

Northampton County Reporter

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EASTON, PA February 10, 2005

NO. 6

Northampton County Reporter Digest—2005-2

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INSERT: Goldenrod:

1. "Accident Cause & Analysis"
2. "Intellectual Property Basics for
Non-IP Attorneys"
3. Quarterly Association Meeting
4. 2005 NCBA Calendar of Events

☞ NOTICE TO THE BAR ...

Please be advised of the following: The Status Conferences, originally scheduled for Monday, March 21, 2005, have been changed to Thursday, March 24, 2005.

Custody Conferences which would have been scheduled for March 25, 2005, should be praeciped for March 21, 2005, due to the Good Friday holiday.

Two (2) additional Status Conference dates are being added the current Court calendar. The additional dates are April 6th and May 19th, 2005.

Due to the Good Friday Holiday, the custody list normally scheduled on that date will be held on Monday, March 21, 2005. If you have any questions, please call Court Administrator's Office at (610) 559-6700.

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Northampton County Reporter

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

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Robert C. Brown, Jr., Esquire

Editor

NOTICES TO NCBA MEMBERS—BAR NEWS

☞ **PLEASE NOTE**—“**THE RECEPTION FOR THE COURT**” **DATE HAS BEEN CHANGED AGAIN TO FRIDAY, APRIL 8, 2005** (Silver Creek Country Club). *I do apologize for any inconvenience the two changes may have caused anyone.*

☞ **MARK YOUR CALENDARS... QUARTERLY ASSOCIATION MEETING**—MARCH 10, 2005—Program: “Medicaid: What Every General Practitioner Should Know.”

☞ **INCLUDED IN THIS ISSUE** is a Notice of Transfer of Attorney to Inactive Status.

☞ **INCLUDED IN THIS ISSUE** are announcements & registration forms for the following lunch and learn seminars: **(1) February 17, 2005** Lunch/Lecture “*Traffic Accidents, Cause & Analysis*” **(2) March 3, 2005** Lunch/Lecture “*Intellectual Property—Patents*” **(3) March 10, 2005** Quarterly Association Meeting **(4) NCBA Calendar of Events**

☞ **PLEASE NOTE** that the NCBA Office will be closed on Monday, February 21, 2005 in observance of Presidents’ Day. The NCBA Office will also be closed on Friday, March 25, 2005 in observance of Good Friday.

☞ **UPCOMING 2005 EVENTS—MARK YOUR CALENDAR**

February 11th—Law Library Committee Mtg. NOON @ NCBA
February 16th—Pro Bono Committee Mtg. NOON @ Bethlehem Club
February 17th—Lunch/Lecture “*Accidents, Cause & Analysis*”
March 2nd—Board of Governors Meeting
March 3rd—Lunch/Lecture “*Intellectual Property—Patents*”
March 10th—Quarterly Association Meeting
April 8th—Reception for the Court

☞ **PBI/CLE SEMINAR @ NCBA** **Thursday, March 10, 2005**

“Who’s on First? Lien Priority in Pennsylvania”

is scheduled from 9:30 a.m. to 2:00 p.m.
As always, registration begins at 9:00 a.m.
Register early by calling (800) 932-4637.

☞ **CLE programming at BALC** (some dates are tentative) **February 22nd** “2005 Divorce Code Amendments”—**February 23rd** “Act 147: New Mental Health Rules—Minors’ Treatment & Record Release”—**March 9th** “Post Trial & Appellate Practice”—**March 23rd** “Bankruptcy Basics—How to Use Power Point to Explain the Case to your Clients” Call BALC at (610) 433-6204 (ext. 4) for questions and to register for any of the above seminars.

☞ **REAL FACTS:** *There are 293 ways to make change for a dollar.*

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

BALTZ, LYNNETTE DIANA
a/k/a **LYNNETTE D. BALTZ**,
dec'd.

Late of the Township of Williams, Northampton County, PA

Executor: Mark David Baltz
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

BESSENHOFFER, HATTIE,
dec'd.

Late of Nazareth, Northampton County, PA

Executrix: Eileen T. Fischl
c/o Joseph A. Corpora, III, Esquire,
Sovereign Bank Building,
100 North Third Street,
Suite 502, Easton, PA 18042
Attorney: Joseph A. Corpora,
III, Esquire, Sovereign Bank
Building, 100 North Third
Street, Suite 502, Easton, PA
18042

DeNARDO, PASQUALE, SR.,
dec'd.

Late of the Township of Washington, Northampton County, PA

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

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

KACSUR, GEORGE R., dec'd.

Late of the Township of Bethlehem, Northampton County, PA

Executor: Richard J. Haber,
Esquire c/o Haber, Corriere
and Backenstoe, 433 East
Broad Street, P.O. Box 1217,
Bethlehem, PA 18016-1217

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

KAUFMANN, MICHAEL C.,
dec'd.

Late of Northampton County, PA

Co-Executors: Georgia C.
Cioffari and Kaleope P. Kaufmann
c/o Stephen M. Mowrey,
Esquire, 107 N. Commerce
Way, Suite 120, Bethlehem, PA
18017

Attorney: Stephen M. Mowrey,
Esquire, 107 N. Commerce
Way, Suite 120, Bethlehem, PA
18017

KEMMERER, JOYCE A., dec'd.

Late of the Township of Bushkill, Northampton County, PA
Executor: Roger E. Fries, 119
W. Douglasville Road, Nazareth, PA 18064

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

LAURITO, MARY T., dec'd.

Late of Nazareth, Northampton County, PA

Co-Administrators: Henry T. Laurito, Jr. and Susan Laurito 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

LAWLOR, THOMAS, dec'd.

Late of Easton, Northampton County, PA
 Administratrix: Florence Fermaintt c/o Jeffrey F. Hussar, Esquire, 946 Third Street, Whitehall, PA 18052
 Attorney: Jeffrey F. Hussar, Esquire, 946 Third Street, Whitehall, PA 18052

MATEY, RAYMOND A., dec'd.

Late of Hellertown, Northampton County, PA
 Executor: Raymond E. Matey c/o Noonan & Prokup, 526 Walnut St., Allentown, PA 18101
 Attorneys: Noonan & Prokup, 526 Walnut St., Allentown, PA 18101

MEUSER, EDWARD P., JR., dec'd.

Late of the Township of Bethlehem, Northampton County, PA
 Executor: Donald Riegel, Jr. c/o Carla J. Thomas, Esquire, Thomas & Thomas, 704 Washington Street, Easton, PA 18042
 Attorney: Carla J. Thomas, Esquire, Thomas & Thomas, 704 Washington Street, Easton, PA 18042

PERSON, IRENE M., dec'd.

Late of the Borough of Nazareth, Northampton County, PA

Executrix: Marjorie Anne Kline, 120 E. Mountain Road, Wind Gap, PA 18091

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

PRICE, ALBERT L., dec'd.

Late of Northampton County, PA

Executrix: Virginia Joan Price Korber c/o Stephen M. Mowrey, Esquire, 107 N. Commerce Way, Suite 120, Bethlehem, PA 18017

Attorney: Stephen M. Mowrey, Esquire, 107 N. Commerce Way, Suite 120, Bethlehem, PA 18017

STAPLES, ROBERT H., dec'd.

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

Administratrix: Astrid Staples 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

TANNENBAUM, ANN M., dec'd.

