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# **Chester County Law Reporter**

(USPS 102-900)

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# **2024 YLD Division**

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#### [72 Ches. Co. Rep. Discover Bank vs. Fern

# Discover Bank vs. Fern

Continuance requests – Service of original process – Petition for relief from Non Pros

- 1. The Standard Operating Procedures of the Chester County Court of Common Pleas provides successive continuance requests are likely to be denied.
- 2. A judgment is void for want of personal jurisdiction obtained pursuant to proper service of original process, waiver, or consent.
- 3. Where a case is called for trial, if without satisfactory excuse a plaintiff is not ready, the court may enter a nonsuit on motion of the defendant or a non pros on the court's own motion.
- 4. A petition to open judgment of non pros must contain facts showing that the petition is timely filed, there is a reasonable explanation or legitimate excuse for the conduct that gave rise to the entry of judgment of non pros, and there is a meritorious cause of action.
- Plaintiff commenced this action on May 20, 2022 by filing a Complaint 5. alleging that Defendant owes credit card debt in the amount of \$12,192.76. That same day, an arbitration hearing was scheduled for December 2, 2022. Plaintiff requested a continuance of the arbitration hearing three times because Defendant had not been served the Complaint. The three continuance requests were granted. Plaintiff submitted a fourth continuance request fifteen months after Plaintiff commenced this action, and nine months after the arbitration was first scheduled, seeking time to properly serve the Defendant. That request gave no indication when Plaintiff expected to serve Defendant, what effort, if any, Plaintiff was making to serve Defendant, or whether Plaintiff had already filed a motion for alternate service. Accordingly, this court denied Plaintiff's fourth continuance request. On September 8, 2023, this case was called for arbitration. Plaintiff appeared but was not ready because Plaintiff had still not served Defendant and, thus, an arbitration hearing on the merits would have been a legal nullity. This court entered judgment of non pros against Plaintiff on September 8, 2023. Plaintiff filed a Petition for Relief from Non Pros, noting the Sheriff attempted service at Defendant's residence in June of 2022, May of 2023, and August of 2023 but there was no answer and Plaintiff had filed a motion for alternate service on September 7, 2023. Plaintiff's Petition was denied because Plaintiff did not aver a reasonable explanation or legitimate excuse for appearing for the arbitration hearing without having served the Complaint so the arbitration hearing could proceed; Plaintiff instead averred that it made some effort and filed a motion for alternate service on September 7, 2023; Plaintiff did not aver a prima facie case of reasonable effort nor did Plaintiff aver some intervening cause that prevented Plaintiff from timely filing a motion for alternate service. In sum, Plaintiff did not aver a reasonable

# Discover Bank vs. Fern

explanation or legitimate excuse for the conduct that gave rise to the entry of judgment of non pros.

R.E.M.

C.C.P., Chester County, Pennsylvania, Civil Action No. 2022-03580-CT; Discover Bank vs. William Fern

Jason Strand for Discover Bank Binder, J., January 22, 2024:-

CHESTER	<b>COUNTY REPORTS</b>	
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[72 Ches. Co. Rep. Discover Bank vs. Fern			
DISCOVER BANK	IN THE COURT OF COMMON PLEAS CHESTER COUNTY, PENNSYLVANIA		
vs. WILLIAM T. FERN	NO. 2022-03580-CT		
	CIVIL ACTION – LAW		

# **ORDER and MEMORANDUM**

**AND NOW**, this 22nd day of January, 2024, upon consideration of Plaintiff's Petition for Relief from the Judgment [of] Non Pros of September 8, 2023, filed September 15, 2023 and September 21, 2023, no response in opposition having been filed thereto, for the reasons set forth in the accompanying Memorandum it is hereby **ORDERED** that the Petition is **DENIED**.

#### **BY THE COURT:**

/s/ BRET M. BINDER, J.

#### Discover Bank vs. Fern

#### MEMORANDUM

Plaintiff commenced this action on May 20, 2022 by filing a Complaint alleging that Defendant owes credit card debt in the amount of \$12,192.76. On that same day the Prothonotary and Court Administration set an arbitration hearing for December 2, 2022 pursuant to C.C.R.C.P. 1302.1(f). Plaintiff requested a continuance of the arbitration hearing three (3) times, averring each time that Plaintiff had not yet served the Complaint. *See* Order, 12/6/2022, p. 1; Order, 4/12/2023, p. 2 (Arbitration Continuance Request Form), Order, 6/5/2023, p. 2 (Arbitration Continuance Request Form). This court granted Plaintiff's three (3) continuance requests by orders dated December 2, 2022, April 10, 2023, and May 31, 2023. Order, 12/6/2022, p. 1; Order, 4/12/2023, p. 1; Order, 6/5/2023, p. 1.

Plaintiff submitted a fourth continuance request by application dated August 25, 2023 which was one (1) year and three months after Plaintiff commenced this action, and nine (9) months after the date first set for the arbitration hearing. Plaintiff's support for its fourth continuance request was in its entirety as follows: "Plaintiff is requesting a continuance to properly serve the Defendant." Order, 9/8/2023, p. 2 (Arbitration Continuance Request Form). Plaintiff gave no indication when Plaintiff expected to serve Defendant, what effort, if any, Plaintiff was making to serve Defendant, or whether Plaintiff had filed a motion for alternate service that had yet to be decided. *See* Order, 9/8/2023, p. 2 (Arbitration Continuance Request Form). Given the length of delay, the number of previous continuance requests, and the paucity of information, this court denied Plaintiff's fourth continuance request by order dated September 6, 2023. Order, 9/8/2023, p. 1.<sup>2</sup>

On September 8, 2023, this case was called for arbitration. Plaintiff appeared but Defendant did not. Plaintiff was not ready since Plaintiff had still not served Defendant and an arbitration hearing on the merits would have been a legal nullity.<sup>3</sup> Plaintiff presented no satisfactory excuse why Plaintiff was not ready and thus the rule for decision was Pa.R.Civ.P. 218(a) which provides that "[w]here a case is called for trial, if without satisfactory excuse a plaintiff is not ready, the court may enter a nonsuit on motion of the defendant or a non pros on the court's

<sup>&</sup>lt;sup>1</sup> The docket reflects that the arbitration hearing was continued a fourth time, from February 3, 2023 to April 14, 2023. The docket does not reflect why.

<sup>&</sup>lt;sup>2</sup> This court's denial of Plaintiff's fourth continuance request was consistent with the Standard Operating Procedures of the Chester County Court of Common Pleas which provides as follows: "Successive continuance requests are likely to be denied. Counsel shall be forthright with the court in stating the specific reason for the continuance and shall not assume that it will be granted. The party requesting a continuance will have a significantly greater chance of having the request granted if opposing counsel has been notified of the request and consents to it." S.O.P.C.C.C.C.P., I.D. (Continuances).

<sup>&</sup>lt;sup>3</sup> See, e.g., <u>Sharpe v. McQuiller</u>, 206 A.3d 1179, 1184 (Pa.Super. 2019) (a judgment is void for want of personal jurisdiction obtained pursuant to proper service of original process, waiver, or consent).

### [72 Ches. Co. Rep. Discover Bank vs. Fern

own motion." Pa.R.Civ.P. 218(a). *See also* Pa.R.Civ.P. 1303. This court entered judgment of non pros against Plaintiff by order dated September 8, 2023. Order, 9/12/2023, p. 1.<sup>4</sup>

Presently before this court is Plaintiff's Petition for Relief from Non Pros<sup>5</sup> dated September 12, 2023 which Plaintiff filed on September 15, 2023 and again on September 21, 2023. Plaintiff avers that the Chester County Sheriff attempted service at Defendant's residence in June of 2022, May of 2023, and August of 2023 but there was no answer and Plaintiff filed a motion for alternate service on September 7, 2023. Petition, 9/21/2023, ¶¶ 3-12. Plaintiff also avers that it filed its Petition within ten (10) days and set forth a meritorious cause of action in its Complaint so Plaintiff is entitled to relief from non pros pursuant to Pa.R.Civ.P. 237.3(b)(1). Petition, 9/21/2023, ¶¶ 15-21.

