



Butler County Legal Journal

(USPS 081020)

Vol. 20

July 6, 2012

No. 27

Designated as the Official Legal Periodical for Butler County, Pennsylvania

**save
the
date**

Bench/Bar Event

Civil • Criminal • Family

Friday, September 7, 2012
9am - 12pm

Oakview Golf Club

Golf tee-off begins at 1pm

Dillon Cup &
9-hole "all-for-fun" scramble



Judges of the Courts of Butler County

Honorable Thomas J. Doerr, President Judge

Honorable Marilyn Horan

Honorable William R. Shaffer

Honorable S. Michael Yeager

Honorable Timothy F. McCune

Honorable Kelley Streib

Butler County Bar Association

Joseph E Kubit, President

Legal Journal Committee

Leo M. Stepanian, Editor & Chairman

Michael J. Pater

Armand R. Cingolani, III

Michael D. Gallagher

Robert F. Hawk

Pamela Walters

Owned and Published weekly by:

Butler County Bar Association

201 South Main Street, Ste 101, Butler PA 16001

Phone: 724.841.0130 | Fax: 724.841.0132

bclegaljournal@zoominternet.net

INDEX

CLE Schedule.....	2
Court Calendar.....	19
Divorce Notices.....	13
Estate Notices.....	3
Executions.....	12
Judgments.....	11
Mortgages.....	6
Notices.....	13
Opinion Summaries.....	16
Recorder of Deeds Fee Notice.....	18
Register's Notice.....	16
Suits.....	10

PLEASE NOTE:

Advertisements must be received by 12:00 pm
the Friday preceding the date of publication.

Email: BCLegalJournal@zoominternet.net

www.butlercountypabar.org

Dated Material - Do Not Delay Delivery

The Butler County Legal Journal is published every Friday. Owned and published by the Butler County Bar Association Copyright © 2011. Periodical Postage paid at Butler, PA 16001. POSTMASTER: Please send address changes to: BUTLER COUNTY LEGAL JOURNAL, 201 South Main St, Ste 101, Butler, PA 16001.

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: Edith Caruso
a/k/a: Edith M Caruso**

Late of: Cranberry Township PA
Executor: Richard Caruso
710 Ryland Drive
Pittsburgh PA 15237-4206
Attorney: Timothy A Schoonover
Babst Calland
330 Innovation Blvd Suite 302
State College PA 16803

Estate of: Floyd D Croyle

Late of: Buffalo Township PA
Executor: Floyd D Croyle Jr
106 Briarwood Drive
Sarver PA 16055
Attorney: George R Kepple
Law Office Of George R Kepple
309 Kittanning Hollow Road
East Brady PA 16028

Estate of: Eleanor R Gilbert

Late of: Center Township PA
Executor: David L Gilbert
9 Forest Drive
Bedford Nh 03110
Attorney: Laurel Hartshorn
254 W Main St
POB 553
Saxonburg PA 16056

Estate of: Dorothy I McDonald

Late of: Buffalo Township PA
Executor: Larry D McDonald
269 South Rebecca Street
Saxonburg PA 16056
Attorney: Laurel Hartshorn
254 W Main St
POB 553
Saxonburg PA 16056

Estate of: Anna Mae Mathe

Late of: Zelenople PA
Executor: Marsha Lynn Mathe
400 West Beaver St
Zelenople PA 16063
Attorney: Katie M Casker
Lope Casker & Casker
207 East Grandview Avenue
Zelenople PA 16063

**Estate of: Dorothy E Miller
a/k/a: Dorothy C Miller**

Late of: Zelenople PA
Administrator: Beth Haller
120 Pine Meadow Drive
Wexford PA 15090
Attorney: Nathan C Platt
Stepanian & Muscatello LLP
222 South Main Street
Butler PA 16001

Estate of: Findley Quay Morrow

Late of: Karns City PA
Executor: Terri Jo Patterson
124 Rennick Rd
West Sunbury PA 16061
Executor: Douglas Q Morrow
1025 Hooker Road
Karns City PA 16041
Attorney: Mark R Morrow
204 East Brady Street
Butler PA 16001

Estate of: Robert J Poprovsky

Late of: Butler PA
Executor: Joyce Lamison
1302 Litman Grove Lane
Butler PA 16001
Attorney: Nathan C Platt
Stepanian & Muscatello LLP
222 South Main Street
Butler PA 16001