Late of the Township of Palmer, Northampton County, PA
 Executor: Joseph A. Hallock, 600 Valley Road, Suite 100, Wayne, NJ 07470

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

VOGT, GENEVIEVE HARRIMAN, dec'd.

Late of the City of Easton, Northampton County, PA
 Administratrix: Suzanne Kiefer c/o Margaret H. Poswis-

tilo, Esquire, 204 N. 13th St., Easton, PA 18042
Attorney: Margaret H. Poswis-tilo, Esquire, 204 N. 13th St., Easton, PA 18042

WILLIAMS, MARVIN A., JR., dec'd.

Late of the Township of Lehigh, Northampton County, PA

Co-Executors: Kevin Williams and Keith Williams c/o P. Christopher Cotturo, Esquire, 75 Bangor Junction Road, Bangor, PA 18013

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

SECOND PUBLICATION

ACHEY, NORMA G., dec'd.

Late of Northampton County, PA

Executor: Roy Boehm c/o William W. Matz, Jr., Esquire, 211 W. Broad Street, Bethlehem, PA 18018-5517

Attorney: William W. Matz, Jr., Esquire, 211 W. Broad Street, Bethlehem, PA 18018-5517

BELLIS, CHARLES E., JR., dec'd.

Late of the Township of Palmer, Northampton County, PA
Executrix: Joan M. Bellis, 3217 Nazareth Road, Easton, PA 18045

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

BEREZNY, JOHN a/k/a JOHN BEREZNY, JR., dec'd.

Late of Bethlehem, Northampton County, PA

Co-Executors: John Michael Berezny, Melonia B. Charles and Kathaleen Tessarzik c/o Sally L. Schoffstall, Esquire, Schoffstall & Focht, P.C., 2987 Corporate Court, Suite 200, Orefield, PA 18069

Attorneys: Sally L. Schoffstall, Esquire, Schoffstall & Focht, P.C., 2987 Corporate Court, Suite 200, Orefield, PA 18069

EVANS, ANNABELLE, dec'd.

Late of Bethlehem, Northampton County, PA

Executor: Paul S. Evans, Jr. c/o Robert Van Horn, Esquire, 740 Hamilton Street, 2nd Floor, Allentown, PA 18101

Attorney: Robert Van Horn, Esquire, 740 Hamilton Street, 2nd Floor, Allentown, PA 18101

HIXON, SADIE F. a/k/a SADIE HIXON, dec'd.

Late of the Borough of Bangor, Northampton County, PA

Executrix: Catherine F. Ahart c/o Theresa Hogan, Esquire, Attorney-at-Law, 340 Spring Garden Street, Easton, PA 18042

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

LIBBY, CHARLES C., dec'd.

Late of the City of Easton, Northampton County, PA

Co-Executors: Kay L. Major, Olive A. Stoops and William M. Libby c/o Richard J. Shir-off, Esquire, 724 Lehigh Street, Easton, PA 18042

Attorney: Richard J. Shir-off, Esquire, 724 Lehigh Street, Easton, PA 18042

MACALUSO, THERESE M.,
dec'd.

Late of the City of Bethlehem, Northampton County, PA
Administratrix: Charlotte T. Gazzana 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

MAGILTON, DONALD a/k/a DONALD G. MAGILTON,
dec'd.

Late of Moore Township, Northampton County, PA
Co-Executors: Thomas Magilton, 3197 Center Street, Whitehall, PA 18052 and Donna Flamisch, 325 Nazareth Drive, Nazareth, PA 18064
Attorney: Daniel G. Spengler, Esquire, 110 East Main Street, Bath, PA 18014

NESBY, VIOLET a/k/a VIOLET M. NESBY, dec'd.

Late of Forks Township, Northampton County, PA
Executrix: Carol Eells, 212 Parkridge Drive, Perkasio, PA 18944
Attorneys: Douglas M. Johnson, Esquire, Buschman & Johnson, 228 North Main Street, Souderton, PA 18964

OHMACHT, RUTH, dec'd.

Late of Bethlehem, Northampton County, PA
Co-Executors: Melinda A. Ohmacht a/k/a Melinda A. Arnold and Mitchell A. Ohmacht c/o Wendy A. Nicolosi, Esquire, Broughal & DeVito, L.L.P., 38 West Market Street, Bethlehem, PA 18018

Attorneys: Wendy A. Nicolosi, Esquire, Broughal & DeVito, L.L.P., 38 West Market Street, Bethlehem, PA 18018

WILSON, GENEVIEVE C., dec'd.
Late of the Township of Bethlehem, Northampton County, PA

Executor: Mr. Jan T. Wilson, 202 Andover Drive, Exton, PA 19341

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

THIRD PUBLICATION**BERMAN, FRANCES**, dec'd.

Late of the Borough of Wilson, Northampton County, PA
Executor: Barry Berman, 2511 N. Court, Bethlehem, PA 18017

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

BICKERT, LESTER W., dec'd.

Late of the Township of Bushkill, Northampton County, PA
Executor: Carl Bickert 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

DZUBUR, ABDULHALIM, dec'd.

Late of Easton, Northampton County, PA
Executrix: Jasmine Pennino, 902 Palmer Street, Easton, PA 18042

MARTIN, CHARLOTTE E.,
dec'd.

Late of Bath, Northampton County, PA

Executrix: Felicia Brunner
c/o Edward P. Shaughnessy,
Esquire, 654 Wolf Avenue,
Easton, PA 18042

Attorney: Edward P. Shaughnessy, Esquire, 654 Wolf Avenue, Easton, PA 18042

RENTSCHLER, MERRYL, dec'd.

Late of the Borough of Nazareth, Northampton County, PA

Executor: Nazareth National Bank & Trust Co. a/k/a Keystone Nazareth Bank & Trust Company, 76 South Main Street, Nazareth, PA 18064

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

SMITH, THOMAS G., dec'd.

Late of the City of Easton, Northampton County, PA

Administrator: Thomas G. Smith, Jr., 2209 Worthington Avenue, Bethlehem, PA 18017
Attorneys: Richard Brent Somach, Esquire, Somach & Wester, 1132 Hamilton Street, Suite 201, Allentown, PA 18101

STARNER, RAY E. a/k/a RAY STARNER, dec'd.

Late of the Township of Plainfield, Northampton County, PA
Co-Executrices: Susann J. Karpowich and Patrice R. Amin 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

SZOKE, TRACY L., dec'd.

Late of Walnutport, Northampton County, PA

Co-Administrators: Randal L. Szoke and Kim L. Szoke c/o Martin J. Karess, Esquire, Karess, Reich & Furst, PC, 215 N. Ninth Street, Allentown, PA 18102

Attorneys: Martin J. Karess, Esquire, Karess, Reich & Furst, PC, 215 N. Ninth Street, Allentown, PA 18102

ZAVACKY, CHERYL LYNN, dec'd.

Late of Bethlehem Township, Northampton County, PA

Administrator: Alan S. Zavacky, 110 Spruce St., Hellertown, PA 18055

NOTICES OF INCORPORATION

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

**E. W. BUTLER
CONSTRUCTION, INC.**

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

McFALL, LAYMAN
& JORDAN, P.C.

134 Broadway
Bangor, PA 18013

Feb. 10

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 Act of December 21, 1988, P.L. 1444, No.