It is the law that "[r]elief from a judgment of non pros shall be sought by petition." Pa.R.Civ.P. 3051(a). A petition to open judgment of non pros must contain "facts showing that (1) the petition is timely filed, (2) there is a reasonable explanation or legitimate excuse for the conduct that gave rise to the entry of judgment of non pros, and (3) there is a meritorious cause of action." Pa.R.Civ.P. 3051(b).6 Here, this court can presume that Plaintiff's Petition is timely filed and that Plaintiff's Complaint contains a meritorious cause of action and still Plaintiff's Petition must be denied. This is because Plaintiff does not aver a reasonable explanation or legitimate excuse for appearing for the arbitration hearing on September 8, 2023 without having served the Complaint so the arbitration hearing could proceed. Plaintiff instead avers that it made some effort and filed a motion for alternate service on September 7, 2023 which was one (1) year and three (3) months after Plaintiff commenced this action, nine (9) months after the date first set for the arbitration hearing, one (1) day after this court denied Plaintiff's fourth continuance request, and one (1) day before the arbitration hearing. Plaintiff does not aver a prima facie case of reasonable effort nor does Plaintiff aver some intervening cause that prevented Plaintiff from timely filing a motion for alternate service. In sum, Plaintiff does not aver a reasonable explanation or legitimate excuse for the conduct that gave rise to the entry of judgment of non pros.

Accordingly, for the reasons set forth above, this court will enter an order denying Plaintiff's Petition for Relief from the Judgment [of] Non Pros of September 8, 2023.

<sup>4</sup> This court's order cited to Pa.R.Civ.P. 218(a) but also cited to Pa.R.Civ.P. 218(c) in error, since the latter deems a party not ready who fails to appear without satisfactory excuse.

<sup>5</sup> The full title is Plaintiff's Petition for Relief from the Judgment [of] Non Pros of September 8, 2023.

<sup>6</sup> Plaintiff's reliance on Pa.R.Civ.P. 237.3(b)(1) is misplaced since it governs relief from a judgment of non pros entered pursuant to a defendant's practice for a plaintiff's failure to file a complaint, not a judgment of non pros entered by the court. *See* Pa.R.Civ.P. 3051(b) (Note); Pa.R.Civ.P. 1037(a).

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# Chester County Court of Common Pleas Orphans' Court Division CALL OF THE AUDIT LIST THE HONORABLE JOHN L. HALL COURTROOM 1 WEDNESDAY, JUNE 05, 2024 09:00 AM

# JAMES E. BERGER CALL OF THE AUDIT LIST FIRST AND INTERIM ACCOUNT FBO RACHEL BERGER FIRST AND INTERIM ACCOUNT FBO DREW BERGER

ADAM T. GUSDORFF ADAM T. GUSDORFF TRACY BLAKE DEVLIEGER, RESPONDENT CAM PINCUS, RESPONDENT CHERYL HOYSOCK, RESPONDENT

# JAMES S. DEMECH 1514- 1658 CALL OF THE AUDIT LIST FIRST ACCOUNT FBO ALEXIS DEMECH, AUSTIN DEMECH AND JACOB DEMECH

JENNIFER DI VETERANO GAYLE ELIZABETH RAFTER

# ARLENE C. DONEY CALL OF THE AUDIT LIST FIRST AND FINA L ACCOUNT

STEPHEN VINCENT BOTTIGLIERI

MICHAEL F. GILLIN, EXECUTOR

NANCY LEE MCPARTLAND, TRUSTEE

# JOHN C. SHEAHAN JR. CALL OF THE AUDIT LIST

FIRST INTERIM ACCOUNTING FBO JOHN SHEAHAN, IV

#### ELENA M. BAYLARIAN

WSFS, FSB D/B/A BRYN MAWR TRUST, TRUSTEE

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# CHANGE OF NAME NOTICE IN THE COURT OF COMMON PLEAS CHESTER COUNTY, PENNSYLVANIA CIVIL ACTION

#### LAW NO. 2023-10239-NC

NOTICE IS HEREBY GIVEN that the name change petition of Bonel Meres was filed in the abovenamed court and will be heard on Monday, June 17, 2024 at 2:00:00 PM, in Courtroom 15 at the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania.

Date of filing the Petition: Monday, March 18, 2024 Name to be changed from: Bonel Meres to: Beamer Julio Bonel Meres

Any person interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

# CHANGE OF NAME NOTICE IN THE COURT OF COMMON PLEAS CHESTER COUNTY, PENNSYLVANIA CIVIL ACTION LAW NO. 2024-02247-NC

NOTICE IS HEREBY GIVEN that the name change petition of Rachael Evelyn Jacobs was filed in the above-named court and will be heard on Monday, June 24, 2024 at 2:00:00 PM, in Courtroom 15 at the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania.

Date of filing the Petition: Monday, March 18, 2024 Name to be changed from: Rachael Evelyn Jacobs to: Silas Ray Jacobs Dhonemai

Any person interested may appear and show cause,

if any they have, why the prayer of the said petitioner should not be granted.

# CHANGE OF NAME NOTICE IN THE COURT OF COMMON PLEAS CHESTER COUNTY, PENNSYLVANIA CIVIL ACTION

#### LAW NO. 2024-04128-NC

NOTICE IS HEREBY GIVEN that the name change petition of ANDREW MCLELLAN was filed in the above-named court and will be heard on Monday, July 29, 2024 at 2:00:00 PM, in Courtroom 15 at the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania.

Date of filing the Petition: Wednesday, May 15, 2024

Name to be changed from: ANDREW MCLELLAN to: McLellan, Andrew

Any person interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

# CHANGE OF NAME NOTICE IN THE COURT OF COMMON PLEAS CHESTER COUNTY, PENNSYLVANIA CIVIL ACTION

#### LAW NO. 2024-04296-NC

NOTICE IS HEREBY GIVEN that the name change petition of Luz M. Colón was filed in the abovenamed court and will be heard on Monday, September 9, 2024 at 2:00:00 PM, in Courtroom 15 at the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania.

Date of filing the Petition: Monday, May 20, 2024 Name to be changed from: Luz M. Colón to: Lucy M. Colon

Any person interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

#### CORPORATION NOTICE

NOTICE IS HEREBY GIVEN THAT, on May 16, 2024, Articles of Incorporation were filed with the Department of State for 715 Stockton Drive GP, Inc., a business corporation organized under the Pennsylvania Business Corporation Law of 1988. FOX ROTHSCHILD LLP, Solicitors, 747 Constitution Dr., Ste. 100, P.O. Box 673, Exton, PA 19341-0673

#### PROFESSIONAL CORPORATION NOTICE

NOTICE IS HEREBY GIVEN THAT, on May 20, 2024, Articles of Incorporation were filed with the Department of State for SMILEFAIR WEST CHES-TER, P.C., a professional corporation organized under the Pennsylvania Business Corporation Law of 1988. FOX ROTHSCHILD LLP, Solicitors, 747 Constitution Dr., Ste. 100, P.O. Box 673, Exton, PA 19341-0673

#### ESTATE NOTICES

Letters Testamentary or of Administration having been granted in the following Estates, all persons having claims or demands against the estate of the said decedents are requested to make known the same and all persons indebted to the said decedents are requested to make payment without delay to the respective executors, administrators, or counsel.

#### **1st Publication**

**BARE**, Marguerite S., late of New London. Stephen J. Bare and Kimra G. Snyder, care of TIMO-THY E. SHAWARYN, Esquire, 147 W. Airport Road, Lititz, PA 17543, Executors. TIMOTHY E. SHAWARYN, Esquire, Legacy Law, 147 W. Airport Road, Lititz, PA 17543, atty.

