

LYCOMING REPORTER

Vol. 33

March 4, 2016

No. 10

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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

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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

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Your online connection for:

- Court Calendar • Continuing Legal Education
- Conference Room Facilities • Legal Assistance
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www.lycolaw.org

SCHEDULED EVENTS

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

- 3/14/2016 – LLA Committee Chair Lunch:** *Meeting to review accomplishments of the past year and discuss goals and objectives.* **Time:** 12:00 PM to 1:00 PM. **Location:** LLA Office
- 3/28/2016 – Executive Committee Meeting:** *Regular monthly meeting.* **Time:** 12:00 PM to 1:00 PM. **Location:** LLA Office
- 4/25/2016 – Executive Committee Meeting:** *Regular monthly meeting.* **Time:** 12:00 PM to 1:00 PM. **Location:** LLA Office

The mission of the Lycoming Law Association is to promote the practice of law using the highest ethical standards and to advance the public image of our profession. We accomplish this by communicating within our profession and throughout our community, providing continuing legal education, encouraging collegiality among attorneys and the Court, providing *pro bono* legal assistance, and through community involvement.

UPCOMING LYCOMING COUNTY CLE OPPORTUNITIES

- 3/10/2016** – **Guardianship 101:** *PBI Groupcast.* **CLE credits:** 3 Substantive / 1 Ethics **Time:** 12:00 PM to 4:15 PM. **Location:** Lycoming Law Association Office
- 3/15/2016** – **Handling the Workers’ Comp. Case:** *PBI Groupcast.* **CLE credits:** 5 Substantive / 1 Ethics **Time:** 8:25 AM to 3:45 PM. **Location:** Lycoming Law Association Office
- 3/16/2016** – **Eat & Earn—Annual Civil Update:** *Civil litigation—annual update; Presented by—Clifford A. Rieders.* **CLE credits:** 1 Substantive **Time:** 12:00 PM to 1:00 PM. **Location:** LLA Office
- 3/23/2016** – **29th Annual Civil Litigation Update:** *PBI Groupcast.* **CLE credits:** 5 Substantive / 1 Ethics **Time:** 9:00 AM to 4:15 PM. **Location:** Lycoming Law Association Office
- 3/28/2016** – **Advanced Title Insurance Issues:** *PBI Groupcast.* **CLE credits:** 3 Substantive **Time:** 12:30 PM to 3:45 PM. **Location:** Lycoming Law Association Office
- 3/31/2016** – **Elections and Disclaimers in Estates:** *PBI Video Replay.* **CLE credits:** 3 Substantive **Time:** 9:00 AM to 12:30 PM. **Location:** Lycoming Law Association Office
- 4/4/2016** – **Long-Term Care Planning for Seniors:** *PBI Groupcast.* **CLE credits:** 5 Substantive / 1 Ethics **Time:** 8:30 AM to 3:30 PM. **Location:** Lycoming Law Association Office
- 4/5/2016** – **Frequently Asked Questions About Ethics and Social Media:** *PBI Video Replay.* **CLE credits:** 1 Ethics **Time:** 9:00 AM to 10:00 AM. **Location:** Lycoming Law Association Office
- 4/6/2016** – **Social Security Disability: The Basics:** *PBI Groupcast.* **CLE credits:** 3 Substantive / 1 Ethics **Time:** 9:00 AM to 1:15 PM. **Location:** Lycoming Law Association Office
- 4/13/2016** – **Sophisticated Issues for Family Lawyers:** *PBI Video Replay.* **CLE credits:** 4 Substantive **Time:** 9:00 AM to 1:30 PM. **Location:** Lycoming Law Association Office
- 4/14/2016** – **Civil Practice in Magisterial District Courts:** *PBI Video Replay.* **CLE credits:** 3 Substantive / 1 Ethics **Time:** 9:00 AM to 1:30 PM. **Location:** Lycoming Law Association Office
- 4/18/2016** – **The Basics of Realty Tax:** *PBI Groupcast.* **CLE credits:** 3 Substantive **Time:** 12:30 PM to 3:45 PM. **Location:** Lycoming Law Association Office
- 4/19/2016** – **Marketing and Ethics: Balancing Smart Business Development and Adhering to the Rules:** *PBI Video Replay.* **CLE credits:** 1 Ethics **Time:** 9:00 AM to 10:00 AM. **Location:** Lycoming Law Association Office

