington Street, Easton, PA 18042

**STREEPY, WILLIAM M., JR.  
a/k/a WILLIAM M. STREEPY  
a/k/a WILLIAM STREEPY,  
dec'd.**

Late of the City of Easton, Northampton County, PA

Co-Executors: E. Eleanor Streepy, 178 Charles Street, Easton, PA 18042 and Harold A. Streepy, 152 Aurora Street, Phillipsburg, NJ 08865

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

**THIRD PUBLICATION****ANDRETTI, RINA, dec'd.**

Late of the Borough of Nazareth, Northampton County, PA

Executor: Mario Andretti c/o Raymond J. DeRaymond, Esquire, 717 Washington Street, Easton, PA 18042-4386

Attorney: Raymond J. DeRaymond, Esquire, 717 Washington Street, Easton, PA 18042-4386

**BRENNAN, THOMAS F. a/k/a  
THOMAS F. BRENNAN, SR.,  
dec'd.**

Late of the Township of Upper Mt. Bethel, Northampton County, PA

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

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

**CLADER, ARLENE L.,** dec'd.

Late of the Borough of Nazareth, Northampton County, PA

Executrix: Janet A. Davies c/o Robert C. Brown, Jr., Esquire, Fox, Oldt & Brown, Suite 508, Wachovia Bank Building, 6 South Third Street, Easton, PA 18042

Attorneys: Robert C. Brown, Jr., Esquire, Fox, Oldt & Brown, Suite 508, Wachovia Bank Building, 6 South Third Street, Easton, PA 18042

**CUBBAGE, EUGENE H.,** dec'd.

Late of the Township of Palmer, Northampton County, PA  
Executrix: Claire L. Green c/o Ralph W. Litzenberger, Esquire, 1708 Northampton Street, P.O. Box 3272, Easton, PA 18043-3272

Attorney: Ralph W. Litzenberger, Esquire, 1708 Northampton Street, P.O. Box 3272, Easton, PA 18043-3272

**FELKER, ELEANOR I.,** dec'd.

Late of the City of Bethlehem, Northampton County, PA  
Executor: John D. Felker c/o Mary Ann Snell, Esquire, 915 West Broad Street, Bethlehem, PA 18018

Attorney: Mary Ann Snell, Esquire, 915 West Broad Street, Bethlehem, PA 18018

**KARAFFA, MATTHEW M.,** dec'd.

Late of the City of Bethlehem, Northampton County, PA

Executor: Mark Karaffa c/o Edward L. Redding, Esquire,

548 N. New Street, Bethlehem, PA 18018

Attorney: Edward L. Redding, Esquire, 548 N. New Street, Bethlehem, PA 18018

**LOHMAN, EDITH MAE a/k/a EDITH M. LOHMAN,** dec'd.

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

Executrix: Miriam Eichlin c/o McFall, Layman & Jordan, P.C., Attorneys at Law, 134 Broadway, Bangor, PA 18013  
Attorneys: McFall, Layman & Jordan, P.C., Attorneys at Law, 134 Broadway, Bangor, PA 18013

**MORROW, THOMAS E.,** dec'd.

Late of the City of Bethlehem, Northampton County, PA

Executor: Robert A. Morrow c/o Edward L. Redding, Esquire, 548 N. New Street, Bethlehem, PA 18018

Attorney: Edward L. Redding, Esquire, 548 N. New Street, Bethlehem, PA 18018

**OLAY, HILDA M.,** dec'd.

Late of Bethlehem, Northampton County, PA

Executor: Marvin Hoffman 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

**ORWIG, CLARENCE D., JR. a/k/a CLARENCE ORWIG, JR.,** dec'd.

Late of the Borough of Nazareth, Northampton County, PA

Executrix: Gloria M. Orwig c/o Littner, Deschler & Littner,

P.O. Box 1407, 512 N. New Street, Bethlehem, PA 18018  
Attorneys: Littner, Deschler & Littner, P.O. Box 1407, 512 N. New Street, Bethlehem, PA 18018

**SILFIES, ANNA L.**, dec'd.

Late of the Borough of Nazareth, Northampton County, PA

Executrix: Roberta Silfies Keller c/o Kevin Frank Danyi, Esquire, Danyi Law Offices, P.C., 133 East Broad Street, Bethlehem, PA 18018

Attorneys: Kevin Frank Danyi, Esquire, Danyi Law Offices, P.C., 133 East Broad Street, Bethlehem, PA 18018

**WISMER, ARLENE C. a/k/a ARLENE WISMER**, dec'd.

Late of Upper Nazareth Township, Northampton County, PA

Co-Executrices: Kathryne J. Wiesner, 13 34 Roma Rd., Hanahan, SC 29406 and Glenna A. Abrams, 945 Renaldi Dr., Wind Gap, PA 18091

Attorney: Charles S. Smith, Esquire, 340 Dogwood Terrace, Easton, PA 18040-1228

**NOTICES OF INCORPORATION**

NOTICE IS HEREBY GIVEN, that Articles of Incorporation have been filed with the Department of State of the Commonwealth of Pennsylvania, Harrisburg, Pennsylvania on February 25, 2004, for the purpose of obtaining a Certificate of Incorporation pursuant to the provisions of the Business Corporation Law of the Commonwealth of Pennsylvania, Act of December 21, 1988 (P.L. 1444, No. 177), by the following corporation:

**C & C FIRE SPRINKLER SPECIALTIES, INC.**

Gary Neil Asteak, Esquire  
726 Walnut Street  
Easton, PA 18042

Mar. 25

NOTICE IS HEREBY GIVEN that Articles of Incorporation have been filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, for the purpose of obtaining a Certificate of Incorporation of a proposed corporation to be organized under the provisions of the Pennsylvania Business Corporation Law of 1988, approved December 21, 1988, P.L. 1444, No. 177, as amended.

The name of the corporation is:

**HALE BUILT, INC.**

Ralph J. Bellafatto, P.C.  
4480 William Penn Highway  
Easton, PA 18045

Mar. 25

NOTICE IS HEREBY GIVEN that Articles of Incorporation have been filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania, for the purpose of obtaining a Certificate of Incorporation pursuant to the provisions of the Business Corporation Law of the Commonwealth of Pennsylvania, approved December 21, 1988, P.L. 1444, as amended, by the following corporation:

The name of the corporation is:

**JTPH, INC.**

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

Mar. 25

NOTICE IS HEREBY GIVEN that Articles of Incorporation have been filed with the Department of State of the Commonwealth of Pennsyl-



vania at Harrisburg, Pennsylvania, for the purpose of obtaining a Certificate of Incorporation pursuant to the provisions of the Business Corporation Law of the Commonwealth of Pennsylvania, approved December 21, 1988, P.L. 1444, as amended, by the following corporation:

The name of the corporation is: **JVK TOPPER, INC.**

Fitzpatrick Lentz & Bubba, P.C.  
4001 Schoolhouse Lane  
P.O. Box 219  
Center Valley, PA 18034-0219  
Mar. 25

NOTICE IS HEREBY GIVEN that Articles of Incorporation have been filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania, for the purpose of obtaining a Certificate of Incorporation of a proposed business corporation to be organized under the provisions of the Pennsylvania Business Corporation Law of 1988, approved December 21, 1988, P.L. 1444, No. 177, as amended.

The name of the corporation is: **M & M LAWN SERVICE, INC.**

The corporation shall have unlimited power to engage in and to do any lawful act concerning any and all lawful business for which corporations may be incorporated under the 1988 Business Corporation Law.

MICHAEL F. CORRIERE,  
ESQUIRE  
I.D. No. 62255  
HABER, CORRIERE &  
BACKENSTOE,  
A Professional Corporation  
433 East Broad Street  
Bethlehem, PA 18016-1217  
(610) 865-5566  
Mar. 25

NOTICE IS HEREBY GIVEN, that Articles of Incorporation have been filed with the Department of State of the Commonwealth of Pennsylvania, Harrisburg, Pennsylvania on February 19, 2004, for the purpose of obtaining a Certificate of Incorporation pursuant to the provisions of the Business Corporation Law of the Commonwealth of Pennsylvania, Act of December 21, 1988 (P.L. 1444, No. 177), by the following corporation:

**NURIA SJOLUND, P.C.**

Melissa P. Rudas, Esquire  
Melissa P. Rudas, P.C.  
742 N. Main Street  
Bethlehem, PA 18018  
Mar. 25

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Pennsylvania Department of State for:

**SEA-RUN INCORPORATED**

in accordance with the provisions of the Pennsylvania Business Corporation Law of 1988.

OCKS & BARSKY,  
SOLICITORS  
1919 Chestnut Street  
Suite 103  
Philadelphia, PA 19103-3401  
Mar. 25

**FICTITIOUS NAME  
REGISTRATION NOTICE**

NOTICE IS HEREBY GIVEN, pursuant to the provisions of Act No. 295 of 1982, as amended, of intent to file, or the filing of, in the Office of the Secretary of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, a certificate for the conduct of a business in Pennsylvania, under the assumed or fictitious name, style or designation of:

**SUPERMERCADO MI TIERRA**

with its principal place of business at: 226 East 3rd Street, Bethlehem, Pennsylvania 18015.

The name of all persons owning or interested in said business is: Alejandro Trujillo.

LAW OFFICES

CHARLES A. WILKINSON,  
ESQUIRE

68 East Broad Street  
P.O. Box 1426  
Bethlehem, PA 18016-1426  
(610) 867-9700

Mar. 25

**NOTICE OF NONPROFIT  
INCORPORATION**

NOTICE IS HEREBY GIVEN that Articles of Incorporation—Nonprofit have been filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, for the purpose of obtaining a Certificate of Incorporation of a proposed business incorporation to be organized under the provisions of the Pennsylvania Business Corporation Law of 1988, approved December 21, 1988, P.L. 1444, No. 177, as amended.

The name of the corporation is:

**LEHIGH VALLEY COMMUNITY  
TENNIS ASSOCIATION**

The Articles of Incorporation were filed on February 2, 2004.

MATTHEW C. POTTS, ESQUIRE  
ASTEAK LAW OFFICES

Mar. 25

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

IN RE: PETITION FOR  
CONFIRMATION OF USE OF  
NAME, ROSINA PERIN POPOVICE  
NASSRY OR COMBINATIONS  
THEREOF

**NO. C0048 CV 2004 000282**

TAKE NOTICE THAT a hearing on the Petition for Confirmation of

Use of Name, Rosina Perin Popovice Nassry or combinations thereof: Rosina Perin; Rosina Popovice; Rosina Nassry; Rosina Perin Popovice; and Rosina Perin Nassry has been scheduled in Courtroom 229 of the Northampton County Government Center on April 6, 2004 at 9 A.M. Any persons having objection to the requested relief must appear and show cause.

