

# Northampton County Reporter

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EASTON, PA May 13, 2004

NO. 72

Northampton County Reporter Digest—2004-5

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4) "Estate Planning—Practical Tips for the New and Non-Practitioner"			

### NOTICE TO THE BAR

#### **Non-Jury Trial List—June 14, 2004**

—Kindly be advised the Northampton County Court's Non-Jury List scheduled for June 14, 2004 has been **CLOSED**.

—The Non-Jury Trial weeks of July 19, 2004 and August 16, 2004 remain open if you have additional cases you would like to list for this purpose.

#### **CUSTODY LISTS NOW AVAILABLE ON-LINE**

Please be advised that the custody lists are now available on the Court's Website at [www.nccpa.org](http://www.nccpa.org) under the calendar and schedules section. You are no longer required to enter a keyword to access this list.

If you have any questions at all, please call the Court Administrator's Office at (610) 559-6700.

**NORTHAMPTON COUNTY BAR ASSOCIATION  
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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***

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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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Robert C. Brown, Jr., Esquire

Editor

### **NOTICES TO NCBA MEMBERS—BAR NEWS**

☞ **PLEASE NOTE:** The NCBA Office will be closed on Monday, May 31, 2004 in observance of Memorial Day.

☞ **PLEASE NOTE:** Included in this issue is a notice regarding Criminal Court that will enable trial counsel to become familiar with the new criminal court procedures.

☞ **See front page for “NON-JURY TRIAL LIST” & “CUSTODY LIST” Information.**

☞ **LAST CALL FOR ANY ADDRESS CHANGES AND PICTURES TO BE SUBMITTED BEFORE THE 2004 DIRECTORY GOES TO THE PRINTERS!**

☞ **INCLUDED IN THIS ISSUE** is a list of decisions regarding appeals from the courts of common pleas that the Commonwealth Court has addressed.

☞ **INCLUDED IN THIS ISSUE** is the announcements and registration forms for the following events:

(1) May 20<sup>th</sup>—“*Understanding Disability Law*”

(2) May 26<sup>th</sup>—“Quarterly Association Meeting & Malpractice Avoidance Seminar”

(3) June 10<sup>th</sup>—“Estate Planning—Practical Tips for the New and Non-Practitioner”

(4) Updated list of PBI/CLE Seminars

#### **COMING EVENTS & MEETINGS:**

May 18<sup>th</sup>—Law Library Committee Mtg. & Lunch—NOON @ NCBA

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

May 26<sup>th</sup>—Quarterly Association Meeting—NOON—Holiday Inn

May 27<sup>th</sup>—Bench/Bar Committee Mtg. & Lunch—NOON @ NCBA

June 1<sup>st</sup>—Naturalization Court—Courtroom No. 1—1:30 p.m.

June 2<sup>nd</sup>—Board of Governors Mtg.—5:30 p.m.—The Café

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

July 7<sup>th</sup>—Lunch/Lecture “Getting Paid”

July 22<sup>nd</sup>—Summer Outing “Louise Moore Park”

☞ **PBI/CLE SEMINAR @ NCBA—“Funding the Marital Trust”** scheduled for **Thursday, June 3, 2004** from 9:30 a.m. to 1:00 p.m. with 3 Substantive CLE Credits. 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:**

[May 19<sup>th</sup>—“Workers’ Comp: Important Issues from the Judges’ Perspective”]

[May 25<sup>th</sup>—“Computerized Civil Docket Access”] 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****BOROVIES, JOHN L.,** dec'd.

Late of Lower Saucon Township, Northampton County, PA

Executor: John F. Borovies c/o Bradford D. Wagner, Esquire, 662 Main Street, Hellertown, PA 18055-1726

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

**DONNELLY, WILLIAM L.,** dec'd.

Late of the Township of Forks, Northampton County, PA

Executrix: Carol J. Donnelly c/o Joel M. Scheer, Esquire, Fishbone & Scheer, 6 South Third Street, Suite 502, P.O. Box 1099, Easton, PA 18044-1099

Attorneys: Joel M. Scheer, Esquire, Fishbone & Scheer, 6 South Third Street, Suite 502, P.O. Box 1099, Easton, PA 18044-1099

**DORCSIS, MARGARET E.,** dec'd.

Late of the City of Easton, Northampton County, PA

Administrator: James K. Zahoroiko, R.R. 7, Box 7302, Saylorsburg, PA 18353

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

**HARMAN, JOHN R., SR.,** dec'd.

Late of the City of Easton, Northampton County, PA

Co-Administrators: John R. Harman, Jr., 325 W. West Street, Wind Gap, PA 18091 and Jacqueline Maltese, 722 Washington Street, Easton, PA 18042

