

Northampton County Reporter

(USPS 395-280)

VOL.LIV

EASTON, PA February 9, 2006

NO. 58

Northampton County Reporter Digest—2006-2

CONTENTS

| | | | |
|---|----|--|----|
| Associate | 12 | Legal Notices | 10 |
| Audit Notice | 10 | Limited Liability Company Notices | 9 |
| Bar News | 3 | Northampton County Reporter Digest—2006-2 | 15 |
| Estate Notices | 4 | Notice of Incorporation | 9 |
| Fictitious Name Registration Notice | 10 | Paralegal | 12 |

INSERT: Green: 1. "Secrets of the Code"

2. "A Legal Nurse ... What?"
4. Quarterly Association Meeting
2. 2006 Calendar of Events

NOTICE TO THE BAR ...

Due to the Good Friday holiday on Friday, April 14, 2006, Custody Conferences scheduled for that day have been rescheduled for Wednesday, April 12, 2006.

**NORTHAMPTON COUNTY BAR ASSOCIATION
2006 BAR ASSOCIATION OFFICERS**

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Joel H. Ziev President-elect
Michael C. Deschler Vice President
Joseph A. Corpora, III Treasurer
Jacqueline M. Taschner Secretary
Karl F. Longenbach Past President

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Northampton County Reporter

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Stephanie Pasquel Accounting
Heather Rizzotto-Stefanik Legal Journal
Gloria A. Robison Attorney Referral
Deborah J. Flanagan Attorney Referral

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

Subscription Price—\$55.00 per year.

Periodical Postage Paid at Easton, PA and additional office.

Postmaster: Send all communications and address changes to:

NORTHAMPTON COUNTY REPORTER

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

Telephone (610) 258-6333 FAX (610) 258-8715

Robert C. Brown, Jr., Esquire

Editor

NOTICES TO NCBA MEMBERS—BAR NEWS

☞ INCLUDED IN THIS ISSUE:

- **Quarterly Association Meeting**—Thursday, March 16, 2006. Registration form inside.
- **Lunch Lecture: “Secrets of the Code”**—February 22, 2006 presented by Hon. Mark I. Bernstein; registration form inside
- **Lunch Lecture: “A Legal Nurse ... What?”**—March 15, 2006 presented by Douglas Jugan, BSN, RN
- **NCBA** Calendar of Events, PBI Seminars and Committee Meeting schedule

☞ PLEASE NOTE that the NCBA Office will be closed on Monday, February 20, 2006 in observance of Presidents’ Day. The office will also be closed on Friday, April 16 in observance of Good Friday.

☞ MARK YOUR CALENDAR

Wednesday, February 22—Lunch Lecture: “Secrets of the Code”

Wednesday, March 15—Lunch Lecture: “A Legal Nurse ... What?”

Thursday, March 16—Quarterly Association Meeting

Friday, March 31—Reception for the Court at Silver Creek Country Club

Thursday, April 20—NCBA/BALC Joint Dinner Meeting at the Holiday Inn, Bethlehem

Monday, May 1—Law Day

☞ MEETING SPACE—Northampton County Bar Association facilities are used on a regular basis for depositions, client meetings, arbitrations and seminars. Rooms are available for full day and half day rentals. For information or to reserve a room please call the Northampton County Bar Association Office at (610) 258-6333.

☞ “Those who deny freedom to others deserve it not for themselves.”—
Abraham Lincoln

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**CHASE, JUDITH H.,** dec'd.

Late of the Township of Forks, Northampton County, PA

Executrix: Susan C. Nye, c/o Daniel E. Cohen, Attorney, Laub, Seidel, Cohen, Hof & Reid, L.L.C., 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

DOZER, HELEN M., dec'd.

Late of the City of Bethlehem, Northampton County, PA

Executor: Walter S. Dozer, c/o McKinley C. McAdoo, Esquire, McCausland, Keen & Buckman, P.C., 259 N. Radnor Chester Road, Suite 160, Radnor, PA 19087

Attorneys: McKinley C. McAdoo, McCausland, Keen & Buckman, P.C., 259 N. Radnor Chester Road, Suite 160, Radnor, PA 19087

HILLE, KATHRYN L., dec'd.

Late of the City of Bethlehem, Northampton County, PA

Executor: Scott Hain, c/o Harry Newman, Esquire, 915 West Broad Street, Bethlehem, PA 18018

Attorney: Harry Newman, Esquire, 915 West Broad Street, Bethlehem, PA 18018

HUGHES, CAROLINE M., dec'd.

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

Executrices: Anita Jo Allen and Pamela Jean Freeman, c/o Daniel E. Cohen, Attorney, Laub, Seidel, Cohen, Hof & Reid, L.L.C., 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

LICHTENWALNER, DANIEL O., dec'd.

Late of the Township of Forks, Northampton County, PA

Executrix: Joan B. Lichtenwalner, c/o Daniel E. Cohen, Attorney, Laub, Seidel, Cohen, Hof & Reid, L.L.C., 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

LIIRO, SANTO, dec'd.

Late of the Borough of Bangor, Northampton County, PA

Executrix: Marie Letwinch 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

MOWREY, SYLVANUS F., dec'd.

Late of Bethlehem, Northampton County, PA

Co-Executors: Dwight F. Mowrey and Sylvia A. Mowrey

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

MURATORE, ANGELO J., a/k/a ANGELO JOSEPH MURATORE, dec'd.

Late of the Borough of Hellertown, Northampton County, PA

Executrix: Susan Injaian, c/o Victor F. Cavacini, Esquire, Gross, McGinley, LaBarre & Eaton, LLP, 33 South 7th St., P.O. Box 4060, Allentown, PA 18105

Attorneys: Victor F. Cavacini, Esquire, Gross, McGinley, LaBarre & Eaton, LLP, 33 South 7th St., P.O. Box 4060, Allentown, PA 18105

POSIPANKO, STEPHEN, dec'd.

