

Northampton County Reporter

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VOL. LVI

EASTON, PA March 24, 2011

NO. 64

**Thomas B. Walden, M.D., Plaintiff v. Northampton Hospital Corporation d/b/a
Easton Hospital and Easton Hospital and David T. Lyon, M.D. and
Robert S. Bloch, M.D., Defendants**

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INSERT: Goldenrod: 1. NCBA/BALC Joint Event

2. 2011 Calendar
3. PBI/CLE Seminars—NCBA Office, March—August 2011
4. NCBA/Miller Keystone Blood Center Blood Bank Program
Cream: 1. "How to Succeed in Business Without Really Trying"
2. "Business and Ethical Considerations When Representing Personal Injury Clients"
3. "Protecting You and Your Clients' Retirement from a Disability"
4. Walk for a Healthy Community

NOTICE TO THE BAR...

Notice From Court Administration—Debra C. French, Deputy Court Administrator

The Magisterial District Courts in Northampton County will be closed to the public from noon on Friday, April 8, 2011 until 10:00 a.m. Monday, April 11, 2011 due to the installation of a new computer system.

Should you have any questions please contact me at 610-559-6704.

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Northampton County Reporter

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

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Edward P. Shaughnessy, Esquire

Editor

NOTICE TO NCBA MEMBERS – BAR NEWS

Mark Your Calendars

Iron Pigs Game—NCBA/BALC Joint Event—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.

ACLU-LV Forum—Wednesday, March 30, 2011

The ACLU-LV is hosting a “One Nation Under Surveillance” Forum, at Seegers Union, Muhlenberg College. The speaker is Mary Catherine Roper, senior staff attorney with the ACLU of PA. Ms. Roper will speak about erosion of Americans’ privacy rights since September 11, 2001, including provisions of the Patriot Act, changes to the Foreign Intelligence Surveillance Act and The Attorney General Guidelines.

The manner in which it is given is worth more than the gift. ~ Pierre Corneille,
1606-1684

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**BETSCH, JOSEPH B.,** dec'd.

Late of the Township of Palmer, Northampton County, PA
Executrix: Jacqueline M. Rogers
c/o R. Steven Porreca, Esquire,
38 Beaver Run Road, Downingtown, PA 19335
Attorney: R. Steven Porreca, Esquire, 38 Beaver Run Road, Downingtown, PA 19335

CASTNER, JOANNE, dec'd.

Late of the Borough of Nazareth, Northampton County, PA
Executor: Victor A. Castner, 175 West North Street, Nazareth, PA 18064
Attorneys: Peters, Moritz, Peischl, Zulick, Landes & Brienza, LLP, 1 South Main Street, Nazareth, PA 18064-2083

CRAWFORD, EDWARD J., dec'd.

Late of Lower Saucon Township, Northampton County, PA
Executor: Sean M. Crawford, 4651 Kathi Drive, Bethlehem, PA 18017
Attorney: Samuel P. Murray, Esquire, 720 Washington Street, Easton, PA 18042

FALCONE, MICHAEL J., dec'd.

Late of the Borough of Wind Gap, Northampton County, PA

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

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

HORTON, RUTH E., dec'd.

Late of Wilson Borough, Northampton County, PA
Executor: Ralph S. Horton, Jr. c/o Thomas L. Walters, Esquire, Lewis and Walters, 46 South Fourth Street, P.O. Box A, Easton, PA 18044-2099

Attorneys: Thomas L. Walters, Esquire, Lewis and Walters, 46 South Fourth Street, P.O. Box A, Easton, PA 18044-2099

MURPHY, DAVID W., dec'd.

Late of Shamokin, Northumberland County, PA
Administratrix: Debra Weit, 1222 West Walnut Street, Coal Township, PA 17866
Attorneys: Robin J. Marzella, Esquire, R.J. Marzella & Associates, 3513 North Front Street, Harrisburg, PA 17110

NICHOLAS, IDA MAE a/k/a IDA NICHOLAS a/k/a IDA M. NICHOLAS, dec'd.

Late of Bethlehem Township, Northampton County, PA
Administrators: Alvin N. Nicholas, Jr., 1403 Ravena St., Bethlehem, PA 18015 and Jeffrey A. Nicholas, 1471 Sixth St., Bethlehem, PA 18020
Attorneys: Gary M. Miller, Esquire, Miller & Davison, 210 E. Broad Street, Bethlehem, PA 18018

ORLANDO, MICHAEL M., dec'd.

Late of the Borough of Wilson, Northampton County, PA

Executor: Joseph C. Orlando, Sr., 435 Berkley Street, Easton, PA 18045

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

PAGNI, PRIMO, dec'd.

Late of the Borough of Northampton, Northampton County, PA

Administrator: Carlo Pagni, 474 East 12th Street, Whitehall, PA 18052

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

PELOSI, MICHAEL, dec'd.

Late of the City of Bethlehem, Northampton County, PA

Administratrix: Tara Pelosi c/o Jacob S. Kolb, Esquire, Kolb, Vasiliadis and Florenz, 74 West Broad Street, Ste. 170, Bethlehem, PA 18018-5738

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

ROTHROCK, FLORENCE I. a/k/a FLORENCE ROTHROCK, dec'd.

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

Executors: Dale E. Rothrock and Wanda May Rothrock a/k/a Wanda M. Rothrock c/o David J. Ceraul, Esquire, 22 Market Street, P.O. Box 19, Bangor, PA 18013-0019

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

SCHIERONI, HELEN, dec'd.

Late of 602 E. 21st Street, Northampton, Northampton County, PA

Executrix: Roberta Kaplan, 4325 Vassar Avenue, Bethlehem, PA 18017

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

SEIFERT, CARL K., dec'd.

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

Executrix: Terry I. Seifert 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

SINKO, KALMAN, dec'd.

Late of the Township of Bethlehem, Northampton County, PA

Executrix: Katherine A. Sinko c/o Nicholas M. Zanakos, Esquire, 742 North Main Street, Bethlehem, PA 18018

Attorney: Nicholas M. Zanakos, Esquire, 742 North Main Street, Bethlehem, PA 18018

SULLIVAN, MARVIN, dec'd.

