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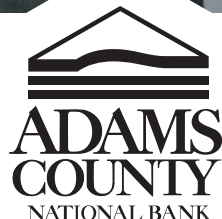
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SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-1633 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 15th day of May, 2009, 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.:

ALL that piece, parcel or tract of land situate, lying and being in the Borough of McSherrystown, Adams County, Pennsylvania, and more particularly bounded and described as follows, to wit:

BEGINNING for a corner at Main Street and Lot No. 3, now or formerly of Mary A. Rider; thence along said Lot No. 3 North twenty-four (24) degrees West, one hundred eighty-five (185) feet to a corner at a sixteen foot wide alley; thence along said alley South sixty-six (66) degrees West, thirty (30) feet to a corner at Lot No. 1, now or formerly of Martz; thence along said Lot No. 1 South twenty-four (24) degrees East, one hundred eighty-five (185) feet to a corner at Main Street aforesaid; thence along said street North sixty-six (66) degrees East thirty (30) feet to a corner, the place of Beginning and known as Lot No. 2 on a plat or plan of a series of lots laid out by Julius W. Fischer, Executor of the Last Will and Testament of Ann Eliza Zinn, deceased.

IT BEING the same which Lewis J. Bunty, single person, by his deed dated October 20, 1942 and recorded in the Office of the Recorder of Deeds in and for Adams County, Pennsylvania, granted and conveyed unto Carl F. Grott and Rosie C. Kerchner, (formerly known as Rosie C. Grott), husband and wife. The said Carl F. Grott having predeceased his wife vesting right, title and interest in Rosie C. Kerchner, deceased, GRANTOR HEREIN.

TITLE TO SAID PREMISES IS VESTED IN Michael E. Appler, by Deed from James Henry Grott, Executor under the Last Will and Testament of Rosie C. Kerchner, f/k/a, Rosie C. Grott, deceased, dated 08/27/2002, recorded 09/05/2002 in Book 2791, Page 203.

Tax Parcel # (28) 002-0083

Premises Being: 37 Main Street, McSherrystown, PA 17344

SEIZED and taken into execution as the property of **Michael E. Appler** 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 June 5, 2009, 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.

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.

4/17, 24 & 5/1

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 06-S-1131 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 15th day of May, 2009, 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.:

ALL that lot of ground situate in Conewago Township, Adams County, Pennsylvania, known on the plat of general plan of a series of lots, streets, or avenues, of lands of the Hanover Improvement Company, as Lot No. 8 on the South side of Maple Avenue in Block No. 13, adjoining Lot No. 7 on the West, a public alley on the South, Lot No. 9 on the East, and Maple Avenue on the North. Said plan or general plan being recorded in the Adams County Deed Book WW, Page 600.

SUBJECT, however, to the following restrictions: that no buildings of any kind whatsoever shall ever be erected on said lot or piece of ground within fifteen (15) feet of the inside line of said Maple Avenue.

Being Known As: 378 Maple Avenue (Conewago Township), Hanover, PA 17331

Property ID No. # (08) 008-0087

TITLE TO SAID PREMISES IS VESTED IN Mathew D. Ebaugh by deed from Ronald L. Zartman and Dorothy L. Zartman, husband and wife dated 9/10/2004 recorded 9/16/2004 in Deed Book 3707 Page 22.

SEIZED and taken into execution as the property of **Mathew D. Ebaugh** 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 June 5, 2009, 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.

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.

4/17, 24 & 5/1

TRUST ESTATE NOTICE

Betty J. Martin died on November 20, 2008, a resident of Germany Township, Adams County, Pennsylvania. During her lifetime she created a revocable trust for her benefit. All persons indebted to her or the trust are requested to make payment, and those having claims against her or the trust are requested to present the same, without delay, to: David S. Martin, Trustee, 159 Kingsdale Road, Littlestown, PA 17340.

Or to:
Robert L. McQuaide, Esq.
Suite 204
18 Carlisle Street
Gettysburg, PA 17325

4/3, 9 & 17

OBERLIN VS. NAUGLE ET AL

1. The initial determination of the amount of damages to be awarded for pain and suffering, both past and future, is primarily a jury question.

2. In reviewing an award of damages, courts should give deference to the decisions of the trier of fact who is usually in a superior position to appraise and weight the evidence. Nevertheless, it is the responsibility of the judiciary to keep damage awards within reasonable bounds.

3. The inherent authority of the court to grant remittitur should be cautiously used and only when a verdict that is supported by the evidence suggests that the jury was guided by partiality, prejudice, mistake or corruption, or the verdict plainly is excessive, exorbitant and beyond what the evidence warrants.

