

LACKAWANNA JURIST

JUDICIAL OPINION

CASE NAME AND NUMBER: Rinker v. Taurus International Manufacturing, Inc., 2018 WL 6601845 (Lacka. Co. 2018)

DATE OF DECISION: December 14, 2018

JUDGE: Terrence R. Nealon

ATTORNEYS INVOLVED:

Scott E. Schermerhorn, Esq., Counsel for Plaintiff
John F. Weeks, IV, Esquire & Benjamin E. Reed, Esquire, Daniel T. Brier, Esquire, Suzanne P. Conaboy, Esquire, Counsel for Defendants, Taurus International Manufacturing, Inc., Taurus Holdings, Inc., Forjas Taurus, S.A., Joseph Grizzanti, t/a J & G Sport Center and Grace Grizzanti t/a J & G Sport Center

SUMMARY OF OPINION:

The defendant-manufacturer filed preliminary objections seeking to dismiss this product liability action for lack of personal jurisdiction on the grounds that general jurisdiction could not be established under 42 Pa.C.S. § 5301(a), nor did specific or case-linked jurisdiction exist under 42 Pa.C.S. § 5322. A defendant challenging personal jurisdiction bears the burden of supporting its objection with evidence, and the burden of proof shifts to plaintiff only after defendant has presented evidence in support of its jurisdictional challenge. If the parties' submissions raise an issue of fact as to the scope of a defendant's activities within the Commonwealth, the plaintiff has the right to conduct discovery and depositions on that issue, and the court may not decide such a jurisdictional challenge as a matter of law based upon its view of the controverted facts. Since the affidavits submitted by defendant's representatives addressed its business activities in 2018, rather than during the time period between the dates of the product manufacture and the filing of the lawsuit, and the manufacturer's judicial admissions in a prior class action suit did not clearly demonstrate proof of sufficient activities within Pennsylvania, the parties were directed to conduct relevant discovery within ninety days and to thereafter submit supplemental briefs so that the jurisdictional challenge could be addressed.

JUDICIAL OPINION

CASE NAME AND NUMBER: Ghergo v. Pennsylvania American Water Co., 2018 WL 6651466 (Lacka. Co. 2018)

DATE OF DECISION: December 18, 2018

JUDGE: Terrence R. Nealon

ATTORNEYS INVOLVED:

John R. O'Brien, Esquire, Jenna M. Kraycer, Esquire, Counsel for Petitioners
Michael D. O'Mara, Esquire, Chelsea A. Biemiller, Esquire, Counsel for Respondent

SUMMARY OF OPINION:

Residential property owners contended that a water utility's temporary construction activities near their land caused physical damage to their residence and disrupted their use and enjoyment of it, and filed a petition seeking the appointment of a board of viewers under the Eminent Domain Code on the basis that the utility's actions constituted a *de facto* taking of their property. To establish a *de facto* taking, the landowners were required to demonstrate, *inter alia*, that the utility's intentional conduct substantially deprived them of the highest and best use of their property. The utility filed preliminary objections seeking to dismiss the landowners' petition, and argued that the allegations of the petition were insufficient to support a finding of substantial deprivation of the highest and best use of their residential property.

For a residential property owner to establish a *de facto* taking, [s]he must prove that the condemnor's actions substantially deprived the property's highest and best use as a residence. If the residential property owner continued to occupy the property as a residence throughout the course of the condemnor's activities, there is no substantial deprivation of the residential property's highest and best use, as a result of which there can be no *de facto* taking. Based upon the property owners' admissions in their petition that they occupied their home as a residence during the entire duration of the utility's construction activities, the averments of the petition were insufficient as a matter of law to establish a *de facto* taking. Therefore, the utility's preliminary objections were sustained without prejudice to the landowners' right to file a timely trespass action against the utility for the property damages alleged in the petition.

LACKAWANNA JURIST

Jessica Eskra, Esquire
City Solicitor
Attorney I.D. No: 319426
Scranton City Hall – Law Department
340 N. Washington Avenue
Scranton, PA 18503
Phone: (570) 348-4105

IN RE: CITY OF SCRANTON : IN THE COURT OF COMMON PLEAS
REQUEST TO INCREASE LOCAL : OF LACKAWANNA COUNTY
SERVICES TAX FOR FISCAL YEAR :
2019 : 2019 CV 899
:
:

CORRECTED RULE TO SHOW CAUSE

NOW, TO WIT, this 16th day of January, 2019, the City of Scranton having filed with this Honorable Court a PETITION FOR APPROVAL TO CONTINUE LEVYING THE LOCAL SERVICES TAX AT THE FISCAL YEAR 2018 RATE FOR FISCAL YEAR 2019 (the "Petition"), it is hereby Ordered that a Rule to Show Cause is Granted, returnable sec. reg., upon persons, individuals, associations, and businesses that are currently subject to the Local Services Tax.

