



**Chester
County
Bar
Association**

Chester County Law Reporter

(USPS 102-900)

The Official Legal Publication for Chester County

Vol. 60

WEST CHESTER, PENNSYLVANIA, FEBRUARY 16, 2012

No. 7

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Chester County Law Reporter

(USPS 102-900)

*Reporting the Decisions of the Divisions of the Court of the Fifteenth Judicial District of Pennsylvania,
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Publication of Legal Notices*

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D. Matta Plastics v. Chuck

Petition - Attorney's fees – Discontinuance – Non-suit

1. A petition is required to set forth the material facts which constitute the grounds supporting the relief requested.
2. The right to recover costs is that of a party, not the party's counsel.
3. Plaintiff filed a discontinuance against some defendants and then, as it said it would be the case, did not appear for trial. The Court granted appellant's motion for non-suit. Thereafter, counsel for appellant filed, in her own name, a petition for attorney's fees. The Court Held the Petition lacked material facts upon which an award could be made and, because the request was by counsel in her own name, rather than by appellant, the Court denied the petition for counsel fees.

R.E.M.

C.C.P. Chester County, Pennsylvania; No. 09-08304; D. Matta Plastics, LLC, et al vs. John Thomas Chuck, et al

George C. Zumbano for Plaintiffs
Margaret Boyce Furey for Defendants Chuck
Eric A. Packel for Defendants Citizen Bank
Shenkin, J., November 12, 2011:-

[Editor's note: Defendants Chuck filed and appeal.]

D. MATTA PLASTICS, LLC, et al., : IN THE COURT OF COMMON PLEAS
 Plaintiffs : CHESTER COUNTY, PENNSYLVANIA

VS. : NO. 09-08304

JOHN THOMAS CHUCK, et al., :
 Defendants : CIVIL ACTION

George C. Zumbano, Esquire, Attorney for Plaintiffs
 Margaret Boyce Furey, Esquire, Attorney for Defendants Chuck
 Eric A. Packel, Esquire, Attorney for Defendants Citizen Bank

OPINION

Defendants Chuck (appellants) have filed an appeal from our order dated July 21, 2011, wherein we denied the petitions of attorney Furey for counsel fees. Pursuant to Pa.R.A.P. No. 1925(a), we herewith file this brief opinion setting forth the reasons for our order.

Following the filing of the appeal, appellants were directed to file a concise statement of the errors complained of on appeal and have done so. The statement contains eight (8) paragraphs but, in essence, appellants' issues can be combined into two: was it error to deny the petitions for counsel fees and was it error to do so without a hearing.¹

This case was initiated on July 23, 2009. Eventually plaintiffs decided not to pursue the action to trial. Counsel for co-defendants Citizens Bank and Citizens Bank of Pennsylvania prepared an order to settle, discontinue and end the case as to those defendants. Plaintiffs executed that praecipe and the matter was discontinued as to those defendants. For whatever reason, no similar praecipe was filed as to appellants. Accordingly, the case was called for trial and, as plaintiffs had advised would be the case, plaintiffs did not appear. Accordingly, by order dated January 3, 2011, (which order is noted as having been sent to the parties January 5, 2011) we granted appellants motion for entry of non-suit.

¹Appellants also set forth that it was error to deny their motion for reconsideration but no appeal has been taken from that order. Also, appellants set forth that our orders were in error because we were "aware of the dilatory, obdurate and vexatious conduct of appellees" and that it was error for us to have failed to review the docket of this case before issuing our orders. These contentions have no factual basis.

On February 16, 2011, Margaret Boyce Furey (not appellants) filed a petition for counsel fees.² An order was issued *per curiam* dated February 15, 2011, directing an answer to the petition be filed, stating that the petition would be decided under Pa.R.C.P. No. 206.7 and allowing 45 days for the completion of depositions. A motion to strike the petition as untimely was filed and ultimately denied.³ No depositions were ever taken and the matter was never referred to the court for disposition. Following denial of the motion to strike the petition, on May 17, 2011, judgment was entered on the order granting the motion for non-suit. Then, on May 26, 2011, Margaret Boyce Furey (not appellants) filed another petition for counsel fees. An order was entered *per curiam* on May 26, 2011, directing plaintiffs to answer the petition. An answer to the petition was filed on June 29, 2011. Thereafter, on July 21, 2011, we entered an order denying both petitions on the basis that neither petition set forth any basis for the awarding of counsel fees.

