

LYCOMING REPORTER

Vol. 31

November 28, 2014

No. 48

TABLE OF CONTENTS

BAR NEWS	LEGAL ADVERTISEMENTS
LLA Upcoming Events..... 3	Estate & Trust Notices..... 9
Continuing Legal Education 4	Confirmation of Accounts 11
Recent Lycoming County Court Opinions 6	
Notice to Profession..... 7	

LYCOMING REPORTER

(USPS 322-900)

THE OFFICIAL LEGAL PERIODICAL FOR LYCOMING COUNTY

PUBLISHED EVERY FRIDAY BY
LYCOMING LAW ASSOCIATION

EDITOR: Gary L. Weber • *BUSINESS MANAGER:* Michele S. Frey

Penn Tower
25 West Third Street, Suite 803
Williamsport, PA 17701

Telephone: (570) 323-8287
Fax: (570) 323-9897
Website: www.lycolaw.org

Copyright © 2014, Lycoming Law Association
Williamsport, Pennsylvania

LYCOMING REPORTER (ISSN 0884-187X) is published weekly for \$50 per annum by the Lycoming Law Association, Penn Tower, 25 West Third Street, Suite 803, Williamsport, PA 17701.

Legal Notices of less than 300 words in length must be received by 1:00 P.M. on the Tuesday preceding the date of publication; all other notices must be received by 4:00 P.M. on the Monday preceding the date of publication.

Periodical postage paid at Williamsport, PA 17701-9998 and additional mailing offices.

POSTMASTER: Send address changes to LYCOMING REPORTER, Penn Tower, 25 West Third Street, Suite 803, Williamsport, PA 17701.

Library of Congress Catalog Card Number 61 – 18866

LYCOMING LAW ASSOCIATION

Penn Tower, 25 West Third Street, Suite 803

Williamsport, PA 17701

www.lycolaw.org

EXECUTIVE COMMITTEE

Thomas Waffenschmidt, President
Robert Cronin, President-Elect
Ryan M. Tira, Treasurer
Tammy Avery Weber, Secretary

Julianne E. Steinbacher,
Past President
Jennifer L. Heverly
Christian D. Frey
Clifford A. Rieders
Angela Campana Lovecchio

EDITOR OF LYCOMING REPORTER

Gary L. Weber

EXECUTIVE DIRECTOR

Michele S. Frey

COMMITTEE CHAIRS

Bench Bar: *C. Edward Mitchell*

Customs and Rules: *Gary Weber*

Community Activities and
Outreach: *Tammy Weber*

Education: *John Pietrovito*

Social:

Young Lawyers Division:

Aaron Biichle and Corey Mowrey

Fee Dispute: *Michael Collins*

Publicity: *Angela Campana Lovecchio*

Legal Services for the Indigent:

John Pietrovito

Bar History: *Charles Greevy, III*

Technology and LLA Web Site:

Gary Weber

Law Day: *Robin Read*

Family Law: *Christina Dinges*

Elder Law: *Jennifer Linn and*

Eric Ladley

Real Estate: *Fred Holland*



Your online connection for:

- Court Calendar • Continuing Legal Education
- Conference Room Facilities • Legal Assistance
- Recent Court Decisions • Upcoming LLA & Public Events

www.lycolaw.org

SCHEDULED EVENTS

Additional information about any of these events is available on the Lycoming Law Association website at www.lycolaw.org.

- 12/11/2014 – First Day of Angel Tree Toy Drive:** *The Annual Angel Tree Toy Drive is beginning.* **Time:** to . **Location:**
- 12/15/2014 – New Attorney Admission Ceremony 2014:** *Annual Attorney Admission Ceremony to the various courts of Lycoming County.* **Time:** 4:00 PM to 5:00 PM. **Location:** Courtroom 1, Lycoming County Courthouse
- 12/12/2014 – Last Day of Angel Tree Toy Drive:** *The Annual Angel Tree Toy Drive is ending.* **Time:** to . **Location:**
- 1/12/2015 – LLA Executive Committee Meeting:** *Regular monthly meeting.* **Time:** 12:00 PM to 1:00 PM. **Location:** LLA Office
- 1/12/2015 – LLA & LLA Foundation Annual Meeting:** *Membership meeting to elect officers, consider reports and vote on by-laws changes.* **Time:** 4:00 PM to 5:00 PM. **Location:** Jury Assembly Room, Lycoming County Courthouse
- 1/12/2015 – LLA Annual Banquet:** *The annual banquet and awards ceremony.* **Time:** 5:00 PM to 8:00 PM. **Location:** Le Jeune Chef, Williamsport, PA

