

Northampton County Reporter

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Northampton County Reporter Digest—2009-3

CONTENTS

Audit—Orphans' Court	9	Limited Liability Company Notice	9
Bar News	3	Northampton County Reporter	
Estate Notices	4	Digest—2009-3	13
Legal Notices	10	Notices of Incorporation	9
		U.S. Bankruptcy Judge	12

INSERT: Yellow: 1. NCBA Quarterly Association Meeting

2. 2009 Calendar
 3. PA CLE Requirements
 4. NCBA Works in Cooperation With Miller Keystone Blood Center
- Cream: 1. March Madness Happy Hour
2. "Avoiding Financial Mistakes in Equitable Distribution"
 3. "Northampton County's Mortgage Foreclosure Diversion Program"
 3. "Regina v. Dudley"

NOTICE TO THE BAR....

U.S. Bankruptcy Judge for the Western District of PA – see page 12.
PBA Labor and Employment Law Section Meeting in Lehigh County—see page 3.

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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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Editor

NOTICE TO NCBA MEMBERS – BAR NEWS

Public Notice for Reappointment of a Bankruptcy Judge

Enclosed is a notice soliciting public comment on the reappointment of M. Bruce McCullough, U.S. Bankruptcy Judge for the Western District of Pennsylvania. Your comments would be appreciated. See page 12.

PBA Labor and Employment Law Section

The Pennsylvania Bar Association Labor and Employment Law Section will host a regional buffet luncheon at 11:45 a.m. on April 9 at the Bar Association of Lehigh County. The luncheon is designed to promote collegiality and to offer area lawyers an opportunity to learn more about handling employment cases in the U.S. District Court for the Eastern District of Pennsylvania. U.S. Magistrate Judge for the Eastern District Henry S. Perkin will be the keynote speaker. Cost of the luncheon is \$15 for PBA Labor and Employment Law Section members and \$25 for non-Section members. Call the PBA Member Service Center for a registration form at 800-932-0311.

If you're enough lucky to be Irish, you're lucky enough!—Irish Saying

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**AMATO, PHILLIP M.**, dec'd.

Late of the Township of Palmer, Northampton County, PA
 Executor: Marion M. Amato 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

KUCEY, FRANCES P. a/k/a FRANCES M. KUCEY, dec'd.

Late of Bethlehem, Northampton County, PA
 Co-Executrices: Janet A. Kovalchick, 2358 Dubonnet Drive, Macungie, PA 18062 and Mary Jane Repnyek, 1518 Livingston Street, Bethlehem, PA 18017
 Attorney: Robert P. Daday, Esquire, 1042 W. Walnut Street, Allentown, PA 18102

MOLNAR, JOSEPH, dec'd.

Late of Easton, Northampton County, PA
 Personal Representative: Sylvia I. Molnar c/o Kirby G. Upright, Esquire, King Spry Herman Freund & Faul, LLC, One West

Broad Street, Suite 700, Bethlehem, PA 18018

Attorneys: Kirby G. Upright, Esquire, King Spry Herman Freund & Faul, LLC, One West Broad Street, Suite 700, Bethlehem, PA 18018

SCHRAMM, LORRAINE M., dec'd.

Late of the Borough of Nazareth, Northampton County, PA
 Executrix: Kristina L. Toth, 296 Mount Vernon Ave., Nazareth, PA 18064

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

SCHRAMM, OTTOMAR A., dec'd.

Late of the Borough of Nazareth, Northampton County, PA
 Administratrix D.B.N.: Kristina L. Toth, 296 Mount Vernon Ave., Nazareth, PA 18064

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

SILFIES, WILLIAM H., dec'd.

Late of the Borough of Northampton, Northampton County, PA
 Administrator: Franklin A. Silfies, Sr. c/o Alfred S. Pierce, Esquire, Pierce & Dally, LLP, 124 Belvidere Street, Nazareth, PA 18064

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

STERNER, ANNA A., dec'd.

Late of Bethlehem, Northampton County, PA
 Executrix: Jean B. Luff c/o Wendy A. Nicolosi, Esquire, Broughal & DeVito, L.L.P., 38

West Market Street, Bethlehem, PA 18018

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

VAN BUSKIRK, WILLIAM, dec'd.