4. The decision to order remittitur, or grant a new trial because of excessiveness of the damages awarded, is committed to the sound discretion of the trial court.

5. In deference to the decision of the fact-finder, a remittitur should fix the highest amount any jury could properly award, given due weight to all of the evidence offered. There are six factors to be considered by the trial court as follows: (1) the severity of the injury; (2) whether the injury is demonstrated by objective physical evidence; (3) whether the injury is permanent; (4) the plaintiff's ability to continue employment; (5) disparity between the amount of out-of-pocket expenses and the amount of the verdict; and (6) the amount demanded in the original complaint.

6. It is hornbook law in Pennsylvania that the loss of earning power and the amount resulting therefrom must be established by sufficient and satisfactory proof. A claim for damages must be supported by a reasonable basis for the calculations as mere guess or speculation is not enough.

7. Although no guiding standard exists, the trial court is tasked with objectively reviewing the jury's highly subjective action in exercising its duty to prevent the miscarriage of justice.

8. Because of the lack of any rigid guidelines in assessing pain and suffering, the court is properly permitted to rely upon its own experience.

In the Court of Common Pleas of Adams County, Pennsylvania, Civil, No. 03-S-242, KATHY OBERLIN VS. BETTY D. NAUGLE, DANIEL J. BAER, t/d/b/a BAER'S BUS LINES, DANIEL J. BAER, INDIVIDUALLY, AND BAER'S BUS LINES.

Dennis M. Abrams, Esq., for Plaintiff

Donald R. Dorer, Esq., and James K. Thomas, II, Esq., for Defendants
George, J., June 5, 2008

OPINION

Before the Court for disposition is the Defendants' ("Baer") Motion for Post-Trial Relief in the form of a request for remittitur or a new trial.¹

¹ The Complaint lists the Defendants as Betty D. Naugle, Daniel J. Baer, t/d/b/a Baer's Bus Lines, Daniel J. Baer, individually, and Baer's Bus Lines. The parties have previously stipulated that Betty D. Naugle, during the course of the relevant incident, was an employee and/or agent of Baer's Bus Lines.

This litigation commenced on June 9, 2003 when Kathy Oberlin (“Oberlin”) filed a negligence Complaint against Baer. The Complaint sought damages as a result of a two-vehicle accident occurring at approximately 8:30 a.m. on March 12, 2001. The accident occurred as a bus owned by Baer, and operated by Betty D. Naugle, struck the rear of the vehicle being driven by Oberlin while the Oberlin vehicle was attempting to turn onto New Chester Road from the westbound lane of U.S. Route 30. Following impact, Oberlin’s vehicle was pushed into a third vehicle which was stopped on New Chester Road awaiting exit onto U.S. Route 30. Photographs of the Oberlin vehicle introduced at trial reveal slight to moderate damage to the right rear of Oberlin’s vehicle. (Plaintiff’s Trial Exhibits Nos. 4A and 4B) Oberlin did not lose consciousness at the time of the accident, was able to exit her vehicle of her own volition, and was not transported from the scene for medical treatment. (Trial transcript, p. 30) After driving herself home and taking a shower, Oberlin contacted her family physician. Upon recommendation of her doctor, she went to the Hanover Hospital and underwent an x-ray of her cervical spine.² (Defendant’s Exhibit No. 10) Following the x-ray, Oberlin was treated and released. She claimed that her pain did not subside and, days later, again contacted her family physician. Following additional examination by a number of medical professionals, Oberlin underwent various courses of therapy at various locations on and off from shortly after the accident through March, 2006. Although Oberlin indicated at trial that she continues to undergo therapy, her testimony indicated that it was on a sporadic informal basis rather than as part of a regular treatment plan. (Trial transcript, p. 42: 15-16) Nevertheless, as a result of her injuries, lifting and other restrictions have been suggested to Oberlin by her physicians. She continues to treat with heat, ice compressions, and muscle relaxants.

Oberlin was 53 years old at the time of trial. Prior to the accident, she was self-employed with her earnings varying on a year-to-year basis. On average, she had gross annual earnings of approximately \$35,000 with annual income of approximately \$21,000 after deducting business expenses. (Trial transcript, p. 160: 13-19) With the exception of 2003, Oberlin’s tax returns since the accident through

²The cervical spine x-ray revealed findings compatible with muscle spasm and a mild grade 1 retrolisthesis of C5 with respect to C4.