Pursuant to Lackawanna County Rules of Civil Procedure Rule 440(c), IT IS FURTHER ORDERED THAT:

1. Notice of the filing of the Petition as well as the hearing date and time shall be published once in a newspaper of general circulation and once in the Lackawanna County Jurist at least Twenty (20) days prior to the hearing date.
2. Proof of the above ordered Publication, by way of affidavit, shall be filed prior to the hearing.
3. Anyone wishing to file a Response to the Petition must file same on or before 22nd day of February 2019 by 4:00 o'clock p.m. at the Clerk of Judicial Records Office Civil Division, 123 Wyoming Avenue, Scranton, PA 18503 and to serve a copy of the same upon the City of Scranton at City Hall – Law Department, 4th Floor, 340 N. Washington Avenue, Scranton, PA 18503.
4. A hearing on the Petition is scheduled for the 6th day of March, 2019, at 1 :30 p.m. in Courtroom #6 of the Lackawanna County Courthouse, 200 N. Washington Avenue, Scranton, PA 18503.

BY THE COURT

LACKAWANNA JURIST

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IN RE: CITY OF SCRANTON : IN THE COURT OF COMMON PLEAS
REQUEST TO INCREASE LOCAL : OF LACKAWANNA COUNTY
SERVICES TAX FOR FISCAL YEAR :
2019 :
: 2018 CV 899

**PETITION FOR APPROVAL TO CONTINUE LEVYING THE LOCAL SERVICES TAX AT THE FISCAL YEAR
2018 RATE FOR FISCAL YEAR 2019**

The Petitioner, City of Scranton, through its Solicitor, Jessica L. Eskra, Esq., and Assistant Solicitor, Joseph G. Price, Esq., brings forth this petition pursuant to the Municipalities Financial Recovery Act, 53 P.S. §11701.101 et seq. seeking this Honorable Court’s permission to introduce an ordinance to continue levying the Local Service Tax for Fiscal Year 2019 at a rate of One-Hundred and Fifty-Six (\$156) Dollars and avers the following in support thereof: 1. Petitioner, City of Scranton (hereafter referred to as the “City”), is a duly incorporated City of the Class 2A, with offices at 340 North Washington Avenue, in the City of Scranton, County of Lackawanna, Commonwealth of Pennsylvania 18503.

2. On January 10, 1992, following a public hearing held pursuant to 53 P.S. §11701.203 (b), the Department of Community Affairs of the Commonwealth of Pennsylvania (hereafter referred to as the “Department”) determined that Scranton was financially distressed pursuant to the criteria in Section 201 of the Act, 53 P.S. §11701.201, and declared Scranton to be a distressed municipality.

3. The Pennsylvania Economy League (hereafter referred to as “PEL”) was commissioned by the Department to develop a Recovery Plan for Scranton pursuant to Section 241 of the Act, 53 P.S. §11701.241.

4. On June 5, 2017, PEL released an Act 47 Exit Plan for the City (hereafter referred to as the “Plan”). A copy of the Revised and Updated Recovery Plan is attached hereto as Exhibit “A”.

5. Scranton City Council passed File of the Council No. 111 of 2017 which adopted the Plan on July 27, 2017; Mayor William L. Courtright subsequently signed File of Council No. 111 of 2017 into law on July 28, 2017.

6. The Plan mandates that “[t]he City shall petition the Lackawanna County Court of Common Pleas for an increase in the City’s Local Services Tax from \$52 per year to \$156 per year. This increase is included in the City’s adopted 2015 budget and any delay in seeking approval will jeopardize the City’s ability to pay its 2015 obligations in a timely manner.”

7. The Municipalities Financial Recovery Act, 53 P.S. §11701.101 et seq, allows a municipality such as the City to levy the Local Services Tax at a rate of One-Hundred and Fifty-Six (\$156) Dollars, but requires the municipality to obtain an order from the appropriate Court of Common Pleas allowing the municipality to introduce an ordinance seeking such a rate.

7. Thus, on March 13, 2015 the City filed a petition in the Court of Common Pleas of Lackawanna County seeking authorization to enact an Ordinance increasing the Local Services Tax to One-Hundred Fifty-Six (\$156) Dollars.

8. On April 23, 2015, the Honorable Senior Judge John Braxton granted the City’s Petition. A copy of Judge Braxton’s April 23, 2015 Order is attached hereto as Exhibit “B”.

9. Following the issuance of Judge Braxton’s order, on May 7, 2015 the Scranton City Council adopted File of Council No. 95 of 2015 which increased the LST to One Hundred Fifty-Six (\$156) Dollars for the fiscal year of 2015.

