RECENT OPINION SUMMARIES

PUCCIARELLI v. DEMETER F.C. 11-90554-D (2014)

In general, property given to both husband and wife as a wedding gift is part of the marital estate. However, if that gift was expended entirely on wedding/honeymoon expenses before the parties separated it is not available for equitable distribution.

HOUSEHOLD FINANCE CONSUMER DISCOUNT COMPANY v. GRAMZ A.D. 10-11586 (2014)

The formation of a Mortgage Reaffirmation Agreement must comply with the Bankruptcy Code. Specifically, a Reaffirmation Agreement must be formed in accordance with the procedures mandated by the Code in 11 U.S.C. § 524(c). It is critical that the Reaffirmation Agreement be filed with the Bankruptcy Court. In a Chapter 7 bankruptcy, a discharge of a debtor's personal liability in connection with a mortgage does not adversely affect the bank's mortgage lien against the debtor's personal residence.

FERGUSON v. CLAYPOOLE A.D. 11-11492 (2014)

The mere happening of an accident does not establish negligence, raise an inference or presumption of negligence, or make out a prima facie case of negligence. Thus, in the absence of proof, the mere happening of an accident will not permit a case to be submitted to a jury on the doctrine of res ipsa loquitur. With respect to unexplained fires, at least one Pennsylvania court has noted that it is common knowledge that fires occur frequently without anyone being at fault, and that the rule of res ipsa loquitur is generally given limited application in such cases.

Please Note: The Butler County Legal Journal is published every Friday. All legal notices must be submitted in typewritten form and are published exactly as submitted by the advertiser. The Butler County Bar Association will not assume any responsibility to edit, make spelling corrections, eliminate errors in grammar or make any changes in content.

Please address all communications to:

Butler County Legal Journal 240 South Main Street | Butler PA 16001 | p: 724.841.0130 | f:724.841.0132 | BCLegalJournal@zoominternet.net

Visit us on the web @ butlercountypabar.org

ESTATE NOTICES

Notice is hereby given that in the estates of the decedents set forth below the Register of Wills has granted letters testamentary or of administration to the persons named. All persons having claims or demands against said estates are requested to make known the same, and all persons indebted to said estates are requested to make payment without delay, to the executors or administrators or their attorneys named below.

FIRST PUBLICATION

Estate of: Evelyn W Clark

Late of: Butler Township PA
Executor: Debra Ann Brannon
106 Brannon Lane
Butler PA 16001
Attorney: Norman D Jaffe
Jaffe & Kecskemethy PC
101 East Diamond Street Suite 204
Butler PA 16001

Estate of: Marcia D Dillon

Late of: Cranberry Township PA Executor: Wendy D Pietrangelo 18935 E Shoreland Avenue Rocky River OH 44116 Attorney: None

Estate of: Howard Larson Graham Jr a/k/a: Howard L Graham Jr

Late of: Saxonburg PA
Executor: Bruce Graham
147 Winterwood Drive
Butler PA 16001
Attorney: E Robert Pecori
Pecori & Pecori
7051 Steubenville Pike Suite 7
Oakdale PA 15071

Estate of: Marie V Grystar

Late of: Cranberry Township PA Executor: Regina V Danko 223 Lafayete Drive Cranberry Twp PA 16066 Attorney: Kurt S Rishor Rishor Simone 101 East Diamond Street Suite 208 Butter PA 16001

Estate of: Robert J Kalka

Late of: Butler Township PA Executor: Greg Kalka 213 N Elm Street Butler PA 16001 Attorney: Matthew E Fischer 114 West Cunningham Street Butler PA 16001

Estate of: Theresa Kotewicz

Late of: Adams Township PA Admr cta: Kimberly J Blackham 160 Fifth Ave Freedom PA 15042 Attorney: Julie C Anderson Stepanian & Menchyk LLP 222 South Main Street Butler PA 16001

