

# Northampton County Reporter

(USPS 395-280)

VOL. LV

EASTON, PA June 4, 2009

NO. 75

**Northampton County Reporter Digest—2009-6**

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**INSERT:** Blue: 1. Walk for a Healthy Community  
2. 2009 Calendar  
3. Elder Law Forum  
4. "The Role of Problem-Solving Courts as a Subset Within Pennsylvania's  
County Courts"  
Cream: 1. Custody Trial, Appeals and Case Law

### **NOTICE TO THE BAR...**

**Lehigh County Court of Common Pleas Domestic Relations News—see  
page 10.**

\* \* \* \* \*

Save the Date!  
Summer Outing—Thursday, July 23, 2009  
Louise Moore Park

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*Northampton County Reporter*

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Gloria A. Robison . . . . . Attorney Referral  
Deborah J. Flanagan . . . . . Attorney Referral

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

Subscription Price—\$75.00 per year.

Periodical Postage Paid at Easton, PA and additional office.

Postmaster: Send all communications and address changes to:

**NORTHAMPTON COUNTY REPORTER**  
155 South Ninth St., Easton, PA 18042-4399  
Telephone (610) 258-6333 FAX (610) 258-8715  
Edward P. Shaughnessy, Esquire  
Editor

**NOTICE TO NCBA MEMBERS – BAR NEWS**

***Save the Date***

NCBA Summer Outing—Thursday, July 23, 2009

Miniature golf is back by popular demand along with the “friendly” Quoits Tournament.

Clear your calendar for a fun day of activities, good food and friends.

***Lehigh County Bar Association CLE Program—Thursday, June 25, 2009***

“The Role of Problem-Solving Courts as a Subset Within  
Pennsylvania’s County Courts”

Presented by: PA Supreme Court Justice Seamus P. McCaffery

See registration information inside.

***Reporter Deadline Change—July 2, 2009 Issue***

Due to the July 4<sup>th</sup> holiday, the deadline for the July 2 Reporter is changed to Monday, June 29 @ 12:00 p.m. Please mark your calendars.

A sense of humor is part of the art of leadership, of getting along with people, of getting things done. ~ Dwight D. Eisenhower

**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****BRUNE, JULIA E. a/k/a JULIA MILLER BRUNE, dec'd.**

Late of the City of Bethlehem, Northampton County, PA  
Executrices: Caroline M. DiGiacomo, Eva W. Bishop and Diana M. Steele 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

**KOEHLER, WARREN A., dec'd.**

Late of Allen Township, Northampton County, PA  
Administrator C.T.A.: Thomas L. Koehler, 1024 Valley Road, Northampton, PA 18067

Attorneys: David B. Shulman, Esquire, Shulman Shabbick & Sebelin, 1935 Center Street, Northampton, PA 18067

**KRYK, JEFFREY L., dec'd.**

Late of Washington Township, Northampton County, PA  
Administratrix: Vicki Kryk, 307 Promontory Point Drive, Cary, NC 27513

**ROSMARIN, FLORENCE E., dec'd.**

Late of the City of Bethlehem, Northampton County, PA

Executor: Gene B. Rosmarin c/o Justin K. McCarthy, Esquire, Suite 100, 528 N. New Street, Bethlehem, PA 18018

Attorney: Justin K. McCarthy, Esquire, Suite 100, 528 N. New Street, Bethlehem, PA 18018

**SNOEY, ADRIANUS, dec'd.**

Late of the City of Bethlehem, Northampton County, PA

Executrix: Melissa A. Mittl c/o Mary Ann Snell, Esquire, Suite 311, 3400 Bath Pike, Bethlehem, PA 18017

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

**TAYLOR, RICHARD STOCKTON, dec'd.**

Late of the City of Bethlehem, Northampton County, PA

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

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

**UHLER, MARY E., dec'd.**

Late of the Borough of Nazareth, Northampton County, PA

Executrix: Gail L. Kromer, 59 West High Street, Nazareth, PA 18064.

