

Northampton County Reporter

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VOL. LVI

EASTON, PA March 11, 2010

NO. 10

Northampton County Reporter Digest—2010-3

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INSERT: Green: 1. 2010 Calendar

2. The Northampton County Bar Association welcomes seven new members
 3. PBI/CLE Seminars—NCBA Office, March-April 2010
 4. PA CLE Requirements
- Cream: 1. "Northampton County's Mortgage Foreclosure Diversion Program—2010"
2. Reception for the Court
 3. "Employee or Independent Contractor—Can You Afford to Make a Mistake?"

NOTICE TO THE BAR....

Reporter Deadline Change—the deadline for the April 1st issue of the N.C. Reporter is changed to Monday, March 29, 2010, at Noon.

Reception for the Court—Friday, March 19, 2010

Northampton Country Club—6:30 p.m.

Please RSVP no later than March 12. Registration form inside.

**NORTHAMPTON COUNTY BAR ASSOCIATION
2010 BAR ASSOCIATION OFFICERS**

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Kerry S. Freidl President-elect
Victor E. Scomillio Vice President
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Northampton County Reporter

Attorney Referral & Information Service

155 South Ninth Street, Easton, PA 18042-4399

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E-mail: ncba@norcobar.org

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BAR ASSOCIATION STAFF

Mary Beth Leeson Executive Director
Stephanie Pasquel Accounting
Heather Rizzotto-Stefanik Legal Journal
Gloria A. Robison Attorney Referral
Deborah J. Flanagan Attorney Referral

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

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Edward P. Shaughnessy, Esquire
Editor

NOTICE TO NCBA MEMBERS – BAR NEWS

Notice to NCBA Committee Chairs

If you are chairing one of the NCBA committees please schedule your committee meeting by calling the NCBA office to check on available dates—(610) 258-6333.

Save the Dates

Quarterly Association Meeting – Thursday, May 20, 2010 – 12:00 p.m.

Program: Malpractice Avoidance Seminar, Best Western, Bethlehem

Summer Outing – Thursday, July 22, 2010

Louise Moore Park, All day food, competitions and fun

NCBA Bench Bar Conference and U.S. Supreme Court Swearing In Ceremony

October 16-17, 18, 2010 – Washington, D.C.

Life consists not in holding good cards, but in playing those you hold well. ~ Josh Billings

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**ALLIO, HARRY R. a/k/a HARRY ROBERT ALLIO, dec'd.**

Late of the Borough of Hellertown, Northampton County, PA
 Executor: Charles W. Allio, Jr., c/o Steven N. Goudsouzian, Esquire, 2925 William Penn Highway, Suite 301, Easton, PA 18045-5283

Attorney: Steven N. Goudsouzian, Esquire, 2925 William Penn Highway, Suite 301, Easton, PA 18045-5283

CORTEZ, RUSSELL J. a/k/a RUSSEL J. CORTEZ, SR., dec'd.

Late of the City of Easton, Northampton County, PA
 Executrix: Marla Consentino, 311 S. 17th Street, Easton, PA 18042

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

FOULDS, LETHA M., dec'd.

Late of the Township of Forks, Northampton County, PA
 Executrix: Vicki L. Hinkel a/k/a Vicki L. Schneider c/o Richard P. Kovacs, Esquire, Noel, Kovacs & McGuire, P.C., 2505 Newburg Road, Easton, PA 18045-1963

Attorneys: Richard P. Kovacs, Esquire, Noel, Kovacs & McGuire, P.C., 2505 Newburg Road, Easton, PA 18045-1963

FRANKENFIELD, IDA V., dec'd.

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

Executor: Steven N. Goudsouzian, Esquire, 2925 William Penn Highway, Suite 301, Easton, PA 18045-5283

Attorney: Steven N. Goudsouzian, Esquire, 2925 William Penn Highway, Suite 301, Easton, PA 18045-5283

FREDERICKS, FREDERICK GEORGE, JR., a/k/a F. G. FREDERICKS, JR., dec'd.

Late of the Borough of Wilson, Northampton County, PA

Co-Administrators: Catherine A. Vance and Mary L. Polinchock c/o Joseph J. Velitsky, Esquire, 49 East Ludlow Street, Summit Hill, PA 18250

Attorney: Joseph J. Velitsky, Esquire, 49 East Ludlow Street, Summit Hill, PA 18250

KANTOR, DOROTHY E. a/k/a DOROTHY KANTOR, dec'd.

Late of the City of Bethlehem, Northampton County, PA

Executrix: Donna M. Smith 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

LEIST, JUDITH A., dec'd.

Late of Bethlehem, Northampton County, PA

Administrator: Victoria Leist, 60 Shelly Circle, Lewisburg, PA 17837

Attorney: Christian D. Frey, Esquire, 140 East Third Street, Williamsport, PA 17701

MERTZ, GEORGE L., SR., dec'd.

Late of the City of Easton, Northampton County, PA

Executrix: Jane M. Eichner, 629 Line St., Easton, PA 18042

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

MILTENBERGER, ALICE I., dec'd.