10. The Plan anticipates the City levying the Local Service Tax at a rate of One-Hundred and Fifty-Six (\$156) Dollars for the fiscal years 2015, 2016, 2017, 2018, 2019, and 2020.

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11. Although this Honorable Court has previously afforded the City the right to introduce legislation that levies the Local Service Tax at a rate of One-Hundred and Fifty-Six (\$156) Dollars, 53 P.S. § 11071.123 (c)(2) states: If a tax increase above existing limits is granted by the courts or a tax is approved as provided in subsection (d), the increase shall be effective for a period of one year. The one-year increase shall run from the date specified in the petition filed with the court or, if no such date is specified, from the beginning of the current fiscal year of the municipality. **Subsequent increases in rates of taxation or the imposition of a tax under subsection (d) may be granted by the court upon annual petition of the municipality until the termination date of the plan adopted by the municipality under Chapter 2.** (emphasis added).

12. Pursuant to the above quoted statute, in December of 2015, the City of Scranton petitioned this Honorable Court for permission to propose an ordinance that, if adopted, would allow the City to continue levying the Local Services Tax for the fiscal year of 2016 at a rate of One-Hundred Fifty-Six (\$156) Dollars, as required by the Plan.

13. On January 21, 2016, Senior Judge John Braxton entered an Order granting the City's Petition for the 2016 Fiscal Year. A copy of Judge Braxton's January 21, 2016 order is attached hereto as Exhibit "C".

14. On December 27, 2016, the City of Scranton again petitioned this Honorable Court for permission to propose an ordinance that, if adopted, would allow the City to continue levying the Local Services Tax for the fiscal year of 2017 at a rate of One-Hundred Fifty-Six (\$156) Dollars, as required by the Plan.

15. On February 23, 2017, Senior Judge John Braxton entered an order granting the City's petition for the 2016 Fiscal Year. A copy of Judge Braxton's February 23, 2017 order is attached hereto as Exhibit "D".

16. On January 16, 2018, the City of Scranton again petitioned this Honorable Court for permission to propose an ordinance that, if adopted, would allow the City to continue levying the Local Services Tax for the fiscal year of 2018 at a rate of One-Hundred Fifty-Six (\$156) Dollars, as required by the Plan.

17. On February 16, 2018, Senior Judge John Braxton entered an order granting the City's petition for the 2018 Fiscal Year. A copy of Judge Braxton's February 16, 2018 order is attached hereto as Exhibit "E".

18. One of the requirements of the Plan is the levying of the Local Services Tax at a rate of One-Hundred and Fifty Six (\$156) Dollars for Fiscal Year 2019.

19. As such, 53 P.S. § 11071.123 (c)(2) requires the City to again seek this Court's permission to introduce an ordinance that would allow the City of Scranton to continue levying the Local Service Tax at a rate of One-Hundred and Fifty-Six (\$156) Dollars.

20. The Local Services Tax being levied at One-Hundred Fifty-Six (\$156) Dollars represents a vital aspect of the Plan and as well as a key role in bringing about meaningful change to Scranton's economic status.

21. Approval of this petition would *not* represent an increase in the Local Services Tax from fiscal years 2015, 2016, 2017, 2018, or 2019; rather, it would permit the City to introduce an ordinance at City Council to continue the previously approved rate for fiscal years 2015, 2016, 2017, and 2018: One-Hundred and Fifty-Six (\$156) Dollars.

WHEREFORE, it is respectfully requested that this Honorable Court:

- (a) Establish a time and date for a hearing regarding this Petition, on an expedited basis.
- (b) Following said hearing, authorize the City to introduce an ordinance levying the Local Services Tax at a rate of a One-Hundred and Fifty-Six (\$156.00) dollars for Fiscal Year 2018.

Respectfully submitted,
Jessica L. Eskra, Esquire
City Solicitor
Joseph G. Price, Esquire
Assistant City Solicitor

ESTATES
First Notice

ESTATE OF JAMES J. CARIA, JR., A/K/A JAMES J. CARIA A/K/A JIM CARIA, late of Throop, Pennsylvania (died December 4, 2018). All persons indebted to the estate shall make payment and those having claims or demands are to present same without delay to the Executrix, Tina Caria Dutka, or Richard A. Fanucci, Attorney for the Estate, 1711 Main Street, Blakely, PA 18447.

IN RE: **ESTATE OF MARY ALICE CLIFFORD**, late of Dunmore, (died June 11, 2018) Notice is hereby given that Letters Testamentary on the above Estate have been granted to James T. Clifford. All persons indebted to the said Estate are required to make payments and all having claims against the Estate will present them without delay to the Executor named above or c/o Robert J. Murphy, Esq., 208 Chestnut Street, Dunmore, PA 18512.