FILOROMO, SR., Michael Angelo, a/k/a Michael A. Filoromo, Sr., late of East Fallowfield Township. H. Annette Filoromo-Beck, 2347 Camp Road, Petersburg, PA 16669, care of GORDON W. GOOD, Esquire, 3460 Lincoln Highway, Thorndale, PA 19372, Executor. GORDON W. GOOD, Esquire, Keen Keen & Good, LLC, 3460 Lincoln Highway, Thorndale, PA 19372, atty.

**FITZGERALD**, Dorothea, late of East Vincent Township. Matthew Fitzgerald, 99 Hearthstone Circle, Phoenixville, PA 19460, care of BRIAN R. OTT, Esquire, 2755 Century Blvd., Wyomissing, PA 19610, Executor. BRIAN R. OTT, Esquire, Barley Snyder LLP, 2755 Century Blvd., Wyomissing, PA 19610, atty.

**FOLTZ**, Jack L., a/k/a Jack Lloyd Foltz, late of Malvern Borough. Tracey E. Foltz, care of PAUL C. HEINTZ, Esquire, Centre Square West, 1500 Market St., Ste. 3400, Philadelphia, PA 19102-2101, Executrix. PAUL C. HEINTZ, Esquire, Obermayer, Rebmann, Maxwell & Hippel, LLP, Centre Square West, 1500 Market St., Ste. 3400, Philadelphia, PA 19102-2101, atty.

**GRIFFIN**, Peter Henry, late of West Chester. Alexander Griffin, 336 S 17th Street, Philadelphia, PA 19103, Administrator.

HANKS, Judith L., late of East Marlborough Township. Steven R. Skibo, care of DONALD B. LYNN, JR., Esquire, P.O. Box 384, Kennett Square, PA 19348, Executor. DONALD B. LYNN, JR., Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

HARVEY, Kathryn A., late of West Chester. Christopher Harvey, 571 Linfield Rd, Royersford, PA 19468, Executor.

HERDEG, Judith C., late of Pennsbury Township. Judith L.H. Wilson, 701 Hillendale Rd., Chadds Ford, PA 19317, Fell C. Herdeg, 241 White Oak Shade Road, New Canaan, CT 06840, and Andrew C. Herdeg, 801 Patterson Avenue, San Antonio, TX, 78209, care of MARK M. DALLE PAZZE, Esquire, 15 Center Meeting Road, Wilmington, DE 19807, Co-Executors. MARK M. DALLE PAZZE, Esquire, Herdeg du Pont & Dalle Pazze, LLP, 15 Center Meeting Road, Wilmington, DE 19807, atty.

HERRING, Walter R., late of East Marlborough Township. Ruth Russell, care of EMILY T. ABELS, Esquire, P.O. Box 384, Kennett Square PA 19348, Executrix. EMILY T. ABELS, Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square PA 19348, atty.

HILL, Edwin Roland, late of West Bradford Township. Kevin Hill, care of BRUCE W. LAVER-TY, Esquire, 1398 Wilmington Pike, Suite B, West Chester, PA 19382, Executor. BRUCE W. LAVERTY, Esquire, Laverty, Abele & Russell, LLC, 1398 Wilmington Pike, Suite B, West Chester, PA 19382, atty.

HOFFNAGLE, III, John Herman, late of Coatesville City. Edward Lee Woolf, Jr., care of NANCY W. PINE, Esquire, 104 S. Church St., West Chester, PA 19382, Executor. NANCY W. PINE, Esquire, Pine & Pine LLP, 104 S. Church St., West Chester, PA 19382, atty.

HOSPODAR, JR., John, late of Tredyffrin Township. Thomas Paul Hospodar, care of RODNEY S. FLUCK, Esquire, 630 Freedom Business Center, Ste. 108, King of Prussia, PA 19406, Executor. RODNEY S. FLUCK, Esquire, Butera, Beausang, Cohen & Brennan, 630 Freedom Business Center, Ste. 108, King of Prussia, PA 19406, atty.

**KEELER**, Betty J., late of East Coventry. Barbara Jean Hunsberger, 51 Kauffman Road, Oley, PA 19547, care of ROBERT R. KREITZ, Esquire, 1210 Broadcasting Rd., Ste. 103, Wyomissing, PA 19610, Executor. ROBERT R. KREITZ, Esquire, Kreitz Gallen-Schutt, 1210 Broadcasting Rd., Ste. 103, Wy-

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#### omissing, PA 19610, atty.

**KRYST**, John J., a/k/a Jack Kryst, late of West Caln Township. Sophia F. Kryst, care of WILLIAM T. KEEN, Esquire, 3460 Lincoln Highway, Thorndale, PA 19372, Administrator. WILLIAM T. KEEN, Esquire, Keen Keen & Good, LLC, 3460 Lincoln Highway, Thorndale, PA 19372, atty.

**MILLER**, Helen Alexis, late of West Whiteland Township. Kimberly Bocelli, 234 Ferndale Lane, Downingtown, PA, 19335 Executrix.

**MORRIS**, Nevin Eugene, a/k/a Nevin E. Morris, late of West Goshen Township. Patricia Lynn Morris, 1216 Caln Meeting House Rd., Coatesville, PA 19320, care of MARITA MALLOY HUTCHIN-SON, Esquire, 1250 Fieldstone Dr., West Chester, PA 19382, Executrix. MARITA MALLOY HUTCHIN-SON, Esquire, 1250 Fieldstone Dr., West Chester, PA 19382, atty.

MUMBER, Noreen M., a/k/a Noreen Marie Mumber and Noreen Mumber, late of North Coventry Township. Lee A. Mumber, 217 E. Race Street, Stowe, PA 19464, care of SUPRIYA G. PHILIPS, Esquire, P.O. Box 444, Pottstown, PA 19464, Executor. SUPRIYA G. PHILIPS, Esquire, P.O. Box 444, Pottstown, PA 19464, atty.

ESTATE NOTICE Notice is hereby given that, in the estate of the decedent set forth below, the Register of Wills has granted letters, testamentary or of administration, to the persons named. All persons having claims against said estate are requested to make known the same to them or their attorneys and all persons indebted to said decedent are requested to make payment without delay to the executors or administrators named below.

#### SUSAN PRICE

Late of West Whiteland Township Administrator: Gerald Carfagno Address: King Laird, P.C. 360 West Main Street Trappe, PA 19426 Attorney(s): Andrew C. Laird, Esquire King Laird, P.C. Address: 360 West Main Street Trappe, PA 19426

RAKOWSKI, Lech, a/k/a Lech S. Rakowski, late of East Whiteland Township. Renata Rakowski, care of NICOLE B. LaBLETTA, Esquire, 200 Barr Harbor Dr., Ste. 400, Conshohocken, PA 19428, Administratrix. NICOLE B. LaBLETTA, Esquire, LaBletta & Walters LLC, 200 Barr Harbor Dr., Ste. 400, Conshohocken, PA 19428, atty. SHIN, Hyon Duk, late of Berwyn. Yanli Gong, care of RICHARD H. MORTON, Esquire, 999 West Chester Pike, Suite 201, West Chester, PA 19382, Administratrix. RICHARD H. MORTON, Esquire, Ryan Morton & Imms LLC, 999 West Chester Pike, Suite 201, West Chester, PA 19382, atty.

**SOPKO**, Edward J., a/k/a Edward Sopko, late of Willistown Township. Edward B. Sopko, care of THOMAS W. FLYNN III, Esquire, 19 Waterloo Ave, Berwyn, PA 19312, Executor. THOMAS W. FLYNN III, Esquire, Crawford Diamond Flynn LLC, 19 Waterloo Ave, Berwyn, PA 19312, atty.

#### 2nd Publication

**ABATE**, Janet Lynn, late of Jennersville. Timothy Abate, 938 Newark Rd, Toughkenamon, PA 19374, Executor.

**BAKER**, June Benz, late of New London Township. Justin T Benz, care of VINCENT CAROSEL-LA, JR, Esquire, 822 S. Matlack Street, Suite 101, West Chester, PA 19382, Executor. VINCENT CAROSELLA, JR, Esquire, Carosella & Associates PC, 822 S. Matlack Street, Suite 101, West Chester, PA 19382, atty.

