



# Chester County Law Reporter

(USPS 102-900)

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No. 16

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# Chester County Law Reporter

(USPS 102-900)

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**Quiah v. The Devereux Foundation, Inc., et al.**

*Amended complaint – Preliminary objections – Tolling – Transfer from federal to state court*

1. Pursuant to 28 U.S.C §1367(d), the period of limitations for any claim asserted shall be tolled while the claim is pending and for a period of 30 days after it is dismissed unless State law provides for a longer tolling period.
2. Subsection 5103(b) of title 42 governs when a Pennsylvania action will be considered filed as of the date of a previously-initiated federal action.
3. Where a matter is filed in any United States court for a district embracing any part of the Commonwealth and the matter is dismissed by the United States court for lack of jurisdiction, any litigant in the matter filed may transfer the matter to a court or magisterial district of this Commonwealth by complying with the transfer provisions within 42 Pa.C.S. §5103(b)(2).
4. Such transfer may be effected by filing a certified transcript of the final judgment of the United States court and the related pleadings in a court or magisterial district of the Commonwealth. The pleadings shall have the same effect as under the practice in the United States court, but the transferee court or magisterial district judge may require that they be amended to conform to the practice in this Commonwealth.
5. The stated policy behind this section is to preserve a claim or cause of action timely filed in federal court on the ground that the claimant should not lose her opportunity to litigate the merits of the claim simply because she erred regarding federal jurisdiction.
6. A litigant should file a certified transcript of the final judgment of the federal court and a certified transcript of the pleadings from the federal action, rather than new pleadings in the state court. The litigant shall not file new pleadings in state court.
7. In order to protect the timeliness of an action under 42 Pa.C.S.A. §5103, a litigant, upon having her case dismissed in federal court for lack of jurisdiction, must promptly file a certified transcript of the final judgment of the federal court and, at the same time, a certified transcript of the pleadings from the federal action.
8. The promptness requirement must be read in concern with the 30-day requirement of 28 U.S.C. §1367(d).
9. Defendants filed preliminary objections to plaintiff's seconded amended complaint asserting a failure to comply with 28 U.S.C. §1367(d) and 42 Pa.C.S.A. §5103(b). After review of the objections, and consideration of oral argument, the Court *Held*, that the objections were sustained and dismissed the matter with prejudice.

C.C.P. Chester County, Civil Action – Law, No. 2020-07854-TT; Alberta Quiah v. The Devereux Foundation, Inc., d/b/a and t/a Devereux Whitlock Center and James Seshier, individually and acting within the scope and course of his employment as a Detective in the Easttown Township Police Department

Jeffrey P. Hoyle on behalf of the Plaintiff

Kathleen E. Dohn on behalf of The Devereux Foundation, Inc.

Rolf E. Kroll on behalf of James Seshier

Sommer, J., March 12, 2021:-

**[Editor's Note – Plaintiff's Motion for Reconsideration was filed on March 31, 2021.]**

ALBERTA QUIAH	:	IN THE COURT OF COMMON PLEAS
	:	
VS.	:	CHESTER COUNTY, PENNSYLVANIA
	:	
THE DEVEREUX FOUNDATION, INC.	:	
d/b/a and t/a DEVEREUX WHITLOCK	:	
CENTER and JAMES SESHER,	:	
Individually and acting within the scope	:	NO. 2020-07854-TT
and course of his employment as a	:	
Detective in the Easttown Township	:	
Police Department	:	CIVIL ACTION

Jeffrey P. Hoyle, Esquire, on behalf of the Plaintiff  
 Kathleen E. Dohn, Esquire, on behalf of Defendant, The Devereux Foundation, Inc.  
 Rolf E. Kroll, Esquire, on behalf of Defendant, James Seshier

**ORDER OF COURT**

AND NOW, this 12th day of March, 2021, upon review and consideration of Defendants’ Preliminary Objections to Plaintiff’s Second Amended Complaint, Plaintiff’s Response thereto, and oral argument held on February 26, 2021, it is ORDERED as follows:

The Preliminary Objections for Plaintiff’s failure to comport with 28 U.S.C. §1367(d) and 42 Pa.C.S. §5103(b) by filing a new and untimely Complaint are **SUSTAINED**.<sup>1</sup>

The above-captioned matter is DISMISSED with prejudice.

BY THE COURT:

/s/ Jeffrey R. Sommer, J.

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<sup>1</sup> Presently before this Court are both defendants’ Preliminary Objections to Plaintiff’s Second Amended Complaint. Plaintiff commenced this action after her Third Amended Complaint, filed in the United States District Court for the Eastern District of Pennsylvania, was dismissed on September 22, 2020 and clarified on October 6, 2020. Specifically, her claims alleging, in part, malicious prosecution, abuse of process, and conspiracy brought under federal law were dismissed with prejudice on their merits, and claims brought under state law were dismissed without prejudice for lack of jurisdiction. Defendants object on the grounds that Plaintiff submitted a new and untimely complaint thereby not complying with 28 U.S.C. §1367(d) and 42 Pa.C.S. §5103(b).

while the claim is pending and for a period of 30 days after it is dismissed unless State law provides for a longer tolling period.

