



**Chester
County
Bar
Association**

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(USPS 102-900)

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Commonwealth v. Hardenfelder

Dog law violations – Propensity to attack - *Mens rea*

1. The defendant was charged with failure to confine a dog within owner's premises, etc.; harboring a dangerous dog; and failure to confine a dog until disposition of court proceedings.
2. Although a propensity to attack may be proven by a single incident, the Court found there was no propensity to attack and found the defendant not guilty of harboring a dangerous dog.
3. Because the dog was seen running around its yard unrestrained after a report was filed, the Court found the defendant guilty of failure to confine a dog until disposition of court proceedings.
4. The defendant's dog attacked a neighbor's dog on the neighbor's property. The Court Held that no *mens rea* or scienter is required for failure to confine a dog within the owner's premises and, accordingly, found the defendant guilty of that charge.

R.E.M.

C.C.P., Chester County, Pennsylvania, Criminal Action No. SA-227-2012;
Commonwealth of Pennsylvania v. Donna Hardenfelder

Nadia Adawi for the defendant
Tunnell, J., October 3, 2012:-

IN THE COURT OF COMMON PLEAS
CHESTER COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA	:	
Plaintiff	:	CRIMINAL ACTION
	:	
v.	:	NO. SA-227-2012
	:	
DONNA HARDENFELDER	:	
Defendant	:	

ORDER

AND NOW, this 3rd day of October, 2012, the Defendant, Donna Hardenfelder, is hereby found:

1. **GUILTY** of violating 3 P.S. §459-305(a)(1), a summary offense, regarding confinement of dogs.

2. **NOT GUILTY** of Harboring a Dangerous Dog under 3 P.S. §459-502-A(a), a summary offense.

3. **GUILTY** of Disposition of Dog During Court Proceedings, 3 P.S. §459-502-A(d), a summary offense.¹

The Criminal Court Administrator is directed to list this matter for sentencing.

BY THE COURT:

/s/ Mark L. Tunnell, J.

¹This is a criminal prosecution of Donna Hardenfelder for three violations of the Dog Law which arose from a dog fight that occurred on March 16, 2012. From the evidence presented at the trial on July 31, 2012, the court finds the following facts. At about 2:30 that afternoon, Marijaye Tyson-Hampton, who resides in Cochranville, PA, let her three small dogs out in her yard. By name they are Sweetie, Tessa and Gigi. Defendant Hardenfelder is the next door neighbor. Her dog, Allie, was with the defendant's son, Will Hardenfelder, in a shed where Will was working on a lawn mower. Allie left the shed and ran over to where Ms. Tyson-Hampton was standing with her three dogs, a distance of about 90 yards. Ms. Tyson-Hampton became alarmed and called for Will. Allie was wearing an "e-collar", which

could produce either an electric shock, or a beeping noise, from a remote control which Will had.

Will walked over to where Ms. Tyson-Hampton and the dogs were. He testified he felt he did not have to “beep” Allie. He told Ms. Tyson-Hampton he knew that Allie would not be a problem. When he arrived the four dogs were sniffing each other. He and Ms. Tyson-Hampton engaged in some small talk for about ten minutes. During this period of time, Tessa, a cocker-shitsu mix, instigated play with Allie by running around the Tyson-Hampton house. At some point, another neighbor’s Rottweiler barked from behind a fence. Allie went over to investigate, but was “beeped” back by Will. A stranger then drove in down the driveway towards the group to ask directions. Mrs. Tyson-Hampton’s daughter joined the group. Allie did not react aggressively to any of these developments.

However, while the Tyson-Hampton dogs were sitting or lying still, Allie straddled Gigi and attacked the smaller dog. Gigi did not bite, snap at or growl; there was no provocation of any kind. Allie grabbed Gigi and began to shake her violently. After 30 seconds to a minute, Will was able to separate the dogs and took Allie home.

Gigi required emergency veterinary care due to serious injuries, including deep puncture wounds and broken bones in her paw. The treating veterinarian, Dr. Platt, was called to testify and presented photos of the injured dog; the situation was touch-and-go but Gigi did recover.

The Hardenfelders were relatively new to the neighborhood, having moved in the prior November. Gigi was new to the Tyson-Hampton household, having lived there only two or three days. Although Allie had previously been on the Tyson-Hampton property, perhaps on ten earlier occasions, all without incident, this was the first occasion in which Allie and Gigi were together.

Allie had no prior history of attacking or biting other people, other dogs, or any other animals. There was un rebutted evidence that Allie had been around many dogs previously without incident, that Allie had successively completed an obedience school and that she had never displayed any sort of aggression. A boxer-pitbull mix, Allie’s weight at 65 pounds was approximately four times heavier than Gigi, a Maltese-poodle mix.

The defense called Carol A. Siegrist, a certified professional dog trainer and canine consultant. Ms. Siegrist has been a behavioral specialist with problem dogs for approximately ten years and lectures veterinary students at the SPCA where she has been requested to conduct a program. She has investigated 150 cases involving allegedly dangerous dogs and has examined in 350 cases altogether. She was qualified as an expert witness in the area of dog handling and behavior.