UPCOMING LYCOMING COUNTY CLE OPPORTUNITIES

- 12/2/2014 – Distracted Driving:** *PBI Video Replay.* **CLE credits:** 3.5 Substantive / .5 Ethics **Time:** 9:00 AM to 1:30 PM. **Location:** LLA Office
- 12/3/2014 – Trial Evidence:** *PBI Groupcast.* **CLE credits:** 5 Substantive / 1 Ethics **Time:** 8:30 AM to 3:30 PM. **Location:** LLA Office
- 12/4/2014 – Social Media: Do Employers “Like” What Their Employees Are Doing Online?:** *PBI Video Replay.* **CLE credits:** 5 Substantive / 1 Ethics **Time:** 9:00 AM to 1:30 PM. **Location:** LLA Office
- 12/9/2014 – Retirement Planning for Attorneys:** *PBI Video Replay.* **CLE credits:** 5 Substantive / 1 Ethics **Time:** 9:00 AM to 1:30 PM. **Location:** LLA Office
- 12/10/2014 – Criminal Law Update 2014:** *PBI Groupcast.* **CLE credits:** 3 Substantive / 1 Ethics **Time:** 12:00 PM to 4:15 PM. **Location:** LLA Office
- 12/11/2014 – The Impact of the Affordable Care Act on Medicare:** *PBI Video Replay.* **CLE credits:** 4 Substantive **Time:** 9:00 AM to 1:30 PM. **Location:** LLA Office
- 12/12/2014 – Tools and Tips for Pro Bono Attorneys: The PFA Case:** *The course provides CLE at a discounted rate to encourage attorneys to take pro bono Protection From Abuse cases in Lycoming County. Judge McCoy will introduce the topic and provide the judicial perspective on PFA matters.* **CLE credits:** 3 **Time:** 9:00 AM to 12:00 PM. **Location:** The Elder & Special Needs Resource Center, 401 Washington Blvd., Williamsport
- 12/15/2014 – UM/UIM Limited Tort: How to Handle or Defend a Limited Tort Case:** *PBI Groupcast.* **CLE credits:** 6 Substantive **Time:** 9:00 AM to 4:15 PM. **Location:** Lycoming Law Association Conference Center
- 12/15/2014 – Child Protection Legislation Update:** *Training will be on the Child Protective Services Law 23 Pa. C.S. §63 as amended in response to the recommendations of the Task Force on Child Protections. Lunch provided. One CLE credit at the cost of \$2.00.* **CLE credits:** 1 **Time:** 11:45 AM to 1:00 PM. **Location:** Juror’s Lounge of the Lycoming County Courthouse
- 12/16/2014 – Financial Aspects of Divorce: Maximizing Settlements and Trial Outcomes:** *PBI Video Replay.* **CLE credits:** 3 Substantive **Time:** 9:00 AM to 12:30 PM. **Location:** LLA Office
- 12/18/2014 – A Primer on Collecting & Enforcing Judgments:** *PBI Groupcast.* **CLE credits:** 4 Substantive **Time:** 9:00 AM to 1:15 PM. **Location:** LLA Office
- 1/20/2015 – Advanced Medicaid Planning for Long-Term Care:** *PBI Groupcast.* **CLE credits:** 4 Substantive **Time:** 8:30 AM to 12:45 PM. **Location:** LLA Office

