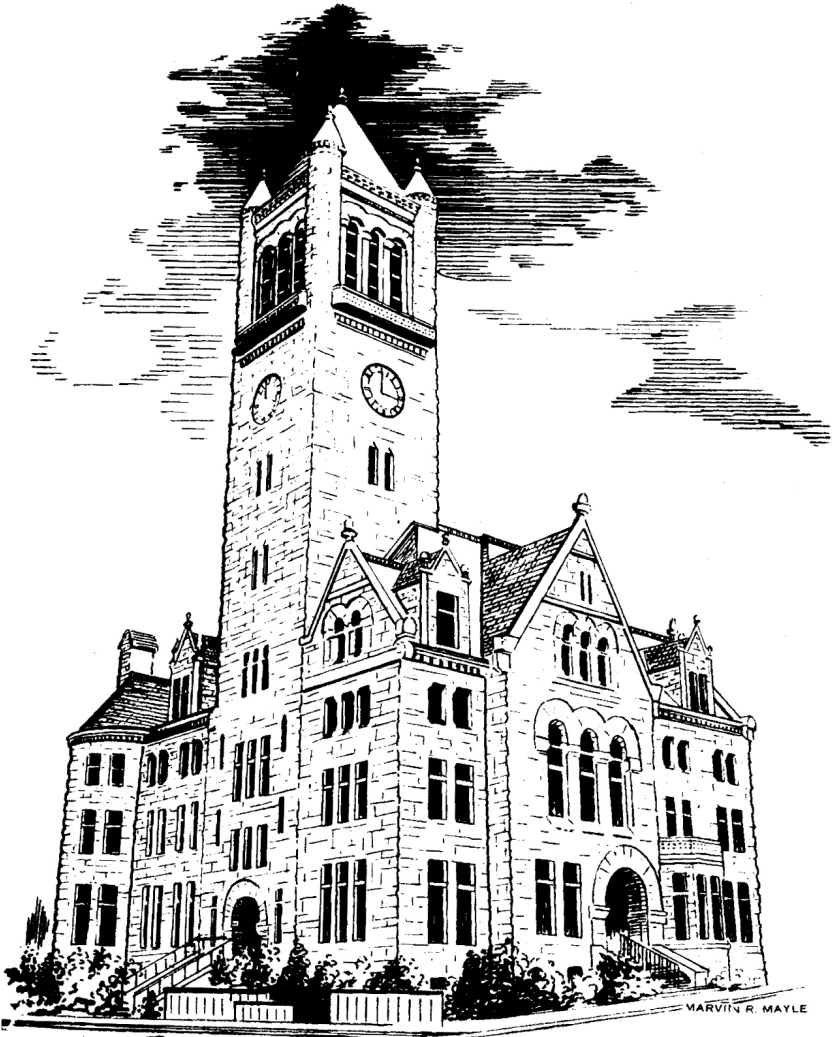


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FAYETTE LEGAL JOURNAL

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The Ethics Hotline provides free advisory opinions to PBA members based upon review of a member's prospective conduct by members of the PBA Committee on Legal Ethics and Professional Responsibility. The committee responds to requests regarding, the impact of the provisions of the Rules of Professional Conduct or the Code of Judicial Conduct upon the inquiring member's proposed activity. All inquiries are confidential.

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ESTATE NOTICES

Notice is hereby given that letters testamentary or of administration have been granted to the following estates. All persons indebted to said estates are required to make payment, and those having claims or demands to present the same without delay to the administrators or executors named.

Third Publication

JOYCE APPLEBY, A/K/A JOYCE ELEAN APPLEBY, late of Wharton Township, Fayette County, PA (3)

Executor: Mark B. Appleby
c/o 556 Morgantown Road
Uniontown, PA 15401
Attorney: John A. Kopas, III

MARY JANE LOVERA, late of Springhill Township, Fayette County, PA (3)

Executrix: Dolores Shushko
457 Gans Road
Lake Lynn, PA 15451
c/o 76 East Main Street
Uniontown, PA 15401
Attorney: Douglas S. Sholtis

BETTY LOUISE LOWE, late of Fayette County, PA (3)

Executors:
Clarence Ricky Lowe
PO Box 387
973 Indian Creek Valley Road
Indian Head, PA 15446
James R. Lowe
PO Box 217
1011 Indian Creek Valley road
Indian Head, PA 15446
c/o 553 Rugh Street, Suite 3
Greensburg, PA 15601-5635
Attorney: L. Christian DeDiana

SAMUEL F. POPE, A/K/A SAMUEL FREDERICK POPE, late of Perry Township, Fayette County, PA (3)

Executrix: Pamela F. Sendek
73 Cemetery Road
Perryopolis, PA 15473
c/o 300 Fallowfield Avenue
Charleroi, PA 15022
Attorney: Richard C. Mudrick

BERNICE SHRUM, late of Markleysburg, Fayette County, PA (3)

Personal Representative:
Robert Earl Shrum
400 Mudd Pike Road
Markleysburg, PA 15459
c/o 5500 Corporate Drive, Suite 150
Pittsburgh, PA 15237
Attorney: Joseph D. Silvaggio

Second Publication

CHERYL L. DECARLO, A/K/A CHERYL LEAH DECARLO, A/K/A CHERYL CHILDRESS DECARLO, late of Dunbar Township, Fayette County, PA (2)

Administrator: Regis DeCarlo
c/o Casini & Geibig, LLC
615 West Crawford Avenue
Connellsville, PA 15425
Attorney: Jennifer M. Casini

GLEN FISHER, A/K/A GLEN F. STRICKLER, JR., A/K/A GEN STRICKLER, JR., late of Vanderbilt, Fayette County, PA (2)

Executrix: Judith Strickler
546 Greenfield Road
Vanderbilt, PA 15486
c/o 120 South Third Street
Connellsville, PA 15425
Attorney: Nicole M. LaPresta

THOMAS E. MARTRAY, late of Dunbar Township, Fayette County, PA (2)
 Administrator: Carol Martray
 207 Wood Street
 Connellsville, PA 15425
 c/o 815A Memorial Boulevard
 Connellsville, PA 15425
 Attorney: Margaret Zylka House

AGNES D. MOLNAR, late of Washington Township, Fayette County, PA (2)
 Co-Administrators: Loraine A. Leeper, William J. Molnar, Jr. and Ronald J. Molnar
 235 Wineberry Drive
 Cheswick, PA 15024
 c/o PO Box 718
 Belle Vernon, PA 15012
 Attorney: Brian G. Pirilla

RICHARD E. PLETCHER, JR., late of Hopwood, Fayette County, PA (2)
 Administrator: Jennifer S. Pletcher
 c/o Casini & Geibig, LLC
 615 West Crawford Avenue
 Connellsville, PA 15425
 Attorney: Jennifer M. Casini

ABIGAIL L. RUANE, A/K/A ABIGAIL LOUISE RUANE, late of South Union Township, Fayette County, PA (2)
 Administrators: Allen S. Ruane and Paul Ruane
 c/o 96 East Main Street
 Uniontown, PA 15401
 Attorney: Anne N. John

WALLACE SMILEY, A/K/A WALLACE LINDSEY SMILEY, late of Dunbar Township, Fayette County, PA (2)
 Executrix: Deborah L. Flight
 372 Ferguson Road
 Dunbar, PA 15431
 c/o Radcliffe & DeHaas
 2 West Main Street, Suite 700
 Uniontown, PA 15401
 Attorney: Ernest P. DeHaas, III

WILLIAM WALTER ZINCK, A/K/A WILLIAM W. ZINCK, late of North Union Township, Fayette County, PA (2)
 Executrix: Drane Zinck Martin
 c/o Warman Terry Law Offices
 50 East Main Street
 Uniontown, PA 15401
 Attorney: Mary Warman Terry

First Publication

JOSEPH M. BRACHNA, A/K/A JOSEPH BRACHNA, late of Luzerne Township, Fayette County, PA (1)
Co-Executors: Dennis J. Brachna and Von M. Brachna
 c/o 92 East Main Street, Suite 20
 Uniontown, PA 15401
 Attorney: Benjamin F. Goodwin

NICHOLAS A. DZIYAK, A/K/A NICK DZIYAK, late of Belle Vernon, Fayette County, PA (1)
Executrix: Evelyn Sepitko
 210 Cook Road
 Belle Vernon, PA 15012
 c/o Bassi, Vreeland & Associates, P.C.
 111 Fallowfield Avenue
 P.O. Box 144
 Charleroi, PA 15022-0144
 Attorney: Bradley M. Bassi

PRISCILLA K. MITTS, late of Henry Clay Township, Fayette County, PA (1)
Administratrix: Mary V. Halbasch
 404 Agate Court
 Antioch, CA 94509
 c/o Jessica L. Wilson, Skarlatos Zonarich LLC
 17 South 2nd. Street, 6th. Floor
 Harrisburg, PA 17101-2039
 Attorney: Jessica L. Wilson

RALPH C. RICHTER, late of Dunbar Township, Fayette County, PA (1)
Executrix: Patricia Ann Hall
 1614 Penn Avenue
 Jeannette, PA 15644
 c/o 8981 Norwin Avenue, Suite 203
 Norwin Hills Office Park
 North Huntingdon, PA 15642
Attorney: Maureen Kroll

CHARLES B. SNIDER, A/K/A CHARLES BENNETT SNIDER, A/K/A CHARLES SNIDER, late of Luzerne Township, Fayette County, PA (1)
Executor: Scott C. Philcous
 750 Donnan Avenue
 Washington, PA 15301
 c/o Peacock Keller & Ecker LLP
 70 East Beau Street
 Washington, PA 15301
Attorney: Richard J. Amrhein

FLORENCE J. WYDA, late of Redstone Township, Fayette County, PA (1)
Executrix: Joanne Bogorae
 c/o Davis & Davis
 107 East Main Street
 Uniontown, PA 15401
Attorney: James T. Davis

HILBERT D. YOUNKIN, late of Connellsville, Fayette County, PA (1)
Executor: Donald Younklin
 1117 Valley View Road
 Scottsdale, PA 15683
 c/o George Port & George
 92 East Main Street
 Uniontown, PA 15401
Attorney: Wayne H. Port

LEGAL NOTICES

MARSHAL'S SALE: By virtue of a Writ of Execution issued out of the United States District Court for the Western District of Pennsylvania and to me directed, I shall expose to public sale the real property located at 7449 National Pike Road, Uniontown, Pennsylvania 15401, more specifically described in Fayette County Record Book 2946, Page 1005.