Appellants now contend that counsel fees should be awarded pursuant to 42 Pa.C.S. §2503 and, apparently, that I should have known not only the basis upon which they⁴ were seeking counsel fees, even though that basis is not set forth in either petition, but also the facts which entitle them to such an award even though

² On February 14, 2011, appellants filed a bill of costs pursuant to C.C.R.C.P. No. 241, seeking \$13, 621.00 in costs, of which \$13,104.00 were counsel fees. The bill of costs contained other items clearly not recoverable as costs but did refer to “Counsel fees (as per petition being simultaneously filed).” On February 18, 2011, plaintiffs filed exceptions to the bill of costs. Eventually the issue of costs appears to have been resolved by settlement and a stipulation for taxation of costs in the amount of \$29.00 was filed on June 9, 2011, the stipulation noting that “The Petition for Counsel Fees shall be determined at a later date.”

³ Pursuant to C.C.R.C.P. No. 241(c), “when counsel fees are sought under the provision of 42 Pa.C.S. §2503 as part of the taxable costs of a matter, the party seeking them shall do so by filing an appropriate petition within twenty (20) days of the conclusion of the case in this court. The proceedings shall be conducted under Pa.R.C.P. No. 209 and C.C.R.C.P. No. 206.1.” Plaintiffs contended that this case was concluded for the purpose of this rule on January 3, 2011, when we granted appellants’ motion for entry of non-suit. Appellants contended that the conclusion of the case did not occur until the time within which an appeal from our order could have been filed. We agreed with neither party. We held “that a case is concluded in this court when judgment is entered or the case is discontinued, as it was with respect to the Citizens Bank defendants. Judgment has not yet been entered in favor of defendants Chuck.” Although we believe our analysis of this issue was correct, if plaintiffs’ contention — which was not without some merit — is correct, then the petition should have been dismissed and this appeal should be dismissed as moot.

⁴ Actually, as already noted, appellants did not file either of these petitions. They were filed by counsel in her own name. Accordingly, appellants have no standing to contest the disposition of petitions to which they were not a party. Moreover, the right to recover costs is that of the parties, not counsel, and on that basis alone the petitions fail.

those facts are not set forth in either petition nor are in any way a part of the record in this case. Appellants also contend that I erred by failing to schedule a hearing on the petition or to hear oral argument on the petition. Neither a hearing or oral argument was requested. In any event, both a hearing and oral argument would have been fruitless as I am limited in my consideration of a petition to the facts set forth therein. In this case, at least arguably, the amount of counsel fees was placed at issue but no facts supporting the award of any counsel fees were part of either petition. A petition is required to set forth “the material facts which constitute the grounds” supporting the relief requested. Pa.R.C.P. No. 206.1(b). To the extent that appellants contend that we were “aware” of plaintiffs’ conduct and/or that a review of the docket supplied the necessary factual basis, we reject such contentions as untrue.

Ultimately, the petitions state only the following: non-suit was entered; judgment was entered on the non-suit (in second petition only); **petitioner** (not appellants, but petitioner) “is entitled to an award of counsel fees”; and that the counsel fees sought are reasonable, were necessarily incurred and that “the services for which the fees have been charged were actually performed.” Not a single fact is averred to support the conclusion that the conduct of plaintiffs was such as to justify an award of fees as part of the taxable costs of the matter “as a sanction against another participant for dilatory, obdurate or vexatious conduct during the pendency of a matter” 42 Pa.C.S. §2503(7) or “because the conduct of another party in commencing the matter or otherwise was arbitrary, vexatious or in bad faith.” 42 Pa.C.S. §2503(9). In fact, if we were called upon to make such determination based upon all of the facts and circumstances known to us at the time we denied the petitions, we would have found there to be no factual basis for the award of counsel fees as part of the taxable costs of this action.

For the foregoing reasons we entered the order from which this appeal has been taken.

BY THE COURT:

/s/ Hon. Robert J. Shenkin

Date: November 12, 2011

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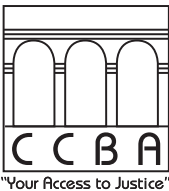


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**CHANGE OF NAME NOTICE
IN THE COURT OF COMMON PLEAS
CHESTER COUNTY, PENNSYLVANIA
CIVIL ACTION – LAW
NO. 12-01109**

NOTICE IS HEREBY GIVEN that the name change petition of Jason E. Strouth was filed in the above-named court and will be heard on April 30, 2012, at 9:30 AM, in Courtroom 17 at the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania.

Date of filing the Petition: January 31, 2012

Name to be changed from: Jason E. Strouth
to: Jason E. Schoffstall

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 the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania on November 30, 2011 for My Three Sons Music Inc., in accordance with the provisions of the Pennsylvania Business Corporation Law of 1988.

The purpose or purposes for which it was organized are: My Three Sons Music Inc. was organized for all lawful business purposes.

STEPHEN E. Bozzo, Solicitor

BUSINESS CORPORATION

Notice is hereby given that Articles of Incorporation were filed with the Department of State for NEW AGE SURGICAL MANAGEMENT SERVICES, INC., a Corporation organized under the Pennsylvania Business Corporation Law of 1988.