ALYSSA LOPIANO-REILLY,  
ESQUIRE

ZITO, MARTINO AND KARASEK

Attorneys for Rosina Perin  
Popovice Nassry

Mar. 25

**COURT OF COMMON PLEAS  
NORTHAMPTON COUNTY**

Michael Papp t/a

iNet Lending

1928 Ferry Street

Easton, PA 18042

Successor by Assignment of:

Pennsylvania Housing

Finance Agency

Plaintiff

vs.

Alexandria Lucio

(Last Known Address)

1920 Ferry Street

Easton, PA 18042

Defendant

**C-48-CV-2004-1170**

COMPLAINT—CIVIL ACTION

(QUIET TITLE)

NOTICE!!!

You, Alexandria Lucio, have been sued in Court.

If you wish to defend against the claims set forth in the following pages, you must take action within 20 days after this complaint and notice are served, by entering a written appearance either personally or by attorney, and filing, in writing with the court, your defenses or objections to the claims set forth

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

You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.

Northampton Bar Association  
Lawyer Referral and  
Information Service  
155 S. Ninth St.  
Easton, PA 18042-4302  
(610) 258-6333  
Posted on subject property 2/  
23/2004

iNet Lending Group  
Michael Papp, Pro Se  
1928 Ferry Street  
Easton, PA 18042  
(610) 253-4224

Mar. 25

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**ASSOCIATE**

Post & Schell, P.C. has an immediate opening in its Allentown office for an associate with 0 to 2 years experience in Workers' Compensation. Excellent salary and benefits package. Please e-mail your resume and cover letter to jburkhardt@postschell.com or by mail to 1245 S. Cedar Crest Blvd., Suite 300, Allentown, PA 18103 or by fax to (610) 433-3972.

Mar. 25; Apr. 1

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**ASSOCIATE**

Center City Bethlehem insurance defense firm seeks an associate with one (1) to four (4) years experience in civil litigation. Send resume

to R.E. Hall & Associates, P.C., 74 West Broad Street, Suite 330, Bethlehem, PA 18018.

Mar. 25; Apr. 1

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**PART-TIME LEGAL SECRETARY**

Afternoons. General civil practice in downtown Bethlehem. Must have good organizational skills. Legal experience preferable but not necessary. Send resume to Kolb, Vasiliadis & Florenz, 74 W. Broad St., Suite 170, Bethlehem, PA 18018, or E-mail paf@kvflaw.net.

Mar. 25; Apr. 1

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**LEGAL SECRETARY**

Full-time experienced legal secretary for Bethlehem Law Office. Competitive salary. Computer skills essential. Real estate and/or bankruptcy background preferred. Please fax resume to (610) 882-2588.

Mar. 18, 25

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

The following real estate will be sold by the Sheriff of Northampton County, Pennsylvania, on April 8, 2004 at ten o'clock a.m. in the COUNCIL CHAMBERS, FOURTH 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. 2**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2003-008147**

ALL THAT CERTAIN piece, parcel or tract of land lying and being

in the Borough of Wind Gap, County of Northampton and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point in the North side of Fairview Avenue, said point being distant thirteen and thirty-three one hundredths (13.33) feet measured Westwardly from the Southeast corner of Lot No. 453, as per "Plan of Parkside", made by Dr. J.C. Keller, and recorded in the Office for the Recording of Deeds in and for the County of Northampton at Easton, Pennsylvania, in Map Book No. 3, page 37, and said point also being distant three hundred and eighty-three hundredths (300.83) feet measured Westwardly along the North side of said Fairview Avenue from the Northwest corner of Fairview Avenue and Burdette Avenue; thence along the North side of said Fairview Avenue Westwardly fifty-three and thirty-three one hundredths (53.33) feet to a point and other land of the grantors; thence along other land of the grantors Northwardly one hundred twenty (120) feet to a point in the South side of Oak Alley; thence along the South side of Oak Alley Eastwardly fifty-three and thirty-three one hundredths (53.33) feet to a point in Oak Alley distant thirteen and thirty-three one hundredths (13.33) feet measured Westwardly from the Northeast corner of lot No. 453; thence in a line parallel to and thirteen and thirty-three one hundredths (13.33) feet distant from the Eastern boundary line of Lot No. 453 Southwardly one hundred twenty (120) feet to the place of Beginning.

CONTAINING part of lot No. 453, and part of Lot No. 454 of that certain "Plan of Parkside", as recorded

in Map Book Vol. 3, page 37, in the Office for the Recording of Deeds, Maps, Mortgages, at Easton, Pa.

TITLE TO SAID PREMISES IS VESTED IN John S. Duvall by Deed from John S. Duvall and Lisa M. Duvall dated 5/20/1999 and recorded 6/9/1999 in Volume 1999-1, Page 085148.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: E8SW4B-10-12.

BEING KNOWN AS 222 Fairview Avenue, Wind Gap, Pennsylvania.

THEREON BEING ERECTED a ranch style dwelling with aluminum siding exterior and shingle roof; detached garage.

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

FRANK FEDERMAN, ESQUIRE

**No. 3**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2002-008663**

ALL THAT MESSUAGE, tenement and lot or piece of land situated in the south side of Butler Street, in the City of Easton, County of Northampton and State of Pennsylvania, bounded as described as follows, to-wit:

BEGINNING at a point in the south property line of Bulter Street in line of lot of Horace Lehr, said point being distant nineteen and fifty-eight hundredths (19.58) feet westwardly from the intersection of the west property line of South 12th Street with the south property line of Bulter Street; THENCE (1) along the lot of Horace Lehr, along the west side of a brick wall and the east side of a two and forty hundredths (2.40) foot wide private alley to be used jointly by Blaine J. Williams and Mary E. Williams, grantees herein, and Horace Lehr, South six

degrees thirty minutes West seventy four and thirty three feet (S 6° 30' W 74.33') to a point; THENCE (2) continuing along lot of Horace Lehr and along the north side of a brick wall, North eighty three degrees thirty minutes West sixteen and ninety-seven hundredth feet (N 83° 30' W 16.97') to a point; THENCE (3) along Butler Street and passing partly through the middle of a party wall, North six degrees thirty minutes East seventy-four and thirty-three hundredths feet (N 6° 30' E 74.33') to a point in the south property line of Butler Street; THENCE (4) along the south property line of Butler Street, South eighty-three degrees thirty minutes East sixteen and ninety-seven hundredths feet (S 83° 30' E 16.97') to the point or place of beginning.

ADDRESS: 1200 Butler St., Easton, PA 18042; TAX MAP OR PARCEL ID NO.: L9SE4A-1-18.

THEREON BEING ERECTED a two and one-half story row dwelling with brick and aluminum siding exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property Daniel Stillwell.

CORINA M. CANIZ, ESQUIRE

**No. 4**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2003-006869**

ALL THAT CERTAIN tract or piece of land situate and lying in the Township of Upper Mt. Bethel, in the County of Northampton and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING in the public road leading from the Delaware Water Gap to Portland; THENCE along said road, North twenty degrees West fifty feet to a corner; THENCE by

lands late of Mathias Hallet, North seventy degrees East eighty-one feet to a corner; THENCE by land of the Delaware, Lackawanna and Western Railroad Company, South twenty degrees East fifty feet to a corner; THENCE by land late of William Fox, South seventy degrees West eighty-one feet to the place of beginning.

CONTAINING four thousand fifty feet.

ALSO KNOWN AS Northampton County Uniform Parcel No.: Map: B11NE1 Block: 4 Lot: 4.

BEING KNOWN AS: 655 Slateford Road, Mount Bethel, PA 18343.

PROPERTY ID NO.: B11NE1-4-4.

TITLE TO SAID PREMISES IS VESTED IN Matthew H. Ruch by Deed from Associates Consumer Discount Company dated 05/25/99 recorded 08/06/99 Book 1999-1 Page 120178.

THEREON BEING ERECTED a two story single dwelling with asbestos shingle siding and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Matthew H. Ruch and Catherine Ruch.

MARK J. UDREN, ESQUIRE

**No. 7**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2003-007301**

All that certain lot or parcel of land situate in Bethlehem Township, Northampton County, Pennsylvania, designated as Lot No. 6, Block A, according to Map or Plan entitled "Windy Knob, Tract No. 1" prepared by William N. Strobel, C. E., dated November 6, 1969 and recorded in

Plan Book 31, page 1, Northampton County Records.

Being known as 2537 Tenth Street, Bethlehem, Pennsylvania.

BEING the same premises which James R. Browne and Phyllis A. Browne, husband and wife, by Deed dated January 19, 1983, and recorded July 8, 1983, in Book 652, Page 153, granted and conveyed unto Lawrence J. Kahl and Margaret J. Kahl, husband and wife, in fee.

N7NE1-40-6.

THEREON BEING ERECTED a ranch style dwelling with attached garage, brick and aluminum siding exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Lawrence J. Kahl and Margaret J. Kahl.

CHRISTOPHER A. DENARDO,  
ESQUIRE

**No. 8**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2003-004872**

ALL THAT CERTAIN tract or parcel of land situate in the Borough of Pen Argyl, County of Northampton and State of Pennsylvania and more particularly designated as Lot No. (6), Number Six in Block No. (19) Number Nineteen, as shown on a Plan or Map entitled "Slateland View" and filed in the Office of the Recording of Deeds in the City of Easton, in Map Book No. (2) Two, Page (70) Seventy, said lot being more particularly described as follows, viz:

HAVING a frontage of Lobb Avenue fifty (50) feet and extending that same width in depth Westerly one hundred feet (100) more or less to Lot No. (3) Number Three, in

Block aforesaid shown on said Map or Plan.

TITLE TO SAID PREMISES IS VESTED IN Dale P. Jacoby and Jacqueline M. Jacoby, husband and wife by Deed from Karen S. Turner, dated 6/17/1995 and recorded 6/20/1995 in Volume 1995-1, Page 53582.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: E8NE2A-10-3.

BEING KNOWN AS 315 North Lobb Avenue, Pen Argyl, Pennsylvania.

THEREON BEING ERECTED a two story single dwelling with vinyl siding exterior and slate roof.

SEIZED AND TAKEN into execution of the writ as the property of Dale P. Jacoby and Jacqueline M. Jacoby.

