

# LACKAWANNA JURIST

## JUDICIAL OPINION

**CASE NAME AND NUMBER:** Mayer v. Delserra, 2018 WL 4864490 (Oct. 5, 2018)

**DATE OF DECISION:** October 5, 2018

**JUDGE:** Terrence R. Nealon

### **ATTORNEYS INVOLVED:**

Matt Casey, Esquire, Ryan P. Chase, Esquire, Counsel for Plaintiffs, Paul J. Wylam, Esquire, Mary M. Montoro, Esquire, Counsel for Defendants, Joseph J. Delserra, M.D. and Northeastern Surgical Specialists, P.C., Stuart T. O'Neal, Esquire, M. Sean Maravich, Esquire, Courtney C. Barbacane, Esquire, Counsel for Defendants, Scranton Hospital Company, LLC d/b/a Regional Hospital of Scranton, Dean F. Murtagh, Esquire, Chilton G. Goebel, III, Esquire, Counsel for Additional Defendants, Richard Hacker, M.D. and EmCare Physician Services, Inc., James A. Doherty, Jr., Esquire, Grace E. Doherty, Esquire, Brian J. Dougherty, Esquire, Counsel for Additional Defendant, Sheela Prahalad, M.D.

### **SUMMARY OF OPINION:**

The defendant-hospital in this malpractice case filed a joinder complaint asserting claims for contribution and indemnification against the individual defendants, but improperly served one additional defendant via certified mail at an incorrect office address. The additional defendant filed a preliminary objection challenging the service of initial process as improper, and argued that the joinder complaint had to be dismissed since the statute of limitations governing plaintiff's malpractice claim had expired. The defendant-hospital contended that the service of process by certified mail was proper, and that the additional defendant waived the right to object to defective service since her counsel attended the only two depositions that were conducted in the case.

Under Pa.R.C.P. 400(a), 402(a) and 425(a), service of the joinder complaint had to be effectuated by the sheriff via hand-delivery to the additional defendant or an appropriate person at her residence or business office, unless her counsel or agent agreed to accept service pursuant to Rule 402(b). The attendance of the additional defendant's counsel at the previously scheduled depositions, which both occurred after the preliminary objection had already been filed challenging service of process, did not constitute action on the merits so as to waive the right to object to defective service, and instead served to cure any prejudice resulting from the improper service and the additional defendant's belated participation in the case. Since the statute of limitations applicable to the hospital's contribution and indemnification claims had not yet begun to run, and the proper remedy for defective service of process was to set aside the improper service in order to enable the offending party to effectuate proper service, the hospital was directed to reinstate the joinder complaint pursuant to Rule 401 and to serve that original process upon the additional defendant within 30 days in accordance with Rules 400(a) and 402(a) or Rule 402(b).

## JUDICIAL OPINION

**CASE NAME AND NUMBER:** Venosh v. Henzes, 2018 WL 4931774 (Lacka. Co. 2018)

**DATE OF DECISION:** October 11, 2018

**JUDGE:** Terrence R. Nealon

### **ATTORNEYS INVOLVED:**

Lynn Sare Kornblau, Esquire, Adam G. Kornblau, Esquire, Counsel for Plaintiff  
Eugene P. Feeney, Esquire, Noah E. Katz, Esquire, Elizabeth Speicher Van Wert, Esquire, Counsel for Defendants, Jack Henzes, M.D., and Scranton Orthopedic Specialists, P.C., Michael P. Perry, Esquire, Kelly E. Hadley, Esquire, Counsel for Defendant, Moses Taylor Hospital

### **SUMMARY OF OPINION:**

In this malpractice action alleging negligence by an orthopedic surgeon in causing a vascular injury during knee replacement surgery, as well as an alleged failure to properly and timely discover and treat that vascular injury prior to prolonged ischemia to the nerves and development of nerve palsy and foot drop, the plaintiff filed a motion *in limine* seeking to preclude the defense experts from referencing any recognized surgical risks attendant to the surgery since the plaintiff was not asserting an informed consent claim. Under appellate precedent, evidence that a patient affirmatively consented to treatment after being informed of the risks of that treatment is "generally irrelevant" in an action asserting negligence only, as opposed to a claim for lack of informed consent. Therefore, the defense expert's comments that the defendant-surgeon explained the risks and benefits of the procedure to the plaintiff, that the plaintiff was in agreement to proceed with the surgery, and that an operative consent form was signed by the plaintiff were irrelevant and inadmissible. However, distinct from any proof of the patient's informed consent to an invasive procedure, references to recognized complications that can occur during or as a result of a procedure, even in the absence of negligence, may be admissible if that evidence is relevant to an expert's negligence or causation analysis. Thus, the defense expert's statements concerning the known risks of vascular injury and of neurologic deficit from interoperative traction and manipulation were relevant since they were referenced solely within the context of the expert's standard of care and causation analyses. Consequently, plaintiff's motion was granted as to the former evidence but denied with respect to the latter proof.

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## JUDICIAL OPINION

**CASE NAME AND NUMBER:** Mikhaylo Trunov v. Liberty Mutual Insurance Company and U.S. Tank Painting, Inc. 2016-CV-6199 (Lacka. Co. 2018)

**DATE OF DECISION:** August 31, 2018

**JUDGE:** Julia K. Munley

**ATTORNEYS INVOLVED:**  
Todd O'Malley, Esquire for Plaintiff Mikhaylo Trunov  
Kenneth Portner, Esquire for Defendant Liberty Insurance Corporation

### **SUMMARY OF OPINION:**

Plaintiff, a New Jersey employee working for a New Jersey employer, fell while painting a water tank in South Abington Township, Lackawanna County, Pennsylvania, sustaining serious injuries. The employer's workers' compensation policy with Defendant insurer did not provide coverage in Pennsylvania. Plaintiff's workers' compensation claim petition was denied. Plaintiff then brought a negligence action in Pennsylvania against the employer and third-party tortfeasors under Pennsylvania law and collected workers' compensation benefits paid by Defendant insurer under New Jersey law. Plaintiff settled his negligence action against the employer and a third-party tortfeasor in Pennsylvania. Defendant insurer sought recovery of New Jersey workers' compensation payments from the proceeds of Plaintiff's settlement. Plaintiff then filed an action seeking a declaration that: 1) Pennsylvania law applied to the controversy; and 2) Defendant insurer was not entitled to any subrogation interest in Plaintiff's settlement. Plaintiff and Defendant insurer agreed this was a matter of first impression and filed cross-motions for summary judgment.

Considering the undisputed facts in the case and performing a choice-of-law analysis, the Court held that there was no actual conflict between Pennsylvania and New Jersey workers' compensation law regarding subrogation and thus Pennsylvania law applied. The plain language of both states' workers' compensation laws only permitted subrogation of Plaintiff's tort recovery from a third-party, not from Plaintiff's employer. Assuming there was an actual conflict and true conflict of Pennsylvania and New Jersey law as Defendant argued, Pennsylvania enjoyed a greater interest in the application of its laws considering the applicable qualitative contacts and choice-of-law principles. Pennsylvania also had an additional interest in ensuring that employers doing business in the Commonwealth were adequately insured for work injuries occurring in Pennsylvania. The Court granted and denied the motions in part and entered a declaration that Pennsylvania law applied to the controversy and that Defendant insurer was not entitled to a subrogation interest in Plaintiff's tort recovery from the employer.

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SHERIFF'S SALE OF VALUABLE REAL ESTATE ON  
TUESDAY, NOVEMBER 13, 2018

BY VIRTUE OF CERTAIN WRITS OF EXECUTION ISSUED OUT OF THE COURTS OF COMMON PLEAS OF LACKAWANNA COUNTY, THE SHERIFF WILL EXPOSE AT PUBLIC SALE, BY VENUE OR OUTCRY, ALL THE RIGHT, TITLE AND INTEREST OF THE DESCRIBED LOTS, PIECES OR PARCELS OF LAND TO THE HIGHEST AND BEST BIDDER FOR CASH OR CERTIFIED FUNDS (SUBJECT TO PAYMENT OF ANY UNPAID TAXES) AT THE COURTHOUSE IN THE CITY OF SCRANTON, COUNTY OF LACKAWANNA, AND STATE OF PENNSYLVANIA, ON TUESDAY, NOVEMBER 13, 2018 AT TEN O'CLOCK IN THE FORENOON OF SAID DAY.

