

LACKAWANNA JURIST

JUDICIAL OPINION

CASE NAME AND NUMBER: Champi v. Geisinger Wyoming Valley Medical Center, 2021 WL 1420771 (Lacka. Co. 2021)

DATE OF DECISION: April 14, 2021

JUDGE: Terrence R. Nealon

ATTORNEYS INVOLVED:

Molly Dempsey Clark, Esquire, Counsel for Plaintiffs

Christian J. Owens, Esquire, Counsel for Defendant

SUMMARY OF OPINION:

Plaintiffs instituted this malpractice action against a Lackawanna County hospital and a Luzerne County, hospital, and timely filed Certificates of Merit attesting that they had obtained written statements from appropriate experts stating that both hospitals were causally negligent. Since Pa.R.C.P. 1006(a.1) and (c)(2) provide that a malpractice case may be brought in any county where the cause of action arose, and that an action asserting joint and several liability against multiple defendants may be filed in any county where venue may be laid against any defendant, venue was proper in Lackawanna County at the time that suit was commenced. Following the completion of discovery and the production of expert reports, plaintiffs voluntarily discontinued their malpractice claims against the Lackawanna County hospital three months prior to trial, and that hospital was dismissed as a named defendant pursuant to Pa.R.C.P. 229(b)(1). In response, the Luzerne County hospital promptly filed a petition seeking to transfer venue to Luzerne County on the basis that venue was no longer proper under Rule 1006(a.1).

The question of improper venue is determined by the identity of the parties at the time that the case is initiated, and for that reason, a venue challenge is waived unless it is raised by preliminary objection. If venue is proper at the inception of the action, it remains proper throughout the litigation. Since venue was proper in Lackawanna County at the time that this matter was instituted, it continued to be so despite the voluntary dismissal of the only Lackawanna County defendant. Any concern that a plaintiff may initially include an uninvolved health care provider as a named defendant to manufacture proper venue in a desired forum is adequately addressed by the Certificate of Merit requirement in Rule 1042.3 and the corresponding enforcement provision in Rule 1042.9(b). Consequently, the petition to transfer venue was denied.

JUDICIAL OPINION

CASE NAME AND NUMBER: Doughitt v. Saber Healthcare Group, LLC, 2021 WL 2029753 (Lacka. Co. 2021)

DATE OF DECISION: April 22, 2021

JUDGE: Terrence R. Nealon

ATTORNEYS INVOLVED:

William P. Murray, III, Esquire, Matthew P. Stone, Esquire, Erica C. Wilson, Esquire, Counsel for Plaintiff

William J. Mundy, Esquire, Sean P. O'Mahoney, Esquire, Counsel for Defendants,

SUMMARY OF OPINION:

The estate and daughter of a former nursing home resident commenced a malpractice action alleging corporate and individual negligence and recklessness by the named defendants which caused the resident's death. In the prayers for relief seeking damages under the Wrongful Death Act and the Survival Act, plaintiff demanded compensatory and punitive damages. Defendants filed preliminary objections in the nature of a demurrer seeking to strike those claims for punitive damages on the ground that they were insufficient as a matter of law under Section 505(a) of the Medical Care Availability and Reduction of Error (MCARE) Act, 40 P.S. § 1303.505(a).

Section 505(a) comports with Pennsylvania case law governing punitive damages, and provides that punitive damages are recoverable for a health care provider's "willful or wanton conduct or reckless indifference to the rights of others." Although wanton and willful misconduct and recklessness are conditions of the mind that may be averred generally pursuant to Pa.R.C.P. 1019(b), plaintiff nonetheless alleged facts that would support a finding of wanton conduct or reckless indifference. Specifically, plaintiff contended that defendants intentionally increased the number of infirm residents with acute and complex health conditions in order to increase their governmental reimbursements, knowingly established staffing levels that created recklessly high resident-to-staff ratios that prevented their staff from properly caring for residents, repeatedly ignored staff reports documenting alarming increases in infections and illnesses involving their residents, allowed nurses and aides to make fraudulent entries in residents' charts which misrepresented the type and degree of care provided, and consciously prioritized their profits over residents' safety, which conduct and neglect caused the decedent's infection-related death.

In a survival action, the decedent's estate pursues claims that the decedent could have asserted if [s]he lived, while the wrongful death action is brought by specified relatives of the decedent to compensate those surviving family members for the losses sustained as a result of the decedent's death. Therefore, the decedent's estate may recover punitive damages in a survival action if the decedent could have recovered them had [s]he survived, but punitive damages are not recoverable in the wrongful death action. Consequently, defendants' demurrer was sustained only with regard to plaintiff's punitive damages claim in the wrongful death action, but was overruled in all other respects.

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CASE NAME AND NUMBER: Arens v. Remick, 2021 WL 1716324 (Lacka. Co. 2021)

DATE OF DECISION: April 30, 2021

JUDGE: Terrence R. Nealon

ATTORNEYS INVOLVED:

Douglas A. Yazinski, Esquire, Counsel for Plaintiffs

James A. Doherty, Jr., Esquire, Counsel for Defendants

SUMMARY OF OPINION:

Plaintiffs filed this medical professional liability action asserting that defendants failed to properly diagnose and treat the male plaintiff's hypothyroidism in 2017 and 2018, as a result of which he suffered acute rhabdomyolysis and kidney failure. Defendants filed an answer which included new matter asserting unspecified defenses under the "Health Care Services Malpractice Act and MCARE," "Mental Health Procedures Act," "Mental Health and Intellectual Disability Act of 1966," and "a recently adopted amendment to the Pennsylvania Rules of Civil Procedure." Plaintiffs filed preliminary objections to those allegations on the grounds of lack of factual specificity.

