

**THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

NOTICE

The United States District Court for the Eastern District of Pennsylvania is pleased to welcome the Honorable Jose Raul Arteaga as a United States Magistrate Judge. Judge Arteaga took the oath of office on September 12, 2023.

U.S. Magistrate Judge Jose Raul Arteaga graduated from Rutgers University in 1991 and Seton Hall University School of Law in 1994. After law school, Judge Arteaga joined the Mercer County Prosecutor's Office in Trenton, New Jersey, as an assistant prosecutor where he tried a wide variety of criminal cases, including armed robbery, aggravated assault, homicide, and narcotics cases. He was later promoted to Trial Team Leader where he supervised a team of prosecutors and county detectives. While serving as a full-time assistant prosecutor, Judge Arteaga enrolled in Temple University's Beasley School of Law in 2000 and earned an LL.M. Degree in Trial Advocacy the following year.

Beginning in 1998, Judge Arteaga taught several trial advocacy skills classes at the National College of District Attorneys until 2001. In January 2002, Judge Arteaga joined the Criminal Division of the United States Attorney's Office in Philadelphia and served in the Violent Crime Unit and as the District Office Security Manager. He taught the Basic Trial Advocacy Skills Course for many years at the Department of Justice's National Advocacy Center in Columbia, South Carolina.

Judge Arteaga served in the United States Marine Corps with 2d Battalion, 2d Marine Regiment, 2d Marine Division, Fleet Marine Force, and has multiple overseas deployments to his credit. Following his completion of Mortar Gunnery School at Marine Corps Base Camp Lejeune, North Carolina, Judge Arteaga was promoted to section leader of his rifle company's mortar section and was responsible for operation of the section's Fire Direction Center. He received numerous awards for outstanding performance of duty, including a Certificate of Commendation from the Commanding General, Fleet Marine Forces - Pacific, and was meritoriously promoted to noncommissioned officer after his first overseas deployment. Judge Arteaga was honorably discharged in 1988.

George Wylesol
Clerk of Court

NOTICE OF ADMINISTRATIVE SUSPENSION

Notice is hereby given that **Andrea Beth Weaver** of **Lancaster County** has been **Administratively Suspended** by Order of the Supreme Court of Pennsylvania dated August 9, 2023, pursuant to Rule 219, Pa.R.D.E, which requires that all attorneys admitted to practice in any court of this Commonwealth must pay an annual assessment of \$275.00. The Order became effective **September 8, 2023**.

Suzanne E. Price
Attorney Registrar
The Disciplinary Board of the
Supreme Court of Pennsylvania

Court of Common Pleas of Lancaster County
Civil Action - Civil

Nodecker v. Prokay et al.

Constitutional Law – Section 1983 – Jurisdiction

Commonwealth Court had original jurisdiction over Section 1983 claim brought in state court seeking declaratory and injunctive relief against state officials in their official capacities.

OPINION BY: BROWN, J., April 6, 2023. John Nodecker v. Donna Prokay, Bill Murry, Mark Anderson, Kathy Setlock, John/Jane Does 1–3, Manheim Township School District, Education Secretary Noe Ortega, Education Secretary Eric Hagarty, and Department of Education Open Records Officer Angela Riegel. No. CI-22-03308

OPINION

The matters before the court are the preliminary objections by moving defendants¹ to the amended complaint filed by Plaintiff John Nodecker. Except for defendant Donna Prokay, who remains unrepresented in her individual capacity and who has not participated in litigation, the parties have timely filed their briefs in support of and opposition to the objections and participated in oral argument. This matter is ripe for review. Because plaintiff has plead a claim for prospective injunctive and declaratory relief against former Secretaries of Education for the Commonwealth, this matter will be transferred to Commonwealth Court.²

Defendants raised numerous objections, but this court’s jurisdiction is a threshold matter. The General Assembly has given the Commonwealth Court original jurisdiction over suits against the Commonwealth government, including actions against its officials who are acting in an official capacity. 42 Pa. C.S. § 761(a). For the reasons stated below, the preliminary objection of the PDE Defendants concerning this court’s jurisdiction over the case are sustained and this court cannot consider the remaining defendants’ objections. This case shall be transferred to the Commonwealth Court.

I. BACKGROUND

Plaintiff John Nodecker became superintendent of Manheim Township School District in July 2014. Am. Compl. ¶ 14. He alleges the School District, along with Bill Murry, Mark Anderson, Kathy Setlock, Donna Prokay, and Jane/John Does 1–3, made accusations of gender and age-based discrimination against him. *Id.* ¶ 16. Investigations determined these allegations to be meritless. *Id.* ¶ 17. Thereafter, Nodecker entered into a separation agreement with the School District on January 26, 2016. *Id.* ¶ 18. A review of his employee file showed that Bill Murry, Mark Anderson, and Kathy Setlock each filed preliminary objections in their individual capacities to Mr. Nodecker’s amended complaint. Manheim Township School District, on its own behalf and on behalf of Donna Prokay, Bill Murry, Mark Anderson, Kathy Setlock, and John/Jane Does 1–3 in their professional capacities, filed objections to the amended complaint. Pennsylvania Department of Education defendants Noe Ortega, Eric Hagarty, and Angela Riegel (“PDE Defendants”) filed objections to the amended complaint. Plaintiff has responded to all filed objections.