ESTATE OF JOSEPH F. CONLIN, late of Scranton, Lackawanna County, Pennsylvania, deceased (Died January 01, 2019) Letters of Testamentary have been granted to Katherine Stocki, Executrix or Christopher T. Powell, Esquire, Powell Law, 527 Linden Street, Scranton, PA 18503.

NOTICE IS HEREBY GIVEN that Letters Testamentary have been granted in the **ESTATE OF LINDA HACHAN CUNNINGHAM AKA LINDA LOUISE HACHAN CUNNINGHAM**, late of Carbondale, Lackawanna County, Pennsylvania (died December 22, 2018). All persons indebted to the Estate are requested to make payment, and those having claims or demands are to present same, without delay, to Co-Executors, Alyssa Hachan Berry/Richard Leon Hachan, II, or John J. Lawler, Jr., Attorney for the Estate, 25 North Main Street, Suite Two, Carbondale, Pennsylvania 18407.

IN RE: **GLORIA DESTEFANO**, deceased, late of the City of Scranton, Lackawanna County, Pennsylvania (January 14, 2019). Notice is hereby given that Letters Testamentary on the above estate have been granted to Donna DeStefano Heilman. All persons indebted to the said estate are required to make payment and those having claims to present the same without delay to the Executrix named above or to James M. Tressler, Esquire, Tressler Law, LLC, 220 Penn Avenue, 3rd Floor, Scranton, PA 18503.

RE: **ESTATE OF JOAN DIGIOVINE**, late of Old Forge, PA, who died January 12, 2019. Letters Testamentary in the above estate having been granted, all persons having claims or demands against the estate of the decedent shall make them known and present them, and all persons indebted to said decedent shall make payment thereof without delay to: Louis Mickavicz, Executor, or Daniel L. Penetar, Jr., Esquire, 116 North Washington Avenue, Suite 2A, Scranton, PA 18503.

Notice is hereby given that Letters Testamentary have been granted in the following Estate. All persons indebted to said Estate are required to make payment, and those having claims or demands to present the same without delay to the Executor named. **ESTATE OF MICHAEL ESPOSITO, JR.**, Moosic, PA, Michael Esposito, III, Executor; Rocco V. Valvano, Jr., Esquire, Attorney, 321 Spruce Street, Suite 201, Scranton, PA 18503.

ESTATE OF ISABEL GAHWILER, A/K/A ISABEL ELEANOR GAHWILER, A/K/A ISABEL D. GAHWILER , A/K/A ELEANOR GAHWILER, late of Scranton, PA (died 1/20/19) Robert J. Gahwiler, Executor. Paul A. Kelly, Jr. Esq.-Attorney, 201 Lackawanna Avenue, Suite 306, Scranton, PA 18503.

ESTATE OF DONNA HAZELTON, late of the City of Scranton, Lackawanna County, Pennsylvania (date of death: 09/28/2018) Executor: Reginald Clark, Attorneys: Needle Law, P.C., 240 Penn Avenue – Suite 202, Scranton, PA 18503.

ESTATE OF JEAN KELMINSKI, late of Scranton, PA (died January 7, 2019) Letters Testamentary were granted to Janet Donovan, Executrix. Elaine C. Geroulo, Esq., Attorney for the Estate 411 Jefferson Avenue, Scranton, PA 18510.

ESTATE OF JOHN FRANKLIN MCINTYRE AKA JOHN F. MCINTYRE III, ESTATE NUMBER 35-2019-102 DECEASED, LATE OF WAVERLY, LACKAWANNA COUNTY, PA: DIED NOVEMBER 18 2018. NOTICE IS HEREBY GIVEN THAT LETTERS ADMINISTRATION HAVE BEEN GRANTED IN THE ABOVE ESTATE. ALL PERSONS INDEBTED TO SAID ESTATE ARE REQUIRED TO MAKE PAYMENTS AND THOSE HAVING CLAIMS OR DEMANDS ARE TO PRESENT THE SAME WITHOUT DELAY TO KRYSSTYN KITTO, 35 JOHNSON DR, BELLE MEAD, NJ 08502.

IN RE: **ESTATE OF C. ANN MOSKOVITZ**, late of Jermyn, Pennsylvania (Died December 21, 2018). Notice is hereby given that Letters Testamentary on the above Estate have been granted to Lawrence J. Moran, Sr. All persons indebted to the said estate are required to make payment and those having claims to present the same without delay to the Executor named above or to Eugene Daniel Lucas, Esquire, 207 Lackawanna Avenue, Olyphant, PA 18447.