SAID SALE to be held at the Fayette Courthouse, 61 East Main Street, Uniontown, PA 15401 at 10:00 a.m. prevailing, standard time, on July 12, 2017.

All that certain tract of land, together with the buildings, and improvements erected thereon described as Tax Map No. 22170023 recorded in Fayette County, Pennsylvania. Seized and taken in execution as the property of Raquel R. Smith and Matthew W. Smith, at the suit of the United States of America, acting through the Under Secretary of Rural Development, on behalf of Rural Housing Service, United States Department of Agriculture, to be sold on Writ of Execution as Civil Action No. 16-1523.

TERMS OF SALE: Successful bidder will pay ten percent (10%) by certified check or money order upon the property being struck down to such bidder, and the remainder of the bid within thirty (30) days from the date of the sale and in the event the bidder cannot pay the remainder, the property will be resold and all monies paid in at the original sale will be applied to any deficiency in the price at which the property is resold. The successful bidder must send payment of the balance of the bid directly to the U.S. Marshal's Office c/o Sheila Blessing, 700 Grant Street, Suite 2360, Pittsburgh, PA 15219. Bidder must have deposit funds immediately available and on his person in order to bid, bidder will not be permitted to leave the sale and return with deposit funds. Notice is hereby given that a Schedule of Distribution will be filed by me on the thirtieth day after the date of sale, and that distribution will be made in accordance with the Schedule unless exemptions are filed thereto within ten (10) days thereafter. Purchaser must furnish State Realty Transfer Tax Stamps, and stamps required by the local taxing authority. Marshal's costs, fees and commissions are to be borne by seller. Steve Frank, United States Marshal. For

additional information, please contact Cathy Diederich at 314-457-5514 or the USDA foreclosure website at www.resales.usda.gov.

(3 of 4)

INCORPORATION NOTICE

NOTICE is hereby given that Articles of Incorporation were filed with the Department of State, Commonwealth of Pennsylvania at Harrisburg, Pennsylvania, on May 8, 2017, for the purpose of obtaining a Certificate of Incorporation of a proposed corporation which was organized under the Business Corporation Law of the Commonwealth of Pennsylvania approved December 21, 1988, Act 177.

The name of the corporation is D.O.S. Construction & Demolition, Inc. with its principal place of business being located at 1106 Connellsville Road, Fayette City, Pennsylvania 15438.

Keith A. Bassi, Esquire
BASSI, VREELAND & ASSOCIATES, P.C.
Attorneys at Law
P.O. Box 144
111 Fallowfield Avenue
Charleroi, PA 15022

NOTICE OF VOLUNTARY DISSOLUTION OF NONPROFIT CORPORATION

Notice is hereby given by Habitat for Humanity of Fayette County, Inc., a Pennsylvania nonprofit corporation, that said corporation is winding up its affairs in the manner prescribed by Section 5975 of the Nonprofit Corporation Law of 1988, so that its corporate existence shall cease upon the filing of Articles of Dissolution in the Department of State of the Commonwealth of Pennsylvania.

Kimberly A. Taylor, Esq.
301 Grant St.
Floor 32
Pittsburgh, Pennsylvania 15219

NOTICE OF CERTIFICATE OF ORGANIZATION - LIMITED LIABILITY COMPANY

Notice is hereby given that Certificate of Organization was filed and approved with the Department of State of the Commonwealth of Pennsylvania for a limited liability company formed under the Limited Liability Company Law of 1994 on the 19th day of November, 2016. The name of the company is Appalachian Backwaters Properties Limited Liability Company.

Margaret Zylka House, Esq.
815A Memorial Boulevard
Connellsville, PA 15425
724-628-4955

NOTICE OF CERTIFICATE OF ORGANIZATION - LIMITED LIABILITY COMPANY

Notice is hereby given that Certificate of Organization was filed and approved with the Department of State of the Commonwealth of Pennsylvania for a limited liability company formed under the Limited Liability Company Law of 1994 on the 19th day of May, 2017. The name of the company is Mechyu Publications, LLC.

Margaret Zylka House, Esq.
815A Memorial Boulevard
Connellsville, PA 15425
724-628-4955

IN THE COURT OF COMMON PLEAS
OF FAYETTE COUNTY, PENNSYLVANIA
CIVIL DIVISION
NO. 584 of 2017 GD
NOTICE OF ACTION IN MORTGAGE
FORECLOSURE

**PNC Bank, National Association, c/o PNC
Bank, N.A.,**

Plaintiff,

vs.

**Darlene Williams, Known Heir of Ricky A.
Williams, Johnny Williams, Known Heir of
Ricky A. Williams, Kelly Bracken, Known
Heir of Ricky A. Williams, Ricky Williams,
Jr., Known Heir of Ricky A. Williams and
Ryan Williams, Ryan Williams, Known Heir
of Ricky A. Williams and Unknown Heirs,
Successors, Assigns and All Persons, Firms or
Associations Claiming Right, Title or Interest
from or Under Ricky A. Williams,**

Defendants.

TO: Unknown Heirs, Successors, Assigns
and All Persons, Firms or Associations Claiming
Right, Title or Interest from or Under Ricky A.
Williams, Defendant(s), whose last known
address is 186 Maple Summit Road, Mill Run
(Stewart Township), PA 15464.

COMPLAINT IN MORTGAGE
FORECLOSURE

You are hereby notified that Plaintiff, PNC
Bank, National Association, c/o PNC Bank,
N.A., has filed a Mortgage Foreclosure
Complaint endorsed with a Notice to Defend,
against you in the Court of Common Pleas of
Fayette County, Pennsylvania, docketed to NO.
584 of 2017 GD, wherein Plaintiff seeks to
foreclose on the mortgage secured on your
property located at 186 Maple Summit Road,
Mill Run (Stewart Township), PA 15464,
whereupon your property would be sold by the
Sheriff of Fayette County.

NOTICE

YOU HAVE BEEN SUED IN COURT. If
you wish to defend against the claims set forth in
the notice above, you must take action within
twenty (20) days after this 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 or for
any other claim or relief requested by the
Plaintiff. You may lose money or property or
other rights important to you. YOU SHOULD
TAKE THIS PAPER TO YOUR LAWYER AT
ONCE. IF YOU DO NOT HAVE A LAWYER
GO TO OR TELEPHONE THE OFFICE SET
FORTH BELOW. THIS OFFICE CAN
PROVIDE YOU WITH THE 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. Fayette County
Lawyer Referral Service, PA Bar Assn., 100
South St., P.O. Box 186, Harrisburg, PA 17108,
800.692.7375.

Mark J. Udren, Lorraine Gazzara Doyle, Sherri
J. Braunstein, Elizabeth L. Wassall, John Eric
Kishbaugh, Nicole B. Labletta, David Neeren &
Morris Scott, Attys. For Plaintiff,
Udren Law Offices, P.C.

111 Woodcrest Rd., Ste. 200
Cherry Hill, NJ 08003, 856.669.5400.

IN THE COURT OF COMMON PLEAS OF
FAYETTE COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW
ACTION TO QUIET TITLE
No. 365 of 2017 G.D.
PRESIDENT JUDGE WAGNER

NANCY C. CHOLOCK,
Plaintiffs,
V.

BONNIE L. RANKIN and GARY W.
RANKIN, Her husband, their successors,
heirs, personal representatives, and assigns,
generally.
Defendants.

TO: BONNIE L. RANKIN and GARY W. RANKIN, her husband their heirs, successors and assigns, generally,

You are hereby notified that Nancy C. Cholock, has filed a complaint at the above number and term in the above-mentioned court in an action to quiet title wherein it is alleged that he is the owner in possession of that certain lot of land situate in North Union Township, Fayette County, Pennsylvania having a mailing address of 400 Third Street, Lemont Furnace, Pennsylvania.

Title to the above described property was conveyed to Gary W. Rankin and Bonnie L. Rankin, his wife, by a deed from Keith J. Marilungo and Emily C. Marilungo, his wife, being recorded at the Recorder of Deeds Office at Record Book 2618, Page 1.

Said complaint sets forth that the plaintiff is the owner in fee simple of the above-described premises. The complaint was filed for the purpose of barring all of your right, title, and interest, or claim in and to all or a portion of said premises.

NOTICE

You are hereby notified that you have been sued in court. If you wish to defend against the claim set forth in the complaint and in the within advertisement, you must take action within twenty (20) days after the last advertisement of this notice by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claim set forth against you. You are warned that if you fail to do so, the case may proceed without you and a judgment may entered against you by the court without further notice or any money claimed in the complaint, or 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 NOTICE TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GOT TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

PENNSYLVANIA BAR ASSOCIATION
PENNSYLVANIA LAWYER REFERRAL 100
SOUTH STREET
P.O. BOX 186 HARRISBURG, PA 17108
1-800-932-0311

By Jason F. Adams, Esq.
Adams & Adams
55 E. Church Street Uniontown, PA 15401
(724) 437-2711

IN THE COURT OF COMMON PLEAS OF
FAYETTE COUNTY, PENNSYLVANIA
CIVIL ACTION – LAW
NO. 966 OF 2017, G. D.