Late of Walnutport, Northampton County, PA

Executrix: Amy A. Dixon, 4435 Lehigh Drive, Walnutport, PA 18088

RANKEN, GENEVIEVE ANN a/k/a GENEVIEVE A. RANKEN, dec'd.

Late of Bethlehem, Northampton County, PA

Executrix: Carol A. Landis c/o Sally L. Schoffstall, Esquire, Schoffstall & Focht, P.C., 2987 Corporate Court, Suite 200, Orefield, PA 18069

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

SECOND PUBLICATION

BELSHAW, FRANCES A., dec'd.

Late of the Township of Palmer, Northampton County, PA

Co-Executors: Eric Edward Belshaw and Jane L. Fraser

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

COFFIN, LORRAINE B., dec'd.

Late of the Borough of Walnutport, Northampton County, PA

Co-Executrices: Karen K. Schneck and Lois J. Szapacs c/o 669 Main Street, Slatington, PA 18080

Attorneys: James A. Wimmer, Esquire, Philip & Wimmer, 419 Delaware Avenue, P.O. Box 157, Palmerton, PA 18071

DUTT, MARILYN V., dec'd.

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

Executrix: Lori R. Poliskiewicz, 242 School Road, Bangor, PA 18013

FINK, ROSE a/k/a ROSE C. FINK, dec'd.

Late of the Township of East Allen, Northampton County, PA

Executor: Mark Gutekunst, 8230 Seemsville Road, Northampton, PA 18067-9307

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

GERMANO, SALVATORE T. a/k/a SAM GERMANO, dec'd.

Late of the City of Easton, Northampton County, PA

Administratrix: Concetta Palmisano

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

JORDAN, BETTIE M. a/k/a ELIZABETH M. JORDAN, dec'd.

Late of the City of Bethlehem, Northampton County, PA

Executor: Frank J. Jordan, Jr., 603 S. Lynn Street, Bethlehem, PA 18015

Attorney: Richard S. Luse, Esquire, 316 West Broad Street, Bethlehem, PA 18018

KOPACH, ANDREW S., dec'd.

Late of the Borough of Nazareth, Northampton County, PA

Co-Executrices: Constance M. Sakasits and Ruthann Flad c/o Gregory R. Reed, Attorney-at-Law, 141 South Broad Street, P.O. Box 299, Nazareth, PA 18064-0299

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

LEIDICH, EDNA E., dec'd.

Late of Hellertown, Northampton County, PA

Co-Executors: Willis A. Leidich and Shirley M. Leidich c/o Nicholas E. Englesson, Esquire, 740 Main Street, Bethlehem, PA 18018

Attorney: Nicholas E. Englesson, Esquire, 740 Main Street, Bethlehem, PA 18018

OLES, G. ROBERT, dec'd.

Late of Bethlehem, Northampton County, PA

Executor: Paul M. Oles c/o Matthew D. Menges, Esquire, Menges, McLaughlin & Kalasnik, P.C., 145 East Market Street, York, PA 17401

Attorneys: Matthew D. Menges, Esquire, Menges, McLaughlin & Kalasnik, P.C., 145 East Market Street, York, PA 17401

STREADER, MILDRED, dec'd.

Late of the Township of Palmer, Northampton County, PA

Executor: Ernest J. Streader, 279 Bates Street, Phillipsburg, NJ 08865

WELLER, RITA C., dec'd.

Late of the Township of Forks, Northampton County, PA

Executrix: Catherine Ann Oliva c/o Herster, Newton & Murphy, 127 N. 4th St., P.O. Box 1087, Easton, PA 18044-1087

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

YANNOTTI, MARION, dec'd.

Late of Upper Mt. Bethel Township, Northampton County, PA
Executrix: Stephanie Picone, 6 Apache Drive, Mt. Bethel, PA 18343

Attorney: MaryAnn O. Garvey, Esquire, 727 Monroe Street, Stroudsburg, PA 18360

THIRD PUBLICATION**BACHMAN, CHESTER W., JR.,** dec'd.

Late of the City of Bethlehem, Northampton County, PA

Co-Executors: Allen W. Bachman and Sharlene L. Bennett c/o Littner, Deschler & Littner, 512 N. New Street, P.O. Box 1407, Bethlehem, PA 18016-1407

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

BACHMANN, LOIS M., dec'd.

Late of the Borough of Nazareth, Northampton County, PA

Executor: David Bachmann, 151 Hamilton Ave., Westfield, NJ 07090

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

BALDANZA, JOSEPH, dec'd.

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

Executrix: Sara Baldanza c/o Kristie L. Beitler, Esquire, Mosebach, Funt, Dayton & Duckworth, P.C., P.O. Box 20770, Lehigh Valley, PA 18002-0770
Attorneys: Kristie L. Beitler, Esquire, Mosebach, Funt, Dayton & Duckworth, P.C., P.O. Box 20770, Lehigh Valley, PA 18002-0770

BRINK, SUSAN MARIE a/k/a SUSAN M. BRINK, dec'd.