She evaluated Allie in the Hardenfelder home and manipulated the dog in various ways to assess the dog's responses, such as by touching the dog, pushing down on her, squeezing her paws and so forth. She was looking for the degree of interaction and testified that her methods were generally accepted within the professional community. There was no display of aggression. She stated that dogs warn by growling. There was no such display and Allie exhibited no aggressive behaviors. The court has decided to credit the next opinion she gave which was, if the dog had been aggressive, there would have been an immediate attack at the Tyson-Hampton residence. As it was, ten minutes had elapsed before the incident without the dog becoming aroused, even though a stranger had come and gone, another person joined the group, and there was an interlude with a barking Rottweiler. Ms. Siegrist offered her opinion that Allie was not a dangerous dog.

Ms. Siegrist stated "It was just a dog fight. It happens." She also denied the proposition that boxers or pitbulls or boxer-pitbull mixes were aggressive by breed.

Mrs. Hardenfelder was charged with failure to confine a dog within the owner's premises, harboring a dangerous dog, and failure to confine a dog until disposition of court proceedings. The elements of each offense are as follows:

**3 Pa. C.S.A. §459-305. Confinement and housing
of dogs not part of a kennel**

(a) **Confinement and control.** It shall be unlawful for the owner or keeper of any dog to fail to keep it at all times the dog in any of the following manners:

(1) confined within the premises of the owner;

(2) firmly secured by means of a collar and chain or other device so that it cannot stray beyond the premises on which it is secured.

(3) under the reasonable control of some person, or when engaged in lawful hunting, exhibition, performance events or field training.

§459-502-A. Court proceedings, certificate of registration and disposition

(a) **Summary offense of harboring a dangerous dog.** Any person who has been attacked by one or more dogs, or anyone on behalf of the person, a person whose domestic animal, dog or cat has been killed or injured without provocation, the State dog warden or the local police officer may file a complaint before a magisterial district judge charging the owner of the summary offense of harboring a dangerous dog if the magisterial district judge finds beyond a reasonable doubt that the following elements of the offense has been proven:

(1) The dog has done any of the following:

(i) inflicted severe injury on a human being without provocation on public or private property.

(ii) killed or inflicted severe injury on a domestic animal, dog or cat without provocation while off the owner's property.

(iii) attacked a human being

without provocation.

(iv) been used in the commission of a crime.

(2) The dog has either or both of the following:

(i) a history of attacking human beings and/or domestic animals, dogs or cats without provocation.

(ii) A propensity to attack human beings and/or domestic animals, dogs or cats without provocation. A propensity to attach may be proven by a single incident of the conduct described in paragraph (1)(i), (ii), (iii) or (iv).

(3) The defendant is the owner or keeper of the dog.

(d) **Disposition of dog during court proceedings.**

An owner or keeper of any dog who has been charged with harboring a dangerous dog shall keep the dog or dogs confined in a proper enclosure or, when off the property of the owner or keeper for purposes of veterinary care, muzzled and on a leash until the time a report is made under subsection (b). if an appeal of a decision under subsection (b) is filed, the dog or dos shall remain so confined until the proceedings are completed. It shall be unlawful for an owner or keeper of a dog who has been charged with harboring a dangerous dog to dispense, move, sell, offer to sell, give away or transfer the dog in any manner except to have it humanely killed or move the dog to a licensed kennel if approved by the investigating officer. A violation of

this subsection shall constitute a summary offense accompanied by a fine of not less than \$500.00

A determination of guilt in this case is largely dependent upon whether a *mens rea* is required to be proven, or if instead the Dog Law provisions are governed by strict liability.

The court has, after reflection, determined that this case is controlled by *Commonwealth v. Raban*, 31 A.3d 699 (Pa. Super. 2011); *alloc. granted*, _____ Pa. _____, _____ A.3d _____ (2012), holding that no *mens rea* or scienter is required for conviction.

In *Raban*, the keeper of the dog, Simon Raban, was charged by the Commonwealth for not keeping his dog within the confines of his property. He did not leash it, put an electric collar on it, nor keep the dog within his view. The dog charged across the street to attack another dog that was being walked by its owner. The owner of the dog, Mr. Alvin, witnessed the attack along with a neighbor on the street, Mr. Sawicki. Mr. Raban came out afterward due to the commotion and brought his dog back onto his premises. The trial court held that Mr. Raban was guilty of not properly confining his dog within the premises of the owner and further went on to state that 3 Pa. C.S.A. §459-305 was not a negligence but a strict liability offense and thus no scienter was required to be guilty of it. The Superior Court of Pennsylvania has affirmed.

Referring to the confinement of dogs under 3 P.S. §459-305(1), the statute states that it shall be unlawful to fail to keep at all times one's dog within the confines of one's premises. This provision is stated absolutely and not in terms of reasonable care. Had the legislature intended to condition culpability on the failure to make reasonable efforts of confinement, it could have so stated in §305(a)(1).

Applying this standard, the court must find the defendant guilty of failing to keep her dog at all times confined upon her premises, or firmly secured by means of a collar and chain so that it cannot stray beyond that premises.

This court finds no guilt on the charge under 3 P.S. §459-502-A(a), harboring a dangerous dog, as the elements are not all met for such a finding. The statute here is to be read in the conjunctive, requiring that element (a)(1), element (a)(2) and element (a)(3) all be met, *Commonwealth v. Baldwin*, 767 A.2d 644 at 646 (Pa. Commw. Ct. 2001). The court finds that neither sub-part of element 2 were established, to wit: "(i) a history of attacking human

beings and/or domestic animals, dogs or cats without provocation. (ii) A propensity to attack *may* be proven by a single incident of the conduct described...” 459-502-A(a)(2)(ii) (emphasis added). While an argument has been advanced by the Commonwealth that the dog in question has a propensity to attack based on this single incident, the court finds instead that, due to the isolated nature of the incident, a lack of history of violent behavior, and the fact that the attack occurred 10 minutes after initial contact, such propensity has not been made out by the evidence. Because the statute states a “propensity to attack *may* be proven by a single incident,” the court is allowed to decide whether an individual incident is indicative of a propensity to attack, or not. Here, we find that it is not.