A DEPOSIT OF 10% OF THE BID PRICE IS TO BE PAID IN CASH, CASHIER'S CHECK OR CERTIFIED CHECK IMMEDIATELY TO THE SHERIFF AT THE TIME OF THE BID. IN THE EVENT THAT 10% IS NOT PAID IMMEDIATELY, THE PROPERTY WILL BE SOLD AGAIN AT THE END OF THE CURRENT SALE. SAID DEPOSIT WILL BE FORFEITED IN THE EVENT THE BALANCE OF THE BID PRICE IS NOT PAID BY 2 O'CLOCK ON THE AFTERNOON OF SAID DATE. FULL COMPLIANCE OF THE TOTAL AMOUNT IS DUE BY TWO O'CLOCK ON THE AFTERNOON OF THE SAID DATE.

### SALE 1

By virtue of a Writ of Execution filed to No. 2013 CV 5513, Cascade Funding Mortgage Trust 2017-1 vs. Katie S. Jimenez and Gonzalo E. Jimenez, owner of property situate in the Borough of Archbald, and Lackawanna County, Pennsylvania being 442 Salem Street, Archbald, PA 18403. Front: irregular Depth: irregular  
Property ID #: 0951402001801  
Assessed Value figure: \$10,000.00  
Improvements thereon: Residential Real Estate  
Attorney: Edward J. McKee, Esq.  
Sheriff to collect: \$177,760.57

### SALE 2

By virtue of a Writ of Execution filed to No. 2018-00218, LSF10 Master Participation Trust v. Jo Ann Haeefle, 3611 Aberdeen Road, Madison Township, PA 18444, owner of property situate in Township of Madison, Lackawanna County, Pennsylvania, being known as 3611 Aberdeen Road, Madison Township, PA 18444.  
Property ID #: 17202-020-00301  
Assessed Value Figure: \$9,700  
Improvements thereon: Single Family Residence  
Attorney: Richard M. Squire & Associates, LLC  
Sheriff to collect:

### SALE 3

By virtue of a Writ of Execution filed to No. 2018-02586 JPMorgan Chase Bank, National Association vs. Daniel S. Gregory; Mary Ruth Capwell; Samantha Dando, owner(s) of property situated in Borough of Taylor Lackawanna County, Pennsylvania being 1215 Reynolds Avenue, Scranton, PA 18504  
Dimensions: 40x126  
Assessment Map #: 156.17-010-015  
Assessed Value figure: \$12,000.00  
Improvements thereon: a residential dwelling  
Attorney: Daniel T. Lutz, Esquire  
Sheriff to Collect: \$102,841.56

### SALE 4

By virtue of a Writ of Execution filed to No. 14 CV 4633 BANK OF AMERICA, N.A. vs. Christine Taylor a/k/a Christine Moranko Taylor and Gerard J. Taylor a/k/a Gerard Joseph Taylor owners of property Situate in City of Scranton, LACKAWANNA COUNTY, PENNSYLVANIA BEING 1309-1311 Blair Avenue, Scranton, Pennsylvania 18508 DWELLING KNOWN AS: 1309-1311 BLAIR AVENUE, SCRANTON, PENNSYLVANIA 18508.  
TAX PARCEL #: 13420040014  
Title to said premises is vested in Christine Taylor a/k/a Christine Moranko Taylor and Gerard J. Taylor a/k/a Gerard Joseph Taylor, husband and wife, by deed from LISA A. MILLS, BRIAN MILLS, GERARD JOSEPH TAYLOR AND CHRISTINE MORANKO TAYLOR dated April 24, 2003 and recorded May 1, 2003 in Deed Book 0919, Page 821.  
Assessment Map #: 13420040014  
Assessed Value figure: \$8,500  
Improvements thereon: Residential Dwelling  
Attorney: McCabe, Weisberg & Conway, LLC  
Sheriff to collect: \$105,488.50

### SALE 5

By virtue of a Writ of Execution filed to No. 16 CV 3660 LSF10 Master Participation Trust vs. Joseph J. Kishel and Lorraine V. Kishel owners of property Situate in Borough of Dunmore, LACKAWANNA COUNTY, PENNSYLVANIA BEING 504 William Street a/k/a 504 William & Ridge, Dunmore, Pennsylvania 18510  
DWELLING KNOWN AS: 504 WILLIAM STREET A/K/A WILLIAM & RIDGE, DUNMORE, PENNSYLVANIA 18510.  
TAX PARCEL #: 14618-100-041  
Title to said premises is vested in Joseph J. Kishel and Lorraine V. Kishel, husband and wife, by deed from PASQUALE COSTANZO AND MARY ELLEN COSTANZO, husband and wife, dated June 13, 1978 and recorded June 14, 1978 in Deed Book 945, Page 732.  
Assessment Map #: 14618-100-041  
Assessed Value figure: \$10,000  
Improvements thereon: Residential Dwelling  
Attorney: McCabe, Weisberg & Conway, LLC  
Sheriff to collect: \$129,663.20

### SALE 6

By virtue of a Writ of Execution filed to No. 14 2017-cv-2055 Assemblies of God Loan Fund vs. Praise the Lord Ministry Assembly of God f/k/a Praise the Lord Assembly of God. Praise the Lord Ministry Assembly of God f/k/a Praise the Lord Assembly of God, owner(s) of property situate in Scranton Lackawanna County, Pennsylvania being 1023 Taylor Avenue  
Dimensions: 80x154  
Property ID#: 14618040022  
Assessed Value figure: \$62,000  
Improvements thereon: Church  
Attorney: Jerrold S. Kulback, Esquire  
Sheriff to collect: \$116,708.39

### SALE 7

By virtue of a Writ of Execution filed to No. 17-cv-6354 Bank of America, N.A. vs. Elizabeth J. Pisa a/k/a Elizabeth Pisa and James E. Pisa a/k/a James Pisa owners of property Situate in the Borough of Old Forge, LACKAWANNA COUNTY, PENNSYLVANIA BEING 200 Carter Street, Old Forge, Pennsylvania 18518  
ALL THE SURFACE OR RIGHT OF SOIL ON THAT CERTAIN PIECE OR PARCEL OF LAND, SITUATE IN THE BOROUGH OF OLD FORGE, COUNTY OF LACKAWANNA,

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AND COMMONWEALTH OF PENNSYLVANIA, BOUNDED AND DESCRIBED AS FOLLOWS, TO WIT:

BEING THE REAR SIXTY (60) FEET OF LOT NO. 3, IN SQUARE OR BLOCK E AS SHOWN ON PLOT MADE BY WILLIAM MILES, ET AL AND RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS IN AND FOR THE COUNTY OF LACKAWANNA IN MAP BOOK NO. 1, PAGE 111. THE SAID PREMISES BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT, SAID POINT BEING THE SOUTHEASTERLY CORNER OF THE AFORESAID LOT NO. 3; THENCE IN A WESTERLY DIRECTION ALONG THE SOUTHERLY LINE OF LOT NO. 3, AFORESAID, A DISTANCE OF EIGHTY (80) FEET TO A POINT; THENCE IN A NORTHERLY DIRECTION ALONG THE WESTERLY LINE OF LOT NO. 3, AFORESAID, A DISTANCE OF SIXTY (60) FEET TO A POINT; THENCE IN AN EASTERLY DIRECTION AND PARALLEL TO FIRST STREET, A DISTANCE OF EIGHTY (80) FEET TO A POINT ON THE EASTERLY LINE OF LOT NO. 3; THENCE IN A SOUTHERLY DIRECTION ALONG THE EASTERLY LINE OF LOT NO. 3, A DISTANCE OF SIXTY (60) FEET TO THE PLACE OF BEGINNING.

SUBJECT TO THE SAME EXCEPTIONS, RESTRICTIONS, RESERVATIONS AND CONDITIONS AS ARE CONTAINED IN DEEDS FORMING THE CHAIN OF TITLE.

DWELLING KNOWN AS: 200 CARTER STREET, OLD FORGE, PENNSYLVANIA 18518.

TAX PARCEL #: PIN# 17613010020

Title to said premises is vested in Elizabeth J. Pisa a/k/a Elizabeth Pisa and James E. Pisa a/k/a James Pisa, husband and wife, by deed from WILLIAM P. BREIG AND PATTI A. BREIG, husband and wife, dated February 26, 1993 and recorded February 26, 1993 in Deed Book 1425, Page 117.