Late of the City of Bethlehem, Northampton County, PA
Executor: William John Lanning Brink c/o Edward L. Redding, Esquire, 548 N. New Street, Bethlehem, PA 18018
Attorney: Edward L. Redding, Esquire, 548 N. New Street, Bethlehem, PA 18018

CHUCKRAN, MARY ANN a/k/a MARY ANN B. CHUCKRAN, dec'd.

Late of the City of Easton, Northampton County, PA
Executor: Mark Joseph Chuckran c/o Littner, Deschler & Littner, 512 N. New Street, P.O. Box 1407, Bethlehem, PA 18016-1407
Attorneys: Littner, Deschler & Littner, 512 N. New St., P.O. Box 1407, Bethlehem, PA 18016-1407

CLYMER, DOROTHY M. a/k/a DOROTHY MAY CLYMER, dec'd.

Late of the City of Bethlehem, Northampton County, PA
Executor: Jerry A. Clymer c/o Edward H. Butz, Esquire, Lesavoy Butz & Seitz LLC, 7535 Windsor Drive, Suite 200, Allentown, PA 18195

Attorney: Edward H. Butz, Esquire, Lesavoy Butz & Seitz LLC, 7535 Windsor Drive, Suite 200, Allentown, PA 18195

FORTUNE, CHRISTINE D. a/k/a CHRISTINE FORTUNE a/k/a CHRISTINE DENT FORTUNE, dec'd.

Late of the City of Bethlehem, Northampton County, PA
Co-Executors: Arthur L. Dent and Robert Christian c/o Susan G. Collings, Esquire, Drinker, Biddle & Reath, LLP, One Logan Sq., 18th & Cherry Streets, Philadelphia, PA 19103
Attorneys: Susan G. Collings, Esquire, Drinker, Biddle & Reath, LLP, One Logan Sq., 18th & Cherry Streets, Philadelphia, PA 19103

GETZ, STEVEN J., dec'd.

Late of the Township of Upper Nazareth, Northampton County, PA
Executrix: Joyce A. Flamisch c/o Gregory R. Reed, Attorney-at-Law, 141 South Broad Street, P.O. Box 299, Nazareth, PA 18064-0299
Attorney: Gregory R. Reed, Attorney-at-Law, 141 South Broad Street, P.O. Box 299, Nazareth, PA 18064-0299

HILL, HOWARD C., dec'd.

Late of the City of Bethlehem, Northampton County, PA
Executor: David A. Hill
Attorneys: Karl H. Kline, Esquire, Karl Kline P.C., 2925 William Penn Highway, Suite 301, Easton, PA 18045-5283

JEFF, EVELYN M., dec'd.

Late of the City of Bethlehem, Northampton County, PA

Co-Executors: Carol J. Scott, Ronald C. Jeff, or Dennis W. Jeff c/o Edward H. Butz, Esquire, Lesavoy Butz & Seitz LLC, 7535 Windsor Drive, Suite 200, Allentown, PA 18195

Attorneys: Edward H. Butz, Esquire, Lesavoy Butz & Seitz LLC, 7535 Windsor Drive, Suite 200, Allentown, PA 18195

KUNSMAN, CHARLES R., JR., dec'd.

Late of Hanover Township, Northampton County, PA
Administrator: Charles R. Kunsman, 4990 Township Line Road, Bethlehem, PA 18017

MACKARAVITZ, WILLIAM V., dec'd.

Late of the City of Bethlehem, Northampton County, PA
Co-Executors: William V. Mackaravitz, Jr., Reba A. Pike, and Scott W. Mackaravitz c/o Keith D. Cacciatore, Esquire, Suite 23, 3005 Brodhead Road, Bethlehem, PA 18020

Attorney: Keith D. Cacciatore, Esquire, Suite 23, 3005 Brodhead Road, Bethlehem, PA 18020

MATTES, MARY M., dec'd.

Late of the City of Easton, Northampton County, PA
Co-Executrices: Jane M. Borg, 18 Plymouth Street, Pennington, NJ 08534 and Nancy M. Brandl, 9454 105th Street, Scottsdale, AZ 85258

SIMONETTA, JO ANNE, dec'd.

Late of the City of Easton, Northampton County, PA
Executrix: Marilyn Unger c/o Diane K. Foxman, Esquire, Hamburg, Ruben, Mullin, Maxwell & Lupin, P.C., 375 Morris Rd., P.O.

Box 1479, Lansdale, PA 19446-0773

Attorneys: Diane K. Foxman, Esquire, Hamburg, Ruben, Mullin, Maxwell & Lupin, P.C., 375 Morris Rd., P.O. Box 1479, Lansdale, PA 19446-0773

STEMMERMAN, STEPHANIE C., dec'd.

Late of the City of Easton, Northampton County, PA
Executor: Henry R. Newton, Jr.
Attorneys: Herster, Newton & Murphy, 127 N. 4th St., P.O. Box 1087, Easton, PA 18044-1087

TERLESKI, NICK, dec'd.