**BOWERS**, Lois Trout, late of West Goshen Township. Mark E. Bowers, care of W. MARSHALL PEARSON, Esquire, 311 Exton Commons, Exton, PA 19341-2450, Executor. W. MARSHALL PEAR-SON, Esquire, 311 Exton Commons, Exton, PA 19341-2450, atty.

**CIAVATTA**, John B., a/k/a John Ciavatta, late of East Caln. Carol Hershey, Guardian Services of PA, P.O. Box 346, Media, PA 19063, care of JACQUE-LYN S. GOFFNEY, Esquire, 339 W. Baltimore Ave., Media, PA 19063, Administrator. JACQUELYN S. GOFFNEY, Esquire, 339 W. Baltimore Ave., Media, PA 19063, atty.

**DISNEY**, Diane M., late of East Bradford Township. David E. Disney, care of KENNETH R. WERNER, Esquire, 203 West Miner Street, West Chester, PA 19382-2924, Executor. KENNETH R. WERNER, Esquire, Werner & Wood, 203 West Miner Street, West Chester, PA 19382-2924, atty.

FILLMAN, Samuel L., a/k/a Samuel Leroy Fillman, late of East Brandywine Township. Tracy Phelan and Dale Fillman, care of JACQUELINE MOT-YL, Esquire, P.O. Box 673, Exton, PA 19341-0673, Executors. JACQUELINE MOTYL, Esquire, Fox Rothschild LLP, P.O. Box 673, Exton, PA 19341-0673, atty.

FLEMING, Sydney Winn, late of Kennett Town-

ship. Linda F. Bondy, 3200 Tatting Rd., Matthews, NC 28105, care of TRAVIS G. MAURER, Esquire, Rodney Square, 1000 N. King St., Wilmington, DE 19801, Executrix. TRAVIS G. MAURER, Esquire, Young, Conaway, Stargatt & Taylor, LLP, Rodney Square, 1000 N. King St., Wilmington, DE 19801, atty.

No. 22

HENRY, Donald Ward, late of Paoli. Michael Joseph Henry, 104 Pine Tree Road, Paoli, PA 19301, care of MATTHEW KONCHEL, Esquire, 13 Davenport Drive, Downingtown, PA 19335, Executor. MATTHEW KONCHEL, Esquire, Konchel & Associates, 13 Davenport Drive, Downingtown, PA 19335, atty.

HERR, Yvonne B., late of East Nottingham Township. Karen E. Feeney, care of WINIFRED MORAN SEBASTIAN, Esquire, PO Box 381, Oxford, PA 19363, Executrix. WINIFRED MORAN SEBAS-TIAN, Esquire, PO Box 381, Oxford, PA 19363, atty.

HOFFMAN, Doris A., late of Kennett Township. David M. Frees, III, care of DAVID M. FREES, III, Esquire, 120 Gay St., P.O. Box 289, Phoenixville, PA 19460, Executor. DAVID M. FREES, III, Esquire, Unruh Turner Burke & Frees P.C., 120 Gay St., P.O. Box 289, Phoenixville, PA 19460, atty.

MANZ, Anna Y., late of East Goshen Township. Donna Bailey, care of CARRIE A. S. KENNEDY, Esquire, 171 W. Lancaster Ave., Paoli, PA 19301, Executrix. CARRIE A. S. KENNEDY, Esquire, Connor, Weber & Oberlies, 171 W. Lancaster Ave., Paoli, PA 19301, atty.

**McCULLOUGH**, Doris S., late of Franklin Township. L. Peter Temple, care of DONALD B. LYNN, JR., Esquire, P.O. Box 384, Kennett Square, PA 19348, Executor. DONALD B. LYNN, JR., Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

McHUGH, Henry J., a/k/a Henry Joseph McHugh and Harry McHugh, late of West Whiteland Township. Margaret M. McHugh, care of JILL R. FOWL-ER, Esquire, 1001 Conshohocken, State Rd., Ste. 1-300, West Conshohocken, PA 19428, Executrix. JILL R. FOWLER, Esquire, Heckscher, Teillon, Terrill & Sager, P.C., 1001 Conshohocken, State Rd., Ste. 1-300, West Conshohocken, PA 19428, atty.

McKEOUGH, Charles Michael, a/k/a Charlie McKeough, Charles McKeough and Charles M. McKeough, late of Tredyffrin Township. Andrew Kirill McKeough, 11 Sullivan Rd., Wayne, PA 19087, care of DIRK M. SIMPSON, Esquire, 101 W. Elm St., #400, Conshohocken, PA 19428, Executor. DIRK M. SIMPSON, Esquire, Royer Cooper Cohen Braunfeld LLC, 101 W. Elm St., #400, Conshohocken, PA 19428, atty.

McKEOUGH, MaryLou, a/k/a Mary Louise McKeough, MaryLou Mankowski and Mary Louise Mankowski, late of Tredyffrin Township. Andrew Kirill McKeough, 11 Sullivan Rd., Wayne, PA 19087, care of DIRK M. SIMPSON, Esquire, 101 W. Elm St., #400, Conshohocken, PA 19428, Executor. DIRK M. SIMPSON, Esquire, Royer Cooper Cohen Braunfeld LLC, 101 W. Elm St., #400, Conshohocken, PA 19428, atty.

**PHILIPPS**, Edward J., late of Pennsbury Township. Katharine H. Philipps, care of WILLIAM J. GALLAGHER, Esquire, 17 W. Miner St., West Chester, PA 19382, Executrix. WILLIAM J. GAL-LAGHER, Esquire, MacElree Harvey, LTD., 17 W. Miner St., West Chester, PA 19382, atty.

**PRICE**, Eugene, late of Toughkenamon. Laura Price, care of MICHAEL R. PERNA, Esquire, 610 Millers Hill, P.O. Box 96, Kennett Square, PA 19348, Executrix. MICHAEL R. PERNA, Esquire, Perna & Abracht, LLC, 610 Millers Hill, P.O. Box 96, Kennett Square, PA 19348, atty.

**RICHARDS**, Verna M., late of East Nantmeal Township. Michael A. Frame, 991 Elverson Rd., Morgantown, PA 19543, care of WAYNE C. BUCK-WALTER, Esquire, 24 E. Market St., P.O. Box 565, West Chester, PA 19341-0565, Executor. WAYNE C. BUCKWALTER, Esquire, Lamb McErlane, PC, 24 E. Market St., P.O. Box 565, West Chester, PA 19341-0565, atty.

**SALSGIVER**, Robert Dale, late of Honey Brook Township. Kristin Lessick, 6360 Byerly Road, Honey Brook, PA 19344, care of JASON B. MARTIN, Esquire, 725 Skippack Pike, Suite 337, Blue Bell, PA 19422, Executrix. JASON B. MARTIN, Esquire, The Martin Law Firm, P.C., 725 Skippack Pike, Suite 337, Blue Bell, PA 19422, atty.

SANDOSKI, Susan A., late of West Caln Township. Kathryn S. Catanese, 108 Tanglesworth Road, Irmo, SC 29063, care of GORDON W. GOOD, Esquire, 3460 Lincoln Highway, Thorndale, PA 19372, Administrator. GORDON W. GOOD, Esquire, Keen Keen & Good, LLC, 3460 Lincoln Highway, Thorndale, PA 19372, atty.

**SCHMIDT,** Elizabeth W., late of Exton. Christina D. Menter, 204 Autumn Drive, Exton, PA 19341, care of MATTHEW KONCHEL, Esquire, 13 Davenport Drive, Downingtown, PA 19335, Executor. MAT-THEW KONCHEL, Esquire, Konchel & Associates, 13 Davenport Drive, Downingtown, PA 19335, atty.

SLODY, Carol L., late of Valley Township. Chris-

tina DeLiberato, 65 N. Hawthrone Road, Coatesville, PA 19320 and Barbara Mulvaney, 109 Woodland Drive, Coatesville, PA 19320, care of GORDON W. GOOD, Esquire, 3460 Lincoln Highway, Thorndale, PA 19372, Executors. GORDON W. GOOD, Esquire, Keen Keen & Good, LLC, 3460 Lincoln Highway, Thorndale, PA 19372, atty.