Pa.R.C.P. 1019(a), which requires pleadings to set forth the supporting material facts, applies equally to complaints and responsive pleadings. The "Health Care Services Malpractice Act" cited by defendants was repealed in 2002, and defendants do not cite any particular provision of the MCARE Act which provides an applicable defense. The MHPA governs care provided "to mentally ill patients," whereas the MH/ID Act is applicable to treatment furnished to individuals "with mental retardation" or "intellectual disability." Since (a) both the complaint and the answer were devoid of any allegation that arguably made the repealed HCSMA, the MHPA, or the MH/ID Act applicable, (b) defendants neglected to cite any pertinent section of the MCARE Act, and (c) defendants failed to identify the claimed "recently adopted amendment" to the procedural rules, plaintiffs' preliminary objections were sustained and defendants were directed to file an amended answer and new matter that complied with Rule 1019(a).

JUDICIAL OPINION

CASE NAME AND NUMBER: The Scranton Club v. Tuscarora Wayne Mutual Group, Inc., 2021 WL 1737089 (Lacka. Co. 2021)

DATE OF DECISION: May 6, 2021

JUDGE: Terrence R. Nealon

ATTORNEYS INVOLVED:

John M. Mulcahey, Esquire, Counsel for Plaintiff

Kevin C. McNamara, Esquire, Counsel for Defendants

SUMMARY OF OPINION:

After a Memorandum and Order were filed sustaining defendants' demurrer and dismissing plaintiff's claims for declaratory judgment relief, breach of contract, and bad faith liability under 42 Pa.C.S. § 8371, plaintiff filed a "Notice of Appeal" and defendants thereafter filed a "Notice of Appeal (Cross-Appeal)." Defendants' cross-appeal challenged the ruling that plaintiff's business income loss claims were not barred by the insurance policy's virus exclusion. However, the case was nonetheless dismissed in its entirety based upon plaintiff's failure to allege facts which presented a cognizable claim "for direct physical loss of or damage to" insured premises.

Only an "aggrieved party" may file an appeal, and a prevailing party is not aggrieved and cannot appeal an order entered in its favor. Although a prevailing party may disagree with the trial court's legal reasoning or findings of fact, the prevailing party's interest is not adversely affected by the trial court's ultimate order if the prevailing party was meritorious in the lower court proceeding. Furthermore, when one issue in a case is decided against a party, but the party prevails on other issues and wins the case in chief, that party cannot claim to have been aggrieved by the decision and, therefore, lacks standing to appeal the single issue decided against it. Accordingly, a Supplemental Opinion was filed pursuant to Pa.R.A.P. 1925(a) urging that defendants' cross-appeal be quashed on the basis of lack of standing to pursue an appeal.

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BY VIRTUE OF CERTAIN WRITS OF EXECUTION ISSUED OUT OF THE COURTS OF COMMON PLEAS OF LACKAWANNA COUNTY, THE SHERIFF WILL EXPOSE AT PUBLIC SALE, BY VENUE OR OUTCRY, ALL THE RIGHT, TITLE AND INTEREST OF THE DESCRIBED LOTS, PIECES OR PARCELS OF LAND TO THE HIGHEST AND BEST BIDDER FOR CASH OR CERTIFIED FUNDS (SUBJECT TO PAYMENT OF ANY UNPAID TAXES) AT THE COURTHOUSE IN THE CITY OF SCRANTON, COUNTY OF LACKAWANNA, AND STATE OF PENNSYLVANIA, ON FRIDAY, **JULY 9, 2021** AT TEN O'CLOCK IN THE FORENOON OF SAID DAY.

A DEPOSIT OF 10% OF THE BID PRICE IS TO BE PAID IN CASH, CASHIER'S CHECK OR CERTIFIED CHECK IMMEDIATELY TO THE SHERIFF AT THE TIME OF THE BID. IN THE EVENT THAT 10% IS NOT PAID IMMEDIATELY, THE PROPERTY WILL BE SOLD AGAIN AT THE END OF THE CURRENT SALE. SAID DEPOSIT WILL BE FORFEITED IN THE EVENT THE BALANCE OF THE BID PRICE IS NOT PAID BY 2 O'CLOCK ON THE AFTERNOON OF SAID DATE. FULL COMPLIANCE OF THE TOTAL AMOUNT IS DUE BY TWO O'CLOCK ON THE AFTERNOON OF THE SAID DATE.

SALE 1

By virtue of a Writ of Execution filed to No. 2021-CV-314, The Fidelity Deposit and Discount Bank, the Plaintiff, vs. Roland J. Warrick, Deceased Mortgagor and Real Owner, and all his unknown heirs, successors, assigns, and all unknown individuals, persons or entities claiming any rights, title or interests from or under Roland J. Warrick, Deceased Mortgagor and Real Owner, the Defendants, of the property situate in the Township of Ransom, Lackawanna County, PA, being known as 2807 Ledge Drive, Ransom Township, PA 18411. The Property consists of 13.062 acres more or less. Property ID #: 14204-010-00121
Assessed Value: \$12,900.00
Improvements Thereon: Unimproved
Attorney: Rocco Haertter, Esquire
Sheriff to Collect: \$96,919.47

SALE 2

By virtue of a Writ of Execution filed to No. 2018-02513 Pentagon Federal Credit Union vs. Randall Petrochko and Bambi Sobrinsky. Randall Petrochko and Bambi Sobrinsky, owners of property situate in Second Ward Lackawanna County, PA being 443 Putnam Street, Scranton, PA 18508
Dimensions: 30x119, Residential Single Dwelling
Property ID #:340-13411-040-003
Assessed Value figure: \$6,000.00
Improvements thereon: Residential Single Dwelling
Attorney: Michelle Pierro, Esquire
PA ID#317454, Weltman, Weinberg & Reis Co., L.P.A.
Sheriff to collect: \$64,951.05

SALE 3

By virtue of a Writ of Execution filed to No. 2020-CV-2201 Irving Braverman, Trustee of the Irving and Betty Sue Braverman Living Trust, as to an Undivided 36,000/71,000 Interest and Alan Schwartz and Alicia Schwartz, Husband and Wife as Joint Tenants, as to Undivided 35,000/71,000 Interest, PLAINTIFF vs. Parker Williams Property LLC, a New Jersey Limited liability Company, DEFENDANT, owner of properties situated in the City of Scranton, Lackawanna County, PA being known as: 841 Moosic Street, Scranton, PA 18505-2072.