NOTICE IS HEREBY GIVEN that Letters Testamentary have been granted in the **ESTATE OF JOSEPH T. MULLEN**, late of the City of Scranton, County of Lackawanna, Pennsylvania, who died 01/20/2019. All persons indebted to the said estate are required to make payment, and those having claims or demands to present the same without delay to the Executrix, Eileen Christian, or James P. Phillips, Jr, Esquire, the attorney for the estate at 731 Cliff Drive, Lake Ariel PA 18436.

ESTATE OF BRIAN J. OTT of Taylor Borough, Lackawanna County, Pennsylvania (died October 12, 2018). Notice is hereby given that Letters of Administration for the Estate of Brian J. Ott have been issued to Carol Koval, Executrix of the Estate. All those having claims or demands against this Estate or indebtedness owed to Estate shall present claims or remit payment without delay to James T. Mulligan, Jr., Attorney for the Estate, 3703 Birney Avenue, Moosic, PA 18507.

RE: **ESTATE OF ELLA JAY PARFITT**, late of Scranton, Lackawanna County, and State of Pennsylvania, deceased, who died on the 11th day of January, 2019. Letters of Testamentary having been granted, all persons having claims or demands against the estate of the decedent shall make them known and present them, and all persons indebted to the decedent shall make payment thereof without delay to the Testatrix, Elljay Parfitt, 342 Logan Court, Abingdon, MD 21009, or to Mattes & Mattes, P.C., 324 N. Washington Ave., Scranton, PA 18503.

ESTATE OF RUTH A. ROHAN of Throop Borough, Lackawanna County, Pennsylvania (died December 21, 2018). Notice is hereby given that Letters of Administration for the Estate of Ruth A. Rohan have been issued to Denise Pascale and Bonita Ingerson, Co-Executives of the Estate. All those having claims or demands against this Estate or indebtedness owed to Estate shall present claims or remit payment without delay to James T. Mulligan, Jr., Attorney for the Estate, 3703 Birney Avenue, Moosic, PA 18507.

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Notice is hereby given that Letters Testamentary have been granted to Kimberly A. Sayre in the **ESTATE OF FRANCIS V. ROSATO**, late of Scranton, Pennsylvania, who died on January 2, 2019. All persons indebted to the Estate are requested to make payment and those having claims or demands are to present the same without delay Kimberly A. Sayre, Executrix c/o John P. Finnerty, Esquire, 75 Glenmaura National Boulevard, Moosic, Pennsylvania 18507.

RE: **ESTATE OF LENORE P. RUSSIN**, late of Dickson City, Pennsylvania (died January 24, 2019). Notice is hereby given that Letters Testamentary for the Estate of Lenore P. Russin have been issued to Stanley J. Russin, M.D., Executor of the Estate. All those having claims or demands against the Estate or indebtedness owed to the Estate shall present claims or remit payment without delay to the Executor at 254 W. 4th Street, Bloomsburg, PA 17815 or to Robert T. Kelly, Jr., Myers, Brier & Kelly, LLP, Attorney for the Estate, 425 Spruce Street, Suite 200, Scranton, PA 18503.

RE: **ESTATE OF GERALD T. SANGIULIANO A/K/A JERRY SANGIULIANO**, late of Scranton, Lackawanna County, and State of Pennsylvania, deceased, who died on the 22nd day of November, 2018. Letters of Administration having been granted, all persons having claims or demands against the estate of the decedent shall make them known and present them, and all persons indebted to the decedent shall make payment thereof without delay to the Administrator, Alicia Sangiuliano, 534 N. Filmore Avenue, Scranton, PA 18504, or to Mattes & Mattes, P.C., 324 N. Washington Ave., Scranton, PA 18503.

NOTICE IS HEREBY GIVEN that Letters of Administration, have been granted to Deborah Vitanza Terpak, Administratrix of the **ESTATE OF JAMIE LEIGH TERPAK**, late of Moosic, Lackawanna County, Pennsylvania, who died on December 10, 2018. All persons indebted to said Estate are required to make payment and those having claims or demands to present the same without delay to the Administratrix, c/o Girard J. Mecadon, Esquire, 363 Laurel Street, Pittston, PA 18640-1719.

ESTATE OF BARBARA A. TUROCK, late of Clarks Summit, Lackawanna County, Pennsylvania, died on December 9, 2018. Letters Testamentary having been granted to Michael Turock, Executor. Creditors shall make demands and debtors shall make payment without delay to the Executor or of Marjorie DeSanto Barlow, Esquire, Attorney for the Estate, 400 Spruce Street, Suite 301, Scranton, PA 18503.