Late of the Township of Upper Mount Bethel, (Borough of Bangor mailing address), Northampton County, PA

Administratrix: Holly Montagna, 3615 Freemansburg Avenue, Easton, PA 18045

Attorneys: Ronold J. Karasek, Esquire, Zito, Martino and Karasek, LLP, 641 Market Street, Bangor, PA 18013

WUNDERLER, ALFRED A., dec'd.

Late of Bunker Hill Lane, Walnutport, Northampton County, PA

Administratrix: Hilda Steirer, 1180 Municipal Road, Walnutport, PA 18088

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

YEAGER, ANNA M., dec'd.

Late of the Township of Palmer, Northampton County, PA

Executrix: Joan L. LeCause 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

SECOND PUBLICATION

BALAZS, DENES a/k/a DENNIS

BALAZS, dec'd.

Late of the Township of Bethlehem, Northampton County, PA

Executor: Iren Balazs c/o John J. Bartos, Esquire, 3976 Township Line Road, Bethlehem, PA 18020

Attorney: John J. Bartos, Esquire, 3976 Township Line Road, Bethlehem, PA 18020

CHRISTIAN, ROBERT J., dec'd.

Late of the City of Easton, Northampton County, PA

Co-Executors: Cynthia L. Garis and Robert J. Christian, II 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

CHRISTMAN, CAROL ANN, dec'd.

Late of Main Street, Northampton, Northampton County, PA

Administrator: Rodney S. Christman, 669 Bark Drive, Walnutport, PA 18088

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

DONCHEZ, STEPHEN J., dec'd.

Late of the City of Bethlehem, Northampton County, PA

Executrix: Melissa M. Adams, 3461 Nathaniel Drive, Nazareth, PA 18064

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

GUZARA, MILDRED L., dec'd.

Late of the Borough of Northampton, Northampton County, PA

Executor: John Swankoski, 11 Jennings Run, Northampton, PA 18067

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

JAMES, RALPH E. a/k/a RALPH E. JAMES, JR. a/k/a R.E. JAMES a/k/a R.E. JAMES, JR., dec'd.

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

Administratrix: Pamela S. James, P.O. Box 573, Damascus, MD 20872

LEE, LOUISE M., dec'd.

Late of Bethlehem, Northampton County, PA

Executor: Daniel R. Lee c/o Fox Mattioli, P.C., 1834 Pennsylvania Avenue, Hanover Township, Allentown, PA 18109

Attorneys: Fox Mattioli, P.C., 1834 Pennsylvania Avenue, Hanover Township, Allentown, PA 18109

VAN HORN, PEARL E., dec'd.

Late of the Borough of North Catasauqua, Northampton County, PA

Co-Executrices: Sherryl L. Cesanek and Ruth A. Kies 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

YOUNG, CLAIR A., dec'd.

Late of the Borough of Wilson, Northampton County, PA

Administratrix C.T.A.: Jane L. Moser 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

THIRD PUBLICATION

BOWERS, LORRAINE R., dec'd.

Late of Lower Saucon Township, Northampton County, PA

Co-Executors: Cathy A. Leibensperger and Curt A. Bowers 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

BROWN, MARGARET F. a/k/a MARGARET BROWN, dec'd.

Late of the Borough of Bangor, Northampton County, PA

Executor: Kirk R. Brown 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

CRUIKSHANK, CONSTANCE F., dec'd.

Late of Lower Saucon Township, Northampton County, PA

Executrix: Lisa J. Cruikshank 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

DAVIES, SUSAN J., dec'd.

Late of the City of Bethlehem, Northampton County, PA

Executor: Robert B. Davies, Jr.
c/o Stanley M. Vasiliadis, Es-
quire, Vasiliadis & Associates,
2551 Baglyos Circle, Suite A-14,
Bethlehem, PA 18020

Attorneys: Stanley M. Vasiliadis,
Esquire, Vasiliadis & Associates,
2551 Baglyos Circle, Suite A-14,
Bethlehem, PA 18020

**DEIFER, BARBARA D. a/k/a
BARBARA A. RAZZANO,**
dec'd.

Late of Danielsville, Northamp-
ton County, PA

Executor: Robert Dale Deifer c/o
Robert E. Donatelli, Esquire, 32
N. Sixth Street, Allentown, PA
18101

Attorney: Robert E. Donatelli,
Esquire, 32 N. Sixth Street, Al-
lentown, PA 18101

**DEUTSCH, IRENE K. a/k/a IRENE
DEUTSCH,** dec'd.

Late of the Borough of Bath,
Northampton County, PA

Co-Executors: Frank Deutsch,
7070 Shadyside Drive, Mt. Airy,
MD 21771 and Patricia Snyder,
6090 Stone Post Rd., Bath, PA
18014

FISHER, DANIEL, dec'd.