**SNYDER**, Melia D., late of West Whiteland Township. David A. Snyder, 2000 Chestnut Lane, Downingtown, PA 19335, care of WILLIAM T. KEEN, Esquire, 3460 Lincoln Highway, Thorndale, PA 19372, Executor. WILLIAM T. KEEN, Esquire, Keen Keen & Good, LLC, 3460 Lincoln Highway, Thorndale, PA 19372, atty.

**STERNER**, James F., late of Penn Township. A. Tamasin Sterner, care of DONALD B. LYNN, JR., Esquire, P.O. Box 384, Kennett Square, PA 19348, Executor. DONALD B. LYNN, JR., Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

WHITNEY, Patricia A., a/k/a Patricia Whitney, late of Thornbury Township. Alexander K. Harvey, care of THOMAS J. BURKE, JR., Esquire, 15 Rittenhouse Place, Ardmore, PA 19003, Executor. THOMAS J. BURKE, JR., Esquire, Haws & Burke, PC, 15 Rittenhouse Place, Ardmore, PA 19003, atty.

#### **3rd Publication**

**BAUGH**, Pauline S., late of Tredyffrin Township. Gregory G. Alexander, care of KATHERINE F. THACKRAY, Esquire, 1880 JFK Blvd., Ste. 1740, Philadelphia, PA 19103, Executor. KATHERINE F. THACKRAY, Esquire, Alexander & Pelli, LLC, 1880 JFK Blvd., Ste. 1740, Philadelphia, PA 19103, atty.

**BELT**, Donald R., late of Marlborough Township. David R. Mountain, care of KENNETH R. WER-NER, Esquire, 230 West Miner Street, West Chester, PA 19382-2924, Executor. KENNETH R. WERNER, Esquire, Werner & Wood, 230 West Miner Street, West Chester, PA 19382-2924, atty.

**BITLER**, James Evans, a/k/a James E. Bitler, late of Warwick Township. Michael S. Bitler, 168 S. Pleasant View Rd., Pottstown, PA 19464, care of NICOLAS F. METER, Esquire, 1401 E. High St., Pottstown, PA 19464, Executor. NICOLAS F. ME-TER, Esquire, Meter Law Offices, LLC, 1401 E. High St., Pottstown, PA 19464, atty.

**BRADLEY**, Abby S., a/k/a Abby Smith Bradley and Abby Bradley, late of Malvern Borough. Michael John Bradley, II, care of DANIEL F. MONAHAN, Esquire, 535 N Church St., Suite 170, West Chester, PA 19380, Executor. DANIEL F. MONAHAN, Esquire, Brandywine Estate and Elder Law, 535 N Church St., Suite 170, West Chester, PA 19380, atty.

**BRANDENBERGER**, Elizabeth D., late of West Nottingham Township. Daniel M. Brandenberger, 153 Richland Rd., Carlisle, PA 17015, care of STAC-EY WILLITS McCONNELL, Esquire, 24 E. Market St., P.O. Box 565, West Chester, PA 19381-0565, Executor. STACEY WILLITS McCONNELL, Esquire, Lamb McErlane, PC, 24 E. Market St., P.O. Box 565, West Chester, PA 19381-0565, atty.

CHIUSANO, Philip Anthony, a/k/a Philip A. Chiusano, late of East Goshen Township. Eric Steingruebener, care of COURTNEY E. DOLAWAY, Esquire, 1810 Chapel Ave. W., Cherry Hill, NJ 08002, Executor. COURTNEY E. DOLAWAY, Esquire, Flaster Greenberg PC, 1810 Chapel Ave. W., Cherry Hill, NJ 08002, atty.

EMERSON, Gail, late of West Fallowfield Township. Aaron James Coen, 34 Harris Circle, Newark, DE 19711, care of ANITA M. D'AMICO, Esquire, 65 S. Third St., Oxford, PA 19363, Executor. ANITA M. D'AMICO, Esquire, D'Amico Law P.C., 65 S. Third St., Oxford, PA 19363, atty.

**FREZZO, JR.**, Emidio John, a/k/a Emidio Frezzo, Jr., late of West Grove Borough. Barbara M. Frezzo, 249 Azalea Ln., West Grove, PA 19390, care of WILLIAM H. LUNGER, Esquire, 2751 Centerville Rd., Ste. 401, Wilmington, DE 19808, Executrix. WILLIAM H. LUNGER, Esquire, McCollom D'Emilio Smith Uebler LLC, 2751 Centerville Rd., Ste. 401, Wilmington, DE 19808, atty.

GALLAGHER, Lillie May, late of West Brandywine Township. Tracy G. Barnes, 19 Towamencin Ave., Hatfield, PA, 19440, care of STEPHANIE P. KALOGREDIS, Esquire, 24 E. Market St., P.O. Box 565, West Chester, PA 19381-0565, Executrix. STEPHANIE P. KALOGREDIS, Esquire, Lamb McErlane, PC, 24 E. Market St., P.O. Box 565, West Chester, PA 19381-0565, atty.

**HOFFMAN**, Joan E., a/k/a Joan Hoffman, late of New Garden Twp.. Scott D. Hoffman, care of ED-WARD M. FOLEY, Esquire, 213 E. State Street, Kennett Square, PA 19348, Executor. EDWARD M. FOLEY, Esquire, Brutscher Foley Milliner Land & Kelly, LLP, 213 E. State Street, Kennett Square, PA 19348, atty.

HUGHES, Jay Hannon, a/k/a Jay H. Hughes, late of London Britain Township. Rayma Hughes, 20 Morgan Hollow Way, Landenberg, PA 19350, care of TARA S. HERSH, Esquire, 2751 Centerville Rd., Ste. 401, Wilmington, DE 19808, Executrix. TARA S. HERSH, Esquire, McCollom D'Emilio Smith Uebler LLC, 2751 Centerville Rd., Ste. 401, Wilmington, DE 19808, atty.

**KEIHM**, Dorothy D., late of Penn Township. Charles A. Cole, care of L. PETER TEMPLE, Esquire, P.O. Box 384, Kennett Square, PA 19348, Executor. L. PETER TEMPLE, Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

**LOFLAND**, Claire P., late of West Whiteland Township. Gregory Daniel Lofland, care of MAT-THEW L. CONLEY, Esquire, 300 North Pottstown Pike, Suite 220, Exton, PA 19341, Executor. MAT-THEW L. CONLEY, Esquire, Conley Law Practice, LLC, 300 North Pottstown Pike, Suite 220, Exton, PA 19341, atty.

MILLER, George F., late of Downingtown Borough. Charlotte Dildine, care of LOUIS N. TETI, Esquire, 17 W. Miner St., P.O. Box 660, West Chester, PA 19381-0660, Executrix. LOUIS N. TETI, Esquire, MacElree Harvey LTD., 17 W. Miner St., P.O. Box 660, West Chester, PA 19381-0660, atty.

MORSE, Thomas R., a/k/a Thomas Richard Morse, late of West Pikeland Township. Jan E. Morse, care of MICHAEL A. BRESLOW, Esquire, 1001 Conshohocken State Rd., Ste. 1-300, West Conshohocken, PA 19428, Executrix. MICHAEL A. BRESLOW, Esquire, Heckscher, Teillon, Terrill & Sager, P.C., 1001 Conshohocken State Rd., Ste. 1-300, West Conshohocken, PA 19428, atty.

**MOTION**, Gordon Arthur, late of Caln Township. Elaine F. Merhar, care of W. MARSHALL PEARSON, Esquire, 311 Exton Commons, Exton, PA 19341-2450, Executrix. W. MARSHALL PEARSON, Esquire, 311 Exton Commons, Exton, PA 19341-2450, atty.