Dimensions: 23 x 90

Instrument #: 2019004376. Date recorded 4/02/2019.

PIN 15761030045

Assessed Value: Land - \$1150.00, Improvements -

\$12,250.00. Total Value \$13,400.00

Improvements thereon: Residential Single Family AND

1505-1507 JACKSON STREET, Scranton, PA 18504

Dimensions: 50 X 100

Instrument # 2017015076. Date recorded 09/22/2017.

PIN 14517-050-038

Assessed Value: Land - \$2253.00, Improvements - \$9,247.00. Total Value \$11,500.00

Improvements thereon: Residential Multi-dwelling

Attorney: Robert P. Wendt, Esq. for Leopold & Associates, PLLC

Sheriff to collect \$76,035.21

SALE 4

By virtue of a Writ of Execution filed to case number 0121-CV-2021 out of the Court of Common Pleas of Lackawanna County by ESSA Bank & Trust vs. Defendant, Veuy Keonela, owner of the property situate at 901 Luzerne Street, Scranton, PA 18504, in the City of Scranton, County of Lackawanna, Commonwealth of PA (55x57x53x57). BEING PROPERTY ID NUMBER: 15606-040-047

Assessed Value Figure: \$5,800.00

Property being known as: 901 Luzerne Street, Scranton, PA 18504

Improvements thereon: Residential Dwelling

Attorney for Plaintiff:

James V. Fareri, Esq. 712 Monroe St. Stroudsburg, PA

18360 Tel. No.: 570.421.9090

Sheriff to collect: \$34,748.92

SALE 5

By virtue of a Writ of Execution filed to No. 2020-04077 CITIBANK, N.A., NOT IN ITS INDIVIDUAL CAPACITY, BUT SOLELY AS OWNER TRUSTEE OF THE NEW RESIDENTIAL MORTGAGE LOAN TRUST 2019-3 vs. WILLIAM F. BEY and PAMELA R. BEY, owner(s) of property situate in City of Scranton, Lackawanna County, PA. Being:

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1010-1 Snyder Avenue aka 1010-1014 Snyder Avenue,
Scranton, PA 18504

Assessment Map #: 15613070062

Assessed Value Figure: \$11,500.00

Improvements thereon:

A Residential Dwelling

Attorney: KML Law Group, P.C.

Sheriff to collect: \$76,169.17

SALE 6

By virtue of a Writ of Execution filed to No. 20CV344

NATIONSTAR MORTGAGE LLC D/B/A CHAMPION

MORTGAGE COMPANY vs. JOSEPHINE ANN DESENA AKA

JOSEPHINE A. SCARFALLOTO Solely in Her Capacity as Heir of

Nicholas Scarfalloto, a/k/a Nicolas Scarfalloto Deceased,

MARIO SCARFALLOTO Solely in His Capacity as Heir of

Nicholas Scarfalloto, a/k/a Nicolas Scarfalloto Deceased and

MARCO A. SCARFALLOTO Solely in His Capacity as Heir of

Nicholas Scarfalloto, a/k/a Nicolas Scarfalloto Deceased,

owner(s) of property situate in City of Carbondale, Lackawanna

County, PA. Being: 15 Hickory Street, Carbondale, PA 18407

Assessment Map #: 05402020006, 05402020007 &

05402020008

Assessed Value Figure: \$14,000.00

Improvements thereon:

A Residential Dwelling

Attorney: KML Law Group, P.C.

Sheriff to collect: \$160,074.97

SALE 7

By virtue of a Writ of Execution filed to No. 20CV1519

QUICKEN LOANS, LLC F/K/A QUICKEN LOANS INC. vs.

RITA BUDHATHOKI and PADAM L. BUDHATHOKI,

owner(s) of property situate in City of Scranton, Lackawanna

County, PA. Being: 432 Breck Street, Scranton, PA 18505

Assessment Map #: 16710030016

Assessed Value Figure: \$12,000.00

Improvements thereon:

A Residential Dwelling

Attorney: KML Law Group, P.C.

Sheriff to collect: \$85,072.19

SALE 8

By virtue of a Writ of Execution filed to No. 2017-00120 U.S.

Bank National Association as Indenture Trustee for CIM

Trust 2018-NRI Mortgage-Backed Notes, Series 2018-NR1

vs. Linda Poli, owner(s) of property situated in 12th Ward of

the City of Scranton Lackawanna County, PA being 14

Prospect Avenue, Scranton, PA 18505

Dimensions: 34x54x34x42

Assessment Map #: 15652-020-031

Assessed Value figure: \$13,000.00

Improvement thereon:

A residential dwelling

Attorney: Christopher A. DeNardo, Esq.

