



**Chester  
County  
Bar  
Association**

# **Chester County Law Reporter**

(USPS 102-900)

*The Official Legal Publication for Chester County*

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Vol. 60

WEST CHESTER, PENNSYLVANIA, AUGUST 16, 2012

No. 33

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# Chester County Law Reporter

(USPS 102-900)

*Reporting the Decisions of the Divisions of the Court of the Fifteenth Judicial District of Pennsylvania,  
Composed of Chester County, Officially Designated by the Rule Thereof as the Legal Periodical for the  
Publication of Legal Notices*

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Subscription Rate \$50.00 for CCBA Members; \$70.00 for Nonmembers CCBA

Periodicals Postage Paid at West Chester, Pennsylvania

POSTMASTER: Send address changes to

Chester County Law Reporter, 15 West Gay Street, 2nd Floor, West Chester, PA 19380

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**Estate of Griggs**

Estate – Accounting – Standing – Power of attorney

The decedent's widow petitioned for an accounting from the agent appointed in the decedent's power of attorney. Because any inquiry into the alleged misuse of a power of attorney is to be made by the person who granted the power, or by the executor of his estate, and not by a beneficiary whose interest was hurt by its exercise and only the personal representative of a deceased party in interest stands in the shoes of such decedent, not legatees, spouses or next of kin, upon consideration of the preliminary objections of respondent, the Court Held said objections were sustained and the petition dismissed.

R.E.M.

C.C.P. Chester County, PA Orphan's Court Division No. 1512-0953; In Re: Estate of Paul D. Griggs, Deceased

Matthew W. Holt for petitioner Charlotte N. Griggs  
Karl Prior for respondent Michael F. Rogers  
Sarah M. Ford and Joseph P. McDonald for Nancy Sheil  
Tunnell, J., July 19, 2012:-

IN THE COURT OF COMMON PLEAS, CHESTER COUNTY, PENNSYLVANIA  
ORPHANS' COURT DIVISIONIN RE: ESTATE OF PAUL D. GRIGGS, Deceased  
NO. 1512-0953

*Matthew W. Holt, Esquire, for petitioner, Charlotte N. Griggs*  
*Karl Prior, Esquire, for respondent, Michael F. Rogers*  
*Sarah M. Ford, Esquire and Joseph P. McDonald, Esquire, for respondent, Nancy Sheil*

**OPINION**

Does the widow of a decedent have standing to compel an account from the agent appointed in the decedent's power of attorney?

The court holds that the widow does not, and sustains the agent's preliminary objections accordingly.

This will contest was initiated by Charlotte N. Griggs, the widow of Paul D. Griggs. She alleges that the decedent, at a time when his mental health was in decline, came under the undue influence of another woman, respondent Nancy Sheil. As the result, it is alleged that respondent Sheil was able to assume total control over the decedent's financial affairs, was appointed his agent under a power of attorney, and became his residuary beneficiary of an \$8,000,000 estate.

Charlotte N. Griggs now petitions this court to compel Nancy Sheil to file an account detailing the transactions that Ms. Sheil undertook while acting as agent under a power of attorney for Paul D. Griggs.

The decedent, Paul D. Griggs, died December 9, 2010. Mr. and Mrs. Griggs were married for 52 years. In the last ten years of his life, the decedent suffered from various medical infirmities, allegedly including significant deterioration in his mental health. Around 2007, the couple relocated to a planned community in Phoenixville. This was to serve as their retirement residence and brought them closer to their son Jason and their grandchildren.

Nancy Sheil, respondent, lived a few doors away. She befriended Paul D. Griggs. Nancy Sheil allegedly utilized undue influence and took advantage of the decedent.

On July 2, 2008, decedent executed a will in which he gave all of his tangible personal property to his friend, Nancy Sheil, and disposed of the residue of his estate through a contemporaneously created revocable trust. Under the trust provisions, Ms. Sheil is to receive two million dollars and a residence. On or about December 7, 2009, Paul D. Griggs appointed Nancy Sheil as his agent under a power of attorney.

Letters testamentary were issued to Michael F. Rogers.

Ms. Sheil objects to the petition of Charlotte Griggs to compel her to file

an account of all the transactions in connection with the decedent's power of attorney.

Pennsylvania courts have concluded that any inquiry into the alleged misuse of a power of attorney is to be made by the person who granted the power, or by the executor of his estate, and not by a beneficiary whose interest was hurt by its exercise. *Golub Trust*, 27 Fid. Rep. 2d 260, 265 (O.C. Philadelphia Co. 2006). If an agent breaches the fiduciary obligation owed to the principal, the principal himself, or after the principal's death his personal representative, may proceed to hold the agent accountable. *Rosewater Estate*, 25 Fid. Rep. 2d 83, 85 (O.C. Montgomery Co. 2005).