BCLJ: July 6, 13 & 20, 2012

SECOND PUBLICATION**Estate of: Ruby Aiken Badger**

Late of: Muddycreek Township PA
Executor: Sandra B Phillips
271 West Park Road
Portersville PA 16051
Attorney: Samantha M Moyer
The Linn Law Group LLC
POB 1554 228 South Main St
Butler PA 16001

Estate of: Donna M Ritz Carper

Late of: Cranberry Township PA
Executor: Christopher Ritz
3572 Huntertown Road
Allison Park PA 15101
Attorney: Andrea C Parenti
Dillon McCandless King
Coulter & Graham LLP
128 West Cunningham Street
Butler PA 16001

Estate of: Richard Duffy**a/k/a: Richard Charles Duffy**

Late of: Saxonburg PA
Executor: Judy Duffy
655 Saxonburg Blvd
Saxonburg PA 16056
Attorney: Michael P Robb
707 Grant St Suite 3626
Pittsburgh PA 15219

Estate of: Anne Fedokovitz**a/k/a: Anne Prokop Fedokovitz**

Late of: Butler PA
Executor: Paula Worsley
492 South Eberhart Road
Butler PA 16001
Attorney: James P Coulter
Dillon McCandless King
Coulter & Graham LLP
128 West Cunningham Street
Butler PA 16001

Estate of: Charles H Frain

Late of: Jefferson Township PA
Executor: Carol Livingston
586 Great Belt Road
Butler PA 16002
Attorney: Michael D Gallagher
Murrin Taylor Flach Gallagher & May
110 East Diamond Street
Butler PA 16001

Estate of: Judith A Jeffries

Late of: Lancaster Township PA
Executor: Mark W Jeffries
171 Camp Run Road
Harmony PA 16037
Attorney: Philip P Lope
Lope Casker & Casker
207 East Grandview Avenue
Zelienople PA 16063

Estate of: Margery L Kruiise**a/k/a: Margery Louise Seybert Kruiise**

Late of: Center Township PA
Executor: Brenda E Lewis
11750 Shady Avenue
Conneaut Lake PA 16316
Attorney: Mary Jo Dillon

Dillon McCandless King
Coulter & Graham LLP
128 West Cunningham Street
Butler PA 16001

Estate of: Jean Yeager Love

Late of: Zelienople PA
Executor: John Husak
4480 Mt Royal Blvd
Apartment 305
Allison Park PA 15101
Attorney: Sara A Mercer
Thorp Reep & Armstrong LLP
One Oxford Centre 14th Floor
301 Grant St
Pittsburgh PA 15219

Estate of: Timothy C Miller

Late of: Adams Township PA
Executor: Kimberly A Miller
235 Downieville Road
Valencia PA 16059
Attorney: Nathan C Platt
Stepanian & Muscatello LLP
222 South Main Street
Butler PA 16001

Estate of: Charles F Myers

Late of: Buffalo Township PA
Administrator: Laurette Fraser Myers
322 North Pike Rd
Sarver PA 16055
Attorney: None

Estate of: Mildred T Neigh

Late of: Summit Township PA
Executor: Mary Catherine Laughlin
328 North Duffy Road
Butler PA 16001
Executor: James Neigh
287 St Wendelin Road
Butler PA 16002
Attorney: Murray S Shapiro
101 East Diamond Street
Suite 202
Butler PA 16001

Estate of: Monica Ramsbottom

Late of: Butler PA
Executor: Linda Ramsbottom
207 Cecelia Street
Butler PA 16001
Executor: Kimberly McPheron
383 Chicora Road
Butler PA 16001
Attorney: Charles J Jacques III
2125 Freeport Road
Natrona Heights PA 15065

Estate of: Terry Albert Solla

Late of: Oakland Township PA
Executor: Jennifer Lynn Randall
1450 Birch Lane
Perkesie PA 18944
Attorney: Jarett R Smith
109 North Main Street
Coudersport PA 16915

Estate of: Annette T Sudano

Late of: Muddycreek Township PA
Executor: Ross F Sudano
104 Robbie Way
Portersville PA 16051
Attorney: Gene G Dimeo
120 Fourth St
Ellwood City PA 16117

Estate of: Charmaine M Zielinski**a/k/a: Charmaine Zielinski**

Late of: Butler PA
Executor: Judith A Rutkowski
6120 Monroe Rd
Butler PA 16002
Attorney: J. Stevenson Suess
318 West Cunningham Street
Butler PA 16001