FRANK FEDERMAN, ESQUIRE

**No. 9**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2003-008031**

ALL THAT CERTAIN brick house and lot or piece of land situate on the North side of Ferry Street, in the City of Easton, County of Northampton and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point on the North side of Ferry Street sixteen feet eight inches (16' 8") East of the East building line of Elder Street, thence extending East along the North side of said Ferry Street sixteen feet eight inches (16' 8") to property of John F. Berkey, and extending Northwardly of that same width in depth one hundred and eleven feet (111') to a four foot wide private alley, bounded on the North by said alley, on the East by property of John F. Berkey, and on the

South by said Ferry Street, and on the West by property of Joseph H. Berkey.

TITLE TO SAID PREMISES IS VESTED IN Vanessa Gardner by Deed from Fred Davis, Sr. dated 8/31/2001 and recorded 10/29/2001 in Record Book Volume 2001-1 Page 226158.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: L9SE 1A-27-27.

BEING KNOWN AS 1125 Ferry Street, Easton, Pennsylvania.

THEREON BEING ERRECTED a two and one-half story one-half of a double brick dwelling with shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Venessa Gardner a/k/a Vanessa Gardner.

FRANK FEDERMAN, ESQUIRE

**No. 10**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2003-006044**

ALL THAT CERTAIN message, tenement and parcel of land or lot situate in Lehigh Township, Northampton County, and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at an iron pin on the westerly side of Morris Avenue; thence along lands of Ralphlongenbach North sixty-eight (68) degrees, twenty-six (26) minutes West, twenty-eight and 7/100 (28.07) feet to an iron pin and North twenty-three (23) degrees thirty-three (33) minutes West, one hundred sixty-seven and 78/100 (167.78) feet to an iron pin; thence through lands of Midland Farms, Inc. South fifty-seven (57) degrees, twenty (20) minutes East, one hundred fifty-seven and 90/100 (157.90) feet to an iron pin on the westerly side of

the aforementioned Morris Avenue; thence along the westerly side of same South thirty (30) degrees, two (02) minutes West, twenty-five and 0/100 (25.0) feet to an iron pin and South twenty-five (25) degrees, twenty-eight (28) minutes West, sixty-three and 42/100 (63.42) feet to the place of BEGINNING.

BEING the same premises which Jordon O. Murphy, the surviving husband of Elder R. Murphy, by Deed dated January 6, 1994 and recorded in the Recorder of Deeds of Northampton County on January 7, 1994 in Deed Book Volume 1994-4, page 609, granted and conveyed unto Stephen E. Unger and Alyce M. Unger, husband and wife.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: H2-17-8.

BEING KNOWN AS 4328 West Mountain View Drive, Walnutport, Pennsylvania.

THEREON BEING ERRECTED a two story single dwelling with block and wood exterior and slate roof.

SEIZED AND TAKEN into execution of the writ as the property of Stephen E. Unger and Alyce M. Unger.

DANIEL J. BIRSIC, ESQUIRE

**No. 11**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2001-001209**

ALL THAT CERTAIN message and lot or piece of land situate on the South side of Berwick Street in the City of Easton (South side) in the County of Northampton and State of Pennsylvania, containing in front on said Berwick Street forty-four (44) feet and extending in depth of that width Southward between lines running parallel with Iron Street one hundred and forty (140) feet to a twenty (20) feet wide alley.

BOUNDED on the east by part of Lots No. 32, on the South by said twenty (20) feet wide alley, on the West by Lot No. 34; and on the North by Berwick Street aforesaid.

BEING Lot No. 33 and part of Lot No. 32 on the plan of lots laid out by James McKean, and the same premises known as No. 934 Berwick Street, Easton, Pennsylvania.

TITLE TO SAID PREMISES IS VESTED IN Janson R. Howell and Apryl S. Howell, his wife by Deed from Jay A. Miller and Anita R. Miller, his wife dated 12/26/90 and recorded 12/26/90 in Deed Book 819, Page 448.

AND THE SAID Janson Howell and Apryl Howell were divorced from the bonds of matrimony in Docket 1997-C-08990 on 2/18/99.

AND THE SAID Apryl Howell filed on Election to retake her prior name of Apryl Susan Lightcap on 3/10/99.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: M9NE1A-6-4.

BEING KNOWN AS 934 West Berwick Street, Easton, Pennsylvania.

THEREON BEING ERECTED a two story single dwelling with vinyl siding exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Janson R. Howell and Apryl S. Howell a/k/a Apryl Susan Lightcap.

FRANK FEDERMAN, ESQUIRE

**No. 12**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2003-007295**

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

BEGINNING at a point in the southern line of East Fourth Street a distance of eighty (80) feet from the intersection of the western line of Atlantic Street with the southern line of East Fourth Street and THENCE extending southwardly and parallel with Atlantic Street a distance of one hundred seven (107) feet to a point in line with or late of Otto Tachovsky, THENCE extending eastwardly and parallel with East Fourth Street, a distance of twenty (20) feet to a point in lands now or late of Edgar Madden, THENCE extending northwardly and parallel with Atlantic Street a distance of one hundred seven (107) feet to a point in the southern line of East Fourth Street, THENCE extending westwardly along the southern line of East Fourth Street, a distance of twenty (20) feet to a point the place of beginning, being known as #746 East Fourth Street.

Parcel No. P6SE2A-20-20.

BEING KNOWN AS: 746 East 4th Street, Bethlehem, PA 18015.

PROPERTY ID NO.: P6SE2A-20-20.

TITLE TO SAID PREMISES IS VESTED IN Kelly Stahler by Deed from Edward R. Foster dated 08/01/02 recorded 08/13/02 Book 2002-1 Page 213417.

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

SEIZED AND TAKEN into execution of the writ as the property of Kelly Stahler.

MARK J. UDREN, ESQUIRE

**No. 13**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2003-007462**

ALL THAT CERTAIN lot or piece of ground with the buildings and



improvements thereon erected, known as 125 Grant Street, situate in the City of Easton, County of Northampton and State of Pennsylvania, described as follows:

BEGINNING at a point on the north side of Grant Street at the distance of 150 feet east of the northeast corner of the building line of Grant Street and St. John Street, THENCE in an easterly direction along Grant Street 50 feet to a point; THENCE in a northerly direction at right angles to Grant Street 137 feet, more or less, to a point on the building line of Young Street; THENCE in a westerly direction along Young Street 50 feet to a point, a corner of lands now or late of Donald Bedell; THENCE extending in a southerly direction along line now or late of Bedell's land a distance of 137 feet, more or less, to the point and place of beginning, being Lot No. 4 of Shapiro and Son Tract.

BEING THE SAME PREMISES WHICH John F. Gier and Lillian Gier, h/w by deed dated August 20, 1993 and recorded September 2, 1993 in the Recorder's Office in and for Northampton County, Pennsylvania in Deed Book 908, Page 240, granted and conveyed unto John F. Gier and Lillian Gier, h/w, the mortgagor's herein.

MAP: M9NE2B LOT: 8 BLOCK: 6.

PROPERTY ID NO.: M9NE2B-8-6.

PROPERTY ADDRESS—125 GRANT STREET, EASTON, PA 18042.

THEREON BEING ERECTED a cape cod dwelling with brick and aluminum siding exterior and slate roof.

SEIZED AND TAKEN into execution of the writ as the property of John F. Gier and Lillian Gier.

BONNIE DAHL, ESQUIRE

**No. 15**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2003-006963**

ALL THAT CERTAIN house and lot or piece of ground with the dwelling thereon erected, known as No. 1317 Washington Street, situated on the North side of Washington Street, in the City of Easton, Northampton County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point on the north building line of Washington Street aforesaid, distant seventy-three feet (73 ft.) East of Peach Alley; thence East along said Washington Street, twenty-one feet (21 ft.) to a point in line of land now or late of William Reinbold; thence North along said Reinbold's land one hundred twenty-eight feet three inches (128 ft. 3 in.) to a ten foot (10 ft.) wide alley; thence West along said alley, twenty-one feet (21 ft.) to lands now or late of L. J. Coleman; thence South one hundred twenty-eight feet three inches (128 ft. 3 in.) to point of BEGINNING.

BEING COUNTY TAX PARCEL NUMBER L9SW2C-24-14.

THEREON BEING ERECTED a two and one-half story one-half of a double dwelling with aluminum siding exterior and slate roof.

SEIZED AND TAKEN into execution of the writ as the property of Gary C. Cunningham.

JEFFREY G. TRAUGER,  
ESQUIRE

**No. 16**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2003-000247**

ALL THAT CERTAIN lot or piece of ground with the messuage or tenement thereon erected, designated as Lot No. 23 on the plan of lots of

Elmwood Park situate in the City of Bethlehem, Bethlehem, Pennsylvania, which is recorded in the Office of the Recorder of Deeds for Northampton County in Map Book 6, Page 27.

BEGINNING at a point in the westwardly side of Dellwood Street at the distance of 230 feet northward from the northwest corner of Dellwood and Union Streets and being on the party line between Nos. 821 and 823 Dellwood Street; THENCE extending westwardly along the said party line 74 feet to a point in the eastwardly line of a 12 foot wide alley leading from Union Street northward into Geopp Street; THENCE extending northward along the eastwardly line of said alley 20 feet to a point in the party line between Nos. 823 and 825 Dellwood Street; THENCE eastward along the said party line 74 feet to a point in the westwardly line of Dellwood Street; THENCE southward along the westwardly line of Dellwood Street 20 feet to a point in the party line between Nos. 823 and 821 Dellwood Street, the place of beginning.

BEING NO. 823 Dellwood Street, Bethlehem, Pennsylvania.

IT BEING THE SAME PREMISES WHICH Jane E. Beers, single, by deed dated September 27, 1999 and recorded in the Office for the Recording of Deeds in and for the County of Northampton at Easton, Pennsylvania in Volume 1999-1, Page 147793, did grant and convey unto Joshua T. Compos and Heather N. Compos, grantors herein.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: P6NE2A-10-6.

THEREON BEING ERECTED a two and one-half story one-half of a

double brick dwelling with shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Kimberly V. Dans.