Attorneys: Robert A. Nitchkey, Jr., Esquire, Hemstreet, Nitchkey & Freidl, 730 Washington Street, Easton, PA 18042

**IMLER, KATHRYN D.,** dec'd.

Late of Lehigh Township, Northampton County, PA

Executor: David D. Imler a/k/a David H. Imler c/o Dean C. Berg, Esquire, G.M. Berg Law Offices, P.O. Box 10, Northampton, PA 18067

Attorneys: Dean C. Berg, Esquire, G.M. Berg Law Offices, P.O. Box 10, Northampton, PA 18067

**PONOSKI, MARIE E.,** dec'd.

Late of Bethlehem, Northampton County, PA

Executor: Daniel S. Ponoski c/o Thomas J. Maloney, Esquire, Maloney, Danyi & Sletvold, 901 West Lehigh Street, P.O. Box 1279, Bethlehem, PA 18016-1279

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

**SILFIES, FORREST T.,** dec'd.

Late of Moore Township, Northampton County, PA

Executrix: Lucy C. Silfies c/o Tallman, Hudders & Sorrentino, P.C., The Paragon Centre, 1611 Pond Road, Suite 300, Allentown, PA 18104-2256

Attorneys: Tallman, Hudders & Sorrentino, P.C., The Paragon Centre, 1611 Pond Road, Suite 300, Allentown, PA 18104-2256

**STAUFFER, PAUL S.,** dec'd.

Late of Lower Mt. Bethel Township, Northampton County, PA

Executor: Larry Stauffer c/o David J. Ceraul, Esquire, 22 Market Street, P.O. Box 19, Bangor, PA 18013-0019

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

**TODARO, MARIAN E.,** dec'd.

Late of Bethlehem, Northampton County, PA

Executor: Michael Capobianco c/o Timothy J. Duckworth, Esquire, Mosebach, Funt, Dayton & Duckworth, P.C., P.O. Box 20770, Lehigh Valley, PA 18002-0770

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

**WERNER, MARK H.,** dec'd.

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

Executor: Russell E. Silfies, 2201 Seemsville Road, Northampton, PA 18067

Attorney: Daniel G. Spengler, Esquire, 110 East Main Street, Bath, PA 18014

**WILDE, THOMAS L.,** dec'd.

Late of 2737 Valley View Drive, Bath, Northampton County, PA

Executor: William J. Wilde, 576 Hilldale Drive, Bath, PA 18014

Attorneys: Lee A. Conrad, Esquire, Thomas, Conrad and Conrad, 515 West Linden Street, First Floor, Allentown, PA 18101

**SECOND PUBLICATION**

**BREINER, AGNES E. a/k/a**

**EILEEN BREINER,** dec'd.

Late of the City of Easton, Northampton County, PA

Executrix: Dorothy Louise Shaw c/o Joel M. Scheer, Fishbone & Scheer, 6 South Third Street, Suite 502, P.O. Box 1099, Easton, PA 18044-1099

Attorneys: Joel M. Scheer, Fishbone & Scheer, 6 South Third Street, Suite 502, P.O. Box 1099, Easton, PA 18044-1099

**BRUGGER, VINCENT F.,** dec'd.

Late of the City of Bethlehem, Northampton County, PA

Co-Executors: Marlene M. Brugger Walker and Vincent F. Brugger, II c/o Ellen M. Kraft, Esquire, 915 West Broad Street, Bethlehem, PA 18018  
Attorney: Ellen M. Kraft, Esquire, 915 West Broad Street, Bethlehem, PA 18018

**DEATER, HERBERT E. a/k/a**

**HERBERT DEATER,** dec'd.

Late of the Township of Hanover, Northampton County, PA  
Executor: Phillip Deater, 4522 Greenfield Road, Bethlehem, PA 18017

Attorney: Christopher T. Spadoni, Esquire, 1216 Linden Street, P.O. Box 1409, Bethlehem, PA 18016

**FELVER, HELEN M.**, dec'd.

Late of Northampton County, PA

Executrix: Carolyn F. Conners c/o William K. Murphy, Esquire, Herster, Newton & Murphy, 127 N. 4th St., P.O. Box 1087, Easton, PA 18044-1087

Attorneys: William K. Murphy, Esquire, Herster, Newton & Murphy, 127 N. 4th St., P.O. Box 1087, Easton, PA 18044-1087

**GACKENBACH, MYRTLE a/k/a MYRTLE H. GACKENBACH**, dec'd.

Late of Northampton, Northampton County, PA

Co-Executors: William H. Jones, 8641 Beatrice Lane, Bath, PA 18014 and Lois Navarre, 1402 N. 22nd Street, Allentown, PA 18104