**IN RE: NAME CHANGE OF
TRISTAN DON SPARKS**

NOTICE

Notice is hereby given that on May 5, 2017, the Petition of Tristan Don Sparks was filed with the above named Court, requesting an order of Court to change the name of Tristan Don Sparks to Tristan Daniel Walters.

The Court has fixed the day of 26th day of July, 2017, in Court Room Number 2 of the Fayette County Court House, Uniontown, Pennsylvania, as the time and place for the hearing on said Petition, when and where all interested parties may appear and show cause, if any, why the request of the petitioner should not be granted.

Shane Gannon
Watson Mundorff Brooks & Sepic, LLP
720 Vanderbilt Road
Connellsville, PA 15425-6218

SHERIFF'S SALE

Date of Sale: August 17, 2017

By virtue of the below stated writs out of the Court of Common Pleas of Fayette County, Pennsylvania, the following described properties will be exposed to sale by James Custer, Sheriff of Fayette County, Pennsylvania on Thursday, August 17, 2017, at 2:00 p.m. in Courtroom Number One at the Fayette County Courthouse, Uniontown, Pennsylvania.

The terms of sale are as follows:

Ten percent of the purchase price, or a sufficient amount to pay all costs if the ten percent is not enough for that purpose. Same must be paid to the Sheriff at the time the property is struck off and the balance of the purchase money is due before twelve o'clock noon on the fourth day thereafter. Otherwise, the property may be resold without further notice at the risk and expense of the person to whom it is struck off at this sale who in case of deficiency in the price bid at any resale will be required to make good the same. Should the bidder fail to comply with conditions of sale money deposited by him at the time the property is struck off shall be forfeited and applied to the cost and judgments. All payments must be made in cash or by certified check. The schedule of distribution will be filed the third Tuesday after date of sale. If no petition has been filed to set aside the sale within 10 days, the Sheriff will execute and acknowledge before the Prothonotary a deed to the property sold. (3 of 3)

James Custer
Sheriff Of Fayette County

No. 750 of 2011 GD
No. 118 of 2017 ED

**US Bank National Association, as Trustee for
SASCO Mortgage Loan Trust 2006-WF2**

Plaintiff,

vs.

**Unknown Heir s, and/or administrators to
Mary Jane Boger, AKA Mary J. Boger,
Defendant.**

ALL that certain parcel of land lying and being situate in the Township of North Union, County of Fayette, and Commonwealth of Pennsylvania, known as 385 Coolspring Street, Uniontown, PA 15401 having erected thereon a dwelling house.

Being known and designated as Tax ID No.: 25-47-0014

BEING the same premises which Patrick J. Stromick and Goldie L. Stromick, his wife and Clarence Ashton and Vivian D. Ashton, his wife, by Deed dated November 29, 1975 and recorded in and for Fayette County, Pennsylvania in Deed Book 1190, Page 355, granted and conveyed unto Ralph H. Boger and Mary Jane Boger, his wife.

By virtue of Ralph H. Boger's death on or about March 5, 2003, his ownership interest was automatically vested in the surviving tenant by the entirety, Mary Jane Boger, AKA Mary J. Boger. Mary Jane Boger, AKA Mary J. Boger died on September 7, 2008. Decedent's surviving heir(s) at law and next-of-kin are unknown.

No. 755 of 2016 GD
No. 105 of 2017 ED

USAA Federal Savings Bank

Plaintiff,

vs.

Reed A. Brown;

Laura Brown,

Defendants.

ALL that certain parcel of land lying and being situate in the City of Uniontown, County of Fayette, and Commonwealth of Pennsylvania, known as 70 Oakland Avenue, Uniontown, PA 15401 having erected thereon a dwelling house.

Being known and designated as Tax ID No.: 38-05-0145

BEING the same premises which Eunice L. Freeman, a single woman, by Deed dated August 1, 2012 and recorded in and for Fayette County, Pennsylvania in Deed Book 3194, Page 1115, granted and conveyed unto Reed A. Brown and Laura Brown, his wife.

Phelan Hallinan Diamond & Jones, LLP

No. 197 of 2017 GD
No. 131 of 2017 ED

Bank of America, N.A., as Successor by Merger to BAC Home Loans Servicing, LP f/ k/a Countrywide Home Loans Servicing, LP,
Plaintiff,
vs.
Lisa M. Collins,
Defendant(s).

By virtue of a Writ of Execution No. 197 OF 2017 GD, Bank of America, N.A., as Successor by Merger to BAC Home Loans Servicing, LP f/k/a Countrywide Home Loans Servicing, LP v. Lisa M. Collins, owner(s) of property situate in the MENALLEN TOWNSHIP, Fayette County, Pennsylvania, being 110 Postoffice Rd, Waltersburg, PA 15488-1019

Parcel No.: 22-02-0046
Improvements thereon: RESIDENTIAL DWELLING

KML Law Group, P.C.
Suite 5000 - BNY Independence Center 701
Market Street
Philadelphia, PA 19106
215-627-1322

No. 2411 of 2016 GD
No. 92 of 2017 ED

JPMORGAN CHASE BANK, NATIONAL ASSOCIATION
c/o 3415 Vision Drive Columbus, OH 43219,
Plaintiff,
vs.
YUDELKA J. CONTRERAS
202 South Tenth Street Connellsville, PA 15425,
Defendant(s).

ALL THAT CERTAIN piece or parcel of land situate in the Connellsville (formerly Dunbar Township), County of Fayette and Commonwealth of Pennsylvania.

TAX PARCEL #05-08-0304

PROPERTY ADDRESS: 202 South Tenth Street Connellsville, PA 15425

IMPROVEMENTS: A residential dwelling.

SOLD AS THE PROPERTY OF:
YUDELKA J. CONTRERAS

Phelan Hallinan Diamond & Jones, LLP

No. 1138 of 2016 GD
No. 88 of 2017 ED

U.S. Bank National Association, as Trustee for Credit Suisse First Boston Mortgage Securities Corp., Home Equity Asset Trust 2005-6, Home Equity Pass-Through Certificates, Series 2005-6,
Plaintiff,
vs.
Ricky L. Ditmore a/k/a Ricky Ditmore, Sr
Andrea S. Ditmore a/k/a Andrea Ditmore,
Defendant(s).

By virtue of a Writ of Execution No. 1138 -OF-2016-GD, U.S. Bank National Association, as Trustee for Credit Suisse First Boston Mortgage Securities Corp., Home Equity Asset Trust 2005-6, Home Equity Pass-Through Certificates, Series 2005-6 v. Ricky L. Ditmore a/k/a Ricky Ditmore, Sr Andrea S. Ditmore a/k/a Andrea Ditmore, owner(s) of property situate in the NORTH UNION TOWNSHIP, Fayette County, Pennsylvania, being 111 Paull Street, Hopwood, PA 15445

Parcel No.: 25-54-0036 -02
Improvements thereon: RESIDENTIAL DWELLING

Phelan Hallinan Diamond & Jones, LLP

No. 2430 of 2015 GD
No. 73 of 2017 ED

No. 118 of 2017 GD
No. 72 of 2017 ED

**U.S. Bank National Association, as Trustee
for Citigroup Mortgage Loan Trust 2006-
WFHE3, A set-Backed Pass- Through
Certificates, Series 2006-WFHE3,
Plaintiff,
vs.
Marian Dulla,
Defendant(s).**

By virtue of a Writ of Execution No. 118-OF-2017-GD, U.S. Bank National Association, as Trustee for Citigroup Mortgage Loan Trust 2006-WFHE3, Asset-Backed Pass-Through Certificates, Series 2006-WFHE3 v. Marian Dulla, owner (s) of property situate in the REDSTONE TOWNSHIP, Fayette County, Pennsylvania, being 1085 Main Street, Republic, PA 15475

Parcel No.: 30-23-0015
Improvements thereon: RESIDENTIAL DWELLING

**U.S. BANK N.A., AS TRUSTEE FOR
MANUFACTURED HOUSING CONTRACT
SENIOR/SUBORDINATE PASS-
THROUGH CERTIFICATE TRUST 1996-6,
Plaintiff,
vs.
Victor Dale Fike, Jr. Lori M. Fike
Defendants.**

ALL THAT CERTAIN lot of land situate in Wharton Township, Fayette County, Pennsylvania:

BEING THE SAME PREMISES which Victor Dale Fike, Jr. and Lori M. Fike, by Deed dated May 20, 2005 and recorded May 23, 2005 in the Office of the Recorder of Deeds in and for Fayette County in Deed Book Volume 2946, Page 1544, granted and conveyed unto Victor Dale Fike, Jr.

BEING KNOWN AS: RD1 Box 211DD n/ k/a 2993 Dinner Bell - 5 Forks Road, Farmington, PA 15437
PARCEL #42-38-0015

No. 2532 of 2016 GD
No. 79 of 2017 ED

No. 1089 of 2016 GD
No. 119 of 2017 ED

**Nationstar Mortgage LLC,
Plaintiff,
vs.
Karla S. Feniello aka Karla Feniello,
Defendant.**

ALL THAT RIGHT, TITLE, INTEREST AND CLAIMS OF KARLA S. FENIELLO, AKA KARLA FENIELLO, OF, IN AND TO THE FOLLOWING DESCRIBED PROPERTY:

ALL THAT CERTAIN LOT OR PARCEL OF LAND SITUATE IN CONNELLSVILLE CITY, COUNTY OF FAYETTE AND COMMONWEALTH OF PENNSYLVANIA, BEING MORE FULLY DESCRIBED AT DBV 3020 PAGE 1317.