JOSEPH A. GOLDBECK, JR.,  
ESQUIRE

**No. 17**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2003-007934**

ALL THAT CERTAIN parcel of land with dwelling erected thereon, situate in the City of Easton, County of Northampton and State of Pennsylvania, bounded and described as follows:

BEGINNING at a point on the south line of Milton Street, the said point being 200.00 feet eastwardly from the intersection of the south line of Milton Street and the east line of Iron Street. THENCE along the south line of Milton Street in an eastwardly direction for a distance of 40.00 feet and extending southwardly of that same width and at right angles to the south line of Milton Street a depth of 68.35 feet to other land now or late of Helen J. Derenzis. Bounded on the north by Milton Street, on the east by land now or late of James Anderson, on the south by other land now or late of Helen J. Derenzis and on the west by land now or late of Daniel Mullen.

ALSO KNOWN AS Northampton County Uniform Parcel Identifier: Map M 9NE1A Block 18 Lot 9.

BEING THE SAME PREMISES WHICH Michael E. Masterson and Maureen J. Masterson, his wife, by deed dated May 25, 1990, and recorded in the Recorder of Deeds Office of Northampton County, Pennsylvania, in Deed Book Volume 801, Page 409, granted and con-

veyed unto Mark J. Gorris, single, the grantor herein.

EXCEPTING AND RESERVING unto Kedrick Fulmer, his heirs and assigns, the right, use and privilege to use, maintain and connect to the sanitary sewer and water lines located on the within premises which lines connect in turn to water and sanitary sewer lines of the City of Easton, Pennsylvania, all as more fully set forth in an indenture from Richard N. Dezenzis and Jean Dezenzis, his wife, to the said Kenrick Fulmer, dated October 28, 1974, and recorded in the Office of the Recorder of Deeds in and for Northampton County, Easton, Pennsylvania in Misc. Book 236, Page 356.

Vested by: Deed dated 5/28/92, given by Mark J. Gorrie and Karen M. Gorrie, his wife to Walter W. Dodge and Marie Dodge, his wife recorded 6/05/92 in Book: 865 Page 152.

BEING KNOWN AS 822 West Milton Street, Easton, Pennsylvania.

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

SEIZED AND TAKEN into execution of the writ as the property of Walter W. Dodge and Marie Dodge.

FRANK FEDERMAN, ESQUIRE

**No. 18**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2001-006924**

ALL THAT CERTAIN lot, piece or parcel of land, Situate in the Township of Palmer, County of Northampton, Commonwealth of Pennsylvania, more fully bounded and described as follows, to wit:

BEGINNING at a point, the Northwestern corner of the inter-

section of Northwood Avenue and Easton-Tatamy Road; thence by a line along the Northerly side of Northwood Avenue 16.50 feet Northerly of the centerline thereof, North 83 degrees 51 minutes West 220.65 feet to a point; thence by the Easterly line of Lot #47 as shown on the Plan of Lots late of David M. Huhn, recorded in Map Book 9 page 64, North 08 degrees 09 minutes West 59.45 feet to a point; thence through Lot #2 according to the aforesaid Plan, North 81 degrees 51 minutes East 215.0 feet to a point on the Westerly side of the Easton-Tatamy Road, said point being distant 365.61 feet by the said side of Easton-Tatamy Road on the course South 09 degrees 01 minute East from the Southwesterly corner of Hillcrest Avenue and Tatamy Road; thence by the Westerly side of Tatamy Road, 20.00 feet Westerly of the centerline thereof, South 09 degrees 01 minute East 114.39 feet to a point; the place of beginning.

BEING all of Lot #1 and the Southerly 9.39 feet to Lot #2 according to the aforesaid Plan of Lots late of David M. Huhn with additional land along the West side of the Easton-Tatamy Road and also along the North side of Northwood Avenue as is set forth on a plan of which lots prepared for Walter R. Koehler and Eva M. Koehler, His wife.

BEING Tax Parcel Number K9SW4-1A-1A.

BEING the same premises which Philip J. Ryan and Susan M. Ryan, by Deed dated August 25, 2000 and recorded in the Office of the Recorder of Deeds of Northampton County on September 1, 2000, in Deed Book 2000-1, Page 114074,

granted and conveyed unto Doris A. Gray and William R. Gray, Jr.

BEING KNOWN AS 1200 Tatamy Road, Easton, Pennsylvania.

THEREON BEING ERECTED a two story single dwelling with wood exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Doris R. Gray and William R. Gray, Jr.

KRISTINE M. ANTHOU, ESQUIRE

**No. 19**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2003-007946**

ALL THAT CERTAIN messuage or tenement and lot or tract of land situate along the Easterly side of Wyandotte Street in the Township of Lower Saucon, County of Northampton, and Commonwealth of Pennsylvania, bounded and described according to a survey thereof made the 23rd day of April 1960 by W.E. Beckley, Jr., Registered Engineer, bounded and described as follows, to wit:

BEGINNING at a railroad spike on the East side of Wyandotte Street; thence North 45 degrees East a distance of 122.23 feet to an iron pin; thence along lands now or late of Douglass P. Norwood and Mary R. Norwood, his wife, North 22 degrees 31 minutes East, a distance of 109.95 feet to an iron pin; thence South 42 degrees West a distance of 125.68 feet to a point in the Easterly line of Wyandotte Street; thence along the same, South 22 degrees 31 minutes East, a distance of 102.54 feet to the point, the place of beginning.

BEING designated as 2261 Kohler Drive according to present numbering.

CONTAINING 13,169.69 square feet strict measure.

TITLE TO SAID PREMISES IS VESTED IN Robin L. Massie and Mychal Massie, wife and husband, by Deed from Henry Trapp, Sr., Trustee of the Henry Trapp, Sr. Trust dated 5/3/2001, dated 12/20/2001 and recorded 1/11/2002 in Volume 2002-1 Page 010814.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: Q6NW2-4-3.

BEING KNOWN AS 2261 Koehler Drive a/k/a 2261 Kohler Drive, Bethlehem, Pennsylvania.

THEREON BEING ERECTED a two story single stucco dwelling with shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Robin L. Massie and Mychal Massie.

FRANK FEDERMAN, ESQUIRE

**No. 20**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2003-006041**

ALL THAT CERTAIN lot or piece of land with improvements erected thereon situate on the East side of Valley Avenue (formerly Lehigh Street) in the City of Easton, County of Northampton and Commonwealth of Pennsylvania.

CONTAINING in front or breadth on the East side of said Valley Avenue 31 feet, and extending of that breadth 31 feet Eastward, between parallel lines, and 23 feet North of Bird Street (formerly Bird Alley) 110 feet to a 10 feet wide private alley.

BOUNDED on the North by other land now or late of Aaron Transue; on the East by said 10 feet wide private alley; on the South side by a 23 feet wide lot now or late of John McInerney; and on the West side by Valley Avenue aforesaid.

BEING THE SAME PREMISES WHICH Robert E. Gaffney and Patricia Gaffney by indenture bearing even date the 31st day of October A.D. 1996 and intended to be forthwith recorded in the Office for the Recording of Deeds in and for the County of Northampton, the Commonwealth of Pennsylvania granted and conveyed unto Michael A. Sheats and Barbara L. Sheats, in fee.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: M9NE1A-15-2.

BEING KNOWN AS 614 Valley Street, Easton, Pennsylvania.

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

SEIZED AND TAKEN into execution of the writ as the property of Michael A. Sheats and Barbara L. Sheats.

JOSEPH A. GOLDBECK, JR.,  
ESQUIRE

**No. 21**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2003-006732**

ALL THAT CERTAIN tenement, messuage and tract or piece of land situate in the City of Easton, Northampton County, Pennsylvania, together with the improvements thereon erected, presently known and designated as No. 328 West Nesquehoning Street, bounded and described as follows, to wit:

CONTAINING thirty-five (35) feet in front on the South side of said West Nesquehoning Street and extending of equal width in depth Southwardly a distance of one hundred twenty-five (125) feet to the North side of Cooper Street.

BOUNDED on the North by West Nesquehoning Street; on the East

by property of Paul Joseph McCabe, presently known and designated as No. 324 West Nesquehoning Street; on the South by Cooper Street and on the West by property of Harold E. Morrison and M. Jane Morrison, his wife.

TITLE TO SAID PREMISES IS VESTED IN Carmelo Cruz and Angelica Cruz, his wife by Deed from Herbert A. Singley and Mary T. Singley, his wife dated 12/29/1980 and recorded 12/29/1980, in Volume 622, Page 794.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: L9SE3D-5-19.

BEING KNOWN AS 328 West Nesquehoning Street, Easton, Pennsylvania.

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

SEIZED AND TAKEN into execution of the writ as the property of Carmelo Cruz and Angelica Cruz.

FRANK FEDERMAN, ESQUIRE

**No. 22**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2003-007222**

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. 4 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 northerly right-of-way line of Crest

Boulevard (80 feet wide) at a corner of Park View Estates; thence along said northerly right-of-way line of Crest Boulevard (80 feet wide) the following two courses and distances:

1. South  $89^{\circ}-04'-46''$  West 98.33 feet to a point; thence

2. along the arc of a curve deflecting to the left having a radius of 340.00 feet and central angle of  $08^{\circ}-44'-27''$  for an arc length of 51.87 feet (chord: South  $84^{\circ}-42'-32''$  West 51.82 feet) to a point at a corner of Lot 3 of Hillcrest (Phase I);

thence along said lands of Lot 3 of Hillcrest (Phase I) North  $00^{\circ}-55'-14''$  West 124.08 feet to a point on line of lands now or late of Burnell and Nancy Moyer; thence along said lands now or late of Burnell and Nancy Moyer North  $89^{\circ}-07'-46''$  East 150.00 feet to a point on line of lands of Park View Estates; thence along said lands of Park View Estates South  $00^{\circ}-55'-14''$  East 120.00 feet to a point, the place of the Beginning. Containing 18,077.66 square feet or 0.415 acre.

ALSO BEING KNOWN AND DESIGNATED AS NORTHAMPTON COUNTY UNIFORM PARCEL IDENTIFIER NO. L8NE3-16-4.

UNDER AND SUBJECT, nevertheless, to the easements, rights-of-way, restrictions and conditions of record, including those set forth on Exhibit "A", attached hereto and made part hereof.

TOGETHER with all and singular the improvements, ways, streets, alleys, passages, waters, watercourses, rights, liberties, privileges, hereditaments, and appurtenances, whatsoever unto the hereby granted premises belonging, or in any wise appertaining, and the reversions and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, prop-

erty, claim and demand whatsoever of him, the said Grantor, as well at law as in equity, of, in and to the same.

UNDER AND SUBJECT, nevertheless, to the easements, rights-of-way, restrictions and conditions of record, and to the aforesaid restrictions and conditions.

EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS AND CONDITIONS

1. The terms, conditions, covenants, restrictions, easements, and rights-of-way set forth on the "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.

2. Declaration of Restrictions, Covenants and Easements for Hillcrest Acres, Palmer Township, Northampton County, Pennsylvania (hereinafter referred to as "Declaration"), dated June 21, 1994 and recorded in the Office of the Recorder of Deeds of Northampton County, Pennsylvania on June 23, 1994 in Record Book Volume 1994-6, Page 42730.

3. Right-of-Way Agreement (Hillcrest Phase I), between Gerhard Riethmuller and Marilyn Riethmuller, his wife, and Palmer Township Municipal Sewer Authority, dated February 7, 1993 and recorded in the Office of the Recorder of Deeds of Northampton County, Pennsylvania on July 8, 1993 in Miscellaneous Book Volume 497, Page 367.

4. Easement and Exclusive License Agreement between Gerhard and Marilyn Riethmuller, and Twin County Trans Video, Inc., dated

September 24, 1993 and recorded in the Office of the Recorder of Deeds of Northampton County, Pennsylvania on October 5, 1993 in Miscellaneous Book Volume 510, Page 177.

5. Development Grant by Gerhard Riethmuller and Marilyn Riethmuller to The Bell Telephone Company of Pennsylvania, dated October 27, 1993 and recorded in the Office of the Recorder of Deeds of Northampton County, Pennsylvania on March 10, 1994 in Record Book Volume 1994-1, Page 8470.

6. Easement for Development by Gerhard Riethmuller, widower, to Metropolitan Edison Company, dated March 21, 1994 and recorded in the Office of the Recorder of Deeds of Northampton County, Pennsylvania on April 26, 1994 in Record Book Volume 1994-6, Page 14225.

7. Easement Agreement between Gerhard Riethmuller, widower, and Palmer Township, dated October 6, 1995 and recorded in the Office of the Recorder of Deeds of Northampton County, Pennsylvania on October 12, 1995 in Record Book Volume 1995-1, Page 96745.

BEING KNOWN AS: 9 CREST BOULEVARD, A/K/A 4 HILLCREST ACRES, PALMER, PA 18045.

PROPERTY ID NO.: L8NE3-16-4.

TITLE TO SAID PREMISES IS VESTED IN Henry Beckles and Rasheeda Beckles, his wife by Deed from Gerhard Riethmuller, widower dated 1/23/96 recorded 2/7/96 Book 1996-1 Page 11154.

THEREON BEING ERECTED a ranch style dwelling with aluminum siding exterior and shingle roof; detached garage.

SEIZED AND TAKEN into execution of the writ as the property of

Henry Beckles and Rasheeda Beckles.

MARK J. UDREN, ESQUIRE

**No. 23**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
1998-C-08965**

ALL THAT CERTAIN message, tenement and lot or piece of ground situate in the Township of Palmer, Northampton County, Pennsylvania, designated as Lot No. 136 on the Plan of Penn's Grant, Phase 1, as said Plan is recorded in the Recorder of Deeds Office in and for Northampton County, Pennsylvania in Map Book Volume 1995-5, Page 121-124, and hereinafter described:

ALL THAT CERTAIN message, tenement, and lot or parcel of land situate in the Township of Palmer, Northampton County, Pennsylvania designated as Lot No. 136 on the Plan of Penn's Grant, Phase 1, as said Plan is recorded in the Recorder of Deeds in and for Northampton County, Pennsylvania in Plan Book 1995-1, Pages 121 et seq., being more fully bounded and described as follows, to wit:

BEGINNING at a point on the Southern right-of-way line of Corriere Road (50 feet wide), said point being the Northwest corner of Lot 137 and the Northeast corner of the herein described Lot 136; thence along the Western boundary line of Lot 137, South three degrees thirty minutes sixteen seconds West (s 03 30' 16" W), a distance of one hundred nineteen and fourteen one-hundredths feet (119.14') to a point; thence along the Eastern boundary line of lot 239 North eighty-six degrees one minute fifty-seven seconds West (N 86 01' 57" W), a distance of twenty and zero one hundredths feet (20.00) to

a point thence along the Eastern boundary line of lot 135 North three degrees thirty minutes sixteen seconds East (N 03 30' 16" E), a distance of one hundred seventeen and forty-two-one-hundredths feet (117.42') to a point; thence along the Eastern boundary line of the aforementioned Corriere Road along a curve to the right, having a radius of three hundred eight-five feet (385.00'), a central angle of two degrees fifty-nine minutes nine seconds (02 59' 09"), a length along the arc of twenty and six one-hundredths feet (20.06), and a tangent distance of ten and three one-hundredths (10.03') feet to the place of BEGINNING.

CONTAINING IN AREA 2,364 square feet or 0.0543 acre.

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 Volume 1995-1, Page 074574

TITLE TO SAID PREMISES IS VESTED IN Michael A. Digirolamo and Rhonda L. Paul by Deed from Pennis Grant dated 3/28/96 Deed Book/Volume 1996-1, page 027397.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: K90-7-79.

BEING KNOWN AS 54 Corriere Road, Easton, Pennsylvania.

THEREON BEING ERRECTED a two story brick townhouse w/ one-car garage.

SEIZED AND TAKEN into execution of the writ as the property of Michael A. DiGirolamo and Rhonda L. Paul n/k/a Rhonda L. DiGirolamo.

FRANK FEDERMAN, ESQUIRE

**No. 25**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2003-003873**

ALL THAT CERTAIN house and lot of ground situate on the west side of North Seventh Street in the Fourth Ward of the City of Easton, County of Northampton, Commonwealth of Pennsylvania, known as 60-A North Seventh Street, according to present city numbering, bounded and described as follows, to wit:

BEGINNING at a point on the Westerly building line of North Seventh Street on line of lot of Isabel Skirmont and Susan Kovacs; thence in a westerly direction by said lot, 87.75 feet to a point; thence in a southerly direction, parallel to the line of Seventh Street by lot of William E. and Milton Paul, 9.71 feet to a point; thence in an easterly direction, by land now or late of the grantor and parallel to first course 35.5 feet to a point; thence in a southerly direction, parallel to the line of Seventh Street, by land now or late of the grantor, 1.5 feet to a point; thence by the same in an easterly direction and parallel to the first course, 25.25 feet to a point; thence by the same in a westerly direction, parallel to the line of Seventh Street, 1.5 feet to a point; thence by the same in an easterly direction, parallel to the first course and passing through the partition wall between the double frame house known as #60 and #60-A North Seventh Street, 27.0 feet to a point on the westerly building line of North Seventh Street; thence in a northerly direction by the said building line of North Seventh Street; thence in a Northerly direction by the said building line of Seventh



Street, 9.71 feet to point, the place of BEGINNING.

BEING PARCEL ID NUMBER L9SE1B 3 9A 0310. PIN: 5067-05-5103-4776.

BEING THE SAME PREMISES which Albert Abdouche, by Deed dated May 23, 1996, and recorded May 30, 1996, in the Recorder of Deeds Office of Northampton County, Pennsylvania, in Deed Book Volume 1996-1, Page 052803, granted and conveyed unto Mansour Mansour.

PREMISES improved with a single family dwelling more commonly known as 60A North 7th Street, Easton, Pennsylvania 18042.

THEREON BEING ERECTED a two and one-half story row dwelling with aluminum siding exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Mansour G. Mansour.

RICHARD BRENT SOMACH,  
ESQUIRE

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**No. 27**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2002-003359**

ALL THOSE CERTAIN lots or pieces of ground with building thereon erected situate in the Borough of Freemansburg, Northampton County, Pennsylvania, known and designated as Lots 919 and 920 on map or Plan entitled "Clearfield Terrace Building Lots, Plan Showing the Extension by Charles A. and Harry O. Jones, July 17, 1915, L.J.H. Grossart, C.E.", which Map or Plan is entered of record in the Office of the Recorder of Deeds of Northampton County, Pennsylvania in Map Book 6, page 21, said lots being bounded and described as follows, to wit:

BEGINNING at the southeast corner of Monroe and Juniata Streets; thence extending southwardly along the east side of Juniata Street a distance of 40 feet and of that same width extending eastwardly between parallel lines, a distance of 120 feet, more or less to Cambria Streets bounded on the north by said Monroe Street, on the East by said Cambria Street, on the South by Lot 921, and on the West by Juniata Street.

BEING THE SAME PREMISES WHICH Charles H. Schleppey and Virginia M. Schleppey by deed dated 5/27/87 and recorded 5/29/87 in Deed Book 726 Page 561 granted and conveyed unto Phillip J. Schrader and John J. Schrader, Jr.

PARCEL: P7NW2A-4-1.

THEREON BEING KNOWN AS 710 Monroe Street, Bethlehem, Pennsylvania.

THEREON BEING ERECTED a two story apartment dwelling with T-111 wood exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Phillip J. Schrader and John J. Schrader, Jr.

LEON P. HALLER, ESQUIRE

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**No. 28**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2003-007721**

ALL THAT CERTAIN piece, parcel or tract of land, Situate in the Township of Forks, County of Northampton and Commonwealth of PA shown as Lot TH E91 on the Final Plan of Vista Estates as recorded in Map Book 1998-5 page 340 in the Office of the Recorder of Deeds for Northampton County at Easton, Pennsylvania and being further bounded and described as follows, to wit:

BEGINNING at a point on the Westerly right of way line of Upper Way (50 feet wide) at the corner of Lot OS 5 (Common Open Space) of Vista Estates; thence along said Westerly right of way line of Upper Way (50 feet wide) South 23 degrees 35 minutes 14 seconds West 41.63 feet to a point at a corner of Lot TH E 92 of Vista Estates; thence along lands of Lot TH H92 of Vista Estates North 66 degrees 24 minutes 46 seconds West 120 feet to a point on line of lands of Lot OS 5 (Common Open Space) of Vista Estates; thence along said lands of Lot OS 5 (Common Open Space) of Vista Estates the following two courses and distances (1) North 23 degrees 35 minutes 14 seconds East 41.63 feet to a point; thence (2) South 66 degrees 24 minutes 46 seconds East 120 feet to a point, the place of beginning.

CONTAINING 4,996.03 square feet, more or less.

SAID LOT being subject to any and all drainage an utility easements as shown on the final recorded plain.

BEING Tax Map No. K9-36A-18.

BEING the same premises which Michael W. Hillis by Deed dated December 20, 2002 and recorded in the Northampton County Recorder of Deeds Office on December 31, 2002 in Deed Book Volume 2002-1 page 370650, granted and conveyed unto Cindy H. Courtright.

