

# Northampton County Reporter

(USPS 395-280)

VOL. LVI

EASTON, PA March 17, 2011

NO. 63

**Capital One Bank USA NA, Plaintiff v. Salvatore Mendisana, Defendant**

**Citibank (South Dakota), N.A., Plaintiff v. Mary K. Becker, Defendant**

**John C. Guldin, Plaintiff v. Pamela J. Evans, Defendant**

## CONTENTS

Audit—Orphans' Court.....	12	Legal Notices.....	12
Bar News.....	3	Notices of Dissolution.....	12
Estate Notices.....	4	Notice of Incorporation.....	11
Fictitious Name Registration Notice.....	12	Paralegal.....	40
Full Time Attorney Position.....	40	Sheriff's Sales.....	19

### INSERT: Green: 1. Reception for the Court

2. 2011 Calendar

3. The NCBA welcomes two new members

4. Walk for a Healthy Community

Cream: 1. NCBA/BALC Joint Event

2. "Business and Ethical Considerations When Representing Personal Injury Clients"

3. "Protecting You and Your Clients' Retirement from a Disability"

4. "How to Succeed in Business Without Really Trying"

### NOTICE TO THE BAR...

#### RECEPTION FOR THE COURT

Friday, March 25, 2011 • Northampton Country Club

RSVP due by March 21, 2011.

**NORTHAMPTON COUNTY BAR ASSOCIATION  
2011 BAR ASSOCIATION OFFICERS**

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*Northampton County Reporter*

**Attorney Referral & Information Service**

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**BAR ASSOCIATION STAFF**

Mary Beth Leeson . . . . . Executive Director  
Stephanie Pasquel . . . . . Accounting  
Heather Rizzotto-Stefanik . . . . . Legal Journal  
Gloria A. Robison . . . . . Attorney Referral  
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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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Edward P. Shaughnessy, Esquire

Editor

## **NOTICE TO NCBA MEMBERS – BAR NEWS**

### **Committee Preference Forms**

New committees are formed each year. It may not be assumed that you roll over to the committee each year. Complete the Committee Preference Form if you would like to be added to a committee.

### **Mark Your Calendars**

Reception for the Court—Friday, March 25, 2011.

Registration form inside.

NCBA/BALC Joint Event—Iron Pigs Game—Thursday, April 21, 2011

Registration form inside.

*This is the only Iron Pigs game we are attending this year.*

Quarterly Association Meeting—Thursday, May 19, 2011.

Malpractice Avoidance Seminar @ Best Western.

### **NCBA Photo Directory**

We are publishing a new photo directory this year. Information on where and when the photo sessions will be scheduled should be out within the next few weeks. Please make every effort to have your photo taken for the directory. Members want to know who you are!

Who so neglects learning in his youth, loses the past and is dead for the future.  
~ Euripedes, 485-406 B.C.

**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****BOO, DIANE L., dec'd.**

Late of East Bangor, Northampton County, PA

Executor: Jason Biechy, 224 Birch Street, Walnutport, PA 18088

Attorneys: Charles A. Waters, Esquire, Steckel and Stopp, 125 S. Walnut Street, Suite 210, Slatington, PA 18080

**DORSA, FRANCES M. a/k/a FRANCES DORSA, dec'd.**

Late of the Township of Bethlehem, Northampton County, PA  
Co-Executors: Nancy Ann Bartolanzo, 440 Raritan Avenue, Raritan, NJ 08869 and James A. Dorsa, Sr., 1317 Jeffrey Lane, Easton, PA 18045

Attorney: Louis S. Minotti, Jr., Esquire, 44 North Second Street, P.O. Box 468, Easton, PA 18042

**EDELMAN, DELBERT A., JR. a/k/a DELBERT A. EDELMAN, dec'd.**

Late of the Township of Bethlehem, Northampton County, PA  
Executor: Howard H. Edelman 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

**FETT, MATHIAS, dec'd.**

Late of Nazareth, Northampton County, PA

Executor: Ilona Fett-Rodriguez c/o Fitzpatrick Lentz & Bubba, P.C., 4001 Schoolhouse Lane, P.O. Box 219, Center Valley, PA 18034-0219

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

**FLICK, NORMAN A., dec'd.**

Late of Lehigh Township, Northampton County, PA

Executors: Carol A. Gross, 4747 Main Street, Whitehall, PA 18052 and Arthur W. Miller, 15117 Kutztown Road, Kutztown, PA 19530

Attorneys: Charles W. Stopp, Esquire, Steckel and Stopp, 125 S. Walnut Street, Slatington, PA 18080

**GILL, ROBERT J., dec'd.**

Late of the City of Bethlehem, Northampton County, PA

Executor: Robert A. Gill c/o Vaughn A. Terrinoni, Esquire, 3976 Township Line Road, Bethlehem, PA 18020

Attorney: Vaughn A. Terrinoni, Esquire, 3976 Township Line Road, Bethlehem, PA 18020

**KIRCHGASSNER, BETTY F., dec'd.**

Late of the Township of Palmer, Northampton County, PA

Administratrix: Ruth K. Bogari 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

**KNAUSS, MARJORIE P. a/k/a MARJORIE KNAUSS**, dec'd.

Late of the City of Bethlehem, Northampton County, PA  
Executors: Dwight Schantz and Williams Evans c/o Michael E. Riskin, Esquire, Riskin and Riskin, 18 E. Market St., P.O. Box 1446, Bethlehem, PA 18016-1446

Attorneys: Michael E. Riskin, Esquire, Riskin and Riskin, 18 E. Market St., P.O. Box 1446, Bethlehem, PA 18016-1446

**LERCH, ELSIE H.**, dec'd.

Late of the Borough of Northampton, Northampton County, PA  
Executrix: Elaine Horwith, 2456 Main Street, Northampton, PA 18067

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

**LIGHT, HARRY G.**, dec'd.

Late of Lower Saucon Township, Northampton County, PA  
Executrix: Nancy Knerr Light c/o Gregory E. Grim, Esquire, Grim, Biehn & Thatcher, 104 South Sixth Street, P.O. Box 215, Perkasio, PA 18944-0215

Attorneys: Gregory E. Grim, Esquire, Grim, Biehn & Thatcher, 104 South Sixth Street, P.O. Box 215, Perkasio, PA 18944-0215

**MEIXSELL, RAYMOND H.**, dec'd.

Late of the Township of East Allen, Northampton County, PA  
Executor: Robert F. Meixsell, 6910 Silver Crest Road, Nazareth, PA 18064

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

**MORTON, ANNA M.**, dec'd.

Late of Bethlehem and Hanover Township Area, Northampton County, PA

Executrix: Barbara Stella, 575 Angelo Drive, Bethlehem, PA 18017

**REMALY, SAMUEL M.**, dec'd.

Late of the Township of East Allen, Northampton County, PA  
Executrix: Ruth M. Remaly c/o Paul A. Florenz, Esquire, Kolb, Vasiliadis and Florenz, 74 West Broad Street, Ste. 170, Bethlehem, PA 18018-5738

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

**SEAMAN, MARGARET M.**, dec'd.

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

Co-Executors: Michael R. Seaman and Ann Marie F. Seaman 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

**SPEVAK, PAULINE R. a/k/a PAULINE T. SPEVAK**, dec'd.

Late of the City of Bethlehem, Northampton County, PA  
Executrix: Diane Messics, 446 Blue Ridge Drive, Nazareth, PA 18064

Attorney: James Martin Connell, Esquire, 251 East Broad Street, Bethlehem, PA 18018

**STRAWN, EDITH E.**, dec'd.

Late of the City of Bethlehem, Northampton County, PA

Executrix: Nancy Blatnik, 1711 Willow Park Road, Bethlehem, PA 18020

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

**THIESSEN, ROBERT C.,** dec'd.

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

Executrices: Elizabeth R. Favorito, 4518 Kimberly Court, Bethlehem, PA 18020 and Patricia A. Ball a/k/a Patricia T. Bader, 686 Brandywine Road, Nazareth, PA 18064

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

**TONNETT, FLORENCE M.,** dec'd.

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

Executrix: Kathy M. DiGiesi-Hoffert 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

**SECOND PUBLICATION**

**AKREP, ALBERT F.,** dec'd.

Late of Forks Township, Northampton County, PA

Executrix: Margaret E. Akrep c/o Ralph J. Bellafatto, Esquire, 4480 William Penn Highway, Easton, PA 18045

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

**BISCHKE, MARGARET a/k/a MARGARET THERESE BISCHKE,** dec'd.

Late of the Township of Bethlehem, Northampton County, PA

Executor: Roy Wade 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

**BLACK, STEVEN M.,** dec'd.

Late of Pen Argyl, Northampton County, PA

Administratrix: Patricia Rissmiller, Wind Gap, PA 18091

Attorneys: James G. Murphy, Esquire, Murphy & Murphy, P.C., 106 N. Franklin St., Suite 2, P.O. Box 97, Pen Argyl, PA 18072

**ELLIS, LORRAINE O. a/k/a LORRAINE ELLIS,** dec'd.

Late of Bethlehem, Northampton County, PA

Executrix: Cindy Lou Ellis, 2137 Montgomery Street, Bethlehem, PA 18017

Attorney: Brett B. Weinstein, Esquire, 705 W. DeKalb Pike, King of Prussia, PA 19406

**GOEPFERT, JOANNE L.,** dec'd.

Late of the Township of Palmer, Northampton County, PA

Executrices: Melinda S. Snyder and Debra L. Coulton c/o Daniel E. Cohen, Attorney, Seidel, Cohen, Hof & Reid, L.L.C., 3101 Emrick Blvd., Suite 205, Bethlehem, PA 18020

Attorneys: Daniel E. Cohen, Attorney, Seidel, Cohen, Hof & Reid, L.L.C., 3101 Emrick Blvd., Suite 205, Bethlehem, PA 18020

**HAHN, ARLENE R.,** dec'd.

Late of the Township of Plainfield, Northampton County, PA

Executors: Ralph W. Hahn and Brenda L. Steinmetz 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

**HOFFMAN, ALTHEA M. a/k/a ALTHEA HOFFMAN**, dec'd.

Late of the Borough of Portland, Northampton County, PA

Administrators: Barry Hoffman, Ara J. Thomas and Katherine L. Shook 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

**HORVATH, ELSIE D.**, dec'd.

Late of the Borough of Hellertown, Northampton County, PA  
Executor: William L. Horvath, Jr. 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

**KINCAID, WILLARD H.**, dec'd.

Late of the City of Bethlehem, Northampton County, PA  
Executrix: Wilma Meyer c/o John J. Bartos, Esquire, 100 Brodhead Road, Suite 130, Bethlehem, PA 18017

Attorney: John J. Bartos, Esquire, 100 Brodhead Road, Suite 130, Bethlehem, PA 18017

**KNECHT, ELEANOR M.**, dec'd.

Late of the Borough of Nazareth, Northampton County, PA

Executor: James F. Knecht c/o Theodore R. Lewis, Esquire, Lewis and Walters, 46 S. 4th Street, P.O. Box A, Easton, PA 18044-2099

Attorneys: Theodore R. Lewis, Esquire, Lewis and Walters, 46 S. 4th Street, P.O. Box A, Easton, PA 18044-2099

**KOVACH, JULIA**, dec'd.

Late of the Borough of Freemansburg, Northampton County, PA  
Executrix: Helen Bachochin c/o William P. Leeson, Esquire, Leeson, Leeson & Leeson, 70 E. Broad Street, P.O. Box 1426, Bethlehem, PA 18016-1426

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

**LaBAR, DONNA H. a/k/a DONNA HUMMER LaBAR**, dec'd.

Late of the Borough of East Bangor, Northampton County, PA  
Executrix: Bonnie L. Hayford 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

**MAZZA, JOSEPH P.**, dec'd.

Late of the Township of Bethlehem, Northampton County, PA  
Executrix: Helen Marie Shafer c/o April L. Cordts, Esquire, 391 Nazareth Pike, Bethlehem, PA 18020

Attorney: April L. Cordts, Esquire, 391 Nazareth Pike, Bethlehem, PA 18020

**MITMAN, KATHRYN B.**, dec'd.

Late of Bethlehem, Northampton County, PA



Executors: Philip B. Mitman and Joyce E. Welken c/o Joel M. Scheer, Esquire, Fishbone & Scheer, 940 W. Lafayette Street, Easton, PA 18042

Attorneys: Joel M. Scheer, Esquire, Fishbone & Scheer, 940 W. Lafayette Street, Easton, PA 18042

**MONETA, PETER G.,** dec'd.

Late of Bethlehem, Northampton County, PA

Executrix: Lee Ann Rinkenbergh, 4505 Greenfield Road, Bethlehem, PA 18017

Attorney: Daniel P. Sabetti, Esquire, 224 West Broad Street, Bethlehem, PA 18018

**PENSACK, BETTY JANE,** dec'd.

Late of the Township of Upper Mount Bethel, Northampton County, PA

Executor: Richard A. Pensack 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

**SOURS, DOROTHY G. a/k/a DOROTHY SOURS,** dec'd.

Late of the Township of Bethlehem, Northampton County, PA  
Executor: John Sours, Jr. 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

**WACK, FRANK, JR.,** dec'd.

Late of the Township of Palmer, Northampton County, PA

Executrix: Marlyn Moore Wack 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

**ZIEGLER, WAYNE C.,** dec'd.

Late of the Borough of Nazareth, Northampton County, PA

Administrator C.T.A.: National Penn Investors Trust Co., 1620 Pond Road, Suite 200, Allentown, PA 18104

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

**THIRD PUBLICATION**

**ALBERTSON, MARGARET J.,** dec'd.

Late of Northampton, Northampton County, PA

Executor: John B. Mesics, Jr. c/o Donald S. Young, Esquire, Rebecca M. Young, Esquire, Young & Young, 119 E. Main Street, Macungie, PA 18062

Attorneys: Donald S. Young, Esquire, Rebecca M. Young, Esquire, Young & Young, 119 E. Main Street, Macungie, PA 18062

**BENNETT, MICHAEL,** dec'd.

Late of Bethlehem, Northampton County, PA

Executrix: Sandra J. Bennett, 333 E. Broad St., Bethlehem, PA 18018

Attorneys: Gary M. Miller, Esquire, Miller & Davison, 210 E. Broad Street, Bethlehem, PA 18018



**BILHEIMER, KENNETH H.,** dec'd.

Late of Walnutport, Northampton County, PA

Executrices: Barbara J. DeLong, 3706 Highland Road, P.O. Box 207, Neffs, PA 18065 and Carol A. Overholt, 4308 Butter Street, Walnutport, PA 18080

Attorneys: Keith W. Strohl, Esquire, Steckel and Stopp, 125 S. Walnut Street, Suite 210, Slatington, PA 18080.

**BILHEIMER, RUTH A.,** dec'd.

Late of Walnutport, Northampton County, PA

Executrices: Barbara J. DeLong, 3706 Highland Road, P.O. Box 207, Neffs, PA 18065 and Carol A. Overholt, 4308 Butter Street, Walnutport, PA 18080

Attorneys: Keith W. Strohl, Esquire, Steckel and Stopp, 125 S. Walnut Street, Suite 210, Slatington, PA 18080.