Subsection 5103(b) of title 42 governs when a Pennsylvania action will be considered filed as of the date of a previously-initiated federal action:

(b) Federal cases. -

(1) Subsection (a) shall also apply to any matter transferred or remanded by any United States court for a district embracing any part of this Commonwealth. In order to preserve a claim under Chapter 55 (relating to limitation of time), a litigant who timely commences an action or proceeding in any United States court for a district embracing any part of this Commonwealth is not required to commence a protective action in a court or before a magisterial district judge of this Commonwealth. Where a matter is filed in any United States court for a district embracing any part of this Commonwealth and the matter is dismissed by the United States court for lack of jurisdiction, any litigant in the matter filed may transfer the matter to a court or magisterial district of this Commonwealth by complying with the transfer provisions set forth in paragraph (2).

(2) Except as otherwise prescribed by general rules, or by order of the United States court, such transfer may be effected by filing a certified transcript of the final judgment of the United States court and the related pleadings in a court or magisterial district of this Commonwealth. The pleadings shall have the same effect as under the practice in the United States court, but the transferee court or magisterial district judge may require that they be amended to conform to the practice in this Commonwealth. Section 5535(a)(2)(i) (relating to termination of prior matter) shall not be applicable to a matter transferred under this subsection.

42 Pa.C.S. §5103(a)-(b)(2). “The stated policy behind this section is to preserve a claim or cause of action timely filed in federal court on the ground that the claimant should not lose her opportunity to litigate the merits of the claim simply because she erred regarding federal jurisdiction.” *Kelly v. Hazleton Gen. Hosp.*, 837 A.2d 490, 494 (Pa. Super. 2003) (citation omitted). “[Superior Court of Pennsylvania] has held that a litigant should file a certified transcript of the final judgment of the federal court and a certified transcript of the pleadings from the federal action, rather than new pleadings in the state court.” *Chris Falcone, Inc. v. Insurance Co. of State of Pennsylvania*, 907 A.2d 631, 637 (Pa. Super. 2006). Simply put, the “**litigant shall not file new pleadings in state court.**” *Id.* at 638 (emphasis in original), which is precisely what Plaintiff did herein. A comparison of Plaintiff’s complaint filed on October 23, 2020 to her federal complaint demonstrates alteration, addition, and removal of facts.

Defendants heavily base their objections on *Williams v. F.L. Smithe Machine Co., Inc.*, 577 A.2d 907, 910 (Pa. Super. 1990). In *Williams*, the question was whether the transfer had been promptly effectuated after the federal dismissal. Plaintiff herein never satisfied, at the onset, the mandate that she file a certified copy of the relevant federal pleadings and final judgment; instead, she fatally filed a completely new complaint. Plaintiff thereafter attempted to cure her failure to comply with §5103 by subsequently attaching her federal complaint as an exhibit to her Second Amended Complaint filed on November 25, 2020.

Indeed, *Williams* expressly cautioned that in order to protect the timeliness of an action under 42 Pa.C.S.A. §5103, a litigant, upon having her case dismissed in federal court for lack of jurisdiction, must promptly file a certified transcript of the final judgment of the federal court and, at the same time, a certified transcript of the pleadings from the federal action. This promptness requirement must be read in concern with the 30-day requirement of 28 U.S.C. §1367(d). The litigant shall not file new pleadings in state court. *Id.* at 910. The pertinent case and statutory authority compels our dismissal of Plaintiff’s claims. See *Kelly, supra*. (finding that the plaintiff’s action was not saved under §5103 since plaintiff filed a new complaint to institute the state action and neglected to file any relevant pleadings from the federal court); see also *Ferrari v. Antonacci*, 689 A.2d 320 (Pa. Super. 1997). Thus, Defendants’ objections are sustained and this case is dismissed with prejudice.

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CLERK OF THE ORPHANS' COURT  
 DIVISION OF THE COURT OF COMMON PLEAS  
 CHESTER COUNTY, PENNSYLVANIA  
**NOTICE OF FILING ACCOUNTS**  
**ACCOUNTS LISTED FOR AUDIT ON**  
**WEDNESDAY, MAY 5, 2021**  
**Courtroom 7 at 9:00 A.M. PREVAILING TIME**

**THE HONORABLE JOHN L. HALL**

Notice is hereby given to all parties interested, that accounts in the following matters have been filed in the Office of the Clerk of the Orphans' Court Division of the Court of Common Pleas of Chester County, Pennsylvania for AUDIT, CONFIRMATION AND DISTRIBUTION at the above date, time and place. At that time and place interested parties, claimants and objectors to the same will be heard.

**ESTATE OF JAMES R. RIDENOUR, DECEASED** **1511-0470**  
 FIRST AND FINAL ACCOUNT OF THE ESTHER TEMPLIN TRUST  
 ESTABLISHED UNDER THE WILL OF: SHARON L. ROSENBERGER,  
 TRUSTEE

ATTORNEY(S):  
 JONATHAN MOORE PETERSON, ESQUIRE  
 JEAN WHITE E. JONES, ESQUIRE

**ESTATE OF JOHN T. HALL SR, DECEASED** **1518-2459**  
 A/K/A JACK T. HALL SR  
 FIRST ACCOUNTING  
 OF: STANLEY SCOTT, EXECUTOR

ATTORNEY(S):  
 MICHAEL JOSEPH HAWLEY, ESQUIRE



**NOTICES**

*Please note: All legal notices must be submitted in typewritten form and are published exactly as submitted by the advertiser unless otherwise specified. Neither the Law Reporter nor the printer will assume any responsibility to edit, make spelling corrections, eliminate errors in grammar or make any changes in content. The use of the word "solicitor" in the advertisements is taken verbatim from the advertiser's copy and the Law Reporter makes no representation or warranty as to whether the individual or organization listed as solicitor is an attorney or otherwise licensed to practice law. The Law Reporter makes no endorsement of any advertiser in this publication nor is any guarantee given to quality of services offered.*

**CHANGE OF NAME NOTICE  
IN THE COURT OF COMMON PLEAS CHESTER COUNTY, PENNSYLVANIA  
CIVIL ACTION  
LAW NO. AD-20-0059**

NOTICE IS HEREBY GIVEN that the name change petition of Melissa Kelly Drill was filed in the above-named court and will be heard on April 26th, 2021 at 2:30 PM, in Courtroom 19 at the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania.