² Plaintiff styles the claim as an “individual capacity” claim pursuant to 42 U.S.C. § 1983, but plaintiff seeks no monetary damages but rather seeks injunctive and declaratory relief. Accordingly, it is an official capacity claim, not an individual capacity claim.

no “disciplinary actions or charges had ever been made by the district concerning [Nodecker], including gender/age-related harassment.” *Id.* The agreement released all “claims for or because of any and all acts or omissions [of the School District] directly or indirectly related to Nodecker” through the date of the agreement. Nodecker states entering the release agreement would be illegal if he had truly engaged in such conduct. *Id.* ¶ 20.

In December 2016, Nodecker received notice from the Pennsylvania Department of Education that an Educator Misconduct Complaint had been initiated against him under the Educator Discipline Act. *Id.* ¶ 19. Section 2070.17b(a) of the Act states that “all information relating to any complaints or any proceedings relating to or resulting from such complaints, including the identity of the complainant, shall remain confidential, unless or until discipline is imposed.” Releasing confidential information without authorization is a third-degree misdemeanor. *Id.* § 2070.17b(b). However, the Commission that investigates misconduct claims “may order the release of confidential information upon petition of any interested party when it is just and proper.” *Id.* § 2070.17b(e).

Nodecker alleges that the School District’s employees and board members initiated the educator misconduct complaint against him. Am. Compl. ¶ 19. Nodecker defended against the complaint for nearly five years, until the PDE determined no cause existed for the allegations in March 2021. *Id.* ¶¶22–23. Nodecker did not request the confidential information about his case be released by the PDE commission overseeing his case pursuant to Section 2070.17b(e); instead, he filed a right to know request. Right to Know Officer Riegel denied Nodecker’s right to know request on August 27, 2021, citing to the Educator Discipline Act. *Id.* ¶¶ 24, 28.

Nodecker filed this amended complaint on October 31, 2022. Relevant here, he brought a constitutional tort claim under 42 U.S.C § 1983 against defendants Eric Hagarty, Noe Ortega, and Angela Riegel in their individual capacities. Defendants Ortega and Hagarty were also sued as policymakers under *Monell v. New York Department of Social Services*, 436 U.S. 658 (1978). The amended complaint alleges PDE Defendants’ enforcement of the Educator Discipline Act’s confidentiality requirements “without any exception” was unconstitutional in his case. *Id.* ¶ 29.

Nodecker argues the Act, as applied to him, violated his rights to free speech because School District Defendants are using the Act’s confidentiality provisions to prevent him from speaking about his experience of malicious prosecution by subjecting him to criminal penalties for such speech in perpetuity. *Id.* ¶¶ 29–30. The enforcement of the Act also violated his right to seek redress of grievances because he cannot discuss details of the investigation and is thereby precluded from petitioning to the government for a redress of grievances against the School District, its employees, and its board members. *Id.* Nodecker requests this court declare the Act’s confidentiality provision unconstitutional as applied to him, to enjoin defendants from enforcing the Act’s con-

fidentiality provisions against him, and to order the PDE Defendants to disclose who made an educator misconduct complaint against him. *Id.* ¶ 70.

II. DISCUSSION

Section 1983 claims may be brought in federal courts before a United States District Court Judge or in state courts, which are subject to state jurisdictional requirements. In Pennsylvania, the Commonwealth Court has original jurisdiction over cases against the Commonwealth and its officials acting in their official capacities. 42 Pa. C.S. § 761(a). Plaintiff does not dispute that Defendants Hagarty and Ortega are officers of the Commonwealth, but rather argues this court has jurisdiction because the defendants are sued under federal law in their individual capacities and as policymakers pursuant to *Monell v. New York Department of Social Services*, 436 U.S. 658 (1978). Plaintiff's reliance on *Monell* is misplaced. *Monell* permits local government defendants to be sued in their official capacities as policymakers when an official government custom or policy is alleged to be responsible for a constitutional deprivation. 436 U.S. at 690. Plaintiff's pleadings do raise interesting issues because federal law makes clear that the Eleventh Amendment to the United States Constitution bars actions against state officials in their "official capacity" because the effect is to sue the state. However, "the Eleventh Amendment does not generally bar prospective declaratory or injunctive relief." *O'Callaghan v. Hon. X*, 661 F. App'x 179, 182 (3d Cir. 2016).

Here, plaintiff pleads his 1983 claim against the former secretaries of the Department of Education in their individual capacities, but not in the sense of acting outside of the scope of their authority as the Secretary of Education. Nodecker seeks declaratory and injunctive relief against the former secretaries in what is really plead as an official capacity claim under 1983 for injunctive relief and not for monetary damages. The Commonwealth Court has original jurisdiction.

III. CONCLUSION

For the reasons stated above, plaintiff's amended complaint includes allegations against PDE Defendants in their official capacities for injunctive and declaratory relief, and the Commonwealth Court has original jurisdiction over this matter. The case shall be transferred to the Commonwealth Court. An appropriate order follows.