BEING KNOWN AS 201 ROBBINS STREET, CONNELLSVILLE, PA 15425 TAX MAP NO. 05-09-0335

**WELLS FARGO BANK , N.A.,
Plaintiff,
vs.
SANDRA A. FOYLE,
Defendant.**

ALL THAT CERTAIN piece or parcel of land located in the Redstone Township, Fayette County, Pennsylvania.

BEING THE SAME PREMISES which Barry A. Douglas and Walda D. Douglas, by Deed dated September 1, 1993 and recorded September 8, 1993 in the Office of the Recorder of Deeds in and for Fayette County in Deed Book Volume 1234, Page 3, granted and conveyed unto Thomas J. Foyle and Sandra A. Foyle.

Thomas J. Foyle departed this life on December 19, 2014 and interest passed to his wife, Sandra upon his death

BEING KNOWN AS: 482 ROYAL ROAD, CHESTNUT RIDGE, PA 15422
PARCEL #30190069 and 30190068

KML Law Group, P.C.
SUITE 5000 - BNY Independence Center
701 MARKET STREET
Philadelphia, PA 19106-1532
215-627-1322

No. 997 of 2015 GD
No. 93 of 2017 ED

**PNC BANK, NATIONAL ASSOCIATION,
SUCCESSOR BY MERGER TO
NATIONAL CITY BANK, SUCCESSOR BY
MERGER TO NATIONAL CITY BANK OF
PENNSYLVANIA**

**3232 Newmark Drive
Miamisburg, OH 45342**

**Plaintiff,
vs.**

**RICHARD M GARDNER
DONNA R. GARDNER,
Defendants.**

ALL THAT CERTAIN lot of land situate
in the Bullskin Township, County of Fayette and
Commonwealth of Pennsylvania.

TAX PARCEL #04-17-0067-01
PROPERTY ADDRESS: 177 Switzer
Road Mount Pleasant, PA 15666
IMPROVEMENTS: A residential
dwelling.

SOLD AS THE PROPERTY OF:
RICHARD M GARDNER and DONNA R.
GARDNER

No. 388 of 2017 GD
No. 111 of 2017 ED

**PENNSYLVANIA HOUSING FINANCE
AGENCY,**

**PLAINTIFF,
vs.**

**EARLA J. GOODWIN,
DEFENDANT.**

ALL those certain lots of ground in the
Borough of Vanderbilt, County of Fayette,
Pennsylvania, being Lot Nos. 59 and 60,
Nelsonville Plan unrecorded, as follows:

PARCEL I: being approximately 86.67 x
136.65 x 100 x 136; PARCEL II: being
approximately 143 x 67.1 x 199.81 x 122.6 x

225.9; containing approximately 40,176 square
feet; and PARCEL III: being to the south of Lot
Nos. 59 and 60 herein, bounded by said lots, an
alley, and State Route 201.

HAVING THEREON ERECTED
DWELLING KNOWN AS 311 MAIN STREET
F/K/A 300 FLATWOODS ROAD
VANDERBILT, PA 15486.

Tax Parcel# 40-02-0046

Fayette County Deed Book 2919, page
1041.

TO BE SOLD AS THE PROPERTY OF
EARLA J. GOODWIN.

No. 347 of 2017 GD
No. 99 of 2017 ED

**MB Financial Bank, N.A.,
PLAINTIFF,**

vs.

**Zachary C. Hixson,
DEFENDANT.**

All that certain lot or piece of ground
situate in the VILLAGE OF EAST LIBERTY,
DUNBAR TOWNSHIP, County of Fayette, and
Commonwealth of Pennsylvania, being Lot No.
39 in the VILLAGE OF EAST LIBERTY Plan
of Lots as recorded in the Office of the Recorder
of Deeds of Fayette County, being more
particularly bounded and described as follows,
to wit:

Beginning at the intersection of Maple and
Second Street; thence along Second Street East
159 feet to an alley; thence North along said
alley 66 feet to land or lot formerly of Malissa
Parkhill of Fred Brown; thence by land or lot
formerly of said Parkhill or Brown, West 159
feet to Maple Street; thence by said Maple
Street 66 feet to the place of beginning.

HAVING erected a dwelling thereon
known as 1226 MAPLE STREET, Dickerson
Run, PA 15430.

COMMONLY KNOWN AS: 1226 Maple
Street, Dickerson Run, PA 15430 TAX
PARCEL NO. 09-03-0058

Keith J. Pappas
 PA State Bar No. 58030
 176 Fayette Street
 Morgantown, WV 26505
 Phone: (304) 292-0821

No. 62555 of 2016 DSB
 No. 120 of 2017 ED

McCABE, WEISBERG & CONWAY, P.C.
 BY: Joseph I. Foley, Esquire - ID # 314675
 123 South Broad Street, Suite 1400
 Philadelphia, PA 19109
 (215) 790-1010

No. 2490 of 2016 GD
 No. 109 of 2017 ED

UNITED BANK, INC.
a West Virginia banking corporation
Petitioner,
v.
G&P PROPERTIES, LLC, a West Virginia
limited liability company,
Respondent.

Ditech Financial LLC,
Plaintiff,
vs.

Joann Ann Holland, Known Surviving Heir
of Alberta June Holland, John E. Holland,
Known Surviving Heir of Alberta June
Holland, Ellen J. Patch, Known Surviving
Heir of Alberta June Holland, Donald A.,
Defendant.

ALL that certain piece, parcel or tract of land situate in the City of Uniontown, Fayette County, Pennsylvania, more particularly bounded and described as follows:

ALL of Lot No. 34 and part of Lot No. 32 in the South Side Addition to Uniontown, as recorded in Plan Book No. 1, Page 26, fronting 70 feet on the North side of Highland Avenue, and extending back of the same width between Lot No. 36 on the East and land now or formerly of Maurice Lomergan and William McCormick on the West, 140 feet to a 15 foot alley in the rear, upon which is erected a large brick dwelling house.

DEED DATE: February 12, 2009

RECORDED in Record Book 3085, at Page 1641 TAX IDENTIFICATION: 38-11-0275

BEING 40 Highland Avenue, Uniontown, PA 15401

One (1) Lot of land with a 72' frontage on which is erected a single dwelling numbered House #8, located in Smock, Colonial #1, in Menallen Township, Fayette County, Pennsylvania.

Being known as: 102 Smock Hill Street, Smock, Pennsylvania 15480

Title vesting in Alberta June Holland a/k/a Alberta J. Holland by deed from Fayette County Tax Claim Bureau dated May 25, 1970 and recorded May 25, 1970 in Deed Book 1093, Page 696 The said Alberta June Holland a/k/a Alberta J. Holland died on February 9, 2016 without a will or appointment of an Administrator.

Tax Parcel Number: 22030045

UDREN LAW OFFICES, P.C.
ATTORNEY FOR PLAINTIFF
WOODCREST CORPORATE CENTER
111 WOODCREST ROAD, SUITE 200
CHERRY HILL, NJ 08003-3620
856-669-5400

No. 1296 of 2016 GD
No. 89 of 2017 ED

**PNC Bank, National Association
Plaintiff,
vs.**

**PATRICIA L. JOHNSON, INDIVIDUALLY
AND AS A KNOWN HEIR OF THOMAS H.
JOHNSON
UNKNOWN HEIRS, SUCCESSORS,
ASSIGNS AND ALL PERSONS, FIRMS
OR ASSOCIATIONS CLAIMING RIGHT,
TITLE OR INTEREST FROM OR UNDER
THOMAS H. JOHNSON,
Defendant(s).**

ALL THAT CERTAIN LOT OF LAND
SITUATE IN PERRY TOWNSHIP,
FAYETTE COUNTY, PENNSYLVANIA:
BEING KNOWN AS 202 Main Street
(Perry Township), Perryopolis, PA 15473
PARCEL NUMBER: 27-08-0036
IMPROVEMENTS: Residential Property

Phelan Hallinan Diamond & Jones, LLP

No. 1532 of 2013 GD
No. 117 of 2017 ED

**Wilmington Savings Fund Society, FSB d/b/a
Christiana Trust, Not in It's Individual
Capacity But Solely as The Trustee for The
Brougham Fund I Trust,
Plaintiff,
vs.**

**Susan Carol Johnson
Robert W. Johnson,
Defendant(s).**

By virtue of a Writ of Execution No. 1532-OF-2013-GD, Wilmington Savings Fund Society, FSB d/b/a Christiana Trust, Not in It's Individual Capacity But Solely as The Trustee for The Brougham Fund I Trust v. Susan Carol Johnson Robert W. Johnson, owner(s) of property situate in the NICHOLSON

TOWNSHIP, Fayette County, Pennsylvania, being RR 2 Box 337 A, a/k/a 694 Woodside Oldframe Road, Smithfield, PA 15478-1130
Parcel No.: 24-05-0009
Improvements thereon: RESIDENTIAL DWELLING

Phelan Hallinan Diamond & Jones, LLP

No. 149 of 2017 GD
No. 128 of 2017 ED

**Ditech Financial LLC f/k/a Green Tree
Servicing LLC,
Plaintiff,
vs.**

**Tyrone O. Johnson a/k/a Tyrone L. Johnson,
Defendant(s).**

By virtue of a Writ of Execution No. 149-OF-2017-GD, Ditech Financial LLC f/k/a Green Tree Servicing LLC v. Tyrone O. Johnson a/k/a Tyrone L. Johnson, owner(s) of property situate in the NORTH UNION TOWNSHIP, Fayette County, Pennsylvania, being 45 Hogsett Lane, Uniontown, PA 15401
Parcel No.: 25-20-0157
Improvements thereon: RESIDENTIAL DWELLING

No. 2049 of 2016 GD
No. 107 of 2017 ED

**U.S. BANK NATIONAL ASSOCIATION, AS
TRUSTEE FOR THE PENNSYLVANIA
HOUSING FINANCE AGENCY,
PLAINTIFF**

**vs.
AMANDA R. KEILBACH F/K/A AMANDA
R. PIERNO,
DEFENDANT.**

ALL that certain lot of ground in the Borough of Dunbar, County of Fayette, Pennsylvania, being Lot No. 30, Plan of Lots by Thomas W. Watt, Fayette County Plan Book Volume 5, page 60. HAVING THEREON ERECTED A DWELLING KNOWN AND NUMBERED AS 52 Railroad Street, Dunbar, PA 15431.