In *Rosewater*, the petitioners were the stepsons of the decedent Edward. They challenged Edward's withdrawal, co-signed by his agents, of all the assets in a martial trust established by Edward's late wife. Petitioners alleged that Edward was not of sound mind and was subject to undue influence by his agents at the time of the withdrawal. The court framed the issue as "whether petitioners, remaindermen under the regular martial trust..., have standing to challenge the actions of Edward's agents in exercising Edwards's power of withdrawal?" The court answered this question in one word, "*no*", because the agents owed no fiduciary obligation to petitioners. Any alleged claim of breach of fiduciary duty by the agents rested solely with Edward's executors. The court concluded that "the petitioners lack a 'substantial, direct and immediate' interest in any dispute over whether the agents acted appropriately by directing the withdrawal of these funds," *Rosewater Estate*, 25 Fid. Rep. 2d 83, 84-85 (O.C. Montgomery Co. 2005).

Similar cases alleging breaches of fiduciary duties and seeking an account have met with the same result. Perhaps the leading case remains *Kilpatrick's Estate*, 368 Pa. 399, 402, 84 A.2d 339 (1951). The petitioner was the surviving spouse and beneficiary of his deceased wife's estate which had a claim against the Kilpatrick estate. Although he was not the personal representative of his wife's estate, he sought an accounting from the Kilpatrick estate because of an allegedly fraudulent failure to account for some of his late wife's assets. The Supreme Court held that "her estate is represented by a qualified and acting administrator who alone has the right to sue in its behalf." 368 Pa., at 402. The Supreme Court went on to state that "(i)t is well settled that one having no direct interest in an estate cannot demand an account, or, when an account is filed, interfere in its settlement or in any proceeding based upon it", *Id.*

Charlotte Griggs is a beneficiary of a revocable trust established under the will of Paul D. Griggs. She also has the right to an elective share of her late husband's estate. In either capacity, she remains a beneficiary. In the face of the above authorities, it is unavailing to argue that she should be able to compel an account because if misuse is detected, her widow's share in the estate might be augmented. The same argument was made by the petitioner in *Kilpatrick's Estate*, *supra*. He averred that as surviving husband of his wife's estate, even if the will was not

upheld, he would nevertheless be entitled to share as the surviving spouse under the intestate laws. He urged that he ought to have standing on that basis. The Supreme Court, quoting with approval from the opinion of the president judge of the Orphans' Court Division, responded that "it is true that a successful prosecution of his claim would result in an increase of that estate and hence of the estate of his deceased wife, but her estate is represented by a qualified and acting administrator who alone has the right to sue in its behalf." 368 Pa. at 402.

In sum, only the personal representative of a deceased party in interest stands in the shoes of such decedent. Legatees, spouses or next of kin of that decedent really have no such interest. *In re Kilpatrick's Estate*, 368 Pa. at 402, 84 A.2d at 340-341 (1951). *See also, Deeble v. Houser*, 37 Luzerne Leg. Reg. (1943).

Because Michael F. Rogers has been named the executor and successor trustee, he is the appropriate party to bring any petition ordering an accounting by the respondent, Nancy Sheil. For these reasons, this court must dismiss the petition of Charlotte Griggs seeking to compel an agent's account.

An appropriate order follows.

BY THE COURT:

[July 19, 2012]

/s/ Mark L. Tunnell, J.

IN THE COURT OF COMMON PLEAS, CHESTER COUNTY, PENNSYLVANIA  
ORPHANS' COURT DIVISION

IN RE: ESTATE OF PAUL D. GRIGGS, Deceased  
NO. 1512-0953

**DECREE**

AND NOW, this 13th day of July, 2012, upon consideration of the preliminary objections of Respondent, Nancy Sheil, to the Petition to Compel Agent's Account, it is hereby ORDERED and DECREED that said objections are sustained and the Petition is DISMISSED.

The petitioner, Charlotte Griggs, a beneficiary, does not have the requisite standing to demand an accounting by the Respondent, Nancy Sheil, the agent appointed in a power of attorney by decedent, Paul D. Griggs.

BY THE COURT:

/s/ Mark L. Tunnell, J.

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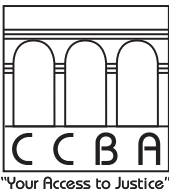


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**CORPORATION NOTICE**

Notice is hereby given that Articles of Incorporation have been filed with the Department of the Commonwealth of Pennsylvania on 8/3/2012 under the Domestic Business Corporation Law, for MAVS Development Corporation, and the addr. of the registered office is 330 Lancaster Ave., Malvern, PA 19355.

---

**CORPORATION NOTICE**

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania on July 3, 2012 for Veterinary Hospital of Morrisville, P.C., in accordance with the provisions of the Pennsylvania Business Corporation Law of 1988.

The purpose or purposes for which it was organized are: Professional veterinary services and all other lawful activity.

KALOGREDIS, SANSWEET, DEARDEN

AND BURKE, LTD., Solicitors

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Wayne, PA 19087

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**CORPORATION NOTICE**

NOTICE IS HEREBY GIVEN that Articles of Incorporation have been filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania, for the purpose of obtaining a Certificate of Incorporation pursuant to the provisions of the Business Corporation Law of 1988.

The name of the corporation is Brinker Insurance Agency, Inc.

Articles of Incorporation were filed on July 16, 2012.

The purpose or purposes the corporation has been organized are: to engage in the manufacture and distribution of compound pharmacy products and to engage in business lawful under the Business Corporation Law of 1988.