BY THE COURT:

LEONARD G. BROWN, III, JUDGE

ORDER

AND NOW, this 6th day of April 2023, after full briefing and oral argument by the parties on defendants³ preliminary objections to plaintiff's amended complaint, the court ORDERS that

1. PDE Defendants' objection under 1028(a)(1) to this court's jurisdiction is SUSTAINED;
2. This case shall be TRANSFERRED to the Commonwealth Court.

BY THE COURT:

LEONARD G. BROWN, III, JUDGE

³ Donna Prokay is unrepresented in her individual capacity and did not file objections or participate in oral argument.

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

Becker, Ruth E., dec'd.

Late of the Township of West Donegal.

Executor: Daniel S. Becker c/o Nikolaus & Hohenadel, LLP, 222 South Market Street, Suite 201, Elizabethtown, PA 17022.

Attorney: Kevin D. Dolan, Esq.

Borrell, Dianna J., dec'd.

Late of Elizabethtown Borough.

Executrix: Stacy L. Graff c/o Nikolaus & Hohenadel, LLP, 222 South Market Street, Suite 201, Elizabethtown, PA 17022.

Attorney: Kevin D. Dolan, Esq.

Craver, Elizabeth H. a/k/a Elizabeth Anne Craver a/k/a Elizabeth Hunsberger Craver, dec'd.

Late of Manheim Township.

Executor: Jeffrey Lloyd Craver c/o Jeffrey C. Goss, Esquire, 480 New Holland Avenue, Suite

6205, Lancaster, PA 17602.

Attorneys: Brubaker Connaughton Goss & Lucarelli LLC.

Douglas, Gene C., Jr., dec'd.

Late of West Hempfield Township.

Executor: Austin M. Douglas c/o 327 Locust Street, Columbia, PA 17512.

Attorney: John F. Markel, Nikolaus & Hohenadel, LLP, 327 Locust Street, Columbia, PA 17512.

Durnall, Lesley S. a/k/a Lesley Durnall, dec'd.

Late of Ephrata Township.

Executor: Janet L. Stoltzfus c/o Kling, Deibler & Glick, LLP, 131 W. Main Street, New Holland, PA 17557.

Attorney: Linda Kling, Esq., Kling, Deibler & Glick, LLP.

Dyer, Harry G., dec'd.

Late of Elizabethtown Borough.

Executor: Kenneth E. Dyer c/o Randall L. Miller, Esquire, 700 North Duke Street, P.O. Box 4686, Lancaster, PA 17604-4686.

Attorney: Randall L. Miller, Esquire.

Forte, Cosimo M., dec'd.

Late of Manor Township.

Executor: Steven J. Forte c/o Lindsay Casadei, Esq., Byler & Winkle, P.C., 363 West Roseville Road, Lancaster, PA 17601.

Attorney: Lindsay Casadei, Esq.

Gaul, Thomas A., Sr., dec'd.

Late of Warwick Township.

Executor: Jeff Peifer c/o Scott Allen Mitchell, Esq., Saxton & Stump, LLC, 280 Granite Run Dr., Ste. 300, Lancaster, PA

17601.
Attorney: Saxton & Stump, LLC.

Groff, Hershey, Jr., dec'd.
Late of Manheim Township.
Executrix: Judith L. Hoar,
160 E. King St., Lancaster, PA
17602.
Attorney: None.

**Grove, Kathryn Jean a/k/a
Kathryn J. Grove**, dec'd.
Late of Manor Township.
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ny Grove c/o Jeffrey C. Goss,
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17602.
Attorneys: Brubaker Connaugh-
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**Gutshall, Robert E., Sr. a/k/a
Robert E. Gutshall**, dec'd.
Late of the Township of War-
wick.
Executor or Executrix: Robert E.
Gutshall, Jr., Deborah A. Timm,
Karen L. Gutshall c/o Gibble
Law Offices, P.C., 126 East Main
Street, Lititz, PA 17543.
Attorney: Stephen R. Gibble.

**Hammer, Darline R. a/k/a Dar-
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Esquire, Aevitas Law, PLLC.

Hess, Eugene R., Jr., dec'd.
Late of Elizabethtown.
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Rhodes c/o Melanie Walz Scar-
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2000 Linglestown Rd., Suite

106, Harrisburg, PA 17110.
Attorney: Melanie Walz Scarin-
gi, Esquire.

**Hess, Vivian I. a/k/a Vivian
Irene Hess**, dec'd.
Late of Bart Township.
Executor: Thomas M. Hess c/o
Nikolaus & Hohenadel, LLP,
303 West Fourth Street, Quar-
ryville, PA 17566.
Attorney: Jeffrey S. Shank, Es-
quire.

Hauck, Joseph M., dec'd.
Late of Lancaster City.
Executor: John A. Fiorill c/o Py-
fer, Reese, Straub, Gray & Far-
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Gray & Farhat, P.C.