BCLJ: June 29 & July 6 & 13, 2012

THIRD PUBLICATION

Estate of: Maxine Bauldoff**a/k/a: Maxine E Bauldoff**

Late of: Chicora PA
Administrator: Larry Angert
2157 Old Route 422 East
Butler PA 16002
Administrator: Victor J Bauldoff Jr
116 Matthew Lane
Chicora PA 16025
Administrator: Debora Morrow
308 Hemlock Road
Petrolia PA 16050
Administrator: Karen S Rea
193 Rattigan Road
Chicora PA 16025
Administrator: Frank Angert
442 Chicora Fenelton Road
Chicora PA 16025
Attorney: Michael J Pater
101 East Diamond Street
Suite 202
Butler PA 16001

Estate of: Peter Burnett

Late of: Adams Township PA
Executor: Kay McCandless
4101 Senate Court
Valencia PA 16059
Attorney: James P Coulter
Dillon McCandless King
Coulter & Graham LLP
128 West Cunningham Street
Butler PA 16001

Estate of: John L Byers

Late of: Cranberry Township PA
Executor: Stephen J Byers
219 Lucille St
Glenshaw PA 15116-2032
Attorney: Michael A Wallisch
310 Grant Street
Grant Building Ste 2317
Pittsburgh PA 15219

Estate of: Emagene Doran

Late of: Seven Fields PA
Executor: Edward T Doran III
474 Prospect Road
Evans City PA 16033
Attorney: James E Deasy
Morella & Associates PC
706 Rochester Road
Pittsburgh PA 15237

Estate of: James G Fabert

Late of: Adams Township PA
Executor: Jaime N Doherty
210 Windham Lane
Mars PA 16046
Attorney: Wendy Denton Heleen
Goehring Rutter & Boehm
2100 Georgetowne Drive Suite 300
Sewickley PA 15143

Estate of: Irene M Keefer

Late of: Butler PA
Executor: Scott H Keefer
7484 Black Forrest Drive
Dexter MI 48130
Attorney: Thomas J May
Murrin Taylor Flach Gallagher & May
110 East Diamond Street
Butler PA 16001

Estate of: Lawrence J Kunder**a/k/a: Larry J Kunder**

Late of: Zelienople PA
Executor: Candy R Kunder
158 Oakdale Drive
Zelienople PA 16063
Attorney: Raymond P Parker
Williams Coulson
One Gateway Center 16th Floor
420 Fort Duquesne Blvd
Pittsburgh PA 15222

Estate of: George K Mourer

Late of: Chicora PA
 Executor: Marilyn L Mourer
 147 Garing Road
 Chicora PA 16025
 Attorney: Joseph M Kecskemethy
 101 East Diamond Street Suite 204
 Butler PA 16001

Estate of: Margaret M Stahl

Late of: Butler PA
 Executor: Jack E Stahl
 POB 264
 Butler PA 16003
 Attorney: Mary Jo Dillon
 Dillon McCandless King
 Coulter & Graham LLP
 128 West Cunningham Street
 Butler PA 16001

Estate of: Dianna F Watt

Late of: Buffalo Township PA
 Administrator: John D Watt Jr
 701 Sarver Road
 Sarver PA 16055
 Attorney: Gerald G DeAngelis
 512 Market Street POB 309
 Freeport PA 16229

Estate of: Lillian G Wymer

Late of: Butler PA
 Executor: Randal L Wymer
 112 Blackthorn Drive
 Butler PA 16002
 Attorney: Gwilym A Price III
 129 South McKean Street
 Butler PA 16001-6029

BCLJ: June 22, 29 & July 6, 2012

MORTGAGES

June 11 - June 15, 2012

1st name-Mortgagor

2nd name-Mortgagee

Allison, R. Justin, et al - PNC Bk Natl Assn
 - Butler Twp., Wd. 6 - \$125,897.00

Amoruso, Frank J. - American Fin Mtg Corp
 - Cranberry Twp. - \$314,105.00

Anderson, Matthew D. - Northwest Sav Bk
 - Jefferson Twp. - \$47,878.00

Angiulli, Alayna - Federated Mtg Corp, et al
 - Cranberry Twp. - \$109,800.00

Archer, Michael E., et al - Citizens Bk of Pa
 - Winfield Twp. - \$50,000.00

Bair, Kimberly R. - S&T Bank - Butler City,
 Wd. 4 - \$75,660.00

Barnes, Christopher L., et al - PNC Bk Natl
 Assn - Butler Twp., Wd. 6 - \$140,000.00