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

**URBAN, DAVID M.**, dec'd.

Late of Williams Township, Northampton County, PA  
Administratrix: Mary Koziol c/o Richard J. Marusak, Esquire, Ustynoski & Marusak, LLC, 101 West Broad St., Suite 205, Hazleton, PA 18201  
Attorneys: Richard J. Marusak, Esquire, Ustynoski & Marusak, LLC, 101 West Broad St., Suite 205, Hazleton, PA 18201

**WERT, CLAYTON S.**, dec'd.

Late of the Borough of Hellertown, Northampton County, PA  
Executrix: Carolyn A. Wert c/o Bradford D. Wagner, Esquire, 662 Main Street, Hellertown, PA 18055-1726  
Attorney: Bradford D. Wagner, Esquire, 662 Main Street, Hellertown, PA 18055-1726

**SECOND PUBLICATION****BARBERI, JOHN J.**, dec'd.

Late of Northampton, Northampton County, PA  
Co-Executrices: Patricia A. Smith, Susan M. Mease and Vicki J. Barberi c/o E. Keller Kline, III, Esquire, Kline and Kline, 731 Turner Street, Allentown, PA 18102  
Attorneys: E. Keller Kline, III, Esquire, Kline and Kline, 731 Turner Street, Allentown, PA 18102

**CARPENTER, ROBERT L.**, dec'd.

Late of the Township of Moore, Northampton County, PA  
Executor: Brett R. Carpenter 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

**DEUTSCH, DENNIS J.**, dec'd.

Late of the Township of Bushkill, Northampton County, PA  
Executrix: Deborah A. Deutsch, 1243 Clearfield Road, Nazareth, PA 18064  
Attorneys: Peters, Moritz, Peischl, Zulick, Landes & Brienza, LLP, 1 South Main Street, Nazareth, PA 18064

**DUNBAR, HARVEY L.**, dec'd.

Late of the Township of East Allen, Northampton County, PA  
Executrix: Joy G. Hemming, 5905 Old Carriage Road, Bath, PA 18014  
Attorneys: Peters, Moritz, Peischl, Zulick, Landes & Brienza, LLP, 1 South Main Street, Nazareth, PA 18064-2083

**HILL, KATHRYN ELIZABETH a/k/a KATHRYN HILL**, dec'd.

Late of the Township of Upper Mount Bethel, Northampton County, PA  
Co-Executors: Thomas D. Hill and Robert E. Hill 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

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

Late of the City of Bethlehem, Northampton County, PA  
Executrix: Beverly Krenos 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

**MALITSKY, EDWARD J.**, dec'd.

Late of Lower Nazareth Township, Northampton County, PA  
 Executor: Thomas Malitsky, 417 Grange Rd., Allentown, PA 18106

**MARZUOLI, JOSEPH A.**, dec'd.

Late of 166 Canal Street, Easton, Northampton County, PA  
 Administrator: Steven J. Marzuoli c/o George M. Baurkot, Esquire, 227 S. 7th Street, Easton, PA 18042  
 Attorney: George M. Baurkot, Esquire, 227 S. 7th Street, Easton, PA 18042

**PETROLLINI, HENRY A.**, dec'd.

Late of No. 2210 Weida Lane, Hellertown, Northampton County, PA  
 Executrix: Alice E. Petrollini c/o Thomas C. Anewalt, Esquire, 234 North 6th Street, Reading, PA 19601  
 Attorney: Thomas C. Anewalt, Esquire, 234 North 6th Street, Reading, PA 19601

**RHOADES, KARL A.**, dec'd.

Late of the Township of Palmer, Northampton County, PA  
 Executrix: Kay M. Mancke c/o Stanley M. Vasiliadis, Esquire, 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

**SCHECK, FRANK**, dec'd.

Late of the City of Bethlehem, Northampton County, PA  
 Executor: Frank J. Scheck c/o John Kotsatos, Esquire, Law Offices of Peter G. Angelos, P.C., 60 W. Broad St., Suite 200, Bethlehem, PA 18018

Attorneys: John Kotsatos, Esquire, Law Offices of Peter G. Angelos, P.C., 60 W. Broad St., Suite 200, Bethlehem, PA 18018

**TURCIC, PETER J.**, dec'd.

Late of the Township of Upper Mt. Bethel, Northampton County, PA  
 Co-Executors: Elizabeth Turcic, 63 Swamp Road, Phillipsburg, NJ 08865 and James Turcic, 378 Mountain Lake Road, Great Meadows, NJ 07838  
 Attorney: Gary Neil Asteak, Esquire, 726 Walnut Street, Easton, PA 18042

**THIRD PUBLICATION****DEUTSCH, DOROTHY A. a/k/a DOROTHY ANN DEUTSCH**, dec'd.

Late of the Borough of Nazareth, Northampton County, PA  
 Executor: Dennis C. Deutsch 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