PARCEL # 08-03-0236
Fayette County Deed Book 3120, page 2095.

TO BE SOLD AS THE PROPERTY OF
 AMANDA R. KEILBACH F/K/A AMANDA
 R. PIERNO.

KML Law Group, P.C.
 Suite 5000 - BNY Independence Center
 701 Market Street
 Philadelphia, PA 19106
 215-627-1322

No. 2410 of 2016 GD
 No. 94 of 2017 ED

LAKEVIEW LOAN SERVICING, LLC

**425 Phillips Blvd
 Ewing, NJ 08618,
 Plaintiff,**
 vs.

**BRIAN KEITH JOLLY A/K/A BRIAN K
 JOLLY,
 110 Franklin Avenue
 Uniontown, PA 15401,
 Defendant(s).**

ALL THAT CERTAIN lots of land situate
 in the South Union Township, County of Fayette
 and Commonwealth of Pennsylvania.

TAX PARCEL #34-25-0006 & 34-25-0007
 PROPERTY ADDRESS: 110 Franklin
 Avenue Uniontown, PA 15401
 IMPROVEMENTS: A residential
 dwelling.

SOLD AS THE PROPERTY OF: BRIAN
 KEITH JOLLY A/K/A BRIAN K. JOLLY

Phelan Hallinan Diamond & Jones, LLP

No. 398 of 2015 GD
 No. 130 of 2017 ED

**U.S. Bank National Association,
 Plaintiff,**
 vs.

**Jeremy J. Lamanna, Individually and in His
 Capacity as Heir of Sandra D. Lamanna,
 Deceased
 Unknown Heirs, Successors, Assigns, and All
 Persons, Firms, or Associations Claiming
 Right, Title or Interest From or Under
 Sandra D. Lamanna, Deceased,
 Defendant(s).**

By virtue of a Writ of Execution No. 398

OF 2015 GD U.S. Bank National Association v.
 Jeremy J. Lamanna, Individually and in His
 Capacity as Heir of Sandra D. Lamanna,
 Deceased Unknown Heirs, Successors, Assigns,
 and All Persons, Firms, or Associations
 Claiming Right, Title or Interest From or Under
 Sandra D. Lamanna, Deceased, owner(s) of
 property situate in the PERRY TOWNSHIP,
 Fayette County, Pennsylvania, being 119 Mattys
 Lane, Star Junction, PA 15482

Parcel No.: 27-13-0023

Improvements thereon: RESIDENTIAL
 DWELLING

KML Law Group, P.C.
 Suite 5000 - BNY Independence Center
 701 Market Street
 Philadelphia, PA 19106
 215-627-1322

No. 272 of 2017 GD
 No. 82 of 2017 ED

**PNC BANK, NATIONAL ASSOCIATION,
 SUCCESSOR IN INTEREST TO
 NATIONAL CITY REAL ESTATE
 SERVICES, LLC, SUCCESSOR BY
 MERGER TO NATIONAL CITY
 MORTGAGE, INC., FORMERLY KNOWN
 AS NATIONAL CITY MORTGAGE CO.
 3232 Newmark Drive Miamisburg, OH
 45342,**

Plaintiff,
 vs.

**ELISA M. LIBERATORE-THOMAS NK/A
 ELISA M. LIBERATORE
 A/K/A ELISA LIBERATORE
 1 03 Ann Street
 Brownsville, PA 15417
 Defendant(s).**

ALL THAT CERTAIN piece or tract of
 land situate in the Borough of Brownsville,
 County of Fayette and Commonwealth of
 Pennsylvania.

TAX PARCEL #02-06-0294
 PROPERTY ADDRESS: 103 Ann Street
 Brownsville, PA 15417
 IMPROVEMENTS: A residential
 dwelling.

SOLD AS THE PROPERTY OF: ELISA
 M. LIBERATORE-THOMAS A/K/A ELISA M.
 LIBERATORE A/K/A ELISA LIBERATORE

Phelan Hallinan Diamond & Jones, LLP

KML Law Group, P.C.
Suite 5000 - BNY Independence Center
701 Market Street
Philadelphia, PA 19106
215-627-1322

No. 2012 of 2016 GD
No. 95 of 2017 ED

No. 86 of 2017 GD
No. 87 of 2017 ED

**HSBC Bank USA, National Association as
Trustee for PHH Alternative Mortgage Trust,
Series 2007- 1,
Plaintiff,
vs.**

**Walter N. McNair, Sr., in His Capacity as
Administrator and Heir of The Estate of
Gladys E. McNair
Lawrence McNair, in His Capacity as Heir of
The Estate of Gladys E. McNair
Walter N. McNair, Jr., in His Capacity as
Heir of The Estate of Gladys E. McNair
Unknown Heirs, Successors, Assigns, and All
Persons, Firms, or Associations Claiming
Right, Title or Interest From or Under
Gladys E. McNair, Deceased,
Defendant(s).**

**QUICKEN LOANS INC.
635 Woodward Avenue
Detroit, MI 48226,
Plaintiff,
vs.**

**KEVIN MCGREGOR
DAWN M. MCGREGOR
Mortgagor(s) and Record Owner(s)
124 South High Street
Fayette City, PA 15438,
Defendants.**

ALL THAT CERTAIN lot, piece or parcel
of land, situate in the Fayette City Borough,
County of Fayette and Commonwealth of
Pennsylvania.

TAX PARCEL #12030087 & 12030086
PROPERTY ADDRESS: 124 South High
Street Fayette City, PA 15438
IMPROVEMENTS: A residential
dwelling.

SOLD AS THE PROPERTY OF: KEVIN
MCGREGOR and DAWN M. MCGREGOR

By virtue of a Writ of Execution No. 2012-
OF-2016-GD, HSBC Bank USA, National
Association as Trustee for PHH Alternative
Mortgage Trust, Series 2007-1 v. Walter N.
McNair, Sr, in His Capacity as Administrator
and Heir of The Estate of Gladys E. McNair,
Lawrence McNair, in His Capacity as Heir of
The Estate of Gladys E. McNair Walter N.
McNair, Jr, in His Capacity as Heir of The
Estate of Gladys E. McNair, Unknown Heirs,
Successors, Assigns, and All Persons, Firms, or
Associations Claiming Right, Title or Interest
From or Under Gladys E. McNair, Deceased,
owner(s) of property situate in the GERMAN
TOWNSHIP, Fayette County, Pennsylvania,
being 375 Old Route 21, a/k/a 375 Old Route 21
Road, Uniontown, PA 15401

Parcel No.: 15280162
Improvements thereon: RESIDENTIAL
DWELLING

No. 439 of 2012 GD
No. 110 of 2017 ED

No. 228 of 2017 GD
No. 103 of 2017 ED

CAL ED FCU,
PLAINTIFF,
vs.
TAMMY M MADER,
DEFENDANT.

The Huntington National Bank,
Plaintiff,
vs.
Missi Jo Morgan,
Defendant.

ALL THAT CERTAIN lot or piece of
grounded situate in Connellsville Twp. County
of Fayette, PA:

BEING THE SAME PREMISES; As
described in the mortgage from Tammy M.
Mader, et con., to Cal Ed Federal Credit Union
recorded in Mortgage Book 2419, p. 333, on
October 22, 1999.

Known and identified as 1407 Buttermore
Blvd, Connellsville, PA 15425
Parcel ID No. 06-04-0082

ALL that certain piece or pared of land
situate in German Township Fayette County,
Pennsylvania, being more particularly bounded
and described as follows:

BEGINNING a point in the center line of
the presently improved portion of the highway
leading from Uniontown to Masontown,
Pennsylvania, known as Pennsylvania State
Highway Route No. 21. which place of
beginning is North 54 degrees 59 minutes East, a
distance of 68.29 feet from the southeast corner
of the wall at the western side of the bridge over
Brown's Run: thence along the center line of the
presently improved portion of said highway,
South 26 degrees 01 minutes West, a distance of
299.54 feet to a point; thence continuing along
the center line of the presently improved portion
of said highway by a curve to the right with a
radius of 3,819.38 feet, a distance of 557.79 feet
to a point in said center line; thence leaving said
highway and in former Pennsylvania State
Highway Route No. 21. North 2 degrees 30
minutes East a distance of 431.18 feet to a point
in said former Pennsylvania State Highway
Route No. 21; thence leaving said former
Pennsylvania State Highway Route No. 21, and
along lands now or formerly known as the
Sterling Graham Plan of Lots, North 32 degrees
30 minutes West, a distance of 330 feet to a
point in the division line between the land
hereby described and lands now or formerly of
Benjamin R. Lardin; thence along said lands
now or formerly of Benjamin R. Lardin, North
82 degrees 15 minutes East, a distance of 243
feet to a point in former Pennsylvania State
Highway Route No. 21; thence in said former
Pennsylvania State Highway Route No. 21,
South 63 degrees 45 minutes West, a distance of
32.60 feet to a point; thence leaving said former
Pennsylvania State Highway Route No. 21 and
along the aforesaid division line between the
property hereby described and property now or
formerly of Benjamin R. Lardin. North 86
degrees 15 minutes East, a distance of 359.40
feet to a point in the center line of Pennsylvania

No. 276 of 2017 GD
No. 101 of 2017 ED

U.S. ROF II LEGAL TITLE TRUST 2015-1,
BY U.S. BANK NATIONAL
ASSOCIATION, AS LEGAL TITLE
TRUSTEE,
Plaintiff,
vs.
RICHARD MILAN,
Defendant.

