

Adams County Legal Journal

Vol. 52

December 10, 2010

No. 30, pp. 197-199

IN THIS ISSUE

CITIBANK VS. AMBROSE

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ADAMS COUNTY LEGAL JOURNAL (USPS 542-600)

Designated for the Publication of Court and other Legal Notices. Published weekly by Adams County Bar Association, John W. Phillips, Esq., Editor and Business Manager.

Subscribers should send subscriptions directly to the business office. Postmaster: Send address changes to Adams County Legal Journal, 117 BALTIMORE ST RM 305 GETTYSBURG PA 17325-2313.

Business Office – 117 BALTIMORE ST RM 305 GETTYSBURG PA 17325-2313. Telephone: (717) 334-1553

Periodicals postage paid at Gettysburg, PA 17325.

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SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 10-S-1107 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 14th day of January, 2011, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 10-S-1107

PNC MORTGAGE

vs.

DUSTIN DREW HARTLAUB &
HEATHER MARIE HARTLAUB

97 S. GALA

LITTLESTOWN, PA 17340

BOROUGH OF LITTLESTOWN

Parcel No.: (27) 004-0096

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGEMENT AMOUNT: \$99,418.68

Attorneys for Plaintiff

VITTI AND VITTI AND ASSOCIATES,
PC.

SEIZED and taken into execution as the property of **Dustin Drew Hartlaub & Heather Marie Hartlaub** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on February 4, 2011, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale date.

As soon as the property is declared sold to the highest bidder, 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

12/10, 17 & 23

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 10-S-0979 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 14th day of January, 2011, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 10-S-0979

JPMC SPECIALTY MORTGAGE LLC

vs.

JOHN P. DOUBLE &
CATHERINE A. DOUBLE

913 JOHNSON DRIVE

GETTYSBURG, PA 17325-8903

MOUNT JOY TOWNSHIP

Parcel No.: 31-009-0085-000

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGEMENT AMOUNT: \$196,427.38

Attorneys for Plaintiff

PHELAN HALLINAN & SCHMIEG LLP

SEIZED and taken into execution as the property of **John P. Double & Catherine A. Double** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on February 4, 2011, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale date.

As soon as the property is declared sold to the highest bidder, 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

12/10, 17 & 23

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 10-S-759 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 14th day of January, 2011, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 10-S-759

BAC HOME LOANS SERVICING LP

vs.

JASON YEINGST & SUSAN YEINGST

3710 CARLISLE ROAD

GARDNERS, PA 17324

HUNTINGTON TOWNSHIP

Parcel No.: 22-G03-0043-000

(Acreage or street address)
IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$160,488.34

Attorneys for Plaintiff

PHELAN HALLINAN & SCHMIEG, LLP

SEIZED and taken into execution as the property of **Jason Yeingst & Susan Yeingst** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on February 4, 2011, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale date.

As soon as the property is declared sold to the highest bidder, 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

11/24, 12/3 & 10

CITIBANK VS. AMBROSE

1. An account stated is an account in writing, examined and accepted by both parties, which acceptance need not be expressly so, but may be implied from the circumstances.

2. To plead a cause of action for an account stated, plaintiff must sufficiently plead the following elements: (1) there has been a running account, (2) a balance remains due, (3) the account has been rendered upon the defendant, and (4) the defendant has assented to the account.

3. Retention without objection by one party for an unreasonably longtime of a statement of account rendered by the other party is a manifestation of assent to the amount shown as an accurate computation of the amount due.

4. A copy of the current statement must be attached to the Complaint showing a balance remains due, and the Complaint must state that the plaintiff mailed monthly statements to the defendant setting forth the details of the defendant's account.

In the Court of Common Pleas of Adams County, Pennsylvania,
Civil, No. 10-S-574, CITIBANK (SOUTH DAKOTA), N.A. VS.
PAMELA AMBROSE.

Neil Sarker, Esq., for Plaintiff

John L. Perry, Esq., for Defendant

Campbell, J., June 8, 2010

OPINION

Plaintiff filed a Complaint on April 6, 2010, alleging that Plaintiff furnished consumer credit to Defendant by means of a credit card. Plaintiff further alleges that Plaintiff kept accurate running records of all debits and credits to the account and that Plaintiff mailed monthly statements on the account to Defendant, including the statement attached as Exhibit A to the Complaint. Additionally, the monthly statements accurately stated the previous balance, debits and credits to the account for the prior billing period. Plaintiff asserts that prior to mailing Exhibit A, Defendant had made payments on the account for many months, or retained the statement without payment. Plaintiff claims relief based upon an account stated theory of recovery for the sum of \$7,746.02, the amount listed on Exhibit A that Defendant has allegedly failed to pay.