Late of the City of Bethlehem, Northampton County, PA

Executrix: Marie Spisak c/o Mary Ann Snell, Esquire, 3400 Bath Pike, Bethlehem, PA 18017-2485

Attorney: Mary Ann Snell, Esquire, 3400 Bath Pike, Bethlehem, PA 18017-2485

POWELL, ANTON S., dec'd.

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

Executors: Shirley Krock and James Powell, c/o Alfred S. Pierce, Esquire, Pierce & Dally,

LLP, 124 Belvidere Street, Nazareth, PA 18064

Attorneys: Alfred S. Pierce, Esquire, Pierce & Dally, LLP, 124 Belvidere Street, Nazareth, PA 18064

REICHE, SHIRLEY L., dec'd.

Late of the Township of Washington, Northampton County, PA

Executor: Kevin Reiche, 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

SCHWEITZER, ROBERT W., dec'd.

Late of Bethlehem, Northampton County, PA

Executor: Richard J. Schaedler, c/o Kevin J. Kelleher, Esquire, 901 West Lehigh Street, Suite 200, Bethlehem, PA 18018

Attorney: Kevin J. Kelleher, Esquire, 901 West Lehigh Street, Suite 200, Bethlehem, PA 18018

SELKO, JOHN J., dec'd.

Late of Hanover Township, Northampton County, PA

Executrix: Cali L. Selko Zawarski, 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

TRINKLE, GERALDINE J., dec'd.

Late of Bethlehem, Northampton County, PA

Executor: Charles G. Trinkle
c/o John W. Rybak, Esquire,
408 Adams Street, Bethlehem,
PA 18105

Attorney: John W. Rybak, Es-
quire, 408 Adams Street, Beth-
lehem, PA 18105

SECOND PUBLICATION

**BOWSER, JOAN M. a/k/a
JOAN BOWSER, dec'd.**

Late of 5364 Colony Drive,
Bethlehem, Northampton
County, PA

Administrator: Richard M.
Bowser, Jr., 6180 Pond View
Terrace, Bath, PA 18014

Attorneys: Stevens & Lee, 190
Brodhead Road, Suite 200,
P.O. Box 20830, Lehigh Val-
ley, PA 18002-0830

CAHOON, HAZEL, dec'd.

Late of the Borough of Wilson,
Northampton County, PA

Executrix: Marianne McKay,
475 Royal Manor Road, East-
on, PA 18042

**DIOMEDO, MARY a/k/a MARY
DOMINE, dec'd.**

Late of the City of Easton,
Northampton County, PA

Executrix: Dorothy C. Homo-
ki, 1531 Tatamy Road, Easton,
PA 18045

Attorneys: Dennis A. DeEsch,
Esquire, Minotti & DeEsch,
2240 Northampton Street,
Easton, PA 18042

GMITTER, MICHAEL L., dec'd.

Late of East Allen Township,
Northampton County, PA

Executrix: Linda Ann Herner,
1089 Walnut Drive, Daniels-
ville, PA 18038

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

HECKMAN, ANNA M., dec'd.

Late of the Borough of Bath,
Northampton County, PA

Co-Executors: Larry E. Heck-
man and Leonard A. Heckman
c/o Gregory R. Reed, Esquire,
Attorney-at-Law, 141 South
Broad Street, P.O. Box 299,
Nazareth, PA 18064-0299

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

**KROMER, RONALD C. a/k/a
RONALD KROMER, dec'd.**

Late of Northampton Bor-
ough, Northampton County,
PA

Executrix: Barbara Szerensits
c/o Frank M. Skrapits, Es-
quire, Affiliated with Steckel
and Stopp, 2152 Main Street,
Northampton, PA 18067-1211

Attorneys: Frank M. Skrapits,
Esquire, Affiliated with Steckel
and Stopp, 2152 Main Street,
Northampton, PA 18067-1211

MILLER, MILDRED F., dec'd.

Late of the Borough of Bangor,
Northampton County, PA

Executrix: Doris Miller Horn
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

**PREMORE, LEWIS N. a/k/a
LEWIS N. PREDMORE, dec'd.**

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

Administratrix: Alyce L. Thom-
as c/o McFall, Layman & Jor-
dan, P.C., Attorneys at Law,

134 Broadway, Bangor, PA 18013

Attorneys: McFall, Layman & Jordan, P.C., Attorneys at Law, 134 Broadway, Bangor, PA 18013

RISSMILLER, STERLING D., dec'd.

Late of the Township of Bushkill, Northampton County, PA
Co-Executors: John S. Rissmiller, Coleen J. Seng, Rodney L. Rissmiller and Brian S. Rissmiller c/o Gregory R. Reed, Esquire, Attorney-at-Law, 141 South Broad Street, P.O. Box 299, Nazareth, PA 18064-0299

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

SOPKO, PAULINE, dec'd.

Late of the City of Bethlehem, Northampton County, PA
Executrix: Victoria Werner c/o Mary Ann Snell, Esquire, Suite 311, 3400 Bath Pike, Bethlehem, PA 18017

Attorney: Mary Ann Snell, Esquire, Suite 311, 3400 Bath Pike, Bethlehem, PA 18017

VOORHEES, MIRIAM GRACE a/k/a MIRIAM GRACE HOWELLS, dec'd.

Late of the City of Bethlehem, Northampton County, PA
Executrix: Carol G. Voorhees, 921 North 32nd Street, Allentown, PA 18104

Attorneys: James A. Bartholomew, Esquire, Scoblionko, Scoblionko, Muir, Bartholomew & Melman, 40 South Fifth Street, Allentown, PA 18101

WHITEHEAD, DORIS W., dec'd.

Late of the Township of Washington, Northampton County, PA

Executrix: Melissa Jones c/o Alfred S. Pierce, Esquire, I.D. No. 21445, Pierce & Dally, LLP, 124 Belvidere Street, Nazareth, PA 18064

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

THIRD PUBLICATION

ALTORFER, J. ELIZABETH, dec'd.

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

Co-Executors: Brenda C. Altorfer, Larry P. Altorfer and Bruce E. Altorfer 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

GRUCELA, THOMAS a/k/a THOMAS J. GRUCELA, dec'd.