On the third and final charge, disposition of the dog during court proceedings under 3 P.S. §459-502-A(d) we find the defendant guilty. Evidence was adduced at trial by eye-witness testimony that Allie, defendant’s dog, was observed unrestrained and running around the yard after the incident and after a report was filed. The statute provides in relevant part that:

“An owner or keeper of any dog who has been charged with harboring a dangerous dog shall keep the dog or dogs confined in a proper enclosure or, when off the property of the owner or keeper for purposes of veterinary care, muzzled and on a leash until the time a report is made...”

We note that allocatur has been granted by the Supreme Court in *Commonwealth v. Raban*.

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**CHANGE OF NAME NOTICE
IN THE COURT OF COMMON PLEAS
CHESTER COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW
NO. 12-11009**

NOTICE IS HEREBY GIVEN that the name change petition of Madison Elizabeth Blacklock was filed in the above named court and will be heard on January 14, 2013, at 9:30 AM, in Courtroom 15 at the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania.

Date of filing the Petition: October 15, 2012

Name to be changed from: Madison Elizabeth Blacklock to: Madison Elizabeth Flaherty

Any person interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

**CERTIFICATE OF AUTHORITY –
NONPROFIT**

NOTICE is hereby given that an Application for Certificate of Authority was filed with the Commonwealth of Pennsylvania, Department of State, on or about November 16, 2012 to register a Delaware non-profit corporation under the name "Access Group, Inc." pursuant to the provisions Section 6124 of the Pennsylvania Non-Profit Corporation Law of 1988, as amended.

The corporation has been organized exclusively for charitable purposes under Section 501(c)(3) of the Internal Revenue Code.

A. DUIE LATTA, Esquire

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West Chester, PA 19381-0660

CORPORATION NOTICE

Hot Peppers & Sweet Dreams, Inc., hereby gives notice that articles of incorporation have been filed with the Department of State of the Commonwealth of Pennsylvania, under the provisions of the Pennsylvania Business Corporation Law of 1988, approved December 21, 1988, P.L. 1444, No. 177, effective October 1, 1989, as amended. The purpose for which the corporation is organized is for specialty food sales.

CORPORATION NOTICE

NOTICE IS HEREBY GIVEN that Articles of Incorporation have been filed with the Commonwealth of Pennsylvania, Department of State, Corporation Bureau, to form a corporation under the name "Colmar Tire & Service, Inc.", under the provisions of the Pennsylvania Business Corporation Law of 1988, as amended. UNRUH, TURNER, BURKE & FREES, Solicitors

P.O. Box 515

West Chester, PA 19381-0515

CORPORATION NOTICE

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania on November 14, 2012 for Strako Consulting Inc, in accordance with the provisions of the Pennsylvania Business Corporation Law of 1988.

The purpose or purposes for which it was organized is for management consulting.

CORPORATION NOTICE

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania for Taylor System Design and Solutions, Inc., in accordance with the provisions of the Pennsylvania Business Corporation Law of 1988.

CORPORATION NOTICE

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania on November 28, 2012 for Quonix, Inc., in accordance with the provisions of the Pennsylvania Business Corporation Law of 1988.

The purpose or purposes for which it was organized are: Data management.

ROY E. LEONARD, Solicitor

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ESTATE NOTICES

Letters Testamentary or of Administration having been granted in the following Estates, all persons having claims or demands against the estate of the said decedents are requested to make known the same and all persons indebted to the said decedents are requested to make payment without delay to the respective executors, administrators, or counsel.

1st Publication

DANIELS, David W., late of Chester County. Southeastern Veterans' Center, care of STEPHEN J. BUSHINSKI, Esquire, Building 7-36, Fort Indiantown Gap, Annville, PA 17003-5002, Administrator. STEPHEN J. BUSHINSKI, Esquire, Office of Chief Counsel, Department of Military and Veterans Affairs, Building 7-36, Fort Indiantown Gap, Annville, PA 17003-5002, atty.

DAVIS, Mary Elizabeth, late of Borough of West Grove. Robin C. Davis, 10 Winterset Court, West Grove, PA 19390, Administratrix. LAR-MORE SCARLETT LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

DEMITIS, Pasquale, late of Berwyn. Doreen Thorn, care of DAVID DIPASQUA, Esquire, 230 North Monroe Street, P.O. Box 2037, Media, PA 19063, Administrator. DAVID DIPASQUA, Esquire, Michael F. X. Gillin & Associates, P.C., 230 North Monroe Street, P.O. Box 2037, Media, PA 19063, atty.

DIMARTINI, Mary M., late of Easttown Township. Natalie B. Harwood, care of LOUIS N. TETI, Esquire, 17 West Miner Street, West Chester, PA 19381-0660, Executrix. LOUIS N. TETI, Esquire, Mac Elree Harvey, Ltd., 17 West Miner Street, P.O. Box 660, West Chester, PA 19381-0660, atty.