Sheriff to Collect: \$139,144.04

NOTICE TO ALL PARTIES IN INTEREST AND CLAIMANTS:

**A SCHEDULE OF DISTRIBUTION OF ONLY HIGH BID
SALES WILL BE FILED BY THE SHERIFF NOT LATER
THAN AUGUST 9TH, 2021 AND THAT DISTRIBUTION
WILL BE MADE IN ACCORDANCE WITH SAID
SCHEDULE UNLESS EXCEPTIONS ARE FILED
THERE TO WITHIN TEN DAYS AFTER THE FILING OF
THE PROPOSED SCHEDULE.**

**MARK P. MCANDREW
SHERIFF OF LACKAWANNA COUNTY**

ATTEST:

**BOB MOORE
REAL ESTATE DEPUTY
SHERIFF'S OFFICE
SCRANTON, PA 18503
APRIL 12, 2021**

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ESTATES

First Notice

RE: **ESTATE OF RICHARD E. CATO A/K/A RICHARD CATO**, late of Scranton, Lackawanna County, and State of Pennsylvania, deceased, who died on the 21st day of January, 2021. Letters of Administration having been granted, all persons having claims or demands against the estate of the decedent shall make them known and present them, and all persons indebted to the decedent shall make payment thereof without delay to the Administratrix, Lisa Brandt, P.O. Box 164, Portland, PA 18351, or to Mattes & Mattes, P.C., 324 N. Washington Ave., Scranton, PA 18503.

ESTATE OF ANTHONY W. CERRA, late of Carbondale City, Lackawanna County, Pennsylvania. Letters Testamentary in the above named estate having been granted to the undersigned, all person indebted to the estate are requested to make immediate payment and those having claims are directed to present the same without delay to the undersigned or his/her attorney within four months from the date hereof and to file with the Clerk of the Court of Common Pleas of Lackawanna County, Orphans' Court Division, a particular statement of claim, duly verified by an affidavit setting forth an address within the county where notice may be given to claimant. Anthony W. Cerra Jr., Co-Executor, 15 Sargent Rd., Swampscott, MA 01907 & Francis X. Cerra, Co-Executor, 21 Dewitt Avenue, Carbondale, PA 18407. Joseph P. McDonald, Jr., Esquire, 1651 West Main Street, Stroudsburg, PA 18360.

RE: **ESTATE OF PAUL COOLICAN A/K/A PAUL J. COOLICAN**, late of Clarks Summit, Pennsylvania (died May 7, 2021). Notice is hereby given that Letters Testamentary for the Estate Paul Coolican a/k/a Paul J. Coolican have been issued to Carol S. Hosier, Executor of the Estate. All those having claims or demands against the Estate or indebtedness owed to the Estate shall present claims or remit payment without delay to the Executor at 112 Ashbury Drive, Clarks Summit, PA 18411 or to Kris E. Fendrock, Myers, Brier & Kelly, LLP, Attorney for the Estate, 425 Spruce Street, Suite 200, Scranton, PA 18503.

Notice is hereby given that Letters of Administration have been granted to Jennifer Dellamalva, Administratrix of the **ESTATE OF JOHN THOMAS DELLAMALVA A/K/A JOHN DELLAMALVA**, late of Moosic, PA, who died on May 6, 2021. All persons indebted to Estate are required to make payment and those having claims or demands are to present the same without delay to the Administratrix or to Raymond C. Rinaldi, II, Esquire, Rinaldi & Poveromo, P.C., P.O. Box 826, Scranton, PA, 18501.

ESTATE OF RALPH F. ESTELLE, late of Gouldsboro, Lackawanna County, Pennsylvania, deceased (Died January 11, 2021) Letters of Testamentary have been granted to Maureen Snellen, Executrix or Christopher T. Powell, Jr., Esquire, Powell Law, 527 Linden Street, Scranton, PA 18503.

ESTATE OF MADELINE T. FLYNN. ESTATE NUMBER 35-2021-691, DECEASED, LATE OF SCRANTON, LACKAWANNA COUNTY, PA: DIED FEBURARY 20, 2021. NOTICE IS HEREBY GIVEN THAT LETTERS TESTAMENTARY HAVE BEEN GRANTED IN THE ABOVE ESTATE. ALL PERSONS INDEBTED TO SAID ESTATE ARE REQUIRED TO MAKE PAYMENTS, AND THOSE HAVING CLAIMS OR DEMANDS ARE TO

PRESENT THE SAME WITHOUT DELAY TO MARTIN FLYNN, 1401 ORAM STREET, SCRANTON PA 18504.

NOTICE IS HEREBY GIVEN that Letters Testamentary have been issued to Randy R. Freeman, Executor of the **ESTATE OF SHIRLEY A. FREEMAN**, Deceased, who died on March 17, 2021, late of Scranton, Lackawanna County, Pennsylvania. All creditors are requested to present their claims and all persons indebted to the decedent will make payment to the aforementioned Executor or his attorney. ROSENN, JENKINS & GREENWALD, LLP, 1065 Highway 315, Suite 200, Wilkes-Barre, PA 18702.

ESTATE OF MICHAEL J. GIANZANTI, late of Dunmore, Lackawanna County, Pennsylvania, (died April 16, 2021). Notice is hereby given that Letters Testamentary have been issued to Pamela Doran, Executrix of the Estate. **MARIANNE M. STIVALA, ESQUIRE, BRIAN J. CALI & ASSOCIATES**, 103 EAST DRINKER STREET, DUNMORE, PENNSYLVANIA 18512.

RE: **ESTATE OF ELIZABETH S. HOYLE, A/K/A ELIZABETH HOYLE**, late of Carbondale, Pennsylvania (died March 7, 2021). Notice is hereby given that Letters Testamentary for the Estate of Elizabeth S. Hoyle, a/k/a Elizabeth Hoyle have been issued to Elizabeth A. Hoyle, Executrix of the Estate. All those having claims or demands against the Estate or indebtedness owed to the Estate shall present claims or remit payment without delay to the Executrix at P.O. Box 507, Peapack, NJ 07977 or to Kristen M. Clark, Myers, Brier & Kelly, LLP, Attorney for the Estate, 425 Spruce Street, Suite 200, Scranton, PA 18503.

ESTATE OF FRANCES M. KLINKO, late of Archbald, Lackawanna County, PA (died January 27, 2021). Letters Testamentary having been granted, all persons having claims or demands against estate of decedent shall make them known and present them, and all persons indebted to said decedent shall make payment thereof without delay to Richard P. Klinko, 701 North Main Street, Archbald, PA 18403 or to William F. Dunstone, Esquire, of Oliver, Price & Rhodes, Attorney for the Estate, 1212 S. Abington Road, Clarks Summit, PA 18411.