COZEN O'CONNOR, P.C., Solicitors
1900 Market Street
Philadelphia, PA 19103

CORPORATION NOTICE

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania for Gnupo Asteria, Inc., in accordance with the provisions of the Pennsylvania Business Corporation Law of 1988. GOLDNER & ASSOCIATES, LLC, Solicitors

1518 Walnut Street
Suite 1010
Philadelphia, PA 19102

CORPORATION NOTICE

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania for Lex Paradigm, Inc., in accordance with the provisions of the Pennsylvania Corporation Law of 1988, as amended.

CORPORATION NOTICE

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania on January 26, 2012 for WeCanLearn, Inc., in accordance with the provisions of the Pennsylvania Business Corporation Law of 1988.

The purpose or purposes for which it was organized are: Any and all lawful business activity

1st Publication**DISSOLUTION NOTICE**

Notice is hereby given to all persons interested or who may be affected: Outta the Woods, Inc. a Pennsylvania corporation and its board of directors is now engaged in winding up and settling the affairs of the corporation so that its corporate existence shall be ended by the issuance of a Certificate of Dissolution by the Department of State of the Commonwealth of Pennsylvania, under the provisions of the Pennsylvania Business Corporation Law of 1988.

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

ARRELL, Virginia, late of Kennett Township. Joseph Arrell, 603 Farmhouse Circle, Swarthmore, PA 19081, Executor.

BLECKER, Sol, a/k/a Solomon Blecker, late of Pennsbury Township. Robert Allen Blecker, 12607 Taylor Court, Silver Spring, MD 20904, Executor.
J. RICHARD GREENSTEIN, Esquire, Flamm Walton PC, 794 Penllyn Pike, Blue Bell, PA 19422, atty.

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CROWLEY, Shirley, late of East Caln Township. John A Featherman, III, care of JOSEPH A. BELLINGHIERI, Esquire, 17 West Miner Street, P.O. Box 660, West Chester, PA 19382-0660, Executor. JOSEPH A. BELLINGHIERI, Esquire, Mac Elree Harvey, Ltd., 17 West Miner Street, P.O. Box 660, West Chester, PA 19382-0660, atty.

DAVIES, Robert Edward, late of Wayne. Diane M. Davies, 101 Elgin Ct., Wayne, PA 19087, Executrix.

DAWSON, Edith R., late of New Garden Township. Michael P. Dawson, care of DAVID T. VIDEON, Esquire, 1000 N. Providence Road, Media, PA 19063, Executor. DAVID T. VIDEON, Esquire, 1000 N. Providence Road, Media, PA 19063, atty.

DRISCOLL, Barbara G., late of West Pikeland Township. Jennifer Scherer and Suzanne Benner, care of MICHAEL C. MC BRATNIE, Esquire, 747 Constitution Drive, Suite 100, P.O. Box 673, Exton, PA 19341-0673, Executrices. MICHAEL C. MC BRATNIE, Esquire, Fox Rothschild LLP, 747 Constitution Drive, Suite 100, P.O. Box 673, Exton, PA 19341-0673, atty.

FLYNN, William H., late of Oxford Borough. Daniel Flynn and David Flynn, care of HARRY W. FARMER, JR., Esquire, P.O. Box 118, Oxford, PA 19363, Executors. HARRY W. FARMER, JR., Esquire, P.O. Box 118, Oxford, PA 19363, atty.

GRAHAM, Margaret C., late of Pennsbury Township. Gary D. Graham, care of L. PETER TEMPLE, Esquire, P.O. Box 384, Kennett Square, PA 19348, Executor. L. PETER TEMPLE, Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

GROSS, Earl L., late of Coatesville. Michael E. Gross, care of JAMES L. DAVIS, Esquire, 234 North 6th Street, Reading, PA 19601, Executor. JAMES L. DAVIS, Esquire, Paul R. Ober & Associates, 234 North 6th Street, Reading, PA 19601, atty.

HARTWELL, Zachary D., late of West Goshen Township. Rachel P. Hartwell, care of MARITA MALLOY HUTCHINSON, Esquire, First Niagara Bank Building, 1197 Wilmington Pike, West Chester, PA 19382, Administratrix. MARITA MALLOY HUTCHINSON, Esquire, First Niagara Bank Building, 1197 Wilmington Pike, West Chester, PA 19382, atty.

HEADLEY, William L., late of West Fallowfield Township. Alexander L. Headley (named in Will as Alexander Headley), care of DONALD STRUMPF, Esquire, 919 Conestoga Road, Building Three, Suite 112, Rosemont, PA 19010, Executor. DONALD STRUMPF, Esquire, 919 Conestoga Road, Building Three, Suite 112, Rosemont, PA 19010, atty.