Date of filing the Petition: October 8, 2020

Name to be changed from: Melissa Kelly Drill to: Melissa James Irvan

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

Jean-Pasquale Infanti, Esq., Attorney for the Petitioner

304 N. High Street  
West Chester, PA 19380

**CHANGE OF NAME NOTICE  
IN THE COURT OF COMMON PLEAS CHESTER COUNTY, PENNSYLVANIA  
CIVIL ACTION  
LAW NO. 2021-02098-NC**

NOTICE IS HEREBY GIVEN that the name change petition of Wangyiran Bo was filed in the above-named court and will be heard on Monday, May 3, 2021 at 2:00 PM, in Courtroom 3 at the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania.

Date of filing the Petition: Wednesday, March 31, 2021

Name to be changed from: Wangyiran Bo to: Elaine Wang

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

**CHANGE OF NAME NOTICE  
IN THE COURT OF COMMON PLEAS CHESTER COUNTY, PENNSYLVANIA  
CIVIL ACTION  
LAW NO. 2021-02346-NC**

NOTICE IS HEREBY GIVEN that the name change petition of Karobi Ester Sachs was filed in the above-named court and will be heard on Monday, July 19, 2021 at 2:00 PM, in Courtroom 3 at the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania.

Date of filing the Petition: Friday, April 9, 2021

Name to be changed from: Karobi Ester Sachs to: Sahajananda Saraswati

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

**CHANGE OF NAME NOTICE  
IN THE COURT OF COMMON PLEAS CHESTER COUNTY, PENNSYLVANIA  
CIVIL ACTION  
LAW NO. 2020-07444**

NOTICE IS HEREBY GIVEN that the name change petition of Apostolos Christos Grivas was filed in the above-named court and will be heard on Monday, May 3, 2021 at 2:00 PM, in Courtroom 3 at the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania.

Date of filing the Petition: Tuesday, October 6, 2020

Name to be changed from: Apostolos Christos Grivas to: Christopher Apostolos Grivas

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

Christopher P. Flannery, Esq., Attorney for the Petitioner

Law Office of Christopher P. Flannery, P.C.  
4 Hillman Drive Suite 104  
Chadds Ford, PA 19317

**CHANGE OF NAME NOTICE**  
**IN THE COURT OF COMMON PLEAS CHESTER COUNTY, PENNSYLVANIA**  
**CIVIL ACTION**  
**LAW NO. 2021-02015-NC**

NOTICE IS HEREBY GIVEN that the name change petition of Emma Lee Dillender was filed in the above-named court and will be heard on Monday, June 28, 2021 at 2:00 PM, in Courtroom 3 at the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania.

Date of filing the Petition: Friday, March 26, 2021

Name to be changed from: Emma Lee Dillender to: Lee Dillender

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

**DISSOLUTION NOTICE**

NOTICE IS HEREBY GIVEN that the shareholders and directors of MicroSystem Development Corporation dba Stalnaker Control Systems, a Pennsylvania Corporation with an address of 1560 Vassar Ct, West Chester, Pa 19380, have approved a proposal that the corporation voluntarily dissolve and the the Board of Directors is now engaged in winding up and settling the affairs of the corporation under the provisions of Section 1975 of the Pennsylvania Business Corporation Law of 1988, as amended.

Thomas A. Stalnaker, President

1560 Vassar Ct.

West Chester, PA 19380

**ESTATE NOTICES**

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

**1st Publication**

**BAUMGARDNER**, Michael Timothy, late of East Brandywine Township. Janine Mill, 76 Ann Terrace, Stratford, CT 06614, Administratrix. **HEATHER L. TURNER**, Esquire, 137 N. Narberth Ave., Narberth, PA 19072, atty.

**BLAKE**, Richard Jerome, late of Easttown Township. Pamela Blake Fischer, 9110 Hamilton Drive,

Fairfax, VA 22031, Executrix.

**CACCIUTTI**, Joan R., late of Malvern Borough. Anthony F. Cacciutti, 101 Jodi Dr., Coatesville, PA 19320, Administrator. **ELIZABETH B. PLACE**, Esquire, Skarlatos Zonarich, 320 Market St., Ste. 600W, Harrisburg, PA 17101, atty.

**COOPER**, Paul L., late of Caln Township. Jessie Fisher, care of **KRISTEN R. MATTHEWS**, Esquire, 17 W. Miner St., West Chester, PA 19382, Executrix. **KRISTEN R. MATTHEWS**, Esquire, MacElree Harvey, LTD., 17 W. Miner St., West Chester, PA 19382, atty.

**DIVITO**, Jeffrey John, late of Caln Township. David Anthony DiVito, care of **L. PETER TEMPLE**, Esquire, P.O. Box 384, Kennett Square, PA 19348, Executor. **L. PETER TEMPLE**, Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

**FINK**, Joan D., late of West Pikeland Township. Douglas Fink, care of **STEPHEN I. BAER**, Esquire, 1288 Valley Forge Rd., Ste. 63, Phoenixville, PA 19460, Executor. **STEPHEN I. BAER**, Esquire, 1288 Valley Forge Rd., Ste. 63, Phoenixville, PA 19460, atty.