Attorneys: Edward H. Butz, Esquire, Blank Rome LLP, 1620 Pond Road, Suite 200, Allentown, PA 18104

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

Late of the Borough of Nazareth, Northampton County, PA

Co-Executrices: Josephine D. Steltzman, 237 East Walnut Street, Nazareth, PA 18064 and Rosemarie Calabrese, 235 East Walnut Street, Nazareth, PA 18064

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

**KEBLESH, NELLIE S.**, dec'd.

Late of Bethlehem, Northampton County, PA

Executrix: Antoinette Koperna c/o William J. Fries, Esquire, Gross, McGinley, LaBarre & Eaton, LLP, P.O. Box 4060, Allentown, PA 18105-4060

Attorneys: William J. Fries, Esquire, Gross, McGinley, LaBarre & Eaton, LLP, P.O. Box 4060, Allentown, PA 18105-4060

**KESSLER, STANLEY L.**, dec'd.

Late of the Borough of Stockertown, Northampton County, PA

Co-Executors: Gregory Rotzell, 2 E. Hillcrest Ave., Haverstown, PA 19083, Loreen W. Stout, 5413 Carriage Path Dr., Schneeksville, PA 18078 and Kenneth Rothrock, 5646 Kesslersville Rd., Nazareth, PA 18064

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

**MACHTLEY, MARY L.**, dec'd.

Late of Easton, Northampton County, PA

Executrix: Margaret A. Gibboney c/o Allen E. Gibboney, Esquire, Gibboney and Gibboney, 701 N. Second Street, Juniata, Altoona, PA 16601  
Attorney: Allen E. Gibboney, Esquire, Gibboney and Gibboney, 701 N. Second Street, Juniata, Altoona, PA 16601

**McGOVERN, JOHN F.**, dec'd.

Late of the Township of Moore, Northampton County, PA

Executor: John Barlip, 248 Monocacy Drive, Bath, PA 18014

Attorney: Daniel G. Spengler, Esquire, 110 East Main Street, Bath, PA 18014

**SAVITSKE, FLORENCE A.,** dec'd.

Late of the Borough of Hellertown, Northampton County, PA

Co-Executors: Gerald J. Savitske, Jean M. Csencsits and John J. Savitske c/o Bradford D. Wagner, Esquire, 662 Main Street, Hellertown, PA 18055-1726

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

**THOMPSON, RICHARD G.,** dec'd.

Late of Forks Township, Northampton County, PA

Executor: Kurt R. Thompson, 8108 Little Ridge Lane, Fairfax Station, VA 22039

**TROUTMAN, ROSE M.,** dec'd.

Late of the City of Bethlehem, Northampton County, PA

Executor: Charles R. Troutman, Jr. c/o Littner, Deschler & Littner, 512 N. New Street, P.O. Box 1407, Bethlehem, PA 18016-1407

Attorneys: Littner, Deschler & Littner, 512 N. New Street, P.O. Box 1407, Bethlehem, PA 18016-1407

**WESSNER, ANNA F.,** dec'd.

Late of the Township of Bethlehem, Northampton County, PA

Executor: Wilfred R. Wessner, 118 East Lawn Road, Nazareth, PA 18064

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

**WYNN, DAVID W.,** dec'd.

Late of Bethlehem, Northampton County, PA

Executrix: Kimberly Hamm c/o Richard H. Pepper, Esquire, 670 Wolf Avenue, Easton, PA 18042

Attorney: Richard H. Pepper, Esquire, 670 Wolf Avenue, Easton, PA 18042

**THIRD PUBLICATION**

**ASPER, ADA V.,** dec'd.

Late of the Borough of Wilson, Northampton County, PA

Co-Executors: Judith Asper Wertz, 600 McCartney Street, Easton, PA 18042 or Keene Jabbour, 701 Washington Street, Easton, PA 18042

Attorney: Keene Jabbour, Attorney-at-Law, 701 Washington Street, Easton, PA 18042

**BERNATH, HELEN M.,** dec'd.

Late of the Borough of Chapman's Quarry, Northampton County, PA

Executrix: Gizella H. Kocher, 2580 7th Street, Bath, PA 18014

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

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

Late of the Borough of Northampton, Northampton County, PA

Executrix: Diane M. Snell c/o G.M. Berg Law Offices, P.O. Box 10, Northampton, PA 18067

Attorneys: Dean C. Berg, Esquire, G.M. Berg Law Offices, P.O. Box 10, Northampton, PA 18067

