



# Chester County Law Reporter

(USPS 102-900)

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No. 16

## TABLE OF CONTENTS

### 70 CHESTER COUNTY REPORTS

#### Hamill v. Martino, et al

*Preliminary objections – Demurrer – Fraud – Degrees of negligence – Contract - Gist of the action* ..... 113 (2022)

**Classified Ads.** ..... **9**  
Meeting Space - *West Chester*  
Associate Attorney  
Estates/Trusts Attorney

**Legal Notices**  
**See Table of Contents.** ..... **1**

# Chester County Law Reporter

(USPS 102-900)

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The **CHESTER COUNTY LAW REPORTER** is published every Thursday. **The Deadline for submission of all notices is 12:00 noon on Tuesday, 10 days prior to the following Thursday publication.** Notices must be submitted in typewritten form OR form provided by the Office of the **Law Reporter** and are published exactly as submitted by the advertiser. 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.

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**Hamill v. Martino, et al**

Preliminary objections – Demurrer – Fraud – Degrees of negligence – Contract - Gist of the action

1. A demurrer is a preliminary objection to the legal sufficiency of a pleading and raises questions of law.
2. The court must accept as true all well-pleaded, material, and relevant facts alleged in the complaint and every inference fairly deducible therefrom.
3. A preliminary objection in the nature of a demurrer should be sustained only in cases that clearly and without a doubt fail to state a claim for which relief may be granted.
4. To make out the tort of intentional misrepresentation, a plaintiff must show that she justifiably relied on a defendant's wrongful conduct or representation, and that she suffered harm as a result of that reliance.
5. One sufficiently pleads a claim for fraudulent or intentional misrepresentation if she alleges she relied on representations made by the other party prior to entering into the agreement to purchase the property and she suffered damage as a result of that reliance.
6. Claims for damages to the person, without supporting allegations of actual harm to plaintiff's person, are insufficient.
7. Pennsylvania common law does not recognize degrees of negligence.
8. In order for a breach of contract to give rise to an actionable tort, the wrong ascribed to defendant must be the gist of the action, the contract being collateral. In other words, the claim (a) must not arise solely from a contract between the parties, (b) the duty breached must not be created by the contract, (c) the liability must not stem from a contract, and (d) the tort claim must not duplicate a breach of contract claim or the success of which is wholly dependent upon the terms of a contract.
9. Defendant argues that Plaintiff's seeking "lost rents" demonstrates that she cannot establish a claim under the UTPCPL because the property clearly was not purchased primarily for personal, family, or household purposes. At this stage of the proceedings, the court is unable to determine as a matter of law that Plaintiff has failed to state a UTPCPL claim because Plaintiff avers she purchased a single-family, residential real property.
10. Defendant argues that Plaintiff's negligence claim is barred by the gist of the action doctrine. At the preliminary hearing stage, the court cannot say clearly and without a doubt that Plaintiff's negligence claim is barred.

11. The Court *Held* some of the preliminary objections were sustained, while others were overruled.

R.E.M.

C.C.P. Chester County, Pennsylvania, Civil Action No. 2020-03597-TT; Karen Hamill vs. Christopher A. Martino and Janice Epting

David G. McNitt for Plaintiff

John J. Martucci for Defendant Martino

Sommer, J., March 21, 2022:-

KAREN HAMILL

VS.

CHRISTOPHER A. MARTINO and  
JANICE EPTING

: IN THE COURT OF COMMON PLEAS  
: CHESTER COUNTY, PENNSYLVANIA  
: NO. 2020-03597-TT  
: CIVIL ACTION

**ORDER**

AND NOW, this 21st day of March, 2022, upon review and consideration of Defendant Christopher A. Martino’s Preliminary Objections to Plaintiff Karen Hamill’s Complaint, and no response having been filed thereto, it is hereby ORDERED as follows:

1. The Preliminary Objection in the Nature of a Motion to Strike and a Demurrer to the Fifth Cause of Action – Unfair Trade Practice Consumer Protection Law is OVERRULED;<sup>1</sup>
2. The Preliminary Objection in the Nature of a Motion to Strike and a Demurrer to the Fourth Cause of Action is OVERRULED;<sup>2</sup>
3. The Preliminary Objection in the Nature of a Motion to Strike Claims of Damages to Person of Plaintiff is SUSTAINED and references to damage to the person of the Plaintiff is STRICKEN;<sup>3</sup>
4. The Preliminary Objection in the Nature of a Motion to Strike and a Demurrer to the Third Cause of Action is SUSTAINED<sup>4</sup> and the Third Cause of Action is DISMISSED with prejudice;
5. The Preliminary Objection in the Nature of a Demurrer (Gist of the Action) to the Second and Third Cause of Action is OVERRULED;<sup>5</sup>
6. The Preliminary Objection in the Nature of a Motion to Strike Paragraph 176 (scandalous matter) is OVERRULED;<sup>6</sup> and
7. The Preliminary Objection in the Nature of a Motion to Strike the claim for punitive damages in the Third and Fourth Causes of Action is OVERRULED.