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

Co-Executrices: Julianne Straccia and Marie Aicher c/o Mary Ann Snell, Esquire, Suite 311, 3400 Bath Pike, Bethlehem, PA 18017

Attorney: Mary Ann Snell, Esquire, Suite 311, 3400 Bath Pike, Bethlehem, PA 18017

LIEBERMAN, MARION a/k/a MARION M. LIEBERMAN, dec'd.

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

Executrix: Dorothy Millheim
c/o Raymond J. DeRaymond,
Esquire, Gross, McGinley, La-
Barre & Eaton, LLP, 717
Washington Street, Easton, PA
18042-4386

Attorneys: Raymond J. DeRay-
mond, Esquire, Gross, McGin-
ley, LaBarre & Eaton, LLP, 717
Washington Street, Easton, PA
18042-4386

LODER, ELSIE E., dec'd.

Late of Northampton Bor-
ough, Northampton County,
PA

Executor: Earl A. Smith, 235
S. Walnut Street, Bath, PA
18014

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

**MASON, ERNA a/k/a ERNA W.
MASON a/k/a ERMA MA-
SON,** dec'd.

Late of the City of Easton,
Northampton County, PA

Administrator: Ralph W. Lit-
zenberger, Esquire, 1708
Northampton Street, P.O. Box
3272, Easton, PA 18043-3272

Attorney: Ralph W. Litzen-
berger, Esquire, 1708 North-
ampton Street, P.O. Box 3272,
Easton, PA 18043-3272

MILLER, HELEN T., dec'd.

Late of the Township of Wash-
ington, Northampton County,
PA

Co-Executrices: Sheree L.
Engler and Paula R. Karner
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

MOORE, VIRGINIA L., dec'd.

Late of Nazareth, Northamp-
ton County, PA

Executor: Thomas P. Stitt, Sr.
c/o Thomas P. Stitt, Esquire,
576 Nazareth Pike (Rt. 191),
Nazareth, PA 18064-8400

Attorney: Thomas P. Stitt, Es-
quire, 576 Nazareth Pike (Rt.
191), Nazareth, PA 18064-8400

PETERS, DOROTHY R., dec'd.

Late of the City of Bethlehem,
Northampton County, PA

Executor: Russell B. Miller
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

**REIBMAN, ELNORA a/k/a EL-
NORA S. REIBMAN,** dec'd.

Late of Easton, Northampton
County, PA

Co-Executors: Julie Reibman
and Edward Reibman c/o
Noonan & Prokup, 526 Wal-
nut St., Allentown, PA 18101

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

SCHRECK, DOROTHEA L.,
dec'd.

Late of 4035 Freemansburg
Ave., Easton, Northampton
County, PA

Executor: Daniel T. Schreck,
4035 Freemansburg Ave.,
Easton, PA 18045

Attorney: Eric R. Shimer, Es-
quire, 1 Bethlehem Plz., Ste.
830, Bethlehem, PA 18018

SLEEP, ROBERT E. a/k/a ROBERT EARL SLEEP, dec'd.

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

Executor: Craig Frederick Sleep 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

SMITH, MARGARET M., dec'd.

Late of 65 Friedenstahl Avenue, Nazareth, Northampton County, PA

Executrix: Gloria Fries c/o Samuel F. Feldman, Esquire, Feldman Law Offices, P.C., 221 N. Cedar Crest Blvd., Allentown, PA 18104

Attorneys: Samuel F. Feldman, Esquire, Feldman Law Offices, P.C., 221 N. Cedar Crest Blvd., Allentown, PA 18104

WALDENRATH, ALEXANDER a/k/a DOUGLAS A. WALDENRATH, dec'd.

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

Executrix: Mrs. Jeanine Schneider 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

WEISS, EVELYN, dec'd.

Late of the Borough of Nazareth, Northampton County, PA

Executor: Russell W. Branton, 149 Hampton Way, Montoursville, PA 17754

Attorney: Antonia M. Grifo, Esquire, 318 Spring Garden Street, Easton, PA 18042-3552

NOTICE OF INCORPORATION

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

GL TOPPS HOLDINGS INC.

a corporation organized under the Pennsylvania Business Corporation Law of 1988.

Feb. 9

LIMITED LIABILITY COMPANY NOTICES

NOTICE IS HEREBY GIVEN that a Certificate of Organization-Domestic Limited Liability Company has been filed with the Department of State for the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania, for the purpose of obtaining a Certificate of Organization under the provisions of Title 15, Corporations and Unincorporated Associations at 15 Pa. C.S.A. 8901 et seq., approved December 7, 1994, P.L. 703, No. 106(4).

The name of the Domestic Limited Liability Company is:

DIVERSIFIED AUTOMOTIVE SERVICES, LLC

The Certificate of Organization was filed on December 7, 2005.

PETERS, MORITZ, PEISCHL, ZULICK & LANDES, LLP
Attorneys

1 South Main Street
Nazareth, PA 18064-2083

Feb. 9

NOTICE IS HEREBY GIVEN that a Certificate of Organization for a Domestic Limited Liability Company was filed with the Department of State of the Commonwealth for:

SLATE BELT EXECUTIVES, LLC
in accordance with the provisions
of the Limited Liability Act of 1994.
McFALL, LAYMAN
& JORDAN, P.C.

134 Broadway
Bangor, PA 18013

Feb. 9

called for audit at the Northampton
County Government Center, Easton,
PA on: WEDNESDAY, FEBRUARY
22, 2006 AT 9:00 A.M. IN COURT-
ROOM #1.

Dorothy L. Cole
Clerk of Orphans' Court
Feb. 2, 9

**FICTITIOUS NAME
REGISTRATION NOTICE**

NOTICE IS HEREBY GIVEN that
pursuant to the provisions of Sec-
tion 311 of Act 1982-295, a Ficti-
tious Name Registration was filed
with the Department of State of the
Commonwealth for:

REALTY EXECUTIVES

with its principal place of business
at: 304 N. Robinson Avenue, Pen
Argyl, Pennsylvania 18072. The
name and address of the entity own-
ing or interested in said business
is: Slate Belt Executives, LLC.