2004 reveal income slightly less than that general level. (Plaintiff's Exhibit No. 7) Five months prior to trial, Oberlin accepted employment with the Metropolitan Opera in New York earning approximately \$75,000 per year. (Trial transcript, p. 65: 7-12)

Prior to trial, the parties stipulated to Baer's liability. The jury trial, limited to the issue of damages, commenced on February 6, 2007. At the conclusion of trial, the jury entered a verdict in favor of Oberlin in the amount of \$2,476,000 consisting of \$976,000 in past and future wage loss and \$1,500,000 in non-economic damages. The current post-trial motions followed thereafter.

Undoubtedly, the initial determination of the amount of damages to be awarded for pain and suffering, both past and future, is primarily a jury question. *Stoughton v. Kinzey*, 445 A.2d 1240, 1242 (Pa.Super. 1982). This basic principle of our legal system is founded on the recognition that the jury is the ultimate fact-finder and brings to its verdict its most valued asset, i.e. its composite experience regarding the problems involving the human travail as it applies to life in the community. *Doe v. Raezer*, 664 A.2d 102, 108 (Pa.Super. 1995). In reviewing an award of damages, courts should give deference to the decisions of the trier of fact who is usually in a superior position to appraise and weigh the evidence. *Ferrer v. Trustees of University of Pennsylvania*, 825 A.2d 591, 611 (Pa. 2002). Nevertheless, it is the responsibility of the judiciary to keep damage awards within reasonable bounds. *Kemp v. Philadelphia Transportation Co.*, 361 A.2d 362, 364-65 (Pa.Super. 1976). Thus, judicial reduction of a jury award for compensatory damages is appropriate where the award is plainly excessive and exorbitant in a particular case. *Haines v. Raven Arms*, 640 A.2d 367, 369 (Pa. 1994). This inherent authority of the court to grant remittitur should be cautiously used and only when a verdict that is supported by the evidence suggests that the jury was guided by partiality, prejudice, mistake or corruption, *Small v. Pittsburgh-Corning Corp.*, 843 A.2d 410, 414 (Pa.Super. 2004), or the verdict plainly is excessive, exorbitant and beyond what the evidence warrants. *Id.* citing *Murray v. Philadelphia Asbestos Corp.*, 640 A.2d 446, 450 (Pa.Super. 1994). Thus, the focus is on whether the award of damages falls within the uncertain limits of fair and reasonable compensation or, on the other hand, the verdict so shocks the sense of justice as to suggest that the jury was influenced by improper considerations. *Haines v. Raven*

Arms, 640 A.2d 367, 369 (Pa. 1994). As such, the decision to order remittitur, or grant a new trial because of excessiveness of the damages awarded, is committed to the sound discretion of the trial court. *Murray v. Philadelphia Asbestos Corp.*, 640 A.2d 446, 450 (Pa.Super. 1994).

In making this determination, it is not enough that the amount awarded is greater than that which the court would have awarded. Rather, the award must be so excessive that it offends the conscience and judgment of the court. *Toogood v. Rogal*, 764 A.2d 552, 559 (Pa.Super. 2000). In deference to the decision of the fact-finder, a remittitur should fix the highest amount any jury could properly award, given due weight to all of the evidence offered. *Doe v. Raezer*, 664 A.2d at 105. Appellate authority instructs that there are six factors to be considered by the trial court as follows: (1) the severity of the injury; (2) whether the injury is demonstrated by objective physical evidence; (3) whether the injury is permanent; (4) the plaintiff's ability to continue employment; (5) disparity between the amount of out-of-pocket expenses and the amount of the verdict; and (6) the amount demanded in the original complaint. *Haines v. Raven Arms*, 640 A.2d at 370. Applying these factors to the evidence presented in this trial, I find that the grant of remittitur is appropriate.

In reviewing the trial testimony in a light most favorable to Oberlin, there is no question that Oberlin received injury as a result of the accident. An EMG of Oberlin's neck confirmed a nerve root injury at the C5-C6 level and a nerve root injury at L5-S1 level. (Trial transcript, p. 98: 1-2) Similarly, an EMG of the lower back confirmed nerve root injury at L5-S1. (Trial transcript, p. 98: 3) There was also objective evidence of pathology at C2 and C4 which Oberlin's expert opined was caused by the accident.³ (Deposition of Dr. Krakovitz, pp. 19-21) Oberlin discussed her pain following the accident in descriptive fashion using terms such as "unbelievable" (Trial transcript, p. 37: 14-19); "take-your-breath-away kind of