177, as amended, by the following corporation:

The name of the corporation is:
MILLER & BLUM ASSOCIATES INC.

The Articles of Incorporation were filed on January 31, 2005.

The purpose for which it was organized is: The unlimited power to engage in and do any lawful business for which a corporation may be incorporated under the Business Corporation Law of the Commonwealth of Pennsylvania.

Miller & Blum Associates Inc.
229 Spring Garden St.
Easton, PA 18042

Feb. 10

RNR HOLDINGS, INC.

has been incorporated under the provisions of the Pennsylvania Business Corporation Law of 1988.

RICHARD T. CURLEY, ESQUIRE
546 Hamilton Street
Suite 211
P.O. Box 4375
Allentown, PA 18105

Feb. 10

LIMITED LIABILITY COMPANY NOTICES

NOTICE IS HEREBY GIVEN that a Certificate of Organization for a Domestic Limited Liability Company has been filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania, pursuant to the provisions of the Limited Liability Company Law of the Commonwealth of Pennsylvania, Act of December 7, 1994 (P.L. 703, No. 106), by the following company:

A.H.S.A.T.R. REALTY, LLC

The Certificate of Organization was filed on January 6, 2005.

WILLIAM G. MALKAMES,
ESQUIRE
509 Linden Street
Allentown, PA 18101

Feb. 10

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:

PRICE WOODWORK, LLC

The Certificate of Organization was filed on January 18, 2005.

PETERS, MORITZ, PEISCHL,
ZULICK & LANDES
1 South Main Street
Nazareth, PA 18064

Feb. 10

ASSOCIATE

Post & Schell, P.C. has an immediate opening in its Allentown office for an associate with three to five years experience in General Casualty Defense. Excellent compensation and benefits package. Please e-mail your resume and cover letter to jmcnulty@postschell.com or by mail to 1245 S. Cedar Crest Blvd., Suite 300, Allentown, PA 18103 or by fax to (610) 433-3972.

Feb. 10, 17

ATTORNEY WANTED

Small Allentown law firm seeks attorney to handle overflow work and provide research and writing support to busy general practice office in areas of civil litigation, labor, municipal and domestic relations law. Space available. Association optional. All inquiries will be kept in strictest confidence. Excellent opportunity for right individual. Fax resume to (610) 437-5670.

Feb. 10

OFFICE SPACE AVAILABLE

One-half block from Courthouse in established law office. \$550.00 per month includes secretarial area and all utilities. Joint use of copy machine is negotiable. Call (610) 258-0821 for more details.

Feb. 3, 10, 17

LEGAL NOTICE

NOTICE OF ANNUAL MEETING

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 12, 2005, 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 policy holder request and submitted prior to the above date.

Charles E. Houck
President

Attest: Charmaine E.
Bartholomew, Secretary
PRESTON W. MORITZ, ESQUIRE,
Attorney
Feb. 10, 17, 24

NOTICE OF SUSPENSION

NOTICE IS HEREBY GIVEN that on January 31, 2005, pursuant to Rule 208(f)(5) of the Pa. R.D.E., the Supreme Court of Pennsylvania ordered that Joseph Cletus Hollywood be placed on Temporary Suspension until further definitive action by this Court, effective March 2, 2005.

Elaine M. Bixler
Secretary of the Board
The Disciplinary Board of the
Supreme Court of Pennsylvania
Feb. 10

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

ARLINGTON ENTERPRISES, INC.,
Plaintiff

v.

ROBERT A. ABBOTT, III, and
ERIN M. ABBOTT, JOHN A.
ACKERMAN, JR., and MICHELLE
S. KLUMP, ANDREW J.
ALBANESE and JENNIFER J.
ALBANESE, JAMES E.
ALBANESE, LEROY ALBANESE,
ANDREW G. ALBANESE, LEROY
ALBANESE and ANDREW
GEORGE ALBANESE, PETER R.
ALBANESE, JOHN R. ALBERTON,
II, and KAREN A. ALBERTON,
LARRY L. ALLEN and VICKI
ALLEN, KURT J. ANKLAM and
HEIDI M. ANKLAM, DAWN
AZZALINA, DAVID A. BAKER and
KRIS A. BAKER, THOMAS S.
BARTHOLOMEW, BETTY JANE
BARTLESON and WILLIAM
BARTLESON, JEFFREY A.
BARTLESON, SHAWN
BARTOLACCI and ERIC J.
BARTOLACCI, FRANK A. BASKAR,
THOMAS BAVARIA and
JOSEPHINE BAVARIA, WALTER
C. BELTZ, JR., STEVEN BERMAN
and CHRISTINE BERMAN, ANNA
M. BET and ROGER A. BET,
ROBIN M. BET and KATHLEEN A.
BET, PATRICIA BLACK, DENNIS
RAY BORGER and JEANNE M.
BORGER, CARL A. BRADEN and
AUDREY M. BRADEN, SARAH A.
BRANHAM, LEWIS R. BROWN
and BETTILOU BROWN,
STEPHEN L. BROWN and CAROL
ANN BROWN, SALVATORE
BURRIESCI and LAURIE
BURRIESCI, FLOYD CAESAR,
JR., and JOANN JONES,
ROBERT J. CAESAR, ANTHONY

CAIAZZO and ARLENE M. CAIAZZO, MARK CAIAZZO, MARJORIE A. CAMPBELL, DALE N. CAPONE, DALE N. CAPONE and CARMELLA L. CAPONE, HELEN CARINO, THOMAS J. CASTANO, KENNETH J. CASTLE and DEBRA S. CASTLE, CIANCI FAMILY TRUST, RALPH A. CIANCI and GEORGIA P. CIANCI, TRUSTEES, KENNETH D. CLOSSEY, JOSEPH J. CONICELLI, SR., JOSEPH J. CONICELLI, JR., WILLIAM E. CONNORS and JOAN CONNORS, BETTY JANE COOK, BARRY A. CORTEZ, CARMEN S. CORTEZ, MARK CROSSEN and KELLY L. CROSSEN, JONATHAN L. CROWE and CONNIE J. CROWE, ANTHONY N. CURCIO and JOANN L. CURCIO, MICHAEL A. CURCIO and MICHELLE C. CURCIO, NANCY K. CURCIO, JEFFREY C. DAMOUR, VIRGINIA DAPKEWICZ, SANDRA F. DAVEY, RONALD DeCESARE and KENNETH C. DeCESARE, FRANK J. DeFELICE and JANIE S. DeFELICE, JOSEPH DELL'ALBA and VIRGINIA K. DELL'ALBA, THOMAS R. G. DENTITH and DIANE DENTITH, MICHAEL O. DePAULO and STELLA A. DePAULO, MICHAEL J. DEPOWERS and LINDA S. DEPOWERS, MICHAEL DESIENA, MICHAEL L. DETZI, RICHARD A. DEWALK and BEVERLY J. DEWALK, MARY L. DiPASQUALE, CARL H. DOBES and MARY DOBES, DEBORAH A. DORNEY, HENRY E. DRZEWIECKI and JEAN C. DRZEWIECKI, WILLIAM R. EALEY and SUSAN C. EALEY, DAVID A. EDELMAN and LOUISE E. EDELMAN, SCOTT JOHN EDWARDS and DENISE ANN