WAYNE W. CONGAR, Solicitor

1548 McDaniel Drive

Westtown Business Center

West Chester, PA 19380-7028

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**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**

**ALLEN**, Handy W., late of Phoenixville. Pearlina Allen, 348 Nutt Road, Phoenixville, PA 19460, Administrator.

**ARTUS**, Gail A., late of West Caln Township. Frank E. Witman, Jr., care of JANIS M. SMITH, Esquire, 428 West First Avenue, Suite C, Parkesburg, PA 19365, Executor. JANIS M. SMITH, Esquire, 428 West First Avenue, Suite C, Parkesburg, PA 19365, atty.

**BISNOW**, Ruth B., a/k/a Ruth Bisnow, late of Willistown Township. Irving M. Bisnow, 2904 Sage Wood Drive, Newtown Square, PA 19073, Administrator.

**BRADLEY**, Regina M., a/k/a Regina Marie Bradley, Regina Bradley and Jean Bradley, late of East Caln Township. Kathryn B. Gray, care of JOHN H. POTTS, Esquire, Strafford Office Building #2, 200 Eagle Road, Suite 106, Wayne, PA 19087-3115, Executrix. JOHN H. POTTS, Esquire, Herr Potts & Potts, Strafford Office Building #2, 200 Eagle Road, Suite 106, Wayne, PA 19087-3115, atty.

**BROWN**, Mary B., late of Tredyffrin Township. Cheryl A. Schinski, care of JACK F. WOLF, Esquire, P.O. Box 444, Pottstown, PA 19464, Executrix. JACK F. WOLF, Esquire, Wolf, Baldwin & Assoc., P.O. Box 444, Pottstown, PA 19464, atty.

**CLARK**, Eleanor L., late of E. Marlborough Township. James W. Clark, care of NEIL E. LAND, Esquire, 213 East State Street, Kennett Square, PA 19348, Executor. NEIL E. LAND, Esquire, Brutscher, Foley, Milliner & Land, LLP, 213 East State Street, Kennett Square, PA 19348, atty.

**CONNERS**, Christopher James, late of Tredyffrin Township. Karenann Doughty, care of RYAN R. GAGER, Esquire, 1500 Market Street, 38th Fl., Philadelphia, PA 19102, Executrix. RYAN R. GAGER, Esquire, Saul Ewing LLP, 1500 Market Street, 38th Fl., Centre Square West, Philadelphia, PA 19102, atty.

**DELANOY**, Helen, a/k/a Helen Koenig DeLanoy, late of Tredyffrin. Robert DeLanoy, care of WILLIAM R. NOLL, Esquire, 18 E. Lancaster Avenue, Malvern, PA 19355, Executor. WILLIAM R. NOLL, Esquire, 18 E. Lancaster Avenue, Malvern, PA 19355, atty.

**EINSTEIN**, Richard S., late of Kennett Township. DAVID L. MYERS, Esquire, P.O. Box 384, Kennett Square, PA 19348, Executor. DAVID L. MYERS, Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

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**GRAY**, Cynthia Hunt, late of Pennsbury Township. Phyllis G. McCormick, care of ANTHONY MORRIS, Esquire, 118 W. Market Street, Suite 300, West Chester, PA 19382-2928, Executor. ANTHONY MORRIS, Esquire, Buckley, Brion, McGuire, Morris & Sommer LLP, 118 W. Market Street, Suite 300, West Chester, PA 19382-2928, atty.

**HOLLAND**, Frances A., late of East Pikeland Township. Sharon K. DiDomenico, care of JACK F. WOLF, Esquire, P.O. Box 444, Pottstown, PA 19464, Executrix. JACK F. WOLF, Esquire, Wolf, Baldwin & Assoc., P.O. Box 444, Pottstown, PA 19464, atty.

**KING**, Marie M., late of Warwick Township. James Loomis and Pauline Raser, care of ROBERT S. SUPPLEE, Esquire, 329 South High Street, West Chester, PA 19382-3336, Executors. ROBERT S. SUPPLEE, Esquire, Robert S. Supplee, P.C., 329 South High Street, West Chester, PA 19382-3336, atty.

**NALL**, Roy E., late of Downingtown Borough. Paul E. Hurley, Jr., 300 Shoen Road, Exton, PA 19341, Executor. ANN E. RHOADS, Esquire, Cleckner and Fearen, P.O. Box 11847, Harrisburg, PA 17108-1847, atty.

**PORTE**, Richard W., III, late of Tredyffrin Township. Lisa M. Gordon, 996 Roundhouse Court, West Chester, PA 19380 and Jennifer L. Fazio, 1563 Layfield Road, Pennsburg, PA 18073, Administrators. CHRISTOPHER P. MULLANEY, Esquire, Mullaney Law Offices, 598 Main Street, P.O. Box 24, Red Hill, PA 18076-0024, atty.

**SCOTT**, Mary T., a/k/a Mary Teresa Scott, late of East Goshen Township. G. Philip Scott and Barbara Ryan, care of PETER S. GORDON, Esquire, 1925 Lovering Avenue, Wilmington, DE 19806, Executors. PETER S. GORDON, Esquire, Gordon, Fournaris & Mammarella, P.A., 1925 Lovering Avenue, Wilmington, DE 19806, atty.