Late of Lower Mount Bethel, Northampton County, PA

Administrator: Scott Mayer c/o The Law Offices of Charles W. Gordon, 680 Wolf Avenue, Easton, PA 18042

Attorneys: The Law Offices of Charles W. Gordon, 680 Wolf Avenue, Easton, PA 18042

TRAINER, HENRIETTA A., dec'd.

Late of the City of Easton, Northampton County, PA

Executrix: Kay F. Crouse, 131 Goritz Road, Milford, NJ 08848

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

TROIANO, JOYCE C., dec'd.

Late of the City of Bethlehem, Northampton County, PA

Executor: Willard H. Leh 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

SECOND 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

THIRD 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 Rinkenberg, 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

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 provisions of the Business Corporation Law of the Commonwealth of Pennsylvania, approved December 21, 1988, P.L. 1444, as amended, by the following corporation:

The name of the corporation is:

**MICRO-CLEAN GREEN
TECHNOLOGIES, INC.**

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

Mar. 24

**NOTICES OF NON-PROFIT
INCORPORATION**

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

at Harrisburg, PA, for the purpose of incorporating a non-profit corporation pursuant to the 1988 Non-Profit Corporation Law of the Commonwealth of Pennsylvania for the following corporation:

**GMAC COMMUNITY
CENTER, INC.**

The Articles of Incorporation were filed on March 14, 2011. The organization is being incorporated and organized for charitable and educational purposes under section 501(c)(3) of the Internal Revenue Code, or any corresponding section of any future federal tax code.

Mar. 24

NOTICE IS HEREBY GIVEN that Articles of Incorporation have been filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania, in order to form a nonprofit organization under the provisions of the NPCL (Non-profit Corporation Law) for purposes of existing as a labor union. The name of the entity is Security Professionals of America. The articles of incorporation will be filed on March 18, 2011.

The name of the corporation is:

**SECURITY PROFESSIONALS
OF AMERICA**

Jennifer R. Sletvold, Esquire
Attorney ID 80885

701 Washington Street
Easton, PA 18042
(610) 258-5329

Mar. 24

**CORPORATE FICTITIOUS NAME
REGISTRATION NOTICE**

NOTICE IS HEREBY GIVEN, pursuant to the provisions of Act 295 of 1982 (54 Pa. C.S.A. Sec. 301 et seq.), of intention to file in the Office of the Secretary of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, a Certificate for the conduct of business in Northampton County,

Pennsylvania, under the assumed or fictitious name, style, or designation of:

**CONCRETE DECOR
STUDIO & STORE**

with its principal place of business at: 1035 Mauch Chunk Rd., Bethlehem, PA 18018.

The name and address of the entity owning or interested in said business is: Frank Casilio & Sons, Inc., 1035 Mauch Chunk Rd., Bethlehem, PA 18018.

The certificate was filed on March 10, 2011.

GARY M. MILLER, ESQUIRE
MILLER & DAVISON

210 E. Broad Street
Bethlehem, PA 18018
(610) 691-0330

Mar. 24

**LIMITED LIABILITY COMPANY
NOTICE**

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

STEALTH EQUITIES, LLC

in accordance with the provisions of the Limited Liability Act of 1994.

McFALL, LAYMAN & JORDAN, P.C.
134 Broadway
Bangor, PA 18013

Mar. 24

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

WAYNE G. CHENEVERT and
NANCY L. CHENEVERT,
husband and wife,

Plaintiffs

vs.

TIMOTHY P. STEINMETZ,
Defendant

NO. C-48-CV-2010-7467

NOTICE IS HEREBY GIVEN that the above was named as Defendant

in a civil action instituted by Plaintiffs. This is a civil action filed by the Plaintiffs on July 16, 2010 to recover funds expended on behalf of the Defendant by the Plaintiffs.

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 judgment may be entered against you by the Court without further notice. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

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

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

**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.

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**PORTNOFF LAW
ASSOCIATES, LTD.**

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

Mar. 24

Mar. 17, 24, 31

**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.

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Mar. 17, 24, 31

**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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Mar. 17, 24, 31

**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.

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Mar. 17, 24, 31

**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.

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Mar. 17, 24, 31

**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.

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Mar. 17, 24, 31

LEGAL NOTICE

Let it be known that Wood Street Corporation dba Honda of Easton located at 707 Wood Avenue, Easton, PA 18042 has changed its name to Wood Street Corporation dba Cycl-X-Press.

President/Owner—Troy B. Shuman.

Mar. 24

ASSOCIATE POSITION

The Law Office of Broughal & DeVito, LLP seeks an associate with 1 to 3 years experience to assist in civil litigation and municipal law. PA bar admission, excellent academic credentials and good writing skills required. Send resume to jillweiss@rcn.com.

Mar. 24

**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 Bethle-

hem, 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 EN-

TIRETY 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 Garco, 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 Ack-

ermanville, 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

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 married 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

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

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 adn 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 Sub-division 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 Northerly 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

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

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

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 WOOD-LAWN 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

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

No. 17

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

ALL THAT CERTAIN message 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 messuage 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 EY 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

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

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

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 throughout 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

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

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 Laudenbach, 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

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 de-

gree 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

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 ad 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 PENNSYL-

VANIA 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

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 described 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

No. 29

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

CV-2010-08464

ALL THAT CERTAIN lot or parcel off 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 MER-

RYANN 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

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 Track 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

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 Excavat-

ing, 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

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**THOMAS B. WALDEN, M.D., Plaintiff v. NORTHAMPTON
HOSPITAL CORPORATION d/b/a EASTON HOSPITAL and
EASTON HOSPITAL and DAVID T. LYON, M.D. and
ROBERT S. BLOCH, M.D., Defendants**

Preliminary Objections—Demurrer—Motion to Strike—Legal Insufficiency.

Thomas B. Walden, M.D., filed a Complaint against Defendants Northampton Hospital Corporation, Easton Hospital, David T. Lyon, M.D., and Robert S. Bloch, M.D. Walden had worked as a member of Easton Hospital's medical staff for nearly thirty years. Through his Complaint, he alleged that his privileges were terminated in violation of Easton Hospital's bylaws and he sought damages for breach of contract, tortious interference with contractual relations, and conspiracy to commit tortious interference with contractual relations.