EDWARDS, PETER W. EIBECK and JENNIFER L. EIBECK, BRUCE EPPENSTEINER and KAREN EPPENSTEINER, NURETTIN EYGOREN and BUSRA EYGOREN, DAVID JOSEPH FALCONE, LOIS ANN MENHENITT, LINDA MAY YETTER, DAVID EUGENE DAVIS, JOSEPH ANTHONY FALCONE and CAROL MARGARET VASKO, THOMAS H. FEDON, DAVID A. FEHR, SR., and EILEEN F. FEHR, KURT FINDON and CAROL FINDON, MICHAEL K. FLOOD and SYLVIA J. FLOOD, KENNETH H. FORBES and BONNIE L. FORBES, WILLIAM W. FRIHART and VIRGINIA L. FRIHART, KERRY GASSLER, JOSEPH A. GENNUSA and DANIELLE L. GENNUSA, STEPHEN GERGAR and CLARA GERGAR, RICHARD W. GETZ and BEVERLY A. GETZ, ROLAND J. GETZ and MARY ANN GETZ, PETER A. GHELLER and ELIZABETH M. GHELLER, GARY S. GOLDEN and TRACEY EVANS, ARLENE F. GOWER, EARL E. GOWER and LAURA F. GOWER, DAVID G. GRAF and ELAINE M. GRAF, GRAND CENTRAL INVESTMENT CO., LTD., LEWIS A. GREENLEAF and GRACE E. GREENLEAF, ALLEN GROSSMAN and SUSAN GROSSMAN, ROBERT J. GRUBE and MICHELLE A. GRUBE, PATRICK GUERRO and JILDA GUERRO, RONALD GUERRO and ANNA MARIE GUERRO, RONALD N. GUERRO, ROBERT GUERRO and RICHARD GUERRO, MUAZBIN C. GULEN, SHERWOOD D. GUM and JUNE Z. GUM, JEANNETTE A. GUNSSER TRUST, JEANNETTE A. GUNSSER TRUSTEE, MICHAEL R. HAAS and

GREGORY P. LECK, partners trading as AVH VETERINARY GROUP, SCOTT R. HALBFOERSTER and REBEKAH HALBFOERSTER, DAREN P. HANDELONG, JOHN J. HANNON and CATHERINE A. HANNON, BENJAMIN HARTSHORNE, TIMOTHY G. HAYES and TRACEY A. HAYES, DAVID W. HENDERSHOT and ADRIANNE MASUT, THOMAS P. HENSHUE and STEPHANIE P. HENSHUE, DIANNE LOUISE HESS, WILLIAM J. HILL and VIOLA HILL, LAWRENCE W. HOCHREITER and CAROLYNNE HOCHREITER, NICK B. HOFF and JULIE A. HOFF, ROBERT J. HOLLAND and SUZANNE K. HOLLAND, STEPHEN E. HOWANITZ and PATRICIA L. HOWANITZ, RUTH ANN IMPECIATI and DUANE M. IMPECIATI, JAMES JASKULSKI and HELEN JASKULSKI, LARRY D. JOHNS and LAURIE A. JOHNS, RALPH A. KAHN and CARMELA A. KAHN, STEPHEN KARSTENSEN, ROBERT M. KAZMAR, JENNIFER L. KELLER, NANCY KERDZALIEV, NEAL KERLER and KATHERINE V. KLAUSZ, WILLIAM A. KERLER and HELEN T. KERLER, DONALD R. KESSLER and ALICE M. KESSLER, ROBERT J. KESTER, and V. MARIE KESTER, TYRONE W. KLUMP, JR., WAYNE W. KNECHT, and MARLANA S. KNECHT, THOMAS W. KNITTER and JOANN KNITTER, JOYCE M. KNOBLE, RICHARD KOCHER and LUCY KOCHER, RANDOLPH KOLB, KRISTAN G. KOLLEVOLL and GITTE N. KOLLEVOLL, WILLIS A. KRESGE and MARION L. KRESGE, GEORGE N. KRESSLER, MARK M. KUKLA, and MARIA J. KUKLA, RICHARD M. KUSTER and PRISCILLA KUSTER, KIMBERLY L. LAURITO, HELEN LEECH, WILLIAM J. LEH and MICHELLE L. LEH, CHARLES J. LESNEY, JR., and SUZANNE LESNEY, VAUGHN K. LEWIS and ANNA MAY LEWIS, JANICE L. LICHTENWALNER and TODD H. LICHTENWALNER, CLARA T. LIERO TRUST, CLARA T. LIERO, TRUSTEE, FLOYD LIERO and NORMA LIERO, JAMES LIERO and VIRGINIA LIERO, CHRISTOPHER T. LOBB and DIANE B. LOBB, RICKY J. LOCKARD, MARTIN LONG and SUSAN LONG, RAE ANN LUDWIG, LAWRENCE S. MAGDA, JR., DAVID R. MAGGIPINTO and KRISTEN R. MAGGIPINTO, RONALD L. MAINHARDT and MARY MAINHARDT, ANDREA M. MAINS, ANTHONY M. MALATESTINIC and GLORIA MALATESTINIC, JAMES MARGETIS, DANIEL MARTINO and GLORIA M. MARTINO, ROBERT D. MATLOCK and VIRGINIA L. MATLOCK, DARREN McBRIDE, ROBERT A. McMULLEN, III, MICHAEL J. McNAMARA, JR., and REGINA M. McNAMARA, PHILIP M. MILANI and JO-ANN MILANI, JAMES R. MILLER and DONNA F. MILLER, MARYANN MILLER, RICHARD S. MILLER and JOANNE L. MILLER, JAY K. MINERLEY and ROBERTA A. MINERLEY, PENNY S. MOHR and BARRY L. MOHR, THOMAS C. MOORE and CATHERINE A. MOORE, JOSEPH MOSCATELLO and KAREN MOSCATELLO, JAMES D. MOTTERN and PATTY G. SCHAFFER, JAMES E. MOTTERN and PATRICIA A.