Estate of: Lois Ada Mazuch a/k/a: Lois A Mazuch

Late of: Adams Township PA Executor: Sharon Mazuch 121 Sharon Lane Mars PA 16046 Attorney: Douglas E Weinrich PC 107 Irvine Street POB 810 Mars PA 16046

Estate of: Dana W Miller a/k/a: Dana Elaine Wilson a/k/a: Dana Elaine Miller

Administrator: Gwilym A Price III
129 South McKean Street
Butler PA 16001
Attorney: Gwilym A Price III
129 South McKean St
Butler PA 16001-6029

Estate of: Ruth I Minnear

Late of: Clay Township PA
Executor: Linda Baptiste
414 Charles Street
Butler PA 16001
Executor: Kenneth C Minnear
135 Kelly Road
Butler PA 16001
Attorney: David A Crissman
Montgomery Crissman
Montgomery & Kubit LLP
518 North Main Street
Butler PA 16001

Estate of: Irene Ocvirk

Late of: Butler Township PA Executor: Robert C Ocvirk 245 Vogel Road Butler PA 16002 Attorney: Robert J Winters Goehring Rutter And Boehm Frick Bldg 437 Grant St 14th Floor Pittsburgh PA 15219

Estate of: Michael L Pawk a/k/a: Dr Michael L Pawk DDS

Late of: Penn Township PA Executor: Michael J Pawk 898 Persimmon Road Sewickley PA 15143 Attorney: Lawrence P Lutz Lutz & Pawk The Morgan Center Bldg 101 East Diamond St Suite 102 Butler PA 16001

Estate of: James D Rihel

Late of: Cherry Township PA
Administrator: Kristy J Martino
1057 Boyers Road
Boyers PA 16020
Attorney: Andrea C Parenti
Dillon McCandless King
Coulter & Graham LLP
128 West Cunningham Street
Butler PA 16001

Estate of: Norman Shimmel a/k/a: Norman Eugene Shimmel

Late of: Oakland Township PA Executor: James Logue 1019 Bonniebrook Road Butler PA 16002 Executor: Kathleen Connors 107 College Street Butler PA 16001 Attorney: Andrew E Steckiw 21 South 12th Street 7th Floor Philadelphia PA 19107

Estate of: Virginia L Tipton

Late of: Jefferson Township PA Executor: Kenneth David Tipton 14 Heather Lane Bradford PA 16701 Executor: Bernard John Tipton 1054 Marina Lane Hudlleston(sic) VA 24104 Attorney: J Stevenson Suess 318 West Cunningham Street Butler PA 16001

Estate of: Angeline Steriopulos

Late of: Butler Township PA
Executor: Thomas G Steriopulos
110 Cedar Road
Butler PA 16001
Attorney: Lawrence P Lutz
Lutz & Pawk
The Morgan Center Bldg
101 East Diamond St Suite 102
Butler PA 16001

Estate of: Leo H Weiland

Late of: Butler PA
Admr cta: Lee Ann Rinaman
418 Spring Street Ext
Mars PA 16046
Admr cta: Wendy McCrea
106 Russel Road
Fenelton PA 16034
Admr cta: Jeff Weiland
6141 Abergile Lane
Matthew NC 28104
Attorney: Thomas J May
Murrin Taylor Flach Gallagher & May
110 East Diamond Street

BCLJ: November 7, 14 & 21, 2014

Butler PA 16001

SECOND PUBLICATION

Estate of: George Aloysius Beck Sr a/k/a: George A Beck a/k/a: George A Beck Sr

Late of: Butler Township PA
Executor: Kathleen Beck Lewis
2560 Lady Anne Court
Churchville MD 21028
Executor: Thomas Beck
8680 West Calla Road
Canfield OH 44406
Attorney: None

Estate of: Joan E Codispot

Late of: Butler Township PA Executor: Dominic E Codispot 101 Belmont Road Butler PA 16001 Attorney: Leo M Stepanian II Stepanian & Menchyk LLP 222 S Main St Butler PA 16001