Late of Easton, Northampton County, PA

Executrix: Margaret Terleski, 712 Butternut Lane, Easton, PA 18045-5122

Attorney: William C. Clements, Esquire, 65 East Elizabeth Avenue, Suite 510, Bethlehem, PA 18018

TICSON, LEATRICE, dec'd.

Late of the City of Bethlehem, Northampton County, PA
Executor: Adam T. Ticson, 4005 Oliver Ave., Bethlehem, PA 18020

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

TRAVIS, MARGUERITE C., dec'd.

Late of Nazareth, Northampton County, PA

Executor: Harold J. Smith c/o Nicholas E. Englesson, Esquire, 740 Main Street, Bethlehem, PA 18018

Attorney: Nicholas E. Englesson, Esquire, 740 Main Street, Bethlehem, PA 18018

VALO, ELMER GENE, dec'd.

Late of the Township of Moore,
Northampton County, PA
Administrator: Terry D. Valo,
2788 Kuter Road, Bath, PA
18014
Attorney: Daniel G. Spengler,
Esquire, 110 East Main Street,
Bath, PA 18014

NOTICES OF INCORPORATION

NOTICE IS HEREBY GIVEN that Articles of Incorporation have been filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania for the purpose of obtaining a Certificate of Incorporation pursuant to the provisions of the Business Corporation Law of the Commonwealth of Pennsylvania, Act of December 21, 1988 (P.L. 1444, No. 177), as amended.

The name of the corporation is:
NARAYAN MARKET, INC.

Samuel R. Kasick, Esquire
523 West Linden Street
Allentown, PA 18101

Mar. 11

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 of a proposed business corporation to be organized under the provisions of the Pennsylvania Business Corporation Law of 1988, approved December 21, 1988, P.L. 1444, No. 177, as amended.

The name of the corporation is:
RevealIT Solutions, Inc.

TIMOTHY J. DUCKWORTH,
ESQUIRE
MOSEBACH, FUNT, DAYTON &
DUCKWORTH, P.C.

P.O. Box 20770
Lehigh Valley, PA 18002-0770

Mar. 11

FICTITIOUS NAME

REGISTRATION NOTICES

NOTICE IS HEREBY GIVEN, pursuant to the provisions of Act No. 295 of 1982 of intention to file, or the filing of, in the Office of the Sec. of the Comm. of PA, at Harrisburg, PA, a certificate for the conduct of a business in PA, under the assumed or fictitious name, style or designation of:

LEHIGH VALLEY CELTIC

with its principal place of business at: 3650 Nazareth Pike, #112, Bethlehem, PA 18020. The name and address of the person owning or interested in said business is: Megan Everett, 3650 Nazareth Pike, #112, Bethlehem, PA 18020. The certificate has been filed on February 24, 2010.

Mar. 11

NOTICE IS HEREBY GIVEN, pursuant to the provisions of Act No. 295 of 1982 of intention to file, or the filing of, in the Office of the Secretary of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, a certificate for the conduct of a business in Pennsylvania, under the assumed or fictitious name, style or designation of:

**TOOLS AND PROS, a.k.a.
TOOLS-N-PROS**

with its principal place of business at: 3650 Nazareth Pike, #112, Bethlehem, PA 18020. The name and address of the person owning or interested in said business is: Megan Everett, 3650 Nazareth Pike, #112, Bethlehem, PA 18020. The certificate has been filed on February 24, 2010.

Mar. 11

**CORPORATE FICTITIOUS NAME
REGISTRATION NOTICES**

NOTICE IS HEREBY GIVEN, pursuant to the provisions of Act 295 of

1982 of intention to file, or the filing of, in the Office of the Secretary of the Commonwealth, at Harrisburg, Pennsylvania, a certificate for the conduct of a business in Pennsylvania, under the assumed or fictitious name, style or designation of:

BLAIR DEVELOPMENT COMPANY with its principal place of business at: 1412 Walter Street, Bethlehem, Pennsylvania 18015. The entity interested in the said business is: Blair Custom Homes, Inc., 1412 Walter Street, Bethlehem, Pennsylvania 18015.

JAMES L. BROUGHAL, ESQUIRE
BROUGHAL & DeVITO, L.L.P.
38 West Market Street
Bethlehem, PA 18018

Mar. 11

NOTICE IS HEREBY GIVEN, pursuant to the provisions of the Fictitious Names Act of 1982, 54 Pa.C.S. Section 301 et seq., that an application for registration of a fictitious name was filed in the office of the Secretary of Commonwealth of Pennsylvania at Harrisburg, Pennsylvania for the conduct of business in Pennsylvania, under the assumed or fictitious name, style or designation of:

**ElectroChem
Water Systems**

with its principal place of business at: 3320 Nazareth Road, Easton, Pennsylvania 18045. The name of the entity owning or interested in said business is: Chemfree Water Systems, Inc. 120 Skyline Drive, Easton, PA 18042. The certificate was filed on February 25, 2010.