BY THE COURT:

/s/ Jeffrey R. Sommer J.

<sup>1</sup> Presently before the court are the preliminary objections of Defendant Christopher A. Martino. The facts giving rise to this litigation, as taken from Plaintiff's Complaint, are as follows: Plaintiff alleges multiple overlapping and interrelated statutory violations of the Pennsylvania Unfair Trade Practices and Consumer Protection Law ("UTPCPL"), 73 P.S. §201-1 to §201-9.3 and the Pennsylvania Real Estate Seller Disclosure Law ("RESDL"), as well as common law claims, all stemming from Hamill's purchase from Martino in 2007 of real property located in Phoenixville, PA (the "Property"). In sum, Plaintiff alleges that Martino and his realtor co-defendant Janice Selig (Martino's then wife) engaged in acts of misconduct and concealed or failed to disclose numerous material defects with the Property of which they had actual knowledge.

According to Martino, in order to maintain a cause of action under the UTPCPL, a plaintiff must establish that the challenged purchase of goods or services was primarily for personal, family or household purposes. 73 P.S. §201-9.2. Martino argues that Plaintiff in asking as part of her request for relief to recover "lost rents" demonstrates that she cannot establish a claim under the UTPCPL because the Property clearly was not purchased primarily for personal, family, or household purposes. The court disagrees.

A demurrer is a preliminary objection to the legal sufficiency of a pleading and raises questions of law. The court must "accept as true all well-pleaded, material, and relevant facts alleged in the complaint and every inference that is fairly deducible from those facts." *Id.*; see also *Yocum v. Commonwealth, Pa. Gaming Control Bd.*, 639 Pa. 521, 161 A.3d 228, 234 (2017). A preliminary objection in the nature of a demurrer "should be sustained only in cases that clearly and without a doubt fail to state a claim for which relief may be granted." *Id.*

At this stage of the proceedings, the court is unable to determine as a matter of law that Plaintiff has failed to state a UTPCPL claim. In her Complaint, Plaintiff avers that she purchased the Property (Compl., at 3) and that it is a single-family, residential real property (*Id.*, at ¶¶8, 49). The court therefore cannot find that the UTPCPL does not apply to the Property.

<sup>2</sup> Plaintiff's Complaint at Count Four is styled "fraudulent misrepresentation." Martino avers that the Complaint fails to "separate the fraud claim from the misrepresentation claim as required by Pa.R.C.P. 1020" and seeks dismissal for failure to conform to rule of law. The term "fraud" is typically used in reference to the tort of intentional misrepresentation. The tort of intentional misrepresentation contains both a "materiality" and "justifiable reliance" requirement. In other words, a plaintiff must show that she justifiably relied on a defendant's wrongful conduct or representation, and that she suffered harm as a result of that reliance.

Here, Plaintiff's claims are premised on representations made by Martino prior to the parties entering into the agreement to purchase the Property. According to Plaintiff, she relied on these representations in deciding to purchase the Property and she suffered damage as a result of that reliance. This court concludes that Plaintiff has sufficiently plead a claim for fraudulent or intentional misrepresentation and the objection is thus overruled.

<sup>3</sup> Martino challenges Plaintiff's claims for damages to the person and seeks to strike such claims pursuant to Pa.R.C.P. 1028(a)(2). According to Martino, although paragraph 184 asserts that as a result of Martino's acts "Plaintiff has suffered damages to person," there are no supporting allegations of actual harm to Plaintiff's person. Upon review of the Complaint, the court agrees. See also, *infra*, fn. 4.

<sup>4</sup> Pennsylvania common law does not recognize degrees of negligence. See *Ferrick Excavating v. Senger Trucking Co.*, 506 Pa. 181, 484 A.2d 744 (1984).

<sup>5</sup> Martino argues that Plaintiff's negligence claim, namely that Martino had a "duty of care" to Plaintiff to ensure that any disclosures were accurate and that all construction work completed on the Property was done properly, is barred by the "gist of the action" doctrine. He further argues that Plaintiff did not plead any cognizable duty which Martino owed to her with regard to the construction/remediation work.