Defendants filed several Preliminary Objections to Walden's Complaint, seeking to dismiss it in its entirety or, alternatively, to strike individual counts, paragraphs, or allegations. Defendants' objections were premised on alleged legal insufficiency and/or lack of specificity.

In turn, the Court examined and ultimately denied each of Defendants' objections.

In the Court of Common Pleas of Northampton County, Pennsylvania, Civil Division—No. C-48-CV-2010-7506.

GILBERT B. ABRAMSON, ESQUIRE, for Plaintiff.

STUART O'NEAL, ESQUIRE, for Defendants.

Order of the Court entered on January 18, 2011 by KOURY, JR., J.

OPINION

This matter is before the Court on the Preliminary Objections of Defendants Northampton Hospital Corporation, Easton Hospital, David T. Lyon, M.D., and Robert S. Bloch, M.D. (collectively, "Defendants") to Plaintiff Thomas B. Walden, M.D.'s Complaint. It was assigned to the Honorable Michael J. Koury, Jr. from the November 2010 Argument list. The parties filed briefs and, on November 9, 2010, appeared for argument. The matter is now ready for disposition.

I. FACTUAL AND PROCEDURAL BACKGROUND

This case arises from Walden's loss of privileges and termination of employment at Easton Hospital. Leading up to the instant dispute, Walden, a urologist, worked as an active member of the Easton Hospital medical staff for nearly thirty years. Complaint at ¶¶1, 7, *Walden v. Northampton Hospital Corp.*, C-48-CV-2010-7506 (C.P. Northampton, Aug. 25, 2010). In 2009 and 2010, Defendants investigated two incidents of Walden's allegedly "disruptive behavior" and denied his application for reappointment to Easton Hospital's medical staff. *Id.* at ¶¶21, 23-24, 46.

Walden claims that the Easton Hospital bylaws govern the relationship between Easton Hospital and its medical staff. *Id.* at ¶6. Those bylaws control Easton Hospital's administrative hearing and appeals process when it takes adverse employment action against one of its staff members. *See id.* at ¶¶29-32, 35, 38. Walden alleges that Defendants, in violation of Easton Hospital's bylaws, manipulated the hospital's investigation of his incidents of "disruptive behavior" and the hearing and appeals process. *Id.* at ¶¶26-34, 37-39, 43-47. Finally, he claims that Defendants acted in retaliation, based on complaints Walden raised regarding the hospital's equipment and staff, and unsanitary conditions. *Id.* at ¶¶12-13, 15-21.

Specifically, Walden claims that an Easton Hospital Ad Hoc Committee ("Ad Hoc Committee"), acting with and perhaps under the direction of Dr. Lyon and Dr. Bloch (together, "Physician Defendants"), investigated two incidents of Walden's allegedly "disruptive behavior." *Id.* at ¶¶21-22. First, Easton Hospital investigated a nurse's complaint about Walden's behavior. *Id.* at ¶23. The nurse claimed that Walden embarrassed her in front of a patient after Walden discovered that the nurse failed to follow instructions pertaining to the patient's continuous bladder irrigation ("CBI") procedure. *Id.* Throughout his Complaint, Walden refers to this as the "CBI Incident."

Second, Easton Hospital investigated another nurse's claim that Walden knowingly but erroneously instructed her to give eight medications to an Easton Hospital patient. *Id.* at ¶24. Walden, who had not prescribed the medication in question, contends that he informed the nurse that she should consult with the prescribing doctor and further contends that the nurse failed to do so. *Id.* Walden refers to this as the "8 Wrong Medications Incident." Upon a review known as a "Root Cause Analysis" of the 8 Wrong Medications Incident, Easton Hospital determined that Dr. Walden was not at fault. *Id.* at ¶25.

The Ad Hoc Committee investigated both Incidents and recommended to Easton Hospital's Medical Executive Committee ("MEC") that Easton Hospital suspend Walden's privileges for fourteen days. *Id.* at ¶26. That same day, however, members of the Ad Hoc Committee attended a meeting of Easton Hospital's Credentials Committee ("Credentials Committee") and recommended that Easton Hospital should deny Walden's application for reappointment to Easton Hospital's medical staff. *Id.* at ¶27.

According to Walden, the Easton Hospital bylaws provide that the MEC may not act upon an adverse disciplinary recommendation without first providing the affected physician with written notice of the recommendation and an opportunity to attend an MEC meeting to address the underlying charges. *Id.* at ¶¶29-30. Walden alleges, however, that the MEC adopted the Credentials Committee's recommendation without notifying him of the charges or allowing him to address the MEC. *Id.* at ¶31. Furthermore, Walden alleges that the MEC failed to consider the Root Cause Analysis

which cleared him of culpability for the 8 Wrong Medications Incident, failed to consider the Ad Hoc Committee's recommendation, and improperly considered matters outside the purview of the investigations of the Ad Hoc Committee and the Credentials Committee. *Id.* at ¶¶28, 32.

Following the MEC's recommendation and pursuant to the Easton Hospital bylaws, Walden demanded a "Fair Hearing" before the MEC. *Id.* at ¶35. Walden alleges that the MEC Hearing Process—from the Ad Hoc Committee and Credentials Committee investigations through the MEC Fair Hearing—denied him a meaningful opportunity to present evidence, inquire into the MEC's evidence against him, or otherwise participate in the hearing process. *Id.* at ¶¶36-38. On February 23, 2010, the Fair Hearing Panel affirmed the MEC's recommendation. *Id.* at ¶37(d).

After the Fair Hearing Panel affirmed the MEC recommendation, Walden sought Appellate Review before the Easton Hospital Board of Trustees ("the Board"). *Id.* at ¶40. On April 27, 2010, the Board reversed the MEC's recommendation and suspended Walden's privileges for thirty-one days. *Id.* at ¶¶41-42. At some later date, however, and allegedly at Defendants' behest, the Board held a second Appellate Review. *Id.* at ¶43. In violation of the Easton Hospital bylaws, Walden was not notified of nor invited to the second Appellate Review session. *Id.* at ¶44. At that session, Walden alleges that the Board considered additional testimony and evidence, some of which related to new "incidents" of "disruptive behavior." *Id.*

On June 18, 2010, the Board reversed course and affirmed the MEC's recommendation to deny Walden's application for reappointment. *See id.* at ¶46. Since then, Walden has not worked for or associated with Easton Hospital. *Id.* On June 30, 2010, as a result of the Board's decision, Easton Hospital filed a Data Bank Report with the National Practitioner Data Bank, notifying all querying health care entities that Walden's application for reappointment to Easton Hospital was denied based on disruptive conduct. *Id.* at ¶¶48-49.