RE: **ESTATE OF HENRIETTA J. WAHL**, late of Scranton, Pennsylvania, died December 21, 2018. Letters Testamentary in the above estate having been granted, creditors shall make demand and debtors shall make payment to Joseph Wahl, Executor, or C. H. Welles IV, Attorney for the Estate, 7th Floor, 321 Spruce Street, Scranton, Pennsylvania 18503.

ESTATE OF EDRENE WRIGHT, late of Factoryville, Pennsylvania (Died January 10, 2019). Letters Testamentary has been granted to Mary Beth Dwyer, Executrix. All persons having claims against the Estate or indebted to the Estate shall make payment or present claims to Douglas P. Thomas, Attorney for the Estate, 345 Wyoming Avenue, Suite 200, Scranton, PA 18503.

ESTATE OF BARBARA ZELAZNY, of Throop, Pennsylvania, date of death: 6/4/17. Notice is hereby given that Letters of Administration in the above named estate have been granted to the undersigned, to whom all persons owing said estate are requested to make payment and those having

claims or demands against it make known the same without delay. Chester J. Zelazny, Administrator, c/o David W. Saba, Esquire, 400 Third Avenue, Suite 101, Kingston, PA 18704.

Second Notice

ESTATE OF JUDITH A. BAER, A/K/A JUDITH J. BAER, A/K/A JUDITH JENKINS BAER, Scranton, Pennsylvania (died December 19, 2018), Karen Baer and Jeffrey Baer, Co-Executors, PAUL SOTAK, Attorney, 410 Jefferson Avenue, Scranton, Pennsylvania 18510. NOTICE IS HEREBY GIVEN THAT Letters Testamentary have been granted in the following Estate. All persons indebted to said estate are required to make payment, and those having claims or demands to present same without delay to the Co-Executors named.

ESTATE OF JAMES M. CADDEN A/K/A JAMES MICHAEL CADDEN, late of the City of Scranton, Lackawanna County, Pennsylvania (date of death: 11/20/2018) Executor: Sandra L. Cadden, Attorneys: Needle Law, P.C., 240 Penn Avenue – Suite 202, Scranton, PA 18503.

In the **ESTATE OF ANNE M. CONFORTI**, late of the Township of Elmhurst, Lackawanna County, Pennsylvania. Letters of Administration in the above Estate having been granted to the undersigned, all persons indebted to said Estate are requested to make prompt payment and all having claims against said Estate will present them without delay: Wendy S. Nowicki, Administratrix of the Estate. c/o Deborah Albert-Heise, Esquire, Attorney for the Estate, 103 Warren Street, Tunkhannock, PA 18657.

The **ESTATE OF RICHARD EDWARD GRATZ A/K/A RICHARD GRATZ**, late of South Abington Township, County of Lackawanna, Commonwealth of Pennsylvania (died January 5, 2019). Notice is hereby given that Letters Testamentary have been granted in the above Estate to Michael Gratz, Executor. All persons indebted to said Estate are required to make payments and those having claims or demands are to present the same without delay to him c/o Bolock Law, Frank J. Bolock, Jr., Esquire, 212 Front Street, Clarks Summit, PA 18411, Attorney for the Estate.

ESTATE OF ROBERT C. KOZLOWSKI, late of Scott Twp., PA (died 12/6/18) Robert L. Kozlowski and Mary B. Kleiner, Co-Executors. Paul A. Kelly, Jr., Esq. - Attorney, 201 Lackawanna Avenue, Suite 306, Scranton, PA 18503.

ESTATE OF CATHERINE FEENEY A/K/A CATHERINE L. FEENEY A/K/A CATHERINE LIEGEY FEENEY, late of 950 Morgan Highway, South Abington Township, Lackawanna County, Pennsylvania (died December 5, 2018). Letters Testamentary having been granted, all persons having claims or demands against estate of decedent shall make them known and present them, and all persons indebted to said decedent shall make payment thereof without delay to James Davis, Executor, 137 Clark Street, Clarks Green PA 18411 or to James J. Gillotti, of Oliver, Price & Rhodes, Attorney for the Estate, 1212 South Abington Road, PO Box 240, Clarks Summit, PA 18411.

EDWARD W. LOESSY, deceased, late of Scranton, PA (died December 19, 2018). Letters Testamentary having been granted, all persons having claims or demands against the estate of the decedent shall make them known and present them, and all persons indebted to the decedent shall make payment thereof to Raymond W. Ferrario, Attorney for the Estate, Suite 528, Scranton Life Building, 538 Spruce Street, Scranton, PA 18503-1816.