Late of Bethlehem, Northampton
County, PA

Executor: Richard Simons c/o
Nicholas M. Zanakos, Esquire,
742 North Main Street, Bethle-
hem, PA 18018

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

FOSBURG, ROBERT D., SR.,
dec'd.

Late of the City of Bethlehem,
Northampton County, PA

Administrator: Robert D. Fos-
burg, Jr., 3020 Millstone Drive,
Bethlehem, PA 18020

Attorney: Samuel P. Murray,
Esquire, 720 Washington Street,
Easton, PA 18042

FOY, LEWIS W., dec'd.

Late of Lower Saucon Twp.,
Northampton County, PA

Executrix: Susan F. Heller c/o
Leonard P. Nalencz, Esquire,
Blank Rome LLP, One Logan Sq.,
130 N. 18th St., Philadelphia, PA
19103-6998

Attorneys: Leonard P. Nalencz,
Esquire, Blank Rome LLP, One
Logan Sq., 130 N. 18th St.,
Philadelphia, PA 19103-6998

GOLDFARB, JEANETTE, dec'd.

Late of the Township of Forks,
Northampton County, PA

Co-Executors: Brian Kip Frace
and Ryan Frace 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, At-
torney, Seidel, Cohen, Hof &
Reid, L.L.C., 3101 Emrick Blvd.,
Suite 205, Bethlehem, PA
18020

HOCH, HAROLD A., SR., dec'd.

Late of Bethlehem, Northampton
County, PA

Administrator: Harold A. Hoch,
Jr. c/o Robert E. Donatelli, Es-
quire, 32 N. Sixth Street, Allen-
town, PA 18101

Attorney: Robert E. Donatelli,
Esquire, 32 N. Sixth Street, Al-
lentown, PA 18101

JONES, ALEXANDRIA, dec'd.

Late of Bethlehem, Northampton
County, PA

Administratrix: Lisa Lazor, 1556
Siegfried St., Bethlehem, PA
18017

KOVACS, JOSEPH, dec'd.

Late of Bethlehem, Northampton County, PA

Personal Representative: Robert J. Kovacs c/o Kirby G. Upright, Esquire, One West Broad Street, Suite 700, Bethlehem, PA 18018

Attorney: Kirby G. Upright, Esquire, One West Broad Street, Suite 700, Bethlehem, PA 18018

LANCE, ROSE M., dec'd.

Late of the City of Easton, Northampton County, PA

Co-Executors: James Donato, 120 N. 11th Street, Easton, PA 18042 and Anthony Donato, 327 Elwood Street, Easton, PA 18045

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

LEVINE, IRVING, dec'd.

Late of Bethlehem, Northampton County, PA

Co-Executrices: Nancy Levine Arnold and Barbara S. Fory c/o Thomas J. Maloney, Esquire, Maloney, Danyi, McKarski & O'Donnell, 901 West Lehigh Street, P.O. Box 1279, Bethlehem, PA 18016-1279

Attorneys: Thomas J. Maloney, Esquire, Maloney, Danyi, McKarski & O'Donnell, 901 West Lehigh Street, P.O. Box 1279, Bethlehem, PA 18016-1279

OSTROFF, WILLIAM a/k/a WILLIAM T. OSTROFF, dec'd.

Late of Bethlehem Township, Northampton County, PA

Executrix: Sharon L. Woolf 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

SHANKWEILER, VIRGINIA A., dec'd.

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

Executor: Nancy Lou Mihalik 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

VAZDIKIS, LIVIJA, dec'd.

Late of the Borough of Tatamy, Northampton County, PA

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

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

VELEKEI, HELEN A., dec'd.