MOTTERN, JOHN J. MULLIN and MARGUERITE J. MULLIN, HERBERT P. MURPHY and GRACE MURPHY, FRANK J. NASATKA and JANET M. NASATKA, CHRISTINE LYNN NEWTON, SAMUEL A. NITTLE and LINDA ANN NITTLE, BRUCE NODINE and DONNA NODINE, JOYCE A. NOE, NORTHAMERICAN EQUITY CORP., CHARLES A. OESSENICK and DEANNA A. OESSENICK, TODD C. OESSENICK and SHERI L. OESSENICK, TODD C. OESSENICK and SHERI L. REIMER, NORMAN OLIVETTI and LUCY OLIVETTI, OLIVETTI REVOCABLE AGREEMENT, RAYMOND W. ORWIG, JOHN L. PACOVICH and PRISCILLA PACOVICH, SANDRA M. PALMISANO, MARVIN PAPILLON, PAPILLON CONTRACTING, INC., LEONARD S. PARSONS, JAMES E. PAYNTER and LINDA M. PAYNTER, SHERRY L. PETRILAK and ALEX ACEVEDO, RYSZARD PIETEK and JOLENTA PIETEK, DAVID P. POLONI and MARIA L. POLONI, JOSEPH M. POWELL, JR., and ROXANNE POWELL, FLOYD A. PRATT and JANE R. PRATT, ALLEN D. PREDMORE and LORI LYNN PREDMORE, BETTY M. PRITCHARD, RICHARD PRITCHARD and BRONWEN PRITCHARD, PURDY FAMILY TRUST, EDWARD W. PURDY, JR., and AGNES R. PURDY, TRUSTEES, CHARLAYNE M. PUTEK, MARK PYSHER and CELINDA A. PYSHER, JOSEPH RAGOZINO and BERNADETTE RAGOZINO, JOSEPH RAGUSA and DONNA MARIE RAGUSA, KIM DAVID READ, JACK D. REIMER, FORREST S. ROBERTS, JR., and CHRISTINA M. ROBERTS, EDWIN A. ROMOND and MARY A. ROMOND, GARY W. ROSS, and SHEENA J. ROSS, SHERWOOD C. ROTH and BRENDA R. ROTH, CARMEL M. ROWDAN, JOHN G. RUFO and DIANE V. RUFO, PHILIP D. RUGGIERO and MARCI A. RUGGIERO, RICHARD E. RUPPERT, JR., and LEEAN RUPPERT, ELAINE CAROL RUTT, JAMES J. SANTO and SUZANNE SANTO, STEVEN A. SAVERCOOL and WENDY L. SAVERCOOL, DAVID SAVERI, JOHN W. SCHAFFER and PATTY G. SCHAFFER, JOHN W. SCHAFFER and PATRICIA G. MOTTERN, RENEE A. SCHINSTINE, DAVID SCHMAUDER and ESTELLA SCHMAUDER, HAROLD J. SCHOTT, HARRY H. SCHWARTZ and VINCENTA C. SCHWARTZ, GILBERT W. SCHWEITZER and BESSIE SCHWEITZER, MICHAEL J. SCUZZESE and MILDRED SCUZZESE, HENRY SEGATTI and HELEN SEGATTI, ESTHER M. SERFASS and HARVEY M. SERFASS, ROBERT M. SERFASS and ALICE F. SERFASS, PATRICK C. SHELLY and DENISE E. SHELLY, DAVID P. SHINER, JR., DERWOOD E. SHOOK and NANCY J. SHOOK, ROBERT SHULTZ, COSTA D. SIDERIAS and TAMMY LEE SIDERIAS, ROBERT P. SIEGFRIED and DOREEN M. SIEGFRIED, MERRILL C. SIMONS and MARLENE L. SIMONS, SLATE BELT INDUSTRIAL LAND DEVELOPMENT CO., CLIFFORD W. SMITH and JOAN C. SMITH, JAMES W. SMITH and CINDY A. SMITH, RICHARD D. SMITH, ANNA T. SNYDER, TIMOTHY B. SPARROW, ST. MARY'S

EPISCOPAL CHURCH, MARK L. STAMETZ and TINA M. STAMETZ, GEORGE L. STENLAKE and DOLORES I. STENLAKE, HAROLD H. STEWART and HELEN STEWART, ROBERT R. STEWART and MARY ANN STEWART, PETER J. STINSON and CYNTHIA A. STINSON, ROBERT A. STREICH and DONNA L. STREICH, WAYNE L. STRUNK and KAREN B. STRUNK, WILLIAM E. SWIDER and SALLY A. SWIDER, ROBERT J. TINNEY and WENDY A. TINNEY, THOMAS TOCKET and MARLENE R. TOCKET, BRADLEY TOMKO, DONNA K. TONKIN and THOMAS T. TONKIN, PAUL C. TRILLI and REBA TRILLI, RONALD E. TRILLI and SHIRLEY R. TRILLI, TRINITY EVANGELICAL LUTHERAN CHURCH, WACHOVIA BANK NATIONAL ASSOCIATION, HERMAN B. WALDMAN and MARK WALDMAN, THOMAS R. WARING and BONNIE J. WARING, WALTER D. WEAVER and CHRISTINE WEAVER, ROBERT WEBER and PATRICIA WEBER, HERBERT E. WEIDMAN and LORRAINE WEIDMAN, MARVIN J. WERKHEISER, SR. and LINDA L. WERKHEISER, FREDERICK W. WERNER, III, MARLYN S. WERNER and EVELYN WERNER, KENNETH E. WHITEHEAD and LINDA J. WHITEHEAD, GLORIA L. WILLIAMS, JAMES WILLS and ANNE WILLS, STEPHEN W. WILSON and TERRY E. KEESLER, WIND GAP BOROUGH, MARGARET WINTERS, ROGER WOOLLEY and LAURIE L. WOOLLEY, WPL PARTNERS, INC., STEVEN D. WUORI and DIANE C. WUORI, DEBRA A. YAHRAES, JEFFREY A.

YOB and CATHERINE A. LUBENSKY-YOB, RANDALL C. YORDY and SANDRA M. YORDY, FRANK C. ZUCAL and MAMIE ZUCAL, CARLO ZUCCARINI and MICHELLE M. ZUCCARINI,
Defendants

No. C0048CV2005000735

QUIET TITLE

NOTICE TO DEFENDANTS
AND/OR

ANY OTHER PARTY CLAIMING
TITLE UNDER THEM

TAKE NOTICE, that on February 4, 2005, the Plaintiff filed a complaint against you in the above court to quiet title and to extinguish or bar you from commencing an action for any right, lien, title or interest that you may have in the following real estate:

ALL THAT CERTAIN message and tract or parcel of land shown as Lot No. 2 on a major subdivision plan of property of John Benson, Jr., and Nora A. Benson dated August 25, 1989, prepared by William L. Diehl, P.E., P.L.S., and recorded in Plan Book Volume 90, Page 36, at the office of the Recorder of Deeds in and for Northampton County at Easton, Pennsylvania, and Tract No. 2 of Deed Book Volume 819, Page 16, both parcels situate on the easterly side of Utica Avenue in the Borough of Wind Gap, County of Northampton and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at an iron pin on the easterly right-of-way line of Utica Avenue, said iron pin being on line of land now or late of John D. and Gina Bonisese; thence along the easterly right-of-way line of Utica Avenue North five (5) degrees thirty-eight (38) minutes fifty-four (54) seconds East a distance of one hun-

dred and three one-hundredths (100.03) feet to an iron pin; thence along land now or late of Michael DeSiena the following three (3) courses and distances: (1) South eighty-five (85) degrees forty-five (45) minutes twenty-six (26) seconds East a distance of three hundred twenty-seven and twenty-seven one-hundredths (327.37) feet to an iron pin; (2) North five (5) degrees zero (0) minutes thirty-one (31) seconds East a distance of ninety-four (94) feet to an iron; and (3) North eighty-five (85) degrees forty-five (45) minutes twenty-six (26) seconds West a distance of three hundred thirty-seven and twenty-nine one-hundredths (337.29) feet to an iron pin; thence along the easterly right-of-way line of Utica Avenue North one (1) degree fifty-seven (57) minutes four (4) seconds East a distance of one hundred fifty-two and eighty-eight one-hundredths (152.88) feet to an iron pin; thence along land now or late of the Turtzo Association South eighty-five (85) degrees twenty (20) minutes thirty (30) seconds East a distance of one hundred (100) feet to an iron pin; thence along the same and also along land now or late of Gary D. Klump and along land now or late of Alex R. Edmonds North five (5) degrees forty-five (45) minutes East a distance of one hundred ninety-seven and fifty one-hundredths (197.50) feet to an iron pin; thence along the southerly right-of-way line of Seventh Street (unopened) South eighty-five (85) degrees twenty (20) minutes thirty (30) seconds East a distance of two hundred forty-two and eighty-six one-hundredths (242.86) feet to an iron pin; thence along land now or late of Emma E. and Betty Jane Hill South five (5) degrees zero