In order for a breach of contract to give rise to an actionable tort, "the wrong ascribed to defendant must be the gist of the action, the contract being collateral." *Id.* at 413. In other words, the claim (1) must

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[70 Ches. Co. Rep. **Hamill v. Martino, et al**

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not arise “solely from a contract between the parties,” (2) “the duty breached must not be created by the contract,” (3) “the liability must not stem from a contract,” and (4) “the tort claim must not duplicate a breach of contract claim or the success of which is wholly dependent upon the terms of a contract.” *Id.* at 414. Here, Plaintiff alleges that Martino breached the Agreement of Sale – the contract - by failing to notify her of known defects. Plaintiff also alleges that Martino falsely represented to her the quality of the Property prior to the sale. Additionally, Plaintiff complains that Martino's defective performance of renovations to the home caused damage to the Property.

Martino makes various arguments in support of his “gist of the action” argument, most of which revolve around questions of whether contractors he may have engaged were independent contractors and whether their actions were controlled by him. At this stage, the court cannot say clearly and without a doubt that Plaintiff's negligence claim is barred.

<sup>6</sup> Martino contends that averments in the Complaint that Martino was an “expert in the repair and remediation of Targeted Properties” is a “bald assertion” that must be stricken. The court disagrees.

TABLE OF CONTENTS  
LEGAL NOTICES

Orphans' Court Notice of Filing Accounts (**1st Publication of 2**) . . . . . 2

Change of Name Notice . . . . . 3

Corporation Notice . . . . . 3

Estate Notices **1st Publication** . . . . . 4

Estate Notices **2nd Publication** . . . . . 5

Estate Notices **3rd Publication** . . . . . 6

Fictitious Name Notice . . . . . 7

Nonprofit Corporation Notice . . . . . 8

Trust Notice (**3rd Publication of 3**) . . . . . 8

Trust Notice (**2nd Publication of 3**) . . . . . 8

Trust Notice (**2nd Publication of 3**) . . . . . 8

Trust Notice (**1st Publication of 3**) . . . . . 8



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 4, 2022  
Courtroom 18 at 9:00 A.M. PREVAILING TIME

**THE HONORABLE KATHERINE B. L. PLATT**

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.

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**ESTATE OF DOROTHY RUTH HOLTZMAN, DECEASED**

**1520-0741**

A/K/A DOROTHY R. HOLTZMAN  
FIRST AND FINAL ACCOUNT  
OF: JANET WARD, EXECUTOR

ATTORNEY(S):

DANTE W. RENZULLI JR, 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. 2022-02353-NC

NOTICE IS HEREBY GIVEN that the name change petition of Christine Elizabeth Maziarz was filed in the above-named court and will be heard on Monday, July 18, 2022 at 2:00 PM, in Courtroom 5 at the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania.  
Date of filing the Petition: Friday, April 8, 2022  
Name to be changed from: Christine Elizabeth Maziarz to: Christine Elizabeth Oakfield  
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. 2021-08808-NC

NOTICE IS HEREBY GIVEN that the name change petition of Susan Quigley was filed in the above-named court and will be heard on Monday, May 9, 2022 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: Sunday, April 11, 2021  
Name to be changed from: Susan Quigley to: Susan Elizabeth Quigley  
Any person interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

## CORPORATION NOTICE

NOTICE IS HEREBY GIVEN THAT Articles of Incorporation were filed with and approved by the Department of State of the Commonwealth of Pennsylvania on the Friday, April 1, 2022 for **Select Site Services Inc.** in accordance with the provisions of the Pennsylvania Business Corporation Law of 1988. The purpose or purposes for which it was organized are: Incorporation of new business

## 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, 15 Pa. C.S. Section 1101.

The name of the Corporation is: **Hongfeng Composite Materials Corp.**

Articles of Incorporation have been filed on August 30, 2021

The corporation shall have unlimited power to engage in and to do any lawful act concerning any or all lawful business for which corporations may be incorporated under the Pennsylvania Business Corporation Law of 1988 as amended and supplemented and to do all things and exercise all powers, rights, and privileges; which a business corporation may now or hereafter be organized or authorized to do or to exercise under the said Business Corporation Law of Pennsylvania.

Vincent Carosella, Jr., Esquire, Solicitor

## 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, 15 Pa. C.S. Section 1101.

The name of the Corporation is: **Power Components and Service, Inc.**

Articles of Incorporation have been filed on August 30, 2021

The corporation shall have unlimited power to engage in and to do any lawful act concerning any or all lawful business for which corporations may be incorporated under the Pennsylvania Business Corporation Law of 1988 as amended and supplemented and to do all things and exercise all powers, rights, and privileges; which a business corporation may

now or hereafter be organized or authorized to do or to exercise under the said Business Corporation Law of Pennsylvania.

Vincent Carosella, Jr., Esquire, Solicitor

### 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

**BASS**, Harold C., late of Kennett Square. Donald F. Kohler Jr., Esquire, 27 South Darlington Street, West Chester, PA 19382, Administrator. DONALD F. KOHLER, JR., Esquire, 27 South Darlington Street, West Chester, PA 19382, atty.