Beisel, Shannon L. - Dollar Bk Fed Sav Bk -
 Seven Fields Borough - \$50,000.00

Beiter, Christopher K., et ux - Sail Mtg Corp,
 et al - Cranberry Twp. - \$142,000.00

Bell, Bradley Colin, et al - Howard Hanna
 Mtg Servs - Seven Fields Borough -
 \$355,500.00

Bennett, Michael D. - Everbank, et al - Adams
 Twp. - \$397,900.00

Berger, Douglas D. - PNC Bk Natl Assn -
 Seven Fields Borough - \$15,000.00

Bernot, Paul S. - Butler Armco Emp Cred
 Un - Cranberry Twp. - \$125,400.00

Bilowick, George C., et al - Mars Natl Bk -
 Penn Twp. - \$16,000.00

Binder, Joshua M., et ux - Sail Mtg Corp, et
 al - Cranberry Twp. - \$133,000.00

Birckbichler, Lawrence R., Jr., et al - PNC
 Bk Natl Assn - Butler Twp. - \$75,000.00

Bloom, Drew D. - James W. Moser, et ux -
 Winfield Twp. - \$40,000.00

Bogacki, Gregory P. - Bank of America NA
 - Butler Twp. - \$87,904.00

Boronyak, Dean, et ux - Provident Funding
 Group Inc, et al - Adams Twp. - \$301,000.00

Boyd, Douglas E., et al - Northwest Sav Bk
 - Jackson Twp. - \$23,000.00

Brandenburg, Linda L., aka - Butler Armco
 Emp Cred Un - Penn Twp. - \$90,000.00

Brasili, Mark R., et ux - Pleasant Valley
 Home Mtg Corp, et al - Jefferson Twp. -
 \$120,000.00

Bronson, Alysia B., aka - Bank of England,
 et al - Cranberry Twp. - \$108,974.00

Brooks, Joel D., et ux - Quicken Loans Inc,
 et al - Mars Borough - \$122,790.00

Brooks, Michael J., et ux - Nextier Bk NA -
 Adams Twp. - \$47,000.00

Burley, Andrew, Jr. - Bank of America NA, et
 al - Cranberry Twp. - \$280,068.00

Caltagirone, Eric J. - PNC Bk Natl Assn -
 Cranberry Twp. - \$69,677.88

Campbell, James E., et al - Butler Armco
 Emp Cred Un - Clay Twp. - \$63,025.67

Carothers, Ann L. - First Niagara Bk NA -
 Jackson Twp. - \$50,000.00

Casper, Patrick B., et al - NVR Mtg Fin Inc,
 et al - Cranberry Twp. - \$207,454.00

Chase V Holdings LLC, et al - Brentwood
 Bk - Adams Twp. - \$200,000.00

Chidester, Robert L., et al - PNC Bk Natl
 Assn - Cherry Twp. - \$104,000.00

Christie, Douglas P., et al - Butler Armco
 Emp Cred Un - Donegal Twp. - \$134,000.00

Coble, Travis S., et al - PSECU - Cranberry
 Twp. - \$47,550.00

Maliha Kokan, Citizens Bank, Garnishee:
12-30216

P.O.U. Partners, LLC and One Source Water
vs. **Lakevue Athletic Club:** 12-30219

Bank of America, NA vs. **Patricia A. Lindey**
aka Patty A. Lindey and Laverne J.
Lindey: 12-30212

Flagstar Bank FSB vs. **Melanie Petridis and**
George Petridis: 12-30208

Bank of New York Mellon vs. **Jeffrey S.**
Pollock: 12-30204

Penneco Outdoor Advertising vs. **Mr. Rooter**
Plumbing: 12-30205

PHH Mortgage Corp. vs. **Madonna G. Rush:**
12-30210

Bank of America, NA vs. **Joshua W. Sherman**
and Gretchen R. Gisbon: 12-30206

HSBC Bank USA National Association vs.
Dolores J. Viviano, Michael A. Viviano
and United States of America: 12-30218