Mar. 11

**NOTICE OF CERTIFICATE OF
AUTHORITY**

NOTICE IS HEREBY GIVEN that an Application for Certificate of Authority has been filed with the Department of State of the Commonwealth

of Pennsylvania at Harrisburg, Pennsylvania, for the purpose of obtaining a Certificate of Authority 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 and the jurisdiction of incorporation is: American Biosources, Inc. incorporated in New Jersey.

The address of its principal office in the jurisdiction in which it is incorporated: 80 Main St., 5th Floor, West Orange, NJ 07052.

The address of its registered office in this Commonwealth: 45 Longview Dr., Nazareth, PA 18064.

FITZPATRICK LENTZ
& BUBBA, P.C.

4001 Schoolhouse Lane
P.O. Box 219
Center Valley, PA 18034-0219

Mar. 11

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

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

ESTATE; Accountants

MICHAEL S. BOLOGNIA; Shirleyann E. Ferraro, Executrix

GLENN E. BRODT; Scott D. Brodt and Bethanne Shupp, Co-Executors

CHARLES B. FORNEY; Miriam M. Forney, Susan J. Forney and Charles F. Forney, Co-Executors

LEROY A. MILLER, SR.; Denise Joy Tinsman, Executrix
AUDIT NOTICE

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

County Government Center, Easton,
PA on: FRIDAY, MARCH 26, 2010 AT
9:00 A.M. IN COURTROOM #1

Dorothy L. Cole
Clerk of Orphans' Court
Mar. 11, 18

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

No. C-48-CV-2010-2085

CHANGE OF NAME NOTICE

NOTICE IS HEREBY GIVEN, that on March 5, 2010, the Petition of Rebekah Marie Ritz was filed in the above named Court, praying for a decree to change the name of Rebekah Marie Ritz to Rebekah Marie Millroy. The Court has fixed April 20, 2010, in Northampton County Court-house, Courtroom #4 at 10:00 A.M. as the time and place for the hearing on said petition, when and where all persons, interested may appear and show cause, if any they have, as to why the prayer of said Petition should not be granted.

DEAN C. BERG, ESQUIRE
I.D. #25086

Attorney for Petitioner

1820 Main St.
P.O. Box 10
Northampton, PA 18067-0010
Phone (610) 262-1551
FAX (610) 261-0666

Mar. 11

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

IN RE: 120 Fox Run, Williams
Township, Northampton County,
PA, Tax ID #P9-8-12U; Deed Book
Volume 2007-1, Page 029277

CASE NO.: C0048CV2010-2154

NOTICE

TO: DEFENDANTS/RESPONDENTS/
CLAIMANTS

TAKE NOTICE that on March 5, 2010, Brian M. Monahan, Esquire, filed a Civil Action in Equity endorsed with a Notice to Defend against you in the Court of Common Pleas of Northampton County, Pennsylvania, docketed to Number 2010-2154, wherein Petitioner seeks the entry of an Order in its favor and against you with respect to establishing legal title in fee simple, and discharging claims of any other individuals potentially liening certain real property identified as 120 Fox Run, Williams Township, Northampton County, Pennsylvania; Northampton County Uniform Tax Parcel Identification #P9-8-12U.

The Petition requests the transfer, conveyance, sale, and exchange of inalienable real property to Richard Reckling to the exclusion of all other interests current or future.

You are hereby notified to plead to the above-referenced Petition on or before March 30, 2010 or a judgment will be entered against you.

EXHIBIT "B"

NOTICE

YOU HAVE BEEN SUED IN COURT. If you wish to defend against the claims set forth in the following pages, you must take action within thirty (30) days after this Complaint and Notice are served by entering a written appearance personally or by attorney and filing in writing with the Court your defenses and objections to the claims set forth against you. You are warned that if you fail to do so, the case may proceed without you and a judgment may be entered against you by the Court without further notice for any money claimed in the Complaint and for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS 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. 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 9th Street
Easton, PA 18042

The Court of Common Pleas is required by law to comply with the Americans with Disabilities Act of 1990. For information about accessible facilities and reasonable accommodations available to disabled individuals having business before the Court, please call (610) 559-3000. All arrangements must be made at least 72 hours prior to any hearing or business before the Court. You must attend the scheduled conference or hearing.

BRIAN M. MONAHAN, ESQUIRE
Attorney I.D. #37628
701 Washington Street
Easton, PA 18042
Telephone: (610) 258-5329

Mar. 11

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

Citifinancial Services, Inc
v.

Unknown Heirs, Successors,
Assigns, And All Persons, Firms, Or
Associations Claiming Right, Title
Or Interest From Or Under Robert
J. Wilkinson, Deceased

NO. C-48-CV-2009-14017

**NOTICE OF ACTION IN
MORTGAGE FORECLOSURE**

TO Unknown Heirs, Successors, Assigns, And All Persons, Firms, Or Associations Claiming Right, Title Or Interest From Or Under Robert J. Wilkinson, Deceased and:

You are hereby notified that on December 15, 2009, Plaintiff, Citifinancial Services, Inc, filed a Mortgage Foreclosure Complaint endorsed with a Notice to Defend, against you in the Court of Common Pleas of Northampton County Pennsylvania, docketed to No. C-48-CV-2009-14017. Wherein Plaintiff seeks to foreclose on the mortgage secured on your property located at 421 Iron Street, Easton, PA 18042 whereupon your property would be sold by the Sheriff of Northampton County.