Assessment Map #: PIN# 17613010020

Assessed Value figure: \$

Improvements thereon: Residential Dwelling  
Attorney: McCabe, Weisberg & Conway, LLC  
Sheriff to collect: \$19,965.67

### SALE 9

By virtue of a Writ of Execution filed to No. 2017-04836, U.S. Bank National Association, as Trustee under Pooling and Servicing Agreement dated as of May 1, 2007 MASTR Asset-Backed Securities Trust 2007-HE1 Mortgage Pass-Through Certificates Series 2007-HE1 c/o Ocwen Loan Servicing, LLC, Plaintiff v. John R. Lloyd, Sr., owner of property situate in the Carbondale City, Lackawanna County, Pennsylvania being 200 Washington Street, Carbondale, PA 18407.

Dimensions: 90X132X92X132

Property ID#: 33X127X33X122

Assessed Value figure: \$8,250

Improvements thereon: Residential Real Estate  
Attorney: Edward J. McKee, Esquire.  
Sheriff to collect: \$87,633.87

### SALE 10

By virtue of a Writ of Execution filed to No. 2018-CV-01194 Joseph Gentile, Jr. vs. Joseph J. Gentile III, owner(s) of property situate in West Abington Twp. Lackawanna County, Pennsylvania being 49 West Abington Road, Factoryville, PA 18419

Dimensions: 83.50 Acres

Property ID#: 06701-010-00200

Assessed Value figure: 10,000

Improvements thereon: Residence & Land  
Attorney: Myles R. Wren, Esquire

Sheriff to collect: \$532,911.70, plus accruing interest & costs.

### SALE 11

By virtue of a Writ of Execution No. 2012-52980 North Pocono School District vs. Joseph Geda, Karen Geda. Joseph Geda and Karen Geda, owner(s) of property situate in Jefferson Township, Lackawanna County, Pennsylvania, being: Moosic Lakes & 79 Moosic Lakes  
Dimensions: 65X150X135X168 and 50X168X123X150  
Property ID #: 13802-050-018 and 13802-050-019  
Assessed Value Figure: \$15,000.00 and \$1,800.00  
Improvements thereon: Residential Single Dwelling and Residential Vacant Lot  
Attorney: ROBERT P. DADAY, Esquire, Portnoff Law Associates, Ltd., (866)211-9466  
Sheriff to collect: \$10,209.76

### SALE 12

By virtue of a Writ of Execution filed to No. 2017 CV 0715 Landmark Community Bank vs. Timothy Ferrone, Dana M. Ferrone, owner(s) of property situate in Blakely Lackawanna County, Pennsylvania being 505 Main St. Blakely Lackawanna County PA  
Dimensions: 21 x 137 x 32 x 8 x 161  
Property ID#: 10413060020  
Assessed Value figure: \$4,500.00  
Improvements thereon: Commercial  
Attorney: Joseph L. DeNaples, Esquire  
Sheriff to collect: \$16,795.65

### SALE 13

By virtue of a Writ of Execution filed to No. 2017 CV 03746 Wells Fargo Bank, N.A. v Joseph S. Cravath owner(s) of property situate in City of Scranton, Lackawanna County, Pennsylvania being 2120-2122 Belmont Terrace, Scranton, PA 18508  
Dimensions: 50X50  
Property ID#: 13505-050-025  
Assessed Value Figure: \$7,000.00  
Improvements thereon: single family dwelling  
Attorney: Kimberly A. Bonner, Esquire; Scott A. Dieterick, Kimberly J. Hong, Michael E. Carleton, Meredith H. Wooters, Justin F. Kobeski, Matthew P. Curry, Cristina L. Connor, Holly N. Wolf and Karina Veltner  
Sheriff to collect: \$59,286.05

### SALE 14

By virtue of a Writ of Execution filed to No. 2014-4924 First National Bank vs William Fitzgerald and Linda Fitzgerald, owner(s) of property situate in Scranton Lackawanna County, Pennsylvania being 5309 Wheeler Avenue  
Dimensions: 40x160  
Property ID#: 15754020012  
Assessed Value figure: \$19,500  
Improvements thereon: Residence  
Attorney: Jill M. Spott, Esquire  
Sheriff to collect: \$52,462.38

### SALE 15

By virtue of a Writ of Execution filed to No. 2018-CV-2590 filed in the office of the Clerk of Judicial Records in and for the County of Lackawanna at Scranton, Pennsylvania Valley Community Bank, Incorporated as Commonwealth Bank, to the use of Osprey Portfolio, LLC v. Mary Judith Collieran, as Executrix of the Estate of Peter O'Malley Owner(s) of property situate in the City of Scranton County, Lackawanna County Pennsylvania, being 1613 Wyoming

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Avenue L-9, Scranton, PA 18509.

Dimensions: 22x91

Property ID#: 13518 040 20506

Assessed Value figure: \$20,325

Improvements thereon: Residential Townhouse

Attorney: Kevin T. Fogerty, Esquire, Mill Run Office Center, 1275 Glenlivet Drive, Suite 150, Allentown, PA 18106,

Phone: 610-366-0950

No. 2018-CV-2590, 1993-CV-4493, 2008-CV-6348, and

2018-CV-1562

Judgment: \$233,992.46

Attorney: Kevin T. Fogerty, Esquire

Sheriff to collect: \$237,837.02 plus costs

### SALE 16

By virtue of a Writ of Execution filed to No. 17 CV 3541

Federal National Mortgage Association ("Fannie Mae") v. Renee M. Portonova and Randall J. Portonova owner(s) of property situate in Township of Scott Lackawanna County, Pennsylvania Being 19 Miller Street, Scott Township, PA 18411

All that certain piece, parcel or plot of land situate, lying and being in the Township of Scott, County of Lackawanna and Commonwealth of Pennsylvania, more fully described as follows:

Beginning at a point in the center of state highway known as Fairview Road, State Highway Route #35021, leading from the old Miler School House to Clarks Green, said point being the center line of the intersecting township road known as Pecanowski Road; thence South Eighty-Five (85°) degrees Thirty Three (33') minutes West Six Hundred Eleven (611.0') feet, more or less, along the center line of the first mentioned state highway to an iron pin corner of lands now or formerly of Francis Osif and Maurice A. Miller; thence along lands now or formerly of Francis Osif and Maurice A. Miller South Three (03°) degrees Thirty (30') minutes East Two Hundred Fifteen (215.0') feet, more or less, to an iron pin corner; thence along lands now or formerly of the Grantor South Sixteen (16°) degrees Zero (00') minutes West Two Hundred Fifty Five (255.0') feet, more or less, to an iron pin corner, which corner being the point or place of the beginning of the survey of the piece or plot of land, bounded and described as follows:

Thence along land now or formerly of the Grantor South Seventy Six (76°) degrees Seven (07') minutes East One Hundred Sixty (160.0') feet, more or less, to an iron pin corner; thence along lands now or formerly of John Mazur, Gene Romansk and Catherine Flynn South Twenty One (21°) degrees Seven (07') minutes West One Hundred Eighty Six (186.0') feet, more or less to an iron pin corner; thence along lands now or formerly of Marvin Miller North Thirty Nine (39°) degrees Seven (07') minutes West One Hundred Seventy Five (175.0') feet, more or less, to an iron pin corner; thence along lands now or formerly of the Grantor North Sixteen (16°) degrees Zero (00') minutes East Seventy Nine and Two tenths (79.2') feet, more or less, to the point or place of beginning according to a survey by Paul Lucas, Registered Engineer #7565E.

Property ID#: 08203010014

Assessed Value figure: \$12,000.00

Improvements thereon: Residential Dwelling

Attorney: Martha E. Von Rosensiel, P.C.