GROSSMANN, Viola L., late of Kennett Square. John Richard Grossmann, care of NEIL E. LAND, Esquire, 213 E. State Street, Kennett Square, PA 19348, Executor. NEIL E. LAND, Esquire, 213 E. State Street, Kennett Square, PA 19348, atty.

GUARDIANI, Marie, late of East Goshen Township. Patricia Thibault, 1675 Bow Tree Drive, West Chester, PA 19380, Executor. DONALD F. KOHLER, JR., Esquire, Kohler Law Offices, LLC, 27 South Darlington Street, West Chester, PA 19382, atty.

HENRY, Jackson C., late of East Caln Township. Mimi Sack and John Henry, care of ALLISON BELL ROYER, Esquire, 280 N. Providence Road, Media, PA 19063, Executors. ALLISON BELL ROYER, Esquire, 280 N. Providence Road, Media, PA 19063, atty.

MERCER, Elizabeth H., a/k/a Betsy Mercer, late of West Chester. Eric Mercer, 14 Fairway Drive, Malvern, PA 19355, Executor.

ATTORNEY DISCIPLINARY / ETHICS MATTERS

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NACCARELLI, Carolyn M., late of Pennsbury Township. Arthur M. Naccarelli, Jr., care of P. KRISTEN BENNETT, Esquire, 1313 N. Market Street, Wilmington, DE 19899-0951, Executor. P. KRISTEN BENNETT, Esquire, Potter Anderson Corroon LLP, 1313 N. Market Street, P.O. Box 951, Wilmington, DE 19899-0951, atty.

NICHOLSON, Lynne, late of Easttown Township. Suzanne H. Nicholson, care of ROBERT A. COHEN, Esquire, 717 Constitution Drive, P.O. Box 1265, Exton, PA 19341, Executrix. ROBERT A. COHEN, Esquire, Riley, Riper, Hollin & Colagrecro, 717 Constitution Drive, P.O. Box 1265, Exton, PA 19341, atty.

STRICKLAND, Winifred G., a/k/a Winifred Gibson Strickland, late of London Britain Township. Ronald G. Strickland and Susan W. Strickland, care of NANCY W. PINE, Esquire, 104 S. Church Street, West Chester, PA 19382, Administrators. NANCY W. PINE, Esquire, Pine & Pine Law Offices, 104 S. Church Street, West Chester, PA 19382, atty.

THOMAS, Glen W., late of Westtown Township. Phyllis Ann Mariani, care of JOHN YANOSHAK, Esquire, 17 E. Front Street, P.O. Box 626, Media, PA 19063, Executrix. JOHN YANOSHAK, Esquire, Kao Law Associates, 17 E. Front Street, P.O. Box 626, Media, PA 19063, atty.

TOLTON, Patsy L., late of Phoenixville Borough. Randy R. Tolton, 18 Robin Drive, Hockessin, DE 19707, Executor. WILLIAM J. GALLAGHER, Esquire, Mac Elree Harvey, Ltd., 211 E. State Street, Kennett Square, PA 19348, atty.

VARIMBI, Suzanne, a/k/a Suzanne P. Varimbi and Suzanne Peterson Varimbi, late of Tredyffrin Township. Martha Ryan and Sara Hunt, care of MC KINLEY C. MC ADOO, Esquire, Radnor Court, 259 N. Radnor-Chester Road, Suite 160, Radnor, PA 19087, Executrices. MC KINLEY C. MC ADOO, Esquire, Mc Causland, Keen & Buckman, Radnor Court, Suite 160, 259 N. Radnor-Chester Road, Radnor, PA 19087, atty.

WAGNER, Elizabeth Currie Grey, late of West Chester. Roger A. Grey, care of MARK B. SEGAL, Esquire, 213-215 West Miner Street, West Chester, PA 19382, Executor. MARK B. SEGAL, Esquire, Segal Law Offices, P.C., 213-215 West Miner Street, West Chester, PA 19382, atty.

WARNKE, Alice, late of East Coventry Township. Andrea Brown, 161 Mine Hole Road, Elverson, PA 19520, Administratrix. RONALD F. BRIEN, Esquire, 808 Westfield Avenue, Spring City, PA 19475-1136, atty.

WILLIAMS, Monnie Luvenia, a/k/a Luvenia Ragland Williams, late of Berwyn. Denis Brennan, care of JAMES T. OWENS, Esquire, P.O. Box 85, Edgemont, PA 19028-0085, Executor. JAMES T. OWENS, Esquire, P.O. Box 85, Edgemont, PA 19028-0085, atty.

ZACK, Joanne Elin, late of Easttown Township. Michael Hartung, care of JENNIFER L. ZEGEL, Esquire, 2929 Arch Street, 13th Floor, Philadelphia, PA 19104, Executor. JENNIFER L. ZEGEL, Esquire, Reger Rizzo Darnall LLP, Cira Centre, 13th Floor, 2929 Arch Street, Philadelphia, PA 19104, atty.

2nd Publication

ARDAO, Iberia I., late of West Goshen Township. Erlinda C. Ardao, care of KATHLEEN A. FARRELL, Esquire, 216 South Orange Street, Media, PA 19063, Executrix. KATHLEEN A. FARRELL, Esquire, 216 South Orange Street, Media, PA 19063, atty.