**DeMARCO**, Ann Marie, late of Wayne. Dominic J. DeMarco, Jr., care of G. ELIAS GANIM, Esquire, P.O. Box 494, Paoli, PA 19301, Administrator C.T.A. G. ELIAS GANIM, Esquire, McLaughlin Ganim, Ltd., P.O. Box 494, Paoli, PA 19301, atty.

**GARVEY**, Terrence, a/k/a Terry Garvey, late of Avondale. Mary Ellen Garvey, 659 Martin Drive, Avondale, PA 19311, Executrix.

**GOODWIN, SR.**, Richard L., late of West Caln Township. Amber R. Simione, 508 Tower Rd., Sellersville, PA 18960, Administrator. GORDON W. GOOD, Esquire, Keen Keen & Good, LLC, 3460 Lincoln Highway, Thorndale, PA 19372, atty.

**HARTZELL**, David Craig, late of Spring City. Jennifer John, 244 Creamery Road, Spring City, PA 19475, Executor.

**HOFFECKER**, Robert Allen, late of Spring City Borough. Timothy A. Hoeffcker, 125 N. Penn St., Spring City, PA 19475 & Brian L. Hoeffcker, 219 W. Welsh Dr., Douglassville, PA 19518, Executors.

**HOVINGTON III**, Frederick, late of East Goshen Township. Patricia Griffin, 149 Melissa Lane, West Chester, PA 19382, Administrator. RYAN W. C. BUCHANAN, Esquire, Fink & Buchanan Law Offices, LLC, 158 W. Gay Street, Suite 204, West Chester, PA 19380, atty.

**JACKSON**, Carol Ann, late of West Fallowfield Township. Robbin N. Lammey, Jr., and Herbert V. Lammey, care of JANIS M. SMITH, Esquire, 4203 West Lincoln Highway, Parkesburg, PA 19365, Executors. JANIS M. SMITH, Esquire, 4203 West Lin-

coln Highway, Parkesburg, PA 19365, atty.

**KANDLER**, Joanne, a/k/a Joanne Johnson, late of East Coventry Township. Tiffany Burton, 29320 Revel Rd., Millsboro, DE 19966, Executor.

**KILGARIF**, Kathleen L., a/k/a Kathleen Lois, late of West Whiteland Township. Joseph M. Kilgarif, care of JAMES S. TUPITZA, Esquire, 212 W. Gay Street, West Chester, PA 19380, Executor. JAMES S. TUPITZA, Esquire, Tupitza & Associates, 212 W. Gay Street, West Chester, PA 19380, atty.

**KLAPTOSKY**, Pauline M., late of North Coventry. Todd Klapotosky, 1052 West Meadowbrook Road, Pottstown, PA 19465, Executor.

**KORN**, Jean Marie, late of Uwchlan Township. William A. Korn, 216 Clearview Lane, Lincoln University, PA 19352, Executor. DONALD F. KOHLER, JR., Esquire, 27 South Darlington Street, West Chester, PA 19382, atty.

**LESNICZAK**, Victoria Ann, late of New Garden Township. Jaclyn Bruno, care of L. PETER TEMPLE, Esquire, P.O. Box 384, Kennett Square, PA 19348, Administrator C.T.A. L. PETER TEMPLE, Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

**MAGYAR**, Louis, late of Spring City. Jason E. Rarich, care of DAVID G. GARNER, Esquire, 635 E. High Street, Suite 2, Pottstown, PA 19464, Administrator. DAVID G. GARNER, Esquire, 635 E. High Street, Suite 2, Pottstown, PA 19464, atty.

**MORAN**, Michael J., late of Tredyffrin Township. William F. Moran, 413 Old Forge Xing, Devon, PA 19333, Executor.

**PRESCOTT**, Tyler Rhoads, late of West Chester. Jennifer Prescott, 4863 Ogle St, Philadelphia, PA 19127, Executor.

**PUFKO**, Michael Donald, late of Phoenixville Borough. Susanne Theresa Huster, 54 Ridge Road, Phoenixville, PA 19460, Executor. JOHN L. ROLINS, Esquire, 1408 Burke Road, West Chester, PA 19380, atty.

**SCARCELLA**, Florence M., late of West Brandywine Township. Joan McKinley, 16 Ridgewood Rd., Malvern, PA 19355 & Donna Sorgini, 417 Snowflake Circle, Norristown, PA 19403, Executors. WILLIAM T. KEEN, Esquire, Keen Keen & Good, LLC, 3460 Lincoln Highway, Thorndale, PA 19372, atty.

**SEIDEL**, Elva K., late of Honey Brook Township. Jonathan K. Seidel, care of MARY C. CROCKER, Esquire, 1296 East High Street, Pottstown, PA 19464, Executor. MARY C. CROCKER, Esquire, 1296 East High Street, Pottstown, PA 19464, atty.