**EWADINGER, EVELYN M.**, dec'd.

Late of Easton, Northampton County, PA  
 Executor: Eston Morgan c/o Dennis P. Ortwein, Esquire, 5201 William Penn Highway, Easton, PA 18045  
 Attorney: Dennis P. Ortwein, Esquire, 5201 William Penn Highway, Easton, PA 18045

**KOCHER, RALPH H., SR.**, dec'd.

Late of 517 East Washington Avenue, Bethlehem, Northampton County, PA

Executrix: Cori J. Kocher, 101 Coyote Drive, Jim Thorpe, PA 18229

Attorney: Robert N. Rust, III, Esquire, 4461 Kohler Drive, Allentown, PA 18103

**MERRITT, JANE K.**, dec'd.

Late of Moore Township, Northampton County, PA

Executor: John B. Merritt c/o R. Leonard Davis, III, Esquire, Drake, Hileman & Davis, Bailiwick Office Campus, Suite 15, P.O. Box 1306, Doylestown, PA 18901

Attorneys: R. Leonard Davis, III, Esquire, Drake, Hileman & Davis, Bailiwick Office Campus, Suite 15, P.O. Box 1306, Doylestown, PA 18901

**PASTUSZEK, CHRISTINA H.**, dec'd.

Late of the Borough of Northampton, Northampton County, PA  
Executor: Louis P. Prati, 511 Banks St., Northampton, PA 18067

**ROBINSON, WILLIE, JR. a/k/a WILLIE J. ROBINSON, JR. a/k/a WILLIE ROBINSON**, dec'd.

Late of the Township of Bethlehem, Northampton County, PA  
Administrator: Nicholas M. Zanakos, Esquire, 742 Main Street, Bethlehem, PA 18018  
Attorney: Nicholas M. Zanakos, Esquire, 742 Main Street, Bethlehem, PA 18018

**RUCH, MARTHAJANE**, dec'd.

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

Executrix: Valerie A. Dilliard, 4958 Steuben Road, Nazareth, PA 18064

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

**STOUT, BONNIE L.**, dec'd.

Late of the Township of Bethlehem, Northampton County, PA  
Co-Executors: David R. Stout and Lisa M. Ortwein 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

**TORKOS, DOROTHY**, dec'd.

Late of 110 Motil Road, City of Hellertown, Northampton County, PA

Executrix: Wendy J. Ashby, JD, Ashby Law Offices, LLC, 246 West Broad Street, Suite 3, Quakertown, PA 18951

Attorneys: Wendy J. Ashby, JD, Ashby Law Offices, LLC, 246 West Broad Street, Suite 3, Quakertown, PA 18951

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**TRUST NOTICE**

NOTICE IS HEREBY GIVEN of the existence of the trusts of the deceased settlors set forth below for whom no personal representatives have been appointed within 90 days of death. All persons having claims or demands against said trusts are requested to make known the same, and all persons indebted to said trusts are requested to make payment, without delay, to the trustees or to their attorneys named below.

**KUKLENTZ, RICHARD C.**, dec'd.

Late of Bethlehem Township, Northampton County, PA  
Successor Trustees: Richard C. Kuklantz, Jr. and Guy W.

Kuklantz c/o Paul A. Florenz,  
Esquire, Kolb, Vasiliadis and  
Florenz, 74 W. Broad St., Ste.  
170, Bethlehem, PA 18018-  
5738

Attorneys: Paul A. Florenz, Es-  
quire, Kolb, Vasiliadis and Flo-  
renz, 74 W. Broad St., Ste. 170,  
Bethlehem, PA 18018-5738

May 28; June 4, 11

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**LIMITED LIABILITY COMPANY  
NOTICES**

NOTICE IS HEREBY GIVEN that  
a Certificate of Organization for a  
Domestic Limited Liability Company  
has been filed with the Department  
of State of the Commonwealth of  
Pennsylvania at Harrisburg, Pennsyl-  
vania, on or about May 11, 2009, for  
the purpose of creating a Limited Li-  
ability Company under the Limited  
Liability Company Law of 1994, P.L.  
703, No. 106.