Estate of: Sandra L Collins

Late of: Butler Township PA
Administrator cta: Timothy A Collins
325 W Howard Street
Butler PA 16001
Administrator cta: Rebecca L Kerner
227 East Metzger Avenue
Butler PA 16001
Attorney: Richard E Goldinger
212 West Diamond St
Butler PA 16001

Estate of: June Kennedy a/k/a: Gladys June Kennedy

Late of: Saxonburg PA Executor: Doris A Keefer 111 Bella Drive Saxonburg PA 16056 Attorney: Laurel Hartshorn 254 W Main St POB 553 Saxonburg PA 16056

Estate of: Patricia L Lewis

Late of: Center Township PA Executor: Heather A Lewis 119 Iroquois Drive Butler PA 16001 Attorney: Joseph E Kubit Montgomery Crissman Montgomery Kubit LLP 518 North Main Street Butler PA 16001

Estate of: Ruth E Romberger

Late of: Penn Township PA Executor: Theresa Bartlett 173 Glade Mill Road Saxonburg PA 16056 Attorney: David A Crissman Montgomery Crissman Montgomery & Kubit LLP 518 North Main Street Butler PA 16001

Estate of: Alice L Waugaman a/k/a: Alice Laverne Waugaman

Late of: Zelienople PA
Administrator: Gary Eiben
1400 Hardscrabble Blvd
Erie PA 16505
Attorney: Gary Eiben Esq
The McDonald Group LLC
456 West Sixth Street
Erie PA 16507-1216

Estate of: Josephine A Wenzelburger

Late of: Zelienople PA
Executor: Robert A Wenzelburger
214 N Clay Street
Zelienople PA 16063
Attorney: Darla J Hancher
Hancher Law Office
101 N Green Lane
Zelienople PA 16063

BCLJ: October 31, November 7 & 14, 2014

THIRD PUBLICATION

Estate of: Michael A Cocchiola

Late of: Cranberry Township PA Executor: Kathleen C Sommers 108 Hampton Court Butler PA 16002 Executor: Julia E Cocchiola 3127 Perrysville Avenue Pittsburgh PA 15214 Attorney: Nicole L Phatak Cohen & Grigsby PC 625 Liberty Ave Pittsburgh PA 15222

Estate of: Ruth M Cypher

Late of: Jefferson Township PA Executor: Leo J Cypher POB 40 Cabot PA 16023 Attorney: Michael J Pater 101 East Diamond St Suite 202 Butler PA 16001

Estate of: Frank J Drahos Jr

Late of: Buffalo Township PA Administrator: Elaine M Drahos 228 Summer Road Rural Valley PA 16249 Attorney: Michael J Pater 101 East Diamond St Suite 202 Butler PA 16001

Estate of: William Durci

Late of: Clinton Township PA
Administrator: Carol M Kondratowicz
225 Brewer Road
Saxonburg PA 16056
Attorney: Pamela H Walters
POB 654
277 Main Street
Saxonburg PA 16056

Estate of: Emma Evans

Late of: Cranberry Township PA Executor: Carol Evans 213 Cashmere Ct Cranberry Twp PA 16066 Attorney: John S Morrow Jr Julian Gray Associates 1187 Thorn Run Ext Suite 400 Moon Township PA 15108 Estate of: Harold L Maihle a/k/a: H Lynn Maihle a/k/a: Harold Lynn Maihle Late of: Adams Township PA Executor: Jay Maihle 268 Downieville Road Valencia PA 16059 Attorney: Charles J Jacques III Jacques & Jacques PC 2125 Freeport Road Natrona Heights PA 15065

Estate of: Garnet Martin a/k/a: Garnet R Martin

Late of: Butler PA
Executor: Robert P Miller
114 Williams Road
Butler PA 16001
Attorney: Elizabeth A Gribik
Dillon McCandless King
Coulter & Graham LLP
128 West Cunningham Street
Butler PA 16001