McFALL, LAYMAN
& JORDAN, P.C.

134 Broadway
Bangor, PA 18103

Feb. 9

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

The following Executor, Admin-
istrators, Guardians & Trustees
have filed Accounts in the Office of
the Orphans' Court:

ESTATE: Accountant
SADIE F. HIXON a/k/a SADIE
HIXON; Catherine Ahart, Guardian
LOIS E. OWENS; John F.
Owens, Executor
HAROLD G. REMALY; Harold L.
Remaly, Executor

AUDIT NOTICE

All Parties interested are notified
than an audit list will be made up of
all Accounts and the said list will be

NOTICE

NOTICE IS HEREBY GIVEN that
the Township of Allen has filed a
Petition with the Orphans' Court
Division of the Court of Common
Pleas, Northampton County, Penn-
sylvania requesting that Allen Town-
ship be permitted to sell the parcel
known as "Seemsville Park," Parcel
ID # K4-22-3-05-1E and use the
proceeds of the sale to carry out
the original public purpose. Any resi-
dent of the Township shall have the
rights set forth in the Pennsylvania
Statutes at Title 53 P.S. Section
3385. A Hearing will be held in the
Court of Common Pleas, Northamp-
ton County Government Center, 669
Washington Street, Easton, PA
18042 on February 10, 2006 at
9:00 A.M. in Courtroom 1.

B. LINCOLN TREADWELL, JR.,
ESQUIRE

Attorney for Allen Township
732 Washington Street
Easton, PA 18042

Jan. 26; Feb. 2, 9

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

IN RE: Estate of Patrick N. Villone
NO. 2002-0498

NOTICE OF PRESENTATION OF
PETITION FOR FORFEITURE OF
INTEREST OF CARYN GORDON
IN ESTATE OF PATRICK N.
VILLONE, DECEASED

NOTICE IS HEREBY GIVEN to
Caryn Gordon and others that on

January 19, 2006, the Petition of Ryan Villone, Administrator, for Forfeiture of Interest of Caryn Gordon in Decedent's Estate was filed in the above-noted Court. The Petition seeks to have the Court declare that Caryn Gordon has forfeited her right to inherit from the Estate of Patrick N. Villone, deceased, pursuant to 20 Pa. C.S.A. Section 2106.

The Court has fixed February 17, 2006 at 9:00 a.m. in Courtroom No. 1 of the Northampton County Government Center, 669 Washington Street, Easton, Pennsylvania 18042 as the time and place for the Hearing of said Petition, when and where all persons interested may appear and show cause, if any they have, why the prayer in the said Petition should not be granted.

HAROLD J.J. DeWALT, JR.,
ESQUIRE

Pa. Atty. I.D. No. 41326
Attorney for Petitioner

8 North Main Street
Nazareth, PA 18064
(610) 759-7600

Jan. 26; Feb. 2, 9

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the Annual Meeting of the members of Nazareth Mutual Insurance Company will be held at the office of the Company, 114 South Main Street, Nazareth, Pennsylvania, on Saturday, March 11, 2006, at ten o'clock A.M., local time, for:

1. Election of three directors, each to serve for a three-year term; and
2. The transaction of such other business as may properly come before the meeting.
3. Proxy ballots are available, may be obtained from the company

by policyholder request and submitted prior to the above date.

Charles E. Houck
President

Attest: Charmaine E. Bartholomew,
Secretary

Preston W. Moritz, Esquire,
Attorney

Feb. 9

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

In Re: N.J.G. a/k/a N.J.S.-G.
minor child of T.N.S. and A.G.

NO. 2003-0105

**INVOLUNTARY TERMINATION OF
PARENTAL RIGHTS**

TO: Any natural, putative and/or presumptive father of N.J.G. a/k/a N.J.S.-G. a child born to Tashawmna (Tashana, Tashawna, Tashawanna) Nicole Sigman on July 3, 2004

NOTICE

A Petition has been filed asking the Court to put an end to all rights you have to your child: N.J.G. a/k/a N.J.S.-G. The Court has set a hearing to consider ending your rights to your child. The hearing will be held in Courtroom No. 1, Northampton County Government Center, 669 Washington Street, Easton, Pennsylvania, on March 6, 2006 at 9:00 O'Clock A.M. You are warned that even if you fail to appear at the scheduled hearing, the hearing will go on without you and your rights to your child may be ended by the Court without your being present. You have the right to be represented at the hearing by a lawyer. You should take this paper to your lawyer at once.

If you cannot afford a lawyer, go to or telephone the office set forth

below to find out where you can get legal help.

Lehigh Valley Legal Services
65 E. Elizabeth Ave.
Suite 903
Bethlehem, PA 18018
(610) 317-8757

If you can afford to hire a lawyer but do not have a lawyer, go to or telephone the office set forth below to find out where you can get legal help.

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

KARL F. LONGENBACH,
ESQUIRE

OFFICE OF THE SOLICITOR

Northampton County
Government Center
Easton, PA 18042

Feb. 9

ASSOCIATE

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NORTHAMPTON COUNTY REPORTER DIGEST—2006-2
RECENT DECISIONS OF THE COURTS OF COMMON PLEAS
OF NORTHAMPTON COUNTY

COMMONWEALTH OF PENNSYLVANIA v. SAMANTHA STONEBACK

Omnibus Motion—Writ of Habeas Corpus

In the Court of Common Pleas of Northampton County, Pennsylvania, Criminal Division, No. 2005-1392.

Order of Court entered in favor of Commonwealth.

Jacqueline M. Taschner, Esquire for Commonwealth.

James M. Connell, Esquire for Defendant.

Order of Court entered on September 20, 2005 by F.P. Kimberly McFadden, Judge.

DESCRIPTION OF DECISION

Defendant filed a Petition for Writ of Habeas Corpus asserting that there was insufficient evidence to support the charges of Simple Assault, Terroristic Threats, Criminal Mischief, Recklessly Endangering Another Person, Aggravated Assault, Criminal Attempt to Commit Arson, and Causing or Risking a Catastrophe.