Late of Bethlehem, Northampton County, PA

Executor: John Velekei c/o Noonan & Prokup, 526 Walnut St., Allentown, PA 18101

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

WILLIAMSON, HILDA, dec'd.

Late of the Township of Moore, Northampton County, PA

Co-Executors: Dale Williamson, Sr., Michele Meixsell and Cynthia Brubaker c/o Alfred S. Pierce, Esquire, Pierce & Dally, LLP, 124 Belvidere Street, Nazareth, PA 18064

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

NOTICES OF INCORPORATION

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania, on February 17, 2009 for the purpose of obtaining a Certificate of Incorporation pursuant to the provisions of the Business Corporation Law of 1988, 15 Pa.C.S. Section 1306. The name of the corporation is:

PAG CONSULTING INC.

The purpose: To provide technical and engineering services to public utilities.

Mar. 12

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, No. 177), as amended, by the following corporation:

The name of the corporation is:

SERVICES UNITED, INC.

The purpose for which it was organized is: The corporation shall have unlimited power to engage in and to do any lawful business for which corporations may be incorporated under the Business Corporation Law of Pennsylvania, Act of December 21, 1988 (P.L. 1444, No. 177), as amended.

TODD H. LAHR, ESQUIRE
LAHR & LAHR LAW OFFICES
3570 Hamilton Blvd.
Suite 303
Allentown, PA 18103-4513
(610) 398-2440

Mar. 12

LIMITED LIABILITY COMPANY NOTICE

NOTICE IS HEREBY GIVEN that on February 18, 2009, Certificate of Organization was filed in the Department of State of the Commonwealth of Pennsylvania for:

SAAT PROPERTIES, LLC

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

LISA A. PEREIRA, ESQUIRE
BROUGHAL & DeVITO, L.L.P.
38 West Market Street
Bethlehem, PA 18018

Mar. 12

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

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

ESTATE; Accountant

JOHN M. BANKS; Mary T. Marchetti, Executrix

LORRAINE E. KECK; Wayne R. Keck and National Penn Investors Trust Company, formerly Keystone Nazareth Bank & Trust Co., Co-Executors

ADELE KINTNER; Steven Goudsouzian, Administrator

MARIAN E. KNECHT; Randy W. Knecht, Executor

LOUISE N. PENSENBECK; Joanne E. Lambert, Executrix

NORTHAMPTON MEMORIAL SHRINE, INC. PERMANENT LOT CARE TRUST; Northampton Memorial Shrine, Inc., Trustee

JOHN E. RAPP; Joanne A. Rapp, Administratrix D.B.N.C.T.A.

AUDIT NOTICE

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

PA on: FRIDAY, MARCH 27, 2009 AT
9:00 A.M. IN COURTROOM #1.

Dorothy L. Cole
Clerk of Orphans' Court
Mar. 12, 19

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

IN THE MATTER OF:
JESSE JAMES FINAN
DOCKET NO. CV-2009-1989
NOTICE

NOTICE IS HEREBY GIVEN that, on March 3, 2009, the Petition of Jesse James Finan was filed in the above-named Court, requesting an order to change the name of Jesse James Finan to Jesse James Bush.

The Court has fixed the day of May 6, 2009 at 9:00 a.m. in Courtroom 4, of the Northampton County Government Center, 669 Washington Street, Easton, Pennsylvania, as the time and place for the hearing on said petition, when and where all interested parties may appear and show cause, if any, why the request of the petitioner should not be granted.

BY THE COURT:
/s/Edward Smith, J.
Mar. 12

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

IN RE: CHANGE OF NAME FOR
Tushar A. Kinariwala, Bela T.

Kinariwala and Hetvi T. Kinariwala
NOTICE IS HEREBY GIVEN that the petition of Tushar A. Kinariwala and Bela T. Kinariwala was filed on December 29, 2008 in Northampton County Court of Common Pleas by No. C-48 CV 2008 013501 seeking to change the names of Tushar A. Kinariwala to TUSSHARA. KAASHYAP,

Bela T. Kinariwala to BELLA T. KAASHYAP, and of minor daughter Hetvi T. Kinariwala to HETVIE T. KAASHYAP.

