



Chester County Law Reporter

(USPS 102-900)

The Official Legal Publication for Chester County

Vol. 72

WEST CHESTER, PENNSYLVANIA, NOVEMBER 28, 2024

No. 48

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Chester County Law Reporter

(USPS 102-900)

*Reporting the Decisions of the Divisions of the Court of the Fifteenth Judicial District of Pennsylvania,
Composed of Chester County, Officially Designated by the Rule Thereof as the Legal Periodical for the
Publication of Legal Notices*

Owned and Published by
CHESTER COUNTY BAR ASSOCIATION
15 West Gay Street, 2nd Floor, West Chester, Pennsylvania 19380

www.chescobar.org
lawreporter@chescobar.org

Telephone: 610/692-1889 Fax: 610/692-9546

Richard Meanix, Editor

Assistant Editor

Patrick M. McKenna, Esquire
Richard Meanix, Chairperson-Publications Committee

Subscription Rate \$100.00 for CCBA Members; \$200.00 for Nonmembers CCBA
Periodicals Postage Paid at West Chester, Pennsylvania
POSTMASTER: Send address changes to
Chester County Law Reporter, 15 West Gay Street, 2nd Floor, West Chester, PA 19380

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The Deadline for submission of all notices is 12:00 noon on Tuesday, 10 days prior to the following Thursday publication. Notices must be submitted in typewritten form OR form provided by the Office of the **Law Reporter** and are published exactly as submitted by the advertiser. Neither the Law Reporter nor the printer will assume any responsibility to edit, make spelling corrections, eliminate errors in grammar or make any changes in content.

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Ottensman vs. Piskorski, et al.

Expert testimony – Podiatrist - Medical Care Availability and Reduction of Error Act
– Motion in *Limine*

1. 40 P.S. § 1303.512(a) of the Medical Care Availability and Reduction of Error Act provides no person shall be competent to offer an expert medical opinion in a medical professional liability action against a physician unless that person possesses sufficient education, training, knowledge and experience to provide credible, competent testimony and fulfills the additional qualifications set forth in that section.
2. A podiatrist is not a physician and therefore does not fall within the scope of 40 P.S. § 1303.512.
3. Defendants filed a Motion in *Limine*, seeking preclusion of Plaintiff's experts from testifying that Defendants' negligence caused Plaintiff's injuries on the ground that Plaintiff's experts do not meet the qualifying criteria set forth at § 1303.512. The Court determined Defendants' reliance on § 1303.512 was misplaced because it applies only in an action brought against a physician and a podiatrist is not a physician. Accordingly, the Court Held Defendants' Motion in *Limine* was denied.

R.E.M.

C.C.P., Chester County, Pennsylvania Civil Action No. 2017-05402; Amy Ottensman vs. Edward Piskorski, D.P.M. and Craig T. McHugh, D.P.M., P.C.

Eric G. Zajac for Plaintiff

Robert E. Dillon for Defendants

Binder, J., May 31, 2024:-

| | | |
|---|---|---|
| AMY OTTENSMAN, vs. EDWARD PISKORSKI, D.P.M. and CRAIG T. McHUGH, D.P.M., P.C., Defendants | Plaintiff Defendants | IN THE COURT OF COMMON PLEAS CHESTER COUNTY, PENNSYLVANIA NO. 2017-05402-PL CIVIL ACTION – LAW |
|---|---|---|

ORDER and MEMORANDUM

AND NOW, this 31st day of May, 2024, upon consideration of Defendants’ Motion *in Limine*¹ filed May 14, 2024 and Plaintiff’s response thereto, for the reasons set forth in the accompanying Memorandum it is hereby **ORDERED** that the Motion is **DENIED**.

BY THE COURT:

/s/ **BRET M. BINDER, J.**

¹ The full title is Defendants’ Motion *in Limine* to Preclude Plaintiff’s Experts from Offering Any Testimony and/or Evidence Concerning Chronic Regional Pain Syndrome (“CRPS”), RSD and Chronic Neuropathic Pain Syndrome.