LeFevre, Garry Mark, Jr., dec'd.
Late of West Hempfield Town-
ship.
Personal Representative: John
W. Metzger c/o John W. Metzger,
Esquire, 901 Rohrerstown Road,
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LeFevre, Sandra D., dec'd.
Late of West Hempfield Town-
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W. Metzger c/o John W. Metzger,
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Madonna, William J., dec'd.
Late of East Hempfield Town-
ship.
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c/o Mongiovi Law, LLC, 235
North Lime Street, Lancaster,

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Marts, Brenda M. a/k/a Brenda Mae Marts, dec'd.

Late of Eden Township.
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Attorney: John C. Hohenadel, Esquire.

Mayer, Travis Ryan, dec'd.

Late of Conoy Township.
Executor: Jenna Marie Mayer c/o Deryck Henry, Esquire, 5621 River Road, Harrisburg, PA 17110.
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Nooyen, Joyce A., dec'd.

Late of East Lampeter Township.
Co-Executors: Sandra L. Barrett, Debra R. Smucker c/o Nicholas T. Gard, Esquire, 121 E. Main Street, New Holland, PA 17557.
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Ober, Arlene L., dec'd.

Late of Manor Township.
Executor: Michael G. Lockard c/o Lindsay Casadei, Esq., Byler & Winkle, P.C., 363 West Roseville Road, Lancaster, PA 17601.
Attorney: Lindsay Casadei, Esq.

Slaugh, Parker Benjamin a/k/a Parker B. Slaugh a/k/a Parker Slaugh, dec'd.

Late of Martic Township.
Administrator: Edgar L. Grove c/o Rory O. Connaughton, Esquire, 480 New Holland Ave-

nue, Suite 6205, Lancaster, PA 17602.

Attorneys: Brubaker Connaughton Goss & Lucarelli LLC.

SECOND PUBLICATION

Bossert, Lee A., dec'd.

Late of the Borough of Lititz.
Executrix: Beth A Bossert c/o Kluxen, Newcomer & Dreisbach, Attorneys-at-Law, 2221 Dutch Gold Drive, Dutch Gold Business Center, Lancaster, PA 17601.
Attorney: Melvin E. Newcomer, Esquire.

Campbell, Diane K. a/k/a Diane K. Shirey, dec'd.

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Dancause, Donald A., dec'd.

Late of Columbia Borough.
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Attorney: Michael S. Grab, Esquire, Nikolaus & Hohenadel, LLP, 327 Locust Street, Columbia, PA 17512.

Dowie, Anna E., dec'd.

Late of Manheim Township.
Executor: Marsha E. Ruttkay c/o Law Office of Shawn Pierson, 105 East Oregon Road, Lititz, PA 17543.
Attorney: Shawn M. Pierson, Esq.

Funk, Betty K., dec'd.

Late of Manheim Township.

Co-Executrices: Janie B. Horst, Lois E. Harnish, Janice E. Charles c/o Michele A. Werder, Attorney, P.O. Box 5349, Lancaster, PA 17606.

Attorneys: Gibbel Kraybill & Hess LLP.

Ginter, Dorothy S., dec'd.

Late of Caernarvon Township.

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Attorney: A. Anthony Kilkuskie, 117A West Main Street, Ephrata, PA 17522.

Heath, Nancy J. a/k/a Nancy Jane Heath, dec'd.

Late of Manheim Township.

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Heidig-Hershey, Audrey a/k/a Audrey M. Howe a/k/a Audrey M. Heidig a/k/a Audrey H. Hershey, dec'd.

Late of Lancaster Township.

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Heisey, Paul R., dec'd.

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Attorney: May, Herr & Grosh, LLP.

Holland, Samuel D., dec'd.

Late of East Cocalico Township.

Co-Executors: Tracy D. Porter, Thomas Porter c/o Pyfer, Reese, Straub, Gray & Farhat, P.C., 128 N. Lime Street, Lancaster, PA 17602.

Attorney: Pyfer, Reese, Straub, Gray & Farhat, P.C.

Horning, Jewell W., Jr., dec'd.

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Attorney: James R. Clark.

Huber, Elmer S., dec'd.

Late of Warwick Township.

Administrator: John R. Gibbel c/o John R. Gibbel, Attorney, P.O. Box 5394, Lancaster, PA 17606.

Attorney: Gibbel Kraybill & Hess, LLP.

Larson, Ingegerd T., dec'd.

Late of Manheim Township.

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McKinney, Ruth M. a/k/a Ruth Mae McKinney a/k/a Ruth McKinney, dec'd.

Late of Manheim Township.

Executor: Bonnie L. Morant c/o Nikolaus & Hohenadel, LLP, 212 North Queen Street, Lancaster, PA 17603.

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Mentzer, Roberta E., dec'd.

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Metz, Shirley Ann, dec'd.

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Moreau, Walter J., dec'd.

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Reardan, Marcia R., dec'd.

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Scott Allen Mitchell, Esq., Sax-
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Sheaffer, Sylvia J., dec'd.

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Shoff, Jeffrey G., dec'd.

Late of Marietta Borough.
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mer Musser & Sarno, PC, 408
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Simpson, Alice, dec'd.

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Snader, Ray W., dec'd.

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Thomas, Mary A., dec'd.