- 4/22/2016 – Success With Summary Judgment Motions: How to Win Before Trial:** *PBI Video Replay*. **CLE credits:** 3 Substantive **Time:** 9:00 AM to 12:30 PM. **Location:** Lycoming Law Association Office
- 4/26/2016 – Litigating the Insurance Bad Faith Claim:** *PBI Video Replay*. **CLE credits:** 3 Substantive **Time:** 9:00 AM to 12:30 PM. **Location:** Lycoming Law Association Office
- 4/28/2016 – Current Issues in Nursing Home Litigation:** *PBI Video Replay*. **CLE credits:** 5 Substantive / 1 Ethics **Time:** 9:00 AM to 5:00 PM. **Location:** Lycoming Law Association Office
- 5/3/2016 – Family Caregiver Agreements & Use of Real Estate for Elder Law Attorneys:** *PBI Groupcast*. **CLE credits:** 3 Substantive **Time:** 9:00 AM to 12:15 PM. **Location:** Lycoming Law Association Office
- 5/4/2016 – Workers’ Comp. Practices & Procedure 2016:** *PBI Groupcast*. **CLE credits:** 4 Substantive **Time:** 8:30 AM to 12:45 PM. **Location:** Lycoming Law Association Office
- 5/11/2016 – Municipal Law Update:** *PBI Video Replay*. **CLE credits:** 5 Substantive / 1 Ethics **Time:** 9:00 AM to 5:00 PM. **Location:** Lycoming Law Association Office
- 5/24/2016 – Commercial Real Estate Documents: Negotiating and Drafting for Optimal Results:** *PBI Video Replay*. **CLE credits:** 3 Substantive **Time:** 9:00 AM to 12:30 PM. **Location:** Lycoming Law Association Office
- *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.

- ▶ **Commonwealth vs. Wilson; Commonwealth vs. Smith** (02/17/2016)—Judge Marc F. Lovecchio
Criminal: Consolidation motion; defendants alleged to have participated in the same act or transaction or in the same series of acts or transactions constituting an offense or offenses; judicial economy; bare assertion of prejudice. (wilson021716L)
- ▶ **Kiehl vs. Aqua Vantage Pools & Spas, Wilkes Pool of Mifflin, Pool Tech of Mifflin, Inc., John Barrera & Pool Tech, Inc.** (02/29/2016)—Judge Dudley N. Anderson
Civil: Competing petitions to confirm or to vacate arbitration award; personal jurisdiction over corporation president; waiver of objections. (Kiehl022916a)
- ▶ **AC vs. AB** (02/29/2016)—Judge Dudley N. Anderson
Custody: Complaint to establish paternity and for genetic testing; estoppel; abandonment. (AC022916a)
- ▶ **Commonwealth vs. Jennings** (02/19/2016)—Judge Nancy L. Butts
Criminal: Motion for reconsideration of habeas corpus petition denial; after-discovered evidence; vagueness of Megan’s Law vehicle registration provision; prima facie case. (Jennings021916bt)
- ▶ **QC Energy Resources, LLC vs. Torus Specialty Insurance Company et al.** (02/23/2016)—Judge Richard A. Gray
Civil: Summary judgment motion; contract interpretation; waiver of workers’ compensation immunity to provide indemnity; res judicata and collateral estoppel; waiver of workers’ compensation subrogation; specificity of contract. (QCEnergyResource LLC022316g)
- ▶ **Commonwealth vs. JEG** (02/22/2016)—Judge Dudley N. Anderson
Criminal: Post-sentence motion for new trial; weight of the evidence of unlawful restraint of a minor, endangering the welfare of a child and corruption of a minor; course of conduct, encompassing only two incidents of abuse; prosecutor’s reference to a “PFA”; cautionary instructions; admissibility as substantive evidence a child’s statements to an interviewer relating to sexual abuse; sufficient indicia of reliability; motive to fabricate. (jeg022216a)

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**Fry, Sherry L.,** dec'd.