**BOOTH, ELLEN C.,** dec'd.

Late of Bethlehem Township, Northampton County, PA

Executrix: Beverly E. B. Butz, 380 E. Dannersville Rd., Bath, PA 18014

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

**BUKICS, ALICE R.,** dec'd.

Late of the Borough of Hellertown, Northampton County, PA  
Executrix: Jean D. Wagner 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

**COLE, RUTH A.,** dec'd.

Late of Northampton County, PA

Executor: Bruce G. Cole, 1302 Clearfield Road, Nazareth, PA 18064

Attorneys: Kevin A. Hardy, Attorney At Law, P.C., P.O. Box 818, Stroudsburg, PA 18360

**CORRELL, WILLIAM C.,** dec'd.

Late of the Township of Bushkill, Northampton County, PA

Personal Representatives: Katherine M. (Correll) Beam, 606 Farm Hill Road, Northampton, PA 18067 and Judy A. (Correll) Bobeck, 823 South 24th Street, Easton, PA 18042

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

**FAUST, TERRY A.,** dec'd.

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

Administratrix: Frances M. Faust 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

**FEEHAN, JOHN D.,** dec'd.

Late of the Township of Hanover, Northampton County, PA

Executrix: Margaret F. Hansen a/k/a Marbo F. Hansen c/o Littner, Deschler & Littner, 512 North New Street, Bethlehem, PA 18018

Attorneys: Littner, Deschler & Littner, 512 North New Street, Bethlehem, PA 18018

**FRITZO, CONNIE B.,** dec'd.

Late of the Township of Palmer, Northampton County, PA

Executor: Jeffrey L. Fritzo 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

**FRY, JAMES, SR. a/k/a JAMES FRY**, dec'd.

Late of the Borough of Nazareth, Northampton County, PA  
Executor: James Fry, Jr. 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

**GIBBONS, ROBERT**, dec'd.

Late of the Township of Palmer, Northampton County, PA  
Executrix: Mrs. Annette Gibbons c/o Robert C. Brown, Jr., Esquire, Fox, Oldt & Brown, 940 West Lafayette Street, Suite 100, Easton, PA 18042-1412  
Attorneys: Robert C. Brown, Jr., Esquire, Fox, Oldt & Brown, 940 West Lafayette Street, Suite 100, Easton, PA 18042-1412

**HOCHWARTER, JOHN W.**, dec'd.

Late of the Township of Palmer, Northampton County, PA  
Executrix: Sheryl A. Montoro-Creazzo 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

**KORVES, JEROME B.**, dec'd.

Late of Bethlehem, Northampton County, PA

Executrix: Anne Korves, 86 Oak Lane, Northampton, PA 18067  
Attorney: Robert P. Daday, Esquire, 1042 W. Walnut Street, Allentown, PA 18102

**KRAUTTER, RUTH**, dec'd.

Late of Upper Mt. Bethel, Northampton County, PA  
Executor: C. George Kemmerer c/o Timothy J. Duckworth, Esquire, Mosebach, Funt, Dayton & Duckworth, P.C., P.O. Box 20770, Lehigh Valley, PA 18002-0770  
Attorneys: Timothy J. Duckworth, Esquire, Mosebach, Funt, Dayton & Duckworth, P.C., P.O. Box 20770, Lehigh Valley, PA 18002-0770

**LAUDENSLAGER, KATHRYN R.**, dec'd.

Late of the Borough of Hellertown, Northampton County, PA  
Executor: Robert J. Laudenslager 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

**LONCAR, MARGILLIA B.**, dec'd.

Late of 8 Longwood Circle, Bath, Northampton County, PA  
Executor: Lee A. Conrad, Esquire, Thomas, Conrad & Conrad, 3 North Main Street, Topton, PA 19562  
Attorneys: Lee A. Conrad, Esquire, Thomas, Conrad & Conrad, 3 North Main Street, Topton, PA 19562

**MACKES, CHARLES E.**, dec'd.

Late of the Township of Bushkill, Northampton County, PA  
Executor: Eugene D. Mackes c/o David M. Backenstoe, Esquire,

514 Main Street, Hellertown, PA 18055

Attorney: David M. Backenstoe, Esquire, 514 Main Street, Hellertown, PA 18055

**NONEMAKER, LEON L. a/k/a LEON NONEMAKER**, dec'd.

Late of the City of Bethlehem, Northampton County, PA

Executrix: Jean F. Nonemaker c/o Littner, Deschler & Littner, 512 North New Street, Bethlehem, PA 18018

Attorneys: Littner, Deschler & Littner, 512 North New Street, Bethlehem, PA 18018

**SANDT, RUTH N.**, dec'd.

Late of Palmer Township, Northampton County, PA

Executrix: Sharon L. Gackebach c/o Joel M. Scheer, Esquire, Fishbone & Scheer, 940 W. Lafayette Street, Easton, PA 18042

Attorneys: Joel M. Scheer, Esquire, Fishbone & Scheer, 940 W. Lafayette Street, Easton, PA 18042

**SHATSKY, GERALDINE I.**, dec'd.

Late of Nazareth Borough, Northampton County, PA

Executrix: Jane L. Kline, 6140 Pond View Terrace, Bath, PA 18014

Attorneys: Christopher M. McLean, Esquire, Zator Law Offices, LLC, 4400 Walbert Avenue, Allentown, PA 18104

**VALO, LARRY F. a/k/a LARRY VALO**, dec'd.

Late of the Borough of Bath, Northampton County, PA

Executrix: Doreen Zdonowski c/o Leo P. Jackson, Esquire, JacksonLaw, LLC, 607 Monroe

Street, P.O. Box 698, Stroudsburg, PA 18360

Attorneys: Leo P. Jackson, Esquire, JacksonLaw, LLC, 607 Monroe Street, P.O. Box 698, Stroudsburg, PA 18360

**WRIGHT, MALCOLM R.**, dec'd.

Late of the Township of Palmer, Northampton County, PA

Administratrix: Pamela D. Kistler c/o Littner, Deschler & Littner, 512 North New Street, Bethlehem, PA 18018

Attorneys: Littner, Deschler & Littner, 512 North New Street, Bethlehem, PA 18018

**WUCHTER, CHARLES C.**, dec'd.

Late of the Borough of Bath, Northampton County, PA

Executor: Charles C. Wuchter, Jr. 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

**NOTICE OF INCORPORATION**

NOTICE IS HEREBY GIVEN that Articles of Incorporation have been filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania, for the purpose of obtaining a Certificate of Incorporation pursuant to the Business Corporation Law of the Commonwealth of Pennsylvania.

The name of the corporation is:

**DARELV, INC.**

The purpose of the corporation is to engage in business dealings involving sale, use and disposition of real estate and any other lawful purpose permitted under the laws of the Commonwealth of Pennsylvania.

The Articles of Incorporation were filed on March 14, 2011.

J. STEPHEN KREGLOW, ESQUIRE  
5201 William Penn Highway  
Easton, PA 18045

Mar. 17

**FICTITIOUS NAME  
REGISTRATION NOTICE**

NOTICE IS HEREBY GIVEN, pursuant to the provisions of Act No. 295 of 1982, as amended, application was made by Edward P. Shaughnessy, 731 Lehigh Street, Easton, PA 18042 on behalf of Shana Restucci in her Political Campaign for District Judge to the Secretary of the Commonwealth of PA, on February 28, 2011 for a certificate to carry on political endeavors in Northampton County, Pennsylvania, under the assumed or fictitious name, style or designation of:

**RESTUCCI FOR  
DISTRICT JUDGE**

With an address at: 731 Lehigh Street, Easton, PA 18042.

Mar. 17

**NOTICES OF DISSOLUTION**

NOTICE IS HEREBY GIVEN to all creditors and claimants of **Tau Delta Zeta Psi Elders Association**, a Pennsylvania nonprofit corporation, that a proposal has been duly adopted that the corporation be voluntarily dissolved and that the board of directors is now engaged in winding up and settling the affairs of the corporation under the provisions of Section 5975 of the Non-Profit Corporation Law of 1988.

Mar. 17

NOTICE IS HEREBY GIVEN to all creditors and claimants of **Tau Delta Elders of Zeta Psi, Inc.**, a Pennsylvania nonprofit corporation, that a proposal has been duly adopted that the corporation be voluntarily dis-

solved and that the board of directors is now engaged in winding up and settling the affairs of the corporation under the provisions of Section 5975 of the Non-Profit Corporation Law of 1988.

Mar. 17

**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

MAMIE PINTO BONISESE a/k/a  
MAMIE BONISESE; John D. Bonise-  
se, Sr., Executor

ROBERT P. GAFFNEY; Patricia A.  
Windas, Administratrix

RYAN M. LUCAS; Marie L. Knecht,  
Administratrix

JOSEPH PATTI a/k/a GIUSEPPE  
PATTI; Maria Patti, Executrix

MARK S. RETZLER a/k/a MARK  
STEVEN RETZLER; Annette M. Filler,  
Executrix

**AUDIT NOTICE**

All Parties interested are notified that an audit list will be made up of all Accounts and the said list will be called for audit at the Northampton County Government Center, Easton, PA on: FRIDAY, MARCH 25, 2011 AT 9:00 A.M. IN COURTROOM #1.

Dorothy L. Cole  
Clerk of Orphans' Court

Mar. 10, 17

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

JOSIE DeJESUS,

Plaintiff

vs.

HECTOR DeJESUS,

Defendant

**No. C0048-CV 2011-1961**

NOTICE IS HEREBY GIVEN that the above was named as Defendant in a civil action instituted by Plaintiff. This is an action in Divorce and Custody which was filed by the Plaintiff on or about March 2, 2011.

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

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 decree of divorce or annulment may be entered against you by the Court. A judgment may also be entered against you without further notice for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you, including custody or visitation of your children.

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.

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

HARRY NEWMAN  
& ASSOCIATES, P.C.

3897 Adler Place  
Suite 180C  
Bethlehem, PA 18017  
(610) 867-5005

Mar. 17

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

NOTICE OF ACTION IN  
MORTGAGE FORECLOSURE  
Deutsche Bank National Trust  
Company, as Trustee Under Pooling  
and Servicing Agreement Dated as  
of February 1, 2007 Securitized  
Asset-Backed Receivables LLC  
Trust 2007-NC2 Mortgage Pass-  
Through Certificates, Series  
2007-NC2 1661 Worthington Road,  
#100 West Palm Beach, FL 33409,  
Plaintiff

vs.

All Unknown Heirs of the Estate  
of Stephen J. Girman,  
432 North Lehigh Avenue,  
Wind Gap, PA 18091,  
Defendant(s)

**NO. C-48-CV-2009-12786**

**NOTICE OF SALE  
OF REAL PROPERTY**

To: All Unknown Heirs of the Estate  
of Stephen J. Girman, Defen-  
dant(s), 432 North Lehigh Avenue,  
Wind Gap, PA 18091

Your house (real estate) at 432  
North Lehigh Avenue, Wind Gap, PA  
18091 is scheduled to be sold at the  
Sheriff's Sale on May 6, 2011 at 10:00  
a.m. in the Northampton County  
Courthouse, 7th and Washington  
Streets, Easton, PA, to enforce the  
court judgment of 272,013.84, ob-  
tained by Plaintiff above (the mort-  
gagee) against you. If the sale is  
postponed, the property will be re-  
listed for the Next Available Sale.

## PROPERTY DESCRIPTION:

ALL THOSE CERTAIN pieces or parcels of ground situate in the Borough of Wind Gap, County of Northampton and State of Pennsylvania, bounded and described as follows, to wit:

## PARCEL NO. 1:

BEGINNING at a point in the Southern right of way line of the abandoned Bender's Link of the Lehigh New England Railroad, said point being the Southwest corner of the intersection of said right of way line of land of Joseph Sparrow and Barbara Sparrow, his wife; thence in a Northerly direction crossing said right of way along lands of said Sparrows, eleven (11') feet to a point in the center line of said right of way; thence along the center line of said right of way in an Easterly direction for a distance of seventy (70') feet; thence in a Southerly direction along the westerly boundary of land of Michael Pontrelli eleven (11') feet to a point in the Southerly boundary line of said right of way; thence along the said Southern right of way line in a Westerly direction a distance of seventy (70') feet to a point the place of beginning.

UNDERAND SUBJECT, nevertheless to a right of way and easement over strip seven (7') feet wide along the Southerly edge of the center line of said abandoned right of way running the full width of the lot seventy (70') feet; to be used as a driveway in common by the grantee herein and other grantees to the grantors herein of any portion of those premises which were conveyed by the Lehigh New England Railroad Company to Rev. Vernon F. Searfoss, of which this is a part, by Deed dated August 21, 1961 and recorded in the Office for the Recording of Deeds above referred

to in Deed Book Volume 167, Page 564. It is agreed that the part of the alley or way herein provided for together with such part or parts of the alley provided for in Deeds to other grantees of portions of the grant from the Lehigh New England Railroad Company to the Rev. Vernon F. Searfoss is and shall remain a private way for the use of all of the said grantees of such parts, their heirs, successors and assigns, and only for the use of such as shall be grantees of the grantors, herein, their heirs, successors and assigns. If such portion of the right of way abandoned by the Lehigh New England Railroad adjoining their lot is not purchased by such adjoining property owner, then such adjoining property owner shall not have the use of said alley in common with others.

## PARCEL NO. 2:

ALL THOSE three contiguous lots, messuage, tenements, tracts, or pieces of land situate in the Borough of Wind Gap, County of Northampton, and State of Pennsylvania, bounded and described as follows to wit:

BEGINNING at a post on the North side of Main Street and a corner Lot No. 8; thence along said Main Street, North Fifty-nine degrees East one hundred five feet to a corner of Lot No. 12, thence; along said Lot No. 12 North 31 degrees West one hundred forty feet to a corner on a public alley; thence along said alley South fifty-nine degrees West one hundred five feet to a corner of Lot No. 8; thence along said Lot No. 8 South 31 degrees East one hundred forty feet to the place of beginning.

## PARCEL NO. 3:

ALL THOSE two certain lots, tenements, or pieces of land, situate in the Borough of Wind Gap, County of Northampton, and State of Pennsylvania, and known as Lots No. 7 & 8



on a plan of lots made for Winsborough and Schull, and bounded and described as follows, to wit:

BEGINNING at a post on the North side of Main Street (now called Lehigh Avenue) and a corner also of Lot No. 6; thence along the line of Lot No. 6, North 31 degrees West, one hundred forty feet to an alley; thence along said alley North 59 degrees East, seventy feet to a corner of Lot No. 9; thence along said Lot No. 9 South 31 degrees East, one hundred forty feet to a corner of Main Street (now called Lehigh Avenue); thence along said Main Street (now called Lehigh Avenue) South 59 degrees West seventy feet to the place of beginning.

PREMISES BEING 432 North Lehigh Street a/k/a 432 North Lehigh Avenue, Wind Gap, PA

Also known a Northampton County Tax Parcel No.:

Map: E8SW2 Block: 8 Lot: 5

IT BEING THE SAME PREMISES which Wells Fargo Bank, NA S/B/M to Wells Fargo Home Mortgage, did by Deed dated February 25, 2005, and recorded in the Office for the Recording of Deeds, in and for Northampton County, at Easton, Pennsylvania, in Deed Book 2005-1, at Page 87217, did grant and convey to Raymond E. Schwind and Nancy Ann M. Schwind, his wife.

UDREN LAW OFFICES, P.C.

Attorneys for Plaintiff

111 Woodcrest Rd.  
Ste. 200  
Cherry Hill, NJ 08003  
(856) 482-6900

Mar. 17

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

City of Easton

vs.

James K. Bogie

**NO. C-48-CV-2010-12245**

NOTICE IS HEREBY GIVEN that the above was named as defendant in a civil action instituted by plaintiff. This is an action to recover delinquent water, sewer and trash fees for the years 2009-2010, for the property located at 1007 Butler Street, Easton, Pennsylvania, Tax Parcel No. L9SE1D 28 13. A municipal claim in the amount of \$4,034.21 was filed on or about October 28, 2010 for this claim and a Writ of Scire Facias was filed.

You are hereby notified to plead to the writ in this case, on or before 20 days from the date of this publication or a Judgment will be entered.

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 without further notice for the relief requested by the plaintiff. You may lose property or other rights important to you.

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

Northampton County  
Lawyer Referral Service  
155 S. Ninth Street  
Easton, PA 18042  
(610) 258-6333

PORTNOFF LAW  
ASSOCIATES, LTD.

P.O. Box 391  
Norristown, PA 19404-0391  
(866) 211-9466

Mar. 17

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

City of Easton

vs.



Thomas H. Pritchett and  
Tarea J. Pritchett-Roach

**NO. C-48-CV-2010-3735**

NOTICE IS HEREBY GIVEN that the above were named as Defendants in a civil action instituted by plaintiff. This is an action to recover delinquent water, sewer and trash fees for the years 2007-2009 for the property located at 541 W. Lafayette Street, Easton, Pennsylvania, Tax Parcel L9NE2A 15 8. A municipal claim in the amount of \$3,542.35 was filed on or about April 16, 2010, for this claim and a Writ of Scire Facias was filed.

You are hereby notified to plead to the writ in this case, on or before 20 days from the date of this publication or a Judgment will be entered.

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 without further notice for the relief requested by the plaintiff. You may lose property or other rights important to you.

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

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Mar. 17

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

City of Easton

vs.