Sheriff to collect: \$148,203.83, plus interest and costs

### SALE 17

By virtue of a Writ of Execution No. 18-CV-2698 Lsf9 Master Participation Trust v. Philip P. Condron, Maryellen Condron owners of property situate in the SCRANTON CITY, Lackawanna County, Pennsylvania, being 1405 Euclid Avenue a/k/a 1405 Euclid Avenue L 91, Scranton, PA 18504-1268

Dimensions: 0.30 Acres

Assessment Map #: 1341504000191

Assessed Value figure: \$23,500.00

Judgment Amount: \$114,579.99

Improvements thereon: Residential Property

Attorney: PHELAN HALLINAN DIAMOND & JONES, LLP

### SALE 18

By virtue of a Writ of Execution No. 2018-CV-519 Wells Fargo Bank, NA v. John R. Swaen owners of property situate in the JEFFERSON TOWNSHIP, Lackawanna County, Pennsylvania, being 120 Scott Road, a/k/a MT Cobb rd L 22, Jefferson Township, PA 18436-3310

Dimensions: 100X200

Assessment Map #: 16002020008

Assessed Value Figure: \$11,000.00

Judgment Amount: \$141,376.12

Improvements thereon: Residential Property

Attorney: PHELAN HALLINAN DIAMOND & JONES, LLP

### SALE 19

By virtue of a Writ of Execution filed to No. 2017-04249 QUICKEN LOANS INC. vs. The Unknown Heirs of John E. Wolff, Deceased, EDWARD WOLFF Solely in His Capacity as Heir of John E. Wolff, Deceased and HEATHER WOLFF Solely in Her Capacity as Heir of John E. Wolff, Deceased, owner(s) of property situate in City of Carbondale, Lackawanna County, Pennsylvania, being, 162 Pike Street Carbondale, PA 18407, 05412030005,

Assessment Map #: 05412030005

Assessed Value Figure: \$7,257.00

Improvements thereon: A Residential Dwelling

Attorney: KML Law Group, P.C.

Sheriff to collect: \$26,213.14

Land Situated in the City of Carbondale in the County of Lackawanna in the State of PA

All of her right, title and interested in all the surface or right of soil of that land lying and being in the City of Carbondale, County of Lackawanna and Commonwealth of Pennsylvania, being Lot No. 485 on Map of Outlets of the D & H Canal Company on a tract of land in the warranty name of George Lee. Said lot contains fifteen thousand two hundred (15,200) square feet of land or thereabout and is bounded and described as follows:

### SALE 20

By virtue of a Writ of Execution filed to No. 2017-CV-4096 PNC BANK, NATIONAL ASSOCIATION vs. JEROME W. KUDAJESKI A/K/A JEROME W. KUDAJESKI, JR., ADMINISTRATOR OF THE ESTATE OF JEROME KUDAJESKI, SR. A/K/A JEROME W. KUDAJESKI owner(s) of property situate in CITY OF SCRANTON, Lackawanna County, Pennsylvania being 1431 DARTMOUTH STREET, SCRANTON, PA 18504

Assessment Map #: 15609-020-001

Assessed Value Figure: \$10,851.00

Improvements Thereon: RESIDENTIAL DWELLING

Attorney: MICHAEL C. MAZACK, ESQ., TUCKER ARENSBERG, P.C.

Sheriff to collect: \$\*EXECUTION SUBTOTAL\*

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### SALE 21

By virtue of a Writ of Execution filed to No. 2018-02220 Nationstar Mortgage LLC d/b/a Mr. Cooper vs. Theodore Fair, owner(s) of property situated in 1<sup>st</sup> Ward of the City of Scranton Lackawanna County, Pennsylvania being 2016 North Main Avenue, Scranton, PA 18505  
Dimensions: 50X213X50X220  
Assessment Map #: 13509010004  
Assessed Value figure: \$16,000.00  
Improvement thereon: a residential dwelling  
Attorney: Daniel T. Lutz, Esquire  
Sheriff to Collect: \$146,193.30

### SALE 22

By virtue of a Writ of Execution No. 2016-03933 U.S. Bank Trust National Association, Not in Its Individual Capacity But Solely as Delaware Trustee and U.S. Bank National Association, Not in Its Individual Capacity But Solely as CO-Trustee for Government Loan Securitization Trust 2011-Fv1 v. Donald H. Lawrence, Jr owners of property situate in the MAYFIELD BOROUGH, Lackawanna County, Pennsylvania, being 309 Whitmore Avenue, a/k/a 309-311 Whitmore Avenue, Mayfield, PA 18433-1740  
Dimensions: 50 X 150  
Assessment Map #: 07308020016, 07308020017  
Assessed Value figure: \$10,000.00  
Judgment Amount: \$136,990.33  
Improvements thereon: Residential Property  
Attorney: PHELAN HALLINAN DIAMOND & JONES, LLP

### SALE 23

By virtue of a Writ of Execution No. 18-CV-2298 U.S. Bank National Association, Not in Its Individual Capacity, But Solely as Trustee for Nrz Pass-Through Trust X v. Joann Keyes a/k/a Joann Woods owners of property situate in the SCRANTON CITY, Lackawanna County, Pennsylvania, being 226-228 Prescott Avenue, Scranton, PA 18510  
Dimensions: 40 X 160  
Assessment Map #: 15754-010-006  
Assessed Value figure: \$20,000.00  
Judgment Amount: \$82,664.07  
Improvements thereon: Residential Property  
Attorney: PHELAN HALLINAN DIAMOND & JONES, LLP

### SALE 24

By virtue of a Writ of Execution filed to No. 2017-01243 Specialized Loan Servicing LLC vs. Mark Allan Desmarais, owner(s) of property situated in Borough of Olyphant Lackawanna County, Pennsylvania being 622 Sanderson Avenue, Olyphant, PA 18447  
Dimensions: 50X150X61X115  
Assessment Map #: 11418040002  
Assessed Value figure: \$9,000.00  
Improvement thereon: a residential dwelling  
Attorney: Daniel T. Lutz, Esquire  
Sheriff to Collect: \$160,284.73

### SALE 25

By virtue of a Writ of Execution No. 18-CV-1224 Finance of America Mortgage, LLC v. Thomas E. Davis, Jr owners of property situate in the DICKSON CITY BOROUGH, Lackawanna County, Pennsylvania, being 405 Boulevard Avenue, a/k/a 405 Boulevard Avenue L 2 Dickson City, PA 18519-1728  
Dimensions: 43X150X43X146  
Assessment Map #: 12412010044  
Assessed Value figure: \$7,000.00  
Judgment Amount: \$102,450.22

Improvements thereon: Residential Property  
Attorney: PHELAN HALLINAN DIAMOND & JONES, LLP

### SALE 26

By virtue of a Writ of Execution No. 17-CV-5245 Suntrust Mortgage, Inc. v. Marlene A. Volker owners of property situate in the SCRANTON CITY, Lackawanna County, Pennsylvania, being 1609 Court Street, a/k/a 1609 Court Street L 57, Scranton, PA 18504-1240  
Assessment Map #: 1341504000157  
Assessed Value figure: \$25,505.00  
Judgment Amount: \$219,014.27  
Improvements thereon: Residential Property  
Attorney: PHELAN HALLINAN DIAMOND & JONES, LLP

### SALE 27

By virtue of a Writ of Execution No. 2018-02505 JPMorgan Chase Bank, N.A. v. Unknown Heirs, Successors, Assigns, and All Persons, Firms, or Associations Claiming Right, Title or Interest From or Under Elaine Long a/k/a Elaine F. Long, Deceased owners of property situate in the BLAKELY BOROUGH, Lackawanna County, Pennsylvania, being 102 Holly Lane, Peckville, PA 18452-1425  
Dimensions: 75 X 139 X 73 X 140  
Assessment Map #: 10405020001  
Assessed Value figure: \$16,000.00  
Judgment Amount: \$147,190.72  
Improvements thereon: Residential Property  
Attorney: PHELAN HALLINAN DIAMOND & JONES, LLP

### SALE 28

By virtue of a Writ of Execution No. 2017-CV-4715 U.S. Bank National Association, as Trustee for Bear Stearns Asset Backed Securities I Trust 2004-Ac4, Asset-Backed Certificates, Series 2004-Ac4 v. Ronald Mikolajczak a/k/a Ronald G. Mikolajczak owners of property situate in the SCRANTON CITY, 5TH, Lackawanna County, Pennsylvania, being 227 South Hyde Park Avenue, A/K/A 225-227 South Hyde Park Avenue, Scranton, PA 18504-2569  
Dimensions: 43x90x43x90  
Assessment Map #: 14518050008  
Assessed Value figure: \$12,000.00  
Judgment Amount: \$79,149.64  
Improvements thereon: Residential Property  
Attorney: PHELAN HALLINAN DIAMOND & JONES, LLP