Late of Lancaster.
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Wishard, Nancy A., dec'd.

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quire.

Zimmerman, Amos W. a/k/a Amos Weiler Zimmerman, dec'd.

Late of Ephrata Borough.
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Attorney: Nevin D. Beiler, Esq.

THIRD PUBLICATION

Anderson, Patsy A., dec'd.

Late of Lancaster City.
Executor: Robert L. Anderson,
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S. Main Street, P.O. Box 126,
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Barr, Linn A., dec'd.

Late of Manheim Township.
Administratrix: Marissa A. Barr
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P.O. Box 5394, Lancaster, PA
17606.
Attorney: Gibbel Kraybill &
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Bowman, Benjamin F., Jr. a/k/a Benjamin F. Bowman, dec'd.

Late of Lancaster Township.
Executor: Jennifer L. Hollen-
baugh c/o Alspach and Ryder
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er, PA 17602.
Attorney: Alspach and Ryder
LLC.

Brock, Gretchen E., dec'd.

Late of Elizabethtown Borough.
Administrator: Rebecca I. Bry-
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Esquire.

Custer, Barbara Ann Marlowe

a/k/a Barbara A. Marlowe a/k/a Barbara Ann Marlowe a/k/a Barbara A. Custer, dec'd.

Late of the Township of Fulton.
Executrix: Vicki Ann Robertson
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Daniels, Eileen M., dec'd.

Late of Elizabethtown.
Executrix: Janice K. Huntsing-
er c/o Mary-Jo Mullen, CPA,
Esquire, Halbruner, Hatch &
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Camp Hill, PA 17011.
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Esquire.

Edwards, Barrie D., dec'd.

Late of Pequea Township.
Executor: Jean O. Edwards c/o
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Attorney: Michael S. Grab, Es-
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bia, PA 17512.

Feister, Marilyn R., dec'd.

Late of Warwick Township.
Co-Executors: James A. Feister,
Carol Ann R. Feister c/o Mi-
chele A. Werder, Attorney, P.O.
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Attorneys: Gibbel Kraybill &
Hess LLP.

Garland, Jerald L. a/k/a Jerald Leo Garland, dec'd.

Late of Mount Joy Township.
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Aviv S. Bliwas, Esquire.
Attorney: Johnson Duffie, 301
Market Street, Lemoyne, PA
17043.

Gehman, Anna W., dec'd.

Late of the Township of West Cocalico.

Co-Executors: Anna Ruth Martin, Joanna L. Horning c/o Law Office of James Clark, 277 Millwood Road, Lancaster, PA 17603.

Attorney: James R. Clark.

Glick, Lois H., dec'd.

Late of Quarryville.

Executrix: Sheila H. Thomas, 3130 Randy Rd., Lancaster, PA 17601.

Attorney: None.

Hartz, Pauline E. a/k/a Pauline Esther Hartz, dec'd.

Late of the City of Lancaster.

Executor: Robert L. Smith c/o Law Office of James Clark, 277 Millwood Road, Lancaster, PA 17603.

Attorney: James R. Clark.

Henery, Joel D., dec'd.

Late of West Donegal Township.

Executor: Justin A. Henery, 548 Lucinda Lane, Mechanicsburg, PA 17055.

Attorney: Joseph J. Dixon, Esquire, 126 State Street, Harrisburg, PA 17101.

Hildebrand, William J., dec'd.

Late of Rapho Township.

Administrator: Jeffrey Hildebrand, 94 S. East St., Spring Grove, PA 17362.

Attorney: Joachim Antz, Atty, Daly & Clemente, P.C., 1288 Valley Forge Rd., Ste. 72, Phoenixville, PA 19460.

Hilton, Linda L. a/k/a Linda Louise Hilton, dec'd.

Late of Warwick Township.

Executor: Scott D. Garner c/o John R. Gibbel, Attorney, P.O.

Box 5394, Lancaster, PA 17606.

Attorney: Gibbel Kraybill & Hess, LLP.

Hoffman, Naomi M., dec'd.

Late of Lancaster.

Executor: Robert Hoffman c/o Legacy Law, PLLC., 147 W. Airport Road, Suite 300, Lititz, PA 17543.

Attorney: Katelyn M. Haldeman, Esq.

Hohenwarter, Florence M., dec'd.

Late of the Township of Leacock.

Executors: David A. Hohenwarter, Daryl R. Hohenwarter c/o Law Office of James Clark, 277 Millwood Road, Lancaster, PA 17603.

Attorney: James R. Clark.

Horn, William F., dec'd.

Late of Upper Leacock Township.

Executrix: Sandra H. Horn c/o Douglas A. Smith, Attorney, P.O. Box 5349, Lancaster, PA 17606.

Attorneys: Gibbel Kraybill & Hess LLP.

Joerres, Marc, dec'd.

Late of New Holland Borough.

Executrix: Christine M. Gifford c/o Nicholas T. Gard, Esquire, 121 E. Main Street, New Holland, PA 17557.

Attorneys: Smoker Gard Associates LLP.

Jordan, William J., dec'd.

Late of East Hempfield Township.