This Court denied Defendant's Petition, concluding that the Commonwealth had presented sufficient evidence to sustain the charges based on the testimony that Defendant bit Mr. Wadson, pulled his hair, and squirted him with lighter fluid. Defendant also claimed that she was going to light Mr. Wadson on fire and attempted to retrieve matches.

**NICHOLAS ROSSETTI, A MINOR, BY AND THROUGH HIS PARENTS
AND NATURAL GUARDIANS, GAIL ROSSETTI AND JAMES ROSSETTI v.
FORD MOTOR COMPANY AND FAULKNER FORD-MERCURY, INC.**

Motions in Limine—Contributory or Comparative Negligence—Products Liability—Federal Motor Vehicle Safety Standards—Industry Standards—Other Similar Incident Evidence—Bifurcation—Net Worth—Choice of Law—Commerce Clause—Subsequent Remedial Measures

In the Court of Common Pleas of Northampton County, Pennsylvania, Civil Division, No. C0048CV2001004341.

Order of Court entered partially in favor of Plaintiffs and partially in favor of Defendants.

Thomas R. Wilson, Esquire and Philip M. Hof, Esquire for Plaintiffs.

C. Scott Toomey, Esquire and Tiffany M. Alexander, Esquire for Defendants.

Order of Court entered on September 14, 2005 by F.P. Kimberly McFadden, Judge.

DESCRIPTION OF DECISION

Plaintiffs and Defendants filed a combined sixteen (16) Motions in Limine to determine the admissibility of evidence at trial, which is scheduled for the civil week of November 28, 2005.

Plaintiffs' first motion sought to preclude Defendants from introducing evidence of contributory or comparative negligence on the part of Plaintiffs. Ordinarily negligence principles have no place in a products liability law. However, this Court denied Plain-

tiffs' motion, as evidence of contributory or comparative negligence can be used to prove alternate theories of causation.

Plaintiffs' second and fourth motion sought to preclude Defendants from introducing evidence of Federal Motor Vehicle Safety Standards (FMVSS) Tests and evidence regarding state of the art, compliance with company practices, or standards in the industry. This Court granted Plaintiffs' motions, as such evidence is irrelevant and inadmissible in a products liability action.

Plaintiffs' third motion sought to admit other similar incident evidence. Defendants' first and fourth motions sought to preclude such evidence. Evidence of other similar incidents are admissible to prove product defectiveness, as long as the plaintiff first establishes a "substantial similarity of conditions" between the other accidents and the accident that injured the plaintiff. Therefore, this Court granted Plaintiffs' motion, and thus denied Defendants' motion at this time, on the condition that Plaintiffs first prove the exact circumstances under which the other accidents occurred and in what manner they are substantially similar to the facts at bar.

Plaintiffs' last motion sought to bifurcate the trial into two sections: strict liability; and negligence and damages. Courts may bifurcate a trial in furtherance of convenience or to avoid prejudice. This Court, however, held that it would not be convenient nor would it promote judicial economy to bifurcate this trial. Such motion was, therefore, denied.

Defendants' second motion in limine sought to preclude terms such as the "Forgotten Child" or the "Child Safety Gap". This Court held that such evidence is relevant and that these terms would not inflame the jury. Therefore, Defendants' motion was denied.

Defendants' third motion sought to exclude certain testimony of one of Plaintiffs' experts. This Court denied Defendants' motion, as Plaintiffs provided evidence that Defendants were provided with the necessary information. However, this Court permitted Defendants to submit written interrogatories to ensure that all information is obtained.

Defendants' fifth motion sought to preclude evidence of Ford's net worth. Punitive damages are measured by factors, including the wealth of the defendant. Furthermore, the net worth of a defendant is considered a valid measure of its wealth. Therefore, this Court denied Defendants' motion.

Defendants' sixth motion sought to exclude evidence relating to punitive damages based on Pennsylvania's Choice of Law rules and the Commerce Clause. This Court held that Defendants' claim that Michigan's law regarding punitive damages should apply is an affirmative defense and should have been raised previously. However, this Court addressed the substantive issues and held that Pennsylvania's law, pursuant to the choice of law analysis, applies and any claim for punitive damages is not barred by the Commerce Clause.

Defendants' seventh motion sought to preclude testimony concerning all Ford documents. This Court held that experts are permitted to testify as to the ultimate issue and evidence relied upon. This Court also held that Defendants' motion was overly broad. Therefore, Defendants' motion was denied.

Defendants' eighth motion sought to preclude evidence regarding Ford's alleged duty to provide after-market accessories. Plaintiffs, however, have never asserted that Ford had a duty to provide after-market accessories. Plaintiffs only asserted that De-

defendants have a duty to design a vehicle that is safe for its intended user and providing a booster seat is one way to ensure their vehicles are safe. Therefore, Defendants' motion was denied.

Defendants' ninth motion sought to exclude certain testimony of one of Plaintiffs' experts. An expert witness, however, shall testify as to the facts or date on which the opinion or inference is based. Therefore, this Court denied such motion.

Defendants' tenth motion sought to preclude any post-accident evidence regarding booster seat or child restraint development. Evidence of subsequent remedial measures is generally not admissible. However, such evidence is admissible when offered for impeachment, or to prove other matters, if controverted. Therefore, this Court denied Defendants' motion at this time.

Defendants' last motion sought to preclude punitive damages evidence, or sought partial summary judgment on Plaintiffs' punitive damages claim. This Court held that there is sufficient evidence to create a jury question as to whether Ford's actions exhibited reckless indifference to the interests of others, which is necessary to sustain a punitive damages claim. Therefore, Defendants' motion for partial summary judgment was denied.

CHERRYBROOK, INC. v. ESSENT CORPORATION

Preliminary Objections—Fraud—Affirmative Defense—Waiver

In the Court of Common Pleas of Northampton County, Pennsylvania, Civil Division, No. 48-CV-2004-6176.