II. STANDARD OF REVIEW

When evaluating preliminary objections, the Court must accept as true all of the well-pleaded, material, and relevant facts alleged in the complaint and all inferences fairly deducible therefrom. *See Mazur v. Trinity Area School District*, 599 Pa. 232, 961 A.2d 96, 101 (2008). We need not, however, accept argument, opinion, conclusions of law, or unwarranted inferences. *See Penn Title Insurance Company v. Deshler*, 661 A.2d 481, 483 (Pa. Cmwlth. 1995).

The court may not sustain a preliminary objection seeking to dismiss a cause of action unless "it is clear and free from doubt that the complainant will be unable to prove facts legally sufficient to establish a right to relief." *Mazur*, supra, 961 A.2d at 101; *see also, In re B.L.J., Jr.*, 938 A.2d 1068, 1071 (Pa. Super. 2007); *Kane v. State Farm Fire and Casualty Com-*

pany, 841 A.2d 1038, 1041 (Pa. Super. 2003) (noting that demurrer should be sustained only where “plaintiff has failed to assert a legally cognizable cause of action”). If any doubts exist as to the legal sufficiency of the complaint, the Court must examine those doubts in the context of the complaint as a whole and, thereafter, should resolve any lingering doubt in favor of overruling the demurrer. *See Kane*, supra, 841 A.2d at 1041; *Rachlin v. Edmison*, 813 A.2d 862, 870 (Pa. Super. 2002).

III. DISCUSSION

The Court now addresses each of Defendants’ preliminary objections to Walden’s Complaint.

A. Motion to Dismiss Walden’s Complaint and to Strike All Prayers for Injunctive Relief

In their first preliminary objection, Defendants seek to dismiss Walden’s Complaint and strike all of his prayers for injunctive relief. In support, Defendants claim that Walden already enjoyed a full, complete, and adequate opportunity to raise his claims through Easton Hospital’s hearing and review process. They thus claim that Walden is barred from bringing the instant lawsuit.

The Pennsylvania Rules of Civil Procedure provide the bases for preliminary objections. They are:

- (1) lack of jurisdiction over the subject matter of the action or the person of the defendant, improper venue, or improper form of service of a writ of summons or a complaint;
- (2) failure of a pleading to conform to law or rule of court or inclusion of scandalous or impertinent matter;
- (3) insufficient specificity in a pleading;
- (4) legal insufficiency of a pleading (demurrer);
- (5) lack of capacity to sue, nonjoinder of a necessary party or misjoinder of a cause of action;
- (6) pendency of a prior action or agreement for alternative dispute resolution;
- (7) failure to exercise or exhaust a statutory remedy, and
- (8) full, complete and adequate non-statutory remedy at law.

Pa. R.C.P. 1028(a)(1)-(8). As enumerated, these bases for preliminary objections are exclusive. *See id.*

The Court must deny Defendants’ first preliminary objection because Defendants have not sought relief under one of the enumerated and exclusive bases for preliminary objections. *See id.* Although Defendants cite to and rely upon Rule 1028(a)(8), they have misinterpreted the plain meaning of a “full, complete and adequate non-statutory remedy at law.”

An “adequate remedy at law” is a remedy historically available in a court of law, such as an award of damages. Such remedy must provide

“sufficient relief to the petitioning party, thus preventing that party from obtaining equitable relief.” See *Black’s Law Dictionary* (9th ed. 2009) (defining “adequate remedy at law” and “legal remedy”); see also, *Pennsylvania State Chamber of Commerce v. Torquato*, 386 Pa. 306, 308-309, 125 A.2d 755, 765-66 (1956) (recognizing award of damages as remedy at law and similarly recognizing that such award, if adequate to redress injuries, bars remedy at equity); *Denny v. Cavalieri*, 297 Pa. Super. 129, 134 n.1, 443 A.2d 333, 336 n.1 (1982).

Based on these definitions and understanding, the Court has determined that Easton Hospital’s hearing and review process does not fit within the plain meaning of “full, complete and adequate non-statutory remedy at law.” Courts of law do not typically award (nor have they historically awarded) plaintiffs the opportunity to have their case reviewed by non-judicial third parties.

Furthermore, even if this Court characterized Easton Hospital’s hearing and review process as such a remedy at law, this Court does not believe that it is the type of remedy that would fully redress Walden’s injury. Where, as here, a plaintiff contends that a non-judicial hearing and review process represents the source (or one of the sources) of his injury, courts cannot in good conscience rely on the principle that the alleged problematic process prohibits plaintiff’s proposed relief.

Based on the foregoing, Pa. R.C.P. 1028(a)(8) does not apply to the instant matter and, Defendants are not entitled to dismissal of Walden’s Complaint or striking of Walden’s prayers for injunctive relief. Accordingly, Defendants’ first preliminary objection is overruled.

B. Demurrer to Count I of Walden’s Complaint

In their second preliminary objection, Defendants seek a demurrer to Count I of Walden’s Complaint in which he raises breach of contract. Defendants argue that a demurrer is appropriate because Easton Hospital’s bylaws are not a contract and, thus, cannot support Walden’s claim for breach of contract. Alternatively, they argue that a demurrer is appropriate because Walden failed to attach the bylaws in their entirety.

The Court disagrees with the contention that the Easton Hospital bylaws are not a contract. To the contrary, Pennsylvania courts have continually recognized that hospital bylaws are or may become an integral part of a contract between the hospital and its staff. See *Adler v. Montefiore Hospital Association of Western Pennsylvania*, 453 Pa. 60, 311 A.2d 634 (1973) (holding that hospital bylaws form integral part of contract between hospital and hospital staff); *Miller v. Indiana Hospital*, 277 Pa. Super. 370, 375, 419 A.2d 1191, 1193 (1980) (stating that “staff bylaws of a hospital constitute the terms of a legally binding contract between the hospital and the doctors on its staff.”).