BEING KNOWN AS 2690 Upper Way, Easton, Pennsylvania.

THEREON BEING ERECTED a two story brick townhouse w/ one-car garage and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Cindy H. Courtright.

DAVID FEIN, ESQUIRE

**No. 29**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2003-006546**

ALL THAT CERTAIN piece of land with the messuage or tenement, No. 1525 East Seventh Street, thereon erected, situate in the City of Bethlehem, County of Northampton, and State of Pennsylvania, more particularly bounded and described as follows, to wit:

BEGINNING at a point in the North line of East Seventh Street distant two hundred twenty-eight (228) feet West of the northwest corner of Lynn Avenue and East Seventh Street, said point being the extension of a line through the middle of the party or partition wall dividing the house erected on these premises from the one adjoining immediately on the East; thence extending along the North line of East Seventh Street westwardly a distance of fourteen (14) feet to a point, said point being the extension of a line through the middle of the party or partition wall dividing the house erected on these premises from the one adjoining immediately on the West, and of that same width of fourteen (14) feet between parallel lines at right angles to East Seventh Street, said lines passing partly through the party or partition walls aforesaid, northwardly a distance of one hundred (100) feet to a fifteen feet wide alley.

BOUNDED on the North by the fifteen feet wide alley aforesaid, on the East by land now or late of David Longacre, and on the South by East Seventh Street, and on the West by land now or late of Joseph Hegedus.

BEING Northampton County tax parcel Assessment #P7SW1B-6-14.

BEING KNOWN AS 1525 East Seventh Street, Bethlehem, Pennsylvania.

THEREON BEING ERECTED a two story row dwelling with stone coating exterior and flat roof.

SEIZED AND TAKEN into execution of the writ as the property of Miguel A. Lugo.

SCOTT LIPSON, ESQUIRE

**No. 30**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2003-007003**

ALL THAT CERTAIN lot or ground with the dwelling house and improvements thereon erected, situate on the north side of Lincoln Street, between Valley and Iron Streets, in the City of Easton, County of Northampton and State of Pennsylvania, known as No. 805 Lincoln Street, beginning at a point on the northern building line of said Lincoln Street a distance of thirty (30) feet westwardly from the intersection of the said building line with the western building line of said Valley Street; thence extending westwardly along said northern building line of Lincoln Street sixty-six (66) feet and of that width extending northwardly in depth forty-four (44) feet.

BOUNDED on the north by land now or late of Howard A. Bean, Jr. and Arlene N. Bean, his wife; on the east by other land now or late of prior grantors, known as 801 Lincoln Street; on the south by said Lincoln Street; and on the west by land now or late of Alice A. Youells.

BEING known as premises 805 Lincoln Street, Easton, Pennsylvania 18042.

BEING ALSO KNOWN AS Northampton County Tax Parcel Identifier No. M9NE1A-11-4.

BEING THE SAME PREMISES WHICH Robert Shultz by indenture bearing even date the 31st day of

January A.D. 2001 and intended to be forthwith recorded in the Office for the Recording of Deeds in and for the County of Northampton, the Commonwealth of Pennsylvania granted and conveyed unto Robert T. Lilly, in fee.

THEREON BEING ERECTED a two story single dwelling with vinyl siding exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Robert T. Lilly.

JOSEPH A. GOLDBECK, JR.,  
ESQUIRE

**No. 31**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2003-000625**

ALL THAT CERTAIN MESSUAGE, Tenement and lot or piece of ground situate on the west side of Easton Road in the Borough of Hellertown, County of Northampton and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point in the curb line on the west side of Easton Road in said Borough, said point being located at the northern line of land now or late of Harvey Wohlbach, thence northwardly in and along said west line a distance of nineteen feet one and one-quarter inches (19' 1-1/4") to a point in the southern boundary of premises of Elwood J. Delp, thence westwardly in and along said southern boundary line, a southern boundary line a distance of one hundred and twenty feet (120) to a point in the east line of a ten (10) foot wide private alley, thence southwardly along said east line a distance of nineteen feet one and one-quarter inches (19' 1-1/4") to a point in the northern line of land now or late of Harvey Wohlbach, thence eastwardly in and

along said north line a distance of one hundred and twenty feet (120') to a point, the place of beginning.

BEING the same premises which John P. Holliday and Adele A. Holliday, formerly known as Adele A. Lazzaro, husband and wife, by Deed dated April 9, 1993 and recorded in the Northampton County Recorder of Deeds Office on April 13, 1993 in Deed Volume 893 Page 33 granted and conveyed unto David L. Achey and Tricia A. Achey, husband and wife.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: Q7SW2D-4-6.

BEING KNOWN AS 752 Easton Road, Hellertown, Pennsylvania.

THEREON BEING ERECTED a two story brick row dwelling with slate roof.

SEIZED AND TAKEN into execution of the writ as the property of David L. Achey and Tricia A. Achey.

DAVID FEIN, ESQUIRE

**No. 32**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2002-005425**

ALL THAT CERTAIN situated along the southeasterly side of the road leading from Bethlehem to Nazareth, (commonly known as Nazareth Pike), in the Fourteenth Ward of the City of Bethlehem, County of Northampton and State of Pennsylvania, bounded and described as follows:

BEGINNING at an iron spike in the Nazareth Pike and in line with the middle of the party or partition wall, located between the dwelling on the herein conveyed premises and the dwelling located on the adjoining premises previously conveyed to Emma Ilkovich and Anthony Ilkovich, her husband; thence extending South fifty-six degrees,

forty-eight minutes East (S. 56° 48' E) and passing through the middle of the aforesaid party or partition wall, a distance of two hundred and twenty-four and fifty-nine hundredths (224.59') feet to an iron pipe; thence extending along lands now or late of Harvey Kipp, South twenty-four degrees, thirty minutes West (S 24° 30' W), a distance of Seventy-seven and ninety-three hundredths (77.93') feet to a stake; thence along lands, now or late of John Q. A. Fox, North sixty-seven degrees, three minutes West (N 67° 3' W), a distance of two hundred thirty-four and eighteen hundredths (234.18') feet to a point in the Nazareth Pike; thence along said Nazareth Pike North thirty-two degrees, forty-five minutes East (N 32° 45' E), a distance of one hundred nineteen and twelve hundredths (119.12') feet to the point, the place of beginning.

BEING the same premises which James L. Kunsman and Esther A. Kunsman, his wife, by their Deed dated September 24, 1980, and recorded in the Office for the Recording of Deeds in and for the County of Northampton in Deed Book Volume 619, Page 561, granted and conveyed unto Brian H. Kunsman, grantors herein.

ALSO KNOWN AS UNIFORM PARCEL IDENTIFIER NUMBER: M7-2-9.

TITLE TO SAID PREMISES IS VESTED IN Catherine E. McLain, by deed from Brian H. Kunsman, dated 1/24/01, recorded 2/1/01. in Deed Book 2001-1, Page 15243.

PROPERTY ID NO.: M7-2-9.

BEING KNOWN AS 3410 LINDEN STREET, BETHLEHEM, PA 18017.

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

SEIZED AND TAKEN into execution of the writ as the property of Catherine E. McLain.

MARK J. UDREN, ESQUIRE

**No. 34**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2002-008922**

ALL THAT CERTAIN lot or piece of ground with the buildings and improvements thereon erected, situate in the City of Easton, County of Northampton and Commonwealth of Pennsylvania, bounded and described according to a survey and plan Canal Park Southside Neighborhood Development Tract 102 dated 6/5/87; last revised 8/10/88 made by Hanover Engineering Associates, Inc., of Bethlehem, Pennsylvania and recorded in Map Book 88/425, as follows, to wit:

Beginning at a point on the southeasterly side of Canal Street (proposed width—70.00 feet) and being the three following courses and distances from the intersection formed by the southerly side of Canal Street with the westerly side of Center Street (proposed width—60.00 feet), viz: (1) south 87 degrees 30 minutes 57 seconds west, a distance of 131.21 feet to a point of curve; (2) on the arc of a circle curving to the left in the southwest-erly direction having a radius of 218.59 the arc distance of 144.21 feet to a point of tangent; and (3) south 39 degrees 43 minutes 02 seconds west, a distance of 19.38 feet to the point of beginning; thence from said point of beginning, along line of Lot No. 12, south 40 degrees 16 minutes 58 seconds east, a dis-

tance of 73.80 feet to a point, another corner of Lot No. 12 in line of lands reserved for use in common with others; thence continuing along line of lands reserved for use in common with others, south 49 degrees 43 minutes 02 seconds west, a distance of 20.00 feet to a point, the southeasterly corner of Lot No. 10 (as shown on the aforesaid plan); thence along line of Lot No. 10, north 40 degrees 16 minutes 58 seconds west, a distance of 73.80 feet to another corner of Lot No. 10 on the southeasterly side of Canal Street; thence along the southeasterly side of Canal Street, north 49 degrees 43 minutes 02 seconds east, a distance of 20.00 feet to a point, corner of Not No. 12, the point and place of beginning.

TITLE TO SAID PREMISES IS VESTED IN Wesley W. Kerr, single by Deed from David J. McGettrick and Cynthia McGettrick, his wife dated 6/23/2000 and recorded 6/26/2000 in Record Book Volume 2000-1, Page 77983.

ASSESSMENT MAP, BLOCK AND LOT NUMBER: L9SE41D-20-11.

BEING KNOWN AS 745 Mauch Chunk Street, Easton, Pennsylvania.

THEREON BEING ERECTED a two story row dwelling with vinyl siding exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Wesley W. Kerr.

FRANK FEDERMAN, ESQUIRE

**No. 35**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2003-007933**

ALL THAT CERTAIN lot of land, with the Northern half of a double dwelling thereon erected, known as 1118 Whitehall Avenue, situated in

the Township of Palmer, County of Northampton and State of Pennsylvania, being further known as Lot No. 43 as shown on the Plan of Lots known as "Wilden, a Suburb of Easton", said Map being recorded in the Office for the Recording of Deeds in and for the County of Northampton in Map Book No. 6, Page 18 and being more particularly bounded and described as follows:

BEGINNING at a point in the Eastern building line of Pennsylvania Avenue, now known as Whitehall Avenue, as shown on said Map at the intersection of Lots Nos. 42 and 43; thence Eastwardly along the division line between Lots Nos. 42 and 43 and passing through and along the partition wall which divides the premises hereby conveyed, being the Northern half, from the Southern half of said double dwelling 120 feet to a point; thence Northwardly along the division line between Lots Nos. 43 and 51, 40 feet to a point; thence Westwardly along the division line between Lots Nos. 44 and 45 and said Lot No. 43, 120 feet to a point in the Eastern building line of said Whitehall Avenue; thence Southwardly along the Eastern building line of said Whitehall Avenue, 40 feet to the point of beginning.