**STEWART, JR.**, Roy, late of Uwchlan Township. Susan R. Garthwaite, care of BARRY S. RABIN, Esquire, 797 E. Lancaster Avenue, Suite 13, Downingtown, PA 19335, Personal Representative. BARRY S. RABIN, Esquire, The Law Firm of Barry S. Rabin, 797 E. Lancaster Avenue, Suite 13, Downingtown, PA 19335, atty.

**WALCK**, James H., late of East Vincent Township. Christa L. Walck, care of JOHN H. MAY, Esquire, 49 North Duke Street, Lancaster, PA 17602, Administrator. JOHN H. MAY, Esquire, May, Herr & Grosh, LLP, 49 North Duke Street, Lancaster, PA 17602, atty.

## 2nd Publication

**ANDERSON**, Ruth E., late of West Brandywine Township. Kristin Ruth Anderson Bennett, care of LOUIS N. TETI, Esquire, 17 W. Miner St., P.O. Box 660, West Chester, PA 19381-0660, Executrix. LOUIS N. TETI, Esquire, MacElree Harvey, LTD., 17 W. Miner St., P.O. Box 660, West Chester, PA 19381-0660, atty.

**ATKINS**, Barbara M., late of East Goshen Township. Brian J. McCormick, Sr., care of TERRANCE A. KLINE, Esquire, 200 E. State St., Ste. 306, P.O. Box A, Media, PA 19063, Executor. TERRANCE A. KLINE, Esquire, Law Office of Terrance A. Kline, 200 E. State St., Ste. 306, P.O. Box A, Media, PA 19063, atty.

**BETZ**, John F., late of Willistown Township. John Betz, care of HOLLY L. SETZLER, Esquire, 16 North New Street, West Chester, PA 19380, Executor. HOLLY L. SETZLER, Esquire, Landis & Setzler, P.C., 16 North New Street, West Chester, PA 19380, atty.

**CONAGHAN**, Ruth Graham, a/k/a Ruth G. Conaghan, late of Devon. Thomas B. Conaghan, 410 Chester Road, Devon, PA 19333, Executor. JOHN J. LEONARD, Esquire, Leonard, Sciolla, Leonard & Tinari, LLP, 1500 JFK Boulevard, Suite 1910, Philadelphia, PA 19102, atty.

**CURAY**, Joanne C., late of Kennett Township. Michele Curay-Cramer, 714 Garfield St., Kennett Square, PA 19348, Executrix. ANITA M. D'AMICO, Esquire, D'Amico Law Firm, 65 S. Third St., Oxford, PA 19363, atty.

**DELDUCO**, Alice R., late of Pennsbury. David Delduco, 2352 Sagamore Hills Drive, Dectaur, GA 30033, Executor. FRANK W. HAYES, Esquire, Hayes & Romero, 31 South High Street, West Chester, PA 19382, atty.

**FORD**, Gloria Jean, a/k/a Jean Ford, Gloria Ford, late of Valley Township. Michael Kuhn, 406 Howell Road, Exton, PA 19341, Administrator. HOLLY L. SETZLER, Esquire, Landis & Setzler, P.C., 16 North New Street, West Chester, PA 19380, atty.

**HAGEE, JR.**, John D., late of Phoenixville Borough. Mary B. Hagee, 33 Ridings Way, West Chester, PA 19382, Administratrix. FRANK W. HAYES, Esquire, Hayes & Romero, 31 South High Street, West Chester, PA 19382, atty.

**HILL**, Robert William, late of Pottstown. Alexandra R. H. Leake, care of H. MICHAEL COHEN, Esquire, 144 West Market Street, West Chester, PA 19382, Executrix. H. MICHAEL COHEN, Esquire, Lachall, Cohen & Sagnor, 144 West Market Street, West Chester, PA 19382, atty.

**HOVINGTON III**, Frederick, late of East Goshen Township. Patricia Griffin, 149 Melissa Lane, West Chester, PA 19382, Administrator. RYAN W.C. BUCHANAN, Esquire, Fink & Buchanan Law Offices, LLC, 158 W. Gay Street, Suite 204, West Chester, PA 19380, atty.

**INSALATA**, Robert A., a/k/a Dr. Robert A. Insalata, late of West Brandywine Township. Kenneth Neary, P.O. Box 93, Unionville, PA 19375, Executor. ANITA M. D'AMICO, Esquire, D'Amico Law Firm, 65 S. Third St., Oxford, PA 19363, atty.

**KAVANAUGH**, Angela Talamonti, a/k/a Angela T. Kavanaugh, late of Kennett Township. Marlene Taylor, 2651 Bryson Rd., Cochransville, PA 19330, Executrix. ANITA M. D'AMICO, Esquire, D'Amico Law Firm, 65 S. Third St., Oxford, PA 19363, atty.