³ At trial, Oberlin's expert conceded that MRI studies of Oberlin's neck and lower back 11 days after the accident were interpreted as being within normal limits and without disc herniation. (Trial transcript, pp. 128-129) Although a slight bulge in disc material was located at C5-C6, the expert conceded there was a possibility this bulge may have pre-dated the accident. (Trial transcript, p. 130: 5-9) The witness further acknowledged that an examination by a neurosurgeon approximately seven months following the accident resulted in normal clinical findings and neurological results in normal ranges.

pain” (Trial transcript, p. 42: 4-5); and “burning, radiating, and aching” (Trial transcript, p. 57: 9-18). She claims to continue to suffer pain and headaches as a result of her injuries. She continues to take medication and has been advised by medical personnel to avoid repetitive movement (Trial transcript, p. 96: 5-11); kneeling or crawling activities; and prolonged sitting and standing (Trial transcript, 96: 11-16). She has also been placed under lifting restriction of no more than 20 pounds⁴ (Trial transcript, pp. 96: 16-17 & 105: 1-5). Despite the restrictions, however, her treating physician has encouraged her to continue to work at her highest functional level and continue to pursue her activities provided they remain within the recommended restrictions. (Trial transcript, p. 112: 14-25) Oberlin’s expert testified that her injuries would remain permanent generators of pain. (Trial transcript, p. 111: 13-24) However, there was no definitive evidence that the injuries would worsen with age.⁵

The next factor, Oberlin’s ability to continue employment, appears to be conclusively answered by Oberlin’s own testimony. Despite having taxable income of only approximately \$21,000 pre-accident, Oberlin was earning approximately \$75,000 at the time of trial. According to Oberlin’s own vocational expert, her wages fall within the range for a full-time experienced individual in the costume design industry.⁶ (Trial transcript, p. 167: 7-11) There is no indication that Oberlin was currently unable to perform her job obligations. To the contrary, her testimony indicated she was able to perform her job obligations albeit with assistance provided by her employer. (Trial transcript, pp. 52-53) She indicated that her employment is highly specialized, is the top job in the world for what she does (Trial

⁴There is evidence her lifting restrictions are capped at nine pounds. (Trial transcript, p. 164: 10-15)

⁵Oberlin cites the trial testimony of her expert, Dr. William Murphy, as an indication in the record that Oberlin’s injuries can worsen with age. (Trial transcript, p. 116: 1) A reading of the trial transcript, however, reveals that Dr. Murphy’s answer is a speculative generalization and not expressed to a reasonable degree of medical certainty.

⁶Interestingly, in a report dated July 30, 2004, Oberlin’s vocational expert estimated her vocational earning capacity as between \$28,200 and \$35,400. (Plaintiff’s Exhibit No. 9B, p. 6) In a supplemental report dated January 26, 2005, the expert opined that her earning capacity in her field of choice was \$44,600 to \$63,600 annually. (Plaintiff’s Exhibit No. 9C, p. 2) At trial, the expert opined that those earning within the highest and most experienced ranges may earn wages as much as \$112,000 annually.

transcript, p. 52: 8), and one “very good job.” (Trial transcript, p. 65: 1-2) Moreover, there is very little turnover in her field. (Trial transcript, p. 65: 3-4) She indicated that she intended on working as long as she possibly could, however, she was concerned that a change in management in approximately two years might impact her employment. (Trial transcript, p. 55: 16-20) There is no indication that her medical condition would negatively affect her employment. Rather, as mentioned, her treating physician recommended that she continue active in her employment.

It is hornbook law in Pennsylvania that the loss of earning power and the amount resulting therefrom must be established by sufficient and satisfactory proof. Undoubtedly, a harmed party may recover for the probable loss of future earnings if the loss is properly proved. *Kaczkowski v. Bolubasz*, 421 A.2d 1027, 1029 (Pa. 1980). A claim for damages must be supported by a reasonable basis for the calculations as mere guess or speculation is not enough. *Id.* A.2d at 1030.

At trial, Oberlin called both a vocational expert and an actuarial/economic expert as witnesses. These experts extrapolated financial numbers under a variety of scenarios in support of an exorbitant award. However, these opinions failed to recognize the uncontested testimony that Oberlin is currently gainfully employed and likely to remain so employed for the indefinite future absent management changes in her current position. There is not a scintilla of evidence produced at trial that Oberlin’s injury would aggravate to the extent of causing her to lose her employment. Rather, Oberlin’s future loss of her current employment, if it were to occur, would likely be related not to her injury but rather to the same risks which anyone in the work force faces. A conclusion that Oberlin would be unemployable at some future date due to her injuries sustained in the accident can only be speculative as it is not supported by the record. Incredibly, Oberlin is earning over double the wages earned at any time in her recent past yet the jury awarded Oberlin past and future wages in the amount of \$976,000. This award suggests that the jury was guided by partiality and prejudice as it is plainly excessive and exorbitant in this particular case.