**STRAWBRIDGE**, Nina S., a/k/a Nina Gill Stewart and Nina Gill Strawbridge, late of Londonderry Township. Stewart Strawbridge, care of AMY S. UFBERG, Esquire, Cira Centre, 2929 Arch Street, Philadelphia, PA 19104-2808, Executor. AMY S. UFBERG, Esquire, Dechert LLP, Cira Centre, 2929 Arch Street, Philadelphia, PA 19104-2808, atty.

**SYLVESTER**, Betty C., late of West Grove. Mildred E. Snyder, 11 Harvest Lane, West Grove, PA 19390, Executrix. WILLIAM E. HOWELL, JR., Esquire, 110 E. State Street, Kennett Square, PA 19348, atty.

**TODD**, Helen W., a/k/a Helen W. Wayne, late of Kennett Square Borough. IKOR Incorporated, care of DANIEL J. MAISANO, Esquire, 415 McFarlan Road, Suite 200, Kennett Square, PA 19348, Executor. DANIEL J. MAISANO, Esquire, 415 McFarlan Road, Suite 200, Kennett Square, PA 19348, atty.

**WEILER**, Warren O., Jr., late of West Whiteland Township. Warren O. Weiler, III and DNB First, N.A., care of ROBERT S. SUPPLEE, Esquire, 329 South High Street, West Chester, PA 19382-3336, Executors. ROBERT S. SUPPLEE, Esquire, Robert S. Supplee, P.C., 329 South High Street, West Chester, PA 19382-3336, atty.

## 2nd Publication

**AQUILANTE**, Viola, late of Tredyffrin Township. Anthony A. Aquilante, care of ROBERT A. COHEN, Esquire, 717 Constitution Drive, Box 1265, Exton, PA 19341, Executor. ROBERT A. COHEN, Esquire, Riley Riper Hollin & Colagrecio, 717 Constitution Drive, Box 1265, Exton, PA 19341, atty.

**BALES**, Perry Lamar, late of Coatesville. Jayne Carolyn Scheibe, care of L. ROBERT FRAME, JR., Esquire, 390 Waterloo Boulevard, Ste. 101, Exton, PA 19341, Executrix. L. ROBERT FRAME, JR., Esquire, 390 Waterloo Boulevard, Ste. 101, Exton, PA 19341, atty.

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**DIBERNARDI**, Gloria F., late of Chester Springs/West Pikeland. John J. DiBernardi Jr., 1440 Church St NW #406, Washington, DC 20005, Executor.

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**FORSYTHE**, Mary H., late of Borough of West Chester. James T. Forsythe, care of TIMOTHY H. KNAUER, Esquire, 218 West Miner Street, West Chester, PA 19382, Executor. TIMOTHY H. KNAUER, Esquire, 218 West Miner Street, West Chester, PA 19382, atty.

**GROFE**, Jerrold G., late of Easttown Township. Robert Grofe, care of DAVID R. BLACK, Esquire, 327 W. Front Street, Media, PA 19063, Executor. DAVID R. BLACK, Esquire, Black, Stranick & Cella, P.C., 327 W. Front Street, Media, PA 19063, atty.

**HAWES**, Kenneth Alden, late of Charlestown Township. Jennifer L. Hawes, care of RUDOLPH L. CELLI, JR., Esquire, 130 West Lancaster Avenue, Suite 201, Wayne, PA 19087, Administratrix. RUDOLPH L. CELLI, JR., Esquire, Celli & Associates, 130 West Lancaster Avenue, Suite 201, Wayne, PA 19087, atty.

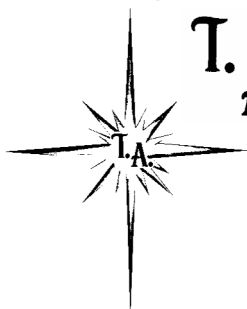
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**HORVATH**, Molly Kathleen, late of Willistown Township. Mark F. Horvath and Lisa M. Horvath, care of WILLIAM R. HAGNER, Esquire, 211 West Lancaster Avenue, Paoli, PA 19301, Executors. WILLIAM R. HAGNER, Esquire, 211 West Lancaster Avenue, Paoli, PA 19301, atty.

**HORVATH**, Frank Joseph, late of Willistown Township. Mark F. Horvath and Lisa M. Horvath, care of WILLIAM R. HAGNER, Esquire, 211 West Lancaster Avenue, Paoli, PA 19301, Executors. WILLIAM R. HAGNER, Esquire, 211 West Lancaster Avenue, Paoli, PA 19301, atty.

**MICKEL**, Roberta N., late of Penn Township. Robert A. Mickel and John W. Mickel, care of L. PETER TEMPLE, Esquire, P.O. Box 384, Kennett Square, PA 19348, Executors. L. PETER TEMPLE, Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

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**PHILLIPS**, Barbara C., late of North Coventry Township. Benjamin J. Phillips, Jr., 82 E. Main Street, Pottstown, PA 19465, Executor. LEE F. MAUGER, Esquire, Mauger & Meter, PO Box 698, Pottstown, PA 19464, atty.

**REMENTER**, Edwin F., late of West Bradford Township. Todd Rementer, 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.