HEIMLICH, Jay M., late of East Bradford Township. Sheri Lynn Dever, care of DUKE SCHNEIDER, Esquire, 17 West Miner Street, P.O. Box 660, West Chester, PA 19382-0660, Executrix. DUKE SCHNEIDER, Esquire, Mac Elree Harvey, LTD., 17 West Miner Street, P.O. Box 660, West Chester, PA 19382-0660, atty.

KEARNS, James W., late of East Goshen Township. Robert E. Kearns, 35 Sturbridge Lane, West Chester, PA 19380, Executor. FRANK W. HAYES, Esquire, Hayes & Romero, 31 South High Street, West Chester, PA 19382, atty.

KOCON, Geraldine F., late of North Coventry Township. John P. Orandosch, care of VINCENT CAROSELLA, JR., Esquire, 882 South Matlack Street, Suite 101, West Chester, PA 19382, Executor. VINCENT CAROSELLA, JR., Esquire, Carosella & Associates, P.C., 882 South Matlack Street, Suite 101, West Chester, PA 19382, atty.

MAGEE, Raymond J., late of Exton, Uwchlan Township. Rosemary A. Magee, 726 Brooke Road, Exton, PA 19341, Administratrix. TIMOTHY J. BARTON, Esquire, 1518 Walnut Street, Suite 1406, Philadelphia, PA 19102, atty.

MC GEEHAN, John T., a/k/a Jack McGeehan, late of West Brandywine Township. Frances M. Hack, 39 Heffner Lane, Reading, PA 19606, Executor.

MEYER, Angela Marie, a/k/a Angela M. Meyer, late of Downingtown Borough. Claudia Anne Bonfiglio, 9265 Rosewater Lane, Jacksonville, FL 32256, Executrix. **BRETT B. WEINSTEIN**, Esquire, Weinstein Law Offices PC, 705 W. DeKalb Pike, King of Prussia, PA 19406, atty.

MORSE, Audrey M., late of Phoenixville. Alan Morse, care of **JAMES B. GRIFFIN**, Esquire, 623 North Pottstown Pike, Exton, PA 19341, Executor. **JAMES B. GRIFFIN**, Esquire, James B. Griffin, P.C., 623 North Pottstown Pike, Exton, PA 19341, atty.

RAMBO, Sadie P., late of Frazer, East Whiteland Township. Brenda R. Piombine, 202 Conestoga Road, Malvern, PA 19355, Executrix. **JAMES J. RUGGIERO, JR.**, Esquire, Ruggiero Law Offices, LLC, 16 Industrial Boulevard, Ste. 211, Paoli, PA 19301, atty.

RASH, Gladys M., late of Honey Brook Township. Michael D. Rash, 19 Kristin Drive, Coatesville, PA 19320, Executor. **ALAN J. JARVIS**, Esquire, Highlands Corporate Center, 495 Highlands Boulevard, Suite 109, Coatesville, PA 19320, atty.

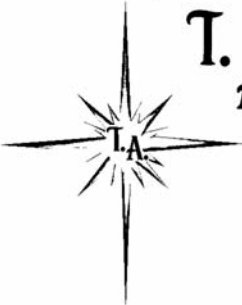
RUDINSKY, Judith E., late of West Chester/West Whiteland Township. Cara Turner, care of **KEITH M. MCWHIRK**, Esquire, 2024 Cressman Road, P.O. Box 1229, Skippack, PA 19474-1229, Administratrix. **KEITH M. MCWHIRK**, Esquire, Mandracchia & McWhirk, LLC, 2024 Cressman Road, P.O. Box 1229, Skippack, PA 19474-1229, atty.

SAVILLE, Blanche C., late of East Pikeland Township. Audrey Fricker, care of **REGINA B. GUERIN**, Esquire, 613 West Avenue, Jenkintown, PA 19046, Executrix. **REGINA B. GUERIN**, Esquire, 613 West Avenue, Jenkintown, PA 19046, atty.

TRACY, Florence M., late of Caln Township. Donald A. Tracy, 1145 Carolina Avenue, West Chester, PA 19380, Administrator.

WILLIAMS, Hannah Cheney, late of Pennsbury Township. B. Owen Williams, care of **L. PETER TEMPLE**, Esquire, P.O. Box 384, Kennett Square, PA 19348, Executor. **L. PETER TEMPLE**, Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

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BOYLE, Duane Anthony, a/k/a Duane Boyle, late of Exton. Robyn Boyle, 306 Trimble Lane, Exton, PA 19341, Executor. CATHERINE T. DUFFY, Esquire, 50 Sterner Avenue, Broomall, PA 19008, atty.

CAMPOS, Ernest E., Sr., late of City of Coatesville. Karen M. Aabdala, 3405 Edge Lane, Thorndale, PA 19375, Executrix. NIKOLAOS I. TSOUROS, Esquire, Mac Elree Harvey, Ltd., 17 W. Miner Street, P.O. Box 660, West Chester, PA 19382-0660, atty.

