

LACKAWANNA JURIST

JUDICIAL OPINION

CASE NAME AND NUMBER: McNair v. PAWC - 2026 WL 1698755 (Lacka. Co. 2026)

DATE OF DECISION: June 11, 2026

JUDGE: Terrence R. Nealon

ATTORNEYS INVOLVED: Patrick Howard, Esquire, Simon B. Paris, Esquire, Joshua D. Snyder, Esquire, Todd J. O'Malley, Esquire, and Mary Anne O. Lucas, Esquire
Counsel for Plaintiffs
David J. Raphael, Esquire, Thomas A. DeCesar, Esquire, Conor T. Daniels, Esquire, R. Timothy Weston, Esquire, Sarah A. Decker, Esquire, and Charles F. Rysavy, Esquire, *Counsel for Defendant*

SUMMARY OF OPINION:

Residents of a Monroe County lake community initiated this class action against their water utility asserting claims for public nuisance under the safe drinking water statute, private nuisance, and breach of implied contract for failing to provide clean, safe, and reliable water service to their community. They maintained that the drinking water supplied by the utility was chronically tainted with excessive levels of manganese that adversely affected the color, taste, smell, and safety of the water, damaged their clothing, plumbing fixtures, hot water heaters, and other appliances, and exposed them to the risk of irreversible neurological and developmental deficits, and that the utility recklessly delayed the installation of a filtration system to remove dissolved manganese from the water and thereby establish safe manganese levels. The utility filed a motion for summary judgment which (1) sought the dismissal of the nuisance claims based upon the expiration of the statute of limitations, (2) asserted that the evidence supporting the breach of implied contract cause of action was insufficient as a matter of law, and (3) alleged a lack of subject matter jurisdiction over the public nuisance claim based upon the residents' failure to exhaust their administrative remedies.

Under the discovery rule, the commencement of the two-year statute of limitations governing the nuisance claims was tolled until the residents knew, or in the exercise of reasonable diligence should have known, of some form of their significant harm and a factual cause of that harm linked to the utility's conduct. Based upon the record submitted, including evidence of apparent misrepresentations made by the utility to the residents and the state utility commission and other critical facts reportedly withheld from them by the utility, reasonable minds could differ in determining whether the residents had actual or constructive knowledge of their harm and its cause more than two years prior to the filing of this suit. Therefore, viewing the record in the light most favorable to the residents as the non-moving parties, the utility did not demonstrate that it was clear and free from doubt that the nuisance claims were time-barred by the applicable limitations period.

Pennsylvania regulations required the utility to deliver annual consumer confidence reports to its water service customers, and in its required reports that it provided to the residents, it represented that it was "committed to delivering high quality drinking water service," that "safe, reliable water service is [its] top priority," that it treated its water "to meet drinking water standards," and that it was "committed to finding solutions for water quality challenges and implementing new technologies." The utility's words and actions in that regard, and the residents' continuous payment of the utility's bills for their water service, were sufficient to sustain the residents' cause of action for breach of the utility's implied duty to provide drinking water that "is safe, clean, and reliable as promised" and free of excessive levels of manganese. Furthermore, the doctrine of exhaustion of administrative remedies applies only where the available administrative remedy is adequate and complete with respect to the alleged harm sustained and the specific relief requested. Since the residents' public nuisance claim sought to recover compensatory and punitive damages for the diminution of the value of their property, the loss of the use and enjoyment of their land, and the inconvenience, discomfort, and annoyance that they have endured allegedly due to the utility's actionable and reckless conduct, but the appropriate state administrative agency has no authority to award damages, the residents were not required to first exhaust available administrative procedures before seeking redress from the court. Consequently, the utility's motion for summary judgment was denied.

LACKAWANNA JURIST

ESTATE

First Notice

ESTATE OF DAVID L. ANTOINE, late of Nicholson, Pennsylvania (Died October 27, 2025). Letters Testamentary have been granted to Mr. Ray Alden Antoine and Ms. Sandy Dixon, Co-Executors. All persons having claims against the Estate or indebted to the Estate shall make payment or present claims to Douglas P. Thomas, Attorney for the Estate, 345 Wyoming Avenue, Suite 200, Scranton, PA 18503.