ESTATE OF ANN M. LIPPERINI. ESTATE NUMBER 35-2021-656, DECEASED, LATE OF SCRANTON, LACKAWANNA COUNTY, PA: DIED MARCH 23, 2021. NOTICE IS HEREBY GIVEN THAT LETTERS TESTAMENTARY HAVE BEEN GRANTED IN THE ABOVE ESTATE. ALL PERSONS INDEBTED TO SAID ESTATE ARE REQUIRED TO MAKE PAYMENTS, AND THOSE HAVING CLAIMS OR DEMANDS ARE TO PRESENT THE SAME WITHOUT DELAY TO RICHARD J. LIPPERINI, 1454 ARAPAHO CT, TOMS RIVER, NJ 08755.

ESTATE OF RHODA MILLER A/K/A RHODA J. MILLER, late of Taylor, PA (died January 25, 2021), Donald L. Miller, Jr., Executor, c/o Michael F. Bailey, Esquire, 4099 Birney Avenue, Moosic, PA 18507.

ESTATE OF JAMES M. MUNLEY, Late of South Abington Township, Pennsylvania (Died March 23, 2020). Letters Testamentary has been granted to Kathleen P. Munley, Executrix. All persons having claims against the Estate of indebted to the Estate shall make payment or present claims to Douglas P. Thomas, Attorney for the Estate, 345 Wyoming Avenue, Suite 200, Scranton, PA 18503.

ESTATE OF IRENE B. O'HEARN, late of Scranton, PA, who died May 12, 2021. Letters of Testamentary in the above Estate having been granted, all persons having claims or demands against the Estate of the decedent shall make

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them known and present them, and all persons indebted to said decedent shall make payment thereof without delay to: John O'Hearn, Executor, c/o Corinne E. Thiel, Esquire, 3703 Birney Avenue, Scranton, PA 18507.

NOTICE IS HEREBY GIVEN that Letters Testamentary have been granted in the **ESTATE OF EVELYN OSBORN**, Deceased, late of South Abington Township, Lackawanna County, Pennsylvania, who died on December 11, 2020. All persons indebted to said Estate are required to make payment, and those having claims or demands to present the same without delay to the Executor, Paul C. Osborn, in care of their attorney, Jannell L. Dudick, 1043 Wyoming Ave., Forty Fort, PA. 18704.

ESTATE OF JEAN A. PATRONICK A/K/A JEAN ANGELA PATRONICK, late of Old Forge, Lackawanna County, PA, (died August 22, 2020). Letters Testamentary were granted to Roberta A. Fratzola. Creditors present claims and debtors make payment to the Executrix, or to Kim A. Giombetti, Esq., The Ritz Building, 222 Wyoming Avenue, Scranton, PA 18503, Attorney for the Estate.

ESTATE OF HANNAH PERRINS aka HANNAH SCHLAPPE PERRINS aka HANNAH PERRINS-SCHIAPPE aka HANNAH S. PERRINS. ESTATE NUMBER 35-2021-693, DECEASED, LATE OF SCRANTON, LACKAWANNA COUNTY, PA: DIED APRIL 23, 2021. NOTICE IS HEREBY GIVEN THAT LETTERS TESTAMENTARY HAVE BEEN GRANTED IN THE ABOVE ESTATE. ALL PERSONS INDEBTED TO SAID ESTATE ARE REQUIRED TO MAKE PAYMENTS, AND THOSE HAVING CLAIMS OR DEMANDS ARE TO PRESENT THE SAME WITHOUT DELAY TO LORRIE REILLY, 201 SKYLINE DRIVE, ARCHBALD PA 18403.

ESTATE OF GRETA PINYHA. ESTATE NUMBER 35-2021-685, DECEASED, LATE OF OLD FORGE, LACKAWANNA COUNTY, PA: DIED MARCH 29, 2021. NOTICE IS HEREBY GIVEN THAT LETTERS TESTAMENTARY HAVE BEEN GRANTED IN THE ABOVE ESTATE. ALL PERSONS INDEBTED TO SAID ESTATE ARE REQUIRED TO MAKE PAYMENTS, AND THOSE HAVING CLAIMS OR DEMANDS ARE TO PRESENT THE SAME WITHOUT DELAY TO MICHELE DOMIANO-GNALL, 4 KIPLING DRIVE, MOOSIC PA 18507

ESTATE OF CHARLES PRENDERGAST aka CHUCK PRENDERGAST. ESTATE NUMBER 35-2021-737, DECEASED, LATE OF OLD FORGE, LACKAWANNA COUNTY, PA: DIED APRIL 25, 2021. NOTICE IS HEREBY GIVEN THAT LETTERS TESTAMENTARY HAVE BEEN GRANTED IN THE ABOVE ESTATE. ALL PERSONS INDEBTED TO SAID ESTATE ARE REQUIRED TO MAKE PAYMENTS, AND THOSE HAVING CLAIMS OR DEMANDS ARE TO PRESENT THE SAME WITHOUT DELAY TO THOMAS ALLEN POSSINGER, 505 JOSEPHINE STREET, OLD FORGE PA 18518.

Notice is hereby given that letters of administration have been granted in the **ESTATE OF ARLENE F. SCAVO**, late of Scranton, (died April 4, 2021) to Christopher B. Scavo, c/o Comitiz Law Firm, LLC, 46 Public Square, Suite 101, Wilkes-Barre, PA 18701. All persons indebted to said Estate are required to make payment and those having claims or demands to present the same without delay to the Administrator named or his attorney.