CHAMBERS, Linda Joan, late of New London Township/Oxford. Cheryl L. Haley, 356 Saginaw Road, New London Township, PA 19352, Administratrix.

DERO, Miroslawa, late of City of Coatesville. Maciej Wojnowski, care of ALAN J. JARVIS, Esquire, Highlands Corporate Center, 495 Highlands Boulevard, Suite 109, Coatesville, PA 19320, Executor. ALAN J. JARVIS, Esquire, Highlands Corporate Center, 495 Highlands Boulevard, Suite 109, Coatesville, PA 19320, atty.

DOUGHERTY, Helen S., late of Phoenixville. Deborah A. Foresta, care of ELIZABETH R. HOWARD, Esquire, 301 Gay Street, P.O. Box 507, Phoenixville, PA 19460, Executrix. ELIZABETH R. HOWARD, Esquire, 301 Gay Street, P.O. Box 507, Phoenixville, PA 19460, atty.

ERB, Mabel K., late of East Coventry Township. Patricia Madeja, 253 Pearl Street, Pottstown, PA 19465 and Charles A. Haddad, 209 N. Monroe St., Boyertown, PA 19512, Executors. CHARLES A. HADDAD, Esquire, 209 N. Monroe St., Boyertown, PA 19512, atty.

FACCIOLLI, Dan, late of Valley Township. Christine Facciolli, care of DUKE SCHNEIDER, Esquire, 17 West Miner Street, P.O. Box 660, West Chester, PA 19382-0660, Executrix. DUKE SCHNEIDER, Esquire, Mac Elree Havey, Ltd., 17 West Miner Street, P.O. Box 660, West Chester, PA 19382-0660, atty.

GARREN, Jean H., a/k/a Jean Hayes Garren, late of Kennett Township. Michael S. Downey, care of NEIL W. HEAD, Esquire, 218 West Miner Street, West Chester, PA 19382-2925, Executor. NEIL W. HEAD, Esquire, Klein, Head & Head, LLP, 218 West Miner Street, West Chester, PA 19382-2925, atty.

HALL, Stephen Allen, Sr., late of Valley Township. Stephen A. Hall, Jr., 107 Snyder Avenue, West Chester, PA 19382 and Valerie B. Hall, 22 Harrogate Drive, Lumberton, NJ 08048, Executors. ALBERT P. MASSEY, JR., Esquire, Lentz, Cantor & Massey, Ltd., 460 East King Road, Malvern, PA 19355, atty.

HARP, David H., late of Pottstown. Mary Jane Harp, 700 Kerlin Avenue, Pottstown, PA 19464, Executrix. MARY C. CROCKER, Esquire, 1296 East High Street, Pottstown, PA 19464, atty.

HIRSCH, Albert E., late of Pennsbury Township. Elisabeth H. Bard, 833 N. Union Street, Apt. 2, Wilmington, DE 19805, Executrix. NIKOLAOS I. TSOUROS, Esquire, Mac Elree Harvey, Ltd., 17 W. Miner Street, P.O. Box 660, West Chester, PA 19382-0660, atty.

JOHNSTON, Elizabeth K., late of Naples, New York. Robert P. Johnston II, care of NOONAN & PROKUP, Esquire, 526 Walnut Street, Allentown, PA 18101, Executor. NOONAN & PROKUP, 526 Walnut Street, Allentown, PA 18101, atty.

MARPLE, Vera, late of West Bradford Township. John Raymond Marple, 483 Stewart Drive, West Chester, PA 19380, Executor.

MCKEE, Priscilla C., late of West Chester, Westtown Township. Helen O'Neill, 13806 McTyres Cove Place, Midlothian, VA 23112, Mark A. McKee, 1091 Jones Road, Gulph Mills, PA 19428 and Margaret O'Neill, 1003 Adams Way, West Chester, PA 19382 Executors.

MCLAUGHLIN, George H., late of East Bradford Township. Ann J. McLaughlin, 1036 Harmony Hill Road, Downingtown, PA 19335, Executrix. **FRANK W. HAYES**, Esquire, Hayes & Romero, 31 South High Street, West Chester, PA 19382, atty.

PALLINI, Carmela R., a/k/a Carmella Pallini, late of West Chester. Nicholas J. Pallini, 562 Revere Road, West Chester, PA 19382, Executor. **JOSEPH E. PALMA**, Esquire, Goldberg, Meanix, McCallin & Muth, 213 West Miner Street, West Chester, PA 19382, atty.

SCHLIMME, Harry E., late of Sadsbury Township. Laurie A. Schlimme, 55 Lincoln Avenue, Coatesville, PA 19320 and Kenneth E. Schlimme, 462 Icedale Road, Honey Brook, PA 19344, Executors. **ALAN J. JARVIS**, Esquire, Highlands Corporate Center, 495 Highlands Boulevard, Suite 109, Coatesville, PA 19320, atty.