MOYER, SR., Charles R., a/k/a Charles R. Moyer, late of Pottstown, North Coventry Township. Ronald M. Moyer, care of MARY C. CROCKER, Esquire, 1296 East High Street, Pottstown, PA 19464, Executor. MARY C. CROCKER, Esquire, 1296 East High Street, Pottstown, PA 19464, atty.

**MUZII**, Sharon E., late of Coatesville. Janet A. Huyett, care of BARRY S. RABIN, Esquire, 797 E. Lancaster Avenue Suite 13, Downingtown PA 19335, Personal Representative. BARRY S. RABIN, Esquire, The Law Firm of Barry S. Rabin, 797 E. Lancaster Avenue Suite 13, Downingtown PA 19335, atty.

SCHOLL, Donald B., late of West Chester. Christopher H. Scholl, care of W. PETER BARNES, Esquire, 218 West Miner Street, West Chester, PA 19382, Executor. W. PETER BARNES, Esquire, Klein, Head, Barnes & Wood, LLP, 218 West Miner Street, West Chester, PA 19382, atty.

SHERMAN, Virginia M., a/k/a Virginia Sherman, late of East Coventry Township. Cynthia M. Weidner, care of DAVID L. ALLEBACH, JR., Esquire, 1129 East High Street, P. O. Box 776, Pottstown, PA 19464-0776, Executrix. DAVID L. ALLEBACH, JR., Esquire, Yergey.Daylor.Allebach.Scheffey.Picardi, 1129 East High Street, P. O. Box 776, Pottstown, PA 19464-0776, atty.

VAN SCHOONEVELD, Glenn R., late of East Goshen Township. G. Robert Van Schooneveld, Jr., 10 Millcreek Lane, Malvern, PA 19355, care of JAN-ICE FALINI, Esquire, 21 W. Washington St., Suite C, West Chester, PA 19380, Executor. JANICE FALINI, Esquire, Falini Law Office, LLC, 21 W. Washington St., Suite C, West Chester, PA 19380, atty.

VAUGHN, Rogers W., late of West Chester, East Goshen Township. Scott Fainor, 3050 Fairfield Drive, Allentown, PA 18103, care of JAMES J. GALLA-GHER, II, Esquire, PO Box 2306, Wilmington, DE 19899-2306, Executor. JAMES J. GALLAGHER, II, Esquire, Morris James LLP, PO Box 2306, Wilmington, DE 19899-2306, atty.

WEBSTER, James Lee, late of West Whiteland Township. Jill Colella, care of TOM MOHR, Esquire, 301 W. Market St., West Chester, PA 19382, Executrix. TOM MOHR, Esquire, 301 W. Market St., West Chester, PA 19382, atty.

WESTERVELT, Joyce Carolyn, a/k/a Joy Westervelt, late of Spring City. Chera H. Hart, 46 Williams Way, Spring City, PA 19475, Executrix.

#### FICTITIOUS NAME

NOTICE is hereby given, pursuant to Fictitious Names Act of 1982, 54 Pa.C.S. Section 301 et seq., which repealed prior laws on the subject, any entity or entities (including individuals, corporations, partnership or other groups, which conduct any business in Pennsylvania under an assumed or fictitious name shall register such name by filing an application for registration of fictitious name with the Department of State for the conduct of a business in Chester County, Pennsylvania under the assumed or fictitious name, style or designation of

**REAL CLEAR TAX ADVICE,** with its principal place of business at 51 Grant Street, Phoenixville,

#### No 22

### CHESTER COUNTY LAW REPORTER

PA 19460. The application has been (or will be) filed on: Wednesday, December 13, 2023. The name(s) and address(es) of the individual(s) or entity(ies) owning or interested in said business: Marianne Borneman, Access Tax Solutions LLC, 51 Grant Street, Phoenixville, PA 19460. MATTHEW C. KONCHEL, Solicitor Law Offices of Konchel & Associates

13 Davenport Drive Downingtown, PA 19335

### CORPORATION NOTICE LIMITED LIABILITY COMPANY

NOTICE IS HEREBY GIVEN that on Monday, September 18, 2023 a Certificate of Organization was filed in the Pennsylvania Department of State for CRAZY DOG PRESS LLC, in accordance with the provisions of the Limited Liability Act of 1994. MATTHEW C. KONCHEL, Solicitor Law Offices of Konchel & Associates 13 Davenport Drive Downingtown, PA 19335

#### NONPROFIT CORPORATION NOTICE

NOTICE IS HEREBY GIVEN that an application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, for the purpose of obtaining a charter of a Nonprofit Corporation which was organized under the provisions of the Pennsylvania Nonprofit Corporation Law of 1988.

The name of the corporation is Saint Nick's Handyman Services.

Articles of Incorporation were filed on Wednesday, April 3, 2024.

The purpose or purposes for which it was organized are: The corporation has been organized exclusively for charitable, educational, religious, or scientific purposes within the meaning of Section 501(c)(3)of the Internal Revenue Code and to specifically provide handyman services to local nonprofits and to train special needs adults basic handyman skills who can utilize their skills, under supervision, to also provide handyman services to nonprofit organizations.

#### NOTICE

BEFORE THE REGISTER OF WILLS - COUNTY OF CHESTER - COMMONWEALTH OF PA - IN THE MATTER OF: ESTATE OF ROBERT C.

SHERRY, SR., DECEASED - FILE #15-24-0922 - IN RE: PETITION FOR CITATION TO SHOW CAUSE WHY A PHOTOCOPY OF THE WILL OF ROBERT C. SHERRY, SR. SHOULD NOT BE ADMITTED TO PROBATE - CITATION - To: MELANIE FOX - GREETINGS: WHEREAS a petition has been filed as above captioned, a copy whereof is hereto attached. AND WHEREAS on said petition a citation has been awarded. NOW THEREFORE WE DIRECT YOU, that, laying aside all business and excuses, whatsoever, you file a complete answer under oath to the averments of said petition on or before 5/20/24. WITNESS the Hon. Michele Vaughn, Register of Wills and the seal of this office, in and for the County of Chester, West Chester, PA this 30th day of April 2024. /s/ Hon. Michele Vaughn, Deputy for the Register of Wills, Chester County, PA.

#### **3rd Publication of 3**

#### TRUST NOTICE

Living Trust of Charles F. Schalch and Margaret M. Schalch Dated December 10, 2013

Notice is hereby given of the death of Charles F. Schalch. All persons having claims or demands against said decedent or the Living Trust of Charles F. Schalch and Margaret M. Schalch dated December 10, 2013 are requested to make known the same to the Trustees or the Trust's Attorney and all persons indebted to said decedent or his Trust are requested to make payment without delay to the Trustees or their Attorney named below:

Late of: Tredyffrin Township, Chester County

Trustee: Barbara Sredenschek

Trustee: Kimberly Schalch

c/o: Brook Hastings, Esquire 275 S. Main Street, Suite 11 Doylestown, PA 18901

Trustees' Attorney: Brook Hastings, Esquire 275 S. Main Street, Suite 11 Doylestown, PA 18901 215-230-4300

#### CHESTER COUNTY LAW REPORTER

#### CIVILACTION

COURT OF COMMON PLEAS CHESTER COUNTY, PA CIVIL ACTION-LAW NO. 2022-08909-RC NOTICE OF ACTION IN MORTGAGE FORECLOSURE

MORTGAGE ASSETS MANAGEMENT, LLC, Plaintiff

v.

COLLEEN HUNNELL, IN HER CAPACITY AS HEIR OF ELSIE J. HARBAUGH, ET AL Defendants

To: UNKNOWN HEIRS, SUCCESSORS, ASSIGNS, AND ALL PERSONS, FIRMS OR ASSOCIATIONS CLAIMING RIGHT, TITLE OR INTEREST FROM OR UNDER ELSIE J. HAR-BAUGH Defendant(s), 250 RED PUMP ROAD NOTTINGHAM, PA 19362

COMPLAINT IN MORTGAGE FORECLOSURE You are hereby notified that Plaintiff, MORTGAGE ASSETS MANAGEMENT, LLC, has filed a Mortgage Foreclosure Complaint endorsed with a Notice to Defend, against you in the Court of Common Pleas of CHESTER County, PA docketed to No. 2022-08909-RC, seeking to foreclose the mortgage secured on your property located, 250 RED PUMP ROAD NOTTINGHAM, PA 19362.