ESTATE OF GERALD L. BETTI, DECEASED, late of the Borough of Archbald, Lackawanna County, Pennsylvania, (died August 21, 2025). Letters Testamentary having been granted, creditors shall make demand and debtors shall make payment to Gerald L. Betti, Jr., 139 Maria Blvd., Archbald, PA, 18403 to Stephen J. Evers, Esq., Attorney for the Estate, 213 R. North State Street, Clarks Summit, PA, 18411.

ESTATE OF ANNA M. BORIS, A/K/A ANNA MARY BORIS, late of Archbald, Lackawanna County, Pennsylvania, died June 13, 2026. Notice is hereby given that Letters Testamentary on the above listed Estate to Lynda Marchetti. All persons indebted to the said Estate are required to make payment and those having claims to present the same without delay to Theresa J. Malski-Pezak, Esquire, 907 Church Street, Jessup, Pennsylvania 18434.

ESTATE OF CINDY L. BRINK, NUMBER 35-2026-898. Deceased, Late of Dalton, Lackawanna County, PA: Died August 3, 2024. Notice is hereby given that Letters of Administration have been granted in to make payments, and those having claims or demands are to present the same without delay to Michael Brink, 401 Prospect ST., Dalton, PA 18414.

ESTATE OF ROBERT ARTHUR GAUL, a/k/a ROBERT A. GAUL, late of Elmhurst Township, Lackawanna County, Pennsylvania (died October 22, 2025). Notice is hereby given that Letters Testamentary have been granted in the above Estate. All persons indebted to said Estate are required to make payment; and those having claims or demands are to present the same without delay to Brenda Grunza, 529 McElhenny Lane, Nicholson, PA 18446 and counsel for the Estate, Nancy M. Barrasse, Esquire, 224 Adams Avenue, Scranton, Pennsylvania 18503.

NOTICE IS HEREBY GIVEN that Letters of Administration were granted to William Giannetti, in the **ESTATE OF BARBARA A. GIANNETTI**, late of the City of Scranton, Lackawanna County, Pennsylvania, who died on October 25, 2024. All persons indebted to the said Estate are required to make payment, and those having claims or demands to present the same without delay to the estate's counsel named below: Edwin A. Abrahamsen, Esquire Abrahamsen, Conaboy & Abrahamsen, P.C. 255 E. Grove St, 2nd Fl. Clarks Summit, PA 18411.

ESTATE OF HELEN JOYCE HAHN, AKA JOYCE HAHN, AKA HELEN J. HAHN. NUMBER 35-2026-759. Deceased, Late of Moosic, Lackawanna County, PA: Died February 5, 2026. Notice is hereby given that Letters of Testamentary have been granted in to make payments, and those having claims or demands are to present the same without delay to Susan Kunda, 1292 Juniper St. Pottstown, PA 19464.

ESTATE OF ELMER JAMES HANICHAK, NUMBER 35-2025-1153. Deceased, Late of Scranton, Lackawanna County, PA: Died July 17, 2025. Notice is hereby given that Letters of Testamentary have been granted in to make payments, and those having claims or demands are to present the same without delay to Debra Muchal, 1 Muchal Lane, Jermyrn, PA 18433.

NOTICE IS HEREBY GIVEN that Letters Testamentary in the **ESTATE OF HELENE G. ISBITSKI**, late of the Borough of Moosic, Lackawanna County, Pennsylvania, have been granted to the undersigned. All persons indebted to said estate are required to make immediate payment and those having claims shall present them for settlement to: Lisa Golden & Robert Isbitski c/o Shandra S. Kisailus, Esquire 245 North River Street Wilkes-Barre, PA 18702, Phone: 570-824-9949, Date of Death: June 22, 2025.