SHIPP, Jack Wallace, a/k/a Jack W. Shipp a/k/a Jack Shipp, late of Phoenixville. Glenn B. Shipp, care of **GREGORY E. GRIM**, Esquire, 104 South Sixth Street, P.O. Box 215, Perkasio, PA 18944, Executor. **GREGORY E. GRIM**, Esquire, Grim, Biehn & Thatcher, 104 South Sixth Street, P.O. Box 215, Perkasio, PA 18944, atty.

STOLTZFUS, Alma K., late of Honey Brook Township. Melody Ann Stoltzfus, care of **JEF-FREY C. GOSS**, Esquire, 221 East Chestnut Street, Lancaster, PA 17602, Executrix. **JEF-FREY C. GOSS**, Esquire, Hartman Underhill & Brubaker LLP, 221 East Chestnut Street, Lancaster, PA 17602, atty.

TRUETT, Susan R., late of East Bradford Township. **DAWSON R. MUTH**, Esquire, 213 W. Miner Street, West Chester, PA 19382, Executor. **DAWSON R. MUTH**, Esquire, Goldberg, Meanix, Mc Callin & Muth, 213 W. Miner Street, West Chester, PA 19382, atty.

3rd Publication

BEMIS, James B., late of East Whiteland Township. Jessica L. Bemis, care of **JAMES S. BYAN**, Esquire, 11 Park Street, North East, PA 16428, Executrix. **JAMES S. BRYAN**, Esquire, Knox McLaughlin Gornall & Sennett, P.C., 11 Park Street, North East, PA 16428, atty.

CASENTA, Vinette E., late of Parkesburg Borough. Ronald L. Bair, 563 Country Club Road, Coatesville, PA 19320, Administrator. **ALAN J. JARVIS**, Esquire, Highlands Corporate Center, 495 Highlands Boulevard, Suite 109, Coatesville, PA 19320, atty.

CHARLES T. DeTULLIO

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COX, George H., Jr., late of West Brandywine Township. Nermin S. Cox, care of JENNIFER LEVY-TATUM, Esquire, 803 West Market Street, West Chester, PA 19382, Executrix. JENNIFER LEVY-TATUM, Esquire, Binder & Canno, LLC, 803 West Market Street, West Chester, PA 19382, atty.

DAVIDOFF, Jerry P., late of West Whiteland Township. Teresa L. Daviodoff, care of VERA PARENTI ANCONI, Esquire, 17 E. Gay Street, Suite 100, P.O. Box 562, West Chester, PA 19381-0562, Executor. VERA PARENTI ANCONI, Esquire, Gawthrop Greenwood, PC, 17 E. Gay Street, Suite 100, P.O. Box 562, West Chester, PA 19381-0562, atty.

DILLON, Mary Madeleine, late of East Goshen Township. Eileen M. Prilutski, care of L. PETER TEMPLE, Esquire, P.O. Box 384, Kennett Square, PA 19348, Executrix. L. PETER TEMPLE, Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

FARRA, Russell A., Jr., late of City of Coatesville. Nancy L. Mattson, 789 Williwaw Lane, Gap, PA 17527, Executrix. ROBERT L. BEGGS, Esquire, 380 East Chestnut Street, Coatesville, PA 19320, atty.

FORNESS, Marion S., late of East Goshen Township. Beth F. Simmons, Karen F. Ritterson, Thomas R. Forness, Jr. and Frederick J.M. La Valley, care of FREDERICK J.M. LA VALLEY, Esquire, 1701 Market Street, Philadelphia, PA 19103, Executors. FREDERICK J.M. LA VALLEY, Esquire, Morgan, Lewis & Brockius, LLP, 1701 Market Street, Philadelphia, PA 19103, atty.

FRIDAY, Noel B., late of Phoenixville Borough. Carrie N. Eastwick, 31 Morgan Spring Drive, Morgantown, PA 19543, Administratrix. PATRICIA T. BRENNAN, Esquire, 31 Turner Lane, West Chester, PA 19380, atty.

GARBUS, Julia B., late of East Nantmeal Township. Barbara L. Garbus, 2047 Fairview Road, Glenmoore, PA 19343, Executrix. CATHERINE J. GARBUS, Esquire, 24 E. Tioga St., Tunkhannock, PA 18657, atty.

GEEDEY, Ronald E., Sr., late of Cochranville. Ronald E. Geedey Jr., 5483 Highview Drive, Gap, PA 17527, Executor.

GEST, Florence M., late of Phoenixville. John P. Gest, 16720 Caldwell Ct., Williamsport, MD 21795, Executor.