**HENDERSHOT, FLORENCE J.,** dec'd.

Late of the Township of Bushkill, Northampton County, PA

Executor: David R. Hender-shot c/o Anthony S. Blasco, Esquire, 5201 William Penn Highway, Easton, PA 18045  
 Attorney: Anthony S. Blasco, Esquire, 5201 William Penn Highway, Easton, PA 18045

**HUTCHISON, DORIS T.**, dec'd.

Late of the Borough of Nazareth, Northampton County, PA  
 Executor: Lester R. Trach, Sr. c/o Karl H. Kline, Esquire, Karl Kline, P.C., 2925 William Penn Highway, Suite 301, Easton, PA 18045-5283

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

**JOHNSON, ANNE**, dec'd.

Late of Hellertown, Northampton County, PA  
 Executrix: Judith A. Neyhart c/o Noonan & Prokup, 526 Walnut St., Allentown, PA 18101

Attorneys: Noonan & Prokup, 526 Walnut St., Allentown, PA 18101

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

Late of the Borough of Nazareth, Northampton County, PA  
 Executor: Harold W. Keller, 123 Convent Avenue, Nazareth, PA 18064

Attorneys: Alfred S. Pierce, Esquire, I.D. No. 21445, Pierce & Dally, LLP, 124 Belvidere Street, Nazareth, PA 18064

**LACKO, FRANCES A.**, dec'd.

Late of the Township of Lehigh, Northampton County, PA

Executor: Thomas J. Lacko, 4225 Wood Drive, Walnutport, PA 18088

Attorneys: Steven R. Serfass, Esquire, Serfass & Cheng Law Offices, P.C., 232 Delaware Avenue, P.O. Box 195, Palmerton, PA 18071

**LIPKIN, ELEANOR K.**, dec'd.

Late of the City of Bethlehem, Northampton County, PA  
 Executor: Cecil D. Lipkin c/o 8 Centre Square, Easton, PA 18042

Attorneys: Daniel E. Cohen, Attorney, Laub, Seidel, Cohen, Hof & Reid, L.L.C., 8 Centre Square, Easton, PA 18042

**LOCKARD, EARL S.**, dec'd.

Late of the Township of Plainfield, Northampton County, PA  
 Co-Executrices: Brenda Becker and Joan Krasnansky 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

**MUMBAUER, PAUL J., JR.**, dec'd.

Late of the City of Bethlehem, Northampton County, PA  
 Executor: Ardith M. Keck c/o Kolb, Vasiliadis and Florenz, 74 West Broad Street, Ste. 170, Bethlehem, PA 18018-5738

Attorneys: Jacob S. Kolb, Esquire, Kolb, Vasiliadis and Florenz, 74 West Broad Street, Ste. 170, Bethlehem, PA 18018-5738

**PACKARD, MELVIN L.**, dec'd.

Late of the City of Bethlehem, Northampton County, PA  
 Executors: Leroy A. Packard, Summit Bank a/k/a Fleet



Bank c/o William P. Leeson, Esquire, Leeson, Leeson & Leeson, 70 E. Broad Street, P.O. Box 1426, Bethlehem, PA 18016-1426

Attorneys: William P. Leeson, Esquire, Leeson, Leeson & Leeson, 70 E. Broad Street, P.O. Box 1426, Bethlehem, PA 18016-1426

**SCANLON, ALICE D.,** dec'd.

Late of the City of Bethlehem, Northampton County, PA  
Executor: Donna M. Hlavinka c/o John J. Bartos, Esquire, 3976 Township Line Road, Bethlehem, PA 18020

Attorney: John J. Bartos, Esquire, 3976 Township Line Road, Bethlehem, PA 18020

**WILLIAMS, ROGER L.,** dec'd.

Late of Palmer Township, Northampton County, PA  
Executrix: Jean S. Williams c/o Jerry A. Snyder, Esquire, 7731 Main Street, Fogelsville, PA 18051

Attorney: Jerry A. Snyder, Esquire, 7731 Main Street, Fogelsville, PA 18051

**NOTICES OF INCORPORATION**

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, Act of December 21, 1988 (P.L. 1444, No. 177), by the following corporation:

The name of the corporation is:

**PAINT/WALLPAPER EXPRESS, INC.**

The Articles of Incorporation were filed on February 18, 2004.