Defendant filed Preliminary Objections to Plaintiff's Complaint and a Brief in Support of Defendant's Preliminary Objections to Plaintiff's Complaint on April 27, 2010. Defendant argues that the Amended Complaint fails to conform to law or rule of court and is deficient for several reasons. First, Defendant argues based on the

amount allegedly due, \$7,746.02, that the initial credit card would have been furnished pursuant to a written agreement. However, Plaintiff failed to attach the original application or agreement between the parties, and failed to explain its absence as required by Pa. R. Civ. P. 1019(h) and (i). Moreover, Defendant argues that Plaintiff failed to attach any writing containing the terms and conditions that the credit card was allegedly subject to, and failed to explain the absence of such a writing in violation of Pa. R. Civ. P. 1019(h) and (i). Defendant also argues the Complaint is deficient because it does not contain allegations of sufficient specificity to meet the requirements of Pa. R. Civ. P. 1019(a) and (f), and thus Defendant cannot formulate a response. Finally, Defendant argues that even if Plaintiff is setting forth an account stated basis of recovery, Plaintiff has failed to attach an “account in writing” sufficient to create an Account Stated in violation of Pa. R. Civ. P. 1019(h), (i), and relevant case law. For the reasons stated below, Defendant’s Preliminary Objections are overruled.

An account stated is an “account in writing, examined and accepted by both parties, which acceptance need not be expressly so, but may be implied from the circumstances.” *Robbins v. Weinstein*, 17 A.2d 629, 634 (Pa. Super. 1941). To plead a cause of action for an account stated, plaintiff must sufficiently plead the following elements: (1) there has been a running account, (2) a balance remains due, (3) the account has been rendered upon the defendant, and (4) the defendant has assented to the account. *Rush’s Service Center, Inc. v. Genareo*, 10 Pa. D. & C. 4th 445, (C.P. Lawr. June 24, 1991). Retention without objection by one party for an unreasonably long time of a statement of account rendered by the other party is a manifestation of assent to the amount shown as an accurate computation of the amount due. *Donahue v. City of Philadelphia*, 41 A.2d 879 (Pa. Super. 1945). A copy of the current statement must be attached to the Complaint showing a balance remains due, and the Complaint must state that the plaintiff mailed monthly statements to the defendant setting forth the details of the defendant’s account. *Citibank (S.D.) N.A. v. King*, No. 2007-3412, 2007 WL 4967502 (C.P. Cent. Nov. 9, 2007).

In the present case, Defendant’s argument would be persuasive had Plaintiff pled a cause of action based on breach of contract. However, Plaintiff has set forth a cause of action based on an account

stated theory of recovery, and has pled the required elements of an account stated. Plaintiff states in its Complaint that it furnished consumer credit to Defendant, that it kept accurate records of the account, and that it mailed monthly statements to Defendant. Moreover, Plaintiff alleges that Defendant made payments on the account in the past or retained the statement without payment. Plaintiff has attached a copy of a recent statement to Complaint as Exhibit A, and thus, this Court finds that Plaintiff has sufficiently pled a cause of action for an account stated.

For the reasons stated herein, Defendant's Preliminary Objections are overruled.

ORDER

AND NOW, this 8th day of June, 2010, Defendant's Preliminary Objections are overruled. Defendant shall file an Answer to the Complaint within twenty (20) days of the date of this order.

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-1827 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 14th day of January, 2011, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution

No. 09-S-1827

AMTRUST BANK

vs.

IAN PATRICK BREWER &
JENNIFER M. MCKEE

ALL THAT tract of land, situate, lying and being in the Cumberland Township, Adams County, Pennsylvania, more fully described in deed dated August 9, 1978, and revised October 17, 1978, recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Plat Book 25 page 15.

Being known as

220 CAREY LANE

GETTYSBURG, PA 17325

CUMBERLAND TOWNSHIP

Parcel No.: (9) E17-66E

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGEMENT AMOUNT: \$259,167.31

Attorneys for Plaintiff

MCCABE, WEISBERG AND CONWAY,
P.C.

SEIZED and taken into execution as the property of **Ian Patrick Brewer & Jennifer M. McKee** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on February 4, 2011, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale date.

As soon as the property is declared sold to the highest bidder, 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

12/10, 17 & 23

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 10-S-655 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 14th day of January, 2011, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution

No. 10-S-655

BANK OF NEW YORK

vs.