Executor: Rita Jordan c/o May Herr & Grosh, LLP, 234 North Duke Street, Lancaster, PA

17602.
Attorney: Matthew A. Grosh.

Kauffman, Thelma J., dec'd.
Late of Lancaster.
Executrix: Wanda A. Wiker c/o
Good & Harris, LLP, 132 West
Main Street, New Holland, PA
17557.
Attorneys: Good & Harris, LLP.

Koppenhaver, Virginia M., dec'd.
Late of Rapho Township.
Executor: Larry J. Koppenhaver,
Jr. c/o Law Office of Shawn
Pierson, 105 East Oregon Road,
Lititz, PA 17543.
Attorney: Shawn M. Pierson,
Esq.

Larson, Genevieve J., dec'd.
Late of Manheim Township.
Executor: Diane DeMasi c/o
Young and Young, 44 S. Main
Street, P.O. Box 126, Manheim,
PA 17545.
Attorney: Young and Young.

**Lippold, Braxton Owen Parker
a/k/a Braxton Owen P. Lippold**,
dec'd.
Late of West Cocalico Township.
Administratrix: Elaine Viola Lip-
pold, 8 Pin Oak Drive, Denver,
PA 17517.
Attorney: None.

Meyer, Joanne A., dec'd.
Late of Manheim Township.
Executor: Frank S. Meyer c/o
Blakinger Thomas, PC, 28 Penn
Square, Lancaster, PA 17603.
Attorneys: Blakinger Thomas,
PC.

Miller, Todd Sherman, dec'd.
Late of East Cocalico Township.
Administrator: Ryan George
Miller c/o Law Office of Eliz-

abeth A. Bartlow, 8 N. Queen
Street, Suite 700-H, Lancaster,
PA 17603.
Attorney: Elizabeth A. Bartlow,
Esquire.

Saylor, Brian Keith, dec'd.
Late of West Donegal Township.
Administrator: Jeremy Algoe c/o
Nikolaus & Hohenadel, LLP, 222
South Market Street, Suite 201,
Elizabethtown, PA 17022.
Attorney: Jeffrey S. Shank, Es-
quire.

Shirk, James W., dec'd.
Late of Lancaster.
Executor: Michael J. Shirk c/o
Legacy Law, PLLC., 147 W. Air-
port Road, Suite 300, Lititz, PA
17543.
Attorney: Evan H. Denlinger,
Esq.

Simione, Harry P., dec'd.
Late of the Township of Mount
Joy.
Executrix: Bonita L. Simione
c/o Nikolaus & Hohenadel, LLP,
222 South Market Street, Suite
201, Elizabethtown, PA 17022.
Attorney: Kevin D. Dolan, Esq.

Walker, Elizabeth Ann, dec'd.
Late of Manheim Township.
Executrix: Marjorie K. Crystle
c/o Michele A. Werder, Attor-
ney, P.O. Box 5349, Lancaster,
PA 17606.
Attorneys: Gibbel Kraybill &
Hess LLP.

Walp, Jane L., dec'd.
Late of Manheim Township.
Executor: Jeffrey Walp c/o Scott
Allen Mitchell, Esq., Saxton &
Stump, LLC, 280 Granite Run
Dr., Ste. 300, Lancaster, PA
17601.

Attorney: Saxton & Stump, LLC.

S-22

ARTICLES OF INCORPORATION

Kreider Insurance Associates, Inc.

Has been incorporated under the provisions of the Business Corporation Law of 1988.

Clymer Musser & Sarno PC
Attorneys

S-22

Articles of Incorporation for the **Peter and Hannah Njeri Matu Foundation**, a nonprofit corporation, were filed September 7, 2023, with the Department of State of the Commonwealth of Pennsylvania under the provisions of the Nonprofit Corporation Law of 1988.

The corporation is incorporated for the purpose of providing academic support and opportunities for orphans and disadvantaged youth in Kenya.

BLAKINGER THOMAS, PC
Attorneys

S-22

CHANGE OF NAME NOTICES

NOTICE IS HEREBY GIVEN that a Petition has been filed in the Court of Common Pleas of Lancaster County, Pennsylvania, seeking to change the name of **C.R.G.** to Caiden Astrid Gegg. A hearing on the Petition will be held on December 29, 2023 at 1:45 o'clock p.m. in Courtroom No.4 at the Lancaster County Courthouse, 50 North Duke Street, Lancaster, Pennsylvania, at which time any persons interested may attend and show cause, if any, why the Petition should not be granted.

NOTICE IS HEREBY GIVEN that a Petition has been filed in the Court of Common Pleas of Lancaster County, Pennsylvania, seeking to change the name of **Elorah Marin Starr** to Elvis Kaiden Smith. A hearing on the Petition will be held on November 02, 2023 at 2:30 o'clock p.m. in Courtroom No. 4 at the Lancaster County Courthouse, 50 North Duke Street, Lancaster, Pennsylvania, at which time any persons interested may attend and show cause, if any, why the Petition should not be granted.