ESTATE OF ARVO LEMBIT LEOLA a/k/a ARVO LEOLA, late of Dalton, County of Lackawanna, and State of Pennsylvania, deceased, who died on the 21st day of December, 2025. Letters of Administration having been granted to File No. 35-26-00091, all persons having claims or demands against the Estate of the decedent shall make payment thereof without delay to Tracy Lubeck, 16032 Airport Drive, Dalton, PA 18411, or to Mattes & Mattes, P.C., 201 West Main Street, P.O. Box 222, Dalton, PA 18414.

ESTATE OF RONALD M. MASCARO, SR., late of Scranton, Lackawanna County, Pennsylvania (died August 27, 2025). Notice is hereby given that Letters Testamentary for the Estate of Ronald M. Mascaro, Sr. have been issued to Lisa Charles, Executrix of the Estate. All those having claims or demands against the Estate or indebtedness owed to the Estate shall present claims or remit payment without delay to Lisa Charles, c/o John J. McGee, Attorney for the Estate, P.O. Box 3298, Scranton, PA 18505.

ESTATE OF ROSE MASCARO, late of Scranton, Lackawanna County, Pennsylvania (died September 20, 2025). Notice is hereby given that Letters Testamentary for the Estate of Rose Mascaro have been issued to Lisa Charles, Executrix of the Estate. All those having claims or demands against the Estate or indebtedness owed to the Estate shall present claims to remit payment without delay to Lisa Charles, c/o John J. McGee, Attorney for the Estate, P.O. Box 3298, Scranton, PA 18505.

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ESTATE OF EUGENE PAUL SESKY, NUMBER 35-2026-864. Deceased, Late of Scranton, Lackawanna County, PA: Died June 29, 2026. Notice is hereby given that Letters of Administration have been granted in to make payments, and those having claims or demands are to present the same without delay to Joseph Paul Sesky, 504 Scott RD., Clarks Summit, PA 18411.

MARY THIEL, Deceased, Late of Roaring Brook Township, Lackawanna County, PA. Letters of Administration on the above Estate having been granted to the Administrator, Brian F. Levine, all persons indebted to the Estate are requested to make payment, and those having claims to present same without delay, to Brian F. Levine, Esquire.

Notice is hereby given that Letters Testamentary have been granted to Jenny A. Cooney, Executrix of the **ESTATE OF PHILLIPINA R. VERRASTRO, a/k/a PHILLIPINA VERRASTRO**, late of Moscow, PA, who died July 4, 2026. All persons indebted to the Estate are required to make payment and those having claims or demands are to present the same without delay to the Executrix or to Raymond C. Rinaldi, II, Esquire, Rinaldi & Poveromo, P.C., P.O. Box 826, Scranton, PA 18501.

ESTATE OF LORRAINE J. YUDISKAS, AKA LORRAINE J. BRAZ, NUMBER 35-2026-854. Deceased, Late of Scranton, Lackawanna County, PA: Died July 5, 2026. Notice is hereby given that Letters Testamentary have been granted in to make payments, and those having claims or demands are to present the same without delay to Lisa T. Conley, 2895 Fairfield Union Ave., Lancaster, OH 43130.

Second Notice

ESTATE OF JAMES F. BUTLER, ESTATE NO. 35-21-00343, late of Dunmore, Lackawanna County, PA (died March 18, 2020). Notice is hereby given that Letters of Administration for the Estate of James F. Butler have been issued to Thomas King, Executor of the Estate. All those having claims or demands against the Estate or indebtedness owed to the Estate shall present claims or remit payment without delay to: Executor Thomas King, c/o Atty. Stephanie Lynne Tigue, O'BRIEN LEGAL, 72 Glenmaura National Boulevard, Suite 104, Moosic PA 18507.

ESTATE OF MARY ELIZABETH BUTLER, ESTATE NO. 35-26-00818, late of Dunmore, Lackawanna County, PA (died October 12, 2007). Notice is hereby given that Letters Testamentary for the Estate of Mary Elizabeth Butler have been issued to Thomas King, Executor of the Estate. All those having claims or demands against the Estate or indebtedness owed to the Estate shall present claims or remit payment without delay to: Executor Thomas King, c/o Atty. Stephanie Lynne Tigue, O'BRIEN LEGAL, 72 Glenmaura National Boulevard, Suite 104, Moosic PA 18507.