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ESTATE OF MARGARET JEAN PETERS A/K/A MARGARET DAVIS PETERS late of Taylor, Lackawanna County, Pennsylvania (died November 20, 2018). Notice is hereby given that Letters Testamentary have been issued to Ann Margaret Peters, Administrator of the Estate. All those having claims or demands against the Estate or indebtedness owed to the Estate shall present claims or remit payment without delay to Ann Margaret Peters, c/o John J. McGee, Attorney for the Estate, 400 Spruce St., Suite 302 Scranton, PA 18503.

ESTATE OF JOHN P. ROLKA, late of 2309 Stafford Avenue, Scranton, Lackawanna County, Pennsylvania (died September 28, 2018). Letters Testamentary having been granted, all persons having claims or demands against estate of decedent shall make them known and present them, and all persons indebted to said decedent shall make payment thereof without delay to John A. Rolka, Executor, 208 Brookside Road, Dalton, PA 18414 or to James J. Gillotti, of Oliver, Price & Rhodes, Attorney for the Estate, 1212 South Abington Road, PO Box 240, Clarks Summit, PA 18411.

NOTICE IS HEREBY GIVEN that letters testamentary have been granted in the **ESTATE OF JAMES A. WELLS**, late of Benton Township, Lackawanna County, Pennsylvania who died January 14, 2019. All persons indebted to the said estate are required to make payment, and those having claims or demands to present the same without delay to Lisa A. Wells, Executrix, 52 Oriole Street, Pearl River, NY 10965, or Robert H. Sayers, 814 Main Street, Dickson City, Pennsylvania 18519, Attorney for the Estate.

Third Notice

RE: ESTATE OF JOAN K. BELIN, late of Glenburn Township, Pennsylvania. Letters Testamentary in the above estate having been granted, creditors shall make demand and debtors shall make payment to Heidi B. Matthews, P.O. Box 562, Waverly, PA 18471 Executrix, or to Paul D. Horger, Enquire, Oliver, Price & Rhodes, Attorney for the Estate, 1212 South Abington Road, P.O. Box 240, Clarks Summit, PA 18411.

ESTATE OF CAROL G. BOSTON, A/K/A CAROL BOSTON, Deceased, late of Scranton, Pennsylvania (died November 18, 2018). All persons indebted to said Estate are required to make payment, and those having claims or demands to present the same, without delay, to Rhonda Rella Kohut, Executrix, c/o Attorney Joseph F. Gaughan, 300 Mulberry Street, Suite 303, Scranton, PA 18503.

ESTATE OF FRANCES GIAMBRA, late of Peckville, PA, who died May 20, 1980. Letters of Administration in the above estate having been granted, all persons having claims or demands against the Estate of the decedent shall make them known and present them, and all persons indebted to said decedent shall make payment thereof without delay to: Ann Marie Rogers, Administratrix, c/o Geff Blake, Esq., 436 Jefferson Avenue, Scranton, PA 18510, Attorney for the Estate.

ESTATE OF REV. ALEX J. HAZZOURI, DECEASED, late of 1600 Greenridge Street, Dunmore, PA 18509, (Died November 15, 2018) **MICHAEL HAZZOURI** and **EDWARD HAZZOURI**, Co-Executors; Dante A. Cancelli, Suite 401, 400 Spruce Street, Scranton, Pennsylvania 18503, Attorney

IN RE: **PAUL HILLEMANN**, Deceased, late of the City of Scranton, Lackawanna County, Pennsylvania, who died

December 21, 2018. Letters of Administration having been granted in said Estate on January 3, 2019 to Starrlynn Bidwell, Administrator, all persons indebted thereto shall make payment and all creditors shall present their claims without delay to Keeler Legal, LLC, Paul Keeler, Esquire, Attorney for the Estate, 415 South State St., Clarks Summit, Pennsylvania, 18411.

IN RE: **ETATE OF JAMES S. NARO**, late of Dunmore, (died June 8, 2018) Notice is hereby given that Letters of Administration on the above Estate have been granted to James C. Naro. All persons indebted to the said Estate are required to make payments and all having claims against the Estate will present them without delay to the Administrator named above or c/o Robert J. Murphy, Esq., 208 Chestnut Street, Dunmore, PA 18512.

Notice is hereby given that Letters of Administration have been granted in the following Estate. All persons indebted to said Estate are required to make payment, and those having claims or demands to present the same without delay to the Administrator named. **ESTATE OF MARY ALICE PRICE**, Scranton, PA. Charles W. Price, Administrator; Rocco V. Valvano, Jr., Esquire, Attorney, 321 Spruce Street, Suite 201, Scranton, PA 18503.

IN RE: **ESTATE OF WILLIAM E. RUTKOWSKI, A/K/A WILLIAM RUTKOWSKI**, late of Dickson City, Pennsylvania, died December 15, 2018. Notice is hereby given that Letters of Administration, on the above estate have been granted to William Rutkowski. All persons indebted to the said Estate are required to make payment and those having claims to present the same without delay to the Administrator named above or to Theresa J. Malski-Pezak, Esquire, 907 Church Street, Jessup, Pennsylvania 18434, Attorney for the Estate.