ESTATE OF BARBARA E. SICHK. ESTATE NUMBER 35-2021-757, DECEASED, LATE OF SCRANTON, LACKAWANNA COUNTY, PA: DIED APRIL 30, 2021. NOTICE IS HEREBY GIVEN THAT LETTERS

TESTAMENTARY HAVE BEEN GRANTED IN THE ABOVE ESTATE. ALL PERSONS INDEBTED TO SAID ESTATE ARE REQUIRED TO MAKE PAYMENTS, AND THOSE HAVING CLAIMS OR DEMANDS ARE TO PRESENT THE SAME WITHOUT DELAY TO JULIA A. FULLER, 15 HOFFAMN PLACE, BELLE MEAD NJ 085012

Second Notice

NOTICE IS HEREBY GIVEN that Letters of Administration in the **ESTATE OF EARL P. BEICHLER, JR., A/K/A EARL POWELL BEICHLER, JR.**, (Date of Death: April 6, 2021) late of Benton Township, Lackawanna County, Pennsylvania, have been granted to the undersigned. All persons indebted to said estate are required to make immediate payment and those having claims shall present them for settlement to: JENNIFER SAUTER, ADMINISTRATRIX, BRENDA D. COLBERT, ESQUIRE, COLBERT & GREBAS, P.C., 210 Montage Mountain Road – Suite A, Moosic, PA 18507.

ESTATE OF GEORGE CASWELL A/K/A GEORGE H. CASWELL, late of Dunmore, PA (Died: December 21, 2020). Karen Caswell, Executrix or Albert E. Nicholls, Jr., Attorney for the Estate, 1421 E. Drinker, Street, Dunmore, Pennsylvania 18512.

NOTICE IS HEREBY GIVEN that Letters of Administration in the **ESTATE OF CAROL R. CONABOY**, late of Scranton, Lackawanna County, Pennsylvania, (Date of Death: January 20, 2021) have been granted to the undersigned. All persons indebted to said estate are required to make immediate payment and those having claims shall present them for settlement to: Kim M. Roberts, Administratrix, C/O MATTHEW J. PARKER, ESQUIRE, MARSHALL, PARKER & WEBER, LLC, 49 E. Fourth Street, Suite 105, Williamsport, PA 17701.

ESTATE OF NANCY EIMERS, late of Mayfield, Lackawanna County, Pennsylvania. Letters of Administration on the above estate having been granted to David Eimers, all persons indebted to the said estate are requested to make payment, and those having claims to present the same without delay to him c/o Joseph Kosierowski, Esq., 400 Broad Street, Milford, Pennsylvania 18337.

ESTATE OF GERALD J. FITZGERALD, late of Throop, Lackawanna County, Pennsylvania. Any person or persons having claim against or indebted to the estate present same to Barry Fitzgerald, 424 Cypress Street, Throop, PA 18512. Christopher E. Farrell, Esq., PO Box 312, Waymart, PA 18472, Attorney for the Estate.

RE: **ESTATE OF PETER JOSEPH GENTILE**, late of Peckville, PA, who died December 21, 2020. Letters Testamentary in the above estate having been granted, all persons having claims or demands against the estate of the decedent shall make them known and present them, and all persons indebted to said decedent shall make payment thereof without delay to: Peter Gentile, II, Executor, or Daniel L. Penetar, Jr., Esquire, Administrator of the Estate, 116 North Washington Avenue, Suite 2A, Scranton, PA 18503.

ESTATE OF PAULINE A. LONG, DECEASED, late of 526 PALM ST., SCRANTON, PA 18505, (Died April 13, 2021) WILLIAM R. LONG, Executor; Dante A. Cancelli, Esquire, Suite 260, 125 N. Washington Ave., Scranton, Pennsylvania 18503, Attorney.

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ESTATE OF SARAH MARIE SHERIDAN A/K/A SARAH SHERIDAN A/K/A ROSARIA SHERIDAN A/K/A SARAH M. SHERIDAN, late of Scranton, Lackawanna County, Pennsylvania (died February 6, 2021). Notice is hereby given that Letters Testamentary have been issued to Colleen Colosimo, Executrix of the Estate. All those having claims or demands against the Estate or indebtedness owed to the Estate shall present claims or remit payment without delay to Colleen Colosimo, c/o John J. McGee, Attorney for the Estate, P.O. Box 3298, Scranton, PA 18505.

RE: **ESTATE OF MILDRED L. SPINDLER**, late of Scranton, PA, who died June 27, 2007. Letters Testamentary in the above estate having been granted, all persons having claims or demands against the estate of the decedent shall make them known and present them, and all persons indebted to said decedent shall make payment thereof without delay to: Karen S. Lutz, Executrix, or Daniel L. Penetar, Jr., Esquire, 116 North Washington Avenue, Suite 2A, Scranton, PA 18503.

Notice is hereby given that Letters Testamentary have been granted in the **ESTATE OF BARRY WARREN TEVELIN**, late of Archbald, Lackawanna County, Pennsylvania. All persons indebted to the Estate are requested to make payment, and those having claims or demands are to present same, without delay, to the Executor, Dominic J. Perini, 100 Mildred Street, Jessup, PA 18434, or Armand E. Olivetti, Jr., attorney for the Estate, 307 N. Blakely Street, Dunmore, PA 18512.

ESTATE OF ANTHONY VITALETI, JR., late of S. Abington Township, Pennsylvania, (died 03/21/2021). Notice is hereby given that Letters Testamentary on the above Estate have been granted to Bonnie Vitaletti, of S. Abington Township, PA. All persons indebted to the said estate are required to make payment and those having claims to present the same without delay to the Personal Representative named herein, or to Nicholas D. Tellie, Esquire, Tellie & Coleman, P.C., 310 East Drinker Street, Dunmore, PA 18512.