S-22

ORPHANS' COURT DIVISION

Orphans' Court Division
Auditing Notices

To All Claimants, Beneficiaries, Heirs and Next of Kin, and other persons interested: NOTICE IS GIVEN that the following accounts in decedents', incapacitated persons, minors', and trust estates have been filed in the office of the Clerk of the Orphans' Court division of the Court of Common Pleas of Lancaster County and will be presented to said Orphans' Court Division for Audit and confirmation therein to the parties legally entitled thereto on

October 3, 2023

at 9 o'clock a.m. in Courtroom No. 11 on the fourth floor of the Courthouse, 50 North Duke Street, Lancaster, PA

1. HESS, PATSY W., decd., 2021-

01548. First & Final Acct.,
Dennis E. Hess & Douglas
Hess, Exec., James R. Clark,
atty.

Anne L. Cooper
Clerk of the Orphans' Court
Division
of the Court of Common Pleas.
S-22, 29

IN THE COURT OF COMMON
PLEAS OF LEBANON COUNTY
PENNSYLVANIA
ORPHANS' COURT DIVISION
**No. 2023-270 Petition for
Termination of Parental Rights**
IN RE: INVOLUNTARY TERMINA-
TION OF PARENTAL RIGHTS
DONOVAN MICHAEL WILLIAMS,
a minor

ORDER

AND NOW, to wit, this 6th day
of September, 2023, after hearing,
the Court notes as follows:

- A. Shawna Ann Shollenberger is the biological mother of Donovan Michael Williams (hereafter Donovan), born on October 9, 2010.
- B. Michael Brian Williams (biological father) is the biological father of Donovan.
- C. Biological father has not had any contact whatsoever with Donovan since 2012. In fact, the most recent contact between Donovan and biological father that occurred in 2012 resulted in criminal charges being filed against biological father for child abuse.
- D. Shawna Ann Shollenberger is married to Christopher L. Shollenberger. The Shollenbergers have lived together for eight years. During this time, they have raised numerous other children in addition to

Donovan.

- E. Donovan considers Mr. Shollenberger to be his father. In fact, Donovan calls Mr. Shollenberger "Dad".
 - F. All paternal responsibilities related to Donovan have been undertaken by Christopher Shollenberger. Biological father has not undertaken any parental duties whatsoever since 2012.
 - G. The whereabouts of biological father are unknown. As a result, counsel for Petitioners filed a motion seeking permission to serve Mr. Williams by publication. This Court granted said Petition by an Order dated June 30, 2023.
 - H. Service by publication was undertaken. Affidavits of Service are contained in the file.
 - I. Biological father has not appeared at today's proceeding, nor has he contacted Shawna Ann Shollenberger or Ms. Shollenberger's counsel regarding today's proceeding.
 - J. To the extent necessary, we determine that the biological father has evidenced a settled purpose to relinquish all parental rights as it relates to Donovan.
 - K. Christopher Shollenberger has expressed a willingness to adopt Donovan and has agreed to file a Petition for Adoption as promptly as possible following 30 days from today's date.
- ACCORDINGLY, the Order of this Court is as follows:
1. The Petition to Involuntarily Terminate any and all Parental Rights of Michael Brian Williams related to Donovan Williams is granted effective immediately.
 2. Following 30 days from today's

date, Shawna Ann Shollenberger and Christopher Lee Shollenberger are to file a Petition for Adoption. No further notice will be required to be afforded to Michael Brian Williams regarding the Adoption Petition.

3. Pending the adoption, physical custody of Donovan Williams is awarded to Shawna Ann Shollenberger and Christopher Lee Shollenberger.
4. A copy of this Order is to be served upon Michael Brian Williams. If Mr. Williams' whereabouts continue to be unknown, a copy of this Order may be served by publication.
5. Mr. Williams is advised that he has a legal right to place pertinent medical history information on file that may be beneficial to Donovan in the future. Said information may be provided to the Pennsylvania Department of Public Health or to this Court.

BY THE COURT:

/s/ BRADFORD H. CHARLES, J.
S-22

SUITS ENTERED

Defendant's name appears first in capitals, followed by plaintiff's name, number and plaintiff's or appellant's attorney.

**September 7, 2023
to September 13, 2023**

ABBOTT, BETTY; Alexander Cebzanov; 06351; Pearce
AMERICAN EXPRESS, Andrew Purdum; 06303

AMERICAN EXPRESS; Andrew Purdum; 06317

BROWN, HEIKE L.; Barclays Bank Delaware; 06297; Ratchford BUOHL, BRANDON; Robert Bellone; 06257; Gruenke

BURKE III, EDWARD THOMAS; Marcelo Conde; 06367; Justice

CHAMP GROUP INC, CHESTNUT HILL VILLA, SPOOKY CAMP PROPERTIES LP; Jessica Hamilton; 06265; Nemec

CITY OF LANCASTER, HAMILTON CLUB OF LANCASTER PENNSYLVANIA; Lorri Park; 06323; Justice

COMMONWEALTH OF PENNSYLVANIA; Cesareo Giron-Alejandre; 06255; Crystle

DAVIS, MATTHEW P.; Barclays Bank Delaware; 06299; Ratchford GOOD, MICHELLE R.; Barclays Bank Delaware; 06296; Ratchford

HAMILTON ARMS CENTER, GERIATRIC AND MEDICAL SERVICES INC, HAMILTON ARMS CENTER OPCO LLC, HAMILTON ARMS NURSING

& REHABILITATION CENTER; Estate of Thelma Barrett; 06270; Haberman

HARRIS, ANTHONY D.; Mark Wiker, 06311; Britten

HUDSON, SADEEN; Boulding Mortuary Inc; 06285; Ratchford

HUSS, ROBERT J.; Barclays Bank Delaware; 06300; Ratchford IN RE: CERTIFICATE OF TITLE FOR 2009 TOYOTA CBA 4T1BE46K29U378199; Gordon S.