Continued to next issue (4/24/2009)

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-1490 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 15th day of May, 2009, 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.:

ALL that tract of land situate, lying and being in Mount Joy Township, Adams County, Pennsylvania, more particularly described as follows:

BEGINNING at a magnetic spike situate in the center line of Two Taverns Road (SR 2001) at corner of Lot No. 2 as designated on the hereinafter mentioned survey; thence continuing by Lot No. 2 and through a steel rod set thirty (30) feet back from the beginning of this course, South seventy-four (74) degrees zero (00) minutes zero (00) seconds East, four hundred fifty (450) feet to a steel rod at corner of Lot No. 2 as designated on the hereinafter mentioned survey; thence continuing by Lot No. 2 and also by Lot No. 1, both of which are designated on the hereinafter mentioned survey, North sixteen (16) degrees zero (00) minutes zero (00) seconds East, three hundred thirty-three and three hundredths (333.03) feet to a steel rod along line of lands now or formerly of Walter J. Franek; thence continuing by said same lands, South forty-eight (48) degrees forty-four (44) minutes five (5) seconds East, eight hundred seven and eighty-six hundredths (807.86) feet to an existing steel rod along line of lands now or formerly of Walter J. Franek; thence continuing by said same lands South fifteen (15) degrees fifty-six (56) minutes forty (40) seconds West, one hundred sixty-eight and twenty-two hundredths (168.22) feet to a steel rod at the corner of Lot No. 4 as designated on the hereinafter mentioned survey; thence continuing by Lot No. 4 and through a steel rod set thirty (30) feet back from the end of this course, North seventy-four (74) degrees zero (00) minutes zero (00) seconds West, one thousand one hundred eighty and seventy-four hundredths (1180.74) feet to a magnetic spike set in the center line of Two Taverns Road (SR 2001); thence continuing by the center line of Two Taverns Road (SR 2001) North sixteen (16) degrees zero (00) minutes zero (00) seconds East, one hundred eighty (180) feet to a magnetic spike set in the center line of Two Taverns Road (SR 2001) at the corner of Lot No. 2 as designated on the hereinafter mentioned survey, the place of BEGINNING, CONTAINING 7.572 acres.

The above description was taken from a Final Plan prepared by Adams County

Surveyors for King Investment Properties, dated August 13, 1997, Adams County Plat Book 73, at page 2, designating the above as Lot No. 3.

IT BEING the same tract of land which Monzer K. Mereby and Susan F. Mereby, husband and wife, by deed dated April 30, 2002 and recorded in the Office of the Recorder of Deeds for Adams County, Pennsylvania, in Book 2643, page 49, granted and conveyed unto Brian A. Rademacher and Kathleen A. Rademacher, GRANTORS HEREIN.

TITLE TO SAID PREMISES IS VESTED IN Shari L. Ferguson, by Deed from Brian A. Rademacher and Kathleen A. Rademacher, h/w, dated 09/11/2007, recorded 10/02/2007 in Book 4996, Page 60.

Tax Parcel # (30) H15-0081

Premises Being: 175 Two Taverns Road, Littlestown, PA 17340

SEIZED and taken into execution as the property of **Shari L. Ferguson** 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 June 5, 2009, 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.

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.

4/17, 24 & 5/1

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-1209 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 15th day of May, 2009, 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.:

ALL that lot of ground situate, lying and being in the Borough of Gettysburg, Adams County, Pennsylvania, known as 112 York Street, more particularly bounded and described as follows:

BEGINNING at a drill hole at the southwest corner of the building herein conveyed and corner of lands now or formerly of Ralph F. Dolheimer; thence by said lands now or formerly of Ralph F. Dolheimer North 00 degrees 02 minutes

20 seconds East 181.61 feet to a magnetic spike located along the southern edge of Racehorse Alley East; thence along the same South 89 degrees 37 minutes 20 seconds East 28.20 feet to an existing magnetic spike at the northwest corner of lands now or formerly of Paul L. Beale; thence by the same South 01 degree 20 minutes 00 seconds West 181.50 feet to an existing drill hole in the sidewalk approximately 12 feet north of the curb line of York Street; thence in the said sidewalk and along the front of the building herein conveyed North 89 degrees 54 minutes 00 seconds West 25.05 feet to a drill hole at the corner of the building herein conveyed, the point and place of BEGINNING, CONTAINING 4,834 square feet.