Late of the Township of Wolf.
Administrator: Charles B. Fry, 206 Center Street, Milton, PA 17847.
Attorney: Robert E. Benion, Esquire, P.O. Box 356, Milton, PA 17847-0356.

Gore, Eleanor P., dec'd.

Late of the Borough of South Williamsport.
Executrix: Nanette R. Long, 534 Childs Drive, South Williamsport, PA 17702.
Attorneys: James G. Malee, Esquire, Malee Law Firm, P.C., 310 East Third Street, Williamsport, PA 17701, (570) 321-6112.

Griggs, Jacqueline B., dec'd.

Late of the Township of Loyalsock.
Executor: Woodlands Bank, 2450 E. Third Street, Williamsport, PA 17701.
Attorney: Joseph L. Rider, Esquire, 143 West Fourth Street, Williamsport, PA 17701.

Harlan, Nellie M., dec'd.

Late of the Borough of Montoursville.
Executrix: Marjorie A. Pepper, 2023 Carlton Terrace, Williamsport, PA 17701.
Attorney: Joseph L. Rider, Esquire, 143 West Fourth Street, Williamsport, PA 17701.

Heller, Jean T., dec'd.

Late of the Township of Loyalsock.
Executrix: Doris T. Teufel, 426 Wyndham Court, Williamsport, PA 17701.
Attorney: Joseph L. Rider, Esquire, 143 West Fourth Street, Williamsport, PA 17701.

Kepler, Anna A., dec'd.

Late of Lycoming County.
Executrix: Andrea Mong.
Attorneys: Eric Ladley, Esquire, Steinbacher, Goodall & Yurchak, 413 Washington Boulevard, Williamsport, PA 17701.

Martin, Roberts R., dec'd.

Late of the City of Williamsport.
Executrix: Valeria J. Martin c/o Mark E. Halbruner, Esquire, Halbruner, Hatch & Guise, LLP, 2109 Market Street, Camp Hill, PA 17011.
Attorneys: Mark E. Halbruner, Esquire, Halbruner, Hatch & Guise, LLP, 2109 Market Street, Camp Hill, PA 17011.

McClure, Kathryn A. a/k/a Kathryn Ann Myers, dec'd.

Late of Muncy.
Executor: Thomas O. McClure, 4018 Old Orchard Road, York, PA 17402.
Attorney: None.

Orwig, Mark L., dec'd.

Late of Bastress Township.
Executor: Patrick A. Dixon, 34 Lawn Mower Lane, Cogan Station, PA 17728.

Attorneys: Fred A. Holland, Esquire, Murphy, Butterfield & Holland, P.C., 442 William Street, Williamsport, PA 17701.

Rupert, Harold C., dec'd.

Late of Moreland Township.
The Harold C. and Doris H. Rupert Protector Trust and The Rupert Family Protector Trust.
Settlor: Harold C. Rupert.
Executor/Trustee: David A. Rupert, 282 River Road, Muncy, PA 17756.
Attorneys: McNERNEY, Page, Vanderlin & Hall, 433 Market Street, Williamsport, PA 17701.

SECOND PUBLICATION

Bastian, Douglas P., dec'd.

Late of South Williamsport.
Executor: Mark D. Bastian, 341 East Second Avenue, South Williamsport, PA 17702.
Attorneys: Joseph F. Orso, III, Esquire, Rudinski, Orso and Lynch, 339 Market Street, Williamsport, PA 17701.

Churba, Ronald R., dec'd.

Late of South Williamsport.
Co-Executors: Ellen Sue Emerick, 146 Cohick Road, South Williamsport, PA 17702 and Jeffrey A. Churba, 17937 Flagler Drive, Austin, TX 78738.
Attorneys: James D. Casale, Esquire, Casale & Bonner, P.C., 33 West Third Street, Suite 202, Williamsport, PA 17701, (570) 326-7044.

Fry, Robert J., Sr., dec'd.

Late of Fairfield Township.
Co-Executors: Richard J. Fry and Robert J. Fry, Jr. c/o Fred A. Holland, Esquire, 442 William Street, Williamsport, PA 17701.
Attorneys: Fred A. Holland, Esquire, Murphy, Butterfield & Holland, P.C., 442 William Street, Williamsport, PA 17701.