Nationstar Mortgage, LLC vs. **Robert Yusko**
and Cynthia Yusko: 12-30207

DIVORCES

Week ending June 29, 2012

1 st Name-Plaintiff
2nd Name-Defendant

Gary P. Lang, Jr. vs. **Christine M. Lang:**
Elizabeth A. Smith, Esq.: 12-90435:

Heather Marie Lasch vs. **Brian Michael**
Lasch: Atty - None: 12-90426

Tennille E. Marie vs. **Larry R. Marie, Jr. H.**
William White, III, Esq. 12-90434

Laurie A. McDonough vs. **William C.**
McDonough: Joseph M. Kecskemethy,
Esq.: 12-90432

Cynthia M. Paras vs. **Daniel A. Paras:** Cathy
S. Boyer, Esq.: 12-90429

Tiffany L. Radwanski vs. **Darin A. Radwanski:**
Mildred B. Sweeney, Esq.: 12-90431

Lita Uy vs. **Theodore Uy:** Michael S. Lazaroff,
Esq.: 12-90438

LEGAL NOTICE

NOTICE IS HEREBY GIVEN, that a Certificate of Organization-Domestic Limited Liability Company has been filed with the Department of State in the Commonwealth of Pennsylvania, with respect to a Limited Liability Company, which has been organized under the provisions of the Limited Liability Company Law of 1994 as amended. The name of the Limited Liability Company is **Braham Family, LLC** and it was organized June 19, 2012.

S.R. LAW, LLC
Ronald W. Coyer, Esquire
631 Kelly Blvd., P.O. Box 67
Slippery Rock, PA 16057

BCLJ: July 6, 2012

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that an Application For Registration of Articles of Incorporation - Domestic Nonprofit Corporation has been filed with the Department of State in the Commonwealth of Pennsylvania, with respect to incorporating a domestic nonprofit corporation which has been registered in compliance with the requirements of 15 Pa.C.S. § 5306. The name of the domestic nonprofit corporation is **Slippery Rock Rotary Foundation, Inc.**, and it was organized on April 1, 2012.

JENNIFER R. LINN, ESQUIRE
THE LINN LAW GROUP, LLC
228 SOUTH MAIN STREET
P.O. BOX 1554
BUTLER, PA 16001

BCLJ: July 6, 2012

ARTICLES OF INCORPORATION

BARGER'S DISTRIBUTING, INC. has been incorporated under the provisions of the Pennsylvania Business Corporation Law of 1988 .

Matthew E. Fischer, Esquire
114 West Cunningham Street
Butler, PA 16001

BCLJ: July 6, 2012

**COURT OF COMMON PLEAS
BUTLER COUNTY****Number AD 09-12046****CIVIL ACTION LAW**

BAC Home Loans Servicing, LP fka Country-
wide Home Loans Servicing LP

v.

Jon Ward**NOTICE OF SHERIFF'S SALE
OF REAL PROPERTY**

To: Jon Ward
16 Burke Road
Cranberry Township,
Pennsylvania 16066

Jon Ward
8676 Peters Road
Cranberry Township,
Pennsylvania 16066

Your house (real estate) at 8608 Peters Road, Cranberry Twnshp, Pennsylvania 16066 is scheduled to be sold at Sheriff's Sale on September 21, 2012 at 10:00 a.m. at the Butler County Courthouse, South Main Street, Butler, Pennsylvania 16001 to enforce the court judgment of \$242,851.77 obtained by BAC Home Loans Servicing, LP fka Countrywide Home Loans Servicing LP against you.

**NOTICE OF OWNER'S RIGHTS
YOU MAY BE ABLE TO
PREVENT THIS SHERIFF'S SALE**

To prevent this Sheriff's Sale you must take immediate action:

1. The sale will be canceled if you pay to BAC Home Loans Servicing, LP fka Countrywide Home Loans Servicing LP the back payments, late charges, costs, and reasonable attorney's fees due. To find out how much you must pay, you may call McCabe, Weisberg and Conway, P.C., Esquire at (215) 790-1010.
2. You may be able to stop the sale by filing a petition asking the Court to strike or open the judgment, if the judgment was improperly entered. **You may also ask** the Court to postpone the sale for good cause.

3. You may also be able to stop the sale through other legal proceedings.

You may need an attorney to assert your rights. The sooner you contact one, the more chance you will have of stopping the sale. (See the following notice on how to obtain an attorney.)