NOTICE IS HEREBY GIVEN that Letters Testamentary in the **ESTATE OF MARY ANN COGGINS**, late of Old Forge, Lackawanna County, Pennsylvania, have been granted to the undersigned. All persons indebted to said Estate are required to make immediate payment and those having claims shall present them for settlement to: GERARD COGGINS, EXECUTOR BRENDA D. COLBERT, Esquire COLBERT & GREBAS, P.C. 210 Montage Mountain Road – Suite A Moosic, PA 18507. Date of Death: January 14, 2026.

ESTATE OF EUGENE W. CONNOR a/k/a EUGENE CONNOR, late of Carbondale, Pennsylvania (died May 06, 2026). Notice is hereby given that Letters of Administration on the above Estate have been granted to Eugene S. Connor, of Dunmore, PA. All persons indebted to the said Estate are required to make payment and those who have claims to present the same without delay to the personal Representative named herein, or to Patrick N. Coleman, Esquire, Tellie & Coleman, P.C., 310 East Drinker Street, Dunmore, PA 18512.

NOTICE is hereby given that Letters Testamentary have been given in the **ESTATE OF MARY LUCILLE CZYZYK**, late of Scranton, Lackawanna County, Pennsylvania, who died April 13, 2026. All persons indebted to said Estate are required to make payment, and those having claims or demands, to present the same without delay to the Executor, Joseph S. Czyzyk, c/o Hourigan, Kluger & Quinn, P.C., 600 Third Avenue, Kingston, PA 18704.

ESTATE OF MARGARET M. DISKIN, late of Moosic, died May 23, 2026. Letters of Testamentary granted to Lynn Webster, Catherine A. Gallagher, Attorney for the Estate, 416 Jefferson Avenue, Scranton, PA 18510. Notice is hereby given that Letters of Testamentary have been granted. All persons indebted to the said Estate are required to make payment, and those having claims or demands are to present the same without delay to the Executrix name.

Notice is hereby given that Letters Testamentary have been granted in the **ESTATE OF ROBERT R. DUDICK**, deceased. All persons indebted to said Estate are required to make payments, and those having claims or demands to present the same, without delay, to Diane Grambo, Executrix, c/o Needle Law, P.C., 240 Penn Avenue, Scranton, PA 18503.

ESTATE OF JEAN M. EDWARDS a/k/a JEAN EDWARDS, late of Jefferson Twp., Pennsylvania (died March 14, 2026). Notice is hereby given that Letters of Administration on the above Estate have been granted to Scott Edwards, of Dunmore, PA. All persons indebted to the said Estate are required to make payment and those who have claims to present the same without delay to the personal Representative named herein, or to Patrick N. Coleman, Esquire, Tellie & Coleman, P.C., 310 East Drinker Street, Dunmore, PA 18512.

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ESTATE OF CHARLOTTE HASER, late of Jermyrn, Lackawanna County, Pennsylvania (died June 9, 2026). Notice is hereby given that Letters of Testamentary for the Estate have been issued to GLENN P. HASER, Executor of the Estate. All those having claims or demands against the Estate or indebtedness owed to the Estate shall present claims or remit payment without delay to the EXECUTOR, or to John J. McGovern, Jr., Attorney for the Estate, 321 Spruce Street - Suite 201, Scranton, PA 18503.

ESTATE OF MARYROSE LENIHAN, Deceased, late of 1622 Quincy Ave., Dunmore, PA 18509, (Died August 12, 2025). Daniel Lenihan, Executor; Dante A. Cancelli, Suite 260, 125 North Washington Ave., Scranton, Pennsylvania 18503, Attorney.

In the **ESTATE OF BECKY LEE MURRAY a/k/a BECKY MURRAY**, of Susquehanna County, Pennsylvania. Letters Testamentary in the above Estate have been granted to David John Murray. All persons indebted to said Estate are requested to make prompt payment and all having claims against said Estate will present them without delay to: Michael Brieche, Esquire, Brieche Law Offices, P.C., 1015 N. Main Street, P.O. Box 157, Forest City, PA 18421, Attorney for the Estate.