Armando La Torre and

Mary Ann La Torre

**NO. C48CV-2009-7407**

NOTICE IS HEREBY GIVEN that the above were named as Defendants in a civil action instituted by plaintiff. This is an action to recover delinquent real estate taxes for the year 2008, for the property located at 346 Bushkill Street, Easton, Pennsylvania, Tax Parcel L9NE3D 12 2. A tax claim in the amount of \$1,302.77 was filed on or about July 17, 2009 for this claim and a Writ of Scire Facias was filed.

You are hereby notified to plead to the writ in this case, on or before 20 days from the date of this publication or a Judgment will be entered.

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 without further notice for the relief requested by the plaintiff. You may lose property or other rights important to you.

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

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(866) 211-9466

Mar. 17

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

Northampton Area School District  
vs.

Frank R. Lofaro and Silvana Lofaro  
**NO. C48CV-2009-8121**

NOTICE IS HEREBY GIVEN that the above were named as Defendants in a civil action instituted by plaintiff. This is an action to recover delinquent interim real estate taxes for the year 2007, for the property located at 303 McNair Drive, Allen Township, Pennsylvania, Tax Parcel L4 18 4-1. A tax claim in the amount of \$3,444.84 was filed on or about August 4, 2009 for this claim and a Writ of Scire Facias was filed.

You are hereby notified to plead to the writ in this case, on or before 20 days from the date of this publication or a Judgment will be entered.

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 without further notice for the relief requested by the plaintiff. You may lose property or other rights important to you.

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

Northampton County  
Lawyer Referral Service  
155 S. Ninth Street  
Easton, PA 18042  
(610) 258-6333

**PORTNOFF LAW  
ASSOCIATES, LTD.**

P.O. Box 391  
Norristown, PA 19404-0391  
(866) 211-9466

Mar. 17

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

Northampton Area School District  
vs.

Stephen M. Haas, Jr.  
**NO. C48CV-2008-8632**

NOTICE IS HEREBY GIVEN that the above was named as Defendant in a civil action instituted by plaintiff. This is an action to recover delinquent real estate taxes for the year 2007, for the property located at Moorestown Drive, Moore Township, Pennsylvania, Tax Parcel J6 16 10A. A tax claim in the amount of \$2,878.53 was filed on or about August 25, 2008 for this claim and a Writ of Scire Facias was filed.

You are hereby notified to plead to the writ in this case, on or before 20 days from the date of this publication or a Judgment will be entered.

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 without further notice for the relief requested by the plaintiff. You may lose property or other rights important to you.

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

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Mar. 17

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

Wilson Area School District  
vs.

Teresa Rampulla

**NO. C48CV-2010-10382**

NOTICE IS HEREBY GIVEN that the above was named as Defendant in a civil action instituted by plaintiff. This is an action to recover delinquent real estate taxes for the year 2009, for the property located at 438 S. 21st Street, Wilson, Pennsylvania, Tax Parcel L9SW4B 16 3. A tax claim in the amount of \$1,979.01 was filed on or about September 17, 2010 for this claim and a Writ of Scire Facias was filed.

You are hereby notified to plead to the writ in this case, on or before 20 days from the date of this publication or a Judgment will be entered.

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 without further notice for the relief requested by the plaintiff. You may lose property or other rights important to you.

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

Northampton County  
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P.O. Box 391  
Norristown, PA 19404-0391  
(866) 211-9466

Mar. 17

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

In Re: V.R.D. minor child  
of B.L.D. and O.G.

**NO. 2009-0051**

INVOLUNTARY TERMINATION OF  
PARENTAL RIGHTS

TO: Bonny (Bonnie) Lee Duckworth  
NOTICE

A Petition has been filed asking the Court to put an end to all rights you have to your child: V.R.D. The Court has set a hearing to consider ending your rights to your child. The hearing will be held in Courtroom No. 4, Northampton County Government Center, 669 Washington Street, Easton, Pennsylvania, on April 5, 2011 at 9:30 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.

North Penn 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  
(610) 559-3000

Mar. 17

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#### **LEGAL NOTICE**

The City of Bethlehem Codified Ordinances have been revised and updated from January 2010 through December 2010. Updates are available in electronic and paper formats. Updates—Paper Format or Compact Disc—are \$25.00. The entire Codified Ordinance Book, including the latest updates through December 2010, is available at the cost of \$150 for paper format or \$50 for a compact disc. Checks should be made payable to: City of Bethlehem. Contact: Cynthia H. Biedenkopf, City Clerk, 10 E. Church St., Bethlehem, PA 18018, (610) 865-7130.

Note: The City of Bethlehem Codified Ordinances are also available and updated monthly at the City's website, [www.bethlehem-pa.gov](http://www.bethlehem-pa.gov).

Mar. 17

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

The following real estate will be sold by the Sheriff of Northampton County, Pennsylvania, on APRIL 8, 2011 at ten o'clock a.m. in the COUNCIL CHAMBERS, THIRD FLOOR, of the Northampton County Government Center, within the City of Easton, County of Northampton and State of Pennsylvania, to wit:

PLEASE TAKE NOTICE that the sale price will include only the delinquent taxes certified to the Sheriff's Office. Any current taxes are the responsibility of the purchaser.

#### **No. 1**

#### **BY VIRTUE OF A CERTAIN WRIT OF EXECUTION CV-2009-14189**

TRACT NO. 1:

ALL THOSE CERTAIN lots or pieces of ground situate in the Township of Bethlehem, County of Northampton, Pennsylvania, being known as Lots No. 1190, 1191, and 1192, on the Plan of Lots of Bethlehem View in said Bethlehem Township, a map of which is recorded in Book of Maps No. 7, page 31, in the office of the Recorder of Deeds in and for the County of Northampton, said lots each having a frontage of 20 feet on Clairmont Street (sometimes known as Clermont Street), formerly West Street, and then extending between parallel lines a depth of 110 feet to an alley in the rear of the said Clairmont Street.

TRACT NO. 2:

ALL THOSE CERTAIN four (4) lots or pieces of land situated in the Township of Bethlehem, County of Northampton, Pennsylvania, known as Lots No. 1193, 1194, 1195, and 1196 on a certain map or plan of lots designated as Bethlehem View, which plan is recorded in the office of the Recorder of Deeds in and for Northampton County in Map Book. 7, page 19.

BOUNDED on the north by land of Arlene Remo, on the east by an unnamed alley, on the south by Washington Street, and on the west by Clermont Street. Containing in front on Clermont Street (sometimes known as Clairmont Street) eighty (80) feet and extending in depth of that width One Hundred Ten (110) feet.

Parcel# N7NW35270205.

Property address: 1834 Clermont Street, Bethlehem, PA 18020.

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

SEIZED AND TAKEN into execution of the writ as the property of Doreen Thomas.

MICHAEL T. McKEEVER, ESQUIRE

---

**No. 2**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2010-12463**

ALL THAT CERTAIN lot or piece of land situated in the City of Bethlehem, County of Northampton, State of Pennsylvania, known as 225 Summit Street, bounded and described as follows:

BEGINNING at an iron pin at the southwest corner of property of Sarah I. Bitters;

Thence, in an easterly direction along the northern line of Summit Street, formerly known as Wood Street, a distance of 37.42' to a point;

Thence, in a northerly direction at right angles to Summit Street, passing through the center of a partition wall of double frame dwelling, a distance of 47' to a point;

Thence, in a westerly direction parallel to Summit Street a distance of 21.56' a point;

Thence, in a southerly direction parallel to Chestnut Street 85.6' east of the same, a distance of 49 5' to the Place of Beginning.

Bounded on the south by Summit Street, on the east and on the north by property now or late of Sarah I. Bitters and on the west by lots fronting on Chestnut Street.

BEING THE SAME Premises which Dale Miller, by deed dated 10/24/06 and recorded 11/16/06 in

and for Northampton County in Deed Book 2006-1 Page 474469 granted and conveyed to Christopher Held and Christa Held.

BEING KNOWN AS 225 Summit Street, Bethlehem, PA.

TAX PARCEL NUMBER: P6SE1D 11 14 0204.

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

SEIZED AND TAKEN into execution of the writ as the property of Christopher Held and Christa Held.

CHRISTOPHER A. DeNARDO,  
ESQUIRE

---

**No. 3**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2010-08070**

ALL THAT CERTAIN message, tenement and lot or piece of ground situate on the Northwesterly side of Railroad Street, known as 1115 Railroad Street, in the Borough of North Catasauqua, County of Northampton and Commonwealth of Pennsylvania, as shown on a plan prepared by Kenneth R. Hahn, R.S., Drawing No. 81-234, dated October 28, 1981, bounded and described as follows:

BEGINNING at a point on the Northwesterly side of Railroad Street (20 feet wide), said point being located 135.10 feet Northwesterly of the Northwest intersection of Arch Street and Railroad Street; thence extending along the northeasterly side of Railroad Street, North 35 degrees 15 minutes West, 15.00 feet to a point; thence extending along a line, North 53 degrees 45 minutes East, 89.20 feet to a point; thence extending along southerly property line of House No. 1112 Second Street, South 36 degrees 16 minutes East, 15.00 feet to a point; thence extending along the

northwesterly property line of House No. 1113 Railroad Street passing partly in and through the party wall separating 1113 from 1115 Railroad Street, South 53 degrees 45 minutes West, 89.20 feet to the place of Beginning.

CONTAINING 1,338 square feet, more or less.

BEING KNOWN AS: 1115 Railroad Street, Catasauqua, PA 18032.

PROPERTY ID NO.: M4 SE4 D-10-10.

TITLE TO SAID PREMISES IS VESTED IN ALBERT W. GILDNER, JR. AND TAMMY A. GILDNER, HIS WIFE, AS TENANTS BY THE ENTIRETY BY DEED FROM ALBERT W. GILDNER, JR. DATED 06/17/2005 RECORDED 07/13/2005 IN DEED BOOK 2005-1 PAGE 260386.

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

SEIZED AND TAKEN into execution of the writ as the property of Albert W. Gildner, Jr. and Tammy A. Gildner.

STUART WINNEG, ESQUIRE

---

**No. 4**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2010-06929**

ALL THAT CERTAIN tract of land located in the Borough of Freemansburg, County of Northampton, Commonwealth of Pennsylvania, being Lot No. 25 as shown on the 'Development Plan Final' of Eastgate Townehomes, Sheet 1 of 8, Project No. 460-01 dated August 30, 1988, last revised March 13, 1989, prepared by F&M Associates, Inc. as recorded in the Office of Recorder of Deeds in the Northampton County Courthouse, Map Book Volume 89, Page 86, on

June 9, 1989, being more fully described as follows to wit:

BEGINNING at an iron pin to be set on the eastern right-of way line of Ramblewood Lane (50' wide) and of said Eastgate Townehomes, also being the northern corner of Lot 26 of said plan;

THENCE along the eastern right of way of Ramblewood Lane (50' wide) along a curve to the left having a radius of 175.00", a central angle of 8 degrees 40' 01", an arc length of 26.47' and a chord bearing and distance of N 16 degrees 16' 34" W 26.45' to a point;

THENCE along the southeastern property line of Lot 24 the following two (2) courses and distances;

1) N 69 degrees 29' 12" E a distance of 18.61' to a point;

2) N 46 degrees 15' 22" E a distance of 167.13' to a point;

3)

THENCE along the southwestern property line of lands n/f Bethlehem Steel Corporation S 43 degrees 44' 38" E a distance of 138.38' to an iron pin to be set;

THENCE along the northern property line of Lot 26 S 78 degrees 09' 12" to an iron pin to be set, being the place of beginning.

CONTAINING 0.35 acres or 15,175.55 square feet.

BEING KNOWN AS property address 953 Ramblewood Lane, Bethlehem, PA 18017.

BEING the same premises by deed from Kevin M. Melillo, married, dated: 08/05/02 and recorded: 08/07/02 in Book 2002-1 Page 207336 granted and conveyed unto Kevon T. Melillo and Kathleen M. Melillo, husband and wife.

BEING KNOWN AS Tax I.D. Number N7-2-36.



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

SEIZED AND TAKEN into execution of the writ as the property of Kathleen M. Melillo and Kevin T. Melillo.

MICHAEL T. McKEEVER, ESQUIRE

**No. 5**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2010-12462**

ALL THAT CERTAIN lot or piece of ground, together with the improvements thereon erected, known as 1143 Pine Street, situate in the City of Easton, County of Northampton and State of Pennsylvania, bounded and described as follows:

BEGINNING at a point distant 80 feet eastward from the East side of Twelfth Street; thence extending eastward along the North side of Pine Street 20 feet and of the width in depth northwardly between parallel lines 107 feet.

BOUNDED on the South by Pine Street, on the East by property now or late of Albert Hamman, on the North by property late of Eugene Garcso, and on the West by property now or late of Reuben Siegfried.

ALSO known as Northampton County Parcel Identifier, L9SE1A21-9.

BEING the same premises which the Green Tree Consumer Discount Company, by deed recorded in the Office of the Recorder of Deeds in and for Northampton County, Pennsylvania on 6/7/2006 at Book 2006-1 Page 226120 instrument No. 2006-021250 granted and conveyed Joseph P. Beck.

BEING KNOWN AS 1143 Pine Street, Easton, PA 18042.

TAX PARCEL NUMBER: L9SE1A 21 9 0310.

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

SEIZED AND TAKEN into execution of the writ as the property of Joseph P. Beck.

CHRISTOPHER A. DeNARDO,  
ESQUIRE

**No. 6**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2010-12877**

ALL that certain messuage, tenement and tract, parcel or piece of ground, situate in the County of Northampton and Commonwealth of Pennsylvania, bounded and described as follows to wit:

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

BEGINNING at a public road leading to Flicksville; thence along said road, East one perch and three tenths to a corner in said road; thence by land now or late of Sabina Godshalk, South five degrees and a half West, seven perches and five tenths to a corner in the creek; thence by land of the Delaware Lackawanna R.R. Co., North seventy-eight degrees and a half West, one perch and three tenths to a corner; thence by land now or late of the Estate of Richard H. Gold, North five degrees and a half East seven perches and five tenths to the place of BEGINNING. CONTAINING nine perches and seventy-five hundredths, more or less.

BEING KNOWN AS: 693 Washington Boulevard, Bangor, PA 18013.

PROPERTY ID NO.: F9NE1-9-8.

TITLE TO SAID PREMISES IS VESTED IN JASON W. JENKINS BY DEED FROM SUSAN A. JENKINS



NOW KNOWN AS SUSANA KETTENBURG DATED 01/03/2008 RECORDED 01/25/2008 IN DEED BOOK 2008-1 PAGE 22582.

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

SEIZED AND TAKEN into execution of the writ as the property of Jason W. Jenkins.

STUART WINNEG, ESQUIRE

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**No. 7**

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

**CV-2009-08003**

ALL THAT CERTAIN message or tenement and tract or piece of land situate in the City of Bethlehem, County of Northampton, Commonwealth of Pennsylvania, known as 714 Broadway, according to present city numbering, bounded and described as follows:

BEGINNING at a point in the southern line of Broadway and two hundred forty-two feet ten inches from the southeast corner of Broadway and Fiot Avenue; thence in a westerly direction along said Broadway eighteen and twenty-nine hundredths (18.29) feet to a point; thence in a southerly direction at the rights angles to Broadway one hundred and twenty (120) feet to an alley, said line passing through the center of a partition wall between 714 and 716 Broadway; thence in an easterly direction along the north line of said alley twenty-seven and thirty-seven hundredths (27.37) feet to a point, the east side of wall; thence north 42 degrees 45 minutes west one hundred twenty and thirty-seven hundredths (120.37) feet to the place of beginning.

TITLE TO SAID PREMISES IS VESTED IN Ferner E. Reyes, by Deed from Diomedes Matos Arias, a mar-

ried individual, dated 01/30/2007, recorded 02/16/2007 in Book 2007-1, Page 62511.

Premises being: 714 BROADWAY, BETHLEHEM, PA 18015-2729.

Tax Parcel No. P6SW2C 25 4 0204.

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

SEIZED AND TAKEN into execution of the writ as the property of Ferner E. Reyes.