Order of Court entered in favor of Plaintiff.

Robert E. Sletvold, Esquire for Plaintiff.

Neil D. Ettinger, Esquire for Defendant.

Order of Court entered on September 20, 2005 by F.P. Kimberly McFadden, Judge.

DESCRIPTION OF DECISION

Defendant filed Preliminary Objections to Plaintiff's Complaint in the nature of failure to conform to law and insufficient pleadings pursuant to Pa. R.C.P. 1028(a)(3) and (1)(4). Defendant asserts that Plaintiff failed to plead fraud with particularity. In order to properly plead fraud, Plaintiff must allege 1) a representation, 2) which is material to the transaction at hand, 3) made falsely, with knowledge of its falsity or recklessness as to whether it is true or false, 4) with the intent of misleading another into relying on it, 5) justifiable reliance on the misrepresentation, and 6) the resulting injury was proximately caused by the reliance. *Youndt v. First National Bank of Port Allegany*, 868 A.2d 539 (Pa. Super. 2005). This Court found that Plaintiff adequately pled intentional and negligent misrepresentation in its complaint.

Defendant also asserted in its preliminary objection that Plaintiff failed to plead with any particularity and for not specifically outlining any allegations of the Expresses and/or Implied Warranty for which Plaintiff is relying. This Court held that Defendant's argument is an affirmative defense of waiver, and therefore is to be pled in new matter, pursuant to Pa. R.C.P. 1030, and not in preliminary objections.

WOODROW J. HARTZELL, ADMIN. OF THE ESTATE OF JOANNE R. HARTZELL, DECEASED, AND INDIVIDUALLY v. EASTON HOSPITAL*Post-Trial Motions*

In the Court of Common Pleas of Northampton County, Pennsylvania, Civil Division—Law, No. 2001-C-5202.

Order of Court denying Defendant Hospital's Post-Trial Motions.

Theodore Caldwell, Esquire for Plaintiff.

John R. Hill, Esquire for Defendant.

Order of Court entered August 2, 2005 by William F. Moran, Judge.

DESCRIPTION OF DECISION

After a jury trial in a medical malpractice case, the jury entered a verdict in favor of the Plaintiff. Defendant sought a new trial and/or remittitur. In moving for a new trial, the Defendant argued, first, the court erred when it denied partial summary judgment to the Plaintiff. The Court held that denial of summary judgment is not a basis for post-trial relief. Second, the Defendant argued that although it admitted negligence, the statement read to the jury concerning the Defendant's admission was overly prejudicial. The Court held that the statement was not unduly prejudicial and that the facts supported the assertions in the statement. Third, the Defendant argued that according to *Cominsky v. Donovan*, an expert witness is required to testify in order to enable the Plaintiff to recover for conscious pain and suffering. The Court held that where, as here, there was evidence that the Plaintiff was conscious and not in a vegetative state, expert witness testimony was not required in order to establish conscious pain and suffering. In molding the verdict, the Court held that the Plaintiff was entitled to delay damages on the survival action AND the wrongful death action, as both are death actions, although the wrongful death action was similar to a claim for consortium, which would not entitle Plaintiff to delay damages.

MAUREEN MORONEY AND PETER ROSSEN v. GENERAL MOTORS CORPORATION, KMART AND CHESTER VAXTER, JR.*Negligence—Motion for Leave To File Summary Judgment Motion—Motion To Amend Expert Witness Disclosures*

In the Court of Common Pleas of Northampton County, Pennsylvania, Civil Division—Law, No. 1997-C-3686.

Ron Shipman, Esquire and Scott M. Wilhelm, Esquire for Plaintiff.

Wayne Graver, Esquire for Defendant.

Order of Court granting Defendant's Motion to Amend Expert Witness Disclosure, denying Defendant's Motion for Leave to File Summary Judgment Motion.

Order of Court entered August 2, 2005 by William F. Moran, Judge.

DESCRIPTION OF DECISION

After remand for a new trial on the issue of negligence, the Defendant sought to file a motion for summary judgment on the issue of negligence. The Court held that the Appellate Court, which reviewed the entire trial record, had determined that a new trial on negligence was warranted. Because the Plaintiffs had adduced sufficient evidence during the first trial to warrant a new trial, the trial court denied the Defendant's motion for leave.

Defendant sought to supplement the expert disclosures, including calling a new expert witness during the second trial. The Court held that the parties do not need to call the same witnesses at the first and second trial. Therefore, since the disclosures were provided well in advance of the second trial, the Plaintiffs were not prejudiced.

EARL DIMMIG AND ESTELLE DIMMIG CO-ADMINISTRATORS OF THE ESTATE OF BRENDA MOZELESKY AND ROBERT K. MOZELESKY, CO-ADMINISTRATOR OF THE ESTATE OF BRENDA MOZELESKY v. BROWN & LYNCH AMERICAN LEGION POST #9

Motion in Limine

In the Court of Common Pleas of Northampton County, Pennsylvania, Civil Division—Law, No. 2003-C-1498.

Order of Court denying Defendant's Motion in Limine.

William Spalding, Esquire for Plaintiff.

M. Scott Gemberling, Esquire for Defendant.

Order of Court entered August 2, 2005 by William F. Moran, Judge.

DESCRIPTION OF DECISION

Plaintiff sued Defendant, a bar, under the Dram Shop Act, after the Defendant allegedly served Plaintiff while she was visibly intoxicated who later died in a car accident. Defendant sought to preclude expert witness testimony who would give his opinion on the blood alcohol level of the Plaintiff at the time she had her last drink at the Defendant's bar based on her blood alcohol level at the time of the accident.

After Plaintiff's last drink at the Defendant's bar, her whereabouts for several hours are unknown. The only evidence establishing that the Plaintiff did not drink, is the testimony of a young child who was in the vehicle at the time of the accident. The Court held that the child's testimony and the surrounding circumstances provided sufficient factual basis to permit the expert witness to testify at trial.