### SALE 29

By virtue of a Writ of Execution filed to No. 2016-06201 Federal National Mortgage Association ("Fannie Mae") v. HOWARD W. SWEENEY, IN HIS CAPACITY AS ADMINISTRATOR OF THE ESTATE OF THEODOCIA A. SWEENEY AND AS HEIR AT LAW OF THEODOCIA A. SWEENEY, DECEASED MORTGAGOR AND REAL OWNER, WILLIAM H. SWEENEY, IN HIS CAPACITY AS HEIR-AT-LAW OF THEODOCIA A. SWEENEY, DECEASED MORTGAGOR AND REAL OWNER, FLORENCE LAWLESS, IN HER CAPACITY AS HEIR-AT-LAW OF THEODOCIA A. SWEENEY, DECEASED MORTGAGOR AND REAL OWNER, THEODOCIA ENGLUND, IN HER HCAPACITY AS HEIR-AT-LAW OF THEODOCIA A. SWEENEY, DECEASED MORTGAGOR AND REAL OWNER, DOROTHEA JONES, IN HER CAPACITY AS HEIR-AT-LAW OF THEODOCIA A. SWEENEY, DECEASED MORTGAGOR AND REAL OWNER AND UNKNOWN HEIRS, SUCCESSORS, ASSIGNS AND ALL PERSONS, FIRMS OR ASSOCIATIONS CLAIMING RIGHT, TITLE OR INTEREST FROM OR UNDER THEODOCIA A. SWEENEY, DECEASED MORTGAGOR AND REAL OWNER owner(s) of property situate in Borough of

## LACKAWANNA JURIST

Olyphant Lackawanna County, Pennsylvania Being 307 Rear Lackawanna Avenue, Olyphant, PA 18447

All those certain lots, pieces or parcels of land, together with the buildings and improvement thereon erected, situate in the Borough of Olyphant, County of Lackawanna and Commonwealth of Pennsylvania, bounded and describes as follows to wit:

Beginning at a point in the rear of the United Hall Association property, said being on a line South 66 degrees 49 minutes West a distance of 108.53 feet from Lackawanna Street and running thence South 66 degrees 49 minutes West about 42 feet to a point; thence South 22 degrees 41 minutes West 80.95 feet to a point; thence continuing in a Southwesterly directions 40 feet more or less to a point; thence South 27 degrees 15 minutes West 85.75 feet more or less to the Southeasterly corner of lands now or formerly of Florence G. Sweeny; thence North 66 degrees 29 minutes West 152 feet, more or less, to Lloyds Alley; thence North 21 degrees 02 minutes East 10 feet to a point; thence South 66 degrees 29 minutes East 68 feet to a point; thence North 21 degrees 02 minutes East 179 feet to a point; thence North 25 degrees 03 minutes East 58.5 feet to a point; thence South 60 degrees 34 minutes East 89.91 feet more or less, to the Southeasterly corner of the alley leading to the United Hall Association property; thence North 67 degrees 06 minutes East 18.75 feet, more or less to a point; thence South 26 degrees 05 minutes East a distance of 27.75 feet to a point, the place of beginning.

Also the right to use as an alley in common with the owners of the premises known as United Hall Association property, the following described piece or parcel of land. Beginning at the most Southerly corner of the Voyle Lot, thence South 14 degrees 28 minutes East 12 feet to a corner in the angle of iron fence in front of the premises formerly known as the William Sweeny residence; thence North 60 degrees 34 minutes West along said iron fence 16.6 feet; thence North 16 degrees East along an alley 8 feet wide to the Voyle Lot; thence South 66 degrees 15 minutes East along said Voyle Lot 10 feet to the place of beginning. Together with the right of ingress and egress in such alley ways and passages ways bounded and abutting on said land as far as the grantors herein has the right to convey and also the right of ingress and egress over any land that may be situate between the property hereby conveyed and the alley leading from the Voyle Alley to Lloyds Alley.

Property ID#: 11410040033

Assessed Value figure: \$20,000.00

Improvements thereon: Residential Dwelling

Attorney: Martha E. Von Rosenstiel, P.C.

Sheriff to collect: \$163,484.95, plus interest and costs

### SALE 30

By virtue of a Writ of Execution filed to No. 2018-01314 Bank of America, N.A. vs. Stephen R. Devine, owner(s) of property situated in Blakely Borough Lackawanna County, Pennsylvania being 801 West Grant Street, Blakely, PA 18447

Dimensions: 58X31X28X80X50

Assessment Map #: 11406020040

Assessed Value figure: \$10,857.00

Improvement thereon: a residential dwelling

Attorney: Daniel T. Lutz, Esquire

Sheriff to Collect: \$160,324.83

### SALE 31

By virtue of a Writ of Execution No. 18-CV-2572 Deutsche Bank National Trust Company, as Trustee for Novastar Mortgage Funding Trust, Series 2006-6 Novastar Home

Equity Loan Asset-Backed Certificates, Series 2006-6 v. Guy Higdon, Meghan Higdon owners of property situate in the CARBONDALE CITY, Lackawanna County, Pennsylvania, being 110 Spring Street, Carbondale, PA 18407-2468  
Dimensions: 38 X 75 X 35 X 75  
Assessment Map #: 05505-030-028  
Assessed Value figure: \$7,800.00  
Judgment Amount: \$58,677.08  
Improvements thereon: Residential Property  
Attorney: PHELAN HALLINAN DIAMOND & JONES, LLP

### SALE 32

By virtue of a Writ of Execution filed to No. 18CV2712 Pentagon Federal Credit Union v. Marcus Andrew Milazzo and Deanmarie Milazzo A/K/A Deanmarie Merlen A/K/A Dean Marie Merlen owner(s) of property situate in Borough of Archbald Lackawanna County, Pennsylvania Being 325 Carbon Street, Archbald, PA 18403

ALL that certain lot, piece or parcel of land situate, lying and being in the Borough of Archbald, County of Lackawanna and State of Pennsylvania bounded and described as follows:

BEGINNING at a point common to the Northwesterly side of Ash Street and the Northeasterly side of Carbon Street, said point being the corner of lands of Rose Marhelski; THENCE along the Northwesterly line of Ash Street, South thirty-four degrees, forty-five minutes, zero seconds West (S. 34° 45' 00" W.) for a distance of sixty (60) feet to a point, which point is a common corner of lands of John and Marcia Kosar and Rose Marhelski;

THENCE along the common dividing line of lands of John and Marcia Kosar and Rose Marhelski North fifty-five degrees, fifteen minutes, zero seconds West (N. 55° 15' 00" W.) for a distance of fifty-five and fifty hundredths (55.50) feet to a point common to lands of John and Marcia Kosar, lands of Rose Marhelski and lands now or formerly of Gerard and Amy McConnell;

THENCE North thirty-four degrees, forty-five minutes, zero seconds East (N. 34° 45' 00" E.) for a distance of sixty (60) feet along the common dividing line of lands of Rose Marhelski and lands now or formerly of Gerard and Amy McConnell to a point common to lands of Rose Marhelski and lands now or formerly of Gerard and Amy McConnell on the Northeasterly line of Carbon Street;

THENCE along Carbon Street South fifty-five degrees, fifteen minutes, zero seconds East (S. 55° 15' 00" E.) for a distance of fifty-five and fifty hundredths (55.50) feet to a point, the place of beginning.

TOGETHER WITH an easement granted by conveyance of John Kosar and Marcia Kosar to Rose Marhelski recorded immediately heretofore in the Office of the Recorder of Deeds of Lackawanna County for a concrete walkway which is situate upon lands of John and Marcia Kosar and which concrete walkway services the said lands of John and Marcia Kosar and lands of Rose Marhelski for ingress, egress and regress by foot to the lands of Rose Marhelski upon said walkway situate as described by the following easement description:

BEGINNING at a point on the Northwesterly line of Ash Street in the Borough of Archbald, County of Lackawanna and State of Pennsylvania said point being a common corner of lands of John and Marcia Kosar and Rose Marhelski; thence along the Northwesterly line of Ash Street South 34 degrees 45 minutes West four and fifty hundredths (4.50) feet to a point; thence across lands of John and Marcia Kosar the following two (2) courses and distances: (1) North 55 degrees 14 minutes 18 seconds West twenty-seven (27) and (2) North 46 degrees 17 minutes 16 seconds West

## LACKAWANNA JURIST

twenty-eight and eighty-five hundredths (28.85) feet to a point; thence along lands of Rose Marhelski South 55 degrees 15 minutes East fifty-five and fifty