DANIEL G. SCHMIEG, ESQUIRE

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**No. 8**

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

**CV-2010-10249**

ALL THAT CERTAIN message, tenement and lot or piece of ground situate on the Northerly side of East Garrison Street, between Maple and Elm Streets, in the City of Bethlehem, County of Northampton, and Commonwealth of Pennsylvania, and designated as No. 415 Garrison Street, according to the numbering system of the City of Bethlehem, Pennsylvania, and also being Lot # 38 according to a Map or Plan entitled 'Whitehall Park', property of Seaboard Construction Co., situate in Bethlehem, Pa., entered of record at Easton, in and for the County of Northampton in Book of Maps 11, Page 57, bounded and described as follows, to wit:

BEGINNING at a point on the Northerly side of East Garrison Street, distant 328.68 feet Westwardly from an iron pipe marking the intersection of the Northerly side of East Garrison Street, with the Westerly side of Elm Street; thence extending N. 79 degrees 26 minutes W., along the Northerly side of E. Garrison Street, a distance of 11.31 feet to a point; thence extending Northwestwardly along a curve curving to the right having a radius of 10 feet a distance of 15.70

feet to a point on the Easterly side of Edge Street; thence extending N. 10 degrees 30 minutes E., along the Easterly side of Edge Street, a distance of 72 feet to a point; thence extending Northeastwardly along a curve curving to the right having a radius of 10 feet a distance of 15.72 feet to a point on the Southerly side of 15 feet wide Alley; thence extending S. 79 degrees 26 minutes E. along said Alley a distance of 11.40 feet to a point; thence extending S. 10 degrees 34 minutes W., and passing through the partition or party wall located between the dwelling on the premises herein conveyed and the dwelling located on the premises to the East and designated as #417 E. Garrison Street, a distance of 92 feet to a point on the Northerly side of East Garrison Street, the place of beginning.

TITLE TO SAID PREMISES IS VESTED IN Seaman Revocable Declaration of Trust, dated July 19, 2006, by Robert S. Seaman and Michele A. Seaman, the settlers and trustees, by Deed from Robert S. Seaman, a/k/a Robert Seaman and Michele Seaman, h/w, dated 11/10/2006, recorded 12/11/2006 in Book 2006-1, Page 507646.

Premises being: 415 EAST GARRISON STREET, BETHLEHEM, PA 18018-4328.

Tax Parcel No. P6NE2A-16-37-0204.

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

SEIZED AND TAKEN into execution of the writ as the property of Michele A. Seaman, Individually and as Trustee for The Seaman Revocable Declaration of Trust and The Seaman Revocable Declaration of Trust and

Robert S. Seaman, Individually and as Trustee for The Seaman Revocable Declaration of Trust.

DANIEL G. SCHMIEG, ESQUIRE

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**No. 9**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2010-09456**

The land referred to in this Commitment is described as follows:

ALL THAT CERTAIN messuage or tenement and half of a double frame house situate on the East side of Washington Avenue between 14th and 15th Streets in the Fourth Ward of the Borough of Northampton, County of Northampton, and State of Pennsylvania, bounded and described as follows. to wit:

BEGINNING at a point on the East side of Washington Avenue in line of land of Herbert A. Gaugher, thence in a Southerly direction along the East side of Washington Avenue twenty (20) feet to a point on the north side of a twenty (20) foot wide alley, thence in an easterly direction along said alley at right angles to Washington Avenue ninety-three (93) feet eight (8) inches to Dewey Avenue, thence in a Northerly direction along Dewey Avenue twenty-two (22) feet, more or less, to a point in line of land of Herbert A. Gougher, thence in a Westerly direction, passing through the middle of a party wall one hundred three and four one-hundredth (103.04) feet to a point on the East side of Washington Avenue, the place of BEGINNING.

BEING the Southern one-half of lot #155 on plan of town lots laid out of the land of John Smith, said plan being recorded in the office for the Recording of Deeds, ect., in and for the County of Northampton in Map Book 2, Page 60, and said property

being now known as #1435 Washington Avenue.

PARCEL NUMBER: M4NW2A-3-2.

BEING OF THE SAME PREMISES which Thomas J. Schoeneberger and Gail R. Schoeneberger, husband and wife deed dated May 29th, 1991, and recorded May 31, 1991 in Northampton County Deed Book Volume 830 at Page 644, did grant and convey unto David G. Moyer, single, the Grantors herein.

BEING KNOWN AS: 1435 Washington Avenue, Northampton, PA 18067.

PROPERTY ID NO.: M4NW2A-3-2.

TITLE TO SAID PREMISES IS VESTED IN CAMILLE NAPIER BY DEED FROM DAVID G. MAYER DATED 08/29/2003 RECORDED 09/08/2003 IN DEED BOOK 2003-1 PAGE 369903.

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

SEIZED AND TAKEN into execution of the writ as the property of Camille Napier.

STUART WINNEG, ESQUIRE

#### **No. 10**

#### **BY VIRTUE OF A CERTAIN WRIT OF EXECUTION CV-2010-07483**

ALL THAT CERTAIN messuage or tenement and lot or piece of land situate in the Borough of Walnutport, County of Northampton, and Commonwealth of Pennsylvania, being designated as lot No. 119 Williams Avenue on a certain plan of lots laid out by the Lehigh Engineering Company of Allentown in October, 1901, and recorded in the Office for the Recording of Deeds, at Easton, Pennsylvania, in and for the County of Northampton in Book of Maps No. 1, page 100.

CONTAINING in front on Williams Avenue forty (40 feet) feet and extending in depth of equal width one hundred seventy-two (172 feet) feet.

TITLE TO SAID PREMISES IS VESTED IN Michael A. Rupelli, by Deed from William J. Romanishan, Sr. and Ruth C. Romanishan, h/w, dated 08/21/2006, recorded 08/23/2006 in Book 2006-1, Page 345088.

Premises being: 311 WILLIAMS AVENUE, WALNUTPORT, PA 18088-1465.

Tax Parcel No. J2SW1B-8-9.

THEREON BEING ERECTED a one-story single cape cod style dwelling with stucco exterior and shingle roof

SEIZED AND TAKEN into execution of the writ as the property of Michael A. Rupelli.

DANIEL G. SCHMIEG, ESQUIRE

#### **No. 11**

#### **BY VIRTUE OF A CERTAIN WRIT OF EXECUTION CV-2010-05686**

ALL THAT CERTAIN parcel or tract of land known as Lot No. 2 on Subdivision of Land owned by Robert Berretta dated May 11, 1995 and revised August 18, 1995, as approved by the Upper Mount Bethel Township Planning Commission on October 16, 1995 and the Upper Mount Bethel Township Board of Supervisors on November 13, 1995 as recorded in Map Book Volume 1995-5 at page 428, Northampton County records, situate in the Township of Upper Mount Bethel County of Northampton and Commonwealth of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point along the Northerly line of Boulder Drive, Township Route No. 734, leading from Autumn Drive to Portland, said point

of beginning lying 221.42 feet westerly from the line of land now or formerly W.E. Vester, et ux; thence (1) From point of beginning, leaving Township Route No. 734 and through grantor's lands, which this was a part, being along Lot No. 1 of subdivision of Robert Berretta, grantor herein, North 27 degrees, 45 minutes 56 seconds West, 504.95 feet to a point along line of land, formerly MORNINGSIDE SUBDIVISION, Lot 11; passing over the existing stream; thence (2) Along said Lot No. 11 and part of Lot 12, North 82 degrees, 37 minutes 29 seconds East, 160.68 feet to a point, a corner of Lot 12 and land herein described; thence (3) Along same, passing through the existing 30-foot wide drainage easement and along Lots 13 and part of Lot 14, North 58 degrees 11 minutes 29 seconds East, 275.14 feet to a point, a corner of lands now or formerly Floyd Ayers and grantors herein; thence (4) Along land of Ayers, South 36 degrees, 52 minutes 31 seconds East, 403.92 feet to a point, a corner of land now or formerly of Angie; thence (5) Along land of Angie and land of aforesaid W.E. Vester, South 69 degrees 37 minutes 29 seconds West, 303.60 feet to a point, as corner of said Vester and grantors herein; thence (6) Along line of said Vester, South 35 degrees 37 minutes 31 seconds East, 170.71 feet to a point lying 30.00 feet from the center line of first mentioned Township Route No. 734, the ultimate right-of-way from said road; thence (7) Along the Northernly line of Township Route No. 734, passing over the above-mentioned 30-foot side drainage easement, South 63 degrees 41 minutes 24 seconds West, 221.42 feet to the point and Place of Beginning.

Commonly known as: 854 Boulder Dr., Mt. Bethel, PA 18343.

BEING the same premises which Robert Berretta by deed dated 5/15/2000 and recorded 5/22/2000 in and for Northampton County in Deed Book Volume 2000-1 Page 060440 granted and conveyed to Wayne D. Wood and Iris I. Wood.

TAX PARCEL NUMBER: C11 1 15C 0131.

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

SEIZED AND TAKEN into execution of the writ as the property of Wayne D. Wood and Iris I. Wood.

CHRISTOPHER A. DeNARDO,  
ESQUIRE

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**No. 12**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2010-07592**

ALL THAT CERTAIN lot or piece of land, with the improvements thereon erected, known as 718 Hickory Lane, situated in the Township of Palmer, Northampton County, Pennsylvania, bounded and described as follows:

BEGINNING at the Southwesterly corner of proposed streets of the width of fifty feet known as Hickory Lane and Virginia Street, said point being two hundred seventy-five feet distant on the course South 88 degrees 49 minutes East from the center line of Stones Crossing Road; thence by the westerly building line of Hickory Lane, parallel to Stones Crossing Road, South 1 degree 11 minutes West one hundred feet to a point; thence by land now or late of John Shuman Haupt, North 88 degrees 49 minutes West one hundred twenty five feet to a point; thence by lot of Leslie Varley and lot of Albert Lusk, North 1 degree 11 minutes East, one hundred feet to

a point on the southerly building line of Virginia Street; thence by the said building line of Virginia Street, South 88 degrees 49 minutes East, one hundred twenty-five feet to a point, the place of BEGINNING.

UNDER AND SUBJECT to the building restrictions set forth and enumerated in Deed Book H, Volume 90 at Page 98, Northampton County Recorder's Office.

Under and subject to and together with prior grants and reservations of coal, oil, gas, mining rights of way, exceptions, conditions, restrictions and reservations of record as the same may appear in this or prior instruments of record.

HAVING THEREON ERECTED A DWELLING KNOWN AS 718 HICKORY LANE, EASTON, PA 18045.

PARCEL: M8NE4-19-1.

BEING THE SAME PREMISES WHICH Michael Son Nguyen et al by deed dated 11/26/08 and recorded 12/2/08 in Northampton County Record Book 2008-1 Page 315537, granted and conveyed unto Kim Thuong Tran and Viet Thanh Huynh.

TO BE SOLD AS THE PROPERTY OF VIET THANH HUYNH AND KIM THUONG TRAN ON JUDGMENT NO. C-48-CV-2010-7592.

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

SEIZED AND TAKEN into execution of the writ as the property of Viet Thanh Huynh and Kim Thuong Tran.

LEON P. HALLER, ESQUIRE

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**No. 13**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2009-07575**

ALL those certain vacant lots or pieces of ground situate on the east side of Freeman Street, in Township

of Bethlehem, County of Northampton and State of Pennsylvania, and known and designated on Plan of Lots of Bethlehem Annex tracts as lots Nos. Sixteen Hundred Two (1602), Sixteen Hundred Three (1603), Sixteen Hundred Four (1604) and Sixteen Hundred Five (1605). Being bounded and described as follows, to wit:

Beginning at a point on the east side of Freeman Street, a distance of eighty (80) feet, more or less, from the southeasterly corner of the intersection of Washington Street and Freeman Street measured along the easterly line of Freeman Street, said point being the northwesterly corner of Lot No. Sixteen Hundred Five (1605); thence extending eastwardly along the dividing line of Lots Nos. Sixteen Hundred Five (1605) and Sixteen Hundred Six (1606), a distance of one hundred and twenty (120) feet, more or less, to an alley; thence extending southwardly along the westerly line of said alley a distance of eighty (80) feet, more or less, to land now or late of Savercool and Wright; thence extending westwardly along the northerly line of said land now or late of Savercool and Wright a distance of one hundred twenty (120) feet, more or less, to Freeman Street; thence extending northwardly along the easterly line of Freeman Street a distance of eighty (80) feet, more or less, to the place of Beginning.

Being bounded on the northerly side of Lot No. Sixteen Hundred Six (1606) on the easterly side by an alley, on the southerly side by land now or late of Savercool and Wright and on the westerly side by Freeman Street.

Being eighty (80) feet, more or less, in width and one hundred twenty (120) feet, more or less, in depth.

HAVING THEREON ERECTED A DWELLING KNOWN AS 1812 FREEMAN STREET, BETHLEHEM, PA 18020.

PARCEL: N7NW3-67-6.

Under and subject to exceptions, conditions, restrictions and reservations of record, as the same may appear in this or prior instruments of record.

BEING THE SAME PREMISES WHICH Juliana M. Nonnemacher et al by deed dated 9/24/99 and recorded 9/27/99 in Northampton County Record Book 1999-1 Page 145907 granted and conveyed unto Brian J. Maffea and Kerri A. Maffea, husband and wife.

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

SEIZED AND TAKEN into execution of the writ as the property of Kerri A. Maffea and Brian J. Maffea.

LEON P. HALLER, ESQUIRE

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**No. 14**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2010-07900**

ALL THAT CERTAIN dwelling house and tract of land situate on the west side of Woodlawn Avenue in the Township of Palmer, County of Northampton, Commonwealth of Pennsylvania, being a part of Lot No. 106 and all of Lot 107 as shown on plan of lots of Lincoln Terrace recorded in the Northampton County Recorder's Office in Map Book 11, Page 31, bounded and described as follows:

BEGINNING at a point on the west line of Woodlawn Avenue, said point being North 18 degrees 23 minutes West 210.00 feet from the northwest corner of Northwood Avenue and Woodlawn Avenue; thence through

Lot No 106 South 71 degrees 37 minutes West 264.22 feet to a point on the east side of a 15.0 foot wide alley; thence along the east line of said 15.0 foot wide alley North 00 degree 21 minutes West 70.24 feet to a point, the northwest corner of Lot No. 107 as shown on said map; thence along the south line of a log in said 15.0 foot wide alley North 71 degrees 37 minutes East 88.84 feet to a point on the west side of Lot No. 108; thence along the west side of Lot No. 108 South 00 degree 21 minutes East 1.88 feet to an iron pipe; the southwest corner of Lot No. 108; thence along the south side of Lot No. 108 North 71 degrees 37 minutes East 154.22 feet to an iron pipe on the west line of Woodlawn Avenue, the southeast corner of Lot No. 108; thence along the west line of Woodlawn Avenue South 18 degrees 23 minutes East 65.00 feet to a point, the place of beginning.

TITLE TO SAID PREMISES IS VESTED IN Isabel C. Volden, by Deed from Joseph P. Calantoni and Rosalia Calantoni, dated 06/13/2002, recorded 06/14/2002 in Book 2002-1, Page 155801.

Premises being: 2912 WOODLAWN AVENUE, EASTON, PA 18045-2734.

Tax Parcel No. L8NE3 11 13 0324.

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

SEIZED AND TAKEN into execution of the writ as the property of Isabel C. Volden.

DANIEL G. SCHMIEG, ESQUIRE

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**No. 15**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2010-04907**

ALL THAT CERTAIN lot or piece of land situate in the Township of Upper



Nazareth, County of Northampton and Commonwealth of Pennsylvania, being Lot No. 7 of block II of Map of Lots known as Rose Inn Terrace, prepared by Rudolph Davidge Associates, Inc., and recorded in the Office of the Recording of Deeds at Easton, Pennsylvania in Map Book 24, page 29, bounded and described as follows, to wit:

BEGINNING at a point on the Northerly property line of St. Elmo Street, a 50 feet wide Street, said point being 20.35 feet West on the intersection of the Northerly property line of St. Elmo Street with the Westerly property line of Willowdale Avenue, a 50 feet wide street, as measured along the Northerly property line of St. Elmo Street; thence along the Northerly side of St. Elmo Street North 71 degrees 00 minutes West 124.34 feet; thence by land of Lehigh Frocks, Inc. North 12 degrees 00 minutes East 100.00 feet; thence by Lot No. 6 South 78 degrees 00 minutes East 143.61 feet to a point on the Westerly property line of Willowdale Avenue, thence along the Westerly property line of Willowdale Avenue South 12 degrees 00 minutes West 97.29 feet to a point marking the beginning of a curve to the right having a radius of 18.00 feet and a central angle of 97 degrees 00 minutes; thence along said curve 30.47 feet to a point of agency on St. Elmo Street, said point being the place of Beginning.