Estate of: Richard H Powell Sr

Late of: Center Township PA Executor: Richard H Powell Jr 108 Powell Lane Chicora PA 16025 Attorney: David A Crissman Montgomery Crissman Montgomery & Kubit LLP 518 North Main Street Butler PA 16001

Estate of: Margaret M Rock

Late of: Butler Township PA Executor: Michael T Rock POB 416 Unionville PA 19375 Attorney: None

Estate of: Kenneth E Turnbull

Late of: Cranberry Township PA Administrator: Mary Raechel Turnbull 71 Dover Drive Cranberry Twp PA 16066 Attorney: Michael J Henny 2828 Gulf Tower 707 Grant Street Pittsburgh PA 15219

Estate of: Ronald L Wise

Late of: Summit Township PA Administrator: Carol J Wise 401 St Wendelin Road Butler PA 16002 Attorney: William D Kemper 209 Diamond Street West Butler PA 16001

BCLJ: October 24, 31 & November 7, 2014

MORTGAGES

October 13 - 21, 2014

Allen, Mark J., et ux-Citibank NA, et al-Butler Twp.-\$84.140.00

Allison, Richard B., et ux-First Natl Bk of Pa-Zelienople Borough-\$50,000.00

Altmire, Perry A., Jr., et al-Farmers Natl Bk of Emlenton-Cherry Valley Borough-\$60.000.00

Altmire, Perry A., Jr., et al-Farmers Natl Bk of Emlenton-Cherry Valley Borough-\$40,000.00

Andrew, Thomas L., et al-Clearview Fed Cred Un-Jackson Twp.-\$16,000.00

Angert, Roger A., Jr., et ux-Butler Armco Emp Cred Un-Center Twp.-\$277,115.00

Ankeny, Timothy, et ux-GSF Mtg Corp, et al-Slippery Rock Twp.-\$116,000.00

Antinopoulos, James C.-First Commonwealth Bk-Jackson Twp.-\$400,000.00

Astbury, Jeffrey C., et ux-PNC Bk Natl Assn-Adams Twp.-\$200,000.00

Astbury, Jeffrey C., et ux-PNC Bk Natl Assn-Adams Twp.-\$455,000.00

Atkinson, Robert C., et ux-First Commonwealth Bk-Center Twp.-\$42,000.00

Babay, Andrew Patrick, III, et al-Northwest Sav Bk-Connoquenessing Twp.-\$100.000.00

Balk, Daniel T., et ux-West Penn Fin Serv Ctr Inc-Butler City, Wd. 1-\$120,765.00

Bauer, Patricia C.-Dollar Bk Fed Sav Bk-Cranberry Twp.-\$65,000.00

Bauer, Patricia C.-Dollar Bk Fed Sav Bk-Cranberry Twp.-\$50,238.00

Bauman, David A., et al-Butler Armco Emp Cred Un-Butler City, Wd. 5-\$93,500.00

Beeler, Richard M., et al-Clearview Fed Cred Un-Saxonburg Borough-\$38,000.00

Begenwald, Richard F., Jr.-PNC Mtg, aka-Buffalo Twp.-\$248,700.00

Bekks 1 LLC, et al-Brentwood Bk-Cranberry Twp.-\$75,000.00

Bekks 2 LLC, et al-Brentwood Bk-Cranberry Twp.-\$75,000.00

Boris, Douglas-Suntrust Mtg Inc, et al-Clinton Twp.-\$78,615.00

Bosco, Louis, Jr., et al-Northwest Sav Bk-Cranberry Twp.-\$184.000.00

Brenckle, Gary A., et al-PNC Bk Natl Assn-Connoquenessing Twp., et al-\$400,000.00

Brenckle, Gary A., et al-PNC Bk Natl Assn-Connoquenessing Twp., et al-\$479,681.57