**ROUSSEY**, Robert F., late of Coatesville. Robert F. Roussey, Jr., 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.

**SHACKLEFORD**, Eleanor W., late of Phoenixville Borough. David R. Shackleford, care of JOSEPH A. WALHEIM, Esquire, 40 West Eagle Road, Suite Two, Havertown, PA 19083-1425, Executor. JOSEPH A. WALHEIM, Esquire, Joseph A. Walheim & Associates, 40 West Eagle Road, Suite Two, Havertown, PA 19083-1425, atty.

**STOTT**, Susan M., late of West Whiteland Township. William R. Stott, Jr., care of DAVID M. REPETTO, Esquire, 130 Main Street, Hackensack, NJ 07601, Executor. DAVID M. REPETTO, Esquire, Harwood Lloyd, LLC, 130 Main Street, Hackensack, NJ 07601, atty.

**WITMER**, Margaret N., late of Tredyffrin Township. Margaret W. Brickley, care of DONALD F. COPELAND, Esquire, 167 Daylesford Boulevard, Berwyn, PA 19312, Executrix. DONALD F. COPELAND, Esquire, 167 Daylesford Boulevard, Berwyn, PA 19312, atty.

### 3rd Publication

**BIELEN**, John B., late of Borough of Phoenixville. Kathleen Puleo, 114 Washington Avenue, Phoenixville, PA 19460, Executor. JAMES C. KOVALESKI, Esquire, O'Donnell, Weiss & Mattei, P.C., 347 Bridge Street, Suite 200, Phoenixville, PA 19460, atty.

**CHMURA**, Audrey Ford, late of Oxford Borough. Joseph J. Chmura, III, care of WINIFRED MORAN SEBASTIAN, Esquire, P.O. Box 381, Oxford, PA 19363, Executor. WINIFRED MORAN SEBASTIAN, Esquire, McMichael, Heiney & Sebastian, LLC, 208 East Locust Street, P.O. Box 381, Oxford, PA 19363, atty.

**DODSWORTH**, Eileen C., late of East Goshen. Nancy E. Self, care of FRANCIS C. MILLER, Esq., Esquire, 21 West Washington Street, Suite D, West Chester, PA 19380, Executrix. FRANCIS C. MILLER, Esq., Esquire, 21 West Washington Street, Suite D, West Chester, PA 19380, atty.

**DUNLOP**, Edmond G., late of Pennsbury Township. Kathleen F. Dunlop, care of JOHN YANOSHAK, Esquire, 17 E. Front Street, P.O. Box 626, Media, PA 19063-0626, Executrix. JOHN YANOSHAK, Esquire, Kao Law Associates, 17 E. Front Street, P.O. Box 626, Media, PA 19063-0626, atty.

**GEHAS**, Louis, late of East Fallowfield Township. Trifon N. Skiadas, 235 East Lincoln Highway, Coatesville, PA 19320, Executor. ALAN J. JARVIS, Esquire, Highlands Corporate Center, 495 Highlands Boulevard, Suite 109, Coatesville, PA 19320, atty.

**HECKMANN**, Kathleene M., late of West Goshen Township. Jessica Shuster, care of JOSEPH L. MONTE, Esquire, 344 West Front Street, P.O. Box 319, Media, PA 19063, Executrix. JOSEPH L. MONTE, Esquire, Eckell Sparks Levy Auerbach Monte Sloane Matthews & Auslander, P.C., 344 West Front Street, P.O. Box 319, Media, PA 19063, atty.

**JENSEN**, Raymond H., late of Tredyffrin Township. Josephine S. Jensen and Jerry Ianieri, care of ROBIN B. MATLIN, Esquire, 2000 Market Street, 20th Floor, Philadelphia, PA 19103-3222, Executors. ROBIN B. MATLIN, Esquire, Fox Rothschild LLP, 2000 Market Street, 20th Floor, Philadelphia, PA 19103-3222, atty.

**MALCHIONE**, Splendor, late of Kennett Square Borough. Patricia Malchione, 409 S. Broad Street, Kennett Square, PA 19348 and Anthony J. Malchione, 449 Rosehill Road, West Grove, PA 19390, Executors. WILLIAM J. GALLAGHER, Esquire, Mac Elree Harvey, Ltd., 21 E. State Street, Kennett Square, PA 19348, atty.

**MARTIN**, Jeanne, a/k/a Jeanne E. Martin, late of Tredyffrin Township. Thomas S. Myers, Jr., 116 Sugartown Road, Devon, PA 19333, Executor. ROBERT B. SHOEMAKER, JR., Esquire, 1800 East Lancaster Avenue, Paoli, PA 19301, atty.

**MOTTO**, Mary V., late of North Coventry Township. Annette M. Toro, Barbara J. Burhans and Kathryn Motto, care of KATHLEEN M. MARTIN, Esquire, 41 East High Street, Pottstown, PA 19464, Executrices. KATHLEEN M. MARTIN, Esquire, O'Donnell, Weiss & Mattei, 41 East High Street, Pottstown, PA 19464, atty.