-
- 1/21/2015 – The New POA Law – Drafting, Forms and Best Practices:** *PBI Groupcast.* **CLE credits:** 3 Substantive **Time:** 9:00 AM to 12:15 PM. **Location:** Lycoming Law Association Conference Center
- 1/27/2015 – Trial Evidence:** *PBI Video Replay.* **CLE credits:** 5 Substantive / 1 Ethics **Time:** 9:00 AM to 5:00 PM. **Location:** LLA Conference Center
- 1/28/2015 – Inns of Court Meeting:** *Regular Meeting of the Charles F. Greevy, Jr. American Inn of Court.* **CLE credits:** 1 **Time:** 5:45 PM to 8:30 PM. **Location:** TBA
- 1/29/2015 – Hot Topics in Capital Cases – Part I:** *PBI Groupcast.* **CLE credits:** 4 Substantive **Time:** 12:00 PM to 4:15 PM. **Location:** LLA Office
- 2/3/2015 – How to Prepare a Fiduciary Income and Decedent’s Final Lifetime Income Tax Returns:** *PBI Video Replay.* **CLE credits:** 4 Substantive **Time:** 9:00 AM to 1:30 PM. **Location:** LLA Conference Center
- 2/5/2015 – Act 95 – New Power of Attorney Law:** *PBI Video Replay.* **CLE credits:** 3 Substantive **Time:** 9:00 AM to 12:30 PM. **Location:** LLA Conference Center
- 2/10/2015 – Probate & Trust Law – We Are Living (and Dying) in a Digital World: Estate Planning for Digital Assets and Accounts:** *PBI Video Replay.* **CLE credits:** 2 Substantive **Time:** 9:00 AM to 11:00 AM. **Location:** LLA Conference Center
- 2/13/2015 – The Emerging Retiree – Strategies for Maximizing Social Security Benefits and Retirement Plans:** *PBI Groupcast.* **CLE credits:** 3 Substantive **Time:** 12:00 PM to 3:15 PM. **Location:** LLA Office
- 2/19/2015 – 21st Annual Auto Law Update:** *PBI Video Replay.* **CLE credits:** 3 Substantive / 1 Ethics **Time:** 9:00 AM to 1:30 PM. **Location:** LLA Conference Center
- *PBI Seminar.** For tuition, registration, and all other information, please contact PBI Customer Service at (800) 247-4724, or online at www.pbi.org. Unless otherwise noted, this seminar is being held at the Lycoming Law Association Offices at 25 West Third Street, Suite 803, Williamsport, PA. Additional fees may be assessed for registration at the door.
- **LLA Seminar.** For tuition, registration, location, and all other information, please contact Michele Frey at the LLA Office at (570) 323-8287, by email at mfrey@lycolaw.org, or online at www.lycolaw.org.

The full text of the following Lycoming County Court opinions is reported at www.lycolaw.org/Cases/search.asp.

- **Ball vs. Lt. Savage et al.** (11/21/2014)—Judge Richard A. Gray
Civil: Prisoner suit; motion to strike default judgment entered against person who was never properly made a defendant; fatal defect apparent upon the record; permissible pleadings; necessity to respond to answer to new matter with new matter; prison conditions litigation; three strikes rule; revocation of IFP status. (Ball112114g)
- Van Horn vs. Nearhoof and Walters vs. Moser** (11/21/2014)—Judge Dudley N. Anderson
Civil: Non jury trial; claim for breach of contract; conveyance as part of an estate or asset protection plan; deed given in consideration of support; equitable relief; cancellation or rescission on equitable terms; failure of consideration. (vanhorn112114a)
- Commonwealth vs. Harvey** (11/18/2014)—Judge Nancy L. Butts
Criminal: Post-sentence motion; sufficiency and weight of evidence; circumstantial evidence of theft; failure of jury to believe claim that defendant was borrowing rather than stealing a gun, did not shock the conscience of the court; claimed excessive sentence. (Harvey111814bt)
- SB vs. JB-S** (11/03/2014)—Judge Joy Reynolds McCoy
Custody: Petition for counsel fees, costs, and expenses; conduct of party that was obdurate, vexatious, repetitive or in bad faith; obdurate conduct involving mother encouraging child to make false report of abuse by father; filing emergency petition without factual grounds; best interests of child; mother’s damaging behavior traumatizing the child; reasonableness of attorney bill; mother’s limited financial resources. (sb110314m)
- Harris vs. Amerispec Quality Home Inspections, LLC and Hammond** (11/18/2014)—Judge Dudley N. Anderson
Civil: Preliminary objections; contract claim; personal liability of corporate shareholders; presumption against piercing the corporate veil; general factual allegations and legal conclusions. (harris111814a)