### SALE 33

By virtue of a Writ of Execution filed to No. 17cv4941 American Advisors Group vs. Althea M. Frank owner of property Situate in Township of Roaring Brook, LACKAWANNA COUNTY, PENNSYLVANIA BEING 109 Candy Lane, Roaring Brook, Pennsylvania 18444 DWELLING KNOWN AS: 109 CANDY LANE, ROARING BROOK, PENNSYLVANIA 18444 TAX PARCEL #: 1880403002505

Title to said premises is vested in Althea M. Frank by deed from GERALD M. FRANK, DIVORCED AND UNMARRIED, AND ALTHEA M. FRANK, DIVORCED AND UNMARRIED, dated February 16, 2006 and recorded March 21, 2006 in Deed Instrument Number 200607387

Assessment Map #: 1880403002505

Assessed Value figure: \$19,000

Improvements thereon: Residential Dwelling  
Attorney: McCabe, Weisberg & Conway, LLC  
Sheriff to collect: \$128,278.83

### SALE 34

By virtue of a Writ of Execution filed to No. 2017CV3484 MTGLQ Investors, L.P. v. Robert J. Clayton and Esther L. Clayton owner(s) of property situate in Township of Clifton Lackawanna County, Pennsylvania Being 298 Lehig Road, a/k/a L R 35057, Gouldsboro, PA 18424

ALL THAT CERTAIN lot, piece or parcel of land situate in the Township of Clifton, County of Lackawanna and Commonwealth of Pennsylvania, being depicted and designated as Lot No. 6 Section B on a Final Subdivision Map entitled "Survey Lands of George Kronick, Stephen Kronick and George Kuchak"; dated August 5, 1981, revised March 15, 1982, prepared by John R. Hennemuth and recorded in Lackawanna County Map Book 18 at page 153. Property ID#: 22803020001

Assessed Value figure: \$18,500.00

Improvements thereon: Residential Dwelling  
Attorney: Martha E. Von Rosenstiel, P.C.  
Sheriff to collect: \$132,925.78, plus interest and costs

### SALE 35

By virtue of a Writ of Execution filed to No. 2018-CV-2486 Wells Fargo Bank, National Association as Trustee for Merrill Lynch Mortgage Investors Trust, Mortgage Loan Asset-Backed Certificates, Series 2003-OPT1, Ocwen Loan Servicing, LLC v. Richard L. Mailler, owner of property situate in the City of Scranton, Lackawanna County, Pennsylvania being 2303 Jackson Street, Scranton, PA 18504.

Dimensions: 50X150

Property ID#: 14412020068

Assessed Value figure: \$15,000

Improvements thereon: Residential Real Estate  
Attorney: Jessica N. Manis, Esquire.  
Sheriff to collect: \$58,167.54

### SALE 36

BY VIRTUE of a Writ of Execution filed to No. 2018-01415 PENNSYLVANIA HOUSING FINANCE AGENCY vs. THE UNKNOWN HEIRS OF GEORGE H. LEECH, DECEASED 66 MAGNOLIA DRIVE (fka 57 Country Club Drive & fka 194 Magnolia Drive) THORNHURST, PA 18424 TOWNSHIP OF THORNHURST Lackawanna County, Pennsylvania

Dimensions: 111 X 150 X 87 X 152

See Instrument #: 200805891

Assessment Map #: 24601-040-004

Assessed Value: \$17,000

Improvements thereon: A residential dwelling house  
Attorney: Leon P. Haller, Esquire Purcell, Krug & Haller  
Sheriff to collect: \$121,781.45 (Total amount of Judgment)\*  
\*With costs, interest, late charges and taxes, etc. as may accrue.

### SALE 38

BY VIRTUE of a Writ of Execution filed to No. 17-CV-6590 U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY vs. CHRISTOPHER M. HOOVER 414 & 416 Delaware Avenue, Olyphant, PA 18447 Borough of Olyphant Lackawanna County, Pennsylvania

Dimensions: 30 x 140

See Instrument #: 201110641

Assessment Map #: 11407-030-016 & 11407-030-017

Assessed Value: \$3,000 & \$8,000

Improvements thereon: A residential dwelling house  
Attorney: Leon P. Haller, Esquire Purcell, Krug & Haller  
Sheriff to collect: \$89,748.59 (Total amount of Judgment)\*  
\*With costs, interest, late charges and taxes, etc. as may accrue.

### SALE 39

By virtue of a Writ of Execution filed to No. 2017-CV-2246 SDO Fund II D32, LLC vs. 417 Lackawanna Avenue, LLC. 417 Lackawanna Avenue, LLC, owners(s) of property situate in City of Scranton Lackawanna County, Pennsylvania being 411-417, 419-421 Lackawanna Avenue

Dimensions: Irregular Lot

Property ID#: 156-36-010.014, 156-35-010-013.01

Assessed Value figure: \$800,000.00

Improvements thereon: Office building  
Attorney: James W. Hennessey, Esquire  
Sheriff to collect: \$5,306,346.60

### NOTICE

TO ALL PARTIES IN INTEREST AND CLAIMANTS: A SCHEDULE OF DISTRIBUTION OF ONLY HIGH BID SALES WILL BE FILED BY THE SHERIFF NOT LATER THAN DECEMBER 13, 2018 AND THAT DISTRIBUTION WILL BE MADE IN ACCORDANCE WITH SAID SCHEDULE UNLESS EXCEPTIONS ARE FILED THERETO WITHIN TEN DAYS AFTER THE FILING OF THE PROPOSED SCHEDULE.

MARK P. MCANDREW  
SHERIFF OF LACKAWANNA COUNTY

ATTEST:

BOB MOORE  
REAL ESTATE DEPUTY  
SHERIFF'S OFFICE  
SCRANTON, PA. 18503  
APRIL 16, 2018



## LACKAWANNA JURIST

### ESTATES

#### First Notice

**ESTATE OF CATHERINE R. CAINES**, late of the Borough of Jessup, Lackawanna County, Pennsylvania, (died September 12, 2018). Letters Testamentary were granted to Timothy Borick and Jean Marie Cuthbertson. Creditors present claims and debtors make payments to John P. Pesota, Esquire, Suite 702 SNB Plaza, 108 North Washington Avenue, Scranton, PA 18503.

**ESTATE OF MORRIS J. CAMPIONE, (A/K/A MORRIS CAMPIONE)**, late of the City of Scranton, Lackawanna County, Pennsylvania (died October 7, 2018). Personal Representatives are Patricia Brensha, 5027 Rainmaker Drive, Durham, NC 27704 and Paul Campione, 525 East Elm Street, Scranton, PA 18505. Attorney for the Estate is Nancy M. Barrasse, Esquire, 224 Adams Avenue, Scranton, Pennsylvania 18503.

NOTICE IS HEREBY GIVEN that Letters of Administration, have been granted to Deborah Monteforte, Administratrix of **THE ESTATE OF JOSEPH EHNOT**, late of Dunmore, Lackawanna County, Pennsylvania, who died on March 15, 2017. 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.

NOTICE IS HEREBY GIVEN that Letters Administration have been granted to Kaitlyn Simon of the **ESTATE OF DOMINICK J. FACCIPONTI**, late of the Borough of Moscow, Lackawanna County, Pennsylvania who died September 17, 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 in c/o Anthony G. Ross, Esquire, Law Offices of Tony Ross, 126 South Main Street, Pittston, PA 18640.

**ESTATE OF FAYE E. JAMES**, late of Clarks Summit, Pennsylvania (died September 18, 2018); Larry Wolyniak and Patricia Wolyniak, Executors or William J. Rinaldi, Esquire, Attorney for the Estate, Suite 600, 538 Spruce Street, Scranton, PA 18503.

NOTICE is hereby given that Letters Testamentary have been granted in the **ESTATE OF BERNARD J. KASULIS, A/K/A BERNARD KASULIS**, late of the Borough of Moosic, Lackawanna County, who died September 26, 2018. All persons indebted to said Estate are requested to make payment and those having claims to present the same, without delay, to the Executrix, CHARLENE LOMBARDO and her Attorneys. SAPORITO, FALCONE & WATT, 490 North Main Street, Pittston, PA 18640.

NOTICE IS HEREBY GIVEN that Letters Testamentary have been granted in the **ESTATE OF JOHN J. LACHOVICZ A/K/A JOHN A. LACHOVICZ**, Deceased, late of 467 Main Street, Eynon, Lackawanna County, Pennsylvania 18403, who died on August 29, 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 the Executrix, Cynthia L. Lachovicz, or Michael N. Krisa, Attorney for the Estate, 3397 Scranton/Carbondale Highway, Suite 4, Blakely, Pennsylvania 18447.