**FRIDIRICI**, Jean, late of East Goshen Township. Peter C. Fridirici, care of **JON A. SWARTZ**, Esquire, 7736 Main Street, Fogelsville, PA 18051, Administrator. **JON A. SWARTZ**, Esquire, 7736 Main Street, Fogelsville, PA 18051, atty.

**HAUSER**, William Paul, late of Pennsbury Township. Steven Louis Hauser, care of **LISA COMBER HALL**, Esquire, 27 S Darlington St., West Chester, PA 19382, Executor. **LISA COMBER HALL**, Esquire, Hall Law Offices, 27 S Darlington St., West Chester, PA 19382, atty.

**HAUSER**, Marilyn Jean, late of Pennsbury Township. Steven Louis Hauser, care of **LISA COMBER HALL**, Esquire, 27 S Darlington St., West Chester, PA 19382, Executor. **LISA COMBER HALL**, Esquire, Hall Law Offices, 27 S Darlington St., West Chester, PA 19382, atty.

**HOLMES**, Barbara Clegg, late of Pocopson Township. Lewis Leroy Thompson, 7250 Heather Road, Macungie, PA 18062, Personal Representative.

**KIRK**, James D., late of Westtown Township. Robert Kirk, James Kirk, Jr. and Kenneth Kirk, care of **WILLIAM MORROW**, Esquire, 58 E. Penn St., Norristown, PA 19401, Executors. **WILLIAM MORROW**, Esquire, Morrow and Lefevre, LLC, 58 E. Penn St., Norristown, PA 19401, atty.

**LONG**, Jacqueline A., late of North Coventry Township. Stephanie Stamy, 3714 Harmonyville Road, Elverson, PA 19520, Executrix. KENNETH E. PICARDI, Esquire, Yergey.Daylor.Allebach.Schefey.Picardi, 1129 E. High St., Pottstown, PA 19464, atty.

**MacLEAN**, Dianne Carol, a/k/a Dianne Lashbrook MacLean, a/k/a Dianne Lashbrook, late of Caln Township. Joshua Grant Lashbrook, care of VINCENT CAROSELLA, JR., Esquire, 882 South Matlack Street, Suite 101, West Chester, PA 19382-4505, Administrator. VINCENT CAROSELLA, JR., Esquire, Carosella & Associates, P.C., 882 South Matlack Street, Suite 101, West Chester, PA 19382-4505, atty.

**McGOWAN JR.**, Raymond A., late of Phoenixville. Barbara McGowan, 455 Valley Park Road, Phoenixville, PA 19460, Executrix.

**MILLER**, Rose C., late of West Grove. John P. Miller, 156 Blackburn Drive, Nottingham, PA 19362, Executor. PETER S. GORDON, Esquire, Gordon, Fournaris & Mammarella, P.A., 1925 Lovering Avenue, Wilmington, DE 19806, atty.

**MOSSER**, Gerald F., late of Phoenixville Borough. Barbara J. Rhoads, care of DOUGLAS L. KAUNE, Esquire, 120 Gay Street, P.O. Box 289, Phoenixville, PA 19460, Executor. DOUGLAS L. KAUNE, Esquire, Unruh, Turner, Burke & Frees, P.C., 120 Gay Street, P.O. Box 289, Phoenixville, PA 19460, atty.

**NAYLOR**, Alison C., late of East Goshen Township. Thomas D. Fant, care of STEPHEN J. OLSEN, Esquire, 17 E. Gay Street, Suite 100, P.O. Box 562, West Chester, PA 19381-0562, Executor. STEPHEN J. OLSEN, Esquire, Gawthrop Greenwood, PC, 17 E. Gay Street, Suite 100, P.O. Box 562, West Chester, PA 19381-0562, atty.

**SELLERS, JR.**, Kenneth B., late of East Marlborough Township. Brian Hicks, P.O. Box 127, Unionville, PA 19375, and Michael Hicks, 470 Faggs Manor Road, Cochranville, PA 19330, Executors. GEORGE T. COOK, Esquire, Blakinger Thomas, PC, 28 Penn Square, P.O. Box 1889, Lancaster, PA 17608-1889, atty.

**SIMMERS**, Dorothy K., a/k/a Dorothy K. Bailey, late of Chester Springs. Robert M. Simmers, 8661 Stevens Road, Lindley, NY 14858, Executor. CHARLES W. PROCTOR, III, Esquire, PLA Associates, PC, 1450 E. Boot Road, Building 400D, West Chester, PA 19380, atty.

**TERRY**, Robert Gene, late of Coatesville City.

Wesley Terry and Meghan Terry, care of KRISTEN R. MATTHEWS, Esquire, 17 W. Miner St., West Chester, PA 19382, Executors. KRISTEN R. MATTHEWS, Esquire, MacElree Harvey, LTD., 17 W. Miner St., West Chester, PA 19382, atty.

**TODD**, Victoria M., late of Chester County. Sarah B. Todd, care of RYAN M. BORNSTEIN, Esquire, 800 Lancaster Avenue, Suite T-2, Berwyn, PA 19312, Executor. RYAN M. BORNSTEIN, Esquire, Harvey Ballard and Bornstein, LLC, 800 Lancaster Avenue, Suite T-2, Berwyn, PA 19312, atty.