Please be advised that the New Attorney Swearing-In Ceremony will be held on Friday, December 5, 2014, at 4:00 p.m., in Courtroom No. 1 at the Lycoming County Courthouse. All newly admitted attorneys, as well as attorneys new to the area, are invited to apply for admission to the Courts of Lycoming County.

There is an application form which must be completed and returned to the Court Administrator's Office at the Lycoming County Courthouse by **DECEMBER 1, 2014**. Copies of the application are available from the Court Administrator's Office, 4th Floor of the Courthouse, or on the Lycoming Law Association website at www.lycolaw.org.

Please forward this e-mail to new attorneys in your office or to attorneys you know are new to Lycoming County and would like to participate.

The Lycoming Law Association and the various Courts of Lycoming County welcome all!

N-21, 28

**Malcolm Muir: A Pioneer in the
Efficient Administration of Justice**

Narrated by John M. Humphrey

**Available for purchase from the
Lycoming Law Association**

Malcolm Muir: A Pioneer in the Efficient Administration of Justice documents the inspiring and impressive life of Malcolm Muir, who served for over forty years as a United States District Judge in the Middle District of Pennsylvania. Through extensive recollections and comments by Judge Muir, as well as comments and observations by numerous lawyers, staff, friends and family members, Judge Muir's groundbreaking reforms in civil and criminal procedure are chronicled, as are his achievements as a lawyer in private practice and a leader in the Lycoming Law Association and the Pennsylvania Bar Association. The film looks at the qualities of this respected man, his roles as patriot and father, and his unusual talents and personal traits.

With funding from the Lycoming Law Association and the Lycoming Law Association Foundation, and with generous contributions from numerous former law clerks of Judge Muir, this approximately one-hour film was produced from interviews and research conducted over a five-year period both before and after Judge Muir's death in July 2011. The documentary was written and is narrated by John M. Humphrey, Esq., a former law clerk and friend of Judge Muir, and was filmed and edited by Bryon Carey & Associates Production.

Cost: \$20.00, plus \$5.00 shipping.

Contact: Lycoming Law Association
lla@lycolaw.org or (570) 323-8287
to make arrangements for purchase.

ESTATE AND TRUST NOTICES

Notice is hereby given that, in the estates of the decedents set forth below, the Register of Wills has granted letters testamentary or of administration to the persons named. Notice is also 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 estates or trusts are requested to make known the same, and all persons indebted to said estates or trusts are requested to make payment, without delay, to the executors or administrators or trustees or to their attorneys named below.

FIRST PUBLICATION**Adams, John A.,** dec'd.

Late of Elmcroft of Loyalsock, 2985 Four Mile Drive, Montoursville.
 Executor: Randy B. Sorrenty, 16 Windham Dr., Concord, NH 03301.
 Attorneys: John A. Smay, Esquire, Williams and Smay, 39 South Main Street, P.O. Box 35, Muncy, PA 17756.

Arthur, Jean Frances a/k/a Jean F. Arthur, dec'd.

Late of Muncy.
 Administratrix: Pamela K. Arthur, 31 North Main Street, Suite 9, Muncy, PA 17756.
 Attorney: Layne R. Oden, Esquire, Nine South Main Street, Muncy, PA 17756-1306.

Beach, Glenn M., dec'd.

Late of Williamsport.
 Executor: Don L. Getgen, 2846 Bottle Run Road, Williamsport, PA 17701.
 Attorneys: McNerney, Page, Vanderlin & Hall, 433 Market Street, Williamsport, PA 17701.