ALL THE RIGHT, TITLE, INTEREST
AND CLAIM OF RICHARD MILAN, OF, IN
AND TO THE FOLLOWING DESCRIBED
PROPERTY:

ALL THAT CERTAIN REAL ESTATE
SITUATED IN REDSTONE TOWNSHIP,
FAYETTE COUNTY, PENNSYLVANIA.
HAVING ERECTED THEREON A
DWELLING KNOWN AS 742 FAIRBANK
HERBERT ROAD, NEW SALEM, PA 15468.
DEED BOOK VOLUME 3012, PAGE 2097
AND PARCEL NUMBER 30-36-0012 & 30-
36-0013.

McCABE, WEISBERG & CONWAY, P.C.
BY: Joseph I. Foley, Esquire - ID # 314675
123 South Broad Street, Suite 1400
Philadelphia, PA 19109
(215) 790-1010

State Highway Route No. 21, the place of beginning, containing 4.0541 acres per survey of Charles C. Hooper, Registered Surveyor, made on the 26th day of June, 1956 and attached to the hereinafter recited deed.

EXCEPTING AND RESERVING thereout and therefrom all the nine foot and five foot veins of coal together with the mining rights appurtenant thereto as excepted and reserved in the deed of Jesse A Sterling et ux., et al., to J. Alfred Baer dated March 23, 1920, and recorded in the Recorder's Office of Fayette County, Pennsylvania, in Deed Book Volume 400, Page 74.

ALSO EXCEPTING AND RESERVING unto prior owners in the chain of title, their successors and assigns, all claims for damages heretofore accruing against the Manufacturers Light and Heat Company for laying, relaying and relocating pipe lines across said premises.

ALSO EXCEPTING AND RESERVING unto the Grantor, its successors and assigns all of the oil, gas, minerals, .mining and drilling rights in and under the premises.

UNDER AND SUBJECT to Lease No. 28,329 now or previously held by The People's Natural Gas Company.

ALSO UNDER AND SUBJECT to the same rights, privileges, agreements, rights of way, easements, conditions, exceptions, restrictions and reservations as exist by virtue of prior recorded instruments, deeds or conveyances.

All that certain piece or parcel or Tract of land situate in the Township of German, Fayette County, Pennsylvania.

Being known as: 1912 McClellandtown Road, Masontown, Pennsylvania 15461.

Title vesting in Missi Jo Morgan by deed from Dan Chamberlain, Executor of the Estate of Betty A. Chamberlain dated March 21, 2014 and recorded March 27, 2014 in Deed Book 3245, Page 606 Instrument Number 201400002763.

Tax Parcel Number: 15350249

MARTHA E. VON ROSENSTIEL, P.C.
Martha E. Von Rosenstiel, Esq / No 52634
Heather Riloff, Esq / No 309906
Jeniece D. Davis, Esq / No 208967
Tyler J. Wilk, Esq / No 322247
649 South Ave, Ste 7
Secane, PA 19018
(610)328-2887

No. 1408 of 2012 GD
No. 70 of 2017 ED

**Federal National Mortgage Association
("Fannie Mae")
3900 Wisconsin Avenue, NW Washington
DC 20016-2892,**

**Plaintiff,
vs.**

**John M. Petrosky and Stephanie L. Petrosky
and Donna Lee Petrosky
409 Perry Avenue
Belle Vernon, PA 15012,
Defendants.**

ALL THAT CERTAIN tract of land situate in Washington township, Fayette county, Pennsylvania, bounded and described as follows:

BEGINNING at a point in the eastern line of the Public road leading from Belle Vernon to Perryopolis at the northern line of an unnamed alley; thence by said unnamed alley. North 69 degrees 38 minutes east, a distance of 200 feet, more or less, to the line of land now or formerly of Albert Bealer; thence by the latter, north 20 degrees 32 minutes west, 60.00 feet to a point; thence south 69 degrees 38 minutes west, a distance of 69.45 feet, more or less, to a point; thence by other land of which a portion of the tract herein conveyed is a part, south 20 degrees 39 minutes east, a distance of 36.96 feet to a point; thence by the same, south 69 degrees 21 minutes west, a distance of 130.55 feet to a point in the aforementioned Public road; thence by the latter, south 20 degrees 39 minutes east, 22.40 feet to a point, the place of beginning.

TAX PARCEL # 41-07-0285

PROPERTY: 409 Perry Avenue, Belle Vernon, PA 15012

IMPROVEMENTS: Residential Dwelling
TO BE SOLD AS THE PROPERTY OF:
John M. Petrosky and Stephanie L. Petrosky

No. 356 of 2017 GD
 No. 126 of 2017 ED

STERN AND EISENBERG, PC
 JESSICA N. MANIS, ESQ.

**PENNSYLVANIA HOUSING FINANCE
 AGENCY,**
PLAINTIFF,
VS.
BARBARA A. POKORNY,
DEFENDANT.

No. 71 of 2017 GD
 No. 83 of 2017 ED

**HSBC Bank USA, National Association, as
 Indenture Trustee for People’s Choice Home
 Loan Securities Trust Series 2005-3 c/o
 Ocwen Loan Servicing, LLC,**
Plaintiff,
vs.
**Paul C. Shropshire, Jr. a/k/a Paul C.
 Shropshire c/o Kathleen G. Shropshire,**
Defendant(s).

ALL THAT CERTAIN piece or parcel of
 land situate in the Borough of Masontown,
 Fayette County, Pennsylvania, as shown on a
 survey by Edwin J. Taylor, Sr., dated May,
 1972, which survey is recorded in Fayette
 County Deed Book 1127, Page 774, and having
 thereon erected a dwelling known as: 124 N.
 WASHINGTON STREET, MASONTOWN,
 PA 15461.

SITUATE IN THE THIRD WARD OF
 THE CITY OF CONNELLSVILLE, FAYETTE
 COUNTY, PENNSYLVANIA, BEING
 KNOWN AS 246 South Prospect Street,
 Connellsville, PA 15425 PARCEL NO. 05-07-
 0320

Tax Parcel # 21-07-0252
 Reference Fayette County Record Book
 2226, Page 170.

IMPROVEMENTS - RESIDENTIAL
 REAL ESTATE
 SOLD AS THE PROPERTY OF- Paul C.
 Shropshire, Jr. a/k/a Paul C. Shropshire c/o
 Kathleen G. Shropshire

No. 331 of 2017 GD
 No. 138 of 2017 ED

WELLS FARGO BANK, N.A.,
Plaintiff,
vs.
AMY E. ROSS,
Defendant.

Phelan Hallinan Diamond & Jones, LLP

No. 2397 of 2016 GD
 No. 141 of 2017 ED

ALL THAT CERTAIN LOT OR PIECE
 OF GROUND SITUATE IN THE FIFTH
 WARD OF THE CITY OF CONNELLSVILLE,
 COUNTY OF FAYETTE AND
 COMMONWEALTH OF PENNSYLVANIA.

CitiMortgage, Inc.,
Plaintiff
vs.
**Jeremy Staley , in His Capacity as Heir of
 Albert L. Staley, Deceased**
**Derek Staley, in His Capacity as Heir of
 Albert L. Staley, Deceased**
**Carly Robinson, in Her Capacity as Heir of
 Albert L.
 Staley, Deceased**
**Unknown Heirs, Successors, Assigns, and All
 Persons, Firms, or Associations Claiming
 Right, Title or Interest From or Under
 Albert L. Staley, Deceased,**
Defendant(s).

BEING THE SAME PREMISES which
 Michael S. McClain and Lori McClain, husband
 and wife, by Deed dated May 24, 2013 and
 recorded May 30, 2013 in the Office of the
 Recorder of Deeds in and for Fayette County in
 Deed Book Volume 3220, Page 2356, granted
 and conveyed unto AMY E. ROSS, unmarried.

BEING KNOWN AS: 403 EAST
 WASHINGTON AVENUE,
 CONNELLSVILLE, PA 15425
 PARCEL #05120015

By virtue of a Writ of Execution No. 2397-
 0F-2016-GD CitiMortgage, Inc. v. Jeremy
 Staley, in His Capacity as Heir of Albert L.
 Staley, Deceased Derek Staley, in His Capacity

as Heir of Albert L. Staley, Deceased Carly Robinson, in Her Capacity as Heir of Albert L. Staley, Deceased, Unknown Heirs, Successors, Assigns, and All Persons, Firms, or Associations Claiming Right, Title or Interest From or Under Albert L. Staley, Deceased, owner(s) of property situate in the JEFFERSON TOWNSHIP, Fayette County, Pennsylvania, being 453 Newell rd, Fayette City, PA 15438-1157

Parcel No.: 17010029

Improvements thereon: RESIDENTIAL DWELLING

No. 173 of 2017 GD
No. 112 of 2017 ED

PENNSYLVANIA HOUSING FINANCE AGENCY,

PLAINTIFF,

vs.

ANTHONY A. STILIANIDIS AND HOLLI A. STILIANIDIS,
DEFENDANTS.