The name of the Limited Liability  
Company is:

**DUTT ROOFING SOLUTIONS LLC**

Dutt Roofing Solutions LLC  
875 Morvale Road  
Easton, PA 18042

June 4

---

NOTICE IS HEREBY GIVEN that  
the Certificate of Organization has  
been filed with the Department of  
State of the Commonwealth of Penn-  
sylvania, at Harrisburg, Pennsylva-  
nia, for the purpose of obtaining a  
Certificate of Organization of a pro-  
posed 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 amend-  
ed. The name of the corporation is:

**G&S HOME BUYERS, LLC**

The Certificate of Organization has  
been filed on May 15, 2009.

P. CHRISTOPHER COTTURO,  
ESQUIRE  
75 Bangor Junction Road  
Bangor, PA 18013

June 4

---

NOTICE IS HEREBY GIVEN that  
Notice of Certificate of Organization—  
Domestic Limited Liability Company  
were filed with the PA Dept. of State  
at Harrisburg, PA, for the purpose of  
creating a Limited Liability Company  
under the Limited Liability Company  
Law of 1994, P.L. 703, No. 106, under  
the name of:

The name of the LLC is:

**TRGlobe, LLC**

The Certificate of Organization  
was filed on May 4, 2009.

NICHOLAS R. SABATINE, III,  
ESQUIRE

NICHOLAS R. SABATINE, III, P.C.  
16 S. Broadway  
Suite 1  
Wind Gap, PA 18091

June 4

---

**CORPORATE FICTITIOUS NAME  
REGISTRATION NOTICE**

NOTICE IS HEREBY GIVEN, pur-  
suant to the provisions of Act 295 of  
1982 (54 Pa.C.S.A. Sec. 311 et seq.),  
of intention to file, or the filing of, in  
the Office of the Secretary of the Com-  
monwealth of Pennsylvania, at Har-  
risburg, Pennsylvania, a Certificate  
filed on May 7, 2009 for the conduct  
of a business in Northampton Coun-  
ty, Pennsylvania, under the assumed  
or fictitious name, style, or designa-  
tion of:

**ALLSTATE PORTABLE  
RESTROOMS**

with its principal place of business at:  
5167 Berry Hollow Road, Bangor,  
Pennsylvania 18013.

The entity interested in said busi-  
ness is: Allstate Septic Systems,  
LLP.



ALYSSA LOPIANO-REILLY,  
ESQUIRE  
641 Market Street  
Bangor, PA 18013

June 4

**IN THE COURT OF COMMON  
PLEAS OF NORTHAMPTON  
COUNTY, PENNSYLVANIA  
ORPHANS' COURT DIVISION**  
INVOLUNTARY TERMINATION OF  
PARENTAL RIGHTS  
In Re: M.D.C. minor child of Y.C.  
**NO. 2009-0032**

TO: Any natural, putative and/or  
presumptive father of M.D.C. a  
child born to Yolanda Cordona  
(Cardona) on February 29, 2008  
NOTICE

A Petition has been filed asking  
the Court to put an end to all rights  
you have to your child: M.D.C. The  
Court has set a hearing to consider  
ending your rights to your child. The  
hearing will be held in Courtroom No.  
4, Northampton County Government  
Center, 669 Washington Street, East-  
ton, Pennsylvania, on June 16, 2009  
at 10:00 o'clock A.M. You are warned  
that even if you fail to appear at the  
scheduled hearing, the hearing will  
go on without you and your rights to  
your child may be ended by the Court  
without your being present. You have  
the right to be represented at the  
hearing by a lawyer. You should take  
this paper to your lawyer at once.

If you cannot afford a lawyer, go  
to or telephone the office set forth  
below to find out where you can get  
legal help.

Lehigh Valley Legal Services  
65 E. Elizabeth Ave.  
Suite 903  
Bethlehem, PA 18018  
(610) 317-8757

If you can afford to hire a lawyer,  
but do not have a lawyer, go to or  
telephone the office set forth below to  
find out where you can get legal  
help.

Lawyer Referral Service  
155 South Ninth Street  
Easton, PA 18042  
(610) 258-6333  
KARL F. LONGENBACH, ESQUIRE  
Office of the Solicitor  
Northampton County Government  
Center  
Easton, PA 18042

June 4

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

In Re: Petition for Change of Name  
NOTICE OF CHANGE OF NAME  
NOTICE IS HEREBY GIVEN that  
on May 13, 2009, the Petition of Mi-  
chael Ashford Taggart was filed in the  
Northampton County Court of Com-  
mon Pleas at Docket No. CV-2009-  
4789, seeking to change the name of  
Michael Ashford Taggart to Michael  
Ashford Russ.