**TRIMBLE**, Jane F., late of Oxford. Leslie Carpenter, care of CLARE MILLINER, Esquire, 213 E. State Street, Kennett Square, PA 19348, Executrix. CLARE MILLINER, Esquire, Brutscher Foley Milliner Land & Kelly, LLP, 213 E. State Street, Kennett Square, PA 19348, atty.

## 2nd Publication

**ABBS**, Dorothy K., late of West Caln Township. John Abbs and James D. Abbs, care of JANIS M. SMITH, Esquire, 4203 West Lincoln Highway, Parkersburg, PA 19365, Executors. JANIS M. SMITH, Esquire, Janis M. Smith, Attorney At Law, 4203 West Lincoln Highway, Parkersburg, PA 19365, atty.

**BUNDY**, Ramona Yvonne, a/k/a Ramona Y. Bundy, late of Oxford Township. Jeffrey K. Bundy and Kevin M. Bundy, care of CRAIG S. SHARNETZKA, Esquire, 135 North George Street, York, PA 17401, Co-Administrators. CRAIG S. SHARNETZKA, Esquire, CGA Law Firm, PC, 135 North George Street, York, PA 17401, atty.

**COX, JR.**, David, a/k/a David G. Cox, Jr., late of West Goshen Township. Johnathan A. Cox, care of KRISTEN R. MATTHEWS, Esquire, 17 W. Miner St., West Chester, PA 19382, Executor. KRISTEN R. MATTHEWS, Esquire, MacElree Harvey, LTD., 17 W. Miner St., West Chester, PA 19382, atty.

**ELLIOTT**, Harry J., late of West Goshen Township. Amy E. Darlington, 301 Laurel Moors Dr., Exton, PA 19341, Executrix. CHARI M. ALSON, Esquire, Anderson Elder Law, 206 State Rd., Media, PA 19063, atty.

**FLORIO**, Robert A., a/k/a Bob Florio, late of Phoenixville. John L. Florio, 205 Vixen View, Phoenixville, PA 19460, Executor.

**GAGEN**, Joan M., late of Penn Township. Mark R. Gagen, care of DOUGLAS L. KAUNE, Esquire, 120 Gay Street, P.O. Box 289, Phoenixville, PA 19460, Executor. DOUGLAS L. KAUNE, Esquire, Unruh, Turner, Burke & Frees, P.C., 120 Gay Street,

P.O. Box 289, Phoenixville, PA 19460, atty.

**GRIFFITH**, Arlene B., late of West Bradford Township. Ronald E. Savastio, 1406 Carriage Lane, West Chester, PA 19382, Administrator. **GORDON W. GOOD**, Esquire, Keen Keen & Good, LLC, 3460 Lincoln Highway, Thorndale, PA 19372, atty.

**GUNTHER**, Wolfgang Hans, late of Westtown Township. Rita G. McGrath and Bernard M. Gunther, care of **DAVID M. FREES, III**, Esquire, 120 Gay Street, P.O. Box 289, Phoenixville, PA 19460, Co-Executors. **DAVID M. FREES, III**, Esquire, Unruh, Turner, Burke & Frees, P.C., 120 Gay Street, P.O. Box 289, Phoenixville, PA 19460, atty.

**KOEHLER**, Mary A., late of Malvern Borough. Karen A. Koehler, 1394 Old Phoenixville Pike, West Chester, PA 19380, Executrix. **JENNIFER FELD**, Esquire, Colliton Elder Law Associates, PC, 190 E. Market St., Ste. 250, West Chester, PA 19382, atty.

**LABRESCO**, Joseph D., late of East Pikeland Township. Concetta L. Labresco, 1029 Snyder Ave., Phoenixville, PA 19460 Executrix. **DAVID A. MEGAY**, Esquire, O'Donnell, Weiss & Mattei, P.C., 41 E. High St., Pottstown, PA 19464, atty.

**LICHTLEY**, Caroline M., a/k/a Caroline Lichtley, late of North Coventry Township. Etta M. Reitnauer, 629 Constitution Ave., Stowe, PA 19464, Executrix. **LEE F. MAUGER**, Esquire, Mauger Law LLC, 1800 E. High St., Suite 375, Pottstown, PA 19464, atty.

**MACHOWSKI**, Thaddeus, late of West Chester. Thomas J Machowski, 14 Lamp Post Lane, Cherry Hill, NJ 0803, Executor.

**MALAY**, Barbara M., a/k/a Barbara Mae Malay, late of Tredyffrin Township. Pamela A. Malay Smith, care of **KENNETH C. TAYLOR**, Esquire, 125 Stratford Ave., Ste. 110, P.O. Box 812, Wayne, PA 19087, Administratrix. **KENNETH C. TAYLOR**, Esquire, Pierce, Caniglia & Taylor, 125 Stratford Ave., Ste. 110, P.O. Box 812, Wayne, PA 19087, atty.

**QUIGLEY**, Elizabeth Della, late of Tredyffrin Township. Florence S. Williams, care of **DENNIS B. YOUNG**, Esquire, 430 W. First Ave., Parkesburg, PA 19365, Executrix. **DENNIS B. YOUNG**, Esquire, 430 W. First Ave., Parkesburg, PA 19365, atty.

**SHOEMAKER**, Jean K., late of West Chester. Abigail A. Scott, care of **NEIL W. HEAD**, Esquire, 218 West Miner Street, West Chester, PA 19382, Executor. **NEIL W. HEAD**, Esquire, Klein, Head, Barnes & Wood, LLP, 218 West Miner Street, West Chester, PA 19382, atty.