CONTAINING 0.357 acres of land.

TITLE TO SAID PREMISES IS VESTED IN John Joseph Zym and Donna Jean Zym, h/w, by Deed from Orie J. Zym and Sandra Zym, h/w, dated 06/14/2006, recorded 06/19/2006 in Book 2006-1, Page 243293.

Premises being: 205 WEST SAINT ELMO STREET, NAZARETH, PA 18064-1029.

Tax Parcel No. J7 11 4S 0432.

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

SEIZED AND TAKEN into execution of the writ as the property of John Joseph Zym and Donna Jean Zym.

DANIEL G. SCHMIEG, ESQUIRE

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**No. 17**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2010-05912**

ALL THAT CERTAIN messuage or tenement and lot or piece of land situate on the East side of North Main Street in the Borough of Stockertown, County of Northampton and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point in the center of Main Street and in line with the projection of the center of the party partition wall of the double frame dwelling erected hereon; thence along lands of Robert and Annie Cressman, North 39 degrees 30 minutes East 240.71 feet to a stake; thence North 54 degrees 30 minutes East 240.71 feet to a stake; thence North 54 degrees 30 minutes West 11.69 feet to a stake in line of lands now or late of Lizzie A. Buss; thence along lands now or late of Lizzie A. Buss, North 45 degrees 0 minutes East 79.2 feet to a stake in line of lands now or formerly of Jacob Miller; thence along lands of Jacob Miller South 56 degrees 0 minutes East 23.4 feet to a stake in line of lands now or late of Frederick J. Happel; thence along lands now or late of Frederick J. Happel South 39 degrees 30 minutes West and passing 4.8 feet clear of the Happel dwelling, a distance of 319.9 feet to the center of Main Street; thence along the center of Main Street



North 50 degrees 0 minutes West 19.3 feet to the point and place of beginning. Containing in area 6,799 square feet of land, strict measure.

THE above description being according to a survey made by Brice H. Pristine, Registered Surveyor, under date of August 27, 1948.

ALSO KNOWN AS Northampton County Uniform Parcel Identifier: Map J8NE1C Block 1 Lot 6.

BEING the same premises which Sovereign Bank by Deed dated April 8, 2004 and recorded July 26, 2004 in the Office of the Recorder of Deeds in and for Northampton County in Deed Book 2004-1, Page 287921 conveyed to Timothy C. Fassl.

PROPERTY BEING KNOWN AS: 417 MAIN STREET, STOCKERTOWN, PENNSYLVANIA 18083.

TAX PARCEL NUMBER: J8NE1C 1 6 0429.

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

SEIZED AND TAKEN into execution of the writ as the property of Timothy C. Fassl.

RICHARD B. SOMACH, ESQUIRE

#### **No. 18**

#### **BY VIRTUE OF A CERTAIN WRIT OF EXECUTION CV-2010-04157**

ALL THAT CERTAIN message or tenement and tract or piece of land situate in the Fourth Ward of the Borough of Northampton, County of Northampton and State of Pennsylvania, being now known as NO. 1560 MAIN STREET, bounded and described as follows, to wit:

BOUNDED on the North by property now or late of Simon P. Walk; on the East by Main Street; on the South by property now or late of Alex Ohotsky and Mary Ohotsky, husband

and wife; and on the West by a 12-foot wide public alley.

CONTAINING twenty (20.00) feet, more or less, in front on Main Street, and extending Westward of that width, at right angles to Main Street for a distance of one hundred forty (140.00) feet to the aforesaid 12-foot wide alley. And the Southern boundary line passing through the middle of a party wall between Nos. 1558 and 1560 Main Street.

BEING KNOWN AS: 1560 Main Street, Northampton, PA 18067.

PROPERTY ID NO.: L4SW4C-15-3.

TITLE TO SAID PREMISES IS VESTED IN LYNN B. WETZEL BY DEED FROM OLGA MAGOCHY, BY HER AGENT, SUSAN A YORTY DATED 05/03/06 RECORDED 08/25/06 IN DEED BOOK 2006-1 PAGE 349565.

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

SEIZED AND TAKEN into execution of the writ as the property of Lynn B. Wetzel.

STUART WINNEG, ESQUIRE

#### **No. 19**

#### **BY VIRTUE OF A CERTAIN WRIT OF EXECUTION CV-2010-08158**

ALL THOSE THREE CERTAIN tracts, pieces or parcels of land situate in the Village of Slateford, Township of Upper Mt. Bethel, and County of Northampton, State of Pennsylvania, bounded and described as follows, to wit:

TRACT NO. 1: BEGINNING at a point in line of land now or formerly of Samuel J. Wise; thence by land of said Samuel J. Wise, South sixty-nine (69) degrees and twenty-five (25) minutes West, one hundred twenty (120) feet to a point in line of land of

the D.L. & W. Railroad Company; thence by land of said D.L. & W. Railroad Company, South twelve (12) degrees East, seventy-eight and one half (78 1/2) feet to a point in line of land now or formerly of George W. Kidney and Marguerite Wise Kidney, his wife; thence by land of said George W. Kidney and Marguerite Wise Kidney, his wife, North seventy-four (74) degrees and thirty (30) minutes East, one hundred twenty (120) feet to a point; thence northwardly, seventy-nine (79) feet to a point, the place of BEGINNING.

TRACT NO. 2: BEGINNING at a point at the low water mark of the Delaware River and lands late of Edward Flory, now by this conveyance belonging to the grantees herein; thence generally North along the low water line of the Delaware River ten (10) feet to a point and lands about to be conveyed to George Pritchard and Sadie M. Pritchard, his wife; thence south sixty-nine (69) degrees twenty-five (25) minutes West one hundred twenty (120) feet, more or less, to the right-of-way of the D.L. & W. Railroad Company; thence along the right-of-way of the D.L. & W. Railroad Company South fifteen (15) degrees eight (8) minutes East ten (10) feet to lands now of the grantees herein; thence along said land of the grantee North sixty-nine (69) degrees twenty-five (25) minutes East one hundred twenty (120) feet to the place of BEGINNING.

TRACT NO. 3: BEGINNING at a point at the low water mark of the Delaware River and land late of William Correll, now the property of Samuel Christine; thence South sixty-eight (68) degrees twenty-five (25) minutes West one hundred thirty-seven (137) feet to a point and the right-of-way of the D.L. & W.R.R.;

thence South fifteen (15) degrees eight (8) minutes East three hundred four (304) feet along the right-of-way of the D.L. & W. R. R. Co. to a point and lands about to be conveyed to Lewis J. Bruschi and wife; thence North sixty-nine (69) degrees twenty-five (25) minutes East one hundred twenty (120) feet, more or less, to the low water mark of the Delaware River; thence generally North along the low water line of the Delaware River three hundred eleven (311) feet, more or less, to the place of beginning.

EXCEPTING AND RESERVING THEREOUT AND THEREFROM all that certain message, tenement, tract, parcel or piece of land, situate in the Village of Slateford, aforesaid, bounded and described as follows, to wit:

BEGINNING at a point and land formerly of Samuel Christine, now land of Ethel Pauley, and the right-of-way line of the D.L. & W. R.R. Co., said point being distant fifty (50) feet measured in a southerly direction from an old iron pipe marking the dividing line between land of the late William Correll and the aforementioned land of Ethel Pauley; thence along the land of said Ethel Pauley North sixty-eight (68) degrees twenty-five (25) minutes East one hundred thirty-seven (137) feet to a point at the low water mark of the Delaware River; thence in a southerly direction along the low water mark of the Delaware River one hundred ten (110) feet to a point and land of the grantor, of which this conveyance is a part; thence along the same South sixty-eight (68) degrees twenty-five (25) minutes West one hundred thirty-one (131) feet to a point in the right-of-way of the D.L. & W. R.R. Co.; thence along the same North fifteen (15) degrees eight (08) minutes West one hundred ten (110) feet to the place of BEGINNING.

Parcel# B11 NE1-9-9; B11 NE1-9-10.

Property address: 241 Decker Ferry Road, Mount Bethel, PA 18343.

THEREON BEING ERECTED a single ranch style dwelling with aluminum siding exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Non Say.

MICHAEL T. MCKEEVER, ESQUIRE

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**No. 21**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2009-13450**

ALL THAT CERTAIN dwelling situate in the County of Northampton, City of Bethlehem and Commonwealth of Pennsylvania, known and numbered as 1420 East Eighth Street, Bethlehem, Northampton County, Pennsylvania, and being more fully described as follows, to wit:

BEGINNING at a point the southern line of Eighth Street, 144 feet east from the southeast corner of Eighth Street and Brinker Avenue; thence extending along the south side of said Eighth Street eastwardly a frontage of 18 feet to a point, said point being the exact middle of a tile brick partition or party wall dividing the house erected on these premises from the one adjoining it on the east; thence extending of that same width between parallel lines southwardly 100 feet to a 15 feet wide alley. Being the eastern 16 feet of Lot No. 92 and the western 2 feet of Lot No. 93 according to map of "Brinker Terrace" by F.H. Ville, C.E., January, 1914, duly recorded.

BOUNDED on the north by Eighth Street, on the east by premises now or late of William H. Opp, on the south by said alley, on the west by remaining portion of Lot No. 92, according to said plan.

BEING known as 1420 EAST EIGHTH STREET, BETHLEHEM, PA 18015.

BEING THE SAME PREMISES which Susquehanna-Patriot Bank, successor by merger to Patriot Bank, by Indenture dated February 9, 2005 and recorded February 21, 2005 in the Office of the Recorder of Deeds in and for Northampton County in Deed Book Volume 2005-1, Page 62616, granted and conveyed unto VICTOR M. LOCADIA.

PARCEL #P7SW1D 7 6 0204.

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

SEIZED AND TAKEN into execution of the writ as the property of Victor M. Locadia.

GREGORY JAVARDIAN, ESQUIRE

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**No. 22**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2010-09459**

ALL THAT CERTAIN property located in the Township of Lower Saucon, County of Northampton and Commonwealth of Pennsylvania, legally described as:

Unit No. A, in building No. 7, in Society Hill at Saucon Valley Condominium together with an undivided .1251 percent interest in the common elements appurtenant thereto as amended from time to time, in accordance with and subject to the terms, limitations, conditions, covenants, restrictions, and other provisions of the Declaration of Society Hill at Saucon Valley Condominium, dated May 31, 1990, and recorded on June 1, 1990, with the Recorder of Deeds of Northampton County in misc book Volume 374, page 18, at seq., as amended from time to time.

TITLE TO SAID PREMISES IS VESTED IN David Nieves, II, a married man and Maria Nieves, as joint tenants with the right of survivorship and not as tenants in common, by Deed from Patrick W. Kittredge and Thomas M. Kittredge, co-executors of the estate of Margaret K. Dolan, a/k/a Margaret Kittredge Dolan, a/k/a Peg Dolan, dated 12/17/2004, recorded 01/05/2005 in Book 2005-1, Page 4919.

DAVID NIEVES II, was a co-record owner of the mortgaged premises as a joint tenant with the right of survivorship. By virtue of David Nieves II's death on or about 03/18/2010, his ownership interest was automatically vested in the surviving joint tenant(s).

Premises being: 1936 CHANCELLOR STREET, HELLERTOWN, PA 18055-2815.

Tax Parcel No. Q7SW4 1 7A 0719.

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

SEIZED AND TAKEN into execution of the writ as the property of Maria Nieves.

DANIEL G. SCHMIEG, ESQUIRE

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**No. 23**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2010-08564**

ALL THAT CERTAIN one-half of a double brick dwelling house, being the northern one-half, and lot or piece of land located at the southeast corner of Pine and Warren Street, in the City of Easton, County of Northampton and State of Pennsylvania, and now known as No. 34 South Warren Street, containing in front on said Warren Street sixteen (16) feet and extending of that same width through-

out in depth eastwardly seventy (70) feet and four (4) inches.

BOUNDED on the north by Pine Street, on the east by property now or late of Frank L. Leshner, and on the south by property now or late of Lehman Socks and George Youngkin, and on the west by South Warren Street.

TITLE TO SAID PREMISES IS VESTED IN Victor R. Wendling, Jr., by Deed from Carolyn M. Long, dated 06/25/2004, recorded 06/28/2004 in Book 2004-1, Page 248234.

Premises being: 34 SOUTH WARREN STREET, EASTON, PA 18042-4226.

Tax Parcel No. L9SE1A 29 17 0310.

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

SEIZED AND TAKEN into execution of the writ as the property of Victor R. Wendling, Jr.

DANIEL G. SCHMIEG, ESQUIRE

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**No. 24**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2008-11459**

ALL THAT CERTAIN messuage or tenement and lot or piece of ground situate in Lower Saucon Township, Northampton County, Pennsylvania, on the west side of Wyandotte Street, known as 1077 Wyandotte Street, bounded and described as follows:

CONTAINING in front on said Wyandotte Street 52.00' and extending westwardly 242.00', more or less, to land now or late of Christian Koch, the western line of said lot being 60.00' in length; BOUNDED on the north by land now or late of Sarah Werner, on the east by Wyandotte Street (formerly known as the Philadelphia Road), on the south by land

now or late of August Christ, and on the west by land now or late of Christian Koch.

BEING KNOWN AS UNIFORM PARCEL IDENTIFIER NO.

MAP: Q6NW2.

BLOCK: 2.

LOT: 15

GIS PIN NO.: 4662-02-9537-7307.

COMMONLY KNOWN AS 3868

Route 378 Highway, Bethlehem, Lower Saucon Township, Northampton County, Pennsylvania.

Being the same property conveyed to PARCEL 1: 2502 (a), LLC, a Pennsylvania Limited Liability Company, by deed from Michael F. Wasco and Jody L. Wasco, husband and wife dated 12/16/2004, recorded 12/23/2004 in Northampton County Records of Deeds in Book 2004-1 Page 496283.

NOTE: Being PIN Q6NW2-2-15, Tax Map of the Township of Lower Saucon, County of Northampton.

BEING KNOWN AS 3868 Route 378 Highway a/k/a 1077 Wyandotte Street, Bethlehem, PA.

THEREON BEING ERECTED a two-story single commercial building with vinyl siding and stucco exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of 2502 (a), LLC.

STEVEN K. EISENBERG, ESQUIRE

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**No. 25**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2009-14079**

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

BEGINNING at a point in the center of the Old Grade, which is an

easterly extension of Township Road #626, and in the line of the land now or late of Gerald Stoudt; thence along the center of the Old Grade, South 66 degrees 58 minutes West, 78.75 feet to a point in the Grade; thence along the land of the grantors, of which this was a part, which was conveyed to John Henry Laudendach, passing in a line of stakes, North 21 degrees 49 minutes West, 235.09 feet to a stake and the State Game Lands, thence along the game land, North 68 degrees 11 minutes East, 80.00 feet to a pin and the corner of the land of Gerald Stoudt; thence along the land of Gerald Stoudt, passing in a fence and stakes, South 21 degrees 49 minutes East, 232.00 feet to the point and place of Beginning.

CONTAINING in area .425 of an acre of land.

TITLE TO SAID PREMISES IS VESTED IN Justin J. Kuhs, single, by Deed from Paul S. Hurlburt, single, dated 02/12/2007, recorded 02/20/2007 in Book 2007-1, Page 67090.

Premises being: 105 HORN SPRINGS LANE A/K/A 105 HORN SPRINGS ROAD, WIND GAP, PA 18091-9011.

Tax Parcel No. F6 1 62B 0406.

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

SEIZED AND TAKEN into execution of the writ as the property of Justin Kuhs a/k/a Justin J. Kuhs.

DANIEL G. SCHMIEG, ESQUIRE

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**No. 26**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2010-07479**

ALL THAT CERTAIN lot or parcel of land situate on the Easterly side of Township Road 454, otherwise

known as Country Club Road, and being known as Lot No. 4 on the subdivision plan of Richard Wright, Jr., as recorded in the Recorder of Deeds Office for Northampton County at Easton, Pennsylvania, in the Township of Bethlehem, County of Northampton, and Commonwealth of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point in the Easterly line of T.R. 454, otherwise known as Country Club Road, said point being a corner in common between Lots Nos. 3 and 4, Richard Wright Subdivision; thence along Lot No. 3, North 89 degrees 00 minute 00 second East, 298.08 feet to a point in line of lands now or late of the Commonwealth of Pennsylvania; thence along said lands of the Commonwealth of Pennsylvania, South 1 degree 49 minutes 55 seconds East, 100.01 feet to a point a corner of Lot No. 5, Richard Wright Subdivision; thence along said Lot No. 5, South 89 degrees 00 minute 00 second West, 299.54 feet to a point in the Easterly line of Country Club Road; thence along the Easterly line of Country Club Road on a course parallel to and 30.00 feet distant from the centerline thereof, North 1 degree 00 minute 00 second West, 100.00 feet to the point and place of BEGINNING.