The Court has fixed June 26,  
2009, at 9:00 a.m., in Courtroom 1,  
Northampton County Courthouse as  
the date and place for hearing of the  
Petition. All persons interested in the  
proposed change of name may appear  
and show cause, if any they have, why  
the prayer of the Petitioner should not  
be granted.

JOSHUA E. KAROLY, ESQUIRE  
1555 N. 18th Street  
Allentown, PA 18104  
(610) 820-9790

June 4

**LEHIGH COUNTY COURT OF COMMON PLEAS  
DOMESTIC RELATIONS NEWS**

**MOVING**

The Lehigh County Domestic Relations Section is moving June 1, 2009 to 14 N. 6th Street, Allentown, PA 18101 (The Sovereign Building). Access to DRS is limited to the 6th Street entrance. The telephone and fax numbers will not change.

**TUESDAY EVENING COURT FOR CONTEMPT**

As of June 2, 2009, the Honorable William Ford, Administrative Judge, will hold Domestic Relations **contempt hearings** on Tuesday evenings in his court room. These hearings will be in addition to normal bench warrant and contempt hearings scheduled during the afternoons during the week.

**WEDNESDAY EVENING CONFERENCES FOR ESTABLISHMENT & MODIFICATION**

Starting June 10, 2009, the Domestic Relations Section will conduct additional establishment and modification conferences on Wednesdays between 4:45 p.m. and 6:15 p.m. Conferences will continue to be scheduled through August on Wednesday evenings.

Vivian M. Appel, Esq.  
Family Court Administrator  
(610) 871-1962  
vivianappel@lehighcounty.org

May 28; June 4

**BACH ELDER LAW** [www.Bach-Elder-Law.com](http://www.Bach-Elder-Law.com)

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**Fredric C. Jacobs, Esq.** LLM (Taxation)

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**NORTHAMPTON COUNTY REPORTER DIGEST—2009-6**

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](http://www.northamptoncounty.org)

**Caption:** Lower Mount Bethel Township v. North River Company, LLC

**Term No.:** C-48-CV-2007-6856

**Keywords:** Petition for Leave to Intervene

**Attorney(s):** Trisha M. Majumdar, Esquire for Plaintiff  
Erv D. McLain, Esquire for Defendant  
Anthony J. Sabella, Pro Se

**Date of Order:** March 9, 2009

**Judge:** Anthony S. Beltrami, J.

**Description of Decision:**

The petitioner’s Petition for Leave to Intervene is denied, as the petitioner has not established that he meets any of the criteria outlined in Pa.R.C.P. No. 2327.

---

**Caption:** Commonwealth v. Earl Sampson, Jr.

**Term No.:** C-48-CR-2006-1239

**Keywords:** Motion for Post Conviction Collateral Relief

**Attorney(s):** John Obrecht, Esquire for Commonwealth  
Robert Sletvold, Esquire, for Defendant

**Date of Order:** March 10, 2009

**Judge:** Anthony S. Beltrami, J.

**Description of Decision:**

The defendant’s clam that he did not understand the term “malice” when he pleaded guilty to third-degree murder is meritless, and the defendant’s Motion for Post Conviction Collateral Relief is denied.

---

**Caption:** Karen Conley and Dennis Conley, Administrators of the Estate of Raymond Lee Conley, Deceased v. Bridgestone/Firestone North American Tire, LLC, Individually and As Successor in Interest to Bridgestone/Firestone, Inc. and Bridgestone Americas Holding Inc., Oshkosh Truck Corporation and Bergey’s, Inc., and Bergey’s Retread Technologies, Inc., and McNeilus Truck and Manufacturing, Inc. v. Rock Hill Materials Company

**Term No.:** C-48-CV-2005-2895

**Keywords:** Motions for Summary Judgment and Partial Summary Judgment

**Attorney(s):** James A. Waldenberger, Esquire for Plaintiff  
Daniel J. Hart, Esquire, for Oshkosh Defendant  
John A. Livingood, Esquire, for Bergey’s Defendant  
Gerard P. Dietrich, Esquire, for Firestone Defendants  
Thomas R. Cunningham, Esquire for Rock Hill Defendants