**KORN**, Jean Marie, late of Uwchlan Township. William A. Korn, 216 Clearview Lane, Lincoln University, PA 19352, Executor. DONALD F. KOHLER, JR., Esquire, 27 South Darlington Street, West Chester, PA 19382, atty.

**MARKWARD**, Camille, late of West Caln Township. Charlotte Markward, care of EDWARD M. FOLEY, Esquire, 213 E. State Street, Kennett Square, PA 19348, Administratrix. EDWARD M. FOLEY, Esquire, Brutscher Foley Milliner Land & Kelly, LLP, 213 E. State Street, Kennett Square, PA 19348, atty.

**MATARESE, SR.**, Vito Anthony, late of New Garden Township. Donna Whitig, 731 Westcroft Place, West Chester, PA 19382, Executrix. ANITA M. D'AMICO, Esquire, D'Amico Law Firm, 65 S. Third St., Oxford, PA 19363, atty.

**McLIMANS, SR.**, William P., late of Lower Oxford Township. Kimberly A. McLimans, James R.

McLimans and William P. McLimmins, Jr., care of DONALD B. LYNN, JR., Esquire, P.O. Box 384, Kennett Square, PA 19348, Executors. DONALD B. LYNN, JR., Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

**NIMMO**, Jack W., late of Downingtown. John Justice, care of H. MICHAEL CHOEN, Esquire, 144 West Market Street, West Chester, PA 19382, Executor. H. MICHAEL CHOEN, Esquire, Lachall, Cohen & Sagnor, 144 West Market Street, West Chester, PA 19382, atty.

**REICHERT**, Herbert R., a/k/a Herbert Reichert, late of Tredyffrin Township. Erica R. Young and Matthew C. Reichert, care of DOUGLAS E. COOK, Esquire, P.O. Box 397, Drexel Hill, PA 19026, Executors. DOUGLAS E. COOK, Esquire, P.O. Box 397, Drexel Hill, PA 19026, atty.

**SEIDEL**, Elva K., late of Honey Brook Township. Jonathan K. Seidel, care of MARY C. CROCKER, Esquire, 1296 East High Street, Pottstown, PA 19464, Executor. MARY C. CROCKER, Esquire, 1296 East High Street, Pottstown, PA 19464, atty.

**SEMPLÉ**, Norman Westley, late of Coatesville. Samantha Semple-Williams, 1202 Bullens Lane, Woodlyn, PA 19094, Administrator.

**VARNER**, Hazel, a/k/a Hazel Melinda Varner, late of Oxford Borough. Douglas Varner, 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.

**WALCK**, James H., late of East Vincent Township. Christa L. Walck, 1711 Green Street, Apt D, Philadelphia, PA 19130, Administratrix. JOHN H. MAY, Esquire, May, Herr & Grosh, LLP, 49 North Duke Street, Lancaster, PA 17602, atty.

**WATERBURY**, Phyllis N., a/k/a Phyllis Waterbury, late of Uwchlan Township. Leslie G. Waterbury, 113 Timber Springs Lane, Exton, PA 19341, Executor. DOUGLAS A. SMITH, Esquire, Gibbel Kraybill & Hess LLP, P.O. Box 5349, Lancaster, PA 17606, atty.

**WISER**, Daryl Edward, a/k/a D. Edward Wisser, Edward Wisser, late of Berwyn. Daniel Wisser, 71 Washington Ave, Phoenixville, PA 19460, Administrator. Mark Thomas Sophocles, Esquire, 21 Industrial Blvd #201, Paoli, PA 19301, atty.

### 3rd Publication

**APPLEGATE**, Howard L., late of Honey Brook Township. Mark L. Applegate, care of KENNETH R. WERNER, Esquire, 203 West Miner Street, West Chester, PA 19382-2924, Executor. KENNETH R. WERNER, Esquire, Werner & Wood, 203 West Miner Street, West Chester, PA 19382-2924, atty.

**BAILER**, Helene M., a/k/a Jenny Bailer, late of Tredyffrin. Clifford Bailer, 929 Lincoln Avenue, Springfield, PA 19064, Administrator.

**BAKUCZ**, Anna, late of Spring City Borough. Tibor O. Bakucz, 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.

**BARNES**, Richard T., late of West Goshen Township. Christine Gabe, 1139 Delaware Lane, Downingtown, PA 19335, Executor. JOHN J. MCCREESH, IV, Esquire, McCreesh, McCreesh and Cannnon, 7053 Terminal Square, Upper Darby, PA 19082, atty.