The above description was taken from a boundary survey prepared for the Estate of Leonide V. Bowling by Adams County Surveyors, dated February 23, 2005.

TITLE TO SAID PREMISES IS VESTED IN Bradley D. Poland and Sherrin A. Poland, husband and wife, as tenants of an estate by the entireties, by Deed from David P. Knox, Executor of the last Will and Testament of Leonide V. Bowling, deceased, dated 02/25/2005, recorded 02/28/2005, in Deed Book 3878, page 87.

Tax Parcel # (16) 007-0231

Premises Being: 112 York Street, Gettysburg, PA 17325

SEIZED and taken into execution as the property of **Bradley D. Poland & Sherrin A. Poland** 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 June 5, 2009, 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.

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.

4/17, 24 & 5/1

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-1573 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 15th day of May, 2009, 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.:

ALL THAT CERTAIN tract or parcel of land and premises, situate, lying and being in the Township of Huntington, in the County of Adams and Commonwealth of Pennsylvania, more particularly described as follows:

Adams County Map G3 Parcel 98 BEGINNING at a railroad spike set in the center of the cartway of the Peach Glen-Idaville Road, said pin marking the common point of adjoiner of lots #10, #12, #14, and #15 on the hereinafter mentioned plan of subdivision; thence departing from the center line of the Peach Glen-Idaville Road, and extending along lot #14, south 27 degrees 00 minutes 00 seconds West, for a distance of 65.57 feet to an existing stone which marks the common point of adjoiner of the within described tract, lands now or formally of Crestmont Orchards, Inc., lands now or formally of Craig W. Hikes, and other lands now or formally of Kimba, Inc.; thence extending along other lands now or formally of Kimba, Inc., north 13 degrees 45 minutes 15 seconds west, for a distance of 268.95 feet to a concrete monument at lot #16; thence extending along lot #16, north 34 degrees 1 minutes 37 seconds east, for a distance of 504.67 feet to a point in the center of the cartway of Peach Glen-Idaville Road; thence extending in and through a point in the center of the cartway of the Peach Glen-Idaville Road, south 63 degrees 00 minutes 00 seconds east, for a distance of 175 feet to a railroad spike in the center of said roadway at lot #14, said spike marking the place of BEGINNING.

Containing 3.047 acres, and being designated as Lot # 15 on a final plan of subdivision of Peach Glen Meadows — Phase II, prepared for Kimba, Inc. by Edward L. Mort, R.S., dated March 14, 1985, and recorded in the Office of the Recorder of Deeds in and for Adams County, Pennsylvania in Plot Book 41 at Page 127. This property being subject to existing restrictions.

BEING the same premises which Tax Claim Bureau, of the County of Adams, Pennsylvania, as Trustee, by its deed dated January 13, 2006, and recorded in the office of the Recorder of Deeds in and for Adams County in Record Book 4311, Page 156, granted and conveyed to Thomas Nell and Marcia Nell, husband and wife.

Being Known As: 250 Peach Glen Idaville Road, Gardners, Pennsylvania 17324.

TITLE TO SAID PREMISES IS VESTED IN James L. Mellott and Sue Ann Yeater by deed from Thomas Nell and Marcia Nell, husband and wife, dated July 31, 2006 and recorded August 1, 2006 in Deed Book 4516, Page 176.

Tax Parcel # (22) G03-0098

SEIZED and taken into execution as the property of **James L. Mellott & Sue Ann Yeater** 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 June 5, 2009, 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.

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.

4/17, 24 & 5/1

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-1526 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 15th day of May, 2009, 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.:

ALL that tract of land situate, lying and being in Cumberland Township, Adams County, Pennsylvania, being more particularly bounded and described as follows:

BEGINNING at a point on the Northern property line of a public road or street in the Woodcrest Estates Development, said point of beginning being at the Southeast corner of Lot No. 40; thence by said Lot No. 40, now or formerly of Donald and Grace Nunemaker, North 16 degrees 30 minutes West 125 feet to a point at the Northeast corner of said Lot No. 40; thence by Confederate Woods Townhouse Lots now or formerly of Gettysburg Construction Company North 73 degrees 30 minutes East 80 feet to the Northwest corner of Lot No. 42 on the Plan of Lots herebelow identified; thence by Lot No. 42, now or formerly of James E. Davis and wife, South 16 degrees 30 minutes East 125 feet to the Northern property line of said public road or street;

thence by the Northern property line of said public road or street South 73 degrees 30 minutes West 80 feet to the above described place of BEGINNING.