Fitzsimmons, John F., dec'd.

Late of Williamsport.
 Administrator: Thomas S. Fitzsimmons, 1500 Aero Dr., Ste. 225, Linthicum, MD 21090.
 Attorney: Leroy H. Keiler, III, Esquire, 110 Oliver Street, Ste. 2, P.O. Box 263, Jersey Shore, PA 17740, (570) 398-2750.

Kline, William, dec'd.

Late of Williamsport.
 Executrix: Laura Kline Ryan, 1065 Route 45, Pilesgrove, NJ 08098.
 Attorneys: James D. Casale, Esquire, Casale & Bonner, P.C., 33 West Third Street, Suite 202, Williamsport, PA 17701, (570) 326-7044.

Leonard, Ethel H., dec'd.

Late of South Williamsport.
 Executor: Dennis J. Leonard, 80 Mountain View Drive, Jersey Shore, PA 17740.
 Attorneys: James D. Casale, Esquire, Casale & Bonner, P.C., 33 West Third Street, Suite 202, Williamsport, PA 17701, (570) 326-7044.

Renner, Claire a/k/a Clara Renner, dec'd.

Late of Williamsport.
 Executrix: Rebecca Renner, 809 Logue St., Williamsport, PA 17701.

Simcox, Janet M. a/k/a Janet Simcox, dec'd.

Late of 3093 Woodward Avenue, Avis.
 Executrix: Diane M. Cioffi.
 Attorney: G. Scott Gardner, Esquire, Attorney At Law, 2117 West Fourth Street, Williamsport, PA 17701.

Stewart, Charles J., Jr., dec'd.

Late of 347 Smokey Corners Road, Cogan Station.
 Executor: Susquehanna Trust & Investment Co., John J. Gallo, Jr., 48 Orchard Drive, Shamokin Dam, PA 17876.

Attorney: John P. Pietrovito, Esquire, 3 South Main Street, Muncy, PA 17756.

SECOND PUBLICATION

Gault, John C., Jr., dec'd.

Late of the City of Williamsport.
 Executor: Woodlands Bank, 2450 E. Third Street, Williamsport, PA 17701.

Attorney: Joseph L. Rider, Esquire, 143 West Fourth Street, Williamsport, PA 17701.

Knarr, Laura B. a/k/a Laura Knarr, dec'd.

Late of the Township of Old Lycoming.

The Laura B. Knarr Revocable Living Trust, dated June 14, 2001, and any amendments thereto.

Settlor: Laura B. Knarr.

Executors/Trustees: Michael L. Buckingham, 976 East New Road, Linden, PA 17744 and Shirley Day, 1183 East Lime Bluff Road, Muncy, PA 17756.

Attorneys: Adrienne J. Stahl, Esquire, Steinbacher & Stahl, 413 Washington Boulevard, Williamsport, PA 17701.

Lajeunesse, Raymond J., Sr., dec'd.

Late of Williamsport.

Co-Executors: Pamela L. Shipman, 1514 Faxon Pkwy., Williamsport, PA 17701 and Raymond J. Lajeunesse, Jr., 3709 N. Glebe Rd., Arlington, VA 22207.

Attorneys: Anthony J. Grieco, Esquire, Elion, Wayne, Grieco, Carlucci & Shipman, P.C., 125 East Third St., Williamsport, PA 17701.

Moyer, L. Myrel, dec'd.

Late of the City of Montgomery.
 Executrices: Charity M. Powell, 414 Elm Street, Jersey Shore, PA 17740 and Roberta L. Bergman, 2812 Prestwick Drive, Uniontown, OH 44685.

Attorneys: Paul A. Roman, Esquire, Law Offices of Joseph L. Rider, 143 West Fourth Street, Williamsport, PA 17701.

Remsnyder, Terry L., dec'd.

Late of 4756 E. Rte. 973 Hwy., Williamsport.

Administratrix: Katie L. Leidhecker c/o Patricia L. Bowman, Esquire, Bowman Law Office, 353 Pine Street, Williamsport, PA 17701.