LOVERTA PERRY v. LEADER INSURANCE COMPANY T/A INFINITY INSURANCE COMPANY

Motion for Summary Judgment—Request for Declaratory Relief

In the Court of Common Pleas of Northampton County, Pennsylvania, Civil Division—Law, No. C0048-CV2004-000237.

Order of Court entered denying Plaintiff's Motion for Summary Judgment and denying Plaintiff's request for declaratory relief.

Leonard. Mellon, Esquire for Plaintiff.

R. Donovan, Esquire for Defendant.

Decision of Court entered September 14, 2005 by William F. Moran, Judge.

DESCRIPTION OF DECISION

The Plaintiff requested that the Court hold that she was entitled to full tort coverage, instead of limited tort coverage, based on the Supreme Court's ruling in *Hoffman v. Troncelliti*, 839 A.2d 1013 (Pa. 2003). The Plaintiff was in an automobile accident where she sustained injuries. The Plaintiff had selected limited tort coverage on her own insurance policy, where she was the "named insured." At the time of the accident,

however, the Plaintiff was not driving in her car. Instead, the Plaintiff was a passenger in a vehicle where the driver had selected full tort coverage.

The Court denied the Plaintiff's request to receive full tort protection. The Court specifically held that *Hoffman* was inapplicable to the Plaintiff's situation because the Plaintiff did not qualify as an "insured" under 75 Pa. C.S.A. §1705(b)(2) of the Motor Vehicle Financial Responsibility Act. Furthermore, the Court found that it would be improper to extend *Hoffman* to this type of case because it would be contrary to the plain language of §1705(b)(2).

SHERRI L. MAZZIOTTA AND PATRICK MAZZIOTTA v. SHAWN SCOTT

Motion for Summary Judgment

In the Court of Common Pleas of Northampton County, Pennsylvania, Civil Division—Law, No. C0048-CV2004-3464.

Order of Court denying Plaintiffs' Motion for Summary Judgment.

Gerald Strubinger, Jr., Esquire for Plaintiff.

Rebecca Jellen, Esquire for Defendant.

Decision of Court entered September 7, 2005 by William F. Moran, Judge.

DESCRIPTION OF DECISION

The Plaintiff and the Defendant were involved in an automobile accident where the Defendant crashed into the rear-end of the Plaintiffs' car. The Plaintiffs filed a motion for summary judgment, asking this Court to find that the Defendant was negligent as a matter of law for violating the assured clear distance rule, which is codified in 75 Pa. C.S.A. §3361. The Defendant asserted that the Plaintiffs' Motion should be denied pursuant to the Nanty-Glo Rule and because there is a dispute as to the material facts.

The Court initially concluded that the Nanty-Glo Rule was inapplicable in this case because the Plaintiffs presented evidence other than oral testimony; this other evidence was admissions by the Defendant and his witness. However, the Court ultimately denied the Plaintiffs' Motion for Summary Judgment because a dispute as to the material facts exists. Both parties testified differently about the material fact of whether the Plaintiff slammed on her brakes prior to the accident.

**KRAWITZ AND KRAWITZ, A PROFESSIONAL CORPORATION v.
DAVID M. THRAPP AND CAROLYN THRAPP-BERNHARD**

Preliminary Objections

In the Court of Common Pleas of Northampton County, Pennsylvania, Civil Division—Equity, No. C0048-CV2005-002359.

Order of Court granting Defendant's Preliminary Objections and dismissing Plaintiff's Complaint without prejudice.

E. Krawitz, Esquire and S. Krawitz, Esquire for Plaintiff.

K. Kercher, Esquire for Defendant.

Decision of Court entered August 23, 2005 by William F. Moran, Judge.

DESCRIPTION OF DECISION

A judgment was previously entered in favor of the Plaintiff and against the co-Defendant, who is the Defendant's husband. This judgment was based on a finding that the

co-Defendant had embezzled money from the Plaintiff. The judgment was solely against the co-Defendant, and not against his wife, the Defendant. The Plaintiff is now trying to collect on this judgment, and has filed an action against the Defendant and the co-Defendant. The Defendant filed Preliminary Objections, asking the Court to dismiss this action because the Plaintiff failed to state a cause of action against her. The Court granted the Defendant's demurrer because the Complaint failed to adequately plead fraud or a cause of action that would permit the imposition of a constructive trust.

**WALLACE & WATSON ASSOCIATES, P.C., T/A W2A DESIGN GROUP v.
ROTH MARZ PARTNERSHIP, P.C., D/B/A MKSD, LLC, AND
MARK R. THOMPSON**

Preliminary Objections to Amended Complaint

In the Court of Common Pleas of Northampton County, Pennsylvania, Civil Division—Law, No. C0048-CV2005-0213.

Order of Court entered denying the Defendants': 1) Petition to Change Venue, 2) Motion to Strike Count I of the Amended Complaint, and 3) Demurrer to Count III; and granting the Defendants': 1) Demurrer to Count II, 2) Demurrer to Count IV, and 3) Motion for a More Specific Pleading to Count III.

Philip Hof, Esquire and Harry Newman, Esquire for Plaintiff.

Wallace Eldridge, Esquire for Defendants.

Order of Court entered September 15, 2005 by William F. Moran, Judge.

DESCRIPTION OF DECISION

The Plaintiff sued the Defendants, alleging that the Defendants had made false and misleading statements about their architectural work to potential clients of both the Plaintiff and the Defendants. Some of the Defendants were previously employed by the Plaintiff. Plaintiff alleges that the Defendants were taking credit for work that the Defendants had performed while in the Plaintiff's employ, but the Defendants were not acknowledging that the work was produced on behalf of the Plaintiff. In response to the Plaintiff's suit, the Defendants raised various preliminary objections, including a Petition to Change Venue, a Motion to Strike, a Motion for a More Specific Pleading, and several Demurrers.