Brennan Builders Inc.-Dollar Bk Fed Sav Bk-Adams Twp.-\$6,500,000.00

Brennan Builders Inc.-Dollar Bk Fed Sav Bk-Adams Twp.-\$6,500,000.00

Brennan Builders Inc.-ESB Bank-Lancaster

EXECUTIONS

Week ending October 31, 2014

1st Name-Plaintiff 2nd Name-Defendant

LSF8 Master Participation Trust vs.. Clayton Cupec: 14-30315

Unifund Corporation vs.. Amanda L. Kelley and Butler Armco Employees Credit Union, Garnishee: 14-30316

DIVORCES

Week ending October 31, 2014

1st Name-Plaintiff
2nd Name-Defendant

Bryan R. Bricker vs.. Candace A. Bricker: Gerald G. DeAngelis, Esq.: 14-90714 Alicia A. Codispot vs.. Christopher M. Codispot: William C. Robinson, Jr., Esq.:

14-90715 Natalee Conway vs.. **Thomas F. Conway:** Cathy S. Boyer, Esq.: 14-90721

Beth Michel vs.. **Donald J. Michel:** Jennifer R. Linn. Esg.: 14-90720

Jaime M. Jakovac Philips vs.. **Joshua R. Philips:** Atty - None: 14-90719

Cathleen M. Reeher vs.. Jason L. Reeher: Maura L. Palumbi. Esg.: 14-90712

LaRae Scheidemantle vs.. **Donald J.**Scheidemantle: Cori S. Dunn, Esq.: 1490716

MARGIE L. IFFT A REVOCABLE AGREEMENT OF TRUST Dated January 7, 1997

MARGIE L. IFFT, Deceased

TRUSTEE NOTICE

Margie L. Ifft, late of Evans City, Butler County, Pennsylvania, deceased, having created the MARGIE L. IFFT A REVOCABLE AGREEMENT OF TRUST, dated January 7, 1997, appointed Omar G. Ifft as Trustee. Notice is hereby given to all persons indebted to said Trust to make immediate payment, and to those having claims against the same to present them to the undersigned duly authenticated for settlement.

Omar G. Ifft, Trustee 161 Pioneer Drive P.O. Box 111 Evans City, PA 16033 Maureen Kroll, Esquire Attorney At Law 8981 Norwin Avenue Suite 203 North Huntingdon, PA 15642

BCLJ: November 7, 14 & 21, 2014

NOTICE OF TRUST ADMINISTRATION

Notice is hereby given of the administration of the IRREVOCABLE LIFE INSURANCE TRUST dated January 7, 1997. Margie L. Ifft, Settlor of the Trust, of Evans City, Butler County, Pennsylvania, died on August 15, 2014. Notice is hereby given to all persons indebted to said Trust or Settlor to make immediate payment, and to those having claims against said Trust or Settlor to present them duly authenticated for settlement to the Trustee or his attorney named below:

Omar G. Ifft, Trustee 161 Pioneer Drive P.O. Box 111 Evans City, PA 16033

Maureen Kroll, Esquire Attorney At Law 8981 Norwin Avenue Suite 203 North Huntingdon, PA 15642

BCLJ: November 7, 14 & 21, 2014

NOTICE OF REGISTRATION OF FICTITIOUS NAME

NOTICE IS HEREBY GIVEN that an Application for Registration of Fictitious Name was filed by Ernest J. Baxter, Robert R. Baxter, Debra Oesterling, Raymond Oesterling and Cindy S. Crawford of 457 Jamisonville Road, Butler, PA 16001, and approved by the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania, on the 11th day of September 2014. The fictitious name is: **Baxter's Mobile Home Park**, with an address of 457 Jamisonville Road, Butler, PA 16001.

Gwilym A. Price, III, Esquire 129 South McKean Street Butler, PA 16001

BCLJ: November 7, 2014

NOTICE OF FILING ARTICLES OF INCORPORATION

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania on October 14, 2014, with respect to a corporation which has been incorporated under the provisions of the Business Corporation Law of 1988. The name of the corporation is JSH MANAGEMENT, INC.