THOMAS L. LIGHTNER,  
ESQUIRE

LIGHTNER LAW OFFICES, P.C.  
4654 Hamilton Boulevard  
Allentown, PA 18103-6021  
(610) 530-9300

May 13

NOTICE IS HEREBY GIVEN that Articles of Incorporation have been filed with the Department of State of the Commonwealth of Pennsylvania, Harrisburg, Pennsylvania on April 8, 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:

**RAMSEY SPECIAL TOUCH PAINTING, INC.**

Barbara L. Baldo, Esquire  
Barbara L. Baldo, P.C.  
742 North Main Street  
Bethlehem, PA 18018

May 13

The name of the corporation is:  
**SOUTHMOORE MASONRY, INC.**

C. Collins Brown, Esquire  
Brown, Brown, Solt & Ferretti  
1425 Hamilton Street  
Allentown, PA 18102

May 13

**CERTIFICATE OF AUTHORITY**

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA on April 20, 2004 by **Dugan Building Company, Inc.**, a foreign corporation, formed under the laws of the State of Michigan, where its principal office is located at 1039 S. Cass Lake Road, Water-

ford, MI 48328, for a Certificate of Authority to do business in Pennsylvania under the provisions of the Pennsylvania Business Corporation Law of 1988.

The registered office in Pennsylvania shall be deemed for venue and official publication purposes to be located in Northampton County.

May 13

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

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

ESTATE; Accountant

GRETA W. ARMSTRONG; Keystone Nazareth Bank and Trust Company (formerly Nazareth National Bank and Trust Company), Executor

HELEN A. DICKEY; John F. Ziegler, Executor

ANGELINA LIPARI a/k/a ANGELINA S. LIPARI; Wachovia Bank, N.A., Successor by Merger to Fidelity Bank, N.A., Executor

ANGELINA LIPARI, TRUST; Wachovia Bank, N.A., formerly First Union National Bank, Successor by Mergers to First Fidelity Bank, N.A. and Easton National Bank and Trust Company, Trustee

ARLENE C. LOWE; Constance M. Newell, Executrix

NELLIE RACHEL REDUZZI a/k/a NELLIE R. REDUZZI; Carl C. Reduzzi, Executor

**AUDIT NOTICE**

All Parties interested are notified that an audit list will be made up of all Accounts and the said list will be called for audit at the Northampton County Government Center, Easton,

PA on: FRIDAY, MAY 28, 2004 AT 9:00 A.M. IN COURTROOM #1.

Dorothy L. Cole  
Clerk of Orphans' Court  
May 6, 13

**LEGAL SECRETARY**

Full-time experienced legal secretary for Bethlehem Law Office. Salary commensurate with experience. Please send resume to P.O. Box 1096, Bethlehem, PA 18016-1096.

May 13, 20

**LEGAL SECRETARY**

Part-time leading to full-time or full-time, hours flexible. Responsibilities include: legal correspondence, filing, data entry, answering telephones, scheduling. Must be organized, self motivated, detail oriented, and reliable. Send resume to Secretary, P.O. Box 1151, Easton, PA 18044-1151.

Apr. 1, 8, 15, 22, 29;

May 6, 13, 20

**P/T ATTORNEY NEEDED**

In a busy general practice Carbon County law firm. Good research and writing skills necessary. Experience in domestic work a plus. Please fax resume to (610) 826-8082.

May 6, 13

**ASSOCIATE ATTORNEY(S)**

Mosebach, Funt, Dayton & Duckworth, P.C., with offices in Bethlehem and Allentown, is interviewing for one or more associate attorneys to concentrate in the area(s) of family law and/or commercial litigation and/or employment law. Excellent professional opportunities. Reply to: Harold J. Funt, Esquire, Post Office Box 20770, Lehigh Valley, PA 18002-0770.

May 6, 13

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

MARYANN D'AMELIO AND JOHN  
D'AMELIO, JR.

Plaintiffs,

vs.

DAVID JIGAURI

Defendant.

**No. C0048CV2002008487**

**IMPORTANT NOTICE**

You are in default because you have failed to enter a written appearance personally or by an attorney and file in writing with the court your defenses or objections to the claims set forth against you. Unless you act within ten (10) days from the date of this notice, a judgment may be entered against you without a hearing or additional notice pursuant to the May 4, 2004 Order of President Judge Freedberg of the Northampton County Court of Com-

mon Pleas and you may lose your property or other important rights. YOU SHOULD TAKE THIS NOTICE TO A LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE FOLLOWING OFFICE TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

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

STEPHEN W. ZAKOS, ESQUIRE

I.D. No. 79164

SWARTZ CAMPBELL LLC

Attorneys for Plaintiffs

MaryAnn D'Amelio and

John D'Amelio

5100 Tilghman Street  
Suite 230  
Allentown, PA 18104

May 13

**RE: CRIMINAL COURT CALENDAR**

During the Call of the Criminal List, defendants and/or their counsel will be asked if their case is a “Guilty Plea” or “Trial.”