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GILMAN, Janice, late of Kennett Township. Bethany Bridgham and Graystone Wealth Management, care of KEVIN HOLLERAN, Esquire, 17 E. Gay Street, Suite 100, P.O. Box 562, West Chester, PA 19381-0562, Executors. KEVIN HOLLERAN, Esquire, Gawthrop Greenwood, P.C., 17 E. Gay Street, Suite 100, P.O. Box 562, West Chester, PA 19381-0562, atty.

GRAVES, Margaret J., late of Strafford. Larry K. Graves, care of STEVEN M. ROMANO, Esquire, 250 W. Lancaster Avenue, Suite 160, Paoli, PA 19301, Executor. STEVEN M. ROMANO, Esquire, 250 W. Lancaster Avenue, Suite 160, Paoli, PA 19301, atty.

GRAY, Henry D., late of Penn Township. Daniel Gray and Damon Gray, care of HUDSON L. VOLTZ, Esquire, 110 Hopewell Rd, Suite 200, Downingtown, PA 19335, Administrators. HUDSON L. VOLTZ, Esquire, Hudson L. Volt, P.C., 110 Hopewell Rd, Suite 200, Downingtown, PA 19335, atty.

HUEBNER, William A., late of Thornbury Township. Margaret A. Huebner, care of STANLEY J. LIEBERMAN, Esquire, 311 Exton Commons, Exton, PA 19341-2450, Executor. STANLEY J. LIEBERMAN, Esquire, 311 Exton Commons, Exton, PA 19341-2450, atty.

KYLER, John Francis, a/k/a John F. Kyler, late of East Vincent Township. John Leonard Kyler, P.O. Box 461, Bernville, PA 19506, Executor. RICHARD L. GESCHWINDT, Esquire, 203 East Noble Avenue, Shoemakersville, PA 19555, atty.

LEE, Vernon C., late of Uwchlan Township. Donna M. Lee, care of LISA COMBER HALL, Esquire, A Professional Corporation, 27 S. Darlington Street, West Chester, PA 19382, Administrator. LISA COMBER HALL, Esquire, Hall Law Offices, A Professional Corporation, 27 S. Darlington Street, West Chester, PA 19382, atty.

MANCUSO, Vincent Anthony, a/k/a Gordon Black, late of City of Coatesville, Chester County. Josephine Coppola, care of JOY DICKSTEIN, Esquire, 457 Woodbourne Rd., Suite 102, Langhorne, PA 19047, Executrix. JOY DICKSTEIN, Esquire, 457 Woodbourne Rd., Suite 102, Langhorne, PA 19047, atty.

MILLER, James L., Jr., a/k/a James Lafayette Miller, Jr., late of West Caln Township. Patricia Miller, care of STEPHEN J. OLSEN, Esquire, 17 E. Gay Street, Suite 100, P.O. Box 562, West Chester, PA 19381-0562, Executor. STEPHEN J. OLSEN, Esquire, Gawthrop Greenwood, P.C., 17 E. Gay Street, Suite 100, P.O. Box 562, West Chester, PA 19381-0562, atty.

PETYK, Jane A., late of Tredyffrin Township. Susan Chally, care of JOAN AGRAN, Esquire, 259 N. Radnor-Chester Road, Suite 160, Radnor, PA 19087, Executrix. JOAN AGRAN, Esquire, McCausland, Keen & Buckman, 259 N. Radnor-Chester Road, Suite 160, Radnor, PA 19087, atty.

ROSELLI, Albert, a/k/a Albert G. Roselli, late of Tredyffrin Township. Ronald Roselli, care of W. MARSHALL PEARSON, Esquire, 311 Exton Commons, Exton, PA 19341-2450, Executor. W. MARSHALL PEARSON, Esquire, 311 Exton Commons, Exton, PA 19341-2450, atty.

SHAUB, Virginia N., late of Borough of West Chester. Virginia Ziegler Chapin, care of L. PETER TEMPLE, Esquire, P.O. Box 384, Kennett Square, PA 19348, Executrix. L. PETER TEMPLE, Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

SOUDER, Paul S., Jr., a/k/a Paul Sessler Souder, Jr., late of Tredyffrin Township. Rebecca L. Souder, 500 Berwyn Baptist Road, 1 L Fleur Arborescent, Devon, PA 19333, Executrix. ROBERT B. SHOEMAKER, JR., Esquire, 1800 E. Lancaster Avenue, Paoli, PA 19301, atty.

SWANTKOWSKI, Alan, late of London Grove. Janice Fetzer, 12 Twin Turns Lane, Chadds Ford, PA 19317, Executrix. CATHERINE T. DUFFY, Esquire, 25 E. Second Street, P.O. Box 1590, Media, PA 19063, atty.

TURNER, Michael David, late of Borough of Elverson. , care of MICHAEL J. RESTREPO, Esquire, 531 Court Street, Reading, PA 19601, Administrator. MICHAEL J. RESTREPO, Esquire, 531 Court Street, Reading, PA 19601, atty.