CONTAINING 0.6859 acres, more or less.

TITLE TO SAID PREMISES IS VESTED IN Joseph A. Umar, unmarried and Suzanne Cottrell, unmarried, as joint tenants with the right of survivorship and not as tenants in common, by Deed from Ray Bayless and Dolores E. Bayless, h/w, dated 02/12/2004, recorded 02/18/2004 in Book 2004-1, Page 60107.

Premises being: 3902 COUNTRY CLUB ROAD, EASTON, PA 18045-2917.

Tax Parcel No. L8-21-1A.

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

SEIZED AND TAKEN into execution of the writ as the property of Suzanne Cottrell and Joseph A. Umar.

DANIEL G. SCHMIEG, ESQUIRE

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**No. 27**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2010-08885**

ALL THAT CERTAIN piece, parcel or tract of land situate in the Township of Forks, County of Northampton and Commonwealth of Pennsylvania shown as Lot 23 of Sullivan Trail Estates as recorded in Map Book 89 page 432 in the Office of the Recorder of Deeds for Northampton County at Easton, Pennsylvania, and being further bounded and described as follows, to wit:

BEGINNING at an iron pin on the easterly right of way line of Lee Lane (50.00 feet wide), said iron pin also being on a corner of the lands of Lot 22 of Sullivan Trail Estates;

THENCE along said easterly right of way line of Lee Lane (50.00 feet wide) the following two (2) courses and distances;

(1) Along the arc of a curve to the right having a radius of 125.00 feet and central angle of 10 degrees 10 minutes 23 seconds for an arc length of 22.19 feet (chord; North 03 degrees 52 minutes 43 seconds West 22.17 feet) to an iron pin; thence

(2) North 01 degree 12 minutes 28 seconds East 78.67 feet to an iron pin on a corner of the lands of Lot 24 of Sullivan Trail Estates;

THENCE along said lands of Lot 24 of Sullivan Trail Estates South 88



degrees 47 minutes 32 seconds East 132.73 feet to an iron pin on a corner of the lands of Lot 27 of Sullivan Trail Estates;

THENCE along said lands of Lot 27 of Sullivan Trail Estate South 19 degrees 08 minutes 20 seconds East 77.28 feet to an iron pin on a corner of the lands of Lot 22 of Sullivan Trail Estates;

THENCE along said lands of Lot 22 of Sullivan Trail Estate South 81 degrees 02 minutes 04 seconds West 160.15 feet to an iron pin, the place of beginning.

Being known as: 2285 Lee Lane, Easton, Pennsylvania 18040.

Title to said premises is vested in Robert T. Farina and Judith A. Farina, husband and wife, by deed from K & E CORPORATION, A PENNSYLVANIA CORPORATION dated September 27, 1990 and recorded September 27, 1990 in Deed Book 812, Page 308.

TAX I.D. #: K9NW3-5-2.

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

SEIZED AND TAKEN into execution of the writ as the property of Robert T. Farina and Judith A. Farina.

MARGARET GAIRO, ESQUIRE

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**No. 28**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2010-08915**

ALL THAT CERTAIN lot or piece of ground with the dwelling thereon erected, and known as #328 Porter Street, situate on the west side of Porter Street (late Fourth Street) in the Third Ward of the City of Easton, County of Northampton and State of Pennsylvania, bounded and de-

scribed as follows to wit: Containing in front on said Porter Street thirty five and one half (35 1/2) feet, and extending of that same width Westwardly between parallel lines one hundred twenty seven (127) feet more or less to a twenty (20) feet wide public alley, Bound on the north by property now or late of Mary R Welser on the east by said Porter Street on the south by land now or late of Enos Wekheiser and on the west by said public alley.

Being known as: 328 Porter Street, Easton, Pennsylvania 18042.

Title to said premises is vested in Gino Baglieri by deed from ANNE CRISAFULLI, MARRIED, AND ANTHONY CRISAFULLI, A MARRIED MAN dated September 22, 2006 and recorded October 4, 2006 in Deed Book 2006-1. Page 410650.

TAX I.D. #: L9NE2C-9-6.

THEREON BEING ERECTED a three-story single dwelling with brick exterior and shingle roof; detached one-car garage.

SEIZED AND TAKEN into execution of the writ as the property of Gino Baglieri.

MARGARET GAIRO, ESQUIRE

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**No. 29**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2010-08464**

ALL THAT CERTAIN lot or parcel ofl and situate in the Township of Forks, County of Northampton and Commonwealth of Pennsylvania bounded and described as follows to wit:

BEGINNING at a point lying distant 598 feet more or less eastwardly from the intersection of the north right of way line of Apple Blossom Road (T-519) with the easterly line of land now or late of John Panovec on a course bearing North 89 deg. 00



min. East; thence North 01 deg. 00 min. West 150 feet to a point; thence North 89 deg. 00 min. East 100 feet to a point; thence South 01 deg. 00 min. East 150 feet to a point along the North right of way line of aforementioned Apple Blossom Road (T-519) having a right of way width of 150 feet; thence along north right of way line of said T-519 South 89 deg. 00 min. West 100 feet to the point and place of beginning.

CONTAINING .344 acres more or less.

Being known as: 639 Apple Blossom Road, Easton, Pennsylvania 18040.

Title to said premises is vested in Khaled Elgharby by deed from ARTHUR D. HERRITT, JR. AND MERYANN HERRITT, HUSBAND AND WIFE dated June 8, 2001 and recorded June 13, 2001 in Deed Book 2001-1, Page 108904.

TAX I.D. #: K9-14-23E.

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

SEIZED AND TAKEN into execution of the writ as the property of Khaled Elgharby.

MARGARET GAIRO, ESQUIRE

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**No. 30**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2010-00211**

ALL THAT CERTAIN messuage or tenement, grist mill, and two tracts or pieces of land, situate in Lower Saucon Township, Northampton County, Pennsylvania, bounded and described as follows:

Tract No. 1 beginning at a stake and stone in line of land of Tract No. 2, thence by lands of Philip Kunsman south 15 3/4 degrees east 44 1/10 perches to a stone, thence south 60

degrees west 27 perches to a stone, thence north 35 degrees west 48 5/10 perches to a stone, thence north 68 degrees east 43 2/10 perches to a point, the place of Beginning; Containing 10 acres and 4 perches of land; together also with all the water in the stream running into the dam which is now erected on land late of Albert Cawley and William H. Cawley situate directly south of land now or late of A.T. Kunsman, and from thence to be led and conveyed through the present channel or race to the above-described tract or piece of land, together with ingress, egress and regress to and for John G. Maley, deceased, (a former owner) and his heirs and assigns and his and their servants, employees and workmen with horses, carts and wagons at all times and seasons through and over lands of said A. T. Kunsman and also through and over lands of William H. Cawley, their heirs and assigns, in and along the banks of the said dam, stream and race or water course a distance of five feet in breadth on each side of said dam and stream and a distance of ten feet in width on both sides along the race for the amending, cleansing and repairing of the same with the liberty and privilege of digging and taking stone and earth from the adjacent lands of William H. Cawley when and as often as need be or occasion may require;

Tract No. 2 a certain piece of woodland beginning at a stone in line of lands now or late of A. T. Kunsman, now Tract No. 1; thence partly by the same and partly by lands now or late of A.T. Kunsman north 66 degrees east 32 perches to a post; thence by lands now or late of Mrs. Mary Wasser north 24 degrees west 42.4 perches to a stone, thence by lands now or late of W. M. Applegate and Wm. H.

Zoller south 13 degrees east 53 perches to the place of Beginning.

TITLE TO SAID PREMISES IS VESTED IN Raymond H. Jackson and Philomena B. Jackson, h/w and Kevin A. Kreitz and Kelly Jo. Kreitz, h/w, parents and daughter and son-in-law, as tenants by entirety between each husband and wife and then as joint tenants with right of survivorship, by Deed from Raymond H. Jackson and Philomena B. Jackson, h/w, dated 03/21/2000, recorded 03/30/2000 in Book 2000-1, Page 36006.

Premises being: 2151-2155 WILLIAMS CHURCH ROAD, HELLERTOWN, PA 18055-3156.

Tax Parcel No. Q8 4 18 0719, Q8-3-6-0719.

THEREON BEING ERECTED a two-and-a-half story single dwelling with stone exterior and slate roof; detached three-car garage.

SEIZED AND TAKEN into execution of the writ as the property of Kelly Jo Kreitz and Philomena B. Jackson and Raymond H. Jackson and Kevin A. Kreitz.

DANIEL G. SCHMIEG, ESQUIRE

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**No. 31**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2010-01629**

**LOT I**

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

BEGINNING at a point in the southerly line of Falmer Road, said point being the north east corner of land now or late of Moyer Lumber Company, Inc.; thence (1) along the southerly line of Falmer Road South

89 degrees 31 minutes 00 seconds East 330.00 feet to a point; thence (2) along Lot II of a Subdivision Plan of K&E Corporation prepared by Progressive Designs, Inc. and recorded on February 15 1989 in the Office of the Recording of Deeds in and for Northampton County in Map Book 89 Page 51C South 03 degrees 42 minutes 06 seconds West 313.40 feet to a point; thence (3) along land now or late of Fox Chase Subdivision North 89 degrees 40 minutes 00 seconds West 330.04 feet to a point; thence (4) along lands now or late of Moyer Lumber Company, Inc. North 03 degrees 42 minutes East 314.26 feet to a point being the place of beginning-

Said property being Lots I of a Subdivision Plan of K&E Corporation prepared by Progressive Designs, Inc. and recorded in the Office of the Recorder of Deeds of Northampton County on February 15 1989, in Map Book Volume 89 Page 51C.

BEING KNOWN AS 4570 Falmer Drive, Bethlehem, PA 18020.

TAX PARCEL NUMBER: M8-9-4F-1.

THEREON BEING ERECTED a two-story commercial building with brick exterior and shingle roof.

SEIZED AND TAKEN into execution of the writ as the property of Stephen F. Selvaggio and Teresa A. Selvaggio and Selvaggio Plumbing & Heating, Inc. and Selvaggio Excavating, Inc. and Selvaggio Enterprises, Inc. and MNMS, LP.

MICHAEL R. NESFEDER,  
 ESQUIRE

A Schedule of Distribution will be filed by the Sheriff thirty days from the date of the sale and distribution will be made in accordance with the

schedule unless exceptions are filed  
thereto within ten days from the date  
of filing the Schedule of Distribution.

RANDALL P. MILLER

Sheriff

Northampton County,

Pennsylvania

CHRISTOPHER T. SPADONI

ESQUIRE

Solicitor to the Sheriff

Mar. 17, 24, 31

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Mar. 10, 17, 24, 31

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Mar. 17, 24

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No calls please!

Mar. 17, 24

**CAPITAL ONE BANK USA, NA, Plaintiff v. SALVATORE  
MENDISANA, Defendant**

*Preliminary Objections—Verification.*

Defendant filed Preliminary Objections to Plaintiff's Complaint seeking dismissal on the basis of Plaintiff's alleged failure to comply with the certificate of authority requirement of the Foreign Business Corporations Law ("FBCL"), improper verification and failure to comply with Pa. R.C.P. 1019(i) requiring the attachment of the material portions of the writing upon which the action was based. Upon review and consideration, the Court overruled the preliminary objections. First, the Court found Plaintiff exempt from the provisions of the FBCL. Additionally, the Court found the verification of the complaint, and the writing attached thereto, sufficient to satisfy Pa. R.C.P. 1024 and 1019(i) respectively.

In the Court of Common Pleas of Northampton County, Pennsylvania,  
Civil Division—No. C-0048-CV-2008-11433.

PAUL J. KLEMM, ESQUIRE, for Plaintiff.

BRIAN M. MONAHAN, ESQUIRE, for Defendant.

Order of the Court entered on December 13, 2010 by DALLY, J.

*ORDER*

AND NOW, this 13th day of December 2010, Defendant's Preliminary Objections to Plaintiff's Amended Complaint are hereby **OVERRULED**, as set forth more fully in the attached Statement of Reasons.

*STATEMENT OF REASONS*

This matter commenced on October 24, 2008 with the filing of a Complaint whereby Plaintiff Capital One Bank USA, NA, ("Plaintiff") seeks judgment against Defendant Salvatore Medisana ("Defendant") in the amount of Eight Thousand Five Hundred Thirty Dollars and Sixteen Cents (\$8,530.16) plus attorney's fees in the amount of One Thousand Five Hundred Eighty-Three Dollars and Seventy-Two Cents (\$1,583.72). Service of the Complaint was effectuated on April 26, 2010, and thereafter, Defendant filed preliminary objections. On October 12, 2010, Plaintiff filed an Amended Complaint, to which Defendant filed the instant preliminary objections and a brief in support thereof on November 9, 2010. The matter came before the undersigned via the Argument Court list of December 7, 2010. The time for the filing of briefs having passed, it is now ready for disposition.

By the first of his preliminary objections, Defendant demurs to Plaintiff's capacity to sue via a motion to strike for legal insufficiency pursuant to Pa. R.C.P. 1028(a)(4), and a motion to dismiss for failure of the pleading to conform to rule of law or court under Pa. R.C.P. 1028(a)(2). Specifically, Defendant alleges Plaintiff's failure to comply with the requirements

of the Foreign Business Corporations Law (“FBCL”), which requires foreign corporations doing business in Pennsylvania to obtain a certificate of authority prior to instituting an action in the courts of the Commonwealth. 15 Pa. C.S.A. §4141(a). Absent any averment that Plaintiff is certified to do business in the Commonwealth, Defendant moves to strike the Amended Complaint. Noting Plaintiff’s failure to file a brief contra these preliminary objections, the Court moves to an examination and consideration of Defendant’s argument. At Paragraph One (1) of the Amended Complaint, Plaintiff cites to the FBCL and avers the following:

1. Plaintiff, CAPITAL ONE BANK, (USA), N.A., is a foreign business corporation located at 4851 Cox Road, Glen Allen, VA, 23060. Pursuant to 15 Pa. C.S.A. §4122, a foreign business corporation shall not be considered to be doing business in this Commonwealth for the purpose of this subchapter by reason of carrying on in this Commonwealth any one or more of the following acts ... (8) [s]ecuring or collecting debts or enforcing any rights in property securing them [or] (9) [t]ransacting any business in interstate or foreign commerce.

Defendant’s brief in support of his preliminary objections fails to address 15 Pa. C.S.A. §4122, or its applicability to the present case. Rather, Defendant relies solely on the general requirement under the law that “[a] nonqualified business corporation doing business in Pennsylvania is not permitted to maintain any action or proceeding in any Court of Pennsylvania until such corporation has obtained a Certificate of Authority to do business within the State,” pursuant to 15 Pa. C.S.A. §4141(a). While it is true that Section 4141(a) of the FBCL precludes a nonqualified business corporation *doing business* in the Commonwealth from maintaining an action in our courts absent a Certificate of Authority, that provision is limited by §4122, which defines the scope of “doing business” in Pennsylvania, and specifically excludes lending and debt collection. In light of the foregoing, Defendant’s demurrer to Plaintiff’s Amended Complaint on the basis of standing is hereby *OVERRULED*.

Defendant’s next preliminary objection is likewise based on Plaintiff’s alleged failure to conform to a rule of law or court. Specifically, Defendant alleges the improper verification of the Amended Complaint. Pursuant to the Rules of Civil Procedure, a complaint must be verified by a party to the action. Pa. R.C.P. 1024. However, in cases where a party either lacks sufficient knowledge or information to verify the averments of the pleading, or where they are outside of the jurisdiction and cannot provide verification, subsection (c) of the Rule provides that “any person having sufficient knowledge or information and belief,” may verify the pleading, providing that such verification is accompanied by the reason why the verification is not made by the party. Pa. R.C.P. 1024 (c). The verification attached to the



Amended Complaint is signed by Richard A. Napolitano, and reads as follows:

The undersigned does hereby verify subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities, that he is an authorized agent of Capital One Services, Inc., an affiliate of and service provider to Plaintiff herein, and that he is duly authorized to make this Verification, and that the facts set forth in the Amended Complaint in Civil Action are true and correct to the best of his knowledge, information and belief.