BOUNDED on the North by Lots Nos. 44 and 45, on the East by Lot No. 51, on the South by Lot No. 42 and the Southern half of said double dwelling house (known as 1120 Whitehall Avenue) and on the West by Whitehall Avenue, formerly known as Pennsylvania Avenue.

BEING more recently described and shown on a Survey Plan prepared by Kenneth R. Hahn, R.S. Drawing No. 80-32, dated January

31, 1980, bounded and described, as follows:

BEGINNING at a point on the Easterly right of way line of Whitehall Avenue, (50 feet wide), said point being located 120.33 Southerly of the South side of Freemansburg Avenue; thence along the Southerly side of Lots 44 and 45, South 86 degrees 00 minutes East, 120.00 feet to an iron pipe found; thence along the Westerly side of Lot No. 51 of Wilden Plan, South 4 degrees 00 minutes West, 40.00 feet to a point; thence along the Northerly property line of 1120 Whitehall Avenue, Lot No. 42 and passing partly in and through a party wall, North 86 degrees 00 minutes West, 120.00 feet to a point on the Easterly right of way line of Whitehall Avenue; thence along the Easterly right of way line of Whitehall Avenue, North 4 degrees 00 minutes East, 40.00 feet to the place of beginning.

TITLE TO SAID PREMISES IS VESTED IN Robert D. Buss by reason of the following:

BEING THE SAME premises which Harry J. Hummell and Patricia Hummell, his wife by Deed dated 2/28/1980 and recorded 2/28/1980 in the County of Northampton in Deed Book Volume 611, Page 1044 conveyed unto Robert D. Buss, single.

AND ALSO BEING THE SAME premises which Madeline Jean McDonald Buss by Deed dated 4/23/1992 and recorded 4/28/1992 in the County of Northampton in Deed Book Volume 860, Page 634 conveyed unto Robert D. Buss.

Premises being: 1118 WHITEHALL AVENUE, EASTON, PA 18045.

Tax Parcel No. M8NE3-31-3.

SEIZED AND TAKEN into execution of the writ as the property of Robert D. Buss.

FRANK FEDERMAN, 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.

JEFFREY K. HAWBECKER

Sheriff

Northampton County,

Pennsylvania

B. LINCOLN TREADWELL, JR.,

ESQUIRE

Solicitor to the Sheriff

Mar. 18, 25; Apr. 1

**PATRICIA A. SEARLES and WAYNE SEARLES, Plaintiffs v.  
ALBERTO G. ESTRADA, M.D., Defendant**

*Preliminary Objections—Improper Venue—Venue in Medical Professional Liability Action—Pa. R.C.P. 1006(a.1).*

Plaintiffs filed a Complaint against Defendant raising issues of negligence and lack of informed consent. Defendant filed the instant Preliminary Objections in the Nature of a Motion to Dismiss for Improper Venue Nunc Pro Tunc based upon the new venue rule in medical professional liability actions, Pa. R.C.P. 1006(a.1). In overruling Defendant's Preliminary Objections, the Court determined the venue rule to be inapplicable. While the new venue rule places venue in medical malpractice actions in the county where the "transaction or occurrence" arose, there is no such county in the Commonwealth of Pennsylvania. The Court further determined that rules regarding venue are subsidiary to jurisdiction. There is no question that Pennsylvania has jurisdiction over the subject matter and the parties in this case and, as such, the Court had no authority to dismiss Plaintiffs' Complaint in Northampton County under the new venue rule.

In the Court of Common Pleas of Northampton County, Pennsylvania, Civil Division—Law, No. C0048CV2002001402.

Order of Court entered overruling both Plaintiffs' and Defendant's Preliminary Objections.

CHARLES BRUNO, ESQUIRE, for Plaintiffs.

CANDY BARR HEIMBACH, ESQUIRE and CYNTHIA KOHN, ESQUIRE, for Defendant.

Order of Court entered June 30, 2003 by PANELLA, J.

*OPINION*

Before the Court are the Preliminary Objections, in the nature of a Motion to Dismiss for Lack of Venue, filed on behalf of Defendant, Alberto G. Estrada, M.D. to Plaintiffs' Third Amended Complaint. Additionally before the Court are Plaintiffs' Preliminary Objections filed thereto. Plaintiffs object to the timeliness of Defendant's Preliminary Objections.

*I. STATEMENT OF FACTS AND PROCEDURAL HISTORY*

Plaintiffs commenced the within professional negligence action by filing a Praecipe for Writ of Summons on or about March 6, 2002. Thereafter, a Complaint raising issues of negligence and lack of informed consent, was filed on July 22, 2002. In their Complaint, Plaintiffs allege injuries and damages to Patricia Searles as a result of a laparoscopic cholecystectomy procedure performed by the Defendant, Alberto G. Estrada, M.D. Plaintiffs allege her common bile duct was surgically clipped and/or stapled resulting in injuries more specifically stated in Paragraph 21 of the Third Amended Complaint.



Defendant filed Preliminary Objections to Plaintiffs' Complaint on August 12, 2002. Thereafter, on September 13, 2002, Plaintiffs filed an Amended Complaint which prompted the filing of another set of Preliminary Objections on September 27, 2002. Plaintiffs subsequently filed and served upon Defendant a Third Amended Complaint on December 2, 2002.

On December 23, 2002, the Defendant again filed Preliminary Objections, challenging Plaintiffs' claims for punitive damages. The parties entered into a Stipulation on or about February 20, 2003 whereby Plaintiffs agreed to withdraw their claim for punitive damages without prejudice. Then, on February 19, 2003, Defendant filed another set of Preliminary Objections in the Nature of a Motion to Dismiss for Improper Venue Nunc Pro Tunc. The Defendant's motion is premised upon an amendment to Pa. R.C.P. 1006 pertaining to venue in medical malpractice actions. Plaintiffs subsequently filed Preliminary Objections challenging the timeliness of the filing of Defendant's Preliminary Objection to dismiss for improper venue.

The matter was placed on the March 25, 2003 Argument List. After consideration of the motions, memoranda of law filed by counsel for both parties and oral arguments, this matter is now ready for disposition.

## II. DISCUSSION

Preliminary objections may be filed by any party to any pleading raising improper venue. *See* Pa. R.C.P. 1028(a)(1). Pa. R.C.P. 1006(e) provides that "improper venue shall be raised by preliminary objection and if not so raised shall be waived." In resolving a preliminary objection based on improper venue, we must determine "whether it is *permissible* to bring the action ..." in the county chosen by plaintiff. *See Purcell v. Bryn Mawr Hospital*, 379 Pa. Super. 626, 634, 550 A.2d 1320, 1324 (1988) (emphasis in original). If venue properly lies in another county, improper venue is not a grounds for dismissal. Rule 1006(e) of the Pennsylvania Rules of Civil Procedure provides that "[i]f a preliminary objection to venue is sustained and there is a county of proper venue within the State the action shall not be dismissed but shall be transferred to the appropriate court of that county."

Defendant contends that venue is improper in Northampton County and Plaintiffs' action must be dismissed, based upon a recent amendment by the Supreme Court to Pa. R.C.P. 1006. Plaintiffs, on the other hand, contend that Defendant has waived the right to object to venue in Northampton County, Pennsylvania, because his Preliminary Objections were untimely filed. We address Plaintiffs' contention first.

### A. *Timeliness of Defendant's Preliminary Objections Challenging Venue*

The Pennsylvania Rules of Civil Procedure, Rule 1026 provides that "every pleading subsequent to the complaint shall be filed within twenty

days after service of the preceding pleading ...” Pa. R.C.P. 1026(a). Plaintiffs filed their Third Amended Complaint on December 2, 2002. Defendant timely filed Preliminary Objections thereto on December 23, 2002, challenging Plaintiffs’ claims for punitive damages. As stated previously, those preliminary objections were resolved by way of a Stipulation between the parties. Subsequently, on February 19, 2003, approximately 79 days after the filing of the Third Amended Complaint, Defendant filed the instant preliminary objections. As a general rule, since Defendant’s preliminary objections were not timely filed, this Court would be mandated by the Rules of Civil Procedure to strike them. However, the amendment to Rule of Civil Procedure 1006, upon which Defendant’s preliminary objections are founded, was not entered until January 27, 2003. Plaintiffs submit, based upon the amendment, that Defendant was required to file his preliminary objections within twenty days of January 27, 2003, which he failed to do. Twenty days from January 27, 2003 would have been February 17, 2003, a holiday on which this Court was closed. Additionally, the following day, due to inclement weather, this Court was closed once again. Defendant filed his Preliminary Objections on February 19, 2003, the first day this Court was open for business after the passage of twenty days. Accordingly, Defendant’s preliminary objections challenging venue were timely filed.

Furthermore, the Amendatory Order of our Supreme Court, issued on March 5, 2003, dictates that “the provisions of Rule of Civil Procedure 1032 governing waiver of defenses and objections shall not apply to a challenge to venue made within ninety days of the date of this Amendatory Order.” Therefore, Defendant would have had ninety days from March 5, 2003 within which to object to venue in Northampton County, based upon the amendment to Pa. R.C.P. 1006.

### *B. Venue in Medical Professional Liability Actions*

On January 27, 2003, the Supreme Court of Pennsylvania adopted an amendment to Pa. R.C.P. 1006, with respect to medical professional liability actions. The new rule provides as follows:

#### Rule 1006. Venue. Change of Venue

(a.1) Except as otherwise provided by subdivision (c), a medical professional liability action may be brought against a health care provider for a medical professional liability claim only in a county in which the cause of action arose.

Thereafter, on March 5, 2003, the Supreme Court of Pennsylvania issued an Amendatory Order. The Amendatory Order provides as follows:

#### *AMENDATORY ORDER*

#### *PER CURIAM:*

*AND NOW*, this 5th day of March, 2003, Pennsylvania Rules of Civil Procedure 1006, 2130, 2156 and 2179, amended

by the Order of January 27, 2003, No. 381, Civil Procedural Rules Docket No. 5, shall apply to medical professional liability actions filed on or after January 1, 2002 and not to such actions filed prior to that date. The provisions of Rule of Civil Procedure 1032 governing waiver of defenses and objections shall not apply to a challenge to venue made within ninety days of the date of this Amendatory Order.