Furthermore, the Court will not dismiss Count I based on Walden’s failure to attach the bylaws in their entirety. In fact, this Court does not

recognize such a failure. While the Rules of Civil Procedure require a plaintiff to attach any writing upon which his claims are based, he need not attach those writings in their entirety. *See* Pa. R.C.P. 1019(h)-(i). Instead, a plaintiff may limit the attached writing to “the material part thereof.” Pa. R.C.P. 1019(i).

As an appendix to his Complaint, Walden attached Articles VIII and IX of the Easton Hospital bylaws. Article VIII, titled “Complaint Process, Disciplinary Action & Right of Appeal,” details Easton Hospital’s complaint process and disciplinary procedures. *See* Complaint at Appendix A. It also safeguards practitioners’ Article IX procedural rights. *Id.* Article IX, titled “Fair Hearing Plan,” details those rights. *Id.* It sets forth the prerequisites for disciplinary hearings, the scope of those hearings, and practitioners’ rights to internal appellate review. *Id.*

The attached articles represent the material portion of the Easton Hospital bylaws because they address the issues that underlie Walden’s several causes of action. *See id.* Walden alleges that Defendants breached the bylaws, tortiously interfered with Walden’s contractual rights under the bylaws, and conspired to tortiously interfere with his contractual rights under the bylaws. Because Articles VIII and IX address those parts of the bylaws that Walden alleges Defendants either breached, tortiously interfered with, or conspired to tortiously interfere with, they are material to this action. *See* Pa. R.C.P. 1019(i).

The Court notes that Defendants did not argue that other, specific portions of the Easton Hospital bylaws were material to Walden’s action. Accordingly, their second preliminary objection is overruled.

C. Demurrer to Walden’s Claims for Punitive Damages and To Strike All References to Conduct Which Might Warrant Punitive Damages

In their third preliminary objection, Defendants seek dismissal of Walden’s claim for punitive damages based on the perceived insufficiency of Walden’s Complaint. They also seek to strike all references to conduct which allegedly rises to the level of willful, wanton, or reckless conduct. In support of their objection, Defendants claim that Walden failed to specifically plead such acts as they relate to Walden’s dismissal from the Easton Hospital medical staff. They also claim that Plaintiff failed to sufficiently plead with regard to Defendants’ state of mind.

The Pennsylvania Rules of Civil Procedure state that a plaintiff must plead the material facts upon which he bases his cause of action in a concise and summary form. *See* Pa. R.C.P. 1019(a). Pennsylvania courts have interpreted this rule as requiring a plaintiff to specifically plead all of the facts that he must prove at trial to succeed on his claim. *See e.g., Lerner v. Lerner*, 954 A.2d 1229, 1235-36 (Pa. Super. 2008). If relevant to his claim, however, a plaintiff may generally aver to the defendant’s state of mind. *See* Pa. R.C.P. 1019(b).

With respect to punitive damages, Pennsylvania has adopted Section 908(2) of the Restatement (Second) of Torts. *See Feld v. Merriam*, 506 Pa. 383, 395, 485 A.2d 742, 747-48 (1984). Under §908(2) and related case law, “[p]unitive damages may be awarded for conduct that is outrageous, because of the defendant’s evil motive or his reckless indifference to the rights of others.” *Id.* (citing *Chambers v. Montgomery*, 411 Pa. 339, 192 A.2d 355 (1963)). Further, “[p]unitive damages must be based on conduct which is malicious, wanton, reckless, willful, or oppressive.” *Id.* (citation and internal quotation marks omitted). Thus, when a plaintiff seeks punitive damages, he must specifically plead the conduct that forms the basis of his cause of action. *See* Pa. R.C.P. 1019(a); *Feld*, *supra* at 395, 485 A.2d at 747. He may generally aver, however, to the defendant’s “evil motive” or “reckless indifference” in committing such acts. *See* Pa. R.C.P. 1019(b); *Feld*, *supra* at 395, 485 A.2d at 747-48.

In the instant matter, Walden meets his pleading burden. His Complaint sets forth the following allegations:

34. The failure to include Dr. Walden in the process as required by the Bylaws was intentional and malicious. Physician Defendants and members of the [Medical Executive Committee, or ‘MEC’] knew that if Dr. Walden were given an opportunity to be present, defend and explain what occurred in each incident, and had the Root Cause Analysis been brought to the attention of the MEC, it was highly unlikely that any adverse action would have been taken against Dr. Walden, and certainly not a denial of privileges.

* * * * *

37. At each stage of the process in the Professional Review Action, Easton Hospital, at the direction of, and with the aid and assistance of Physician Defendants, acted with knowledge of, or in reckless disregard of, the fact that their actions against Dr. Walden were: (a) not reasonably in the furtherance of quality health care; (b) undertaken without a reasonable effort to obtain the facts; (c) undertaken without providing Dr. Walden adequate notice and hearing processes which were fair under the circumstances; (d) taken without a reasonable belief that they were warranted by the known facts; and (e) taken in a way so as to avoid fair process.

38. Examples of the conduct described in paragraph 37 are:

(a) The Ad Hoc Committee did not take reasonable steps or make reasonable efforts to obtain the facts of the complaints alleged;

(b) The Credentials Committee did not consider the Ad Hoc Committee's finding that Dr. Walden's alleged disruptive conduct only justified a 14-day suspension;

(c) After the Ad Hoc Committee recommended a 14-day suspension of Dr. Walden's privileges, the MEC, without any further evidence presented to it, and without Dr. Walden having had an opportunity to present his position with respect to the complaints, and otherwise without a reasonable effort to obtain the facts, and without belief that its action was in the best interest, or in further of, quality health care, and for the sole purpose of silencing Dr. Walden in his efforts to correct deficiencies at the hospital, including deficiencies in nursing care, recommended that Dr. Walden be denied renewal of his privileges;

(d) Following Dr. Walden's request for a Fair Hearing under the Bylaws, a Hearing was conducted under circumstances and procedures which were not fundamentally fair to Dr. Walden in numerous ways, including but not limited to:

(1) On November 12, 2009, the Presiding Officer, Barbara Blackmond, Esquire, ruled that she did not have authority under the Bylaws to order discovery of documents and information required by Dr. Walden to support his defense ...;

(2) The MEC did not call as witnesses in its case, among others: (i) the registered nurse who administered the 8 Wrong Medications incident and who had raised past complaints against Dr. Walden; (ii) Defendant Dr. Lyon in his capacity as Chief Medical Officer; (iii) Defendant Dr. Bloch in his capacity as the Chair of the Department of Surgery and Dr. Walden's supervisor; or (iv) a representative from the Board of Trustees;

(3) On November 25, 2009, Dr. Walden sought to demonstrate: (i) Personal bias of Robert Farrar, M.D., Chairman of the Ad Hoc Committee charged with the review and investigation of the Incidents identified in Paragraphs 24 and 25 above; (ii) Personal bias of Manny Iyer, M.D., member of the Ad Hoc Committee and Chair of the Credentials Committee, who knew of the Ad Hoc Committee's recommendation of a 14-day suspension, but who then voted to recommend denial of reappointment based upon the same Incidents reviewed by the Ad Hoc Committee in which he participated; (iii) The Hospital's disparate and/or discriminatory treatment of Dr. Walden, as compared to the Hospital's treatment of other physicians, such as Dr. Iyer, all of which evidence was excluded and refused by the ME Hearing Presiding Officer;

(4) After ruling that Dr. Lyon could testify in rebuttal, counsel for Dr. Walden sought to offer evidence as to Drs.

Lyons's and Bloch's combined roles in the actions taken against Dr. Walden and to offer evidence of Dr. Lyons's and Dr. Bloch's personal bias against Dr. Walden based on, *inter alia*, Dr. Walden's many complaints and suggestions about the deficiencies in the general operation of the Hospital and, in particular, the Department of Surgery and its nurses.

The Presiding Officer at the MEC 'Fair' Hearing denied Dr. Walden's counsel's right to so question Dr. Lyons;

(5) Dr. Walden was not given the opportunity to confront or cross-examine the very witnesses whose complaints formed the primary basis for the charges against him;

(6) Following the MEC Hearing Panel's ruling, Dr. Walden learned that one of the Hearing Panel Members had, during the hearing, hired a recently fired employee of Dr. Walden, that this fact was brought to the attention of the 'Fair' Hearing Presiding Officer, and that, rather than inform Dr. Walden's counsel, the Presiding Officer conducted an *ex parte* conversation with the offending member, the Presiding Officer decided that the offending member could be fair. The non-disclosure of these facts demonstrates that the Presiding Officer was biased and had no interest in affording Dr. Walden a fair and impartial hearing, or hearing panel. The above facts were not disclosed to Dr. Walden's counsel until after the MEC's decision to deny Dr. Walden privileges. The existence of a hearing member who was in confidential communication with a terminated employee of the subject of the hearing—Dr. Walden—clearly deprived Dr. Walden of the fair and impartial hearing to which he was entitled; and

(7) Plaintiff believes and therefore avers that Defendant engaged in other improper conduct which rendered the decision unfair. The full extent of this other conduct cannot be known until discovery is complete.

(d) [sic] On or about February 23, 2010, the Hearing Panel issues a decision affirming the MEC's recommendation to deny Dr. Walden's application for reappointment, thus effectively terminating his privileges.

* * * * *

59. In concealing evidence, in supporting personnel including nurses, who were endangering the safety and well-being of patients, in attacking Dr. Walden and in characterizing Dr. Walden's attempts to uphold strict standards of professional conduct by the staff as 'disruptive behavior,' all as described more fully hereinabove, Drs. Lyons and Bloch inten-

tionally and maliciously, and without any proper purpose, interfered with Dr. Walden's contractual relation with Easton Hospital and with Dr. Walden's existing and prospective contractual relations with patients, other referring physicians and potential referring physicians, and his relationship with other hospitals with which he had privileges, all to Dr. Walden's great financial loss and detriment.

* * * * *

61. The conduct of Physician Defendants was malicious, outrageous and taken in reckless disregard of the severe damage which would be caused to Dr. Walden, and in reckless disregard of his rights to earn a living and practice medicine, entitling Dr. Walden to punitive damages.

* * * * *

63. In conjunction with the conduct of Physician Defendants, commencing in or about December 2004, and continuing to the present, said Physician Defendants agreed, combined and conspired with each other, and with others, to tortiously interfere with Dr. Walden's contractual relations with the Hospital and to tortiously interfere with Dr. Walden's contractual and prospective contractual relations with the other individuals and entities described in paragraphs 59 and 60 hereinabove, for the purpose and with the intention of injuring Dr. Walden and so as to remove Dr. Walden as an individual critical of their effectiveness in carrying out their responsibilities, and in retaliation for his criticism of their work, and for his essential 'whistleblowing' regarding their failures.

* * * * *

65. The malicious and wanton nature of the conspiracy undertaken intentionally and in reckless disregard of the rights of Dr. Walden, which the conspirators knew could seriously damage or end his career as a physician, was so outrageous and reckless as to warrant the imposition of punitive damages against the conspirators.

Complaint at ¶¶34, 37-38, 59, 61, 63, 65.

Accepting the foregoing and all inferences fairly deducible therefrom as true, *see Mazur*, supra, 961 A.2d at 101, and examining the complaint to determine whether "it is clear and free from doubt that the complainant will be unable to prove facts legally sufficient to establish a right to relief," *see id.*; *Kane*, supra 841 A.2d at 1041, the Court finds that it would be inappropriate to sustain Defendants' objection. In fact, it is not clear and free

from doubt that Walden will be unable to establish a right to punitive damages. *See Mazur*, supra 961 A.2d at 101; *Kane*, supra 841 A.2d at 1041; *Feld*, supra at 395, 485 A.2d at 747-48 (establishing burdens for establishing right to punitive damages). Walden has specifically pled actions, allegedly undertaken by the Defendants, that a jury could find were outrageous, committed with reckless indifference to the rights of others, malicious, wanton, reckless, willful, or oppressive. *See Feld*, supra at 395, 485 A.2d at 747-48; Complaint at ¶¶34, 37-38, 59, 61, 63, 65. He has also generally averred to the Defendants' state of mind. *See Complaint* at ¶¶34, 37-38, 59, 61, 63, 65 (characterizing Defendants as, *inter alia*, malicious and willful).