CHELLAND, Clara S., late of East Caln Township. Michelle C. Milligan, care of J. MICHAEL RYAN, Esquire, 300 North Pottstown Pike, Suite 150, Exton, PA 19341, Executrix. J. MICHAEL RYAN, Esquire, 300 North Pottstown Pike, Suite 150, Exton, PA 19341, atty.

DIENNO, Fillippo A., a/k/a Philip A. Dienno, late of Easttown Township. Marie Catania, 213 Bella Vista Road, Devon, PA 19333, Executrix. **MARK S. HARRIS**, Esquire, Kraut Harris, VIST Financial Bldg. Suite 311, 1767 Sentry Parkway West, Blue Bell, PA 19422, atty.

DORFLER, Ella M., late of North Coventry Township. Janet Dorfler-Altholtz, 592 Bulltown Road, Elverson, PA 19520 and Mark Dorfler, 1128 Miller Road, Pottstown, PA 19465, Executors. **EDWARD A. SKYPALA**, Esquire, 224 King Street, Pottstown, PA 19464, atty.

FONDOTS, Elizabeth A., late of Devon. Claudia Kennedy, 12122 Whitley Street, Whittier, CA 90601 and Joan A. Steele, 413 Bridge Street, Collegeville, PA 19426, Executrices. **JAMES J. RUGGIERO, JR.**, Esquire, Ruggiero Law Offices LLC, Paoli Corporate Center, 16 Industrial Boulevard- Suite 211, Paoli, PA 19301, atty.

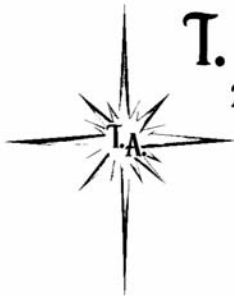
FRIEDMAN, Shirley, late of East Goshen Township. Yitzhak Baruch, care of SEAMUS M. LAVIN, Esquire, 220 W. Gay Street, West Chester, PA 19380-2917, Administrator. **SEAMUS M. LAVIN**, Esquire, Ryan, Morton & Imms LLC, 220 W. Gay Street, West Chester, PA 19380-2917, atty.

GREGORY, Elizabeth A., late of Pennsbury Township. Robert S. Gregory, care of L. PETER TEMPLE, Esquire, P.O. Box 384, Kennett Square, PA 19348, Executor. **L. PETER TEMPLE**, Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

GROVES, Jane E., late of Penn Township. Donna J. Dawson, care of DAVID L. MYERS, Esquire, P.O. Box 384, Kennett Square, PA 19348, Executrix. **DAVID L. MYERS**, Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

HILL, Harry E., late of Phoenixville. Barbara Mellinger, care of DAVID M. FREES, III, Esquire, 120 Gay Street, P.O. Box 289, Phoenixville, PA 19460, Executrix. **DAVID M. FREES, III**, Esquire, Unruh, Turner, Burke & Frees, P.C., 120 Gay Street, P.O. Box 289, Phoenixville, PA 19460, atty.

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HOBSON, Janet Lucille, late of Coatesville. Roy J. Hobson, 1012 North Bailey Road, Coatesville, PA 19320, Executor. JAY G. FISCHER, Esquire, Valocchi & Fischer, 342 East Lancaster Avenue, Downingtown, PA 19335, atty.

KEISER, John P., late of West Goshen Township. Suzanne Davis, 121 Bortondale Road, Media, PA 19063, Administratrix. ROBERT M. FIRKSER, Esquire, 333 W. Baltimore Avenue, Media, PA 19063, atty.

KING, Lena G., late of Honey Brook Township. H. Wesley Boyer, 1645 Union Grove Road, East Earl, PA 17519, Executor. Kling & Fanning, LLP, 131 West Main Street, New Holland, PA 17557, atty.

LOCKARD, Thomas Albert, late of West Nottingham Township. Frances A. Pabon, Joshua P. Lockard and Keturah B. Lockard, care of HARRY W. FARMER, JR., Esquire, P.O. Box 118, Oxford, PA 19363, Administrators. HARRY W. FARMER, JR., Esquire, P.O. Box 118, Oxford, PA 19363, atty.

MALCHIONE, Thelma, late of New Garden Township. Mario P. Malchione, care of L. PETER TEMPLE, Esquire, P.O. Box 384, Kennett Square, PA 19348, Executor. L. PETER TEMPLE, Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

MANCILLA, Antonio, late of Coatesville. Tracey Mancilla, care of SEAMUS M. LAVIN, Esquire, 220 W. Gay Street, West Chester, PA 19380-2917, Administrator. SEAMUS M. LAVIN, Esquire, Ryan, Morton & Imms LLC, 220 W. Gay Street, West Chester, PA 19380-2917, atty.

MATTSON, Jan A., late of Newlin Township. Robert J. Mattson, care of DAVID L. MYERS, Esquire, P.O. Box 384, Kennett Square, PA 19348, Executor. DAVID L. MYERS, Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

RICHARDSON, Comfort C., late of Pennsbury Township. Margaret Morris Richardson, care of L. PETER TEMPLE, Esquire, P.O. Box 384, Kennett Square, PA 19348, Executrix. L. PETER TEMPLE, Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

THOMAS, David O., late of City of Coatesville. Brian D. Brooks, P.O. Box 7295, Lancaster, PA 17604-7295, Administrator. NANCY MAYER HUGHES, Esquire, Barley Snyder, 126 E. King St., Lancaster, PA 17602, atty.