(0) minutes thirty-one (31) seconds West a distance of fifty-three and twelve one-hundredths (53.12) feet to an iron pin; thence along the same and also along land now or late of Joseph and Grace Lesica North seventy-six (76) degrees thirty-three (33) minutes forty (40) seconds East a distance of three hundred sixty-one and seventy one-hundredths (361.70) feet to an iron pin; thence along land now or late of St. Mary's Episcopal Church South seven (7) degrees eighteen (18) minutes twenty-six (26) seconds East a distance of five hundred three and thirty-six one-hundredths (503.36) feet to an iron pin; thence along the same and also along land now or late of Slate Belt Land Development Co., Inc., South three (3) degrees thirty-seven (37) minutes twenty-seven (27) seconds East a distance of one hundred (100) feet to an iron pin; thence along land now or late of Foster and Grace Sabtino along a curve to the right having a radius of seven hundred seventy-six and seventy-eight one-hundredths (776.78) feet, central angle of seven (7) degrees twenty-five (25) minutes twenty (20) seconds and a length of one hundred and sixty-two one-hundredths (100.62) feet and tangent of fifty and thirty-eight one-hundredths (50.38) feet to an iron pin; thence along the same and also along land now or late of Jeffrey A. and Angela L. Guth and also along land now or late of Jeffrey A. Guth and Angela Trilli and also along the northerly right-of-way line of Genoga Avenue North eighty-five (85) degrees forty-five (45) minutes twenty-six (26) seconds West a distance of two hundred thirty-five and fifty-six one-hundredths (235.56) feet to an iron pin; thence

along the westerly right-of-way line of Genoga Avenue South five (5) degrees fifty-eight (58) minutes fifty-four (54) seconds West a distance of thirteen and seven one-hundredths (13.07) feet to an iron pin; thence along the northwesterly right-of-way line of Poplar Street (unopened) South sixty-two (62) degrees fifty-eight (58) minutes fifty-four (54) seconds West a distance of three hundred eighty-three and fifty-eight one-hundredths (383.58) feet to an iron pin; thence along land now or late of John D. and Gina Bonisese the following two (2) courses and distance: (1) North five (5) degrees thirty-eight (38) minutes fifty-four (54) seconds East a distance of two hundred twelve and eighteen one-hundredths (212.18) feet to an iron pin; and (2) North eighty-five (85) degrees forty-five (45) minutes twenty-six (26) seconds West a distance of one hundred three-five (135) feet to an iron pin, the place of beginning.

CONTAINING nine and four hundred four-seven ten-thousandths (9.0447) acres (three hundred ninety-three thousand nine hundred eighty-seven [393,987] square feet) of land.

Being Northampton County Tax Identifier No.:

Map: E8, Block: 17, Lot: 6A, and
Map: E8, Block: 17, Lot: 7

You and each of you are requested to plead and file an Answer to the said Complaint within twenty (20) days from the date of this advertisement, or the Plaintiff thereafter, pursuant to the aforesaid Complaint, will request the Court of Common Pleas of Northampton County, Pennsylvania, Civil Division, to enter a decree (1) barring you and all other persons from asserting any right, title or interest in the said

lands inconsistent with the aforesaid interest of the Plaintiff; and (2) adjudicating that Plaintiff, by virtue of adverse possession as aforesaid, had acquired a full fee simple interest in the aforesaid tract of land, valid and indefeasible, as against all your rights and claims whatsoever unless you commence an Action in Ejectment within thirty (30) days from the entry of such judgment and decree.

You have been sued in Court. If you wish to defend against the claims set forth, you must take action within twenty (20) days after date of publication by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claim 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 NOTICE TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Lawyer Referral Service
155 South Ninth Street
Easton, PA 18042

Telephone: (610)258-6333

ALFRED S. PIERCE, ESQUIRE
Attorney for Plaintiff

124 Belvidere Street
Nazareth, PA 18064
(610) 759-1420

Feb. 10

NOTICE

NOTICE IS HEREBY GIVEN that the CAREER INSTITUTE OF TECHNOLOGY will present a petition to approve the private sale of a single one-story ranch house, constructed by the students at the CAREER INSTITUTE OF TECHNOLOGY, located at 1285 Vera Drive, Township of Forks, Northampton County, Pennsylvania 18040, for a proposed consideration of \$235,900 pursuant to Section 707(3) of the School Code on February 25, 2005 in Northampton County Court of Common Pleas in Courtroom No. 1 at 9:00 a.m.

JOHN E. FREUND, III, ESQUIRE
Solicitor for the
Career Institute of Technology
Feb. 3, 10, 17

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

Condemnation of Property of
George M. Diefenderfer
NO. C0048CV2005000724

NOTICE IS HEREBY GIVEN that on February 3, 2005, a Declaration of Taking was filed in the above-captioned matter. The condemnor is East Allen Township with a street address of 5344 Nor-Bath Boulevard, Northampton, PA 18067-9063.

NOTICE

If you wish to defend you must enter a written appearance personally or by attorney and file your defenses or objections in writing with the court. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief re-

quested 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. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

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

LAWYER REFERRAL SERVICE
155 South Ninth Street
Easton, PA 18042
(610) 258-6333

JOHN W. ASHLEY, ESQUIRE
I.D. No. 32645
FONZONE AND ASHLEY
Attorneys for East Allen Township
33 South 7th Street
P.O. Box 4180
Allentown, PA 18105-4180

Pursuant to the Pennsylvania Second Class Township Code, East Allen Township is condemning a portion of property situated at 6292 Hanoverville Road, Bethlehem, East Allen Township, Pennsylvania, for road widening purposes, intersection safety, and to preserve certain slopes. This condemnation is being made pursuant to the Second Class Township Code, 53 P.S. Section 67304, which provides that townships have the ability to layout, open, widen, vacate, etc., with regard to streets. This action was authorized by Resolution 2004-11,

authorizing this taking, a copy of the Resolution is available for view at East Allen Township, Municipal Building from 9:00 a.m. to 3:00 p.m.

The property to be taken is located along 6292 Hanoverville Road, in East Allen Township and involves a traffic signal easement along Hanoverville Road with the intersection of Jacksonville Road, a slope easement along the southerly right-of-way line of East Allen Township Road 746, also known as Hanoverville Road, a road right-of-way located at the southwesterly corner of the intersection of East Allen Township Road 746, a/k/a Hanoverville Road, with Hanover Township Road 575, a/k/a Jacksonville Road, a temporary construction easement along Hanoverville Road near its intersection with Jacksonville Road, a slope easement in the northerly right-of-way line of East Allen Township Road 746 a/k/a Hanoverville Road. The condemnee's property has been condemned as indicated above, with a copy of the plot plans being available at East Allen Township for review. The just compensation has been secured by a bond provided by the Township. If the condemnee wishes to challenge the power or the right of the condemnor to appropriate the prop-

erty, the sufficiency of the security, the procedure followed by the condemnor or the declaration of taking, preliminary objections must be filed within thirty (30) days after service of this notice.