NOTICE IS HEREBY GIVEN that Letters Testamentary in the **ESTATE OF LOUISE NYKAZA**, late of Old Forge, Lackawanna County, Pennsylvania, have been granted to the undersigned. All persons indebted to said estate are required to make immediate payment and those having claims shall present them for settlement to: KARISSA DOLAN, EXECUTRIX BRENDIA D. COLBERT, Esquire COLBERT & GREBAS, P.C. 210 Montage Mountain Road – Suite A Moosic, PA 18507. Date of Death: January 20, 2026.

ESTATE OF TONI MARIA RECUPERO, Deceased, late of Scranton, Pennsylvania (Died June 8, 2026). All persons indebted to said Estate are required to make payment, and those having claims or demands to present the same, without delay, to Ann Hunter Williams, Executrix, c/o Attorney Joseph F. Gaughan, 1107 Oram Street, Scranton, PA 18504.

ESTATE OF VIRGILIO SEBASTIANELLI, late of South Abington Township, Lackawanna County, Pennsylvania (died July 16, 2026). Notice is hereby given that Letters Administration for the Estate have been issued to Rose Sebastianelli-Cimini, Administrator of the Estate. All those having claims or demands against the Estate or indebtedness owed to the Estate shall present claims or remit payment without delay to the Administrator or to John J. McGovern, Jr., Attorney for the Estate, 321 Biden Street - Suite 201, Scranton, PA 18503.

ESTATE OF NANCY V. SOUDER, Late of Scranton.

Letters Testamentary on the above estate have been granted to the undersigned, who requests all persons having claims or demands against the estate of the decedent to make known the same, and all persons indebted to the decedent to make payment, without delay, to Carol L. Farrell, 2152 Mill Valley Ln., Quakertown, PA 18951, Donna K. Krahling, PO Box 1023, Buffalo, NY 14240, Executrices, or their attorney, Elizabeth M. Wetzler, Esquire, Landis, Hunsberger, Gingrich & Weik, LLP, 114 East Broad Street, P.O. Box 769, Souderton, Pennsylvania 18964.

ESTATE OF CAROL ANN TALERICO aka, CAROL D. TALERICO aka CAROLINE TALERICO, late of the city of Scranton, died 03/27/2026. Letters of Testamentary granted to Wendy Letoski, Terrence V. Gallagher, Attorney for the Estate, 416 Jefferson Avenue, Scranton, PA 18510. Notice is hereby given that Letters of Testamentary have been granted. All persons indebted to the said Estate are required to make payment, and those having claims or demands are to present the same without delay to the Executrix name.

Notice is hereby given that Letters Testamentary have been granted in the **ESTATE OF CATHERINE VANNAN** late of Clarks Summit, Lackawanna County, Commonwealth of Pennsylvania (died April 13, 2026). All persons indebted to the Estate are requested to make payments and all those having claims or demands are to present same, without delay to Joan Roche, Executrix of the Estate or Sean P. McGraw, Esquire, Attorney for the Estate, 41 N. Main Street, 4th Floor, Carbondale, PA 18407.

Notice is hereby given that Letters of Administration have been granted in the **ESTATE OF SALLY ANN WALSH** late of Scranton, Lackawanna County, Commonwealth of Pennsylvania (died April 4, 2026). All persons indebted to the Estate are requested to make payments and all those having claims or demands are to present same, without delay to Jeanne Walsh Smith, Administratrix of the Estate or Sean P. McGraw, Esquire, Attorney for the Estate, 41 N. Main Street, 4th Floor, Carbondale, PA 18407.

ESTATE OF LUKE DAVID ZORECHAK, ESTATE NO. 35-25-1572, late of 306 Hitchcock Road, Jefferson Township, PA 18436, (died 4/9/2025). Joseph Zorechak, Executor. Elaine C. Geroulo, Esquire, Attorney for the Estate.