ALL that certain lot in the City of Uniontown (formerly North Union Township), Fayette County, Pennsylvania, being known as Lot No. 124, Coffey's Addition to Uniontown, Fayette Plan Book Volume 1, page 131. HAVING THEREON ERECTED DWELLING KNOWN AS 78 EAST KERR STREET UNIONTOWN, PA 15401.

TAX PARCEL#: 38-01-0262
Deed Book 3249, page 1537.

TO BE SOLD AS THE PROPERTY OF HOLLI A. STILIANIDIS AND ANTHONY A. STILIANIDIS.

No. 1053 of 2016 GD
No. 114 of 2017 ED

Wells Fargo Bank, NA,
Plaintiff,

vs.

Unknown Heirs, and/or Administrators of the Estate of Paul K. Tate; Susan Mullins, as believed heir and/or Administrator to the Estate of Paul K. Tate; Robert A. Tate, as believed heir and/or administrator to the Estate of Paul K. Tate; William R. Tate, as believed heir and/or administrator to the Estate of Paul K. Tate; Russell P. Tate, as believed heir and/or administrator to the

Estate of Paul K. Tate; Betty J. Tate, as believed heir and/or administrator to the Estate of Paul K. Tate,
Defendants.

ALL that certain parcel of land lying and being situate in the Township of Redstone, County of Fayette, and Commonwealth of Pennsylvania, known as 6 Redstone Street, Republic, PA 15475 having erected thereon a dwelling house.

Being known and designated as Tax ID No.: 30-23-0093

BEING the same premises which Dorothy Fraley, an unremarried widow, by Deed dated March 17, 2005 and recorded in and for Fayette County, Pennsylvania in Deed Book 2939, Page 1243, granted and conveyed unto Paul K. Tate.

No. 106 of 2017 GD
No. 71 of 2017 ED

Deutsche Bank National Trust Company, as Trustee for FFMLT Trust 2006-FF3, Mortgage Pass-Through Certificates, Series 2006-FF3,

PLAINTIFF,

vs.

Charles B. Toms,
DEFENDANT.

ALL that certain lot of land situate now in the Third Ward of the City of Uniontown, formerly in the Second Ward of the Borough of Uniontown, Fayette County, Pennsylvania, being Lot No. 76 in plan of lots laid out by A.E. Wilson's heirs as recorded in the Recorder's Office of Fayette County, Pennsylvania, in Plan Book 1, page 83, said lot being bounded and described as follows: FRONTING 40 feet on the northerly side of Prospect Street and extending back of uniform width in a northerly direction 150 feet to a 20 foot alley, being bounded on the east by Lot No. 77, on the west by Lot No. 75, on the north by said 20 foot alley, and on the south by Prospect Street.

EXCEPTING AND RESERVING, thereout and therefrom, all the nine foot or Connellsville vein of coking coal in and underlying the above described lot of land, with the same mining rights and privileges that have been conveyed heretofore to J. V. Thompson, et al.

COMMONLY KNOWN AS: 43 Prospect
Street, Uniontown, PA 15401
TAX PARCEL NO. 38-03-0276

Daniel Muklewicz, Esquire
Hladik, Onorato & Federman, LLP
298 Wissahickon Avenue
North Wales, PA 19454

No. 836 of 2015 GD
No. 137 of 2017 ED

Bayview Loan Servicing, LLC,
Plaintiff,
vs.

Fred H. Voithofer, Jr. and
Michelle S. Voithofer,
Defendant.

By virtue of Writ of Execution No.: 00836
of 2015 GD, Bayview Loan Servicing, LLC
(Plaintiff) vs. Fred H. Voithofer, Jr. and
Michelle S. Voithofer (Defendant)

Property Address: 615 Old Frame Road,
Smithfield, PA 15478

Parcel I.D. No.: 24-19-36

Improvements thereon of the residential
dwelling.

Judgment Amount: \$303,723.87

KML Law Group, P.C.
Suite 5000 - BNY Independence Center
701 Market Street
Philadelphia, PA 19106
215-627-1322

No. 552 of 2017 GD
No. 132 of 2017 ED

PNC BANK, NATIONAL ASSOCIATION,
SUCCESSOR IN INTEREST TO
NATIONAL CITY REAL ESTATE
SERVICES, LLC, SUCCESSOR BY
MERGER TO NATIONAL CITY
MORTGAGE, INC., FORMERLY KNOWN
AS NATIONAL CITY MORTGAGE CO.
3232 Newmark Drive Miamisburg, OH
45342,

Plaintiff,
vs.

CANDRA WASHINGTON
Mortgagor(s) and Record Owner(s)

1713 2nd Street
Connellsville, PA 15425,
Defendant(s).

ALL THAT CERTAIN piece, parcel or lot
of land situate in the Borough of South
Connellsville, County of Fayette and
Commonwealth of Pennsylvania.

TAX PARCEL #33-08-0086-03

PROPERTY ADDRESS: 1713 2nd Street
Connellsville, PA 15425

IMPROVEMENTS: A residential
dwelling.

SOLD AS THE PROPERTY OF:
CANDRA WASHINGTON

Phelan Hallinan Diamond & Jones, LLP

No. 47 of 2016 GD
No. 113 of 2017 ED

JPMorgan Chase Bank, N.A.,
Plaintiff,
vs.

Kenneth A. Yauger a/k/a Kenneth Alan
Yauger,
Defendant(s).

By virtue of a Writ of Execution No. 47 OF
2016 GD JPMorgan Chase Bank, N.A.

v. Kenneth A. Yauger a/k/a Kenneth Alan
Yauger, owner(s) of property situate in the
NORTH UNION TOWNSHIP, Fayette County,
Pennsylvania, being 120 Fernwood Road,
Lemont Furnace, PA 15456-1202

Parcel No.: 2527012604

Improvements thereon: RESIDENTIAL
DWELLING

JUDICIAL OPINION

IN THE COURT OF COMMON PLEAS OF FAYETTE COUNTY,
PENNSYLVANIA
CIVIL DIVISION

NORTH UNION TOWNSHIP,	:	
a Second Class Township,	:	
Plaintiff,	:	
vs.	:	
ROMEO AND SONS, INC., d/b/a	:	
ROMEO & SONS, a Pennsylvania Corporation,	:	
and FRANK A. ROMEO, President,	:	No. 2368 of 2012, G.D.
Defendant.	:	JUDGE NANCY D. VERNON

For Plaintiff, North Union Township – *Donald J. McCue, Esquire*
For Defendant, the Estate of Frank A. Romeo, Deceased – *Anthony S. Dedola, Jr., Esquire*

OPINION AND ORDER

VERNON, J.

June 15, 2017

Before the Court is the Motion for Summary Judgment filed by Defendant, the Estate of Frank A. Romeo, Deceased, {1} requesting judgment upon the argument that Frank A. Romeo (hereinafter “Romeo”) was not liable in his individual capacity for the underlying tax debt of the corporate Defendant Romeo & Sons. Plaintiff, North Union Township, opposes the motion alleging that Frank A. Romeo is individually liable under either the legal concept of trustee ex maleficio or alternatively, that the Court should pierce the corporate veil, and find Romeo liable for the tax obligation.

FACTUAL BACKGROUND

North Union Township has instituted a Mercantile Tax Ordinance obligating businesses within its borders to pay a tax based upon gross retail sales and gross wholesale of merchandise. The prior litigation alleged that Romeo & Sons failed, neglected and refused to pay the mercantile tax resulting in a civil judgment against Romeo & Sons. Following that judgment, a Settlement Agreement and General Release, dated June __, 2008, {2} was negotiated and executed between Romeo & Sons, Inc. d/b/a Romeo & Sons, Laurel Highlands School District, and North Union Township, which required Romeo & Sons to make monthly payments to North Union Township. The Settlement Agreement and General Release was executed on behalf of Romeo & Sons as follows: “BY: Frank A. Romeo Its: ____”.

{1} Following the death of Frank A. Romeo, by Order dated June 20, 2016, Ronald J. Romeo, Executor of the Estate of Frank Romeo a/k/a Frank A. Romeo, Deceased, was substituted for Frank A. Romeo as Defendant.

{2} The date in June 2008 was left blank in the Settlement Agreement and General Release.

North Union Township filed the instant Amended Complaint captioning the Defendants in the action as “ROMEO AND SONS, INC., d/b/a ROMEO & SONS, a Pennsylvania Corporation, and FRANK A. ROMEO, President,” yet identified the Defendant at Paragraph 2 as only “Romeo and Sons, Inc., d/b/a Romeo & Sons” being “a Pennsylvania Corporation.” North Union Township failed to identify Frank A. Romeo as a Defendant in the body of the Complaint or make any allegation how or why he was included as a Defendant, whether individually or as an officer of the corporation.

The only mention of Frank A. Romeo in the Amended Complaint occurs once at Paragraph 16 in stating that Frank A. Romeo was the signatory on the Settlement Agreement and General Release and that the “definition [of the General Release] specifically includes Frank A. Romeo in his capacity as a shareholder and president.” The Court must now determine whether an issue of material fact remains as to whether or not the Estate of Frank A. Romeo, Deceased is individually liable upon the Settlement Agreement and General Release dated June 2008.

STANDARD OF REVIEW

Summary judgment may be granted only in cases where it is clear and free from doubt that there is no genuine issue as to any material fact and that the moving party is entitled to judgment as a matter of law. *Kafando v. Erie Ceramic Arts Co.*, 764 A.2d 59,61 (Pa.Super. 2000). Pa.R.C.P. 1035.2 states:

After the relevant pleadings are closed, but within such time as not to unreasonably delay trial, any party may move for summary judgment in whole or in part as a matter of law

- (1) whenever there is no genuine issue of any material fact as to a necessary element of the cause of action or defense which could be established by additional discovery or expert report [...].