The court has fixed April 9, 2009, at 9:00 A.M. in courtroom 4 of the Northampton County Court House, Easton, Pennsylvania, as the time and place for the hearing of the said petition, when and where all interested parties may appear and show cause, if any, why the request of the petitioners should not be granted.

Mar. 12

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

IN RE: CHANGE OF NAME FOR
Krishna T. Kinariwala

NOTICE IS HEREBY GIVEN that the petition of Krishna T. Kinariwala was filed on December 29, 2008 in Northampton County Court of Common Pleas by No. C-48 CV 2008 013500 seeking to change her name from Krishna T. Kinariwala to KRISHNAA T. KAASHYAP.

The court has fixed April 9, 2009, at 9:00 A.M. in courtroom 4 of the Northampton County Court House, Easton, Pennsylvania, as the time and place for the hearing of the said petition, when and where all interested parties may appear and show cause, if any, why the request of the petitioner should not be granted.

Mar. 12

**NOTICE FOR CHANGE OF NAME
FILE/CASE NUMBER
C0048CV2009000746**

NOTICE IS HEREBY GIVEN that the petition of David Belvin Smith was filed on January 28, 2009, praying for a decree to change his name from David Belvin Smith to David Belvin Jr. The Court has fixed March 23,


2009, at 9:00 a.m. in Courtroom 4, Northampton County Courthouse, as the time and place for the hearing of said Petition, when and where all persons interested may appear and show cause, if they have any, why the

prayer of the Petitioner should not be granted.

David B. Smith

433 S Warren Street
Easton, PA 18042
(610) 462-7339

Mar. 12

Providing	AutoMotives	For
Appraisal Mediation		Bankruptcy Estates
Testimony Consulting	Jed Rapoport	Divorce Litigation
Cars – Trucks – Related items Antique – Collector – Specialty		
610-770-0532 or info@auto-motives.com		

**PUBLIC NOTICE FOR REAPPOINTMENT OF A
BANKRUPTCY JUDGE**

The current 14-year term of office of M. Bruce McCullough, United States Bankruptcy Judge for the Western District of Pennsylvania is due to expire on September 21, 2009. The United States Court of Appeals for the Third Circuit is considering the reappointment of the Judge to a new 14-year term of office.

Upon reappointment, the incumbent would continue to exercise the jurisdiction of a bankruptcy judge as specified in Title 28, United States Code; Title 11, United States Code; and the Bankruptcy Amendments and Federal Judgeship Act of 1984, Pub. L. No. 98-353, §§101-122, 98 Stat. 333-346. In bankruptcy cases and proceedings referred by the district court, the incumbent would continue to perform the duties of a bankruptcy judge that might include holding status conferences, conducting hearings and trials, making final determinations, entering orders and judgments, and submitting proposed findings of fact and conclusions of law to the district court.

Members of the bar and the public are invited to submit comments for consideration by the Court of Appeals regarding the reappointment of Bankruptcy Judge M. Bruce McCullough. All comments should be directed to one of the following addresses:

By e-mail:

McCullough_Reappointment@ca3.uscourts.gov

By mail: Office of the Circuit Executive

Toby D. Slawsky, Circuit Executive

22409 U.S. Courthouse

601 Market Street

Philadelphia, PA 19106-1790

Comments must be received no later than **noon on Monday, March 30, 2009.**

Mar. 12

NORTHAMPTON COUNTY REPORTER DIGEST—2009-3

The following are recent decisions of the Court of Common Pleas of Northampton County, Pennsylvania. The full opinion may be viewed online, downloaded and printed under “Records Search” at www.northamptoncounty.org

Caption: **Kevin Kimmick and Marjorie Kimmick (plaintiffs) v. William Kovacs, Jr. and Judy B. Kovacs (defendants) and Key Consolidated 2000, Inc. d/b/a Keystone Inspection Service and Steve Dunne, and John Gogal (additional defendants)**

Term No.: C-48-CV-2003-8786

Keywords: Motion for Summary Judgment

Attorney(s): Kevin J. Kelleher, Esquire for Plaintiffs
George A. Heitzman, Esquire for Defendant William Kovacs, Jr.
Bradley Warren Weidenbum, Esquire for Additional Defendants

Date of Order: January 9, 2009

Judge: Anthony S. Beltrami, J.