Feb. 10

**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

EUGENE H. ALBERT, TRUST;
Fulton Financial Advisors, N.A.,
Trustee

ARTHUR E. WALTERS; Toma
(Doll) Giuffre and Lisa (Walters)
Cameline, Co-Administrators C.T.A.

AUDIT NOTICE

All Parties interested are notified that an audit list will be made up of all Accounts and the said list will be called for audit at the Northampton County Government Center, Easton, PA on: WEDNESDAY, FEBRUARY 23, 2005 AT 9:00 A.M. IN COURT-ROOM #1.

Dorothy L. Cole
Clerk of Orphans' Court
Feb. 3, 10

ATTORNEY WANTED

Growing Warren County, New Jersey law firm seeks an associate with 0-2 years experience. Candidate should be licensed in both New Jersey and Pennsylvania. We offer a competitive salary and benefits. Interested applicants should fax a detailed resume and references in confidence to (908) 454-3322.

Jan. 20, 27; Feb. 3, 10

APPRAISAL SPECIALIST

William T. Stoerle Jr. SRA

KEY REALTY

CERTIFIED REAL ESTATE APPRAISER

- Residential
- Commercial
- Industrial
- FHA / VA
- Multi Family
- Mobile Homes

(610) 868-4240
Fax (610) 868-1970
keyrlyt@lvar.org

1931 W. Broad St. • Bethlehem, PA 18018

NORTHAMPTON COUNTY REPORTER DIGEST—2005-2
RECENT DECISIONS OF THE COURTS OF COMMON PLEAS
OF NORTHAMPTON COUNTY

**GCR I, LLC; GCR II, LLC; COLSON GCR, LLC; AND CDC
DEVELOPMENT COMPANY, INC. v. ROBERT M. TAVIANINI**

Petition to Open Judgment—Motion to Strike Defendant's Petition

In the Court of Common Pleas of Northampton County, Pennsylvania, Civil Action—Law, No. C0048CV2004001690.

Order of Court entered that granting, Defendant, Robert M. Tavianini's, Petition to Open Judgment. Furthermore, Order of Court entered denying Plaintiffs, GCR I, LLC; GCR II, LLC; Colson GCR, LLC; and CDC Development Company, Inc., Motion to Strike Defendant's Petition. It is further ordered that pursuant to 42 Pa. C.S.A. §7304(a) Plaintiffs are Ordered and Compelled to participate in arbitration with Defendant. Lastly, it is Ordered that Plaintiffs shall appoint an arbitrator within 10 days of the filing of this order.

Douglas J. Smillie, Esquire for Plaintiffs.

John P. Karoly, Esquire for Defendants.

Order of Court entered on October 28, 2004 by Stephen G. Baratta, Judge.

DESCRIPTION OF DECISION

The Court granted Defendant, Robert M. Tavianini's, Petition to Open Judgment. The decision to grant or deny a petition to open judgment is within the sound discretion of the trial court. However, in determining whether to exercise its discretion to open a judgment the court must consider the three part *Schultz*. Under the *Schultz* Test the following three elements must exist: (1) the petition to open judgment must be promptly filed; (2) failure to appear in the underlying action is reasonably excused; and (3) the petition has pled a meritorious defense. Here, Defendant's petition was prompt as it was only filed one day late, Defendant had a reasonable excuse by attempting to divert the matter to arbitration as was required by contract, and Defendant had a meritorious defense in the compulsory arbitration provision of paragraph 29 of the parties' contract. Furthermore the Court denied Plaintiffs' Motion to Strike Defendant's Petition for mere technical reasons.

The Court ordered and compelled Plaintiff to participate in arbitration because a valid arbitration provision existed in the parties' agreement and the particular dispute fell within the scope of the arbitration provision.

**ROCK HILL MATERIALS COMPANY AND ROCK HILL
TRUCKING COMPANY, INC. v. C-T CONCRETE CO., INC.**

Determination of Interest

In the Court of Common Pleas of Northampton County, Pennsylvania, Civil Action—Law, No. C0048CV2000000570.

Order of Court entered that Plaintiffs, Rock Hill Materials Company and Rock Hill Trucking Company, Inc., are entitled to judgment in the amount of \$61,702.79 (\$42,557.64 + 23,272.63—\$4,172.48) and prejudgment interest of 1.5% per month (18% per annum).

Jerry A. Snyder, Esquire for Plaintiffs.

Patrick J. Reilly, Esquire for Defendant.

Order of Court entered on August 30, 2004 by Stephen G. Baratta, Judge.

DESCRIPTION OF DECISION

This case involved a dispute over the interest rate to be applied to the outstanding debt for materials and services provided by Plaintiffs, Rock Hill Materials Company and Rock Hill Trucking Company, Inc., for Defendant, C-T Concrete Company. Plaintiffs sought the application of a 1.5% interest per month (18% per annum) as was stated in price quotes that the Plaintiffs provided to Defendant. Defendant sought application of the legal rate of 6% interest rate as prescribed by 41 P.S. §202, because the parties never entered into a formal written agreement over the amount of interest to be applied. Plaintiffs provided Defendant with price quotes containing detailed contractual terms for product, delivery, price, and an interest rate to be applied in case of delinquency. The Court held that because Defendant placed orders with Plaintiffs based specifically on the price quotes provided Defendant had accepted Plaintiff's interest term.

MICHAEL TAKACS AND CONSTANCE TAKACS, HUSBAND AND WIFE v. ZONING HEARING BOARD OF BUSHKILL TOWNSHIP, NORTHAMPTON COUNTY, PA, AND BOARD OF SUPERVISORS, BUSHKILL TOWNSHIP, AND GUY ROOF AND PATRICIA ROOF

Zoning Appeal—“Commercial Vehicle”

In the Court of Common Pleas of Northampton County, Pennsylvania, Civil Division, No. C0048CV20040001984.

Order of Court entered in favor of Defendants.

Michael Corriere, Esquire for Plaintiffs.

James Zulick, Esquire for Defendant, Bushkill Township Zoning Hearing Board.

Gary Asteak, Esquire for Intervenor, Board of Supervisors, Bushkill Township.

Ralph Bellafatto, Esquire for Intervenor, Guy and Patricia Roof.

Order of Court entered on November 4, 2004 by F.P. Kimberly McFadden, Judge.

DESCRIPTION OF DECISION

Plaintiffs filed a zoning appeal challenging the decision of the Bushkill Township Zoning Hearing Board (“ZHB”) to uphold the Zoning Officer’s interpretation of Section 405.A of the Zoning Ordinance regarding whether the vehicles on the Roof’s property were “commercial vehicles.” Plaintiffs filed a second issue on appeal as to whether the Zoning Officer’s interpretation was contra to previous interpretations.

This Court held that there is substantial evidence to support the ZHB’s decision to uphold the Zoning Officer’s interpretation that the vehicles on the Roofs’ property are not commercial vehicles. Furthermore, this Court held that the ZHB did not abuse its discretion by not revisiting their previous interpretations, because there is substantial evidence to support the Zoning Officer’s interpretation that the vehicles on the Roofs’ property are different than those involved in the previous ZHB decisions.

**WAYNE TAYLOR v. WOODS REHABILITATION
SERVICE AND DANA L. CHATTIN**

Summary Judgment—Vocational Malpractice—Breach of Contract—Intentional Infliction of Emotional Distress

In the Court of Common Pleas of Northampton County, Pennsylvania, Civil Division, No. C0048CV2001003443.