YOST, Madeleine E., late of Willistown Township. Chantal A. Boyer, 141 Camp Council Road, Phoenixville, PA 19460, Executor. NIKOLAOS I. TSOUROS, Esquire, MacElree Harvey, Ltd., 17 W. Miner Street, P.O. Box 660, West Chester, PA 19381-0660, atty.

YOUNG, James Clayton, Sr., late of East Marlborough Township. James C. Young, Jr., 130 Jackson Road, Christiana, PA 17509, Executor.

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

Stylo Rouge Editorial Services, with its principal place of business at 682 Lancaster Avenue, Berwyn, PA 19312.

The application has been (or will be) filed on: December 19, 2011.

The name(s) and address(es) of the individual(s) or entity(ies) owning or interested in said business: Kassell Coover, 682 Lancaster Avenue, Berwyn, PA 19312.

This was filed in accordance with 54 PaC.S. 311.

NONPROFIT CORPORATION

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

The name of the corporation is Delaware Valley Culinary & Sommelier Society.

Articles of Incorporation were filed January 31, 2012

The purpose or purposes for which it was organized are as follows: A nonprofit corporation organized to enhance the education and promotion of gastronomic arts and science.

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The following civil matters have been inactive for two or more years. The Prothonotary has been unable to send written notice of dismissal to one or more parties of record and/or counsel of record due to insufficient addresses.

Pursuant to Pa.R.C.P. 230.2 and C.C.R.C.P. 249.2, these cases will be dismissed for lack of activity unless an Active Status Certification is filed in the Office of the Prothonotary on or before March 19, 2012. For an Active Status Certificate, send a stamped, self-addressed envelope to the Prothonotary, Chester County Justice Center, 201 W. Market St., Suite 1425, PO Box 2746, West Chester, PA 19380-0989

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1993-03784-CA	LINCOLN AVENUE INDUSTRIAL PARK VS MICHAEL AND MARY NORLEY ET AL
1993-04762-CA	ANDREW L & THELMA MOBLEY VS RAYMARK INDUSTRIES, INC ET AL
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1998-01503-CA	ROBERT SANTISE V. DYEDERM INC ET AL
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2005-07811-CA	DE LAGE LANDEN FINANCIAL SERVICES INC ET AL V. ANDREW JIMERSON M D INC
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2006-03378-CA	CAVALRY PORTFOLIO SERVICES LLC ET AL V. JOHN TEDECO
2006-04985-CA	LAGNIAPPE GROWTH & INCOME FUND LL V CANDICE D AGOSTIONO
2006-05602-CA	ATLANTIC CREDIT & FINANCE INC ET AL V. DENNIS CRUZ
2006-06409-MJ	IN RE: ERNEST C BARKMAN
2006-06478-MJ	IN RE: ERNEST BARKMAN
2006-06696-CO	PC CONNECTION SALES CORP V. GLOBAL SPORTS MARKETING CORP
2006-06776-DA	CACV OF COLORADO LLC V. DAVID R DAWSON ET AL
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2007-05630-CA	JAMES GENOVESE ET AL V. KEYSTONE CUSTOM HOMES INC ET AT
2007-07475-DI	TAMERA LEA PAINTER V. CHRISTOPHER ALYN CUSIMA NO
2007-08137-CA	TILLSON MOTORCARS V. RONALD A BROSTROM
2007-09377-CA	DE LAGE LANDEN FINANCIAL SERVICES INC V. FIRS T TRUST MORT-GAGE
2007-09387-DI	MARTHA J MILLER V. RONALD S MILLER
2007-09583-CA	MARK REGESTER V. STEVEN J SOLNOSKY
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2007-12035-DI	KATHLEEN J BRECKER V. ALEC BRECKER
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2009-04319-CA	J.J. HAINES & COMPANY VS. CHESTER COUNTY FLOORING COMPANY INC
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2009-10760-MN	DADDS, C ROBERT VS. INTERNAL REVENUE SERVICE

3rd Publication**NOTICE**

WILLIAM K. HEADLEY DEED OF TRUST DATED JUNE 15, 2007

Notice is hereby given of the death of WILLIAM K. HEADLEY, also known as WILLIAM KENNETH HEADLEY, late of Tredyffrin Township, Chester County, PA. This trust is in existence and all persons having claims or demands against said decedent or the Trust are requested to make known the same to the trustees or the trustee's Attorney and all persons indebted to said decedent or to the Trust are requested to make payment without delay to the trustees or the trustee's attorney, named below:

TRUSTEES: LUNETTA F. HEADLEY and LISA H. GUGLIELMINO
c/o GEORGE M. RITER, Esquire
400 Maryland Drive
Fort Washington, PA 19034-7544

TRUSTEE'S ATTORNEY: GEORGE M. RITER
Timoney Knox, LLP
400 Maryland Drive, P.O. Box 7544
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