#### NOTICE

YOU HAVE BEEN SUED IN COURT. If you wish to defend against the claims set forth in this notice you must take action within twenty (20) days after the Complaint and Notice are served, by entering a written appearance personally or by attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so, the case may proceed without you, and a judgment may be entered against you by the Court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OF-FICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER. IF YOU CANNOT AFFORD TO HIRE A LAW-YER, THIS OFFICE MAY BE ABLE TO PRO-VIDE YOU WITH THE INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SER-VICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

Chester County Bar Association Lawyer Referral and Information Service 15 West Gay Street West Chester PA, 19380 610-429-1500 Robertson, Anschutz, Schneid, Crane & Partners, PLLC A Florida professional limited liability company ATTORNEYS FOR PLAINTIFF M. Troy Freedman, Esq. ID No. 85165 133 Gaither Drive, Suite F Mt. Laurel, NJ 08054 855-225-6906

Arbordeau, A Collectivity of Unit Owners vs.

Presumed and Unknown Heirs, and All Persons or Entities Claiming Right, Title or Interest by or Through Carol M. Farrell, Deceased Chester County Court of Common Pleas, Case No. 2024-02501

TO: Presumed and Unknown Heirs, and All Persons or Entities Claiming Right, Title or Interest by or through Carol M. Farrell, Deceased

#### **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 DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR PROPERTY OR OTHER IMPORT-ANT RIGHTS.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OF-FICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER. IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO

# No. 22 CHESTER COUNTY LAW REPORTER

PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A RE-DUCED FEE OR NO FEE. Chester County Lawyer Referral Service 15 West Gay Street -- P.O. Box 3191 West Chester, PA 19381-3191 (610) 429-1500 Elliot H. Berton, Esquire -- (610) 889-0700

# Sheriff Sale of Real Estate

By virtue of the within mentioned writs directed to Sheriff Kevin D. Dykes, the herein-described real estate will be sold at public on-line auction via Bid4Assets, by accessing URL www.bid4assets.com/ chestercopasheriffsales, on **Thursday**, **June 20th, 2024** at **11AM**.

Notice is given to all parties in interest and claimants that the Sheriff will file with the Prothonotary and in the Sheriff's Office, both located in the Chester County Justice Center, 201 W Market Street, West Chester, Pennsylvania, Schedules of Distribution on **Monday, July 22nd, 2024**. Distribution will be made in accordance with the Schedules unless exceptions are filed in the Sheriff's Office within ten (10) days thereafter.

N.B. Ten percent (10%) of the purchase money must be paid at the time of the on-line sale. Payment must be made via Bid4Assets. The balance must be paid within twenty-one (21) days from the date of sale via Bid4Assets.

### **KEVIN D. DYKES, SHERIFF**

**1st Publication of 3** 

# SALE NO. 24-6-163 Writ of Execution No. 2023-04619 DEBT \$157,663.34

PROPERTY SITUATE IN TOWNSHIP OF WEST WHITELAND

Tax Parcel # 41-8E-49

IMPROVEMENTS thereon: a residential dwelling

PLAINTIFF: NATIONSTAR MORT-GAGE LLC

VS

DEFENDANT: STEVEN K. FOX & DAWN M. FOX

SALE ADDRESS: 1252 Bowman Avenue, West Chester, PA 19380

PLAINTIFF ATTORNEY: KML LAW GROUP, P.C. 215-627-1322

# SALE NO. 24-6-166 Writ of Execution No. 2023-07403 DEBT \$216,330.95

THE LAND REFERRED TO IN THIS COMMITMENT IS DESCRIBED AS FOLLOWS:

ALL THAT CERTAIN TRACT OF GROUND WITH THE BUILDINGS AND IMPROVEMENTS THEREON ERECT-ED, SITUATE IN LOWER OXFORD TOWNSHIP, COUNTY OF CHESTER AND COMMONWEALTH OF PENN-SYLVANIA. BOUNDED AND DE-SCRIBED IN ACCORDANCE WITH A TWO-LOT SUBDIVISION PLAN PRE-PARED FOR ROBERT WAGONER BY CONCORD LAND PLANNERS AND SURVEYORS, OXFORD, PA, DATED OCTOBER 12, 2000 AS LAST REVISED MARCH 7, 2002 AND WHICH PLAN IS RECORDED AS PLAN NO. 16183, TO WIT:

BEGINNING AT A POINT OF CURVE ON THE TITLE LINE IN THE BED OF CONNER ROAD (T-329) WHICH POINT MAKES A COMMON COR-NER OF THIS PREMISES AND LAND NOW OR LATE OF UNITED MOBILE HOMES OF PA., INC.; THENCE EX-TENDING FROM SAID BEGINNING POINT ALONG THE SAID TITLE LINE IN THE BED OF CONNER ROAD THE TWO NEXT FOLLOWING COURSES AND DISTANCES, VIZ: (1) ALONG THE ARC OF A CIRCLE CURVING TO THE LEFT HAVING A RADIUS OF 1117.61 FEET THE ARC DISTANCE OF 145.50 FEET TO A POINT OF TAN-GENT AND (2) NORTH 63 DEGREES 40 MINUTES 00 SECONDS EAST 44.33

FEET TO A POINT, A CORNER OF THIS PREMISES AND LOT NO. 3 A: THENCE EXTENDING ALONG THE SAME SOUTH 22 DEGREES 11 MIN-UTES 04 SECONDS EAST 280.73 TO A POINT, A CORNER OF THIS PREM-ISES ON LINE OF LAND NOW OR LATE OF UNITED MOBILE HOMES OF PA., INC. AFORESAID; THENCE EXTENDING ALONG THE SAME THE TWO NEXT FOLLOWING COURSES AND DISTANCES, VIZ: (1) SOUTH 74 **DEGREES 25 MINUTES 29 SECONDS** WEST 206.60 FEET TO A POINT, A CORNER OF THIS PREMISES AND (2) NORTH 18 DEGREES 52 MINUTES 25 SECONDS WEST 253.21 FEET TO THE FIRST MENTIONED POINT AND PLACE OF BEGINNING.

BEING LOT NO. 3B ON THE ABOVE MENTIONED PLAN

BEING the same premises which WIL-LIAM DONALD ROBINSON AND JEANETTE R. ROBINSON, HUSBAND AND WIFE, WAGONER CUSTOM CONTRACTING, INC by Deed dated 09/22/2003 and recorded in the Office of Recorder of Deeds of Chester County on 10/02/2003 at Book 5919, Page 350 granted and conveyed unto RICHARD A. MAI-TRE, A SINGLE MAN.

Tax Parcel # 56-4-51.5A

PLAINTIFF: LSF9 Master Participation Trust

VS

# DEFENDANT: Richard A Maitre

SALE ADDRESS: 370 Conner Road, Oxford, PA 19363

PLAINTIFF ATTORNEY: **STERN & EISENBERG, PC 215-572-8111** 

# SALE NO. 24-6-168 Writ of Execution No. 2019-11435 DEBT \$204,186.36

ALL THAT CERTAIN lot or parcel of land situated in the Township of Westtown, County of Chester,

Commonwealth of Pennsylvania, being more fully described in Deed dated December 9, 1998 and recorded in the Office of the Chester County Recorder of Deeds on December 18, 1998, in Deed Book Volume 4475 at Page 2087.

Tax Parcel # 67-4C-134

PLAINTIFF: Wilmington Savings Fund Society, FSB, not in its individual capacity but solely as Owner Trustee for the FLIC Residential Mortgage Loan Trust 1

# VS

DEFENDANT: Jacqueline A. Barker and James V. Barker

SALE ADDRESS: 542 Coventry Lane, West Chester, PA 19382

PLAINTIFF ATTORNEY: HLADIK, ON-ORATO & FEDERMAN, LLP 215-855-9521

# SALE NO. 24-6-169 Writ of Execution No. 2022-09410 DEBT \$213,395.79

All that certain piece or parcel or Tract of land situate in the Township of Tredyffrin, Chester County, Pennsylvania, and being known as 22 Hopkinson Court #160, Wayne, Pennsylvania 19087.