CHRISTOPHER M. ABERNETHY, ESQUIRE Abernethy, Auld & Young, P.C., Attorneys 4499 Mt. Royal Blvd. Allison Park, PA 15101

BCLJ: November 7, 2014

ARTICLES OF INCORPORATION

NOTICE IS HEREBY GIVEN that Articles of Corporation were filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA for a business 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 Waterworks Card & Gift Shoppe Inc.

Frank Betres 290 Vogel Road Butler, PA 16002

BCLJ: November 7, 2014

ARTICLES OF INCORPORATION

NOTICE IS HEREBY GIVEN that Articles of Corporation were filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA for a business 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 Waterworks Card & Gift Shoppe Holding Co Inc.

Frank Betres 290 Vogel Road Butler, PA 16002

BCLJ: November 7, 2014

REGISTER'S NOTICE

I, **Judith Moser**, Register of Wills and Clerk of Orphans' Court of Butler County Pennsylvania, do hereby give Notice that the following Accounts of Personal Representatives/Trustees/Guardians have been filed in my office, according to law, and will be presented to Court for confirmation and allowances on **Monday**, **November 10**, **2014 at 1:30 PM** (prevailing time) of said day.

ESTATE OF:	PERSONAL REPRESENTATIVE	FILED
BIEBER, Marilynn J	Brian D. Bieber	09/25/14
CASEY, Lawrence T	Russell C. Miller	09/11/14
FARREN, Daniel David	Doris K. Farren	09/22/14
HUFF, Mary A	Ronald W. Huff	09/18/14
SMITH, Ellen L	Rickard O. Smith	09/22/14
WALSH, Sharon A	Carol J. Osgood	09/22/14
WISE, John H	J. Bradley Wise	09/19/14
NAME	GUARDIAN/TRUSTEE/POA	FILED
HOCKENBERRY, Jane A	Stephen Lucas	09/17/14
SCHWIER, Lawrence F	Brian E. Scott	09/15/14
SEFSCIK, Mathew R	Judith E. & Richard J.Sefscik	09/12/14

BCLJ: October 31 & November 7, 2014

Upcoming CLE Presentations

Pre-registration may be done through PBI at 1.800.932.4637 ext 2325 or by calling the Butler County Bar Association at 724.841.0130. Seminars are held at the Bar Office unless noted otherwise.

Nov. 10, 2014 Elder Law Update

Live Seminar via Simulcast - Butler County Bar Association 3 substantive CLE credits, Mon, Nov. 10, 2014, 9:00A-12:15P

(includes breakfast)

Nov. 17, 2014 Ethical Client Strategies

Live Seminar via Simulcast - Butler County Bar Association 6 ethics CLE credits, Mon, Nov. 17, 2014, 9:00A-4:30P

(includes breakfast & lunch)

Dec. 5, 2014 Labor Law Symposium

Live Seminar via Simulcast - Butler County Bar Association 5 sub/ 1 ethics CLE credits, Fri, Dec. 5, 2014, 9:00A-4:30P

(includes breakfast & lunch)

Join us for...



Coffee with the Judges

Remember that "Coffee with the Judges" meets at the bar office from 8-9 am on the First Friday of each month unless otherwise noted. Check your email and our website for any updates regarding the topic of the meeting, speakers, date changes or if there will be CLE credit available.

December 5, 2014

Cost: \$5, 1 CLE credit available Topic: Veteran's Court

Presenters: Judge McCune and Jeff Thompson

2015 Dates

January 9, 2015
February 6, 2015
March 6, 2015
April 10, 2015
May 1, 2015
June 5, 2015

July 10, 2015
August 7, 2015
September 4, 2015
October 2, 2015
November 6, 2015
December 4, 2015

For more information or to register, contact the Bar Office at 724.841.0130

Go to www.butlercountypabar.org for more information and updates on PBI & BCBA CLEs