Third Notice

NORMA JANE AHLERS, late of Scranton, Lackawanna County, Pennsylvania, who died June 6, 2026, Letters Testamentary in the above Estate having been granted to William Ahlers. All persons having claims or demands against the Estate of the decedent shall make them known, and present them, and all persons indebted to said decedent shall make payment thereof without delay to William Ahlers, Executor, c/o Attorney Jill E. Durkin, Durkin Law, LLC, 401 Marshbrook Road, Factoryville, Pennsylvania 18419.

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ESTATE OF MIRIAM E. GIORDANO, late of the Borough of Dunmore, Lackawanna County, Pennsylvania, died on June 9, 2026. Letters Testamentary having been granted to Ellen Christman. Creditors shall make demands and debtors shall make payment without delay to Marjorie DeSanto Barlow, Esq., Attorney for the Estate, DeSanto Barlow Law, P.C., 327 N. Washington Ave., Ste. 400, Scranton, PA 18503.

GAIL P. MELUCCI, late of Dickson City, Lackawanna County, Pennsylvania, who died November 25, 2025, Letters Testamentary in the above Estate having been granted to Karen Kresge. All persons having claims or demands against the Estate of the decedent shall make them known, and present them, and all persons indebted to said decedent shall make payment thereof without delay to Karen Kresge, Executrix, c/o Attorney Jill E. Durkin, Durkin Law, LLC, 401 Marshbrook Road, Factoryville, Pennsylvania 18419.

ESTATE OF JAMES WALTER SWANICK, late of Dunmore, Pennsylvania (died January 4, 2008). Notice is hereby given that Letters of Administration for the Estate of James Walter Swanick have been issued to James W. Swanick, Jr., Administrator of the Estate. All those having claims or demands against the Estate or indebtedness owed to the Estate shall present claims or remit payment without delay to the Administrator at 401 Keystone Street, Hawley, PA 18428 or to Kris E. Fendrock, Myers, Brier & Kelly, LLP, Attorney for the Estate, 425 Biden Street, Suite 200, Scranton, PA 18503.

Change of Name

In the Court of Common Pleas, Lackawanna County, Pennsylvania, Civil Division: In Re: In the Matter of the Petition of **Sarah Ann Janesko** for Change of Name to **Sara Rose Lafontaine**. Notice is hereby given that the Petition for Change of Name was filed in the above Court, requesting an Order to change Petitioner's name to Sara Rose Lafontaine. The Court has fixed the 2nd day of October, 2026, at 1:30 p.m. in Courtroom A at the Lackawanna County Government Center located at 123 Wyoming Avenue in Scranton, PA 18503 as the time and place for the hearing of said petition for name change, when and where all persons interested may appear and show cause, if any they have, why the prayer of said Petition should not be granted.

In the Court of Common Pleas, Lackawanna County, Pennsylvania, Civil Division: In Re: In the Matter of the Petition of **Erilyn Recana Camporedondo** for Change of Name. Notice is hereby given that the Petition for Change of Name was filed on August 3, 2026 in the above Court, requesting an Order to change Petitioner's name. The Court has fixed the 30th day of October, 2026, at 1:30 p.m. in Courtroom A at the Lackawanna County Government Center located at 123 Wyoming Avenue in Scranton, PA 18503 as the time and place for the hearing of said petition for name change, when and where all persons interested may appear and show cause, if any they have, why the prayer of said Petition should not be granted.

Articles of Incorporation

Notice is hereby given that Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania on the 1st day of July, 2026, with respect to a proposed non profit organization under the provisions of the Non-Profit Corporation Law of 1988. The name of the corporation is **Abington Gardens Condominium Association** with a registered office at 612 Main Street, Suite 200, Stroudsburg, PA 18360. The purpose for which the corporation is organized is to manage the maintenance, governance and financials of the shared property and buildings of the community known as Abington Gardens at South Abington Township, Lackawanna County, Pennsylvania.