**MUNTON**, Ruth F., late of West Brandywine Township. Susan Bokovitz and Joanne Wood, care of JANET J. SATTERTHWAITE, Esquire, 110 Hopewell Road, Suite 200, Downingtown, PA 19335, Executrices. JANET J. SATTERTHWAITE, Esquire, Hudson L. Voltz, P.C., 110 Hopewell Road, Suite 200, Downingtown, PA 19335, atty.

**RAWLING**, Arnold G., a/k/a/ George Rawling, late of Strafford, Tredyffrin Township. Stephen F. Rawling, 103 Cardinal Dr., Conshohocken, PA 19428, Executor.

## **CHARLES T. DeTULLIO**

**Attorney at Law  
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West Chester, PA 19380  
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**\*Referral fees paid when permitted by the Rules of Professional Conduct. Fax and email available to referring attorneys.**



**ROBB**, Belle L., late of Oxford Borough. Molly R. Wood, care of MC KINLEY C. MC ADOO, Esquire, 259 N. Radnor-Chester Road, Radnor Court, Suite 160, Radnor, PA 19087, Executrix. MC KINLEY C. MC ADOO, Esquire, Mc Causland, Keen & Buckman, 259 N. Radnor-Chester Road, Radnor Court, Suite 160, Radnor, PA 19087, atty.

**SOUDER**, Arvilla, late of East Vincent Township. Barbara Souder, 253 Ridge Road, Spring City, PA 19475, Executrix.

**VERZINSKIE**, Grace B., late of Exton. Mary Alice McAllister, care of L. ROBERT FRAME, JR., Esquire, 390 Waterloo Boulevard, Ste. 101, Exton, PA 19341, Executrix. L. ROBERT FRAME, JR., Esquire, 390 Waterloo Boulevard, Ste. 101, Exton, PA 19341, atty.

**WEAVER**, Eugene W., late of Birmingham Township. Scott Howard Weaver and Jodie Marie Weaver, care of JOHN A. TERRILL, II, Esquire, 100 Four Falls, Suite 300, West Conshohocken, PA 19428, Executors. JOHN A. TERRILL, II, Esquire, Heckscher, Teillon, Terrill & Sager, P.C., 100 Four Falls, Suite 300, West Conshohocken, PA 19428, atty.

## 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*

**MAIN LINE ADULT FINANCIAL EDUCATION (MLAFE)**, with its principal place of business at 920 Cassatt Road #115, Berwyn, PA 19312.

The application has been (or will be) filed on: July 22, 2012.

The name(s) and address(es) of the individual(s) or entity(ies) owning or interested in said business: Don Avgerinos, Spectrum Financial Group, Inc.

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**FICTITIOUS NAME**

NOTICE IS HEREBY GIVEN, pursuant to the provisions of 54 Pa.C.S., that an Application for Registration of Fictitious Name for the conduct of a business in Chester County, PA, under the assumed or fictitious name, style or designation of Savannah Bella Design was filed in the office of the Secy. of the Commonwealth of Pennsylvania (PA), Dept. of State, on 6/11/2012. Purpose: Interior design, murals, painting. Principal place of business: 530 Park Rd., Downingtown, PA 19335. The name and address of the person/entity owning or interested in said business is Sheryl Condit, 530 Park Rd., Downingtown, PA 19335.

**FICTITIOUS NAME**

NOTICE IS HEREBY GIVEN, pursuant to the provisions of 54 Pa.C.S., that an Application for Registration of Fictitious Name for the conduct of a business in Chester County, PA, under the assumed or fictitious name, style or designation of Savannah Bella Style was filed in the office of the Secy. of the Commonwealth of Pennsylvania (PA), Dept. of State, on 6/11/2012. Purpose: Interior design, murals, faux. Principal place of business: 530 Park Rd., Downingtown, PA 19335. The name and address of the person/entity owning or interested in said business is Sheryl Condit, 530 Park Rd., Downingtown, PA 19335.

**CORPORATION NOTICE  
LIMITED LIABILITY COMPANY**

NOTICE IS HEREBY GIVEN that Pleo0001, LLC and LaCorte Enterprises, LLC have formed a limited liability company named McKeown LaCorte Investments, LLC. The address of the company is 914 Hillsdale Road, West Chester, Pennsylvania 19382. KEVIN T. VITELLI, Solicitor  
813 South New Street  
West Chester, PA 19382

**NOTICE**

NOTICE IS HEREBY GIVEN that Articles of Amendment to the Articles of Incorporation of KENNETT FIRE COMPANY NO.1, a non-profit corporation, with its registered office located at 301 Dalmatian Street, Kennett Square, PA 19348 have been filed under the provisions of the Business Corporation Law of the Commonwealth of Pennsylvania, approved December 21, 1988 (P.L. 1444, No. 177), as amended.

The nature and character of the amendment is to amend the purpose clause of the corporation so as to qualify as a tax-exempt organization under Section 501 (c ) (3) of the Internal Revenue Code of 1954 or corresponding provisions of any subsequent federal tax law.

The Articles of Amendment were filed on July 20, 2012 with the Department of State.

ROBERT L. WHILE, Solicitor  
29 Flanders Drive  
Drums, PA 18222

**CLASSIFIED ADS SECTION****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**

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**2nd Publication****NOTICE****IN THE COURT OF COMMON PLEAS OF  
CHESTER COUNTY, PENNSYLVANIA  
ORPHANS' COURT DIVISION**

IN RE: A.M.R.