WOOD, Mary deS., late of Kennett Township. Susan Wood, care of L. PETER TEMPLE, Esquire, P.O. Box 384, Kennett Square, PA 19348, Executrix. L. PETER TEMPLE, Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

3rd Publication

ARSCOTT, Richard P., late of West Chester. Joseph R. Arscott, care of KEVIN J. RYAN, Esquire, 220 W. Gay Street, West Chester, PA 19380-2917, Executor. KEVIN J. RYAN, Esquire, Ryan, Morton & Imms LLC, 220 W. Gay Street, West Chester, PA 19380-2917, atty.

BAKER, Violet E., late of Honey Brook. c/o NANCY MAYER HUGHES, Esquire, 126 East King Street, Lancaster, PA 17602, Executrix. NANCY MAYER HUGHES, Esquire, Barley Snyder LLP, 126 East King Street, Lancaster, PA 17602, atty.

BARKER, Robert R., late of East Pikeland Township. Susan B. Weicheld, 161 Camp Council Road, Phoenixville, PA 19460, Executrix. JAMES C. KOVALESKI, Esquire, O'Donnell, Weiss & Mattei, P.C., 41 East High Street, Pottstown, PA 19464-5426, atty.

BLAND, Martha J., late of West Goshen Township. Martha Johanna Bland Deaver, care of JAMES T. OWENS, Esquire, P.O. Box 85, Edgemont, PA 19028-0085, Executrix. JAMES T. OWENS, Esquire, P.O. Box 85, Edgemont, PA 19028-0085, atty.

BOYER, William Horace, late of East Marlborough Township. Catherine M. W. Boyer, 519 Schoolhouse Road, Kennett Square, PA 19348, Executor. SCUDDER G. STEVENS, Esquire, 120 North Union Street, P.O. Box 1156, Kennett Square, PA 19348, atty.

CURLEY, Joan W., late of Easttown Township. Douglas G. Curley, care of S. JONATHAN EMERSON, Esquire, Monroe Professional Building, 117 North Monroe Street, Media, PA 19063, Executor. S. JONATHAN EMERSON, Esquire, Monroe Professional Building, 117 North Monroe Street, Media, PA 19063, atty.

DERHAM, Dorothy, late of Honey Brook Township. Leonard J. Cooper, 1603 Harris Road, Laverock, PA 19038, Executor. LEONARD J. COOPER, Esquire, Cozen O'Connor, P.C., 1900 Market Street, Philadelphia, PA 19103, atty.

FARLEY, Jacqueline Elaine, late of Honey Brook Township. Donald P. Dudley, III, P.O. Box 4246, Middletown, NJ 07748, Administrator.

GINN, Ida Gunn, a/k/a Ida G. Ginn, late of Tredyffrin Township. Elizabeth Ginn Foulke, 315 Homestead Road, Wayne, PA 19087-2431, Executrix. BENJAMIN K. RODGERS, Esquire, Gadsden Schneider & Woodward LLP, 201 King of Prussia Road, Suite 100, Radnor, PA 19087, atty.

HORNBRUCH, Raymond E., late of Uwchlan Township. Leigh H. Davis and Carl R. Hornbruch, care of LISA COMBER HALL, Esquire, A Professional Corporation, 27 S. Darlington Street, West Chester, PA 19382, Executors. LISA COMBER HALL, Esquire, Hall Law Offices, A Professional Corporation, 27 S. Darlington Street, West Chester, PA 19382, atty.

LAWRENCE, Elizabeth B., a/k/a Elizabeth Borkey Hoopes Lawrence, Betsy Lawrence, late of West Chester. Ann H. Williams, care of JAMES B. GRIFFIN, Esquire, 623 North Pottstown Pike, Exton, PA 19341, Executrix. JAMES B. GRIFFIN, Esquire, James B. Griffin, P.C., 623 North Pottstown Pike, Exton, PA 19341, atty.

MARINO, Perry Sam, late of West Whiteland Township. Perry Sam Marino, Jr., care of KATHLEEN A. FARRELL, Esquire, 216 South Orange Street, Media, PA 19063, Administrator. KATHLEEN A. FARRELL, Esquire, 216 South Orange Street, Media, PA 19063, atty.

CHARLES T. DeTULLEO

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MASON, Adelle R., late of Tredyffrin Township. Yvette D. Mason, care of **MICHAEL C. MC BRATNIE**, Esquire, 747 Constitution Drive, Suite 100, P.O. Box 673, Exton, PA 19341-0673, Executrix. **MICHAEL C. MC BRATNIE**, Esquire, Fox Rothschild LLP, 747 Constitution Drive, Suite 100, P.O. Box 673, Exton, PA 19341-0673, atty.

NEVIN, Alice W., a/k/a Alice Nevin, late of East Goshen Township. Lawrence E. Wood, care of **W. PETER BARNES**, Esquire, 126 West Miner Street, West Chester, PA 19382, Administrator C.T.A. **W. PETER BARNES**, Esquire, **BARNES, SPANGLER, OESTE & WOOD**, 126 West Miner Street, West Chester, PA 19382, atty.

PATTERSON, Elisha P., late of Coatesville. Howard R. Patterson, care of **MARK E. HALBRUNER**, Esquire, 1013 Mumma Road, Suite 100, Lemoyne, PA 17043, Executor. **MARK E. HALBRUNER**, Esquire, Gates, Halbruner, Hatch & Guise, P.C., 1013 Mumma Road, Suite 100, Lemoyne, PA 17043, atty.