Description of Decision:

Partial summary judgment granted in favor of additional defendants on defendants’ claim that additional defendants are solely liable to plaintiffs, as statute of limitations would prevent direct claim by plaintiffs against additional defendants. In all other respects, motion denied because of genuine issues of material fact.

Caption: **The Bank of New York as Successor to JP Morgan Chase Bank, National Association, F/K/A the Chase Manhattan Bank, as Trustee Under the Pooling and Servicing Agreement Dated as of August 1, 2001, Among Credit-Based Asset Servicing and Securitization LLC, Residential Asset Funding Corporation, Litton Loan Servicing LP and the Chase Manhattan Bank, C-Bass Mortgage Loan Asset-backed Certificates, Series 2001-CB3 v. Angela Cruz**

Term No.: C-48-CV-2008-1546

Keywords: Motion for Summary Judgment

Attorney(s): Sheetal R. Shah-Jani, Esquire for Plaintiffs
William P. Coffin, Esquire for Defendant

Date of Order: December 1, 2008

Judge: Anthony S. Beltrami, J.

Description of Decision:

The plaintiff moved for summary judgment on a mortgage foreclosure action. Due to the existence of a genuine issue of material fact, this motion was denied.

Caption: **Schaller v. Seimens Business Services, Inc.**

Term No.: C-48-CV-2008-233

Keywords: Motion for Judgment on the Pleadings

Attorney(s): Donald P. Russo, Esquire for Plaintiff
Christina Tellado-Wilson, Esquire for Defendant

Date of Order: December 22, 2008

Judge: Anthony S. Beltrami, J.

Description of Decision:

Due to the applicable statute of limitations, the defendant's motion for judgment on the pleadings is granted.

Caption: Commonwealth of Pennsylvania v. James H. Harris, Jr.

Term No.: 1695-2008

Keywords: Motion To Dismiss; Habeas Corpus

Attorney(s): Michael J. Thompson, Esquire for Commonwealth
James M. Connell, Esquire for Defendant

Date of Order: October 29, 2008

Judge: Anthony S. Beltrami, J.

Description of Decision:

The defendant's Motion To Dismiss—Habeas Corpus is denied. The Commonwealth established a sufficient *prima facie* case that the defendant committed the crimes of possession, possession with intent to deliver, and delivery of cocaine.

Caption: Louis Ferrucci and Jeanne Ferrucci v. Thomas J. Tripodi and Stacy J. Tripodi

Term No.: C-48-CV-2008-6387

Keywords: Demurrer; Pa. R.C.P. No. 1028(a)(4); Insufficient Specificity; Pa. R.C.P. 1028(a)(3)

Attorney(s): Gary Neil Asteak, Esquire for Plaintiffs
Robert A. Pinel, Esquire for Defendants

Date of Order: November 13, 2008

Judge: Anthony S. Beltrami, J.

Description of Decision:

The defendants' preliminary objections to the plaintiffs' complaint are overruled.

The defendants' objection in the nature of a demurrer, arguing that the plaintiffs' complaint is legally insufficient, is overruled. It is further considered a speaking demurrer, because it asks the court to consider evidence of fact that does not appear on the face of the pleading.

The defendants' objection in the nature of insufficient pleading is overruled, as the complaint is sufficient to place the defendants on notice of the claims against which they must defend.

Caption: Bernard & Nebenzahl, L.L.C. v. Ashley Development Corporation and Louis Pektor

Term No.: C-48-CV-2008-5731

Keywords: Misjoinder of a Cause of Action; Pa. R.C.P. No. 1028(a)(5); Demurrer; Pa. R.C.P. No. 1028(a)(4)

Attorney(s): Kevin T. Fogerty, Esquire for Plaintiff
David C. Bennett, Esquire for Defendants

Date of Order: November 18, 2008

Judge: Anthony S. Beltrami, J.

Description of Decision:

The defendants' preliminary objections to the plaintiffs' complaint are overruled.

The defendants' objection in the nature of a misjoinder of a cause of action is in fact a demurrer. Since, for the purposes of this action, the plaintiffs' averments must be regarded as true, the complaint states a legally cognizable cause of action for breach of contract.



PERIODICAL PUBLICATION

*** Dated Material. Do Not Delay. Please Deliver Before Monday, March 16, 2009**