Case Number: AD-090-0041

**TO: JOSEPH THOMAS ROBINSON**

Petitions have been filed by Chester County Department of Children, Youth and Families asking the Orphans' Court to put an end to all rights you and Vanessa Thomas have to a male minor child, A.M.R. (d.o.b. 2/22/05), and to show cause why your parental rights to this child should not be terminated involuntarily. The Court has awarded a Citation on the Petition for Involuntary Termination of Parental Rights of you.

The Court has set a Call of the List for Monday, September 17, 2012, at 9:00 o'clock A.M., Honorable John L. Hall, in Court Room No. 15, Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania, to determine which day your case will be heard, and to show cause, if any you have, why the relief sought in the Petition should not be granted. You or your lawyer should be present at the Call of the List to find out the specific date that your case will be heard.

The Court has also set a Hearing on Mother's Petition to Confirm Consent to Adoption which is scheduled for Tuesday, September 18, 2012, at 9:00 o'clock A.M., Honorable John L. Hall, in Court Room No. 15, Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania

If neither you nor your lawyer appears for the Call of the List, you may not find out when your hearing will be.

You are warned that even if you fail to appear at the scheduled hearing, the hearing will go on without you and your rights to this child may be ended by the court without your being present. You have a right to be represented at the hearing by a lawyer. You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the Lawyer Reference Service, Chester County Bar Association, 15 West Gay Street, West Chester, PA 19380, Telephone No. (610) 429-1500 to find out where you can get legal help.

Lawrence J. Persick, Esq.  
Attorney for Chester County  
Department of Children, Youth and Families

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In The Court of Common Pleas  
Chester County  
Civil Action – Law  
No. 12-02545

**Notice of Action in Mortgage Foreclosure**

Bank of America, N.A. s/b/m BAC Home Loans Servicing, LP f/k/a Countrywide Home Loans Servicing, LP, Plaintiff vs. Rory A. Bussey, Mortgagor and Real Owner, Defendant

To: Rory A. Bussey, Mortgagor and Real Owner, Defendant, whose last known address is 326 Larose Drive Coatesville, PA 19320.

This firm is a debt collector and we are attempting to collect a debt owed to our client. Any information obtained from you will be used for the purpose of collecting the debt. You are hereby notified that Plaintiff Bank of America, N.A. s/b/m BAC Home Loans Servicing, LP f/k/a Countrywide Home Loans Servicing, LP, has filed a Mortgage Foreclosure Complaint endorsed with a notice to defend against you in the Court of Common Pleas of Chester County, Pennsylvania, docketed to No. 12-02545, wherein Plaintiff seeks to foreclose on the mortgage secured on your property located, 326 Larose Drive, Coatesville, PA 19320, whereupon your property will be sold by the Sheriff of Chester County. Notice: You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after the Complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or 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 the 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 or cannot afford one, 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. Chester County Bar Assoc., 15 W. Gay St., West Chester, PA 19380, 610-429-1500. Legal Aid of Chester County Inc., 14 E. Biddle St., West Chester, PA 19380, 610-436-4510. Michael T. McKeever, Atty. for Plaintiff., KML Law Group, P.C., Ste. 5000, Mellon Independence Center, 701 Market St., Phila., PA 19106-1532, 215.627.1322.

**ATTORNEY DISCIPLINARY / ETHICS MATTERS**

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**TRUST NOTICE**

SUSAN M. STOTT TRUST dated August 16, 1985, as restated April 18, 2012

Notice is hereby given of the death of SUSAN M. STOTT, late of West Whiteland Township, Chester County, PA. This trust is in existence and all persons having claims or demands against said decedent or the Susan M. Stott Trust are requested to make known the same to the trustees or the trustees' Attorney and all persons indebted to said decedent or to the Susan M. Stott Trust are requested to make payment without delay to the trustees or the trustees' attorney, named below:

TRUSTEES: WILLIAM R. STOTT, JR. and  
MICHAEL A. STOTT  
c/o DAVID M. REPETTO, Esquire  
130 Main Street  
Hackensack, NJ 07601

TRUSTEES' ATTORNEY: DAVID M. REPETTO  
HARWOOD LLOYD, LLC  
130 Main Street  
Hackensack, NJ 07601

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**3rd Publication****NOTICE**

Effective September 4th, 2012, the Juvenile Dependency hearings that were previously held at the Chester County Government Service Center will now be held on the 5th floor of the Chester County Justice Center at 201 West Market Street, Suite 5301, PO Box 2746, West Chester, PA 19380-0989. Contact numbers and email addresses will remain the same. There are a limited number of parking spaces available on the second floor of the County parking garage directly across the street from the Justice Center. Cash or credit cards are accepted.