**ESTATE OF JOAN MAY**, late of 85 Sturges Road, Peckville, Lackawanna County, Pennsylvania (died September 8, 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 Patricia Edwards, Executor, 931 Throop Street, Dickson City, Pennsylvania 18519, or to Jenna Krayer Tuzze, of Oliver, Price & Rhodes, Attorney for the Estate, 1212 South Abington Road, P.O. Box 240, Clarks Summit, PA 18411.

NOTICE is hereby given that Letters Testamentary have been granted in the **ESTATE OF VIRGINIA A. MCCLAIN, AKA VIRGINIA A. SILFEE, AKA VIRGINIA A. LUKESKI**, late of Jefferson Township, Lackawanna County, who died September 26, 2018. All persons indebted to said Estate are requested to make payment and those having claims to present the same, without delay, to the Co-Administrators, Robert C. Silfee, Sr. and Ali Crean, and their Attorney. DAVID CHERUNDOLO, ESQUIRE, 410 JEFFERSON AVENUE, SCRANTON, PA 18510

Letters Testamentary have been granted on the **ESTATE OF JOHN R. RITTER**, to Kelly Ritter. Make all claims and pay all debts to this representative without delay, care of the estate attorney. Attorney John J. Mercuri, PO Box 310, Moscow, PA 18444.

**ESTATE OF DEBBIE A. ROKITA, A/K/A DEBBIE MAHER ROKITA**, DECEASED, LATE OF SCRANTON, PENNSYLVANIA (DIED OCTOBER 31, 2017). All persons indebted to said Estate are required to make payment, and those having claims or demands to present the same, without delay, to John C. Rokita, Administrator, c/o Attorney Joseph F. Gaughan, 300 Mulberry Street, Suite 303, Scranton, PA 18503.

NOTICE IS HEREBY GIVEN that Letters Testamentary have been granted to Debra Generose, Executor of the **ESTATE OF JOSEPH E. RUSSO**, deceased, who died on July 4, 2012, late of Old Forge, Pennsylvania. All persons indebted to the estate are required to make payment and those having any claims or demands are to present the same, without delay, to the Executor, Debra Generose, c/o her attorney Carlo A. LaMonica, Esquire, LaMonica Law Firm LLC, 3218 Pittston Avenue, Suite 4, Scranton, PA 18505.

NOTICE IS HEREBY GIVEN that Letters of Administration have been issued to Pauline Dionis, Edward Schultz and Mary Ann Wojcak in the **ESTATE OF JOSEPH E. SCHULTZ**, who died August 18, 2018, late of Dickson City, Lackawanna County, Pennsylvania. All creditors are requested to present their claims and all persons indebted to the decedent will make payment to the aforementioned Administrators in care of attorneys. HISCOX & MUSTO, 400 Third Avenue, Suite 201, Kingston, PA 18704.

NOTICE IS HEREBY GIVEN that Letters of Administration have been issued to Pauline Dionis, Edward Schultz and Mary Ann Wojcak in the **ESTATE OF MARY T. SCHULTZ**, who died July 11, 2006, late of Dickson City, Lackawanna County, Pennsylvania. All creditors are requested to present their claims and all persons indebted to the decedent will make payment to the aforementioned Administrators in care of attorneys. HISCOX & MUSTO, 400 Third Avenue, Suite 201, Kingston, PA 18704.

**ESTATE OF NANNETTE E. SMITH**, late of South Abington Township, Pennsylvania, (died 08/11/2018) Eugene D. Smith, Executor; William J. Hall, Attorney for the Estate, 307 N. Blakely Street, P.O. Box 272, Dunmore, PA 18512.

NOTICE IS HEREBY GIVEN that Letters Testamentary have been granted in the **ESTATE OF DONALD F. TUSAR**, Deceased, late of 141 South Main Street, Vandling, Lackawanna County, Pennsylvania 18421, who died on September 16, 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 the Executrix, Romayne Tusar, or Michael N. Krisa, Attorney for

the Estate, 3397 Scranton/Carbondale Highway, Suite 4, Blakely, Pennsylvania 18447.

Third Notice

Second Notice

RE: **ESTATE OF CAROL M. FELLS BREIG**, late of Dalton, Pennsylvania. Letters of Testamentary in the above estate having been granted, creditors shall make demand and debtors shall make payment to Warren Breig, 850 Lily Lake Road, Dalton, PA 18411, Executor, or to James W. Reid, Esquire, Oliver, Price & Rhodes, Attorney for the Estate, 1212 South Abington Road, P.O. Box 240, Clarks Summit, PA 18411.

RE: **ESTATE OF MARION C. CORNELL**, late of Scranton, Lackawanna County, PA (died August 20<sup>th</sup>, 2015), Letters of Administration have been granted to the undersigned, who requests all persons having claims or demands against the Estate of the Decedent to make known the same, and all persons indebted to the Decedent to make payment without delay to: Attorney Thomas J. Jones, Jr., Esquire, Administrator of the Estate of Marion C. Cornell 410 Spruce Street, Suite 301, Scranton, Pennsylvania 18503.

**ESTATE OF VELMA M. DIXON**, late of Scranton, PA (died August 27, 2018) Christopher Bertha, Executor. Christopher B. Jones, Attorney for Estate, 406 Jefferson Avenue, Scranton, PA 18510.

RE: **ESTATE OF STANLEY J. GAIK**, late of Scranton, Lackawanna County, PA (died March 19, 2014), Letters of Administration have been granted to the undersigned, who requests all persons having claims or demands against the Estate of the Decedent to make known the same, and all persons indebted to the Decedent to make payment without delay to: John S. Gaik, Administrator, or to his attorney: Thomas J. Jones, Jr., Esquire, 410 Spruce Street, Suite 301, Scranton, Pennsylvania 18503.

**ESTATE OF HELEN S. LIPARULO**, DECEASED, late of 104 BETTY STREET, EYNON, PA 18403, (Died August 12, 2018) ELAINE MAHONEY, Executrix; Dante A. Cancelli, Esquire, Suite 401, 400 Spruce Street, Scranton, Pennsylvania 18503, Attorney.

**ESTATE OF CHESTER C. ORZELL**, late of Scranton, Lackawanna County, PA (died June 12, 2018). Notice is hereby given that Letters Testamentary in the above Estate have been issued to David C. Coyne, Executor. Creditors shall present claims and Debtors shall make payments to David C. Coyne, c/o Arthur J. Rinaldi, Esquire, RINALDI & RINALDI, 2 West Olive Street, Scranton, PA 18508.

**ESTATE OF COLLEEN PRITCHARD**, Late of Moscow, Lackawanna County, PA (August 10, 2018). Notice is hereby given that Letters of Administration on the above Estate have been granted to Robert Pritchard. 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 Timothy B. Fisher II, Esquire, Fisher & Fisher Law Offices LLC, Attorneys for the Estate, 525 Main Street, PO Box 396, Gouldsboro, PA 18424.

IN RE: **ESTATE OF PAUL J. SALONY**, late of Taylor, Pennsylvania, died July 21, 2018. Notice is hereby given that Letters Testamentary, on the above listed Estate of Jeffrey M. Salony and Paul J. Salony. All persons indebted to the said Estate are required to make payment and those having claims to present the same without delay to the Executors named above or to Theresa J. Malski-Pezak, Esquire, 907 Church Street, Jessup, Pennsylvania 18434, Attorney for the Estate.

RE: **ESTATE OF CHARLES BARNAUSKAS**, late of Roaring Brook Township, Lackawanna County, Pennsylvania (died August 28, 2018). Notice is hereby given that Letters Testamentary for the Estate of Charles Barnauskas have been issued to Shirley Chester, Executrix 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 Executrix, or to John J. McGovern, Jr., Attorney for the Estate, 321 Spruce Street-Suite 201, Scranton, PA 18503.

**ESTATE OF JOSEPH J. GIAMBRA**, late of Peckville, PA, who died August 14, 2018. 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: Ann Marie Rogers, Executrix c/o Geff Blake, Esq., 436 Jefferson Avenue, Scranton, PA 18510, Attorney for the Estate.