**SWARTCHICK**, Stephen John, a/k/a Stephen J.

Swartchick, late of Phoenixville Borough. Marian Preston, care of **DOUGLAS L. KAUNE**, Esquire, 120 Gay Street, P.O. Box 289, Phoenixville, PA 19460, Executor. **DOUGLAS L. KAUNE**, Esquire, Unruh, Turner, Burke & Frees, P.C., 120 Gay Street, P.O. Box 289, Phoenixville, PA 19460, atty.

**THOMAS**, Marguerite J., a/k/a Marguerite Josephine Thomas, late of East Coventry Township. Terryl L. Marsh, 20232 Valley Forge Circle, King of Prussia, PA 19406, Executrix. **JOSEPH K. KOURY**, Esquire, O'Donnell, Weiss & Mattei, P.C., 41 E. High St., Pottstown, PA 19464, atty.

**VOSHELLE**, Robert Jeffrey, late of West Whiteland Township. Melinda Aghajanian, care of **DENISE D. NORDHEIMER**, Esquire, 2001 Baynard Blvd, Wilmington, DE 19802, Executrix. **DENISE D. NORDHEIMER**, Esquire, Law Office of Denise D. Nordheimer, LLC, 2001 Baynard Blvd, Wilmington, DE 19802, atty.

### 3rd Publication

**ANTON**, Elizabeth Daniels, late of Kennett Square Borough. Frederick W. Anton, IV, care of **NORA E. POMERANTZ**, Esquire, 30 S. 17th St., 5th Fl., Philadelphia, PA 19103, Executor. **NORA E. POMERANTZ**, Esquire, Duane Morris LLP, 30 S. 17th St., 5th Fl., Philadelphia, PA 19103, atty.

**BARNETT, III**, Harry T, a/k/a Harry Theodore Barnett, III., late of Phoenixville Borough. Austin Kirkbride, care of **ANYLISE C. CROUTHAMEL**, Esquire, 120 Gay Street, P.O. Box 289, Phoenixville, PA 19460, Executor. **ANYLISE C. CROUTHAMEL**, Esquire, Unruh, Turner, Burke & Frees, P.C., 120 Gay Street, P.O. Box 289, Phoenixville, PA 19460, atty.

**CHASE**, Gail S., late of West Grove Borough. Linda C. Brown, care of **L. PETER TEMPLE**, Esquire, P.O. Box 384, Kennett Square, PA 19348, Executrix. **L. PETER TEMPLE**, Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

**DRUMHELLER**, Henry M., late of West Caln Township. Steven L. Drumheller, care of **KEVIN D. DOLAN**, Esquire, 222 S. Market St., Suite 201, Elizabethtown, PA 17022, Executor. **KEVIN D. DOLAN**, Esquire, Nikolaus & Hohenadel, LLP, 222 S. Market St., Suite 201, Elizabethtown, PA 17022, atty.

**FETTERS, JR.**, George W., a/k/a George Wadas Fetters, Jr., late of Caln Township. George L. Fetters, and Georgette D. Copes, care of **DUKE SCHNEIDER**, Esquire, 17 W. Miner St., West Chester, PA

19382, Executors. DUKE SCHNEIDER, Esquire, MacElree Harvey, LTD., 17 W. Miner St., West Chester, PA 19382, atty.

**GERSTEIN**, Natalie, late of Paoli. Brad J. Gerstein, 219 Sugartown Road, Apt N203, Wayne, PA 19087, Executor. HEATHER D. ROYER, Esquire, Smigel, Anderson & Sacks, LLP, 4431 North Front St., 3 Fl., Harrisburg, PA 17110, atty.

**HORVATH**, Theodore S., a/k/a Theodore Samuel Horvath, late of East Whiteland Township. Rebecca I. Horvath, care of ANDREW C. LAIRD, Esquire, 360 West Main Street, Trappe, PA 19426, Executrix. ANDREW C. LAIRD, Esquire, King Laird, P.C., 360 West Main Street, Trappe, PA 19426, atty.

**INANLI**, Harun, late of Coatesville. Yavuz Inanli, care of VINCENT CAROSELLA, JR., Esquire, 882 South Matlack Street, Suite 101, West Chester, PA 19382-4505, Administrator. VINCENT CAROSELLA, JR., Esquire, Carosella & Associates, P.C., 882 South Matlack Street, Suite 101, West Chester, PA 19382-4505, atty.

**JONES**, Jean A., a/k/a Jean Jones, late of Warwick Township. Amy D. Jones, 750 Rock Run Road, Pottstown, PA 19465, Executrix. LEE F. MAUGER, Esquire, Mauer Law, LLC, 1800 East High Street, Suite 375, Pottstown, PA 19464, atty.

**KARLSON**, Joanne Elizabeth, late of Spring City Borough. Heather R. Biddle, care of ASHLEY M. ECKERT, Esquire, 3504 Lincoln Highway, Thorndale, PA 19372, Executrix. ASHLEY M. ECKERT, Esquire, The Law Office of Ashley M. Eckert, LLC, 3504 Lincoln Highway, Thorndale, PA 19372, atty.

**KONOPKA**, John J., a/k/a John Konopka, late of Caln Township. Marlene Creagh and Jean Azzinaro, care of JAMES R. LYNCH, JR., Esquire, 617 Swede St., Norristown, PA 1940, Administratrices. JAMES R. LYNCH, JR., Esquire, 617 Swede St., Norristown, PA 1940, atty.