**YOU MAY STILL BE ABLE TO SAVE YOUR
PROPERTY AND YOU HAVE OTHER
RIGHTS EVEN IF THE SHERIFF'S SALE
DOES TAKE PLACE**

1. If the Sheriff's Sale is not stopped, your property will be sold to the highest bidder. You may find out the price bid by calling McCabe, Weisberg and Conway, P.C., Esquire at (215) 790-1010.
2. You may be able to petition the Court to set aside the sale if the bid price was grossly inadequate compared to the value of your property.
3. The sale will go through only if the buyer pays the Sheriff the full amount due on the sale. To find out if this has happened, you may call McCabe, Weisberg and Conway, P.C. at (215) 790-1010.
4. If the amount due from the buyer is not paid to the Sheriff, you will remain the owner of the property as if the sale never happened.
5. You have a right to remain in the property until the full amount due is paid to the Sheriff and the Sheriff gives a deed to the buyer. At that time, the buyer may bring legal proceedings to evict you.
6. You may be entitled to a share of the money which was paid for your real estate. A schedule of distribution of the money bid for your real estate will be filed by the Sheriff within thirty (30) days of the sale. This schedule will state who will be receiving that money. The money will be paid out in accordance with this schedule unless exceptions (reasons why the proposed schedule of distribution is wrong) are filed with the Sheriff within ten (10) days after the posting of the schedule of distribution.
7. You may also have other rights and defenses, or ways of getting your real estate back, if you act immediately after the sale.

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.

LAWYER REFERRAL SERVICE
Glenna M. Walters, Prothonotary
Butler County Courthouse
First Floor, County Courthouse
300 South Main Street
Butler, Pennsylvania 16003
(724) 284-5214

ASSOCIATION DE LICENCIADOS
Glenna M. Walters, Prothonotary
Butler County Courthouse
First Floor, County Courthouse
300 South Main Street
Butler, Pennsylvania 16003
(724) 284-5214

McCABE, WEISBERG AND CONWAY, P.C.
BY: TERENCE J. McCABE, ESQUIRE
- ID # 16496

Attorneys for Plaintiff
MARC S. WEISBERG, ESQUIRE
- ID # 17616

EDWARD D. CONWAY, ESQUIRE
- ID # 34687

MARGARET GAIRO, ESQUIRE
- ID # 34419

ANDREW L. MARKOWITZ, ESQUIRE
- ID # 28009

HEIDI R. SPIVAK, ESQUIRE
- ID # 74770

MARISA J. COHEN, ESQUIRE
- ID # 87830

KEVIN T. McQUAIL, ESQUIRE
- ID # 307169

CHRISTINE L. GRAHAM, ESQUIRE
- ID # 309480

BRIAN T. LaMANNA, ESQUIRE
- ID # 310321

123 South Broad Street, Suite 2080
Philadelphia, Pennsylvania 19109
(215) 790-1010

BCLJ: July 6, 2012

You are invited to attend

INTRODUCTION TO LAWYERING IN THE COURT OF COMMON PLEAS *

**PRESENTED BY:
THE BUTLER COUNTY
COURT OF COMMON PLEAS,
IN CONJUNCTION WITH
THE BUTLER COUNTY
BAR ASSOCIATION**

The program objectives are to orient newer attorneys and law students, to present guidance concerning effective and efficient court practice techniques, and to ease transition to practicing within the Courts of Common Pleas.

The program will provide an overview of the various court offices' functions, procedures and expectations, including advice, (do's and don'ts), for effective attorney performance.

There will also be opportunities for observation of relevant court proceedings.

Monday - Friday

July 30, 31 August 1-3, 2012

9:00 - 4:00

**Contact Bobbi Jo Wagner,
Deputy Court Administrator**

724.284.5200

REGISTER'S NOTICE

I, **Judith Moser**, Register of Wills and Clerk of Orphans' Court of Butler County Pennsylvania, do hereby give Notice that the following Accounts of Personal Representatives/Trustees/Guardians have been filed in my office, accorpdng to law, and will be presented to Court for confirmation and allowances on **Monday, July 9, at 1:30 PM** (prevailing time) of said day.