Morse, Roberta J. a/k/a R. Jean Morse, dec'd.

Late of Williamsport, Eldred Township.
Executrix: Linda A. Zegarski, 1119 Charles Street, Williamsport, PA 17701.

Attorneys: Christopher H. Kenyon, Esquire, McCormick Law Firm, 835 West Fourth Street, Williamsport, PA 17701.

Purvis, Thomas A., dec'd.

Late of Waterville.
Executrix: Karen L. Purvis, 10937 N. Rte. 44 Highway, Waterville, PA 17776.
Attorney: Leroy H. Keiler, III, Esquire, 110 Oliver Street, Ste. 2, P.O. Box 263, Jersey Shore, PA 17740, (570) 398-2750.

Stahl, Shirley L., dec'd.

Late of Cogan Station.
Administrator: Mark J. Stahl, 2022 Federal Avenue, Williamsport, PA 17701.
Attorneys: Stephen C. Sholder, Esquire, Raup & Sholder, P.C., 270 West Third Street, Williamsport, PA 17701, (570) 321-0709.

THIRD PUBLICATION

Alban, Bernice a/k/a Bernice Ann Alban, dec'd.

Late of the City of Williamsport.
Executor: Robert M. Alban, 339 Eldred Street, Williamsport PA 17701.
Attorney: Joseph L. Rider, Esquire, 143 West Fourth Street, Williamsport, PA 17701.

Barclay, David F. a/k/a David Francis Barclay a/k/a David Barclay, dec'd.

Late of Route 118, P.O. Box 24, Lairdsville.
Executrix: Cheryl J. Barclay.

Attorneys: P. Jeffrey Hill, Esquire, Harding, Hill & Turowski, LLP, 38 West Third Street, Bloomsburg, PA 17815.

Clark, Wendell V. a/k/a Wendoll V. Clark, dec'd.

Late of Williamsport.
Co-Executrices: Diane R. Cox and Lisa M. Bennett.
Attorneys: Matthew J. Parker, Esquire, Marshall, Parker & Weber, LLC, 49 E. Fourth Street, Williamsport, PA 17701.

Drum, Randy L., dec'd.

Late of Muncy.
Administratrix: Darena K. Follmer, 323 Colonial Drive, Montoursville, PA 17754.
Attorneys: Thomas D. Hess, Esquire, Hess and Hess, P.C., 30 South Main Street, Hughesville, PA 17737.

Frantz, Anna B., dec'd.

Late of the Township of Penn.
Executor: Edward D. Frantz, 2235 Beaver Lake Road, Hughesville, PA 17737.
Attorney: Joseph L. Rider, Esquire, 143 West Fourth Street, Williamsport, PA 17701.

Grazulis, Vincent J., dec'd.

Late of 411 Willow Street, Montoursville Borough.
Executrix: Deborah S. Berrigan, Eldercare Solutions, P.O. Box 755, Williamsport, PA 17701.
Attorneys: Lester L. Greevy, Jr., Esquire, Greevy & Shoemaker, 5741 State Route 87, Williamsport, PA 17701, (570) 435-2233.

Haefner, Anne E., dec'd.

Late of Williamsport.
Executrix: Jacqueline M. Fagnano, 343 Tinsman Ave., Williamsport, PA 17701.

Attorneys: Stephen C. Sholder, Esquire, Raup & Sholder, P.C., 270 West Third Street, Williamsport, PA 17701, (570) 321-0709.

Hunter, Howard E., dec'd.

Late of the Township of Fairfield.
Executors: Craig R. Hunter, 1124 Locust Street, Montoursville, PA 17754 and Jeffrey R. Hunter, 326 Back Street, Montoursville, PA 17754.
Attorneys: James G. Malee, Esquire, Malee Law Firm, P.C., 310 East Third Street, Williamsport, PA 17701, (570) 321-6112.

McKeag, Louella F., dec'd.