**KREIDER**, Keith B., late of Spring City Borough. Phoenixville Federal Bank and Trust, 533 Kimberton Rd., Kimberton, PA 19442, Executor. REBECCA A. HOBBS, Esquire, O'Donnell, Weiss & Mattei, P.C., 41 E. High St., Pottstown, PA 19464, atty.

**MAGNOTTA**, Melody Rachael, late of Downingtown Borough. Mario Magnotta, care of SEAN MURPHY, Esquire, 340 N. Lansdowne Ave., Lansdowne, PA 19050, Executor. SEAN MURPHY, Esquire, 340 N. Lansdowne Ave., Lansdowne, PA 19050, atty.

**MAZZURRA**, Peggy, late of East Vincent Township. Marti Delanoy, care of COURTNEY E. DOLAWAY, Esquire, 1835 Market St., Ste. 1050, Phila-

delphia, PA 19103, Administratrix. COURTNEY E. DOLAWAY, Esquire, Flaster Greenberg PC, 1835 Market St., Ste. 1050, Philadelphia, PA 19103, atty.

**McDONALD**, Margaret, late of Paoli. Kathleen McCarthy, care of CATHERINE MIHALICK, Esquire, 1065 Highway 315, Suite 200, Wilkes-Barre, PA 18702, Executrix. CATHERINE MIHALICK, Esquire, Rosenn, Jenkins & Greenwald, LLP, 1065 Highway 315, Suite 200, Wilkes-Barre, PA 18702, atty.

**McKENZIE**, Joseph F., late of Willistown Township. Vicki K. McKenzie, care of LAURA M. TOBEY, Esquire, 229 W. Wayne Ave., Wayne, PA 19087, Executrix. LAURA M. TOBEY, Esquire, Reidenbach & Associates, LLC, 229 W. Wayne Ave., Wayne, PA 19087, atty.

**McKNIGHT**, Marilyn M., late of Wallace Township. Mary Beth Thompson, care of ANDREW H. DOHAN, Esquire, 460 E. King Road, Malvern, PA 19355-3049, Executor. ANDREW H. DOHAN, Esquire, Lentz, Cantor & Massey, LTD., 460 E. King Road, Malvern, PA 19355-3049, atty.

**MESSNER**, Stanley George, late of Caernarvon Township. Dawn P. Hunsicker, 206 Cinder Street, Birdsboro, PA 19508, Administratrix. TERRY D. WEILER, Esquire, Huckabee, Weiler & Levensgood, P.C., 1136 Penn Avenue, Wyomissing, PA 19610, atty.

**MORGAN**, Ralph, late of Coatesville. Sandra B. Wright, 4472 Fuda Ct, Harrisburg, NC 28075, & Gail B. House, 240 Camelot Road, Salisbury, NC 28147, Administrators. CHRISTOPHER READ WOLF, Esquire, Faloni Law Group, LLC, 166 Allendale Road, King of Prussia, PA 19406, atty.

**MRUCZEK**, Nicholas, late of North Coventry Township. Patricia M. Mruczek, 9558 Old Creek Road, Alexander, NY 14005, Executor. JOEL W. GOLDBERG, Esquire, Goldberg, Goldberg & Maloney, 213-215 West Miner Street, West Chester, PA 19382, atty.

**MURRAY**, Patricia A., late of Downingtown Borough. Sharon R. Esposito, care of W. MARSHALL PEARSON, Esquire, 311 Exton Commons, Exton, PA 19341-2450, Executor. W. MARSHALL PEARSON, Esquire, 311 Exton Commons, Exton, PA 19341-2450, atty.

**OGLE**, Virginia W., a/k/a Virginia Ogle, late of Kennett Township. Isaac Ogle, P.O. Box 699, Fayetteville, AR 7270, Executor. LINDA M. ANDERSON, Esquire, Anderson Elder Law, 206 State Rd., Media, PA 19063, atty.



**PIERCE**, Rosalie H., late of Exton. Jeffrey F. Pierce, care of H. MICHAEL COHEN, Esquire, 144 West Market Street, West Chester, PA 19382, Executor. H. MICHAEL COHEN, Esquire, Lachall, Cohen & Sagnor, 144 West Market Street, West Chester, PA 19382, atty.

**RIVERA, SR.**, Nicholas R., late of Caln Township. Angela Rivera Cornish, 125 Schoolhouse Ln., Coatesville, PA 19320, Administratrix. JENNIFER M. MERX, Esquire, Skarlatos Zonarich, 320 Market St., Ste. 600 West, Harrisburg, PA 17101, atty.

**SCHOCIE**, Patricia Ann, a/k/a Patricia Schocie and Patricia A. Schocie, late of Pocopson Township. Jacqueline E. Meshurle, 101 Timber Springs Ln., Exton, PA 19341, Executrix. MICHAEL J. LYONS, Esquire, Lyons Dougherty LLC, 6 Ponds Edge Dr., Ste. 1, Chadds Ford, PA 19317, atty.

**SELEGY**, Frank, a/k/a Frank Selagyi, late of East Marlborough Township. F Randall Selagy, 150 Beverly Drive, Kennett Square, PA 19348, Executor.

**SHALABY**, Azza M., late of Caln Township. Ibrahim Bakir, 130 Oakmont Dr., Thorndale, PA 19372, Executor. ROBERT FREEDENBERG, Esquire, Skarlatos Zonarich, 320 Market St., Ste 600 West, Harrisburg, PA 17101, atty.