LACKAWANNA JURIST

IN RE:	:	IN THE COURT OF COMMON PLEAS
Allan Rozelle, an Alleged	:	OF LACKAWANNA COUNTY
Incapacitated Person	:	
	:	ORPHANS COURT DIVISION
	:	
	:	NO. 35-2026-309

NOTICE OF GUARDIANSHIP HEARING

To: ROBERT ROZELLE

(Whereabouts Unknown)

NOTICE is hereby given that a Petition for the Appointment of a Plenary Guardian of the Person and Estate of Allan Rozelle has been filed in the Court of Common Pleas of Lackawanna County, Orphans' Court Division.

A hearing on the Petition will be held on **Wednesday, September 9, 2026, at 1:30 p.m.**, in Courtroom B, located at the Lackawanna County Government Center, First Floor, 123 Wyoming Avenue, Scranton, PA 18503.

If you wish to object to the Petition or otherwise be heard, you must appear at the hearing or take such action as permitted by law. Failure to appear may result in the Court proceeding in your absence and entering an order regarding the requested guardianship.

This notice is provided pursuant to the Order of Court authorizing alternative service by way of publication because your whereabouts are unknown.

Jeffrey J. Poplawsky, Esquire
Attorney for Petitioner
307 North Blakely Street
Dunmore, PA 18512
Phone: (570) 342-3799
Fax: (570) 300-2790
Email: jeffrey@popslaw.net

LACKAWANNA JURIST

Robert Flacco, Esq. (325024)
Nicole Francese (332253)
FRIEDMAN VARTOLO LLP
1325 Franklin Avenue, Suite 160
Garden City, NY 11530
T: (212) 471-5100
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Attorneys for Plaintiff
Firm Case No.: 234336-4

IN THE COURT OF COMMON PLEAS OF LACKAWANNA COUNTY, PENNSYLVANIA

-----x

US BANK TRUST NATIONAL ASSOCIATION,
NOT IN ITS INDIVIDUAL CAPACITY BUT
SOLELY AS OWNER TRUSTEE FOR VRMTG
ASSET TRUST,

Plaintiff

vs.

JENNIFER J. BENFANTE, KNOWN HEIR OF
MARY M. KIMBLE, DECEASED; FRANCIS J.
JEZORWSKI, KNOWN HEIR OF MARY M.
KIMBLE, DECEASED; UNKNOWN HEIRS
SUCCESSORS ASSIGNS, AND ALL PERSONS,
FIRMS OR ASSOCIATIONS CLAIMING RIGHT,
TITLE OR INTEREST FROM OR UNDER MARY
M. KIMBLE, DECEASED,

Defendant(s)

-----x

CASE NO.: 2024-02192

CIVIL ACTION

MORTGAGE FORECLOSURE

NOTICE OF SHERIFF'S SALE OF REAL ESTATE

TO: Jennifer J. Benfante, Known Heir of Mary M. Kimble, Deceased at 1421 Division Street, Scranton, PA, 18504; Francis J. Jezorwski, Known Heir of Mary M. Kimble, Deceased at 1421 Division Street, Scranton, PA 18504; Unknown Heirs, Successors, Assigns, and All Persons, Firms or Associations Claiming Right, Title or Interest from or Under Mary M. Kimble, Deceased at 1421 Division Street, Scranton, PA 18504; and all other Interested Persons or Parties

PLEASE TAKE NOTICE that the real estate located at 1421 Division Street, Scranton, PA 18504, owned by Mary Kimble, Deceased, scheduled to be sold at Sheriff's Sale on **June 5, 2026** at 10:00am, prevailing time, in the Lackawanna County Courthouse, 200 North Washington Avenue, Scranton, PA 18503 to enforce the court judgment of \$78,706.09, plus fees, costs and other charges obtained by NewRez LLC d/b/a Shellpoint Mortgage Servicing against Jennifer J. Benfante, Known Heir of Mary M. Kimble, Deceased; Francis J. Jezorwski, Known Heir of Mary M. Kimble, Deceased; Unknown Heirs Successors Assigns, and All Persons, Firms or Associations Claiming Right, Title or Interest from or Under Mary M. Kimble, Deceased.