ESTATE OF:	PERSONAL REPRESENTATIVE	FILED
COOKE, Ann Lucille	Sandra Hare	05/02/12
FITCH, Virginia.....	Susan G. Thomas	05/08/12
KLEVER, Ronald Harold A/K/A KLEVER, Ronald H, A/K/A KLEVER, Ronald	Jessica Toth	05/04/12
MICHAEL, Elmer J.....	Jennifer Mignanelli	05/18/12
MORGAN, Dorothy E.....	Susan Morgan.....	05/17/12
PHILLIPS, Irene C.	Brian A. Synan, Matthew D. Phillips	05/18/12

BCLJ: June 29 & July 6, 2012

RECENT OPINION SUMMARIES

**Baker v. Wolrpel Trucking, Inc. v. Gavern,
A.D. 10-10992 (2012)**

In order to sustain a claim that a vehicle driver was negligent in failing to provide sufficient warning to other drivers of debris on the road, the Plaintiff must produce evidence that Defendant knew or should have known there was debris on the highway and then failed to warn approaching drivers of the hazard. *Keefer v. Cafaro*, F.C. 05-90806-D (2011) In making an award of equitable distribution, the Court shall consider the situation and assets of the parties at the time of distribution and not at the time immediately prior to the death of one of the parties.

**Duckstein v. Schrecengost,
A.D. 03-1005 (2011)**

In determining damages, the fact-finder must assess the testimony, by weighing the evidence and determining its credibility, and by accepting or rejecting the estimates of the damages given by the witnesses. Although justice and public policy require that the wrongdoer bear the risk of Imcertainty which his own wrong has created and which prevents precise computation of damages, the fact finder still may not render a verdict based on speculation or guesswork.

**JRAD Ventures, LLC v. Jackson Township Zoning Hearing Board,
A.D. 11-10643 (2012)**

According to 53 P.S. § 11003-A.(d), a court appeal from a land use decision does not automatically stay the decision from which the appeal is taken, although the appellants may petition for the court for a stay; however, the statute provides that only an appel/ant in a land use appeal has the ability to petition for a stay.

**Kelly v. PPR Realty, Inc., et al.,
A.D. 11-1 0388 (2011)**

Innocent misrepresentation of material fact claims have been used to cancel real estate transactions in situations where the transaction itself was based on misrepresentation; however, there are no cases in the Commonwealth of Pennsylvania wherein the court has allowed an innocent misrepresentation to constitute the basis to award monetary damages to a Plaintiff.

**Meredith v. Steel Dynamics, Inc. et al,
A.D. 11-10554 (2012)**

A state may exercise in personam jurisdiction over a nonresident defendant based either upon the specific acts of the defendant that gave rise to the cause of action or upon the defendant's general activity within the state. In order for a Pennsylvania court to assert specific jurisdiction, the cause of action must arise out of the defendant's particular acts or activities within Pennsylvania. General jurisdiction, on the other hand, exists regardless of whether the cause of action is related to the defendant's activities in the Commonwealth, as long as the defendant's activities are continuous and substantial, or continuous and systematic.

**Narmini v. Jackson Township, et al,
A.D. 07-10797 (2011)**

Under the Pennsylvania Political Subdivision Tort Claims Act, a local agency, or an employee thereof, acting within the scope of his office or duties, shall not "be liable for any damages on account of any injury to a person or property caused by any act of the local agency or an employee or any other person." Moreover, local agencies are not liable for injuries caused by their own acts or the acts of their employees that constitute a "crime, actual fraud, malice, or willful misconduct." 42 Pa.C.S.A. § 8542(a).

**Sieminski v. Monongahela Power Co., Et. Al.,
A.D. 08-12265 (2012)**

In the absence of direct evidence, the opinion of an expert is not sufficient to create a genuine issue of material fact to overcome summary judgment. Failure of a non-moving party to adduce sufficient evidence on an issue essential to his case and on which it bears the burden of proof ... establishes the entitlement of the moving party to judgment as a matter of law.

**Winteres v. NVR, Inc. tla Ryan Homes,
A.D. 09-11572 (2012)**

The inclusion of a disclaimer in a document that the document is an estimate only and not a warranty upon which a negligent misrepresentation claim is based contradicts a plaintiff's assertion of justifiable reliance on representations within said document.

BCLJ: July 6, 2012

New Recorder Fees - Butler County Recorder of Deeds

PLEASE NOTE - Effective July 1, 2012

New Recording Fees - Butler County Pennsylvania Recorder of Deeds

Phone Number: 724-284-5340

All documents below will be affected; all others not specifically noted will remain the same (current) fee.