Tax Parcel # 43-5-266

PLAINTIFF: Longbridge Financial, LLC

VS

#### DEFENDANT: W. Michael Duncan

SALE ADDRESS: 22 Hopkinson Court #160, Wayne, PA 19087

PLAINTIFF ATTORNEY: MCCABE, WEISBERG & CONWAY, LLC 215-790-1010

# SALE NO. 24-6-170 Writ of Execution No. 2023-00090 DEBT \$143,173.46

# PROPERTY SITUATE IN BOROUGH OF PHOENIXVILLE

Tax Parcel # 15-11-0019

IMPROVEMENTS thereon: a residential dwelling

PLAINTIFF: PNC BANK, NATIONAL ASSOCIATION

VS

DEFENDANT: JOHN SUTTER Solely in His Capacity as Heir of HELEN I. SUTTER AKA HELEN T. SUTTER, Deceased ROBERT SUTTER Solely in His Capacity as Heir of HELEN I. SUT-TER AKA HELEN T. SUTTER, Deceased The Unknown Heirs of HELEN I SUTTER AKA HELEN T SUTTER, Deceased THOMAS P. SUTTER JR, Solely in His Capacity as Heir of HEL-EN I. SUTTER AKA HELEN T. SUT-TER, Deceased CYNTHIA VALKO AKA CINDY VALKO, Solely in Her Capacity as Heir of HELEN I. SUTTER AKA HELEN T. SUTTER, Deceased

SALE ADDRESS: 917 Woodlawn Avenue, Phoenixville, PA 19460

PLAINTIFF ATTORNEY: KML LAW GROUP, P.C. 215-627-1322

# SALE NO. 24-6-171 Writ of Execution No. 2023-03018 DEBT \$237,047.22

ALL THAT CERTAIN LOT OR LAND SITUATE IN THE TOWNSHIP OF EAST GOSHEN, COUNTY OF CHESTER AND STATE OF PENNSYLVANIA Tax Parcel # 5306 012600 00

PLAINTIFF: NATIONSTAR MORT-GAGE LLC

VS

#### DEFENDANT: ABBAS RAHBARI

SALE ADDRESS: 1613 Manley Road, West Chester, PA 19380

PLAINTIFF ATTORNEY: **ROBERT-SON, ANSCHUTZ, SCHNEID, CRANE** & PARTNERS, PLLC 855-225-6906

# SALE NO. 24-6-172 Writ of Execution No. 2019-04955 DEBT \$178,098.85

All that certain piece or parcel or Tract of land situate in the Township of Valley, Chester County, Pennsylvania, and being known as 1451 Valley Road, Coatesville, Pennsylvania 19320.

Tax Parcel # 38-5-6.1B

PLAINTIFF: Citizens Bank, N.A. f/k/a RBS Citizens, N.A.

VS

DEFENDANT: Lisa M. Collins a/k/a Lisa Monique Collins

SALE ADDRESS: 1451 Valley Road, Coatesville, PA 19320

PLAINTIFF ATTORNEY: MCCABE, WEISBERG & CONWAY, LLC 215-790-1010

# SALE NO. 24-6-173 Writ of Execution No. 2022-10357 DEBT \$76,431.95

### PROPERTY SITUATE IN TOWNSHIP OF WEST MARLBOROUGH

Tax Parcel # 48-01-0012.110

IMPROVEMENTS thereon: a residential dwelling

PLAINTIFF: THE BANK OF NEW

YORK MELLON, AS TRUSTEE FOR THE ABFS MORTGAGE LOAN TRUST 2003- 2, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2003-2

#### VS

# DEFENDANT: RONALD MCCARRA-HER & JUDITH A. MCCARRAHER

SALE ADDRESS: 14 Richard Wilson Drive, Coatesville, PA 19320

PLAINTIFF ATTORNEY: KML LAW GROUP, P.C. 215-627-1322

# SALE NO. 24-6-175 Writ of Execution No. 2023-06347 DEBT \$182,756.03

ALL THAT CERTAIN lot or piece of ground, with buildings and improvements thereon erected, situate in the Township of Caln, County of Chester, BEING UPI# 39-2L-48 described as Lot 48, according to the Plan of Downing Ridge, made by G.D. Houtman and Son Land Surveyors, dated November 7, 1975, last revised February 16, 1977, and recorded as Chester County Plan No. 1315.

UPI # 39-2L-48

PLAINTIFF: Nationstar Mortgage LLC

VS

DEFENDANT: Regina L Campbell

SALE ADDRESS: 113 Glen Ridge Drive, Downingtown, PA 19335

PLAINTIFF ATTORNEY: ALBERTEL-LI LAW 856-724-1888

# SALE NO. 24-6-176 Writ of Execution No. 2023-07585 DEBT \$127,321.51

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUN-TY OF CHESTER, STATE OF PENN-SYLVANIA, AND IS DESCRIBED AS FOLLOWS:

ALL THAT CERTAIN LOT OR PARCEL OF GROUND, HEREDITAMENTS AND APPURTENANCES SITUATE IN THE TOWNSHIP OF EAST WHITELAND. COUNTY OF CHESTER AND COM-MONWEALTH OF PENNSYLVANIA, AND DESIGNATED AND SHOWN SITE DEVELOPMENT ON PLAN OF "FRAZER MANOR" MADE BY YERKES ASSOCIATES, INC., CON-SULTING ENGINEERS AND SURVEY-ORS, WEST CHESTER, PA, DATED 8/8/1980 LAST REVISED 4/21/1981 RECORDED 7/15/1981 IN PLAN FILE #3611 AND DESIGNATED AND SHOWN ON AN AS BUILT BUILDING LOCATION PLAN OF "ONE PARK PLACE" MADE BY BERGER & HAYES, INC., CONSULTING ENGINEERS & SURVEYORS THORNDALE, PA, DAT-ED 11/16/1982 AND DESIGNATED AS LOT #16 AND 15 FEET PATIO AREA.

BEING THE SAME PREMISES which GRANTORS Gabriel D'Andrea Land Developers, Inc., by Deed dated May 6, 1983 and recorded May 9, 1983 in the Office of the Recorder of Deeds in and for the County of Chester, Pennsylvania in Book 61, Page 7, Instrument No: 053188 granted and conveyed unto Warren C. Denen in fee.

Tax Parcel # 42-04-0415

PLAINTIFF: Carrington Mortgage Services LLC

### VS

DEFENDANT: Unknown Heirs, Successors, Assigns and All Persons, Firms or Associations Claiming Right, Title or Interest from or under Warren G. Denen, deceased

SALE ADDRESS: 118 Josephs Way, Malvern, PA 19355

PLAINTIFF ATTORNEY: LOGS LE-GAL GROUP LLP 610-278-6800

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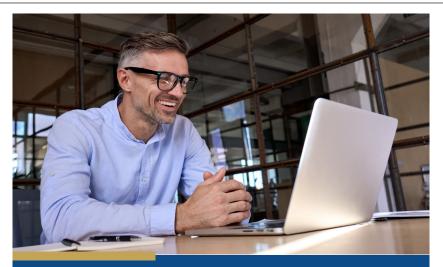
 May 23: Immigration Section – Empowering Today's Immigrant Youth June 4 – Criminal Justice CLE Symposium
June 5 – BULL Session – Suicide Prevention for Lawyers (Evening & In-Person ONLY event)
June 11 - Are They Messing with Your Medical Records or Are Your Medical Records Just a Mess? June 20 – Family Law Section June 26 – Small and Solo Section June 27 – Estate, Probate & Trust Section

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05/30/24





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# CHESTER COUNTY LAW REPORTER

05/30/24



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For more information: Meredith Barr at 610-692-1889 or mbarr@chescobar.org

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