REINBOLD, Virginia D., late of Boyertown Borough. Paul D. Geunes, care of **BARRY J. TOMLINSON**, Esquire, 414 Main Street, P.O. Box 14, East Greenville, PA 18041, Executor. **BARRY J. TOMLINSON**, Esquire, Tomlinson & Gerhart, 414 Main Street, P.O. Box 14, East Greenville, PA 18041, atty.

RESCHKA, Judith Ann, late of West Chester. Jason E. Reschka, care of **JENNIFER ABRACHT**, Esquire, 610 Millers Hill, P.O. Box 96, Kennett Square, PA 19348, Executor. **JENNIFER ABRACHT**, Esquire, Perna & Abracht, LLC, 610 Millers Hill, P.O. Box 96, Kennett Square, PA 19348, atty.

SMITH, George H., late of East Pikeland Township. George M. Smith, care of **STEPHEN I. BAER**, Esquire, 1288 Valley Forge Road, Suite 63, P.O. Box 952, Valley Forge, PA 19482-0952, Executor. **STEPHEN I. BAER**, Esquire, Baer Romain, LLP, 1288 Valley Forge Road, Suite 63, P.O. Box 952, Valley Forge, PA 19482-0952, atty.

WARREN, William D., a/k/a William Warren, late of Malvern. Sharon L. Brown, 19 Dillan Drive, Malvern, PA 19355, Executrix.

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WITTMAN, David, late of Kennett Square. Paul Wittman, 56 Dunster Road, Bedford, MA 01730, Executor.

FICTITIOUS NAME

NOTICE is hereby given, pursuant to Fictitious Names Act of 1982, 54 Pa.C.S. Section 301 et seq., which repealed prior laws on the subject, any entity or entities (including individuals, corporations, partnership or other groups, which conduct any business in Pennsylvania under an assumed or fictitious name shall register such name by filing an application for registration of fictitious name with the Department of State for the conduct of a business in Chester County, Pennsylvania under the assumed or fictitious name, style or designation of

Playhouse West/Tony Savant School of Acting, with its principal place of business at 2061 Harmonyville Road, Pottstown, PA 19465. The application has been (or will be) filed on: November 2, 2012.

The name(s) and address(es) of the individual(s) or entity(ies) owning or interested in said business: Anthony Savant, 2061 Harmonyville Road, Pottstown, PA 19465. This was filed in accordance with 54 PaC.S.311.

Purls of Wisdom, with its principal place of business at 2200 Kimberton Road, Unit 1, Phoenixville, PA 19460.

The application has been (or will be) filed on: October 25, 2012.

The name(s) and address(es) of the individual(s) or entity(ies) owning or interested in said business: Jennifer A. McKay, 304 Hickory Grove Road, Phoenixville, PA 19460.

PLA Consulting, with its principal place of business at 190 Lydia Lane, West Chester, PA 19382.

The application has been (or will be) filed on: December 5, 2012.

The name(s) and address(es) of the individual(s) or entity(ies) owning or interested in said business: Bruce Belack.

NONPROFIT CORPORATION

NOTICE IS HEREBY GIVEN that Articles were filed with the Department of State on November 21, 2012 for BERWYN-DEVON BUSINESS AND PROFESSIONAL ASSOCIATION pursuant to the provisions of the PA Nonprofit Corporation Law of 1988 for promoting the business interests of business entities in the Berwyn-Devon, PA communities.

HARVEY, BALLARD & BORNSTEIN
800 Lancaster Avenue
Suite T-2
Berwyn, PA 19312

NONPROFIT CORPORATION

NOTICE IS HEREBY GIVEN THAT an application was made to the Department of State of the Commonwealth of PA at Harrisburg, PA for the purpose of obtaining a charter of a Non-Profit Corporation, Valley Run Shops Condominium Association, Inc. which was organized under the provisions of the PA Non-Profit Corp Law of the Commonwealth of PA. The Articles of Incorporation have been filed on December 3, 2012 and the purpose for which it was organized is management of condominium association.

DONALD J. WEISS, Esquire
6 Hilloch Lane
Chadds Ford, PA 19317

NONPROFIT CORPORATION

Notice is hereby given that Articles of Incorporation have been filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA on November 15, 2012 for the purpose of obtaining a charter of a Nonprofit Corporation organized under the Nonprofit Corporation Law of 1988 of the Commonwealth of Pennsylvania. The name of the corporation is PLAY IT FORWARD. The corporation is organized for the following purposes: exclusively for charitable, scientific and educational purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, as amended.

DUANE MORRIS, LLP, Solicitors
30 South 17th Street
Philadelphia, PA 19103

NONPROFIT CORPORATION

NOTICE IS HEREBY GIVEN that Articles of Incorporation – Nonprofit have been filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on or about November 9,2012 for:

East Evans Street Condominium Association, Inc.
6 Ponds Edge Drive, Suite 1
Chadds Ford, PA 19317

The corporation's purpose is for the operation of a condominium association. The corporation has been incorporated under the provisions of the Pennsylvania Nonprofit Corporation Law of 1988.

1st Publication**ESTATE NOTICE**

ESTATE OF MARY LOUISE BOVE,
Deceased.