ESTATE OF JOHN A. WARGO, DECEASED, late of 311 KINGSLEY BLVD., PECKVILLE, PA 18452, (Died April 30, 2021) PHILIP WARGO, Executor; Dante A. Cancelli, Esquire, Suite 260, 125 N. Washington Ave., Scranton, Pennsylvania 18503, Attorney.

RE: **ESTATE OF ROBERT WARSH**, late of Jefferson Township, Lackawanna County, Pennsylvania (died January 6, 2021). Notice is hereby given that Letters Testamentary for the Estate have been issued to Sarah Newell, Executrix of the Estate. All those having claims or demands against the Estate or indebtedness owed to the Estate shall present claims or remit payment without delay to the Executrix, or to John J. McGovern, Jr., Attorney for the Estate, 321 Spruce Street - Suite 201, Scranton, PA 18503.

Third Notice

RE: **ESTATE OF ELLA M. BECK A/K/A ELLA BECK**, late of Scranton, PA, who died February 26, 2015. Letters Testamentary in the above estate having been granted, all persons having claims or demands against the estate of the decedent shall make them known and present them, and all persons indebted to said decedent shall make payment thereof without delay to: Wayne G. Beck, Executor, or Daniel L. Penetar, Jr., Esquire, 116 North Washington Avenue, Suite 2A, Scranton, PA 18503.

NOTICE IS HEREBY GIVEN that Letters of Administration have been granted in the **ESTATE OF BRUNO J. CHELLINO**, late of Carbondale, Lackawanna County, Pennsylvania (died March 9, 2021). All persons indebted to the Estate are requested to make payment, and those having claims or demands are to present same, without delay, to the Administrator, Andrew Cerra, Jr., or John J. Lawler, Jr., Attorney for the Estate, 25 North Main Street, Suite Two, Carbondale, Pennsylvania 18407.

ESTATE OF THEODORA CHWASCIEWSKI, Deceased, late of Peckville, Pennsylvania (Died January 26, 2021). All persons indebted to said Estate are required to make payment, and those having claims or demands to present the same, without delay, to Tiffany Ciocca, Administratrix, c/o Attorney Joseph F. Gaughan, 1107 Oram Street, Scranton, PA 18504.

ESTATE OF EUGENE P. CURTIS, DECEASED, late of 1501 N. MAIN AVE., SCRANTON, PA 18508, (Died March 30, 2021) BRYANNA CURTIS, Executrix; Dante A. Cancelli, Esquire, Suite 260, 125 N. Washington Ave., Scranton, Pennsylvania 18503, Attorney.

RE: **ESTATE OF STANLEY E. GREBAS**, late of Scranton, Lackawanna County, Pennsylvania (died December 12, 2020). Notice is hereby given that Letters Administration for the Estate have been issued to Rose A. Dougherty and Stanley A. Grebas, Administrators of the Estate. All those having claims or demands against the Estate or indebtedness owed to the Estate shall present claims or remit payment without delay to the Administrators, or to John J. McGovern, Jr., Attorney for the Estate, 321 Spruce Street - Suite 201, Scranton, PA 18503.

ESTATE OF ELIZABETH NOVACK A/K/A ELIZABETH NOVAK, Deceased, late of Scranton, Pennsylvania (Died January 22, 2021). All persons indebted to said Estate are required to make payment, and those having claims or demands to present the same, without delay, to Kory Novack, Executor, c/o Attorney Joseph F. Gaughan, 1107 Oram Street, Scranton, PA 18504.

IN RE: **ESTATE OF MARY ORZOLEK**, late of Clarks Summit, Lackawanna County, Pennsylvania (died February 7, 2021). Letters Testamentary in the above Estate having been granted, all person having claims or demands against the Estate of the Decedent shall make them known and present them, and all persons indebted to the said Decedent shall make payment thereof, without delay, to the Estate Personal Representative, Barbara Witko, or to Joseph S. Toczydlowski, Jr., Esquire of the Toczydlowski Law Office, 723 North Main Street, Archbald, PA 18403.

ESTATE OF ANN MARIE SABATELLA, A/K/A ANN SABATELLA, Deceased, late of Dunmore, Pennsylvania (Died March 20, 2020). All persons indebted to said Estate are required to make payment, and those having claims or demands to present the same, without delay, to Michael J. Sabatella, Executor, c/o Attorney Joseph F. Gaughan, 1107 Oram Street, Scranton, PA 18504.

NOTICE IS HEREBY GIVEN that Letters Testamentary have been granted in the **ESTATE OF STEPHEN J. TELLEP A/K/A STEPHEN TELLEP**, Deceased, late of 10 Hart Place, Carbondale, Lackawanna County, Pennsylvania 18407, who died on February 5, 2021. All persons indebted to the Estate are requested to make payment and those having claims or demands are to present same, without delay, to the Executor, James V. Tellep, or Michael N. Krisa, Attorney for the Estate, 3397

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Scranton/Carbondale Highway, Suite 4, Blakely, Pennsylvania 18447.

ESTATE OF JONATHAN WARREN TISCHLER, Deceased, late of 650 Scranton Pocono Highway 2, Covington Township, Lackawanna County, Pennsylvania, who died on March 9, 2021. LETTERS TESTAMENTARY on the above Estate having been granted to Debra Gilbert, all persons indebted to the said decedent are requested to make payment, and those having claims or demands against said Estate to present same, without delay, at the office of: **HARDING, HILL, TUROWSKI & JAMES LLP** c/o Matthew E. Turowski, Esquire, 38 West Third Street, Bloomsburg, PA 17815

ESTATE OF EDWARD WOLFF, late of South Abington Township, Lackawanna County, PA (died March 6, 2021), Letters Testamentary having been granted to Marty Wolf, Scranton, Pennsylvania. Creditors shall make demand and debtors shall make payment to the Executor or to the Attorney for the Estate, David J. Ratchford, P.O. Box 121, Scranton, PA 18501.