If the case is called as a “Guilty Plea” it is expected the Guilty Plea will be tendered on the day of the Criminal Call. If the Guilty Plea is not completed the day it is called, the defendant and counsel must return to Criminal Court the following day to enter the plea. Failure to return to court the following day to enter the Guilty Plea will require a Bench Warrant to be issued for the defendant’s arrest. If the Court grants special permission to enter the Plea during a different day of the same criminal week, the plea must occur prior to the expiration of the criminal week or a Bench Warrant will be issued for the defendant’s arrest.

Those cases called as “Trial” and are unable to be reached during the criminal term will require defendants and counsel to obtain a new trial date from the Administrative Judge during the criminal term the “Trial” was called. Failure to attain a new trial date through signed acknowledgement will necessitate a Bench Warrant being issued for the defendant.

Cases either called as a “continuance” or “application” will require compelling reasons for the request. Counsel and the defendant are to remain after the Criminal Call to set forth the reasons for the request and then have a new trial date established if the request is granted by the Court.

For all continuances granted at the request of the defendant, a Rule 600 Waiver must be submitted establishing a new trial date. Failure to submit a Rule 600 Waiver or obtain a continuance through the Court, will result in the issuance of a Bench Warrant for the defendant’s arrest.

Apr. 29; May 6, 13

# Notice to the Bar from the Commonwealth Court of Pennsylvania

From time to time, the Commonwealth Court of Pennsylvania publishes a list of decisions regarding appeals from the courts of common pleas that the Commonwealth Court has addressed in unpublished memorandum opinions. This practice, which begins with decisions filed on or after Dec. 1, 1988, permits more complete research of the disposition of appeals from common pleas courts. Such a list appears below for decisions filed between April 1, 2004, and April 30, 2004.

Copies of unreported memorandum opinions can be found on the Pennsylvania Unified Judicial System's Web site at [www.courts.state.pa.us](http://www.courts.state.pa.us). These unreported memorandum opinions reside on the Web site for a three-month period from the date of filing. Thereafter, a copy of the unreported memorandum opinion may be obtained by writing to the chief clerk's office of the Commonwealth Court, 6th Floor, Irvis Office Building, Harrisburg, Pa. 17120 at a cost of \$1 per page. These unreported memorandum opinions of the court shall not be cited in any brief, argument or opinion, except that any opinion filed in the same case may be cited as representing the law of that case. 210 Pa. Code §67.55.

<b>Caption</b>	<b>Docket number</b>	<b>Date</b>	<b>Trial court/Docket number</b>	<b>Disposition</b>
Comm. of PA, Dept. of Trans., Bureau of Driver Lic. v. Stanley J. Bruzgulis	558 CD 03	04-01-04	Luzerne County 8401-C of 2002	Vacated and Remanded
Doyletown Township v. Doyletown Township Zoning Hearing Board et al.	561 CD 03 606 CD 03	04-07-04	Bucks County 01-04666-14-5 2001-05224-16-5	Affirmed, Vacated and Remanded
Terrance Davidson v. Joseph E. Desuta et al.	2264 CD 03	04-07-04	Mercer County 2003-901	Affirmed
Carroll Township Authority et al. v. Municipal Authority of the City of Monongahela et al.	1339 CD 03	04-12-04	Washington County GD 2002-3090	Affirmed
Oil City Board of Revision of Taxes and Appeals v. Pennsylvania Electric Company	1645 CD 03	04-13-04	Venango County Civ. Nos. 7, 115 and 711 of 2000	Affirmed
RTM, Inc. and Masclan Inc. v. Board of Supervisors of Brecknock Township, Berks County, Pennsylvania and Robert M. Gehman, Glenn B. Gockley et al.	1466 CD 03 1467 CD 03 1468 CD 03 1469 CD 03 1568 CD 03 1569 CD 03 1570 CD 03 1571 CD 03	04-14-04	Berks County 01-06235 01-02311 01-05092 01-5082	Affirmed