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

NOTICE

If you wish to defend, you must enter a written appearance personally or by attorney and file your defenses or objections in writing with the court. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you without further notice for the relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS NOTICE TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, 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 SERV-

ICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

NORTHAMPTON COUNTY
LAWYER REFERRAL SERVICE
(ARIS)

155 South 9th Street
Easton, PA 18042
(610) 258-6333

Mar. 11

NORTHAMPTON COUNTY REPORTER DIGEST—2010-3

Caption: Commonwealth v. Tan Van Tran
Term No.: 1816-2008
Keywords: PCRA; Guilty Plea; Free and Voluntary; Interpreter
Attorney(s): Kelly Lewis, Esquire for Commonwealth
Mark S. Refowich, Esquire for the Defendant
Date of Order: August 21, 2009
Judge: Stephen G. Baratta, J.
Description of Decision:

Defendant's Motion for Post-Conviction Collateral Relief based on allegations that his guilty plea was not free and voluntary because he was not fluent with the English language and needed the services of an interpreter, is denied. There is nothing in the record that indicates that the Defendant does not fully understand and communicate well in English.

Caption: Odd N. Oddsen, Jr v. George C. Weiss and Jill Weiss
Term No.: C-48-CV-2008-4740
Keywords: Preliminary Objections; Impertinent Matter; Demurrer; Punitive Damages; Gist of the Action Doctrine; Breach of Warranty
Attorney(s): Theresa Hogan, Esquire for Plaintiff
Kevin Santos, Sr., Esquire for Defendant
Date of Order: October 23, 2008
Judge: F.P. Kimberly McFadden, P.J.
Description of Decision:

Defendants' Motion to Strike for inclusion of impertinent matter was denied. Defendants' Motion to Strike Exhibit C of Plaintiff's Complaint was denied. Defendants' Motion to Strike the claim for punitive damages in Count IV of Plaintiff's Complaint was granted. Defendants' Demurrers to Counts II, III and VII of Plaintiff's Complaint were granted. Defendants' Demurrer to Count V of Plaintiff's Complaint was granted. Defendant's Motion to Strike Plaintiff's demand for punitive, treble and civil damages, together with interest, costs and attorney's fees in Count V was denied as moot. Defendant's Demurrer to Plaintiff's claim of a breach of an express warranty in Count VI of the Complaint was granted. Defendant's Demurrer to Plaintiff's claim of a breach of an implied warranty in Count VI of the Complaint was denied. Defendant's Motion to Strike Plaintiff's demand for punitive, treble and civil damages in Count V of Plaintiff's Complaint was denied.

Caption: Commonwealth v. John Stella
Term No.: 2633-2008
Keywords: Reasonable Suspicion; Vehicle Stop
Attorney(s): Constance Nelson, Esquire for Commonwealth
Christopher Shipman, Esquire for Defendant
Date of Order: November 15, 2008
Judge: F.P. Kimberly McFadden, P.J.
Description of Decision:

No basis to suppress evidence obtained during vehicle stop where officer had sufficient reasonable suspicion to stop Defendant.

Caption: Commonwealth v. Ambrose Smith
Term No.: 828-2008
Keywords: Reasonable Suspicion; Vehicle Stop
Attorney(s): Michael Thompson, Esquire for Commonwealth
Scott Wilhelm, Esquire for Defendant
Date of Order: November 16, 2008
Judge: F.P. Kimberly McFadden, P.J.

Description of Decision:

No basis to suppress evidence obtained during vehicle stop where officer had sufficient reasonable suspicion to stop Defendant.

Caption: Commonwealth v. Yanira Arias Ortiz
Term No.: 2103-2008
Keywords: Aggravated Assault; Simple Assault; Recklessly Endangering;
Endangering Welfare of Children; Intimidation of Witnesses or Victim;
Criminal Solicitation to Commit Perjury
Attorney(s): Jacqueline Taschner, Esquire for Commonwealth
David Vaida, Esquire for Defendant
Date of Order: December 11, 2008
Judge: F.P. Kimberly McFadden, P.J.

Description of Decision:

Commonwealth presented sufficient evidence to sustain a prima facie case against Defendant for Aggravated Assault, Simple Assault, Recklessly Endangering, Endangering Welfare of Children, Intimidation of Witnesses or Victim, and Criminal Solicitation to Commit Perjury.

Caption: Commonwealth v. Eric Mason
Term No.: 2452-2006
Keywords: Rule 600; Speedy Trial; Due Diligence
Attorney(s): William Matz, Esquire for Commonwealth
David Tidd, Esquire for Defendant
Date of Order: January 30, 2009
Judge: F.P. Kimberly McFadden, P.J.

Description of Decision:

Commonwealth acted with due diligence in attempting to locate Defendant and did not violate the speedy trial requirement of Rule 600.