Attorneys: Patricia L. Bowman, Esquire, Bowman Law Office, 353 Pine Street, Williamsport, PA 17701.

THIRD PUBLICATION

Bullock, Eleanor Gayle a/k/a E. Gayle Bullock, dec'd.

Late of Jersey Shore.

Co-Executors: Dennis L. Diehl and Karen H. Diehl, P.O. Box 274, Jersey Shore, PA 17740.

Attorney: Leroy H. Keiler, III, Esquire, 110 Oliver Street, Ste. 2, P.O. Box 263, Jersey Shore, PA 17740, (570) 398-2750.

Farrar, Sara Faye a/k/a Sara F. Farrar a/k/a Sallie F. Farrar, dec'd.

Late of Muncy.

Executrix: Stacie B. Keen, 1162 West Main Street, P.O. Box 79, Valley View, PA 17983.

Attorney: Layne R. Oden, Esquire, Nine South Main Street, Muncy, PA 17756-1306.

Guild, Shirley L., dec'd.

Late of 2140 Warrensville Road, Valley View Nursing Home, Montoursville.

Executrix: Julie A. Bittner f/k/a Julie A. Weaver, 1009 Dawne Drive, Williamsport, PA 17701.

Attorney: David C. Raker, Esquire, 322 Court Street, Williamsport, PA 17701, (570) 326-3622.

Haight, Zelma M., dec'd.

Late of Plunkets Creek Twp.
 Executor: Robert Haight, 60 Plain-
 field Ave., Unit 36, West Haven, CT
 06516.

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

Executor/Trustee: Joseph H. Reyn-
 olds, 830 Vallamont Drive, Williams-
 port, PA 17701.

Attorneys: Julieanne F. Steinbacher,
 Esquire, Steinbacher & Stahl, 413
 Washington Boulevard, Williams-
 port, PA 17701.

**Lattieri, Mary A. a/k/a Mary Lattieri-
Phillips,** dec'd.

Late of 1283 Cemetery Road, Wil-
 liamsport.

Executor: William Easton.

Attorney: G. Scott Gardner, Esquire,
 Attorney At Law, 2117 West Fourth
 Street, Williamsport, PA 17701.

**REGISTER OF WILLS
 CONFIRMATION OF
 ACCOUNTS**

NOTICE IS HEREBY GIVEN to all parties interested that the following Accounts together with all Statement of Proposed Distribution accompanying the same have been filed in the Office of the Register of Wills and Clerk of Orphans' Court are presented to the Orphans' Court of Lycoming County for Confirmation Absolute December 2, 2014 unless exceptions are filed before 5:00 P.M. on that date.

1. Bergman, Veronica C.—Keith A. Bergman, Executor.

2. Bronson, Mary H.—Peter G. Facey, Administrator C.T.A.

3. Converse, James L.—Michael C. Morrone, Administrator.

4. Grove, G. Scott—Tammi M. Grove, Administratrix.

5. Roskowski, John B.—Pennsylvania Trust Company, Successor Trustee.

Annabel Miller
 Register of Wills

N-21, 28

Renninger, Warren P., dec'd.

Late of 198 Harvest Moon Park,
 Linden.

Executors: Robert D. Renninger,
 Steven E. Renninger and Warren P.
 Renninger.

Attorney: G. Scott Gardner, Esquire,
 Attorney At Law, 2117 West Fourth
 Street, Williamsport, PA 17701.

**Reynolds, Howard J. a/k/a Howard
Reynolds,** dec'd.

Late of the Township of Loyalsock.
 The Howard J. Reynolds Irrevocable
 Trust dated December 13, 2012.

The Howard J. Reynolds Real Estate
 Protector Trust, dated December
 13, 2012.

The Howard J. Reynolds Revocable
 Declaration of Trust dated Decem-
 ber 16, 1997.

The Howard J. Reynolds Grandchil-
 dren's Trust dated January 11, 2012.
 Settlor: Howard J. Reynolds.



PERIODICAL PUBLICATION

*** Dated Material. Do Not Delay. Please Deliver Before Monday, December 1, 2014**