**ESTATE OF LOVY YUHAS KETCHA AKA LOVY LUBOV KETCHA**, late of Olyphant, PA (died July 14, 2018). Notice is hereby given that Letters Testamentary for the Estate of Lubov Ketcha have been issued to Deborah Lewis, Executrix of the Estate. All those having claims or demands against the Estate shall present claims or remit payment without delay to Mark J. Conway, Attorney for the Estate, 502 South Blakely Street, Dunmore, Pennsylvania 18512.

**ESTATE OF MARY A. LEWANDOWSKI** late of Taylor, Lackawanna County, Pennsylvania (died January 6, 2018). Notice is hereby given that Letters Testamentary for the Estate of MARY A. LEWANDOWSKI have been issued to DONALD KLENS. All those having claims or demands against the Estate or indebtedness owed to the Estate shall present claims or remit payment without delay to DONALD KLENS, c/o Jule Gaige, Attorney for the Estate, 615 Clay Avenue, Third Floor, Scranton, PA 18510. 570-350-5225.

In re: **ESTATE OF ROSEANNE CAROL WALL**, late of Whiteville, North Carolina, 08/05/2016. Letters in the above Estate having been granted, all person having claims or demands against the Estate of the Decedent shall make them known and present them, and all persons indebted to the said Decedent shall make payment thereof, without delay, to Susan Wall, Personal Representative, or to Joseph S. Toczylowski, Jr., Esquire of the Toczylowski Law Office, 392 North Main Street, Archbald, PA 18403.

**ESTATE OF HELEN WIRHANOWSKY**, Old forge, PA (died January 10, 2018), David Williams, Administrator. Paul A. Kelly, Jr., Esq., 201 Lackawanna Avenue, Suite 306, Scranton, PA 18503.

RE: **ESTATE OF PATRICIA J. YOUNG**, late of Scranton, Lackawanna County, PA (died 03/26/2015), Letters Testamentary have been granted to the undersigned, who requests all persons having claims or demands against the Estate of the Decedent to make known the same, and all persons indebted to the Decedent to make payment without delay to: Pamela Y. Lucas, Executrix, or to her attorney: Thomas J. Jones, Jr., Esquire, 410 Spruce Street, Suite 301, Scranton, Pennsylvania 18503.

LACKAWANNA JURIST

**CERTIFICATE OF ORGANIZATION**

Notice is hereby given that a Certificate of Organization for a Limited Liability Company named **MOE Landscaping Services, LLC**, was filed with the Department of State of the Commonwealth of Pennsylvania and approved on July 13, 2018, pursuant to the provisions of the Pennsylvania Limited Liability Company Law of 1994, 15 Pa. C.S. Section 8913, et.seq., as amended.

Michael C. Cowley, Esquire  
T1-10/26

**CERTIFICATE OF ORGANIZATION**

NOTICE IS HEREBY GIVEN THAT Certificate of Organization for Domestic Limited Liability Company of **VALLEY TRANSPORTATION SOLUTIONS, L.L.C.** was filed with and approved by the Pennsylvania Department of State on September 27, 2018, in accordance with the provisions of the Pennsylvania Limited Liability Company Law of 1994.

Scott R. Sanderson, Esquire  
T1-10/26

**CHANGE OF NAME**

NO. 2018-CIV-5272

NOTICE IS HEREBY GIVEN that on the 5<sup>th</sup> day of October, 2018, the Petition for Change of Name, filed by Petitioner, Luke Gondella, a minor child, upon Motion of Kara Falcone, f/k/a Kara Gondella, was filed in the Court of Common Pleas of Lackawanna County, praying for a decree to change his name to Luke Falcone. The Court has fixed a Hearing to be held on November 30, 2018 at 9:00 a.m., in Scranton Pennsylvania, at the Lackawanna County Courthouse, as the time and place for the hearing of said Petition, when and where all persons interested may appear and show cause, if any they have, why the prayer of the said petition should not be granted.

Ryan P. Campbell, Esq.  
Attorney for Petitioner  
T1-10/26

**NOTICE**

NOTICE OF NISI CONFIRMATION

The Tax Claim Bureau of Lackawanna County, Pennsylvania, hereby gives notice that it presented a Consolidated Return of Sale to the Court of Common Pleas of Lackawanna County, Pennsylvania, on October 23, 2018, of the Upset Tax Sales of real estate for delinquent taxes held by the Bureau on September 24, 2018, pursuant to due notices required by the Real Estate Tax Sale Law of 1947, as amended. The Court confirmed this Return nisi on October 23, 2018. Any owner or lien creditor may file exceptions or objections to the Return within thirty (30) days after October 23, 2018. If no exceptions or objections are filed by that date, the Return will be confirmed absolutely.

Tax Claim Bureau of Lackawanna County  
By: Ronald J. Koldjeski, Deputy Director  
T1-10/26

**NOTICE**

ASSUMED NAME NOTICE

NOTICE IS HEREBY GIVEN that an application for registration of the assumed name **The Wright Center for Community Health** for the conduct of business in Lackawanna County, Pennsylvania, with the principal place of business being 5 South Washington Avenue, Jermyrn, PA 18433 was made to the Department of State of Pennsylvania at Harrisburg, Pennsylvania, on the 9<sup>th</sup> day of October 2018, pursuant to 54 Pa.C.S. §311. The name of the entity owning or interested in the said business is The Wright Center Medical Group.

McNEES WALLACE & NURICK LLC  
100 Pine Street  
P.O. Box 1166  
Harrisburg, PA 17108-1166  
T1-10/26

**NOTICE**

TO: Nicole McDermott  
1106 Hampton Street  
Scranton, PA 18504

NOTICE

A petition has been filed asking the Court to put an end to all rights you have to your child A.M., born 12/22/10, and T.C., born 05/20/13 biological children of Nicole McDermott. The Court has set a hearing to consider ending your rights to your children. That hearing will be held on November 20, 2018 at 1:30 PM at the Lackawanna County Family Court Center, Second Floor, 200 Adams Avenue, Scranton, PA 18503. If you do not appear at this hearing, the Court may decide that you are not interested in retaining your rights to your child and your failure to appear may affect the Court's decision on whether to end your rights to your child. You are warned that even if you fail to appear at the scheduled hearing, the hearing will go on without you and your rights to your children may be ended by the Court without your being present. You have a right to be represented at the hearing by a lawyer.

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 OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

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

T2-11/2

**LACKAWANNA JURIST**

**NOTICE**

NOTICE OF ACTION IN MORTGAGE FORECLOSURE  
IN THE COURT OF COMMON PLEAS OF LACKAWANNA COUNTY, PENNSYLVANIA  
CIVIL ACTION – LAW  
NO.: 17 CV 2934

PNC BANK, NATIONAL ASSOCIATION,  
Plaintiff,  
vs.

Ronald P. Bachman, Solely In His Capacity as Heir of the Estate of Dolores I. Lobb; Donald A. Bachman, Solely In His Capacity  
as Heir of the Estate of Dolores I. Lobb; All Unknown Heirs of Dolores I. Lobb,  
Defendants

TO: All Unknown Heirs of Dolores I. Lobb

You are hereby notified that Plaintiff, PNC Bank, National Association, filed an Action in Mortgage Foreclosure endorsed with a Notice to Defend, in the Court of Common Pleas of Lackawanna County, Pennsylvania, docketed to No. 17 CV 2934, seeking to foreclose the mortgage secured by the real estate located at 160 Bear Lake Road, Thornhurst, PA 18424.

A copy of the Action in Mortgage Foreclosure will be sent to you upon request to the Attorney for the Plaintiff, Manley Deas Kochalski LLC, P. O. Box 165028, Columbus, OH 43216-5028. Phone 614-220-5611.

You have been sued in court. If you wish to defend against the claims in this notice, you must take action within twenty (20) days after this publication, 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 NOTICE TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

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

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

T1-10/26

## LACKAWANNA JURIST

### NOTICE

#### NOTICE OF ADMINISTRATIVE SUSPENSION

Notice is hereby given that **James J. Woodworth** of **Lackawanna County** has been **Administratively Suspended** by Order of the Supreme Court of Pennsylvania dated September 17, 2018, pursuant to Rule 219, Pa.R.D.E., which requires that all attorneys admitted to practice in any court of the Commonwealth must pay an annual assessment of \$225.00. The Order became effective **October 17, 2018**.

Suzanne E. Price  
Attorney Registrar  
The Disciplinary Board of  
the Supreme Court of Pennsylvania

T1-10/26