[72 Ches. Co. Rep. **Ottensman vs. Piskorski, et al.**

MEMORANDUM

Plaintiff ably set forth Plaintiff's theory of the case in her Administrative Conference Memorandum filed April 7, 2023, as follows:

This is a professional liability action arising from podiatric care provided to Plaintiff Amy Ottensman by Dr. Edward Piskorski, as an agent of Craig T. McHugh, DPM, PC. Ms. Ottensman alleges negligence regarding the bilateral plantar fasciotomies performed by Dr. Piskorski on June 17, 2015. More specifically, Ms. Ottensman suffered from bilateral Calcaneal stress fractures upon initial presentation to Dr. Piskorski that went unnoticed and untreated, before and after the bilateral plantar fasciotomies. Dr. Piskorski also allowed Ms. Ottensman to walk in sneakers post operatively. Walking in a sneaker immediately post operatively after a plantar fasciotomy is below the standard of care.²

Memorandum, 4/7/2023, p. 1 (footnote added).

By their Motion *in Limine*, Defendants ask this court to preclude Plaintiff's experts (Sara Marks Tabby, M.D. and Howard Shapiro, D.P.M.) from testifying that Defendants' negligence caused Plaintiff's Chronic Regional Pain Syndrome (CRPS), RSD, and Chronic Neuropathic Pain Syndrome on the ground that Plaintiff's experts do not meet the qualifying criteria set forth at § 1303.512 of the Medical Care Availability and Reduction of Error Act, 40 P.S. § 1303.101, *et seq.* Motion, 5/14/2024, ¶¶ 18-21. *See also* Brief, 5/14/2024, pp. 4-5.

By her Response, Plaintiff clarifies that Plaintiff intends for Plaintiff's experts to testify that Defendants' negligence caused Plaintiff's Chronic Neuropathic Pain Syndrome, not that Defendants' negligence caused CRPS or RAD. Response, 5/24/2024, ¶ 11. Apart from that, Plaintiff argues, among other things, that Defendants' reliance on 40 P.S. § 1303.512 is misplaced because it applies only in an action brought against a physician and a podiatrist is not a physician. Response, 5/24/2024, ¶ 19 (citing Freed v. Geisinger Medical Center, 971 A.2d 1202 (Pa. 2009); Wexler v. Hecht, 928 A.2d 973 (Pa. 2007); and Price v. Catanzariti, 138 A.3d 8 (Pa.Super. 2016)).

Here, this court finds merit in Plaintiff's argument. By its express terms, 40 P.S. § 1303.512 sets forth the qualifying criteria for experts in a medical professional liability action against a *physician*. 40 P.S. § 1303.512(a) ("No person shall be competent to offer an expert medical opinion in a medical professional liability action against a *physician* unless that person possesses sufficient education, training, knowledge and experience to provide credible, competent testimony and fulfills the additional qualifications set forth in this section as applicable.") (emphasis added). The Superior

² Plaintiff has withdrawn her claim for lack of informed consent. Motion, 3/28/2024, ¶ 3 ("Although there is a count for lack of informed consent pled in the [C]omplaint, the Plaintiff is not pursuing a theory of failure to secure informed consent at trial, there being no discussion of the issue in the expert report of the Plaintiff.").

Court explained that a podiatrist is not a physician within the scope of 40 P.S. § 1303.512, as follows:

By statute, podiatrists are not “physicians.” *See*, 1 Pa.C.S.A. § 1991 (defining “physician” in relevant part as a person licensed “to engage in the practice of medicine and surgery in all its branches”); 63 P.S. 422.2 (defining “physician” as a “medical doctor” or “doctor of osteopathy”; further defining “medical doctor” as one who is licensed by the State Board of Medicine); 63 P.S. § 42.1 *et seq.* (podiatrists are licensed by the State Board of Podiatry); 40 P.S. § 1303.103 (distinguishing between physicians and podiatrists in the definition of “health care provider”).”

Wexler v. Hecht, 847 A.2d 95, 103 (Pa.Super. 2004), *affirmed*, 928 A.2d 973 (Pa. 2007).