LESLIE A. BARTLEBAUGH &
MARK D. BARTLEBAUGH

All that certain tract of land situated, lying and being in the Borough of Carroll Valley, Adams County, Pennsylvania, being known as Lot No. 316 in Section "K," more fully described in deed dated May 26, 1999 and recorded June 8, 1999 in Deed Book 1847, Page 0221.

Being known as

27 SUNFISH TRAIL

FAIRFIELD, PA 17320-8515

CARROLL VALLEY BOROUGH

Parcel No.: 43-003-065

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGEMENT AMOUNT: \$211,681.68

Attorneys for Plaintiff

MCCABE, WEISBERG AND CONWAY,
P.C.

SEIZED and taken into execution as the property of **Leslie A. Bartlebaugh & Mark D. Bartlebaugh** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on February 4, 2011, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale date.

As soon as the property is declared sold to the highest bidder, 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

12/10, 17 & 23

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-1052 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 14th day of January, 2011, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution

No. 09-S-1052

ONE WEST BANK FSB

vs.

NORMA A. BAKER

All that certain lot of improved real estate situate in the Borough of Gettysburg, Adams County, Pennsylvania, more fully described in deed dated October 17, 2005 and recorded October 20, 2005 in Deed Book 4172, Page 166.

Being know as

32 SOUTH WASHINGTON STREET

GETTYSBURG, PA 17325

GETTYSBURG BOROUGH

Parcel No.: 16-010-0023

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGEMENT AMOUNT: \$50,245.77

Attorneys for Plaintiff

MCCABE, WEISBERG AND CONWAY,
P.C.

SEIZED and taken into execution as the property of **Norma A. Baker** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on February 4, 2011, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale date.

As soon as the property is declared sold to the highest bidder, 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

12/10, 17 & 23

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 10-S-1074 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 14th day of January, 2011, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 10-S-1074

BANK OF NEW YORK MELLON
vs.

ANDREW W. BURKE &
TANISHA N. BURKE

All that certain tract of land, situate, lying and being in Hamilton Township, Adams County, Pennsylvania, more fully described in deed dated February 14, 2007 and recorded February 22, 2007 in Deed Book 4747, Page 214 Instrument # 200700003408.

Being known as

71 SPRINGFIELD DRIVE
NEW OXFORD, PA 17350
HAMILTON TOWNSHIP

Parcel No.: 17-K09-0123-000

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$322,570.07

Attorneys for Plaintiff
MCCABE, WEISBERG & CONWAY,
P.C.

SEIZED and taken into execution as the property of **Andrew W. Burke & Tanisha N. Burke** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on February 4, 2011, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale date.

As soon as the property is declared sold to the highest bidder, 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

12/10, 17 & 23

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 10-S-0670 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 14th day of January, 2011, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 10-S-0670

BAC HOME LOANS SERVICING LP
vs.

CRYSTAL M. CARBAUGH

ALL THAT CERTAIN described lot of ground, with improvements there on erected, SITUATE in Mt. Pleasant Township, Adams County, Pennsylvania, more fully described in deed dated March 26, 2007 and recorded April 3, 2007 in Deed Book 4790, Page 337.

Being known as

573 HOOKER DRIVE
GETTYSBURG, PA 17325
MT. PLEASANT TOWNSHIP

Parcel No.: (32) 105-0066

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$209,935.56

Attorneys for Plaintiff
MCCABE, WEISBERG & CONWAY,
P.C.

SEIZED and taken into execution as the property of **Crystal M. Carbaugh** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on February 4, 2011, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale date.

As soon as the property is declared sold to the highest bidder, 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

12/10, 17 & 23

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 10-S-785 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 14th day of January, 2011, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 10-S-785

WELLS FARGO BANK NA
vs.

CLINT F. HEINTZELMAN

116 STANLEY DRIVE
NEW OXFORD, PA 17350-9457
BERWICK TOWNSHIP

Parcel No.: 04 K11-0048E--000

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$171,137.11

Attorneys for Plaintiff

PHELAN HALLINAN & SCHMIEG LLP

SEIZED and taken into execution as the property of **Clint F. Heintzelman** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on February 4, 2011, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale date.

As soon as the property is declared sold to the highest bidder, 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

12/10, 17 & 23

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 10-S-1174 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 14th day of January, 2011, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 10-S-1174

FULTON BANK N.A.
vs.

GARY L. MUMMERT &
DIXIE L. MUMMERT

1945 HANOVER PIKE
LITTLESTOWN, PA 17340
UNION TOWNSHIP

Parcel No.: 41-K16-0024

IMPROVEMENTS THEREON:

RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$169,301.53

Attorneys for Plaintiff

REAM, CARR, MARKEY & WOLOSHIN
LLP

SEIZED and taken into execution as the property of **Gary L. Mummert & Dixie L. Mummert** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on February 4, 2011, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale date.