In support of his objection, Defendant contends that the verification is insufficient because “[t]here is no indication that Richard A Napolitano is an employee of Capital One Services, Inc. or acting under the scope and direction of Capital One Services, Inc.” Brief of Defendant in Support of Preliminary Objections to Plaintiff’s Amended Complaint at 5-6. Defendant further contends that “there is no stated relationship between Capital One Services, Inc. and Capital One Bank USA NA in the actual Amended Complaint itself,” rendering the verification insufficient under Pa. R.C.P. 1024. *Id.* Upon review and examination, the Court finds that the verification is in conformity with Pa. R.C.P. 1024. Indeed, it sets forth the identity of the verifier as an agent of Plaintiff, and it is averred that the contents of the Amended Complaint are true to the best of his knowledge, information and belief. *See generally, Kensington Mfg. Co. v. Thermal Seal Window Corp., Inc.*, 20 D. & C. 733 (Lehigh Co. 1981). Thus, the verification is sufficient, and Defendant’s preliminary objection is *OVERRULED*.

Defendant’s next preliminary objection is a motion to strike for failure to conform to a rule of law or court under Pa. R.C.P. 1028(a)(2) and a demurrer on the basis of legal insufficiency of the Amended Complaint at Pa. R.C.P. 1028(a)(4), on the grounds that the pleading, and the writings attached thereto, fail to demonstrate the existence of a contract between the parties.

Under the Rules of Civil Procedure:

[w]hen any claim or defense is based upon as writing, the pleader shall attach a copy of the writing, or the material part thereof, but if the writing or copy is not accessible to the pleader, it is sufficient so to state, together with the reason, and to set forth the substance in writing.

Pa. R.C.P. 1019(i). Here, we note that the Amended Complaint identifies the parties, and states that they entered into a written agreement whereby Plaintiff extended credit to Defendant. Amended Complaint at ¶¶4, 6. The Amended Complaint references the account number and the amount owing on the account. Amended Complaint at ¶6. An unsigned Customer Agreement setting forth the terms of the parties’ relationship is attached to the Amended Complaint as “Exhibit A,” and several account statements, for

April 26, 2003 through July 25, 2006 are attached as “Exhibit B.” Exhibit B bears the names and addresses of both parties, the account number, the activity and the account balance. Further, there is an averment in the Amended Complaint which explains that the “signed [credit] application is not accessible to Plaintiff as the transaction may have occurred via tele-marketing or the internet.” Amended Complaint, ¶5.

Upon review and consideration, the Court finds that the exhibits appended to the Amended Complaint, taken together with Plaintiff’s averment as to the unavailability of the signed agreement between the parties, is more than sufficient to satisfy the requirements of Pa. R.C.P. 1019(i). Further, the Court finds the Amended Complaint sufficiently pled as to the essential elements of Plaintiff’s claim, in that there was a contract between the parties, a breach of a duty under the contract and damages arising therefrom. Accordingly, Defendant’s preliminary objection alleging the insufficiency of the Amended Complaint for failure to establish the relationship between the parties is hereby *OVERRULED*.

Finally, Defendant objects to Plaintiff’s request for attorney’s fees. As a general matter, a litigant shall pay his own costs and shall not be eligible to collect attorney’s fees from an adverse party “absent an express statutory authorization, a clear agreement by the parties or some other established exception.” *Merlino v. Delaware County*, 556 Pa. 422, 728 A.2d 949, 951 (1999). By the Amended Complaint, Plaintiff avers that the credit card agreement between the parties provides for the payment of attorney’s fees. Amended Complaint at ¶8. The Customer Agreement, appearing as Exhibit A to the Amended Complaint, sets forth the terms applicable to a customer’s default and states in pertinent part that the customer “agree[s] to pay ... all ... actual court costs, collection expenses and attorney’s fees ... incurred ... in the collection of any amount you owe ... under this Agreement.”

Upon review of the pleading in light of the case law governing claims for attorney’s fees, the Court finds the quoted language from the Customer Agreement sufficient to support Plaintiff’s request. Accordingly, Defendant’s preliminary objection seeking to dismiss the claim for attorney’s fees is hereby *OVERRULED*.

**CITIBANK (SOUTH DAKOTA), N.A., Plaintiff v.  
MARY K. BECKER, Defendant**

*Preliminary Objections—Pa. R.C.P. 1019(i)—Account Stated—Verification—Agent—Pa. R.C.P. 1024—Demurrer.*

Defendant raised preliminary objections for failure of Plaintiff's Complaint to conform to rule of law or court, as well as a general demurrer to the Complaint. As an initial matter, Defendant asserted the deficiency of the Complaint for failure to comply with the requirements of Pa. R.C.P. 1019(i) requiring that where a claim is based on a writing, the writing or the material portions thereof, shall be appended to the Complaint. Finding Plaintiff's claim in the nature of account stated rather than contract, thereby rejecting Defendant's second argument as to the invalidity of an account stated claim, the Court examined the documents appended to the Complaint and found them in conformity with the law. Objections overruled. Defendant's next objection was to the form of the verification attached to the Complaint. The verification was signed by an agent of Plaintiff and the relationship was explained therein. Accordingly, the Court found it sufficient to satisfy the requirements of Pa. R.C.P. 1024 relating to verification. Finally, Defendant raised a general demurrer to the Complaint on the same bases asserted in the prior objections. Having disposed of all prior objections in Plaintiff's favor, the Court denied the demurrer.

In the Court of Common Pleas of Northampton County, Pennsylvania,  
Civil Division—Law, No. C-0048-CV-2010-10644.

TRENTON A. FARMER, ESQUIRE, for Plaintiff.

LAWRENCE B. SCHWARTZ, ESQUIRE, for Defendant.

Order of the Court entered on December 30, 2010 by DALLY, J.

*ORDER*

AND NOW, this 30th day of December 2010, Defendant's Preliminary Objections to Plaintiff's Complaint are hereby OVERRULED, as set forth more fully below in the attached Statement of Reasons.

*STATEMENT OF REASONS*

This matter commenced on September 23, 2010 with the filing of a Complaint whereby Plaintiff Citibank (South Dakota), N.A. ("Plaintiff") seeks judgment against Defendant Mary E. Becker ("Defendant") of Bethlehem, Pennsylvania in the amount of Fifteen Thousand Four Hundred Nine Dollars and One Cent (\$15,409.01) in connection with her alleged default on a credit account. Defendant filed preliminary objections to the Complaint on November 12, 2010 and the matter came before the undersigned for consideration via the Argument Court list of December 9, 2010. Briefs having been received, it is now ready for disposition.

Defendant raises four preliminary objections to Plaintiff's Complaint. Three of the objections raise assertions of the failure of the pleading to conform to rule of law or court and insufficient specificity pursuant to Pa.

R.C.P. 1028(a)(2) and (a)(3) respectively. The fourth preliminary objection is in the form of a demurrer, relying on the same bases as the 1028(a)(2) and (a)(3) objections. The basis of Defendant's first preliminary objection, is made pursuant to Pa. R.C.P. 1019(i) requiring that:

[w]hen any claim or defense is based upon a writing, the pleader shall attach a copy of the writing, or the material part thereof, but if the writing or copy is not accessible to the pleader, it is sufficient so to state, together with the reason, and to set forth the substance in writing.

Here, the only document attached to the complaint is a single account statement, which Defendant alleges, is insufficient under the law to establish Plaintiff's right to judgment in their favor. *See Atlantic Credit and Finance, Inc. v. Giuliana*, 829 A.2d 340 (Pa. Super. 2003).

In *Giuliana*, upon which Defendant relies, the Superior Court addressed the question of whether a meritorious defense in support of a petition to open may be raised by preliminary objection. Answering that question in the affirmative, the Court then ruled on the preliminary objections of Defendant Giuliana to a debt collection action instituted by Atlantic Credit & Finance, a third-party purchaser of the alleged debt. One of Giuliana's preliminary objections alleged Atlantic's failure to comport with Pa. R.C.P. 1019(i). The only writing attached to the Complaint was a single monthly statement issued in the name of GM to the defendant. Thus, the issue was the insufficiency of the averments of the Complaint and the attachments thereto to establish Atlantic's right to collect a debt that originated with GM. Upon consideration, the Court found the omission fatal under the Rules, stating that "the failure to attach the writings which assertedly establish [Atlantic's] right to a judgment" was "fatal" to their claims. *Atlantic Credit and Finance, Inc. v. Giuliana*, supra, 829 A.2d at 344. That is not the case here. In the instant matter, Plaintiff is the original creditor, and the complaint sets forth an account stated action, rather than a contract action. Accordingly, the Court finds *Giuliana* inapplicable to the resolution of Defendant's preliminary objection.

In furtherance of her objection under Pa. R.C.P. 1019(i), Defendant cites to the Truth in Lending Act at 15 USC 1637 *et seq.*, for the proposition that before issuing a credit account, a creditor must first obtain a signed Cardholder Agreement from a customer. Absent a signed cardholder agreement appended to the Complaint, Defendant renews her objection to the insufficiency of the Complaint. She asserts that if:

Plaintiff violated federal law by issuing a credit card and opening the account without the required written contract ... then it is essential pursuant to the clear direction of Pa. R.C.P. 1019(i) and the Superior Court's decision in *Atlantic Credit and Finance, Inc. v. Giuliana* ... that it attach a copy of said

signed Agreement to the Complaint (or explain clearly why it cannot do so).

Defendant's Brief in Support of Preliminary Objections to the Complaint at 3.

In response to Defendant's contention, Plaintiff asserts that its claim against her is not in the nature of contract, but is an account stated claim, rendering the attachment of a contract to the Complaint unnecessary. Rather, Plaintiff argues that in order to establish an account stated claim, a pleader need only attach a copy of the alleged account to the complaint. *Rush's Service Center, Inc. v. Genareo*, 10 D. & C. 4th 445, 447 (Lawrence Co. 1991). Plaintiff notes the attachment to the Complaint of the last monthly statement issued to Defendant, showing the balance due on the account, inclusive of fees and interest. Accordingly, Plaintiff contends that the Complaint comports with the requirements of Pa. R.C.P. 1019(i).

However, Defendant raises a second preliminary objection asserting that "[a]n account stated theory is not appropriate in a credit card case." *Capital One Bank (USA) NA v. Clevestine*, 7 D. & C. 5th 153 (2009). Upon review and consideration, the Court finds Defendant's reliance on *Clevestine* misguided. In fact, an account stated is widely recognized as a valid cause of action in a credit card action in the Commonwealth.<sup>1</sup> In order to properly set forth an account stated claim, a pleader must state that there has "been a running account, that a balance remains due upon that account, that the account has been rendered unto the defendant, that the defendant has assented to the account and a copy of said account is attached to the complaint." *Rush's Serv. Ctr. Inc. v. Genareo*, supra at 447. Upon examination, the Court finds the essential elements of the claim set forth, and the attachment of the last statement issued on the account sufficient to satisfy the requirements of Pa. R.C.P. 1019(i). Accordingly, Defendant's first and second preliminary objections are hereby *OVERRULED*.

Defendant's next preliminary objection is likewise based on Plaintiff's alleged failure to conform to a rule of law or court. Specifically, Defendant alleges the improper verification of the Amended Complaint. Pursuant to the Rules of Civil Procedure, a complaint must be verified by a party to the action. Pa. R.C.P. 1024. However, in cases where a party either lacks sufficient knowledge or information to verify the averments of the pleading, or where they are outside of the jurisdiction and cannot provide verification, subsection (c) of the Rule provides that "any person having sufficient knowledge or information and belief," may verify the pleading, providing that such verification is accompanied by the reason why the verification is not made by the party. Pa. R.C.P. 1024 (c). The verification attached to the Complaint reads:

<sup>1</sup> The decisions of other Common Pleas Courts are persuasive, and not binding on this court, and *Clevestine* appears to take a minority position. Thus, the Court declines to follow its reasoning.

I, Abbie Motley, am employed by Citicorp Credit Services, Inc. (USA) (hereafter CCSI), a subsidiary of plaintiff, Citibank, (South Dakota), N.A. CCSI is a service provider for plaintiff in that it services credit card accounts owned by plaintiff. I am authorized to make this verification on behalf of plaintiff. The statements of facts set forth in the complaint are true and correct upon my information and belief and are made subject to the penalties of 18 Pa. C.S. Section 4904, relating to unsworn falsification to authorities.

Upon review and examination, the Court finds that the verification is in conformity with Pa. R.C.P. 1024. Indeed, it sets forth the identity of the verifier as an agent of Plaintiff, and it is averred that the contents of the Amended Complaint are true to the best of her knowledge, information and belief. *See generally, Kensington Mfg. Co. v. Thermal Seal Window Corp., Inc.*, 20 D. & C. 3d 733 (Lehigh Co. 1981) (Verification sufficient where made by employee of company to which the plaintiff was a subsidiary, managing collections for the parent company, given that there was agency, an explanation of that agency.). Accordingly, Defendant's preliminary objection is *OVERRULED*.

Defendant's final preliminary objection is in the form of a demurrer to the Complaint. In ruling on a demurrer, the Court shall accept as true all well-pleaded facts set forth in the complaint, and all reasonable inferences deducible therefrom. *Richardson v. Beard*, 942 A.2d 911 (Pa. Commw. 2008), *order affirmed*, 600 Pa. 102, 963 A.2d 904 (2008). A court may sustain a demurrer and dismiss a claim only when it is clear and free from doubt that a plaintiff has no possibility of recovery on the facts as pled. *Swisher v. Pitz*, 868 A.2d 1228 (Pa. Super. 2005).

The bases for Defendant's demurrer are the same bases set forth in her first three preliminary objections. Having disposed of those objections in favor of Plaintiff, the Court hereby *OVERRULES* Defendant's final preliminary objection in the form of a demurrer to the Complaint.



**JOHN C. GULDIN, Plaintiff v. PAMELA J. EVANS, Defendant***Preliminary Objections—Amended New Matter—Defenses—Coordinate Jurisdiction—Attorney’s Fees—Insufficient Specificity—Unclean Hands—Waiver.*

Plaintiff filed preliminary objections to Defendant’s Amended New Matter, seeking to strike the pleading on the basis of waiver for failure to include the defenses raised therein in the initial New Matter. Alternatively, Plaintiff sought to have certain paragraphs stricken from the New Matter as scandalous or impertinent. Given the grant of leave to amend by another judge of this Court, and due to the fact that the amended pleading replaced its prior version, the Court rejected Plaintiff’s argument and denied the motion to strike the Amended New Matter in its entirety. As to Plaintiff’s efforts to strike certain paragraphs of the Amended New Matter, the Court found the objection waived as to all paragraphs seeking attorney’s fees, given their inclusion in the initial New Matter. The Court also overruled an objection to a paragraph asserting the doctrine of unclean hands, upon a finding that the relief sought by Plaintiff in the underlying Complaint was partially equitable, thereby rendering the doctrine of unclean hands applicable. Finally, the Court struck two paragraphs from the Amended New Matter on the basis of insufficient specificity, allowing Defendant twenty days within which to file a further amended pleading.

In the Court of Common Pleas of Northampton County, Pennsylvania,  
Civil Division—Law, No. C-0048-CV-2007-8973.

GARY A. BRIENZA, ESQUIRE, for Plaintiff.

ELLEN C. SCHURDAK, ESQUIRE, for Defendant.

Order of the Court entered on December 30, 2010 by DALLY, J.

*ORDER*

AND NOW, this 30th day of December 2010, Plaintiff’s Preliminary Objections to Defendant’s Amended New Matter are hereby OVERRULED IN PART and SUSTAINED IN PART, as set forth more fully in the attached Statement of Reasons.