It follows that 40 P.S. § 1303.512 does not apply to this case since Defendants are podiatrists and not physicians and thus cannot invoke the qualifying criteria set forth at 40 P.S. § 1303.512 to argue that Plaintiff’s experts are not qualified to testify that Defendants’ negligence caused Chronic Neuropathic Pain Syndrome.

Accordingly, for the reasons set forth above this court will enter an order denying Defendants’ *Motion in Limine* filed May 14, 2024.

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**CHANGE OF NAME NOTICE
IN THE COURT OF COMMON PLEAS
CHESTER COUNTY, PENNSYLVANIA
CIVIL ACTION
LAW NO. 2024-06339-NC**

NOTICE IS HEREBY GIVEN that the name change petition of Gillian Elizabeth DaCosta Hutton was filed in the above-named court and will be heard on Monday, December 2, 2024 at 2:00:00 PM, in Courtroom 15 at the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania.
Date of filing the Petition: Friday, July 19, 2024
Name to be changed from: Gillian Elizabeth DaCosta Hutton to: Gillian DaCosta Hutton Martin
Any person interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

**CHANGE OF NAME NOTICE
IN THE COURT OF COMMON PLEAS
CHESTER COUNTY, PENNSYLVANIA
CIVIL ACTION
LAW NO. 2024-09173-NC**

NOTICE IS HEREBY GIVEN that the name change petition of Lauren Muirhead was filed in the above-named court and will be heard on Friday, January 31, 2025 at 2:00:00 PM, in Courtroom 11 at the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania.
Date of filing the Petition: Friday, October 11, 2024
Name to be changed from: Lauren Muirhead to:

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

**CHANGE OF NAME NOTICE
IN THE COURT OF COMMON PLEAS
CHESTER COUNTY, PENNSYLVANIA
CIVIL ACTION
LAW NO. 2024-10197-NC**

NOTICE IS HEREBY GIVEN that the name change petition of Aubree Alexandra Steczak was filed in the above-named court and will be heard on Friday, February 28, 2025 at 2:00:00 PM, in Courtroom 15 at the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania.
Date of filing the Petition: Thursday, November 14, 2024
Name to be changed from: Aubree Alexandra Steczak to: Aubree Alexandra Hamilton
Any person interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

DISSOLUTION
NOTICE IS HEREBY GIVEN THAT the Shareholders and the Board of Directors of OptimalOps Software, Inc., a PA corporation, with a registered address at 44 W. Gay St., Ste. 300, West Chester, PA 19380, have approved a proposal that the corporation voluntarily dissolve, and that the Board of Directors is now engaged in winding up and settling the affairs of the corporation under the provisions of Sec. 1975 of the PA Corporation Law of 1988, as amended. FOX ROTHSCCHILD LLP, Solicitors, 747 Constitution Dr., Ste. 100, P.O. Box 673, Exton, PA 19341-0673

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

ANDERSON, James A., a/k/a James Anthony Anderson, James Anderson and Jimmy Anderson, late of Coatesville City. Marjorie England, 1033 Lees Bridge Rd., Nottingham, PA 19362, care of ANITA M. D'AMICO, Esquire, 65 S. Third St., Oxford, PA 19363, Executrix. ANITA M. D'AMICO, Esquire, D'Amico Law, P.C., 65 S. Third St., Oxford, PA 19363, atty.

DESCHENES, Raymond J., late of Newlin Township. Nicole R. Deschenes, 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.

GIAMPIETRO, Anthony Francis, late of Downingtown. Robert Giampietro, 208 Claremont Lane, Downingtown, PA 19335, Executor.

HELIKER, Daniel Kenneth, late of Borough of Downingtown. Alexis N. Law, care of JAY G. FISCHER, Esquire, 342 East Lancaster Avenue, Downingtown, PA 19335, Administratrix. JAY G. FISCHER, Esquire, Jay G. Fischer Law, 342 East Lancaster Avenue, Downingtown, PA 19335, atty.