Caption: Wind Gap 1900 Partners v. Wind-Drift Real Estate Associates
Term No.: C-48-CV-2008-2184
Keywords: Judgment on the Pleadings
Attorney(s): Nicholas Sabatine, Esquire for Plaintiff
Erv McLain, Esquire for Defendant
Date of Order: February 9, 2009
Judge: F.P. Kimberly McFadden, P.J.

Description of Decision:

Plaintiff entitled to judgment on the pleadings where Defendant knowingly failed to place required deposit into escrow and which Plaintiff was entitled to retain upon termination of the agreement between the parties.

Caption: **Industrial Developments International, Inc. v. Board of Supervisors of Lower Nazareth Township**

Term No.: C-48-CV-2008-3000

Keywords: Zoning; Land Use Appeal; Conditional Use

Attorney(s): Blake Marles, Esquire for Plaintiff
Gary Asteak, Esquire for Defendant
Renee Ferretti, Esquire for Intervenor
Charles Bruno, Esquire for Intervenor

Date of Order: February 19, 2009

Judge: F.P. Kimberly McFadden, P.J.

Description of Decision:

Appellant's Conditional Use Appeal as to the imposition of the conditions relating to noise, upgrade of the "connector" road, stormwater, landscaping/screening, lighting and air quality study denied and dismissed. Appellant's Conditional Use Appeal as to the imposition of the condition relating to an additional traffic impact study granted. The condition requiring an additional traffic impact study was stricken from the Board's decision granting the application. Appellant's Conditional Use Appeal requesting a deemed decision in its favor denied and dismissed.

Caption: **Commonwealth v. Naheem Harrison**

Term No.: 3365-2008

Keywords: Protective Sweep

Attorney(s): John Obrecht, Esquire for Commonwealth
Matthew Potts, Esquire for Defendant

Date of Order: February 23, 2009

Judge: F.P. Kimberly McFadden, P.J.

Description of Decision:

There is no basis for suppressing the evidence seized as a result of the protective sweep where officers had specific and articulable facts to justify the protective sweep, including the nature of the warrant being executed, hearing multiple individuals moving about the residence, receiving no response from repeated requests for the individuals in the residence to reveal themselves, and previous gun incidents with the occupants of the residence.

Caption: **Stephen Bickford and Jennifer Bickford v. Zoning Hearing Board of Lower Mount Bethel Township**

Term No.: C-48-CV-2008-12027

Keywords: Zoning; Land Use Appeal; Subdivision; Variance; Non-Conforming Lot; Hardship

Attorney(s): Victor Cavacini, Esquire for Plaintiff
Dwight Danser, Esquire for Defendant

Date of Order: February 27, 2009

Judge: F.P. Kimberly McFadden, P.J.

Description of Decision:

Land use appeal dismissed and decision of Zoning Hearing Board affirmed where Appellants did not demonstrate the requisite hardship to entitle them to the numerous variances requested and were not entitled to relief under section of zoning ordinance providing for small lots of record.

Caption: **Commonwealth v. Jose Guzman**

Term No.: 4089-2008

Keywords: Traffic Stop; Plain View; Flashlight; Probable Cause; Exigent Circumstances; Warrantless Search

Attorney(s): James Augustine, Esquire for Commonwealth
Mark Refowich, Esquire for Defendant

Date of Order: March 12, 2008

Judge: F.P. Kimberly McFadden, P.J.

Description of Decision:

No basis for suppressing evidence obtained as a result of warrantless vehicle search where officers had probable cause based upon baggie of marijuana in plain view, Defendant's concealment of a box-cutter knife in his sleeve, the indications of the canine sniff of the vehicle and exigent circumstances including that Defendant was in possession of a weapon and the passenger was not under arrest and within reach of the vehicle

Caption: **Ethel Vann v. Conrad Mick d/b/a Vision Trucking, Inc., and Gaston Smith v. Greyhound Lines, Inc., George Irwin**

Term No.: C-48-CV-2007-5578

Keywords: Preliminary Objections; Failure To Timely File; Prejudice

Attorney(s): David A. Miller, Esquire for the Plaintiffs
Jennifer G. Shorr, Esquire and David M. Maselli, Esquire for the Defendants
Paul C. Troy, Esquire for Joinder Defendants

Date of Order: September 1, 2009

Judge: Stephen G. Baratta, J.

Description of Decision:

Preliminary Objections of Third Party Plaintiffs/Defendants, Conrad Mick d/b/a Vision Trucking, Inc. and Gaston Smith, seeking to overrule Additional Defendants' Preliminary Objections for failure to timely file pursuant to Pennsylvania Rule of Civil Procedure 1026(a), are Overruled. Logistical difficulties presented to Pennsylvania counsel constitute just cause for the untimely filing and there is no indication that the Third Party Plaintiffs/Defendants suffered prejudice as a result of the untimely filing.