Deeds	Current Base Fee	Fee Increase	NEW BASE FEE* EFFECTIVE July 1, 2012
WARRANTY DEED	\$52.00	\$3.00	\$55.00
ADMINSTRATORS DEED	\$52.00	\$3.00	\$55.00
EXECUTORS DEED	\$52.00	\$3.00	\$55.00
CORRECTION DEED	\$52.00	\$3.00	\$55.00
SHERIFF DEED	\$52.00	\$3.00	\$55.00
RE-RECORDED DEED	\$52.00	\$3.00	\$55.00
QUIT CLAIM DEED	\$52.00	\$3.00	\$55.00
MINERAL DEED	\$52.00	\$3.00	\$55.00
RIGHT OF WAY	\$52.00	\$3.00	\$55.00
EASEMENT	\$52.00	\$3.00	\$55.00
DECREE OF DISTRIBUTION	\$52.00	\$3.00	\$55.00
REDETERMINATION OF STATE REALTY TAX	\$52.00	\$3.00	\$55.00
TAX CLAIM DEED	\$52.00	\$3.00	\$55.00

Mortgages and Related Documents

MORTGAGE GENERAL	\$52.00	\$3.00	\$55.00
MTG. & SECURITY AGREEMENT	\$52.00	\$3.00	\$55.00
FIRST INDENTURE	\$52.00	\$3.00	\$55.00
RE-RECORDED MORTGAGE	\$54.00	\$3.00	\$57.00
CORRECTION TO MTG.	\$54.00	\$3.00	\$57.00
FHA/VA MORTGAGE	\$52.00	\$3.00	\$55.00

*STANDARD DOCUMENT INCLUDES: 4 names, 4 pages

Additional fees*:

Pages – each after 4, \$2.00 per page

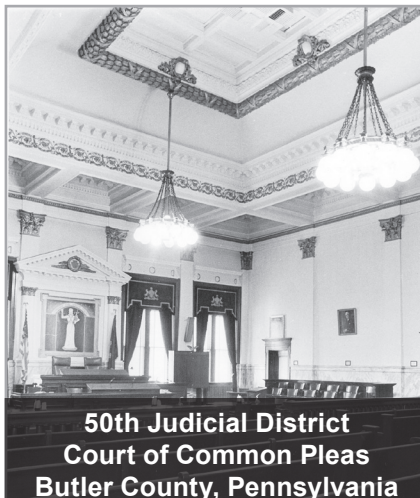
Names – each after 4, 1.00 per name

Parcels - Deed/Mortgage only – each after 1, 0.50 per parcel

Notations – each additional 2.00 per note

(Some doc types have a built-in notation already in the fee.)

*Unless otherwise noted, these additional fees must be added to a document that exceeds the standard document name and page count.



2012 Motion Court Calendar

(Except when otherwise noted, number after date indicates court room where hearing will be conducted)

MOTION COURT

Judge Doerr	Family	Tuesday	1:30 pm (1)
Judge Horan	Civil	Wednesday	9:00 am (4)
Judge Yeager	Civil	Thursday	9:00 am (3)
Judge Streib	Family	Thursday	1:30 pm (1)

* Judge Horan's MOTION COURT for Wednesday, July 18th, 2012 is cancelled.

* Judge Streib's MOTION COURT for Thursday, July 19th, 2012 is cancelled.

* Judge Horan's MOTION COURT for Wednesday, July 25th, 2012 is cancelled.

* Judge Streib's MOTION COURT for Thursday, July 26th, 2012 is cancelled.

* Judge Yeager's MOTION COURT for Thursday, August 9th, 2012 is cancelled however Judge Yeager will hold MOTION COURT on Monday, August 13th, 2012 at 1:00 p.m.

Any EMERGENCY motions should be brought to Court Administration.

For up to date calendar changes, please check any of the bulletin boards conveniently located throughout the Government/Judicial Center or go to www.co.butler.pa.us

Court Holidays

May 28, 2012	Memorial Day
June 14, 2012	Flag Day
July 4, 2012	Independence Day
September 3, 2012	Labor Day
October 8, 2012	Columbus Day
November 12, 2012	Veterans' Day
November 22, 2012	Thanksgiving Day
November 23, 2012	Day After Thanksgiving
December 25, 2012	Christmas Day