THE ABOVE DESCRIPTION was taken from a Plan of Lots prepared by LeRoy H. Winebrenner, County Surveyor, known as Woodcrest Development, recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Plat Book 1-A at page 77, and being land also shown on a Plan of Lots known as Woodcrest Estate, dated February 20, 1959, prepared by George S. Flickinger, Registered Architect, and recorded in Miscellaneous Docket EE at page 315, the lot above described being Lot No. 41 shown thereon.

THE ABOVE DESCRIBED REAL ESTATE is the same real estate which Stephen P. Folkemer and Beth B. Folkemer, husband and wife, by deed dated November 21, 1997, and recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania in Record Book 1480, Page 32, conveyed to Christopher J. Sentz and Joan Sentz, husband and wife, the Grantors herein.

SUBJECT TO the conditions, covenants and restrictions as set forth in the deed recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Deed Book 306, Page 106.

SAID tract of land is known as Tax Map No. W-2 and Parcel No. 75.

TITLE TO SAID PREMISES IS VESTED IN Joan Sentz, by Deed from Christopher J. Sentz and Joan Sentz, h/w, dated 01/31/2006, recorded 02/09/2006 in Book 4310, Page 316.

Tax Parcel: (09)-W02-00075

Premises Being: 159 Woodcrest Drive, Gettysburg, PA 17325-8415

SEIZED and taken into execution as the property of **Joan Sentz** 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 June 5, 2009, 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.

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.

4/17, 24 & 5/1

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 NORMA S. CLINGAN, DEC'D**

Late of the Borough of Biglerville, Adams County, Pennsylvania

Co-Executors: Owen S. Taylor, 188 Sycamore Road, Acme, PA 15610; Victoria T. Stallings, 910 Washington Place, Chesterbrook, PA 19087

Attorney: Robert E. Campbell, Esq., Campbell & White, P.C., 112 Baltimore St., Gettysburg, PA 17325

ESTATE OF EMMA V. GROVE, DEC'D

Late of Oxford Township, Adams County, Pennsylvania

Executrix: Mary Frances Goll, 7490 Labrador Circle, Anchorage, AK 99502

Attorney: John R. White, Esq., Campbell & White, P.C., 112 Baltimore St., Gettysburg, PA 17325

ESTATE OF GEORGE DAVID KIER, DEC'D

Late of the Borough of Carroll Valley, Adams County, Pennsylvania

Executrix: Noreen K. Acheson, 7 Lakeview Trail, Fairfield, PA 17320

Attorney: Wendy Weikal-Beauchat, Esq., 63 West High St., Gettysburg, PA 17325

ESTATE OF ROMAINE A. MOUL, DEC'D

Late of Oxford Township, Adams County, Pennsylvania

Executrices: Constance R. Long, 582 Orphanage Rd., Littlestown, PA 17340; Helen L. Osborne, P.O. Box 254, Codorus, PA 17311

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

ESTATE OF THELMA B. SANNO, DEC'D

Late of Straban Township, Adams County, Pennsylvania

Administratrix: Brenda L. Whitworth, 3055 Table Rock Road, Biglerville, PA 17307

Attorney: Wendy Weikal-Beauchat, Esq., 63 West High St., Gettysburg, PA 17325

SECOND PUBLICATION**ESTATE OF DALE D. ECKERT, DEC'D**

Late of Franklin Township, Adams County, Pennsylvania

Executor: Ray R. Eckert, 2452 Beeler Avenue, York, PA 17408

Attorney: George W. Swartz, II, Esq., Mooney & Associates, 230 York Street, Hanover, PA 17331

ESTATE OF JAMES H. GARDNER, DEC'D

Late of Franklin Township, Adams County, Pennsylvania

Executor: Randy A. Gardner, 24 Brethren Court, Gettysburg, PA 17325

Attorney: Robert E. Campbell, Esq., Campbell & White, P.C., 112 Baltimore Street, Gettysburg, PA 17325

ESTATE OF LINDA M. STAUB, DEC'D

Late of the Borough of Bonneauville, Adams County, Pennsylvania

Co-Executors: Raymond M. Staub, 29 Locust Street, Gettysburg, PA 17325; Rhonda L. Staub-Spicka, 23 Summer Drive, Gettysburg, PA 17325

Attorney: Robert E. Campbell, Esq., Campbell & White, P.C., 112 Baltimore Street, Gettysburg, PA 17325