This Amendatory Order shall be processed in accordance with Pa. R.J.A. 103(b) and shall be effective immediately.

Justices Castille and Saylor would apply the amendments to the Pennsylvania Rules of Civil Procedure, as stated above, prospectively for all actions filed on or after the effective date of Act No. 127 of 2002.

PA ORDER 03-8. In the case *sub judice*, the Plaintiffs commenced their action against Defendant on March 6, 2002 by the filing of a Writ of Summons. Defendant contends that pursuant to the Amendatory Order issued by the Pennsylvania Supreme Court on March 5, 2003, Pa. R.C.P. 1006(a.1) applies because the action was filed on or after January 1, 2002. Plaintiffs challenge that interpretation contending that recent legislative amendments to the Pennsylvania Judicial Code state that the amendments pertaining to venue shall only apply to medical professional liability actions filed after the effective date of the amendments to the legislation.<sup>1</sup> As such, Plaintiffs contend that there is a substantial question as to when the amendment to Rule 1006 becomes effective.

A careful reading of Pa. R.C.P. 1006 (a.1) reveals that our Supreme Court cross-references Section 5101.1(c) of the Judicial Code, 42 Pa.C.S. §5101.1(c) for the definitions of “health care provider,” “medical professional liability action,” and “medical professional liability claim.” Section 5101.1(c) is further referenced in the *Explanatory Comment* following the amendments to Rule 1006.

*Explanatory Comment*

Act No. 127 of 2002 amended the Judicial Code by adding new Section 5101.1 providing for venue in medical professional liability actions. Section 5101.1(b) provides:

(b) General Rule—*notwithstanding any other provisions to the contrary, a medical professional liability action may be brought against a health care provider for a medical professional liability claim only in the county in which the cause of action arose.*

This provision has been incorporated into Rule of Civil Procedure 1006 governing venue as new subdivision (a.1). The

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<sup>1</sup> It appears that Plaintiffs’ argument is predicated upon Justices Castille and Saylor’s interpretation of the amendments to Rule 1006.

new subdivision uses the terminology of the legislation. ‘Medical professional liability action,’ ‘health care provider,’ and ‘medical professional liability claim’ are terms defined by Section 5101.1(c) of the Code.

Section 5101.1(c) states the following with respect to venue in medical professional liability actions

(b) *Declaration of policy.*—In accordance with section 514(a) of the act of March 20, 2002 (P.L. 154, No. 13), known as the Medical Care Availability and Reduction of Error (MCARE) Act, and as a matter of public policy, the General Assembly further declares the need to change the venue requirements for medical professional liability actions.

(c) *General rule.*—Notwithstanding any other provision to the contrary, a medical professional liability action may be brought against a health care provider for a medical professional liability claim only in the county in which the cause of action arose.

42 Pa. C.S.A. §5101.1(c). Act 2002-127, which became effective on about December 16, 2002 provides that “[t]he amendment or addition of 42 Pa.C.S. §5101.1 shall apply to all medical professional liability actions filed on or after the effective date of this section.” *Id.* Plaintiffs contend that since their action was filed on March 6, 2002, they are not subject to the amendment to Rule 1006 and 42 Pa. C.S.A. §5101.1(c). This involves an interpretation of the rules of construction.

This Court is faced with an Amendatory Order of the Supreme Court providing that the amendment to Rule 1006 applies to medical professional liability actions filed on or after January 1, 2002, and the legislative enactment in Act 2002-127 which is cross-referenced in Rule 1006. This Act provides that the amendment shall apply to all medical professional liability actions filed on or after the effective date of this section, which is December, 16, 2002.

We begin by noting that Pa. R.C.P. 133 provides that “all laws shall be suspended to the extent that they are inconsistent with the rules prescribed under the Constitution of 1968.” *See also*, Article V, Section 10(c) of the Constitution of 1968 and Section 1722 (a)(1) of the Judicial Code, 42 Pa.C.S. §1722(a)(1). Pursuant to the Pennsylvania Constitution, Article V, Section 10(a), the Supreme Court has the authority to promulgate rules governing venue pursuant to its exclusive dominion to establish rules of procedure. As such, our Supreme Court had the express authority to promulgate the amendment to Rule 1006. Utilizing its authority, our Supreme Court issued an Amendatory Order on March 5, 2003, ordering that its amendment to Rule 1006, applies to medical professional liability actions filed on or after January 1, 2002 and not to such actions filed prior to that date. While 42 Pa. C.S.A. §5101.1(c) is inconsistent with the rule promul-

gated by our Supreme Court with respect to the effective date, we are bound by our Supreme Court's rule and Amendatory Order.

Furthermore, the matter before the court is purely procedural. *McGinley v. Scott*, 401 Pa. 310, 164 A.2d 424 (1960) (venue, unlike jurisdiction, is a matter of procedure, and not substance, and is therefore within the competency of a procedural rule). It is well-settled in this Commonwealth that "legislation concerning purely procedural matters will be applied not only to litigation commenced after its passage, but also to litigation existing at the time of its passage. *Galant v. Commonwealth, Department of Environmental Resources*, 534 Pa. 17, 626 A.2d 496 (1993).

Accordingly, based upon our Supreme Court's Amendatory Order of March 5, 2003, since Plaintiffs' action was commenced on or after January 1, 2002, it is subject to the amendment to Pa. R.C.P. 1006. We must now examine whether venue is improper based upon Pa. R.C.P. 1006(a.1).

As previously stated, Defendant's Preliminary Objections are based upon the enactment of 42 Pa.C.S. §5101.1 and its corresponding amendment to Pa. R.C.P. 1006(a.1), with respect to medical professional liability actions. We begin by noting that, plaintiff's choice of forum should be afforded great weight and rarely disturbed. *Cheeseman v. Lethal Exterminator, Inc.*, 549 Pa. 200, 701 A.2d 156 (1997). In the instant matter, Plaintiffs have chosen the Court of Common Pleas of Northampton County as its forum. We will not divest Plaintiffs of their choice of forum absent lack of jurisdiction.<sup>2</sup>

Defendant's objections arise out of a venue rule. "Venue" is the right of a party to have an action brought and heard in a particular judicial district. *McGinley v. Scott*, supra. Venue, unlike jurisdiction, is a matter of procedure, and not substance, and is therefore within the competency of a procedural rule. *Id.* "Jurisdiction," on the other hand, is the legal right by which judges exercise their authority to have an action brought and heard in a particular judicial district and is related to convenience of the litigants. *Purcell v. Bryn Mawr Hospital*, 525 Pa. 237, 579 A.2d 1282 (1990). As stated by the Supreme Court:

Venue is the place in which a particular action is to be brought and determined; it is a matter for the convenience of the litigants. Jurisdiction refers to the competency of a court to determine controversies of the general class to which the case belongs and to bind the parties by its decision.

*Id.* at 241 n.1, 579 A.2d at 1283 n.1.

It is clear that this Court has jurisdiction over the parties and this matter. Standard Pennsylvania Practice 2d §§2:76 & 2:78. Both the Plain-

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<sup>2</sup> Dismissal of Plaintiffs' action in Pennsylvania will not prejudice the Plaintiffs. At oral argument, the Court was informed that Plaintiffs, on July 25, 2002, filed an action in New Jersey, docketed at L-392-02, against Alberto G. Estrada, M.D.

tiffs and the Defendant are residents of the Commonwealth of Pennsylvania. Specifically, Plaintiffs, Patricia A. Searles and Wayne Searles, reside at 714 Ludlow Street, Easton, Northampton County, Pennsylvania, Complaint, ¶1, and Defendant, Alberto G. Estrada, M.D. resides at 4280 Farmersville Court, Easton, Northampton County, Pennsylvania. Complaint, ¶2. In addition, at all times material hereto, the Defendant was a licensed and practicing physician of the Commonwealth of Pennsylvania, holding himself out as a specialist in laparoscopic surgery. Complaint, ¶3.

While the new venue rule places venue in medical malpractice actions in the county where the “transaction or occurrence” arose, there is no such county in the Commonwealth of Pennsylvania. All treatment was rendered by Defendant at Warren Hospital, in the State of New Jersey. The venue rule, Rule 1006(a.1), does not provide for the dismissal of a claim as a remedy for lack of venue. It simply provides for transfer to another county within the Commonwealth of Pennsylvania. Rules regarding venue are subsidiary to jurisdiction. *Barr v. Pennsylvania Department of State*, 803 A.2d 243, 247 (Pa. Commw. 2002). Venue and jurisdiction are distinguishable; venue relates to the location where judicial authority *may* be exercised, but more importantly, jurisdiction is the power to adjudicate. *Id.*

Once jurisdiction of a court attaches, it exists until the case is fully and completely decided. Standard Pennsylvania Practice 2d §2:79. There is no question that Pennsylvania has jurisdiction over the subject matter and the parties in this case. We have no authority to dismiss Plaintiffs’ Complaint in Northampton County, Pennsylvania under this venue rule.

WHEREFORE, we enter the following:

#### ORDER

AND NOW, this 30th day of June 2003, upon consideration of the Preliminary Objections of Defendant, Alberto G. Estrada, M.D., in the Nature of a Motion to Dismiss for Improper Venue Nunc Pro Tunc and Plaintiffs’ response thereto, it is hereby ORDERED and DECREED that said Preliminary Objections are OVERRULED. Further, it is hereby ORDERED and DECREED that Plaintiffs’ Preliminary Objections in the Form of a Motion to Strike Defendant’s Preliminary Objections challenging venue for untimeliness are OVERRULED.

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**APRIL 2004 COURT CALENDAR**

<b>MON</b>	<b>TUE</b>	<b>WED</b>	<b>THU</b>	<b>FRI</b>
			1 Juvenile ARD/ Summaries Non-Jury	2 Misc. Hearings
5 Juvenile Status	6 Argument	7 Misc. Hearings	8 Juvenile Arraignment	9 Good Friday
12 Juvenile Criminal	13 Criminal	14 Criminal	15 Juvenile Criminal	16 Misc. Hearings
19 Juvenile Status	20 Civil Pretrials	21 DRS/Asb. Ct. Civil Call	22 Juvenile DRS	23 Misc. Hearings
26 Juvenile Civil	27 Civil	28 Civil	29 Juvenile Arraignment Civil	30 O.C. Audit Misc. Hearings