Pawson; 06354; Bonner

JENKINS, WENDY J.; Barclays Bank Delaware; 06304; Ratchford MCCLOSKEY JR, PATRICK M.; Kristyn Ferraro; 06259; Shorr

PARRY, EMMA M.; Barclays Bank Delaware; 06302; Ratchford PURDUM JR, DONALD R.; Capital One; 06353

SIMMS, TIERSA M., Barclays Bank Delaware; 06286; Ratchford
SMITH, ASHLEY; UHG I LLC; 06361; Tsarouhis
STROUP, JESSICA L.; Barclays Bank Delaware; 06292; Ratchford
SYNERGY POWER SYSTEMS INC, POGUE, DAVID; Good Funding LLC; 06340, Koplove
TURNER, TINA; East Lampeter Township; 06394; Peipher
VARANO, KEVIN P.; Barclays Bank Delaware; 06294; Ratchford
WIGLEY, MARGARET S., YOUNG, RICHARD L., YOUNG, DEBORAH M., YOUNG, KATHLEEN A., MILL CREEK NEIGHBORHOOD ASSOCIATION INC, G. EARL MARTIN INC, HARRY A. POOLE SR CONTRACTOR INC, SOUTH BEND MASONRY LLC, AMENT, NADENA B., ANDREWS, MARK S., ANDREWS, BARBARA J., ANTHON, JOYCE E., BACHMAN, KAREN S., BAILEY, REV., EDWARD M., BARD, ROBERT M., BERGERON, LISA M., CHARLAN GROUP LP, MALLOY, JAMES F., YOUNG JR, MOREY SCOTT, HOUGHTALING, BRUCE H., GRIMM, A. SCOTT, GRIMM KEELEY, LISA, MOYER, J. PHILLIP, MOYER, BETSY L., LIVING STONES MASONRY, CONESTOGA MASONRY SERVICES LLC, ACUITY A MUTUAL INSURANCE COMPANY, CHARTERHOMESATMILLCREEK INC, BOYD WILSON LLC, BAILEY, LAVONIA A., WILLCOX, NANCY S., HAWTON, HILL, HUGHLETT, KAY E., SALAMANDER STUCCO SYSTEMS LLC, BEILER BROTHERS CONSTRUCTION LLC, PELLA CORPORATION, DESMOND, GEORGE, BIRD IN HAND BUILDERS LLC, ENVIRONMENTAL STONENETWORKS, ANTHON, DREW G., AMENT, G. DAVID, COOK, SHARON M., CRAMER, WILLIAM W., DESMOND, GREGORY C., DUNN, ROBERT E., ECKMAN, BETTY J., EISENBERGER, GENE C., EISENBERGER, DEBRA L., GAITHER, NAPOLEON, GAITHER, STEPHANIE, GORGOL, LEON J., GORGOL, ALEXANDRA A., GROFF, THOMAS R., GROFF, M. JANE, HABANEC, JOHN A., HABANEC, SHARON, HOFFMAN II, RICHARD B., HOFFMAN, DONNA LEE, HOTTENSTEIN JR., RAYMOND F., HOTTENSTEIN, SUSAN L., POST HOUGHTALING, NANCY, KIRMAN, ERIC J., KIRMAN, LINDA L., LANDIS, GERALD L., LANDIS, BARBARA J., LEFEVER, MARIE E., MACDOUGALL, MALCOLM P., MACDOUGALL, JUDITH P., MALLOY, BARBARA J., MILLER, LEON N., MILLER, SANDRA G., MILLIKEN, FRANK D., MILLIKEN, DOROTHY C., PERRY, MICHAEL J., PERRY, LAURA T., PORSE, N. CHRISTIAN, PORSE, CHRISTINE L., RINEER, DAVID L., RINEER, DOROTHY L., ROSNER, IRWIN, SAUDER, R. CLAIR, SAUDER, DORIS, SHOPE, WILLIAM J., SINGER, LORRAINE M., STAUFFER, ROBERT L., STAUFFER, ROBIN D., WELK, DONALD H., WELK, JOYCE E., WIGLEY, DANNY C., BHOPA, CHANDRA, BONCHEK DR., LAWRENCE, BRUBAKER, SANDRA S., CANTAFIO, JAMES A., CANTAFIO, TRACY D., CLUGSTON, SCOTT A., CLUGSTON, MARGARET E., COLBERG, RICHARD A.; Aaron Esh; 06239; Rendemonti