THIRD PUBLICATION**ESTATE OF ROBERT WILLIAM KAHLER, DEC'D**

Late of Germany Township, Adams County, Pennsylvania

Executrix: Janet Dell, 50 W. Summit Dr., Littlestown, PA 17340

ESTATE OF ALAN RICHARD KEMPTON, DEC'D

Late of the Borough of Bonneauville, Adams County, Pennsylvania

Administrator: Pamela Anne Kempton, 7915 Thrush Meadow Place, Severn, MD 21144

Attorney: Puhl, Eastman & Thrasher, 220 Baltimore Street, Gettysburg, PA 17325

ESTATE OF GRACE A. RIDER, DEC'D

Late of the Borough of Gettysburg, Adams County, Pennsylvania

Executor: Jon P. Priest, 285 Cavalry Field Rd., Gettysburg, PA 17325

Attorney: Phillips & Phillips, 101 W. Middle St., Gettysburg, PA 17325

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-1560 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 15th day of May, 2009, 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.:

ALL those two certain tracts of land situated, lying, and being in Liberty Township, Adams County, Pennsylvania, more particularly bounded and described as follows:

TRACT NO. 1:

BEGINNING at the East side of public road, leading from Harbaugh Valley to Fountaindale, which point is situated at the southwest corner of lands now or formerly of Junior Earl Anderson and wife; thence along said last mentioned lands North 81 degrees 45 minutes East, 200.5 feet to land now or formerly of Sam Bohrman; thence by said last mentioned lands, South 6 degrees 48 minutes East, 111 feet to an iron pin at lands now or formerly of Fred Nagle; thence by said lands, South 86 degrees 20 minutes West, 208.7 feet to a point in the center of a public road leading from Harbaugh Valley to Fountaindale; thence in the center of said road, North 2 degrees West, 95.7 feet to a point, the place of BEGINNING.

TRACT NO. 2:

BEGINNING at a point in the center of a public road, leading from Harbaugh

Valley to Fountaindale; thence in said road North 2 degrees West, 173.7 feet to a point in the center of said road; thence by lands now or formerly of U.S. Government, South 72 degrees 33 minutes East, 203.3 feet to stones at lands now or formerly of Sam Bohrman; thence by said lands, South 6 degrees 48 minutes East, 85.7 feet to a pin; thence by lands now or formerly of Junior Earl Anderson, South 81 degrees 45 minutes West, 200.5 feet to a point in the center of the aforesaid public road, the place of BEGINNING.

TITLE TO SAID PREMISES IS VESTED IN Jonathan D. Wright by deed from Jonathan D. Wright and Darla J. Wright, husband and wife dated November 15, 2001 and recorded December 6, 2001 in Deed Book 2485, Page 0213.

Tax ID # (25) A 18-0034

Being Known As: 544 Harbaugh Valley Road, Fairfield, PA 17320

SEIZED and taken into execution as the property of **John Wright a/k/a Jonathan D. Wright & Donna Wright** 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 June 5, 2009, 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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4/17, 24 & 5/1

FICTITIOUS NAME NOTICE

NOTICE IS HEREBY GIVEN, in compliance with the requirements of Section 311, of Act 1982 - 295 (54 Pa. C.S. 311), the undersigned entity(ies) announce their intention to file in the Office of the Secretary of the Commonwealth of Pennsylvania, on approximately 1/30/09, a certificate for the conduct of a business in Adams County, Pennsylvania, under the assumed or fictitious name, style, or designation of **THE LITTLE DETAILS WEDDINGS & EVENTS**, with its principal place of business at 76 Skylark Trail, Fairfield, PA 17320. The names and addresses of the person owning or interested in said business are Stephanie Harbaugh, residing at 76 Skylark Trail, Fairfield, PA 17320. The character or nature of the business is Party Planning and Wedding Coordinating.

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CERTIFICATE OF ORGANIZATION

NOTICE IS HEREBY GIVEN that on April 6, 2009, a Certificate of Organization for JSM MECHANICAL, LLC, was filed with the Pennsylvania Department of State in Harrisburg, PA, pursuant to 15 Pa. C.S.A. Sec 8913. The initial registered office for JSM Mechanical, LLC, is 4487 York Road, New Oxford, PA 17350.

Larry W. Wolf, Esq.

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INCORPORATION NOTICE

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania, on March 30, 2009.

The name of the corporation is GETTYSBURG OSTEOPATHIC FAMILY HEALTH CENTER, P.C.

The corporation has been incorporated under the Pennsylvania Business Corporation Law of 1988.

Thomas R. Campbell, Esquire
Campbell & White, P.C.
112 Baltimore Street
Gettysburg, PA 17325
Attorneys

4/17

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