D. Demurrer to Count II of Walden's Complaint

In their fourth preliminary objection, Defendants seek to dismiss Count II of Walden's Complaint which he raises under a theory of tortious interference with contractual relations. Defendants offer several bases to support their argument that a demurrer to Count II of Walden's Complaint is appropriate, namely that: (1) because Easton Hospital's bylaws are not a contract, they cannot support Walden's claim for tortious interference with contract; (2) Walden has not identified the parties to the contracts at issue; (3) Walden failed to specifically plead that the Physician Defendants actually interfered with his contract; (4) Physician Defendants were acting on behalf of Easton Hospital, and are thus immune from suit because an agent cannot tortiously interfere with his principal's contracts; and (5) in any case, Physician Defendants are immune from suit because their actions were not improper.

1. Defendants' First and Second Arguments for a Demurrer to Count II of Walden's Complaint

The Court addresses Defendants' first two arguments together. These arguments essentially allege that Walden failed to address the first essential element of a claim for tortious interference with contractual relations.

To sustain a cause of action for tortious interference with contractual relations, Walden must prove that: (1) a contract between Walden and a third party exists; (2) Defendants interfered with that contract by inducing a breach or otherwise causing the third party not to perform; (3) Defendants were not privileged to act in this manner; and (4) damages were suffered as a result of Defendants' interference. *See Al Hamilton Contracting Company v. Cowder*, 434 Pa. Super. 491, 497, 644 A.2d 188, 191 (1994). In the instant matter, Defendants argue that Walden cannot prove the first element of his claim because: (1) Easton Hospital's bylaws are not a contract, and (2) he failed to identify the parties to any contracts at issue.

Pennsylvania courts recognize that hospital bylaws "constitute the terms of a legally binding contract between the hospital and the doctors on its staff." *See Miller*, supra at 375, 419 A.2d at 1193. Accordingly, this Court

concludes that, as set forth in Section B of this Opinion, *supra*, Easton Hospital's bylaws are a contract. *See id.* Further, as a contract between Walden and Easton Hospital, the bylaws certainly bind those parties. *See id.* Thus, to the extent that Defendants' objection relates to Walden's actual contractual relations, their objection is overruled.

2. Defendants' Third Argument for a Demurrer to Count II of Walden's Complaint

Defendants' third argument in support of a demurrer to Count II of Walden's Complaint deals with the second essential element of tortious interference with contractual relations. Defendants argue that Walden failed to specifically plead that the Physician Defendants interfered with the contract between Walden and Easton Hospital, either by inducing a breach by Easton Hospital or otherwise interfering with his contractual rights. *See* Pa. R.C.P. 1019(a); *Al Hamilton Contracting Co.*, *supra* at 497, 644 A.2d at 191.

The purpose of Rule 1019(a) is to ensure that plaintiffs sufficiently inform defendants of the claims that they must defend. *See Weiss v. Equibank*, 313 Pa. Super. 446, 460 A.2d 271 (1983). That is, a plaintiff "must give the defendants fair notice of the plaintiff's claims and a summary of the material facts that support those claims." *Rachlin*, *supra*, 813 A.2d at 870. "[I]n determining whether a particular paragraph ... has been stated with the necessary specificity, such paragraph must be read in context with all other allegations in the complaint." *Id.*

In relevant part, Walden's Complaint provides that:

18. All in an effort to deflect attention from the Hospital's own failures, and as retaliation for Dr. Walden's 'whistle blowing,' the Hospital, through its Administration and led by *Physician Defendants*, undertook a series of actions, without justification, the purpose of which was to silence Dr. Walden, and ultimately to remove him from the Medical Staff.

* * * * *

21. This course of conduct by the Hospital, *with the aid, assistance, and direction of Physician Defendants*, culminated with the Hospital bringing a series of unfounded charges against Dr. Walden ...

* * * * *

59. *In concealing evidence, in supporting personnel including nurses, ... in attacking Dr. Walden and characterizing Dr. Walden's attempts to uphold strict standards of professional conduct by the staff as 'disruptive behavior,' all as described more fully hereinabove, Drs. Lyon and Bloch intention-*

ally and maliciously, and without any proper purpose, interfered with Dr. Walden's contractual relation with Easton Hospital and with Dr. Walden's existing and prospective contractual relations

... .

Complaint at ¶¶18, 21, 59 (emphasis added).

Each of the cited paragraphs specifically identifies the Physician Defendants, either individually or jointly, and alleges that they generally acted to interfere with Walden's contractual relationship with Easton Hospital. Standing alone, these paragraphs would not satisfy Walden's pleading requirement under Rule 1019(a). Nonetheless, as stated above, the sufficiency of any allegation must be examined in the context of the complaint as a whole. *Rachlin*, supra, 813 A.2d at 870.

As previously noted in Section C, supra, paragraphs 37 and 38 of Walden's Complaint specifically allege that Defendants, including Defendant Physicians, undertook specific actions. When paragraphs 8, 21, and 59 are read together with paragraphs 37, 38, and the remainder of Walden's Complaint, Defendant Physicians have sufficient notice as to the nature of Walden's allegations such that they can prepare a meaningful defense. *See Rachlin*, supra, 813 A.2d at 870. Accordingly, Defendants' demurrer is overruled.

3. Defendants' Fourth Argument for a Demurrer to Count II of Walden's Complaint

Physician Defendants next argue that, even if they interfered with Walden's contractual relationship with Easton Hospital, they are immune from suit because they were acting as agents of Easton Hospital. They correctly note that an agent cannot tortiously interfere with its principal's contract when acting within the scope of his agency. *See Rutherford v. Presbyterian-University Hospital*, 417 Pa. Super. 316, 331, 612 A.2d 500, 507-508 (1992).

Physician Defendants' objection, however, is overruled because Walden has alleged that Physician Defendants acted outside the scope of the principal/agent relationship. *See* Complaint at ¶58. Accordingly, because it is not "free from doubt" that Walden "will be unable to prove facts legally sufficient to establish a right to relief," the Court overrules Defendants' demurrer on this ground. *See Mazur*, supra, 961 A.2d at 101; *Kane*, supra, 841 A.2d at 1041.