In deciding a motion for summary judgment, the court must examine the record in a light most favorable to the non-moving party and resolve any doubt in his favor. *Swartley v. Hoffner*, 734 A.2d 915, 919 (Pa.Super. 1999). The non-moving party may not rest on averments in its pleadings and must demonstrate by evidence that there exists a genuine issue for trial. *Younginger v. Heckler*, 410 A.2d 340, 342 (Pa.Super. 1979).

DISCUSSION

The Estate of Frank A. Romeo, Deceased, in moving for judgment, argues that Plaintiff has failed to allege any evidence that Frank A. Romeo is obligated in his individual capacity to pay according to the Settlement Agreement and General Release.

In its Answer to the Motion for Summary Judgment, North Union Township again does not identify Romeo’s position in the corporation of Romeo & Sons, but states that “Frank A. Romeo entered into a Settlement Agreement” and that “Romeo defaulted before payments were initiated, refused to make payments [...]” North Union Township alleges individual liability of Frank A. Romeo “under the legal concept of Trustee Ex Maleficio” in that Romeo was “the individual who was totally in control of business, finances, and made all business decisions with regard to payment of obligations.” The

Answer to the Motion for Summary Judgment further argues that Romeo made “selective decisions [on payments] which enabled the business to continue, while intentionally, maliciously, negligently and willfully refusing to execute checks and make payment to the Mercantile Tax Collector/North Union Township.” North Union Township further alleges in the Answer that Romeo made numerous promises to pay, yet willfully failed to do so. North Union Township cites that Romeo sold the building in which he conducted his business and should have applied the proceeds to his tax obligation. Also, the Township alleges Romeo transferred his residence to avoid his liability.

Notably, a request to pierce the corporate veil is not listed in any of the pleadings filed by North Union Township. Nonetheless, at the time set for oral argument, counsel for North Union Township argued that the corporate veil should be pierced as a result of the above mentioned actions of Frank A. Romeo.

The Court must now examine whether a genuine issue of material fact remains as to whether Frank A. Romeo, now his Estate, is obligated under the Settlement Agreement and General Release in its individual capacity. The signature page indicates that Frank A. Romeo executed the document as “BY: Frank A. Romeo Its: ____”. The signature line for the representative capacity of the signatory is similarly left blank for the School District, being “Laurel Highlands School District BY: ____ Its: ____”. Although it is blatantly obvious the “Its: ____” line was intended to list the corporate position of the signatory, the position of “President” is not so identified. The Court will not read a term into the contract that was omitted. Nonetheless, despite the absence of identifying Frank A. Romeo as “President” on the signature page, the Court is cognizant of the “recitals” section of the settlement which identified the parties as only Romeo and Sons, Inc. d/b/a Romeo & Sons, and not Frank A. Romeo. Frank A. Romeo, individually, was not a party to the Settlement Agreement and General Release.

Turning now to the legal theories proposed by North Union Township, the first being that the Township alleges Frank A. Romeo is liable as trustee ex maleficio. “Responsible officers of a corporation who fail to remit the withheld taxes are all trustees ex maleficio, and they can be responsible.” *City of Philadelphia v. Petherbridge*, 781 A.2d 263, 267 (Pa.CmwltH.2001). North Union Township cited precedent of *City of Philadelphia v. GoInternet Net, Inc.*, 935 A.2d 586, 596 (Pa. Commw. Ct. 2007), claiming the case stood for the proposition that officers of a corporation are liable for failure to pay taxes. In certain situations the collection of that tax is accurate, however, the application fails here where the type of tax was a mercantile tax.

In *City of Philadelphia v. Penn Plastering Corp.*, 434 Pa. 122, 253 A.2d 247 (1969), a case concerning the failure of corporate officers to pay city wage taxes, the Pennsylvania Supreme Court stated:

[A] corporation which in the course of its operations collects taxes as an agent for a city and fails to pay same over to the city is trustee ex maleficio. Its officers are all trustees ex maleficio and are responsible together with the corporation where they were responsible for the performance of the duty to collect the taxes and were in control of the corporation's funds and tax accounts....

To hold otherwise would be to disregard the undisputed fact that corporations must act through individuals and where the individuals are the active and controlling officers and agents of the corporation and they fail to administer the trust responsibilities of the corporation, those responsibilities are imposed upon the individuals who are responsible for the performance of the trust duty.

Id. at 125, 253 A.2d at 249.

The type of tax at issue here is a mercantile tax levied on a Romeo & Sons' gross retail sales and gross wholesale of merchandise. By its very title, trustee ex maleficio requires a relationship beholden to trust responsibilities. Unlike the precedents cited by North Union Township which require "trust responsibilities of the corporation," Romeo & Sons were not acting as trustees in the collection of mercantile taxes for North Union Township.

The mercantile tax at issue was not being entrusted for collection to Romeo & Sons, unlike, for example, sales tax where the business imposes the percentage of tax owed upon the consumer, collects that amount from the consumer, holds that amount, and then remits that exact same amount of tax to the taxing body. The mercantile tax was not collected by Romeo & Sons from consumers on behalf of the Township, rather it is a tax imposed by the Township on the corporate entity as a cost of doing business.

North Union Township's reliance on this legal theory is misplaced. By definition, Romeo & Sons was not a trustee of the mercantile tax. Frank A. Romeo, as President, cannot be held liable under the theory of trustee ex maleficio for a mercantile tax where such tax does not fall for collection under the "trust responsibilities of the corporation." Accordingly, the Court declines to impose individual liability on the Estate of Frank A. Romeo, Deceased through the theory of trustee ex maleficio.

Next, although not plead in the Amended Complaint and not included in its Answer to the Motion for Summary Judgment, at oral argument, North Union Township attempted to proceed on piercing the corporate veil to find individual liability of Frank A. Romeo. The failure to include this in the pleadings filed with the Court is fatal alone, nonetheless, should we consider the same, it also fails on the merits.

As a preliminary matter, it must be noted that a strong presumption exists in Pennsylvania against disregarding the corporate form. *Wedner v. Unemployment Compensation Bd. of Review*, 296 A.2d 792, 794 (Pa. 1972). Piercing the corporate veil is a "means of assessing liability for the acts of a corporation against an equity holder in the corporation." *Village at Camelback Property Owners Assn. Inc. v. Carr*, 538 A.2d 528, 532 (Pa.Super. 1988). "Piercing the corporate veil is the exception, and courts should start from the general rule that the corporate entity should be upheld unless specific, unusual circumstances call for [such] an exception." *First Realvest, Inc. v. Avery Builders, Inc.*, 600 A.2d 601, 604 (Pa.Super. 1991).

A veil-piercing claim must be "supported by specific factual averments, rather than mere legal conclusions." *Lumax Indus. v. Aultman*, 669 A.2d 891 (Pa. 1995). Under Pennsylvania law, the following factor are to be considered in determining whether to pierce the corporate veil: 1) undercapitalization; 2) failure to adhere to corporate formal-

ities; 3) substantial intermingling of corporate and personal affairs; and 4) use of the corporate form to perpetrate a fraud. *Id.*

The Record before the Court is deplete of any factual averments of the nature sufficient to permit North Union Township to pierce the corporate veil of Romeo & Sons and to hold the Estate of Frank A. Romeo, Deceased individually liable. As noted, *supra.*, the Amended Complaint alleges that Frank A. Romeo executed the Settlement Agreement and General Release and that the General Release provision included his position as shareholder and president. The Answer to the Motion for Summary Judgment alleges that Romeo knew that Romeo & Sons had inadequate funds to pay its financial obligations and that Romeo chose certain obligations over others, allegedly “decisions which enabled the business to continue.” Frank A. Romeo was the President of Romeo & Sons from its inception in 1965. North Union Township cites that Frank A. Romeo made the decisions to execute checks, or refused to execute checks. North Union Township also cites to real estate transactions, the selling of his business property and the transfer of his residential real estate, in support of its argument that Romeo was attempting to evade the payment of this mercantile tax. The Court cannot make this same conclusion based on the Record.

“Where a party enters into a contract with a corporation, no action will lie against the shareholders of that corporation individually for a breach of contract.” *Loeffler v. Mcshane*, 539 A.2d 876 (Pa.Super. 1988). By the very nature of corporate structure, a shareholder and president of a corporation would be a decision maker for the corporation. The position of president would be the corporate officer in any corporation vested with the authority to make business decisions on behalf of the corporation. The fact that Romeo made ordinary business decisions does not in any way lead to a piercing of the corporate veil. In order to successfully pierce the corporate veil, Plaintiff must establish that the corporation is used to defeat public convenience, justify wrong, protect fraud, or defend crime. *Mosaica Educ., Inc. v. Pennsylvania Prevailing Wage Appeals Bd.*, 925 A.2d 176, 184 (Pa. Commw. Ct. 2007). Plaintiff has failed on all counts to proceed on a piercing of the corporate veil theory of recovery to impose individual liability on the Estate of Frank A. Romeo, Deceased.

Accordingly, since the Court finds that there is no genuine issue of material fact remaining to be tried by a jury, we must GRANT the Motion for Summary filed by Defendant, the Estate of Frank A. Romeo, Deceased.

WHEREFORE, the Court will enter the following ORDER.

ORDER

AND NOW, this 15th day of June, 2017, it is hereby ORDERED and DECREED that the Motion for Summary filed by Defendant, the Estate of Frank A. Romeo, Deceased, is GRANTED

BY THE COURT:
NANCY D. VERNON, JUDGE

ATTEST:
Prothonotary

NOTICE

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