As soon as the property is declared sold to the highest bidder, 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

12/10, 17 & 23

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 10-S-1005 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 14th day of January, 2011, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 10-S-1005

WELLS FARGO BANK NA
vs.

RONALD E. MCCLAIN &
SANDRA L. MCCLAIN

23 SUNFISH TRAIL
FAIRFIELD, PA 17320-8515
BOROUGH OF CARROLL VALLEY

Parcel No.: 004-0024

IMPROVEMENTS THEREON:

RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$169,699.94

Attorneys for Plaintiff

PHELAN HALLINAN & SCHMIEG LLP

SEIZED and taken into execution as the property of **Ronald E. & Sandra L. McClain** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on February 4, 2011, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale date.

As soon as the property is declared sold to the highest bidder, 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

12/10, 17 & 23

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-SU-1388 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 14th day of January, 2011, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 09-SU-1388

CHASE HOME FINANCE LLC
vs.

JEREMY J. MCKNIGHT &
SARAH C. MCKNIGHT

11 BLUE GILL TRAIL
FAIRFIELD, PA 17320
CARROLL VALLEY BOROUGH

Parcel No.: 43-003-0020---000

IMPROVEMENTS THEREON:

RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$179,611.69

Attorneys for Plaintiff

GRENN & BIRSIC, P.C.

SEIZED and taken into execution as the property of **Jeremy J. McKnight & Sarah McKnight** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on February 4, 2011, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale date.

As soon as the property is declared sold to the highest bidder, 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

12/10, 17 & 23

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 10-S-664 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 14th day of January, 2011, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 10-S-664
CHASE HOME FINANCE LLC
vs.
BRANDON RIPPEON,
PERSONAL REPRESENTATIVE OF
ROBERT RIPPEON
83 MUMMERT DRIVE
LITTLSTOWN, PA 17340
UNION TOWNSHIP

Parcel No.: (41) J17-0090-000
IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING
PRINCIPAL BALANCE: \$218,765.22
Attorneys for Plaintiff
GRENN & BIRSIC, P.C.

SEIZED and taken into execution as the property of **Brandon Rippeon, Personal Representative of Robert Rippeon** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on February 4, 2011, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale date.

As soon as the property is declared sold to the highest bidder, 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

12/10, 17 & 23

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 04-S-1094 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 14th day of January, 2011, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 04-S-1094
COUNTRYWIDE HOME LOANS
SERVICING LP
vs.
MICHAEL J. SHUMBERGER
20 SHERMAN DRIVE
EAST BERLIN, PA 17316
READING TOWNSHIP
Parcel No.: (36) 002-0038A---000

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING
JUDGEMENT AMOUNT: \$131,397.46
Attorneys for Plaintiff
GOLDBECK MCCAFFERTY &
MCKEEVER

SEIZED and taken into execution as the property of **Michael J. Shumberger** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on February 4, 2011, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale date.

As soon as the property is declared sold to the highest bidder, 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

12/10, 17 & 23

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-NO-203 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 14th day of January, 2011, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 08-NO-0203
CARROLL VALLEY SEWER AND
WATER AUTHORITY
vs.
JOSEPH M. SEVENTKO
50 CROSS LAND TRAIL
CARROLL VALLEY, PA 17320
BOROUGH OF CARROLL VALLEY
Parcel No.: 43-002-0071004-0024

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING
JUDGEMENT AMOUNT: \$24,144.57
Attorneys for Plaintiff
SALZMANN HUGHES, P.C.

SEIZED and taken into execution as the property of **Joseph Seventko** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

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12/10, 17 & 23

ESTATE 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. All persons having claims or demands against said estates are requested to make known the same, and all persons indebted to said estates are requested to make payment without delay to the executors or administrators or their attorneys named below.