4. Defendants' Fifth Argument for a Demurrer to Count II of Walden's Complaint

In Defendants' fifth and final argument, they contend that a demurrer to Count II of Walden's Complaint is appropriate because his cause of action must fail as a matter of law. Defendants rely upon a recently decided Superior Court case, *Walnut Street Associates Inc. v. Brokerage Concepts*,

Inc., 982 A.2d 94 (Pa. Super. 2009). In *Walnut Street*, the Superior Court adopted the Restatement (Second) of Torts Section 772(a). Walden, however, argues that this Court should not rely on *Walnut Street* because the Pennsylvania Supreme Court has granted an appeal to determine but has not decided whether the Superior Court erred by adopting §772(a).

Section 772(a) of the Restatement (Second) provides that:

One who intentionally causes a third person not to perform a contract or not to enter into a prospective contractual relation with another does not interfere improperly with the other's contractual relation, by giving the third person
(a) truthful information

Restatement (Second) of Torts §772(a). The related comments state that:
[t]here is of course no liability for interference with a contract or with a prospective contractual relation on the part of one who merely gives truthful information to another. The interference in this instance is clearly not improper. This is true even though the facts are marshaled in such a way that they speak for themselves and the person to whom the information is given immediately recognizes them as a reason for breaking his contract or refusing to deal with another. It is also true whether or not the information is requested.

Id. at §772(a) cmt. b.

Nevertheless, the Court need not rely on §772(a) to resolve the instant objection. After reviewing the Complaint in its entirety, *see Rachlin*, *supra*, 813 A.2d at 870, it is not clear that Walden alleges that Physician Defendants interfered with his contractual relations with Easton Hospital by sharing truthful information with Easton Hospital or its respective committees. Throughout the Complaint, Walden alleges that Physician Defendants mischaracterized the truth by labeling his complaints and suggestions—complaints and suggestions that Walden raised out of concern for workplace and patient safety—as “disruptive behavior.” Because the Complaint leaves the Court with some doubt as to the exact nature of the information shared by Physician Defendants, it resolves those doubts in Walden’s favor and overrules Defendants’ objection. *See Kane*, *supra*, 841 A.2d at 1041; *Rachlin*, *supra*, 813 A.2d at 870.

E. Demurrer to Count III of Walden’s Complaint

In their fifth preliminary objection, Defendants seeks to dismiss Count III of Walden’s Complaint, which he raised under a theory of civil conspiracy to tortiously interfere with Walden’s contractual relations. They offer two bases for a demurrer. First, Defendants argue that a demurrer is appropriate to Count III because, presupposing that this Court sustained their demurrer to Count II, Walden’s cause of action in civil conspiracy cannot stand. They are correct that “absent a civil cause of action for a

particular act, there can be no cause of action for civil conspiracy to commit that act.” *McKeeman v. Corestates Bank, N.A.*, 751 A.2d 655, 660 (Pa. Super. 2000). Here, however, the Court overruled Defendants’ objection to Count II of Walden’s Complaint. Thus, their related objection to Count III of the Complaint must be similarly overruled.

Second, Defendants argue that Walden violated Pa. R.C.P. 1019(a) by failing to specifically plead facts that would support his cause of action at trial. To succeed on a cause of action for civil conspiracy, a plaintiff must prove that: (1) two or more people acted together, with a common purpose, to do either an unlawful act, or a lawful act by unlawful means; (2) at least one conspirator committed an overt act in pursuit of the object of the conspiracy; and (3) actual legal damage. *See Phillips v. Selig*, 959 A.2d 420, 437 (Pa. Super. 2008).

This Court has determined that Walden specifically pled sufficient facts to support each element of his civil conspiracy cause of action. First, in paragraph 63 of the Complaint, Walden stated that “Physician Defendants agreed, combined, and conspired with each other, and with others, to tortiously interfere with Dr. Walden’s contractual relations with the Hospital and to tortiously interfere with Dr. Walden’s prospective contractual relations with ... other individuals and entities” Complaint at ¶63. Second, the Complaint is rife with specifically pled overt acts. *See e.g., id.* at ¶¶37-38. Finally, Walden alleged that he was damaged. *Id.* at ¶¶60-61.

Accordingly, because Walden may be able “to prove facts legally sufficient to establish a right to relief,” the Court overrules Defendants’ demurrer to Count III. *See Mazur*, supra, 961 A.2d at 101; *Kane*, supra, 841 A.2d at 1041.

F. Motion to Strike Claims of Agency

Finally, Defendants seek to strike claims of agency contained in paragraphs 11, 13, 17, 38(d), and 52 of Walden’s Complaint. Defendants claim that these paragraphs are too vague, and thus violate Pa. R.C.P. 1019(a). In the alternative, they have filed a motion for a more specific Complaint.

Initially, the Court notes that paragraphs 11, 17, 38(d), and 52 of Walden’s Complaint do not contain allegations of agency. Accordingly, with respect to paragraphs 11, 17, 38(d), and 52, Defendants’ objection is denied as facially unmeritorious.

Furthermore, while paragraph 13 mentions agents of Easton Hospital, it does not assign liability based on that agency. The Complaint states that “the Hospital, the Physician Defendants, and other agents of the Hospital viewed Dr. Walden’s complaints [about the equipment, staff, and working conditions at Easton Hospital] as attacks on their competence and authority.” Complaint at ¶13. Paragraph 13 merely provides a factual backdrop

for Walden's claim. Accordingly, with respect to Paragraph 13, Defendants' objection is denied.

WHEREFORE, we enter the following:

ORDER

AND NOW, this 18th day of January, 2011, upon consideration of Defendants' Preliminary Objections to Plaintiff's Complaint, and the parties' briefs thereon, it is hereby ORDERED and DECREED that Defendants' Preliminary Objections are DENIED.

Defendants are hereby ORDERED to file Answers to Plaintiff's Complaint within twenty (20) days of the date of this Order.



PERIODICAL PUBLICATION

*** Dated Material. Do Not Delay. Please Deliver Before Monday, March 28, 2011**