Late of West Grove Borough, Chester County,
PA

LETTERS OF ADMINISTRATION PENDENTE LITE on the above Estate have been granted to the undersigned, who request 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 F. MC KENNA, Administrator, Pendente Lite 17 West Miner Street, West Chester, PA 19381-0660,

Or to his Attorney:

JOHN MC KENNA
MAC ELREE HARVEY, LTD.
17 West Miner Street
P.O. Box 660
West Chester, PA 19381-0660

2nd Publication**TRUST NOTICE**

Trust Estate of MARY deS. WOOD, deceased, late of Kennett Township, Chester County, Pennsylvania. All persons having claims or demands against the Trust Estate of MARY deS. WOOD are requested to make known the same and all persons indebted to the said decedent are requested to make payment without delay to:

Susan Wood, Trustee
c/o Larmore Scarlett LLP
P.O. Box 384
Kennett Square, PA 19348

L. PETER TEMPLE, Esquire
Lamore Scarlett LLP
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NOTICE**IN THE COURT OF COMMON PLEAS CHESTER COUNTY, PENNSYLVANIA,
CIVIL ACTION – IN DIVORCE, NO. 2012-05420****BONEL MERES, Plaintiff v. PEGGY VARFLEY MERES, Defendant****NOTICE TO DEFEND DIVORCE ACTION**

If you wish to defend, you must enter a written appearance personally or by attorney and file your defenses or objections in writing with the court. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you without further notice for the relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

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**NOTICE OF ACTION IN MORTGAGE FORECLOSURE
IN THE COURT OF COMMON PLEAS OF CHESTER COUNTY, PENNSYLVANIA
CIVIL ACTION – LAW**

GMAC MORTGAGE, LLC

Plaintiff

COURT OF COMMON PLEAS

vs.

CIVIL DIVISION

ROSEMARY MURPHY, in her capacity as Administratrix
and Heir of the Estate

CHESTER COUNTY

ROBERT M. MURPHY, JR

No. 12-03455

UNKNOWN HEIRS, SUCCESSORS, ASSIGNS, AND ALL PERSONS, FIRMS, OR ASSOCIATIONS
CLAIMING RIGHT, TITLE OR INTEREST FROM OR UNDER ROBERT M. MURPHY, JR,
DECEASED

Defendants

NOTICE

To UNKNOWN HEIRS, SUCCESSORS, ASSIGNS, AND ALL PERSONS, FIRMS, OR ASSOCIATIONS CLAIMING RIGHT, TITLE OR INTEREST FROM OR UNDER ROBERT M. MURPHY, JR, DECEASED

You are hereby notified that on April 5, 2012, Plaintiff, GMAC MORTGAGE, LLC, filed a Mortgage Foreclosure Complaint endorsed with a Notice to Defend, against you in the Court of Common Pleas of CHESTER County Pennsylvania, docketed to No. 12-03455. Wherein Plaintiff seeks to foreclose on the mortgage secured on your property located at 2851 CHESTNUT HILL ROAD, POTTSTOWN, PA 19465-8556 whereupon your property would be sold by the Sheriff of CHESTER County.

You are hereby notified to plead to the above referenced Complaint on or before 20 days from the date of this publication or a Judgment will be entered against you.

NOTICE

If you wish to defend, you must enter a written appearance personally or by attorney and file your defenses or objections in writing with the court. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you without further notice for the relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS NOTICE TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

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@ Chester County Bar Association

DATE	CLE SESSIONS	TIME	CREDIT HOURS
Dec. 3	PBI: iPad for Legal Professionals (v)	9 AM – 5 PM	6 SUB
Dec. 4	PBI: Slicing Up the Pie: Property Distribution in PA (g)	1:15 PM - 4:30 PM	3 SUB
Dec. 5	PBI: Discovery in Bad Faith Claims (g)	12 PM – 4:15 PM	3 SUB + 1 ETH
Dec. 5	Beer & B.U.L.L.: Avoiding Your Friend “Mal”- Legal Malpractice***	5 PM – 6 PM	1 ETH
Dec. 7	PBI: Four County Civil Practice (v)	9 AM – 1:30 PM	4 SUB
Dec. 10	PBI: Eminent Domain Takings in PA (v)	9 AM – 12:30 PM	3 SUB
Dec. 10	PBI: Death and Taxes (g)	9 AM – 4:30 PM	5 SUB & 1 ETH
Dec. 11	PBI: After the Engagement Letter/ When Legal & Business Ethics Collide (v)	9 AM -10 AM	1 ETH
Dec. 12	PBI: Anatomy for Lawyers – The Back and Knee (g)	8:30 AM – 3:30 PM	5 SUB + 1 ETH
Dec. 14	PBI: Your First Divorce Case (v)	9 AM – 1:30 PM	4 SUB
Dec. 17	BRIDGE THE GAP	12 PM – 4 PM	4 ETH
Dec. 20	PBI: Disciplinary Diversion for Lawyers & Judges (v)	9 AM - 10 AM	1 ETH
Dec. 20	PBI: 19 th Annual Auto Law Update (g)	12:15 PM – 4:30 PM	3 SUB + 1 ETH
Dec. 21	PBI: Trends in Municipal Finance (g)	9 AM – 1:15 PM	4 SUB

(v) = video

(g) = live groupcast

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That's because Susquehanna speaks your language and understands the challenges you face. From cash management solutions to online payroll, we can tailor a set of services that will help keep your business moving ahead. All delivered with personal service, as well as local knowledge and decision-making. **Contact Maureen Long at 484.881.4018 or Maureen.Long@susquehanna.net and learn how we speak the language of business.**



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