ESTATE OF BETTY L. SARESKY, Deceased, late of 211 Chestnut Street, Dunmore, PA 18512, (Died October 12, 2018) Michael S. Saresky, Jr., Executor; Mark G. Rudalavage, 171 Scranton-Carbondale Highway, Eynon, Pennsylvania 18403-1027, Attorney.

IN RE: **JOSEPH M. SMITH**, Deceased, late of the City of Scranton, Lackawanna County, Pennsylvania, who died December 28, 2018. Letters Testamentary having been granted in said Estate on January 11, 2019 to Paul Kenneth Smith, Executor, all persons indebted thereto shall make payment and all creditors shall present their claims without delay to Keeler Legal, LLC, Paul Keeler, Esquire, Attorney for the Estate, 415 South State St., Clarks Summit, Pennsylvania, 18411.

ESTATE OF WALTER SZEWC, JR., late of the Borough of Dickson City, Lackawanna County, Pennsylvania, (died December 20, 2018). Letters Testamentary were granted to John Szewc. Creditors present claims and debtors make payments to John P. Pesota, Esquire, Suite 702 SNB Plaza, 108 North Washington Avenue, Scranton, PA 18503.

ARTICLES OF INCORPORATION

NOTICE IS HEREBY GIVEN that **CG Technologies, Inc.** has been incorporated under the provisions of the Pennsylvania Business Corporation Law of 1988.

ROSENN, JENKINS, & GREENWALD, L.L.P.

LACKAWANNA JURIST

ARTICLES OF INCORPORATION

NOTICE IS HEREBY GIVEN that the Articles of Incorporation were filed with Commonwealth of Pennsylvania on November 15, 2018, for the purpose of obtaining a Certificate of Incorporation. The name of the corporation to be organized under the Commonwealth of Pennsylvania Business Corporation Law, approved May 5, 1933, P.L. 364 as amended is **Carbondale Veterinary Hospital, Inc.** The Purpose for which the corporation shall be organized are: The corporation shall have unlimited power to engage in and to do any lawful act concerning any or all lawful business for which corporations may be incorporated under the Pennsylvania Business Corporation Law of 1933, without limiting the generality of the foregoing, the Corporation shall have the power to engage in the business of a veterinary practice and all necessary and incidental activities related thereto.

FICTITIOUS NAME

Notice is hereby given pursuant to the provisions of Fictitious Name Act as amended and supplemented with the Department of State, Commonwealth of Pennsylvania, **Tolani Cabinets, Inc.** has filed and same was approved on December 3, 2018, by the Secretary of the Commonwealth of Pennsylvania, to conduct business under the fictitious name of Ary's Express Mart, having a principal place of business located at 514 Wisteria Drive, Moosic, PA 18507.

CERTIFICATE OF ORGANIZATION

Notice is hereby given that the Certificate of Organization for **FWM Apparel, LLC** was filed and approved by the Pennsylvania Department of State on January 7, 2019 in accordance with the provisions of the Pennsylvania Limited Liability Company Law of 1994, Pa. C.S.A. Section 8901, et seq. as amended.

NOTICE

NOTICE OF PROPOSED PRIVATE SALE #1286

On January 16, 2019, the Lackawanna County Tax Claim Bureau received and approved a private sale offer to purchase the property identified as tax map number 15617-080-024 located at 1250-1252 S.6th Street, Scranton City, Pennsylvania 18504 pursuant to the terms and conditions of Section 5860.613 of the Real Estate Tax Sale Law, 72 P.S. § 5860.613, for \$6,000.00 free and clear of all tax claims and tax judgements. An interested party, or a person interested in purchasing the property may, if not satisfied that the sale price approved by the Bureau is sufficient, within forty-five (45) days after notice of the proposed sale, petition the Court of Common Pleas of Lackawanna County to disapprove the sale.

Joseph J. Joyce, III, Acting Director
Lackawanna County Tax Claim Bureau

NOTICE

TO: Kamilya Dowling

You have been sued in Court for Divorce. If you wish to defend against the claims for divorce, you must take prompt action. If you fail to defend, the case will proceed without you and a Decree of Divorce may be entered against you by the Court. You may lose rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICES SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Northern PA Legal Services, Inc.
33 North Main Street, Suite 200
Pittston, PA 18640
(570) 299-4100

PA Lawyer Referral Service
Lackawanna Bar Association
233 Penn Avenue
Scranton, PA 18503
(570) 969-9600

Donald W. Jensen