Caption: **Michael Gentileco, Jr. and Melissa Gentileco v. Cintas Corporation and Jared Carey**

Term No.: C-48-CV-2007-5636

Keywords: Motion for Summary Judgment; Medical Monitoring; Hazardous Substance

Attorney(s): Clement E. Kisailus, Esquire for the Plaintiffs
David A. Williams, Esquire and for the Defendants
Gregory M. Utter, Esquire/Matthew K. Buck, Esquire for the Defendants

Date of Order: September 1, 2009

Judge: Stephen G. Baratta, J.

Description of Decision:

Motion for Summary Judgment filed by the Defendants is granted. The Court found that heated metal is not a toxic substance. Therefore, the record does not demonstrate that in being struck by a hot vehicle tailpipe the Plaintiff was exposed to a proven hazardous substance or that the Plaintiff has a significantly increased risk of contracting a latent disease as a result of such exposure.

Caption: **JMSept Financial LP, AWBSP Properties LLC, Greenock 13 Development LP, Skyworks Development LLC, Tate Brian, Pinnacle Properties LLC, Thomas Tapler, Michael Giovinco, Warren J. Constantine, Cata81 LLC, Big Sky Ventures LLC, Bob Stawasz, MDJ Properties LLC, William Domenick, Michael Vicchio, James Graham, David Shackelford, Thomas McFalls, Actium Development LLC, William Zanine v. Greenock Construction, LLC, Real Solutions, Inc., Real Solutions at Greenock, LP, Richard A. Patterson and S. Renee Patterson, husband and wife.**

Term No.: C-48-CV-2009-002946

Keywords: Motion to Open Judgment; Motion to Strike Judgment; Notice to Plead

Attorney(s): Brian J. Smith, Esquire for the Plaintiffs
John Karoly, Esquire and for Defendant Greenock Construction, LLC

Date of Order: September 15, 2009

Judge: Stephen G. Baratta, J.

Description of Decision:

The Defendants' Petition to Strike and Open Judgment is granted. The Complaint did not have the requisite Notice to Plead, as required by the Pennsylvania Rules of Civil Procedure 1018.1 for all complaints, nor was it verified by a party having knowledge of the factual allegations set forth in the Complaint. Additionally, the Defendants' acted with due diligence by filing their Petition to Open Default within ten days of the filing of the Praecipe for Judgment; that the proposed Answer to the Complaint arguably sets forth meritorious defenses; and finally; that the Defendants (who were not given the requisite warnings about the perils of not timely filing an Answer) did not retain counsel until immediately after the entry of default judgment.

Caption: **Smooth-On Inc. v. Continental Steel Buildings, Inc.**

Term No.: C-48-CV-2009-0006261

Keywords: Preliminary Objections; Demurrer; Defendant's Answer; Corporate Legal Representation

Attorney(s): Leo V. DeVito, Jr., Esquire and Louis J. Mattioli, III for the Plaintiffs
Pro Se Defendant—Charles G. Chambers, President

Date of Order: September 22, 2009

Judge: Stephen G. Baratta, J.

Description of Decision:

The Court strikes Defendant's Answer to Plaintiff's Complaint as Mr. Chambers is not an attorney duly licensed to practice in Pennsylvania. The Preliminary Objections seeking to strike scandalous and impertinent matter and the claim for punitive damages are also well-founded and we would expect that should the Defendant retain a seasoned attorney, an appropriate response will be drafted and filed to the Complaint.

Caption: **Louis J. Spagnola and Mimma D. Spagnola, husband and wife v. Bharat K. Mehta, M.D., Bharat K. Mehta, M.D., P.C.**

Term No.: C-48-CV-2009-004646

Keywords: Preliminary Objections; Agency; Sufficiency of Complaint

Attorney(s): Leon Aussprung, Esquire for the Plaintiffs
Frederic J. Stellato, Esquire and Ellen J. Kaska, Esquire and for the Defendants

Date of Order: September 23, 2009

Judge: Stephen G. Baratta, J.

Description of Decision:

The Defendant's Preliminary Objections are sustained in part and overruled in part and the Plaintiffs have twenty days from the date of this Order to file an amended pleading. Paragraph 6 of the Plaintiffs' Complaint is to be stricken because nowhere in the Complaint are there any allegations which identify an agent by name or appropriate description or describes the nature of the agency with regard to the other physicians, nurses, technicians and others that cared for the Plaintiff. Further, there are no specific actions attributed to the agents. The Defendant cannot investigate Plaintiffs' claims and prepare a defense when there has been no attempt by the Plaintiffs to identify the agents or the agents' actions.

As to paragraph 43, the language "authorized agents, servants, workmen and" shall be stricken. The reference to employees shall not be stricken. The Defendants' Motion to Strike "Both Generally and" from paragraph 43 is sustained as there is no attempt to identify the agents by name, description of duties or the specific negligent acts committed by the agents. Additionally, the flexibility incorporated into Paragraph 43 by the language "Both Generally and," results in the Plaintiffs' failure to meet the "concise" requirement for Pa. R.C.P. No.1019(a).



PERIODICAL PUBLICATION

*** Dated Material. Do Not Delay. Please Deliver Before Monday, March 15, 2010**