NOTICE IS HEREBY GIVEN that Letters Testamentary have been granted in the **ESTATE OF WILLIAM S. ZWICHAROWSKI**, Deceased, late of 401 Kennedy Drive, Archbald, Lackawanna County, Pennsylvania 18403, who died on November 21, 2020. All persons indebted to the Estate are requested to make payment and those having claims or demands are to present same, without delay, to the Executrix, Martha Zwicharowski, or Michael N. Krisa, Attorney for the Estate, 3397 Scranton/Carbondale Highway, Suite 4, Blakely, Pennsylvania 18447.

FICTITIOUS NAME

Notice is hereby given that an Application for Registration of Fictitious Name was filed in the Department of State of the Commonwealth of Pennsylvania on March 02, 2021 for **R-N-K refurbished creations** at 600 Scranton Carbondale Hwy. Archbald, PA 18403. The name and address of each individual interested in the business is Rose A. Shelp-Staff at 600 Scranton Carbondale Hwy. Archbald, PA 18403. This was filed in accordance with 54 PaC.S. 311.417 .

T1-6/18

FICTITIOUS NAME

Notice is hereby given that Titan Tree Service, Inc., has filed an application for registration of the Fictitious Name **"ATLAS Landscape Contractors"**, with the Secretary of the Commonwealth of Pennsylvania. Said Application was approved on April 28, 2021.

Marianne M. Stivala, Esquire, Brian J. Cali, Esquire,
103 East Drinker Street, Dunmore, PA 18512
T1-6/18

FICTITIOUS NAME

Notice is hereby given that an Application for Registration of Fictitious Name was filed in the Department of State of the Commonwealth of Pennsylvania on May 20, 2021 for **Lore Marketing & Media** at 504 N. State Street, Clarks Summit, PA 18411. The name and address of each individual interested in the business is Edward H. Luecke, 314 S. Main Street, Montrose, PA 18801 and Michael D. Whitbeck, 106 Morningside Road, Clarks Summit, PA 18411.

T1-6/18

FICTITIOUS NAME

Notice is hereby given that A.J. Cherundolo, Inc. filed an application with the Pennsylvania Department of State on May 10, 2021, to conduct business under the fictitious name of **Anthony J. Cherundolo**.

David Cherundolo, Esquire
410 Jefferson Avenue, Scranton PA 18510

T1-6/18

CHANGE OF NAME

Notice is hereby given that a Petition for a Name Change filed by Snehal Sureshbhai Patel, also known as Snehalben Sureshbhai Patel, was filed in the Court of Common Pleas of Lackawanna County to docket number 21-CV-2286 and prays for a Decree to change her name to Snehal Shiv Patel. The Court has fixed July 15, 2021, at 10:30 a.m. as the date and time of the hearing in Courtroom 6, Lackawanna County Courthouse, 200 North Washington Avenue, Scranton, Pennsylvania 18503.

T1-6/18

LACKAWANNA JURIST

NOTICE

IN THE COURT OF COMMON PLEAS OF LACKAWANNA COUNTY

ELLIS GENE SCOTT, as ADMINISTRATOR OF THE ESTATE OF SHARON L. EDWARDS

Plaintiff

v.

RONALD L. DEONARINE

and

E Z MAILING SERVICES, INC., E Z MAILING SERVICES, INC. d/b/a EZ WORLDWIDE
EXPRESS AND UNITED BUSINESS EXPRESS

Defendants

CIVIL ACTION – LAW

JURY TRIAL DEMANDED

NO. 21-CV-583

NOTICE TO DEFEND AND CLAIM RIGHTS

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take prompt action within twenty (20) days after this Complaint and Notice are served, by entering a written appearance personally or by an attorney and filing a writing with the Court of your defenses 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 this Complaint 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 OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER. IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

AVISO

A USTED SE LE HA DEMANDADO EN LA CORTE. Si usted quiere defenderse contra la demanda expuesta en las siguientes páginas, tiene que tomar acción en un plazo de veinte (20) días después que reciba esta demanda y aviso, por presentar una notificación de comparecencia escrita personalmente o por un abogado y radicar por escrito en la Corte sus defensas u objeciones a las demandas presentadas en su contra. Se le advierte que si falla en hacerlo, el caso podría seguir adelante sin usted y un fallo podría ser dictado en su contra por la Corte sin previo aviso por cualquier dinero reclamado en la demanda o por cualquier otro reclamo o desagravio pedido por ella demandante. Puede que usted pierda dinero o propiedad u otros derechos importantes para usted.

USTED DEBE LLEVAR ESTE DOCUMENTO A SU ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGADO, DIRÍJASE O LLAME, POR TELÉFONO A LA OFICINA CUYA DIRECCIÓN SE ENCUENTRA ABAJO. ESTA OFICINA PUEDE PROVEERLE CON INFORMACIÓN SOBRE COMO CONTRATAR UN ABOGADO. SI NO TIENE LOS FONDOS SUFICIENTES PARA CONTRATAR UN ABOGADO, ESTA OFICINA PODRÍA PROPORCIONARLE INFORMACIÓN ACERCA DE AGENCIAS QUE PUEDAN OFRECERLES SERVICIOS LEGALES A PERSONAS QUE REÚNAN LOS REQUISITOS A UN HONORARIO REDUCIDO O GRATIS.

NORTHERN PA LEGAL SERVICES
507 Linden Street; Suite 300
Scranton, PA 18503
(570) 342-0184

Pennsylvania Lawyer Referral Services
Lackawanna Bar Association
338 North Washington Avenue; Third Floor
Scranton, PA 18503
(570) 969-9161

Respectfully Submitted,

FELLERMAN & CIARIMBOLI LAW, P.C.



BY: _____
HARRY P. MCGRATH, JR., ESQUIRE
Attorneys for Plaintiff

LACKAWANNA JURIST