**Date of Order:** March 11, 2009

**Judge:** Anthony S. Beltrami, J.

**Description of Decision:**

The Motion for Partial Summary Judgment of Defendants, Bergey’s, Inc. and Bergey’s Retread Technologies, Inc. is denied. The Motion for Partial Summary

Judgment of Defendants Oshkosh Trucking Corporation and McNeilus Truck and Manufacturing, Inc. is denied. The Motion for Summary Judgment of Defendant Rock Hill Materials Company is denied. Because the plaintiffs have failed to produce sufficient evidence that the defendants distributed the tire in question, the Motion for Summary Judgment of Defendants Bridgestone Firestone North American Tire, LLC and Bridgestone Americas Holding, Inc. is granted. Judgment is hereby entered in favor of Bridgestone Firestone North American Tire, LLC and Bridgestone Americas Holding, Inc. The Motion for Summary Judgment on Punitive Damages of Defendants Bridgestone Firestone North American Tire, LLC and Bridgestone Americas Holding, Inc. is denied as moot.

---

**Caption:** **The Lock Doctor, Inc. v. William E. Timmann**

**Term No.:** C-48-CV-2009-209

**Keywords:** Preliminary Injunction

**Attorney(s):** Dennis A. DeEsch, Esquire for Plaintiff  
William E. Timmann, Pro Se

**Date of Order:** March 17, 2009

**Judge:** Anthony S. Beltrami, J.

**Description of Decision:**

The plaintiff's Petition for Preliminary Injunction Relief is granted, and the defendant is enjoined from using the name "The Lock Doctor," as such use constitutes unfair competition.

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**Caption:** **Easton Area School District v. Palmer Township Zoning Hearing Board v. Palmer Township v. James and Elizabeth McKiniry, Lee and Lucille Mearhoff, Michael and Danielle Mancino, Brian and Marcia McLean, Edward and Patricia Corcoran, and Karen Stocker**

**Term No.:** C-48-CV-2008-8209

**Keywords:** Appeal from Zoning Hearing Board Decision

**Attorney(s):** Alan B. McFall, Esquire for Appellant  
Nicholas Noel, III, Esquire, for Appellee  
Charles Bruno, Esquire, for Intervenor  
Christopher M. McLean, Esquire, for Intervenors

**Date of Order:** March 24, 2009 (amended March 27, 2009)

**Judge:** Anthony S. Beltrami, J.

**Description of Decision:**

Easton Area School District's Appeal from the July 15, 2008 decision of the Palmer Township Zoning Hearing Board is denied, as application represents the unlawful expansion of a nonconforming use.

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**Caption:** **Carl Modica, Jr., d/b/a C.M. Enterprises v. William O. Redline**

**Term No.:** C-48-CV-2008-4390

**Keywords:** Motions for Summary Judgment and Partial Summary Judgment

**Attorney(s):** Gary A. Brienza, Esquire for Plaintiff  
Pro Se, Defendant

**Date of Order:** April 6, 2009

**Judge:** Anthony S. Beltrami, J.

**Description of Decision:**

The plaintiff's Motion to Strike the letters filed by the defendant on October 3, 2008 and November 20, 2008 is granted. The letters are stricken with prejudice, as they fail to conform to the rules of civil procedure and the Honorable Emil Giordano's prior order.

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**Caption:** Tadd M. Kehler v. D.P. Construction, Inc.

**Term No.:** C-48-CV-2007-9312

**Keywords:** Motion to Amend Complaint

**Attorney(s):** Roy A. Manwaring, Esquire for Plaintiff  
Brian R. Tipton, Esquire for Defendant

**Date of Order:** April 6, 2009

**Judge:** Anthony S. Beltrami, J.

**Description of Decision:**

The plaintiff's Motion to Amend the complaint to add the successor corporation and the corporations' owners as additional defendants, in a construction case, is granted.

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**Caption:** Darcel Smith and Andrew Smith v. Kelly Doerfler

**Term No.:** C-48-CV-2008-12376

**Keywords:** Preliminary Objections

**Attorney(s):** Frank Pollock, Esquire for Plaintiffs  
G. Christopher Parrish, Esquire for Defendant

**Date of Order:** April 16, 2009

**Judge:** Anthony S. Beltrami, J.

**Description of Decision:**

The defendant's preliminary objections, in an automobile accident case, are sustained, and any reference to the defendant's "reckless" acts is stricken from the complaint, there being no facts pleaded to support such allegations.

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