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A Chapter of the Association of Legal Administrators

**THE BAR ASSOCIATIONS OF BUCKS, CHESTER,  
DELAWARE, LEHIGH AND MONTGOMERY COUNTIES  
AND THE INDEPENDENCE CHAPTER OF THE  
ASSOCIATION OF LEGAL ADMINISTRATORS PRESENT  
THEIR 17th ANNUAL LUNCHEON SEMINARS FOR  
SUPPORT STAFF AND ATTORNEYS**

**12:00 – 2:00 PM**

**DATES / LOCATIONS**

<b>August 16</b>	<b>Chester County Bar Association</b>
<b>August 17</b>	<b>Montgomery Bar Association</b>
<b>August 23</b>	<b>Delaware County Bar Association</b>
<b>August 24</b>	<b>Lehigh County Bar Association</b>
<b>August 29</b>	<b>Bucks County Bar Association</b>

**PROGRAM    *MICROSOFT WORD 2010 – A REFRESHER***

Word has changed a lot since the 2003 version. Your firm may have upgraded recently, or plans to do so shortly. If you had training and are now using the program, do you remember all the features? This 1-hour program will tackle some of the most problematic and frustrating areas including outline numbering, headers and footers, paragraph spacing and page numbering, as well as explore two of the most powerful features for law firms: styles and autocorrect.

**SPEAKER**

Ellen Freedman, CLM, is President of Freedman Consulting, which assists law firms with all aspects of management on the business side of a law practice. Her company offers assistance with strategic planning, retreat facilitation, human resources, profitability enhancement, technology upgrades and purchases, mergers and acquisitions, compensation issues, web and social media design, and much more. Since 1999, Ms. Freedman has also served as the Law Practice Management Coordinator for the PA Bar Association. In this capacity, she assists PBA members with similar management issues and decisions on the business side of the practice, as well as publishes a monthly practice management column for PBA, and creates and presents seminars on practice management state-wide. She is a regular presenter for the PA Bar Institute, and has been a keynote speaker for many other state bars and legal associations, as well as a presenter at ABA TechShow for four consecutive years. Ellen managed inside law firms for twenty years, during which time she founded the Independence Chapter, and served as its president for the first two years.

**COST**

\$25 each (includes lunch), Payable to **Independence Chapter, ALA** (Payable at Door)

**REGISTER BY PHONE OR EMAIL (no later than one week before seminar)**

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Delaware County	Janet Molloy	215-345-9111	<a href="mailto:jmolloy@sweetstevens.com">jmolloy@sweetstevens.com</a>
Lehigh County	Donna Reimer	610-332-0390	<a href="mailto:dreimer@kingspry.com">dreimer@kingspry.com</a>
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## August 2012 CLE Opportunities

@ Chester County Bar Association

DATE	CLE SESSIONS	TIME	CREDIT HOURS
August 1 <sup>st</sup>	PBI: CSI (g)	8:30 AM – 3:45 PM	5 SUB & 1 ETH
August 3 <sup>rd</sup>	PBI: Tax Consequences and Estate Issues in Divorce (g)	8:30 AM – 12:45 PM	3 SUB & 1 ETH
August 7 <sup>th</sup>	PBI: Civil Practice in Magisterial District Courts (v)	9 AM -1:30 PM	3 SUB & 1 ETH
August 8 <sup>th</sup>	PBI: Ethics Toolbox: An Update by the PBA Legal Ethics and Professional Responsibility Committee (v)	9 AM – 10 AM	1 ETH
August 8 <sup>th</sup>	PBI: Workers' Compensation Medical Lecture Series (g)	12:30 PM – 4:45 PM	4 SUB
August 9 <sup>th</sup>	PBI: Cell Phone Forensics (g)	9 AM – 12:15 PM	3 SUB
August 10 <sup>th</sup>	PBI: Handling the Sex Offense Case (g)	Noon – 4:15 PM	4 SUB
August 14 <sup>th</sup>	PBI: A Funny Thing Happened on the Way to the CLE Seminar (g)	9 AM – 4:30 PM	3 SUB & 3 ETH
August 15 <sup>th</sup>	Protecting PA's Children: A CLE on Child Abuse***	9 AM – 4 PM	3 SUB & 3 ETH
August 23 <sup>rd</sup>	PBI: Real Estate 101 (g)	9 AM – 4:15 PM	5 SUB & 1 ETH
August 24 <sup>th</sup>	PBI: Evaluating the DUI Case (g)	8:30 AM – 3:45 PM	5 SUB & 1 ETH
August 27 <sup>th</sup>	PBI: Family Law institute (v)	9 AM – 5 PM	5 SUB & 1 ETH
August 28 <sup>th</sup>	PBI: How Medicare Has Changed the Landscape of Litigation in Personal Injury and Workers Compensation Cases	9 AM – 12:15 PM	2 SUB & 1 ETH
August 29 <sup>th</sup>	PBI: Creating, Influencing & Challenging a Regulation (g)	8:30 AM – 12:45 PM	4 SUB
August 30 <sup>th</sup>	PBI: Trial Evidence : Artistry & Advocacy in the Courtroom (g)	8:30 AM – 3:30 PM	5 SUB & 1 ETH

**To view the calendar online go to:**

**[http://www.chescobar.org/cle/cle\\_opportunities\\_at\\_ccba.html](http://www.chescobar.org/cle/cle_opportunities_at_ccba.html)**

(v) = video

(g) = live groupcast

\*\*\* All CCBA Members welcome to attend

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# Chester County Law Reporter

*The Official Legal Publication for Chester County*

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