LACKAWANNA JURIST

NOTICE OF OWNER'S RIGHTS **YOU MAY BE ABLE TO PREVENT THIS SHERIFF'S SALE**

To prevent this Sheriff's Sale you must take immediate action:

1. The sale will be cancelled if you pay to NewRez LLC d/b/a Shellpoint Mortgage Servicing, the back payments, late charges, costs and reasonable attorney's fees due. To find out how much you must pay, please call our office at 212-471-5100 and/or email to pafigures@friedmanvartolo.com.

2. You may be able to stop the sale by filing a petition asking the Court to strike or open judgment if the judgment was improperly entered. You may also ask the Court to postpone the sale for good cause.

3. You may also be able to stop the sale through other legal proceedings.

4. You may need an attorney to assert your rights. The sooner you contact one, the more chance you will have of stopping the sale. (See notice below on how to obtain an attorney).

YOU MAY STILL BE ABLE TO SAVE YOUR PROPERTY AND YOU HAVE OTHER RIGHTS EVEN IF THE SHERIFF'S SALE DOES NOT TAKE PLACE.

1. If the Sheriff's Sale is not stopped, your property will be sold to the highest bidder. You may find out the bid price by calling 212-471-5100.

2. You may be able to petition the Court to set aside the sale if the bid price was grossly inadequate compared to the value of your property.

3. The sale will go through only if the buyer pays the Sheriff the full amount due in the sale. To find out if this has happened, you may call 212-471-5100.

4. If the amount due from the Buyer is not paid to the Sheriff, you will remain the owner of the property as if the sale never happened.

5. You have a right to remain in the property until the full amount due is paid to the Sheriff and the Sheriff gives a deed to the buyer. At that time, the buyer may bring legal proceedings to evict you.

6. You may be entitled to a share of the money which was paid for your house. A schedule of distribution of the money bid for your house will be filed by the Sheriff within thirty (30) days from the date of the Sheriff's Sale. This schedule will state who will be receiving that money. The money will be paid out in accordance with this schedule unless exceptions (reasons why the proposed distribution is wrong) are filed with the Sheriff within ten (10) days after the schedule of distribution is filed.

7. You may also have other rights and defenses, or ways of getting your house back, if you act immediately after the sale.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE LISTED BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Lackawanna County Lawyer Referral Service Northern
Pennsylvania Legal Services,
507 Linden Street
3rd Floor Scranton,
PA 18503
570-342-0184

LACKAWANNA JURIST

Brick Ave LLC

August 14

tiff

vs.

H. Walter Pierce, William Gallagher, Elizabeth Gallagher, Daniel Butler, Deborah Butler, John Coles and Eleanor Ann Coles, and all their respective heirs, estates, executors and administrators, their successors and assigns, and any and all persons who may known or unknown claiming by, through or under the aforesaid H. Walter Pierce, William Gallagher, Elizabeth Gallagher, Daniel Butler, Deborah Butler, John Coles and Eleanor Ann Coles

Defendant

IN THE COURT OF COMMON PLEAS
OF LACKAWANNA COUNTY

CIVIL DIVISION - LAW
ACTION TO QUIET TITLE

NO. 2026-CV-0351

TO: H. Walter Pierce, William Gallagher, Elizabeth Gallagher, Daniel Butler, Deborah Butler, John Coles and Eleanor Ann Coles, et al, as more fully set out in the Lackawanna County Civil Action 2026-CV-0351

Date of Notice: _____, 2026

IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN (10) DAYS FROM THE DATE OF THIS NOTICE A MOTION FOR ORDER, WITHOUT FURTHER ADVERTISEMENT, THAT THIRTY (30) DAYS ABSENT DEFENDANTS' FILING A COMPLIANT IN EJECTMENT A FINAL JUDGMENT WILL BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR PROPERTY OR OTHER IMPORTANT RIGHTS.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE FOLLOWING OFFICE TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Lawyer Referral Services
Lackawanna Bar Association
233 Penn Avenue
Scranton, PA 18503
Phone: (570) 969-9600

North Penn Legal Services
33 N. Main Street, Suite 200
Pittston, PA 18640
Phone: (570) 299-4100

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