**SHOFFLER**, William Edward, late of Coatesville. Bernadette Monahan, 164 Stoyer Road, Coatesville, PA 19320, Executrix.

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### FICTITIOUS NAME

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

**Chick-fil-A Malvern**, with its principal place of business at 270 Old Morehall Road, Malvern, PA 19355. The application has been (or will be) filed on: Wednesday, March 31, 2021. The name(s) and address(es) of the individual(s) or entity(ies) owning or interested in said business: Remarkable Experiences, LLC

### FOREIGN REGISTRATION STATEMENT

NOTICE IS HEREBY GIVEN THAT, a Foreign Registration Statement was filed with the Pennsylvania Department of State by @Home Meal Experience, Inc., a foreign corporation, formed under the laws of Delaware where its principal office is provided by Corporation Service Company and located at 251 Little Falls Drive, Wilmington, DE 19808, for authority to do business in Pennsylvania under the provisions of the Pennsylvania Business Corporation Law of 1988. The registered office in Pennsylvania is located at: 101 East Gay Street #161, West Chester, Pennsylvania 19381. FOX ROTHSCHILD LLP, Solicitors, 747 Constitution Drive, P.O. Box 673, Exton, PA 19341-0673

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### CORPORATION NOTICE

#### LIMITED LIABILITY COMPANY

NOTICE IS HEREBY GIVEN that on Thursday, April 1, 2021 a Certificate of Organization was filed in the Pennsylvania Department of State for Floradel Holdings LLC, in accordance with the provisions of the Limited Liability Act of 1994. Charles W. Proctor, III, Esq., Solicitor PLA Associates PC 1450 E. Boot Road, Building 400D West Chester, PA 19380

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### NONPROFIT CORPORATION NOTICE

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

The name of the corporation is The Kendall Gunther Memorial Foundation.

Articles of Incorporation were filed on Tuesday, April 13, 2021

The purpose or purposes for which it was organized are: Exclusively charitable purposes and purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code.

William Oleckna, Esq., Solicitor  
Lavin, Cedrone, Graver, Boyd, & DiSipio  
190 N Independence Mall West, Suite 500  
Philadelphia, PA 19106

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**NOTICE OF SUSPENSION**

Notice is hereby given that by Order of the Supreme Court of Pennsylvania dated April 9, 2021, AN-GELA EM MONTGOMERY-BUDD (#83537) of Chester County, is Suspended on Consent from the Bar of this Commonwealth for a period of one year, effective May 5, 2021.

Marcee D. Sloan

Board Prothonotary

The Disciplinary Board of the

Supreme Court of Pennsylvania

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**3rd Publication of 3****TRUST NOTICE**

KEITH B. KREIDER LIVING TRUST DATED  
5/29/2020

KEITH B. KREIDER, Deceased

Late of Spring City Borough, Chester County, PA

This Trust is in existence and all persons having claims or demands against said Trust or decedent are requested to make known the same and all persons indebted to the decedent to make payment without delay to PHOENIXVILLE FEDERAL BANK AND TRUST, 533 Kimberton Rd., Kimberton, PA 19442 and ALLEN DAVID KREIDER, 520 William Ave., Harrisburg, PA 17109, Trustees,

Or to their Attorney:

REBECCA A HOBBS

O'DONNELL, WEISS & MATTEI, P.C.

41 E. High St.

Pottstown, PA 19464

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FOR IMMEDIATE RELEASE:

April 12, 2021

After 30 years of service to the Court, Matthew R. MacAvoy will retire as Chief U.S. Probation Officer for the United States District Court for the Eastern District of Pennsylvania on April 30, 2021.

Chief Judge Juan R. Sánchez announces that the Judges of the Court have unanimously selected Jana Gifford Law to succeed Mr. MacAvoy as Chief U.S. Probation Officer. Ms. Law will be the first woman to lead the U.S. Probation Office in our District. Ms. Law has provided 28 years of dedicated service to this District's Probation Office, most recently serving as Senior Deputy Chief Probation Officer. She previously served as an Assistant Deputy Chief, Supervisory Probation Officer, and Drug and Alcohol Treatment Specialist. Ms. Law began her career in this District as a Probation Officer in 1993. She holds a Master of Science (Magna Cum Laude) in Criminal Justice Administration from West Chester University. Ms. Law will assume her new position effective May 1, 2021.

Juan R. Sánchez  
Chief Judge



**MEETING SPACE?**

Looking for just the right meeting space? The Chester County Bar Association facilities are utilized on a regular basis for depositions, client meetings and seminars. We have rooms available for rental by the half-day or full day – a conference room, a board room and seminar rooms. We are located just one block from the Courthouse and convenient parking is available. For more information, visit us at [www.chescobar.org](http://www.chescobar.org). To reserve your room, please call 610-692-1889.

**SAMPLE AD**

Classified Ads for the Chester County Law Reporter ONLY \$.20 per space/character

**REAL ESTATE ASSOCIATE:**

Blakinger Thomas, PC is a well-established general practice law firm in Lancaster. We are seeking a full time PA Bar admitted attorney who focuses on real estate law, has 3+ years of experience and an excellent academic record. Applicant should possess strong oral and written communication, analytical and organizational skills, commitment to client service, and have the knowledge and ability to counsel clients on various real estate and land use matters.

Interested candidates should send a cover letter and resume to Hiring Partner, Blakinger Thomas, PC, 28 Penn Square, PO Box 1889, Lancaster, PA 17608-1889, or to [hring@blakingerthomas.com](mailto:hring@blakingerthomas.com). EEO/AA Employer.