Order of Court entered in favor of Defendants.

Thomas Aristide, Esquire for Plaintiff.

Michael Dunn, Esquire for Defendants.

Order of Court entered on November 4, 2004 by F.P. Kimberly McFadden, Judge.

DESCRIPTION OF DECISION

Plaintiff filed a complaint alleging vocational malpractice, breach of contract, and intentional infliction of emotional distress. Defendants filed a Motion for Summary Judgment asserting failure of the Plaintiff's claims on the merits and that the claims against Defendant, Dana Chattin, individually, should be dismissed.

This Court held that Defendants did not owe a duty to Plaintiff to advise employers of all medical conditions of the Plaintiff, and, therefore, this Court granted Defendants' motion for summary judgment.

This Court found that questions of material fact exist as to whether Plaintiff was an intended third party beneficiary of the contract between Defendant Woods and Selestech, a company hired by Plaintiff's employer to administer workers' compensation benefits. Therefore, this Court denied Defendant's motion for summary judgment based on breach of contract.

This Court also granted Defendants' motion for summary judgment based on intentional infliction of emotion distress, because there is no right of recovery for Defendant's alleged failure to act.

This Court also granted Defendants' motion for summary judgment and dismissed Plaintiff's claims against Dana Chattin individually, because Plaintiff failed to respond to Defendants' motion regarding Defendant Chattin.

**ESTHER QUINONES AND RAYMOND QUINONES v. APS LAKSHMI,
L.L.C., BIG WOODY'S, SOUTHSIDE INC., BIG WOODY'S SPORTS BAR
INC., Y DOOW IT INC. AND ELWOOD MARCKS**

Preliminary Objection—Improper Venue

In the Court of Common Pleas of Northampton County, Pennsylvania, Civil Division, No. C0048CV2003004274.

Order of Court entered in favor of Plaintiff.

Karen Arnold, Esquire for Plaintiffs.

Daniel Mirarchi, Esquire for Defendants.

Order of Court entered on September 29, 2004 by F.P. Kimberly McFadden, Judge.

DESCRIPTION OF DECISION

Plaintiffs filed a complaint against Defendant in Northampton County. All Defendants, with one exception, reside or have a place of business within Lehigh County. Defendants, therefore, filed a Preliminary Objection in the nature of improper venue.

This Court held that venue in Northampton County is not improper, as there is one Defendant that has a place of business in Northampton County, and the Plaintiff's choice of forum is given great weight.

DIRECT MERCHANTS CREDIT CARD BANK v. LISA J. CARTAGENA

Judgment on the Pleadings—Failure To File a Responsive Pleading—General Denial As Admission

In the Court of Common Pleas of Northampton County, Pennsylvania, Civil Division, No. CV-2003-5914.

Order of Court entered in favor of Plaintiff.

Yale Weinstein, Esquire for Plaintiff.

Lisa J. Cartagena, Pro Se.

Order of Court entered on September 29, 2004 by F.P. Kimberly McFadden, Judge.

DESCRIPTION OF DECISION

Plaintiffs filed a complaint against Defendant seeking balance due from a credit card utilized by Defendant. Defendant filed an answer but was unresponsive to Plaintiff's complaint.

This Court held that by failing to respond to Plaintiff's Complaint with specific denials, Defendant effectively admitted the averments contained within the Complaint.

Therefore, since Defendant effectively admitted the averments within Plaintiff's complaint, this Court granted Plaintiff's Motion for Judgment on the Pleadings.

CITIBANK (SOUTH DAKOTA) N.A. v. ROBERT E. BARLOW, JR.

Judgment on the Pleadings—General Denials As Admissions—Improper Invocation of Rule 1029(c)

In the Court of Common Pleas of Northampton County, Pennsylvania, Civil Division, No. C0048CV2003005201.

Order of Court entered in favor of Plaintiff.

Yale Weinstein, Esquire for Plaintiff.

Erik J. Conrad, Esquire for Defendant.

Order of Court entered on September 29, 2004 by F.P. Kimberly McFadden, Judge.

DESCRIPTION OF DECISION

Plaintiffs filed a complaint against Defendant seeking balance due from a credit card utilized by Defendant. After pleadings closed, Plaintiff filed a Motion for Judgment on the Pleadings for lack of factual or legal issues.

This Court held that by failing to respond to Plaintiff's Complaint with specific denials, Defendant effectively admitted the averments contained within the Complaint. Furthermore, Defendant improperly invoked Pa. R.C.P. 1029(c) by responding that "after reasonable investigation Defendant is unable to determine the truth of the averments" even though Defendant is clearly aware of whether the allegation is true or false.

Therefore, since Defendant effectively admitted the averments within Plaintiff's complaint, this Court granted Plaintiff's Motion for Judgment on the Pleadings.

COMMONWEALTH OF PENNSYLVANIA v. RICHELLE ABRAHAM*Omnibus Motion To Suppress—Miranda Warnings— Scope of Search Warrant*

In the Court of Common Pleas of Northampton County, Pennsylvania, Criminal Division, No. 2004-220.

Order of Court entered in favor of Commonwealth.

John Obrecht, Esquire for Commonwealth.

James Connell, Esquire for Defendant.

Order of Court entered on August 23, 2004 by F.P. Kimberly McFadden, Judge.

DESCRIPTION OF DECISION

Defendant filed a motion to suppress evidence, arguing that the statements she made to the police were in violation of her constitutional rights because the police did not read Defendant her *Miranda* rights until after she made incriminating statements. Defendant also argued that the searches and seizures made by the police were outside the scope of the search warrant.

This Court held that the police were not required to warn Defendant of her rights when the conversations began because Defendant was not in custody. Furthermore, Defendant's statements were voluntary.

This Court also held that the items seized were within the scope of the search warrant. The search warrant indicated that the premises to be searched was the "first floor apartment." This Court held that the first floor apartment reasonably includes the basement, which is where the incriminating items were found and seized.

Therefore, this Court denied Defendant's Omnibus Pre-Trial Motion to Suppress.

**MANOJ CHAUDHURY AND SHIBANI CHAUDHURY, HUSBAND & WIFE
v. ALLSTATE INSURANCE COMPANY***Preliminary Objection—Demurrer—Bad Faith*

In the Court of Common Pleas of Northampton County, Pennsylvania, Civil Division, No. C0048CV200400-5053.

Order of Court entered in favor of Plaintiff and partially in favor of Defendant.

Leonard M. Mellon, Esquire for Plaintiffs.

John J. Donnelly, Esquire for Defendant.

Order of Court entered on October 8, 2004 by F.P. Kimberly McFadden, Judge.

DESCRIPTION OF DECISION

Plaintiffs filed a complaint against Defendant alleging Breach of Contract and Bad Faith. Defendant filed preliminary objections to the complaint alleging that Plaintiff did not support a cause of action based on breach of contract or bad faith, and Plaintiff's claim is insufficient with regard to their claim for medical damages.

This Court held that Plaintiffs' Complaint was sufficient to support both a claim for Breach of Contract and Bad Faith. This Court held, however, that Defendant's Preliminary Objection in the nature of a more specific pleading was granted because it was unclear whether Plaintiff was seeking medical damages.