**BELUCH**, Michael E., late of Phoenixville Borough. Keith R. Borzillo, 213 Elm Street, Reading, PA 19606, Administrator. C.T.A. GILBERT M. MANCUSO, Esquire, Brumbach, Mancuso & Fegley P.C., 11 East Lancaster Avenue, P.O. Box 500, Shillington, PA 19607-0500, atty.

**BreMILLER**, Barbara Clark, late of Honey Brook Township. Debra L. Toole and Carol E. Haviland, care of WILLIAM B. COOPER, III, Esquire, P.O. Box 673, Exton, PA 19341, Executrices. WILLIAM B. COOPER, III, Esquire, Fox Rothschild LLP, P.O. Box 673, Exton, PA 19341, atty.

**CASTALDI**, Lucia, a/k/a Lucia M. Vollenweider, late of Honey Brook Township. Kimberly McCulley, care of TOM MOHR, Esquire, 301 W. Market Street, West Chester, PA 19382, Executor. TOM MOHR, Esquire, 301 W. Market Street, West Chester, PA 19382, atty.

**CHARI**, Madhavi K., late of Tredyffrin Township. Radhika Srinivas, care of J. WILLIAM WIDING, III, Esquire, 2640 Westview Dr., Wyomissing, PA 19610, Executrix. J. WILLIAM WIDING, III, Esquire, Kozloff Stoudt Attorneys, 2640 Westview Dr., Wyomissing, PA 19610, atty.

**FLACK**, Herbert Robert, late of West Whiteland Township. Leo Flack, 1241 Victoria Lane, West Chester, PA 19380 & Suzanne Gallagher, 1606 Embreeville Road, Coatesville, PA 19320, Executors.

**GIVLER**, Lloyd Daniel, a/k/a L. Daniel Givler, late of West Caln Township. Laurie A. Givler, P.O.

Box 223, 401 West Kings Highway, Wagontown, PA 19376, Executrix. ALAN J. JARVIS, Esquire, 101 Birch Drive, Downingtown, PA 19335, atty.

**GREEN**, William G., a/k/a William G. Greene, William Guthrie Green and William J. Green, late of Warwick Township. William Beck, care of JAMES J. MUNNIS, Esquire, 1515 McDaniel Dr., West Chester, PA 19380, Executor. JAMES J. MUNNIS, Esquire, Munnis Law, 1515 McDaniel Dr., West Chester, PA 19380, atty.

**HANRATTY, JR.**, Richard Joseph, late of East Nantmeal Township. Kevin R. Hanratty, care of JEFFREY P. BARNES, Esquire, 111 E. 17th St., Ste. 100, North Wildwood, NJ 08260, Executor. JEFFREY P. BARNES, Esquire, Barnes Law Group, LLC, 111 E. 17th St., Ste. 100, North Wildwood, NJ 08260, atty.

**HEAL**, Lionel W., late of Valley Township. Heidi Bonner, care of VINCENT CAROSELLA, JR., Esquire, 882 South Matlack Street, Suite 101, West Chester, PA 19282-4505, Executrix. VINCENT CAROSELLA, JR., Esquire, Carosella & Associates, P.C., 882 South Matlack Street, Suite 101, West Chester, PA 19282-4505, atty.

**HOWARD**, John C., late of New Garden Township. Helen A. Young, care of DONALD B. LYNN, JR., Esquire, P.O. Box 384, Kennett Square, PA 19348, Executrix. DONALD B. LYNN, JR., Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

**IRWIN**, Mary E., a/k/a Mary Irwin, late of West Whiteland Township. Lauri A. Smith, 234 Aberdeen Ave., Exton, PA 19341, Executrix. KATHERINE B. COMMONS, Esquire, Commons & Commons, LLP, 6377 Germantown Ave., Philadelphia, PA 19144, atty.

**LAWRENCE**, Larry, late of North Coventry Township. Gilles Audette, 907 Denise Drive, Birdsboro, PA 19508 & James Shanley, 95 Weavertown Lane, Douglassville, PA 19518, Executors. PAUL A. PRINCE, Esquire, 943 High Street, P.O. Box 696, Pottstown, PA 19464, atty.

**MAHAN**, Judith Mary, late of Oxford. William D Mahan, 1207 Lebanon Rd, Manheim, PA 17545, Executor.

**MARCOVITZ**, William F., late of Tredyffrin Township. Aaron L. Marcovitz, care of ANTHONY MORRIS, Esquire, 118 W Market St, Suite 300, West Chester, PA 19382, Executor. ANTHONY MORRIS, Esquire, Buckley Brion McGuire Morris LLP, 118 W Market St, Suite 300, West Chester, PA 19382, atty.

**RUBINCAM**, Lois M., late of Caln Township.

Barry L. Rubincam, care of BARRY S. RABIN, Esquire, 797 E Lancaster Avenue, Suite 13, Downingtown, PA 19335, Personal Representative. BARRY S. RABIN, Esquire, The Law Firm of Barry S. Rabin, 797 E Lancaster Avenue, Suite 13, Downingtown, PA 19335, atty.