The Court initially ruled on the issue of venue, denying the Defendants' preliminary objection because they failed to show that this court would be an inconvenient forum for this case. The Court then ruled that no prior restraint on the Defendants' commercial speech would be imposed if the Plaintiffs' adequately pled a cause of action for intentional interference with contractual relations. Next, the Court addressed the Defendants' demurrers for the Counts alleging Commercial Disparagement and Intentional Interference with Contractual Relations. The Court granted the demurrer with respect to the Commercial Disparagement Count because the Plaintiff failed to plead this cause of action; however, the Court denied the demurrer for the Intentional Interference with Contractual Relations Count because the Plaintiff adequately pled all of the elements of this cause of action. Finally, the Court concluded that the Plaintiff's allegations could set forth a cause of action for unfair competition under the Restatement (Third) of Unfair Competition. As a result, the Court granted the Plaintiff leave to file an Amended Complaint under the unfair competition provisions of the Restatement (Third).

**MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. v.
JOHN R. HANDLOVIC AND CAROLE HANDLOVIC**

Preliminary Objections

In the Court of Common Pleas of Northampton County, Pennsylvania, Civil Division—Law, No. C0048-CV2005-3978.

Order of Court overruling Defendants' Preliminary Objections.

Francis Hallinan, Esquire for Plaintiff.

William Coffin, Esquire for Defendants.

Decision of Court entered September 7, 2005 by William F. Moran, Judge.

DESCRIPTION OF DECISION

The Plaintiff filed a Complaint against the Defendants, alleging that the Defendants were in default on their mortgage. In response to the Complaint, the Defendants filed preliminary objections, arguing that the Court did not have jurisdiction to hear this case because the Plaintiff failed to give adequate notice under Act 91 and the HUD regulations.

The Court concluded that it did have subject matter jurisdiction to hear this case. The Court was not precluded from hearing the case because Act 91 was inapplicable. Furthermore, the Plaintiffs alleged failure to follow the HUD regulations regarding notice did not divest the Court of jurisdiction to hear this case. Instead, the Defendants could raise the Plaintiff's noncompliance with HUD regulations as an equitable defense later in the proceedings.

**BOROUGH OF STOCKERTOWN v. ZONING HEARING BOARD OF THE
BOROUGH OF STOCKERTOWN AND DAVID A. ASSISE
AND NICOLE R. ASSISE**

**DAVID A. ASSISE AND NICOLE R. ASSISE v. ZONING HEARING BOARD
OF THE BOROUGH OF STOCKERTOWN**

Consolidated Zoning Appeals

In the Court of Common Pleas of Northampton County, Pennsylvania, Civil Division—Law, No. C0048-CV2004-003862, No. C0048-CV2004-004078.

Order of Court denying Zoning Appeal of Appellants at No. C0048-CV2004-004078.
Order of Court granting Zoning Appeal of Appellants at No. C0048-CV2004-003862,
and vacating portion of Zoning Board's Order.

Gary Asteak, Esquire for Zoning Hearing Board and Borough of Stockertown.

David A. Assise and Nicole R. Assise, Pro Se.

Decision of Court entered September 27, 2005 by William F. Moran, Judge.

DESCRIPTION OF DECISION

The landowners applied to the Zoning Hearing Board of the Borough of Stockertown for a variance, but were denied. Although the Zoning Board did not grant the landowners a variance, it granted them other relief, which the Court deemed to be a de facto special exception. The landowners appealed the denial of the variance, and the Borough appealed the Zoning Board's grant of a special exception. The Court affirmed the Zoning Board's decision to deny the variance because the landowners failed to prove

unnecessary hardship. The Court vacated the portion of the Zoning Board's order that granted the landowners a de facto special exception because no factual findings were made that supported this decision.

**BRUCE E. COURTRIGHT, D.M.D. v. THOMAS R. GYORY, D.M.D.,
INDIVIDUALLY, AND LEHIGH DENTAL ASSOCIATES, P.C.**

Action for Breach of Employment Contract

In the Civil Court of Common Pleas of Northampton County, Pennsylvania, Civil Action—Law, No. C0048CV2004008494.

Order of Court awarding \$83,720.92 to Plaintiff, Bruce E. Courtright, D.M.D. by Defendants, Thomas R. Gyory, D.M.D. and Lehigh Dental Associates, P.C. for Breach of Employment Contract.

Douglas M. Marinos, Esquire for Plaintiff.

Thomas J. Turczyn, Esquire for Defendant.

Order of Court entered on September 27, 2005 by Stephen G. Baratta, Judge.

DESCRIPTION OF DECISION

Plaintiff, Bruce E. Courtright, D.M.D., filed a Complaint against Defendants, Thomas R. Gyory, D.M.D. and Lehigh Dental Associates, alleging breach of an employment contract. Dr. Courtright contended that Defendants failed to comply with the compensation formula contained in the parties' agreement. Because the Court agreed that Plaintiffs compensation was miscalculated, the Court awarded \$83,720.92 in additional compensation due and owing under the employment contract.

**THE BOROUGH OF WIND GAP v. BLUE MOUNTAIN
CONSOLIDATED WATER COMPANY ET AL.**

Preliminary Objections

In the Court of Common Pleas of Northampton County, Pennsylvania, Civil Action—Law, No. 1999-CM-320.

Order of Court denying Borough of Wind Gap's Preliminary Objections to Renee Schinstine's Petition for Appointment of Board of View, and further ordering that the matter be presented to the Board of View for determination of damages.

Ronold J. Karasek, Esquire for Plaintiff.

Daniel E. Cohen, Esquire and Christopher M. Reid, Esquire for Defendant Renee Schinstine.

Order of Court entered on September 27, 2005 by Stephen G. Baratta, Judge.

DESCRIPTION OF DECISION

Renee Schinstine, the owner of two adjacent lots—one with access to Fairview Avenue and one that formerly had access to East West Street, filed a Petition for Appointment of a Board of View. A portion of her East West Street lot was condemned by the Borough of Wind Gap as part of a storm drainage improvement project. The Borough of Wind Gap also constructed a swale which obstructs access from the East West Street lot to the roadway. Since the swale construction has resulted in a permanent interference with access to the roadway from the East West Street lot, the Court denied the Borough's preliminary objections and ordered that the matter be presented to the Board of View for a determination of the damages suffered.

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