City of Philadelphia v. Robert James	2126 CD 03	04-14-04	Philadelphia County 4989 Oct. Term 2001	Reversed
Kathleen A. Healy et al. v. North Strabane Township	1987 CD 03	04-14-04	Washington County 2002-6031	Reversed
Susan Bengel v. Comm. of PA	2657 CD 03	04-14-04	Westmoreland County 1834 C 2003	Affirmed
Jan Ondra v. Comm. of PA	1830 CD 03	04-14-04	Westmoreland County 4442-2002	Affirmed
Shirley J. Hollamon et al. v. The City of Erie	1245 CD 03	04-16-04	Erie County	Affirmed
Cain Nether Company, L.P. v. Chae Teok Goh et al.	1246 CD 03	04-16-04	Chester County 02-01249	12326-2000 Affirmed
Merloc Partners Inc. v. Narberth Borough et al.	1558 CD 03	04-16-04	Montgomery County Affirmed	Reversed and Affirmed
Township of Bristol v. Wawa, Inc.	1867 CD 03	04-16-04	Bucks County 2002-06014-27-5	Reversed
Commonwealth ex rel. John Richard Jae v. William S. Stickman, Supt., SCI-Pittsburgh et al.	1938 CD 03	2002-07918	Allegheeny County Misc. 676 Aug. 2003	Quashed
Larry S. Bohner v. Comm. of PA et al.	2020 CD 03	04-16-04	Northumberland County Misc. 00-65	Affirmed
Nelson L. Rohrer et al. v. Township of Manheim	2400 CD 03	04-20-04	Lancaster County CI-01-10399	Affirmed
Comm. of PA, Dept. of Trans., Bureau of Driver Lic. v. James Hanbury	2430 CD 03	04-20-04	Allegheeny County SA 337 of 2003	Reversed
Comm. of PA, Dept. of Trans. v. Regina Richardson et al.	2315 CD 03	04-20-04	Philadelphia County Sept. 2002, 01211	Reversed and Remanded
Comm. of PA, Dept. of Trans., Bureau of Driver Lic. v. Kathleen Smalley-Freundt	1716 CD 03	04-21-04	Monroe County 4270-Civil-2003	Vacated and Remanded
Comm. of PA, Dept. of Trans., Bureau of Driver Lic. v. Ryan S. Luzik	2027 CD 03	04-21-04	Allegheeny County SA 1343 of 2002	Affirmed
Stephen and Linda Sauerzopf v. Zoning Hearing Board of Bushkill Township et al.	1011 CD 03	04-21-04	Northampton County C00482002008114	Affirmed
	1012 CD 03			
	1911 CD 03	04-22-04		

Robert Taylor et al. v. PPL Martins Creek, L.L.C. et al.	2281 CD 03	04-22-04	Northampton County C-48-CV-2001-2703	Affirmed
Abraham Atiyeh v. The Zoning Hearing Board of the Township of Whitehall et al.	2502 CD 03	04-22-04	Lehigh County 2003-C-0089	Affirmed
Joseph L. Messa Jr. v. Whitemarsh Township Zoning Hearing Board	157 CD 03 1458 CD 03 1459 CD 03 2710 CD 03	04-22-04	Montgomery County 01-24938	Affirmed
Charles M. Simms Jr. v. Comm. of PA, Dept. of Trans., Bureau of Driver Lic.	501 CD 03	04-22-04	Lancaster County CI-03-05011	Affirmed
Franco Moscatiello v. South Hills Area Council of Governments and Borough of Whitehall	2576 CD 03	04-23-04	Allegheny County GD-02-024210	Affirmed
Jeri Myers v. West Bradford Fire Company	179 CD 03	04-26-04	Chester County 02-06992	Reversed and Remanded
Nicholas Albert Pracht v. Comm. of PA	1917 CD 03	04-28-04	Cumberland County 98-06991	Affirmed
Mark Yurcho et al. v. Hazleton Area School District et al.	2307 CD 02	04-29-04	Luzerne County 68-E of 2002	Quashed
Comm. of PA, Dept. of Trans., Bureau of Driver Lic. v. Thomas M. Fedor			Luzerne County 4084-C of 2002	Reversed

May 13

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**NORTHAMPTON COUNTY REPORTER DIGEST—2004-5**  
RECENT DECISIONS OF THE COURTS OF COMMON PLEAS  
OF NORTHAMPTON COUNTY

**COMMONWEALTH OF PENNSYLVANIA v.**  
**CHARLES WILLIAM UNANGST**

*Motion To Dismiss—Receiving Stolen Property*

In the Court of Common Pleas of Northampton County, Pennsylvania, Criminal Division, No. 3756-2003.

Order of Court entered granting Defendant's motion to dismiss charges of receiving stolen property.

Bruce Thomas, Esquire for the Commonwealth.

Mark S. Refowich, Esquire for Defendant.

Order of Court entered February 17, 2004 by the Honorable F.P. Kimberly McFadden.

**DESCRIPTION OF DECISION**

Defendant filed a Motion to Dismiss the charge of receiving stolen property. Following a review of the evidence, the Court found that there was insufficient evidence to show that the Defendant knew or should have known the vehicle was stolen. Further, the Court noted that mere possession of stolen property is not enough to prove a person guilty of receiving stolen property. The Court found that the Commonwealth presented no other evidence that demonstrated the Defendant's knowledge. Therefore, the Court granted the motion to dismiss the charges.