*STATEMENT OF REASONS*

The instant matter originated by Writ of Summons filed October 10, 2007. The parties to this action were married on June 23, 1973. Two children were born of the marriage. In 1992, the parties separated. They divorced in 1994 after the entry of a Bifurcation Order leaving their economic claims for resolution. On June 11, 1996 they executed a Property Settlement Agreement (“PSA”). Under the terms of the PSA, the parties recognized the prior establishment of education trust funds for each of the children to cover the costs of their undergraduate education. The PSA further provided that, to the extent that the childrens’ educational costs exceeded the trust funds, the parties were to share the remaining costs to ensure that both children enjoyed the benefit of four-year post-secondary education. Addi-

tionally, the parties executed mutual releases under the PSA to certain items of personal property identified as belonging to the other.

By a Complaint filed February 6, 2009, Plaintiff alleged Defendant's breach of Paragraph Fourteen (14) of the PSA for failure to share the children's educational costs in excess of their trusts; and Paragraph Twelve (12), releasing Defendant's claims to certain personal property. On March 5, 2009, Defendant filed an Answer and New Matter, alleging Plaintiff's obdurate and vexatious conduct in filing the Complaint, and seeking counsel fees. Plaintiff filed a response to Defendant's New Matter on March 17, 2009.

On September 2, 2010, the Honorable Senior Judge Michael V. Franciosa entered an order indicating that the pleadings were closed, setting a three (3) month deadline for the completion of written discovery and scheduling the matter for a pretrial conference on December 6, 2010. Thereafter, on October 7, 2010, Defendant, represented by new counsel, presented a motion for leave to file an amended new matter in Motions Court. After a proceeding in which both parties were heard, the Court, the Honorable Senior Judge William F. Moran presiding, granted Defendant's motion without prejudice to Plaintiff's right to challenge the same by preliminary objection. Defendant's Amended New Matter was filed with the Prothonotary on the same date. Plaintiff filed preliminary objections thereto on October 26, 2010, to which Defendant filed a response on November 19, 2010. The matter came before the undersigned via the Argument Court list of December 7, 2010. Briefs having been received, it is now ready for disposition.

Plaintiff's first preliminary objection to Defendant's Amended New Matter is in the form of a motion to strike for failure to conform to rule of law or court pursuant to Pa. R.C.P. 1028(a)2. Relying on Pa. R.C.P. 1032, Plaintiff argues that because the Amended New Matter raises certain defenses not raised in the initial New Matter, the pleading should be stricken in its entirety.

The Amended New Matter to which Plaintiff objects consists of fifteen (15) numbered paragraphs. Paragraph Twenty-Four (24), the first numbered paragraph of the Amended New Matter, is an incorporation clause. Paragraph Twenty-Five (25) consists of a motion for attorney's fees. At Paragraph Twenty-Six (26), Defendant pleads a statute of limitations defense. At Paragraphs Twenty-Seven (27) and (28), Defendant argues that the Complaint fails to comply with 23 Pa. C.S.A. §4327, governing post-secondary educational costs in domestic relations matters,<sup>1</sup> and that the action

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<sup>1</sup> As noted by the parties, 23 Pa. C.S.A. §4327 was deemed unconstitutional prior to the execution of the 1996 PSA, pursuant to *Curtis v. Kline*, 542 Pa. 249, 666 A.2d 265 (1995). The PSA reads in pertinent part that "[t]he parties are obligated to contribute toward higher education as set forth in Act 62 of 1993 codified at 23 Pa. C.S.A. Sec. 4327 (subsequently determined unconstitutional, but included herein by agreement)." PSA, ¶14.

is barred by the statute. At Paragraphs Twenty-Nine (29) through Thirty-One (31) respectively, Defendant pleads the doctrines of accord and satisfaction, unclean hands, and laches. Paragraph Thirty-Two (32) contains an averment that Plaintiff's action is barred by an alternative dispute resolution clause. Paragraphs Thirty-Three (33) and Thirty-Four (34) allege that the Complaint is barred by the doctrines of estoppel and truth and waiver. Paragraph Thirty-Five (35) consists of an averment that the action is barred by the terms of the parties' written agreement, and Paragraph Thirty-Six (36) contends that the complaint is barred by a previously executed release between the parties. Finally, Paragraph Thirty-Seven (37) cites to 42 Pa. C.S.A. §2503 and alleges that the Complaint was filed in bad faith.

As an initial matter, we note the general policy of the Courts that leave to amend pleadings shall be liberally granted. *Frey v. Pennsylvania Electric Company*, 414 Pa. Super. 535, 538, 607 A.2d 796, 797 (1992). However, leave to amend should not be granted where the proposed amendment is in violation of the law or would "unfairly prejudice[] the rights of the opposing party." *Id.* A party may amend a pleading as a matter of right within twenty days of any objections; by the consent of the adverse party, or by permission of the court. Pa. R.C.P. 1028(c)1; Pa. R.C.P. 1033. Here, Defendant sought and obtained the Court's permission to file an Amended Answer and New Matter.

With the filing of an amended pleading, the former pleading is withdrawn and replaced by the amendment. *Fleming v. Strayer*, 367 Pa. 284, 80 A.2d 786 (1951) (Acknowledging that an amended pleading takes the place of the prior pleading, but recognizing that the prior pleading does not cease to be part of the record for all purposes.). Thus, in ruling on these preliminary objections, the Court shall examine the substance of the Amended New Matter as though the former New Matter no longer exists.

As the basis for the objection, Plaintiff complains that Defendant raised defenses that were not raised in the initial pleading, and that therefore, the pleading should be stricken. In support of his assertion, Plaintiff cites to Pa. R.C.P. 1030(a), which provides in pertinent part that:

... all affirmative defenses including but not limited to the defenses of accord and satisfaction, arbitration and award, consent, discharge in bankruptcy, duress, estoppel, failure of consideration, fair comment, fraud, illegality, immunity from suit, impossibility of performance, justification, laches, license, payment, privilege, release, res judicata, statute of frauds, statute of limitations, truth and waiver shall be pleaded in a responsive pleading under the heading 'New Matter.'

Upon an assertion that certain defenses raised in the Amended New Matter were not included in the initial New Matter, Plaintiff contends Defendant's

waiver of the claims and defenses raised in the Amended New Matter.<sup>2</sup> As further support for his position, Plaintiff cites to case law purporting to stand for the proposition that a party may not amend a pleading to include defenses of which the party had prior knowledge without explanation of the failure to assert the defenses in the prior version of the pleading. *See Pugh v. Bankers Mutual Insurance Company of Adams County*, 206 Pa. Super. 136, 211 A.2d 135 (1965).

In *Pugh*, the Superior Court, addressing the defendant's claims of error in support of a motion for a new trial, found no error in the trial court's refusal to let him amend his answer to plead an additional defense at the conclusion of his case in chief at trial. *Id.* at 144. In so ruling, the Court stated that "appellant may not take advantage of this liberality [to amend pleadings] by inserting defenses of which it has prior knowledge, at its own pleasure, without explanation." *Id.* It went on to say that such "capricious action would have placed an undue burden on appellee and on the court's orderly proceedings." *Id.* Upon careful review of the cited language in light of the Court's recognition that the amendment of pleadings is an issue within the sound discretion of the trial court, we find the Court's pronouncement with respect to the late amendment of pleadings to include new defenses to be case-specific dicta, rather than a holding of the Court. As recognized in *Pugh*, there should be some limitation on the amendment of pleadings so not as to frustrate the administration of justice. It is for just that reason that there are legal standards by which to evaluate a request to amend a pleading.

In permitting the filing of the amendment, Senior Judge Moran heard the parties and, applying the applicable legal standards, determined that there was no basis upon which to deny Defendant's amendment request: no prejudice to Plaintiff, and no legal reason to preclude amendment. Thus, the only viable objection that Plaintiff can raise is an objection to the substance of the pleading itself, without reference to the merits of Judge Moran's decision to grant the amendment,<sup>3</sup> or the pleading in its prior version. Accordingly, Plaintiff's preliminary objection in the form of a motion to strike the Amended New Matter in its entirety is hereby *OVERRULED*.

In the alternative, Plaintiff seeks to strike several paragraphs from the Amended New Matter on the basis that they are scandalous or impertinent, and/or legally insufficient. In response, Defendant argues that pursuant to the requirement that preliminary objections be raised at one time

<sup>2</sup> In support of this proposition, Plaintiff cites to Pa. R.C.P. 1032, stating that with the exception of certain defenses enumerated at Pa. R.C.P. 1030(b), "a party waives all defenses and objections which are not presented either by preliminary objection, answer or reply."

<sup>3</sup> Senior Judge Moran considered the circumstances in light of the applicable law and determined that it was appropriate to grant Defendant's request to amend. That matter having been settled, the undersigned shall not revisit it, pursuant to the coordinate jurisdiction rule under the law of the case doctrine. *Ario v. Reliance Insurance Company*, 602 Pa. 490, 980 A.2d 588, 597 (2009)

Plaintiff waived the ability to object to the particular averments of the Amended New Matter, given their inclusion in the original New Matter and his failure to object thereto. The first of Plaintiff's objections is to Paragraph Twenty-Five (25) of Defendant's Amended New Matter, seeking a statutory award of attorney's fees. Generally, a party shall bear the cost of their own attorney's fees. *Mrozek v. Eiter*, 805 A.2d 535 (Pa. Super. 2002), *appeal denied*, 825 A.2d 639 (Pa. 2003). Attorney's fees shall be paid by an opposing party only when permitted by statute, directed by an express agreement between the parties, or pursuant to another established exception. *Id.* In the present case, Defendant asserts a right to attorney's fees pursuant to statute at 42 Pa. C.S.A. §2503. The statute provides for an award of attorney's fees in a number of situations, inclusive of cases where the actions of another party are "arbitrary, vexatious or in bad faith." 42 Pa. C. S.A. §2503(9).

An opponent's conduct has been deemed to be 'arbitrary' within the meaning of the statute if such conduct is based on random or convenient selection or choice rather than on reason or nature. An opponent also can be deemed to have brought suit 'vexatiously' if he filed the suit without sufficient grounds in either law or in fact and if the suit served the sole purpose of causing annoyance. Finally, an opponent can be charged with filing a lawsuit in 'bad faith' if he filed the suit for purposes of fraud, dishonesty or corruption.

*Thunberg v. Strause*, 545 Pa. 607, 615, 682 A.2d 295, 299 (1996) (internal citations omitted). In support of the motion to strike Paragraph Twenty-Five (25) from the Amended New Matter, Plaintiff asserts that Defendant's claim for attorney's fees is legally insufficient in that it fails to state a factual predicate in support thereof, and is premature as a matter of law, in the absence of any determination that Plaintiff's claim is not viable. In response, Defendant argues that because a claim for attorney's fees was included in the initial New Matter, to which no preliminary objections were raised, Plaintiff thereby waived his right to raise an objection to the same claim in the Amended New Matter. We agree. Pursuant to the Rules of Civil Procedure, all preliminary objections must be raised at one time. Pa. R.C.P. 1028(b). Thus, where a party has an opportunity to lodge a preliminary objection but fails to do so, he waives the right to raise the objection at a later time. *Commonwealth of Pennsylvania, Department of Transportation (PennDOT) v. Bethlehem Steel Corporation*, 33 Pa. Commonwealth Ct. 1, 6, 380 A.2d 1308, 1311 (1977). Where the opposing party files an amended pleading, an objector can renew objections raised in an initial set of preliminary objections if no action was taken thereon, or make objections to new matter not raised in the original pleading. *Delgross v. Gruerio*, 255 Pa. Super. 560, 564, 389 A.2d 119, 121 (1978). However, he may not raise an objection to a matter included in an amended pleading if it also appeared

in the initial pleading and no objection was raised thereto. *Commonwealth of Pennsylvania, Department of Transportation (PennDOT) v. Bethlehem Steel Corporation*, supra at 6, 380 A.2d at 1311. Given the inclusion of Defendant's inclusion of the request for counsel fees in the initial New Matter, Defendant's motion to strike the same from the Amended New Matter is hereby *OVERRULED*.

Plaintiff's next preliminary objection is a motion to strike Paragraphs Twenty-Seven (27) and Twenty-Eight (28) from the Amended New Matter due to their reference to repealed statute 23 Pa. C.S.A. §4327, as impertinent and contrary to rule of law. Specifically, Plaintiff argues that because the action is in the nature of contract pursuant to the PSA executed by the parties, the statute is of no relevance to the case. In response, Defendant renews the argument that any objection on the basis of 23 Pa. C.S.A. §4327 is barred due to its inclusion in the initial New Matter. The initial New Matter states, at Paragraph 26(a), under Defendant's claim for attorney's fees, that:

The Plaintiff is not sincere in his request for post secondary educational costs nor is he correct in the application of Act 62 of 1993 as codified at 23 Pa. C.S.A. Section 4323, later to be determined to be unconstitutional but included in the parties' Agreement ...

The averments of the New Matter pertain not to 23 Pa. C.S.A. §4323, but to §4327, and state as follows:

27. Plaintiff's Complaint fails to comply with the mandates of 23 Pa. C.S.A. §4327;

28. Plaintiff's Complaint is barred, in whole or in part, by 23 Pa. C.S.A. §4327.

Given that the averments in the initial New Matter and the Amended New Matter refer to separate statutory provisions,<sup>4</sup> we reject Defendant's argument that Plaintiff's preliminary objection should be dismissed on the basis of waiver.

Turning to an evaluation of the preliminary objection on its merits, we note that the claims of Plaintiff's Complaint are based on the PSA executed between the parties. The PSA states in pertinent part that the "parties are obligated to contribute toward higher education as set forth in Act 62 of 1993 codified at 23 Pa. C.S.A. Sec. 4327 (subsequently determined unconstitutional, but included herein by agreement)." PSA, ¶14. Thus, the PSA incorporates the statute, and to the extent that it does, the Court finds that it is an appropriate basis for a preliminary objection. Additionally, to the extent that Plaintiff objects to the averments at Paragraphs Twenty-

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<sup>4</sup> 23 Pa. C.S.A. §4323 refers to the support of an emancipated child. Whereas, 23 Pa. C.S.A. §4327 addresses post-secondary educational costs. While it appears that the reference to §4323 in the initial New Matter may have been a typographical error, the Court must assess the pleadings as filed.



Seven (27) and Twenty-Eight (28) of the New Matter on the basis of insufficient specificity, we agree. In the absence of any averment as to the basis for Defendant's assertions that the Complaint fails to comply with the mandates of §4327, or how it is barred thereunder, Plaintiff cannot understand the claims against him and prepare a defense thereto. Accordingly, Plaintiff's preliminary objection is hereby *SUSTAINED* and Paragraphs Twenty-Seven (27) and Twenty-Eight (28) of Defendant's New Matter are hereby *STRICKEN* without prejudice to Defendant filing a further amended pleading within twenty (20) days from today's date.

Plaintiff's next objection is to Paragraph Thirty (30) of the Amended New Matter, which states that:

Plaintiff's Complaint is barred, in whole or in part, by the doctrine of unclean hands.

As the basis for his objection, Plaintiff notes that his is an action for money damages, rather than an action in equity, and therefore, the doctrine of unclean hands is an inapplicable defense. Defendant's only response is that Plaintiff's preliminary objection is barred by waiver. However, an examination of the pleadings reveals no reference to the doctrine of unclean hands in the initial New Matter. Accordingly, the Court rejects Defendant's waiver argument. As to Plaintiff's position, he is correct in his statement that the doctrine of unclean hands is applicable to actions in equity. However, he incorrectly characterizes his Complaint as seeking purely monetary damages. In fact, at Paragraph Twenty-Two (22) of the Complaint, Plaintiff makes a demand for the return of certain items of personal property. As such, Paragraph Thirty (30) of the Amended New Matter is appropriately pled and shall not be stricken. Plaintiff's preliminary objection is therefore *OVERRULED*.

Finally, Plaintiff raises an objection to Paragraph Thirty-Seven (37) of the Amended New Matter. It reads:

37. Defendant avers that Plaintiff's Complaint has been filed in bad faith, pursuant to 42 Pa. C.S.A. §2503.

Just as with Plaintiff's objections to Paragraphs Twenty-Seven (27) and Twenty-Eight (28) of Defendant's New Matter, Defendant asserts waiver on the basis that a §2503 claim was pled in the original New Matter. Upon review and consideration, the Court agrees that claim was set forth in the original New Matter, and that Plaintiff's failure to object to it at that time constitutes a waiver of the issue. Accordingly, Plaintiff's preliminary objection is *OVERRULED*.



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## **PERIODICAL PUBLICATION**

**\* Dated Material. Do Not Delay. Please Deliver Before Monday, March 21, 2011**