FIRST PUBLICATION**ESTATE OF TROCELIA W. COULTER, DEC'D**

Late of Straban Township, Adams County, Pennsylvania

Executors: Burt J. Coulter, 116 Rodes Avenue, Gettysburg, PA 17325;
David C. Coulter, 7229 Apple Street, Bath, NY 14810

Attorney: Teeter, Teeter & Teeter, 108 W. Middle St., Gettysburg, PA 17325

ESTATE OF OLIVE D. NEIDERER a/k/a OLIVE D. HANSFORD, DEC'D

Late of Oxford Township, Adams County, Pennsylvania

Beverly Ann Kabil, 92 Patrick Avenue, Littlestown, PA 17340

Attorney: David K. James, III, Esq., 234 Baltimore Street, Gettysburg, PA 17325

ESTATE OF LONNIE C. ROSE, DEC'D

Late of Germany Township, Adams County, Pennsylvania

Randall Lou Rose, 970 Gettysburg Road, Littlestown, PA 17340

Attorney: David K. James, III, Esq., 234 Baltimore Street, Gettysburg, PA 17325

SECOND PUBLICATION**ESTATE OF LOUISE A. McATEE, DEC'D**

Late of Oxford Township, Adams County, Pennsylvania

Executor: Kathleen M. Knapp, 451 Deerfield Drive, Hanover, PA 17331

Attorney: Elinor Albright Rebert, Esq., 515 Carlisle Street, Hanover, PA 17331

ESTATE OF EARL W. ZUMBRUM, DEC'D

Late of the Borough of Littlestown, Adams County, Pennsylvania

Executors: Sharon L. Eckenrode and Kevin E. Zumbrum, c/o Keith R. Nonemaker, Esq., Guthrie, Nonemaker, Yingst & Hart, LLP, 40 York Street, Hanover, PA 17331

Attorney: Keith R. Nonemaker, Esq., Guthrie, Nonemaker, Yingst & Hart, LLP, 40 York Street, Hanover, PA 17331

THIRD PUBLICATION**ESTATE OF CHARLES A. HOLLAND, DEC'D**

Late of Cumberland Township, Adams County, Pennsylvania

Executor: Roger L. Holland, c/o Edward J. O'Donnell IV, Esq., 141 Broadway, Suite 230, Hanover, PA 17331

Attorney: Edward J. O'Donnell IV, Esq., 141 Broadway, Suite 230, Hanover, PA 17331

ESTATE OF RITA E. LITTLE, DEC'D

Late of Mount Pleasant Township, Adams County, Pennsylvania

Executors: William F. Little, 2130 Centennial Road, Hanover, PA 17331; Wayne R. Little, 1510 Honda Road, Hanover, PA 17331

Attorney: Alex E. Snyder, Esq., Barley Snyder LLC, 14 Center Square, Hanover, PA 17331

ESTATE OF MILDRED S. MATTHIAS a/k/a MILDRED E. MATTHIAS, DEC'D

Late of the Borough of Littlestown, Adams County, Pennsylvania

Personal Representative: Donald R. Hull, 526 Baltimore Boulevard, Westminster, MD 21157

ESTATE OF LARRY W. SHOWERS, DEC'D

Late of Menallen Township, Adams County, Pennsylvania

Executor: Alan C. Showers, 2606 Coon Road, Aspers, PA 17304

Attorney: Teeter, Teeter & Teeter, 108 W. Middle St., Gettysburg, PA 17325

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 10-S-1054 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 14th day of January, 2011, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 10-S-1054

HOUSEHOLD FINANCE CONSUMER
DISCOUNT COMPANY

vs.

TRACY LYNN SNADER &
TRACY BOLLMAN &
JACK L. INNERST, JR.

294 LABOR CAMP ROAD
GARDNERS, PA 17324
HUNTINGTON TOWNSHIP

Parcel No.: 22 G03-0116---000

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGEMENT AMOUNT: \$101,986.49

Attorneys for Plaintiff
STERN AND EISENBERG LLC

SEIZED and taken into execution as the property of **Tracy Lynn Snader & Tracy Bollman & Jack L. Innerst Jr.** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

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12/10, 17 & 23

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 10-S-429 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 14th day of January, 2011, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 10-S-429

PNC BANK NATIONAL ASSOCIATION
vs.

ERIC W. WALLEN &
DEBORAH M. WALLEN

24 and 26 ANTLER LANE
EAST BERLIN, PA 17316
READING TOWNSHIP

Parcel No.: 36-002-0077-000 and
36-002-77-000

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING
JUDGEMENT AMOUNT: \$75,840.76

Attorneys for Plaintiff
WELTMAN, WEINBERG & REIS CO.,
LPA

SEIZED and taken into execution as the property of **Eric W. Wallen & Deborah M. Wallen** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on February 4, 2011, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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12/10, 17 & 23

LEGAL NOTICE--ANNUAL MEETING

The annual meeting of the policyholders of the Protection Mutual Insurance Company of Littlestown will be held at the office located at 101 South Queen Street in Littlestown, PA, between the hours of 1:00 and 2:00 p.m., on January 15th, 2011 to elect directors and to transact any other business properly presented.

Attest: Marilyn Q. Butt
President/Treasurer

12/10, 17, 23 & 31