**SHAFFER**, Paul J., a/k/a Paul C. Shaffer, late of Phoenixville Borough. Brian W. Ayres, 731 Main St., Phoenixville, PA 19460, Executor. MISTY A. TOOTHMAN, Esquire, OWM Law, 41 E. High St., Pottstown, PA 19464, atty.

**SHEEHAN**, Mary Ellen, late of Willistown Township. Maureen A. Newton, care of BARRY S. RABIN, Esquire, 797 E. Lancaster Avenue, Suite 13, Downingtown, PA 19335, Personal Representative. BARRY S. RABIN, Esquire, The Law Firm of Barry S. Rabin, 797 E. Lancaster Avenue, Suite 13, Downingtown, PA 19335, atty.

**STROUD**, Diana Maxine, a/k/a Diana Johnson, late of West Chester. Marisa Johnson, 2301 E St. NW, Apt. A503, Washington, District Of Columbia 20037, Executrix.

**WEIKEL**, Jarrad Anthony, a/k/a Jarrad An. Weikel, late of Phoenixville. Joshua P. Weikel, care of GEORGE W. PORTER, Esquire, 909 E. Chocolate Avenue, Hershey, PA 17033, Administrator. GEORGE W. PORTER, Esquire, 909 E. Chocolate Avenue, Hershey, PA 17033, atty.

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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*

NOTICE IS HEREBY GIVEN that an application for registration of a fictitious name, DoorLife Property Management, for the conduct of business in Chester County, Pennsylvania, with the principal place of business being at 300 Willowbrook Lane, Suite 310, West Chester, PA 19382, was approved by the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania on January 31, 2022, pursuant to the Act of Assembly

of December 16, 1982, Act 295.  
 The name and address of the entity owning or interested in the said business is:  
 DoorLife, LLC  
 300 Willowbrook Lane, Suite 310, West Chester, PA 19382

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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 FORE! The Cure Inc. Articles of Incorporation were filed on Sunday, February 7, 2021  
 The purpose or purposes for which it was organized are: FORE! The Cure Inc. was founded to empower the community to help those impacted by devastating illnesses through charitable contributions centered around competitive golf outings.

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**3rd Publication of 3**

**TRUST NOTICE**

JOYCE E. LONSDALE, Deceased  
 Late of West Chester Township  
 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 SUSAN H. BRODA, TRUSTEE, 8158 North Mayfield Lane, Mechanicsville, VA 23111,  
 Or to their Attorney:  
 PETER S. GORDON, Esquire  
 Gordon, Fourmaris & Mammarella, P.A.  
 1925 Loving Avenue  
 Wilmington, DE 19806

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**2nd Publication of 3**

**TRUST NOTICE**

Maurice E. Miller – Decedent Trust  
 MAURICE E. MILLER, Deceased  
 Late of West Chester, 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 Thomas K. Miller & Michael C. Miller, CO-TRUSTEES,

Or to their Attorney:  
 RICK MORTON  
 Ryan Morton & Imms, LLC  
 220 West Gay Street  
 West Chester, PA 19380

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**2nd Publication of 3**

**TRUST NOTICE**

MONTE R. BADASARIAN, Deceased  
 Late of East Bradford Township, 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 James R. Badasarian, Janet L. Bonney and Kenneth W. Badasarian, CO-TRUSTEES, Kenneth Badasarian, 101 Clarke Street, West Chester, PA 19380.

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**1st Publication of 3**

**TRUST NOTICE**

THE MARY E. KUDLA REVOCABLE TRUST AGREEMENT, Mary E. Kudla, deceased. Late of West Vincent Township, Chester County, PA.  
 This Trust is in existence and all persons having claims or demands said Trust or decedent are requested to make known the same and all persons indebted to the decedent to make payment without delay to Valerie Gravuer and Hudson L. Voltz, Esquire, Co-Trustees, c/o Hudson L. Voltz, P.C., 110 Hopewell Rd., Ste. 200, Downingtown, PA 19335

**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

**ESTATES/TRUSTS ATTORNEY**

Estates/Trusts Attorney sought for growing, collegial Main Line firm. Send resume with cover letter and salary requirements, in confidence to [responses10@gmail.com](mailto:responses10@gmail.com)

**ASSOCIATE ATTORNEY**

LaMonaca Law is seeking associate attorneys to join our expanding main line law firm. Required: minimum of 2 years family law experience, transportation, career oriented, ability to multi-task in a fast paced environment. Send resume and salary requirements to [Kristy@LaMonacaLaw.com](mailto:Kristy@LaMonacaLaw.com).