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**CARMELO LISINICCHIA AND MARYANN LISINICCHIA,**  
**ADMINISTRATORS OF THE ESTATE OF CARMELO LISINICCHIA, III**  
**v. DENNIS MAMMANA**

*Preliminary Objections—Loss of Consortium—Deceased Child—Comfort, Aid, Society—Wrongful Death—Survival Action*

In the Court of Common Pleas of Northampton County, Pennsylvania, Civil Law Division, No. C0048CV2003001029.

Order of Court entered granting in part and denying in part Defendant's Preliminary Objections.

Edward P. Shaughnessy, Esquire for Plaintiff.

G. Christopher Parrish, Esquire for Defendant.

Order of Court entered on February 17, 2004 by the Honorable F.P. Kimberly McFadden.

**DESCRIPTION OF DECISION**

Defendant filed Preliminary Objections arguing that paragraphs 12 and 13 of the Plaintiffs' Complaint must be stricken because Pennsylvania law does not permit a parent of a deceased child to claim damages for loss of comfort, aid, society, etc. The Court refused to strike paragraph 12, finding that Defendant failed to raise an argument regarding this paragraph, and the said damages are a valid claim.

The Court found that the damages claimed in paragraph 13 must be stricken in that Pennsylvania does not recognize a claim for loss of filial consortium. Although many Common Pleas Courts have differing views on the issue, the current Pennsylvania Supreme Court law is that such claims are not valid.

**COMMONWEALTH OF PENNSYLVANIA v. JUAN LOPEZ***Habeas Corpus—Motion To Quash—Sufficiency of Prima Facie Evidence—Criminal Trespass*

In the Court of Common Pleas of Northampton County, Pennsylvania, Criminal Division Law, No. 2003-3372.

Order of Court entered Denying Defendant's Motion for Habeas Corpus/Motion to Quash

Patricia C. Broscius, Esquire for the Commonwealth.

Eric Dowdle, Esquire for Defendant.

Order of Court entered on February 17, 2004 by the Honorable F.P. Kimberly McFadden.

**DESCRIPTION OF DECISION**

Defendant filed a Motion for Habeas Corpus/Motion to Quash arguing there was lack of sufficient prima facie evidence of criminal trespass to warrant the charges. However, upon reviewing the evidence available, the Court found that there was sufficient evidence. The Court noted that the prosecution need not prove the accused guilty beyond a reasonable doubt, but must only establish sufficient probable cause that the accused has committed the offense. The Court found that the Commonwealth had put forth sufficient evidence to sustain a prima facie case on the charge of criminal trespass.

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**KILLIAM IRRIGATION CONTRACTORS v. MORGAN HILL GOLF, INC.***Preliminary Objections—Mechanic's Lien*

In the Court of Common Pleas of Northampton County, Pennsylvania, Civil Law Division, No. C0048CV2003005749

Order of Court entered granting Defendant's preliminary objections.

Jeffrey S. Stewart, Esquire for Plaintiff.

Wendy G. Rothstein, Esquire for Defendant.

Order of Court entered on February 17, 2004 by the Honorable F.P. Kimberly McFadden.

**DESCRIPTION OF DECISION**

Defendant filed Preliminary Objections to the Complaint in Action upon Mechanics' Lien filed by Plaintiff in relation to work performed at the Morgan Hill Golf Club. Defendant is arguing that Plaintiff is not entitled to file a Mechanic's Lien Claim because a lien cannot attach for work performed that is unconnected with the construction of a building or other permanent structure, for which they argue is the case here.

The Court found that the work was not performed in relation to the construction of a building or other permanent structure and therefore that Plaintiff has no legal basis to file a Mechanic's Lien Claim.

**SHARON WILLIAMS v. WAKEFERN FOOD CORP., ET AL.***Summary Judgment—Landlord—Owner—Possession—Control—Sublease*

In the Court of Common Pleas of Northampton County, Pennsylvania, Civil Division, No. C0048CV2002000495.

Order of Court entered denying Defendant's Motion for Summary Judgment.

Theodore Q. Thompson, Esquire for Plaintiff.

Thomas J. Bradley, Esquire for Defendant.

Order of Court entered on February 20, 2004 by the Honorable F.P. Kimberly McFadden.

**DESCRIPTION OF DECISION**

Defendant moved for Summary Judgment arguing that they are not the owner, landlord, successor entity and/or tenant or in possession of the ShopRite store where Plaintiff's injuries occurred. Therefore, they argue they are entitled to Summary Judgment. Plaintiff argues that an assignment agreement between several other companies and Defendant indicates that Defendant is involved and participates in the premises.

The Court found that there is a genuine issue as to Defendant's involvement with the property and therefore denied summary judgment.

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