Late of 1983 Poco Farm Road, Loysock Township.
Co-Administrators: David L. McKeag and Emily McElheny, 2001 Poco Farm Road, Williamsport, PA 17701.
Attorneys: Lester L. Greevy, Jr., Esquire, Greevy & Shoemaker, 5741 State Route 87, Williamsport, PA 17701, (570) 435-2233.

Morrison, A. Allen, dec'd.

Late of Fairfield Township.
Co-Administrators: Jack L. Morrison, 1020 Dogwood Lane, Enola, PA 17025 and Richard A. Morrison, 315 Klump Road, Cogan Station, PA 17728.
Attorneys: Thomas D. Hess, Esquire, Hess and Hess, P.C., 30 South Main Street, Hughesville, PA 17737.

Ressler, Patricia A., dec'd.

Late of Lycoming County.
Executor: Brett M. Ressler, 11 Orange Street, Northumberland, PA 17857.
Attorneys: Jeffrey Apfelbaum, Esquire and Benjamin Apfelbaum, Esquire, Attorneys at Law, 124 North Fourth Street, Sunbury, PA 17801.

Salvatori, Mona, dec'd.

Late of Williamsport.

Executrix: Maria D. Ananea c/o Michael J. Casale, Jr., Esquire, 1500 Sycamore Road, Suite 120, Montoursville, PA 17754.

Attorney: Michael J. Casale, Jr., Esquire, 1500 Sycamore Road, Suite 120, Montoursville, PA 17754, (570) 601-1298.

Yoxtheimer, James H. a/k/a James H. Yoxtheimer, Sr., dec'd.

Late of Porter Township.

Executor: James H. Yoxtheimer, Jr., 6 East Park Street, P.O. Box 149, Avis, PA 17721.

Attorneys: L. Craig Harris, Esquire, Carpenter, Harris & Flayhart, 128 S. Main St., P.O. Box 505, Jersey Shore, PA 17740.

FILING ARTICLES OF AMENDMENT

NOTICE IS HEREBY GIVEN that a Fictitious Name Amendment was filed in the Department of State of the Commonwealth of Pennsylvania on February 16, 2016 for:

AVU GOLDSMITHS

located at: 246 E. Church Street, Suite 1, Williamsport, PA 17701.

The amendment was filed in order to acknowledge the withdrawal of Jennifer L. Parks from the business and the entry of Wren's Metalwork, LLC as the registered owner. Consequently, the name of the entity owning and interested in Avu Goldsmiths is now as follows: WREN'S METALWORK, LLC, located at: 246 E. Church Street, Suite 1, Williamsport, PA 17701.

This was filed in accordance with 54 Pa. C.S.A. 311(g).

M-4

FILING ARTICLES 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 16, 2016.

The name of the Corporation is:

LEGACY WELLNESS & CHIROPRACTIC, P.C.

McNerney, Page, Vanderlin & Hall
433 Market Street
Williamsport, PA 17701

M-4

The Lycoming Law Association Foundation is a tax-exempt not-for-profit, 501(c)(3) corporation. The mission of the Foundation is to cultivate the science of jurisprudence, improve the legal and judicial system and facilitate the administration of justice for residents of Lycoming County.

The Foundation provides funding for worthwhile law-related community projects and activities, in addition to supporting the Williamsport Office of North Penn Legal Services, which has provided civil legal services on a wide range of high priority legal problems to poor people in Lycoming County since 1974.

The Foundation is funded through the support of the members of the Lycoming Law Association. This support comes in various forms: from member dues, income from the *Lycoming Reporter*; donations by individual lawyer members of the Lycoming County Bar; donations by other individuals, lawyer family members, and estates.

The Lycoming Law Association's Community Activities and Outreach Committee is responsible to advise and assist the Foundation in administering funds for community projects of merit. The Committee is actively involved in reviewing grant applications and in making recommendations to the Foundation and the Association's Executive Committee concerning the funding of worthwhile projects and activities.

For additional information regarding the Foundation and its procedures, contact Michele Frey, Executive Director, at (570) 323-8287 or mfrey@lycolaw.org.



PERIODICAL PUBLICATION

*** Dated Material. Do Not Delay. Please Deliver Before Monday, March 7, 2016**