JAMISON, Athalia C., a/k/a Athalia Jamison, late of Tredyffrin Township. Barbara Pettit, 570 Brinton Rd, Wayne PA 19087, care of THOMAS W. FLYNN III, Esquire, 19 Waterloo Ave, Berwyn PA 19312, Executrix. THOMAS W. FLYNN III, Esquire, Crawford Diamond Flynn LLC, 19 Waterloo Ave, Berwyn PA 19312, atty.

JEGLUM, Kathryn Ann, a/k/a K. Ann Jeglum, late of East Bradford Township. Karen L. Kohlmeier, 125 Birmingham Rd., West Chester, PA 19382, care of MICHAEL L. GALBRAITH, Esquire, 1845 Walnut St., 25th Fl., Philadelphia, PA 19103, Executrix. MICHAEL L. GALBRAITH, Esquire, Glabraith Law, LLC, 1845 Walnut St., 25th Fl., Philadelphia, PA 19103, atty.

KEEFE, Daniel J., late of West Brandywine Township. Carol A. Keefe, care of ANDREW J.

BELLWOAR, Esquire, 126 W. Miner Street, West Chester, PA 19382, Administratrix. ANDREW J. BELLWOAR, Esquire, Bellwoar Kelly LLP, 126 W. Miner Street, West Chester, PA 19382, atty.

McMURRAY, Lynn Ann Russell, a/k/a Lynn McMurray, Lynn A. Russell and Lynn A. McMurray, late of North Coventry Township. Lydia J. McMurray, 2111 St. Peters Rd., Pottstown, PA 19465, care of MARY BETH MELSO, Esquire, 30 Pelham Rd., Philadelphia, PA 19119, Executrix. MARY BETH MELSO, Esquire, Commons & Commons LLP, 30 Pelham Rd., Philadelphia, PA 19119, atty.

MENNA, Felice Ann, a/k/a Felice A. Menna, late of West Bradford Township. Catherine Van Vooren, care of KENNETH R. WERNER, Esquire, 203 West Miner Street, West Chester, PA 19382-2924, Executrix. KENNETH R. WERNER, Esquire, Werner & Wood, 203 West Miner Street, West Chester, PA 19382-2924, atty.

REED-BREESE, Angela, a/k/a Angela Reed Breese and Angela R. Breese, late of Caln Township. Gordon W. Good, 3460 Lincoln Highway, Thorndale, PA 19372, care of WILLIAM T. KEEN, Esquire, 3460 Lincoln Highway, Thorndale, PA 19372, Executor. WILLIAM T. KEEN, Esquire, Keen Keen & Good, LLC, 3460 Lincoln Highway, Thorndale, PA 19372, atty.

SHILLADAY, JR., Roland A., a/k/a Roland A. Shilladay, late of South Coatesville Borough. Bruce A. Shilladay, 3965 Sullivan Street, Mechanicsburg, PA 17050, care of GORDON W. GOOD, Esquire, 3460 Lincoln Highway, Thorndale, PA 19372, Executor. GORDON W. GOOD, Esquire, Keen Keen & Good, LLC, 3460 Lincoln Highway, Thorndale, PA 19372, atty.

SINGER, Wayne, a/k/a Wayne Edward Singer, late of East Coventry Township. Joselyn Harper-Singer, care of ROBERT P. SNYDER, Esquire, 121 Ivy Ln., King of Prussia, PA 19406, Administratrix. ROBERT P. SNYDER, Esquire, Snyder Law Group, P.C., 121 Ivy Ln., King of Prussia, PA 19406, atty.

SMITH, Toni A., a/k/a Toni Smith, late of West Goshen Township. Mary Patricia Schmidt, 1151 Sylvan Rd., West Chester, PA 19382, Executrix.

TAMACCIO, Ann C, a/k/a Ann Tamaccio and Ann Cecilia Tamaccio, late of Elverson. Andrew Tamaccio, 2693 Cooper Way Wellington FL 33414, Executor.

TONEY, Edward V., a/k/a Edward Vincent Toney,

late of Tredyffrin Township. Susan J. Vavra, care of NANCY W. PINE, Esquire, 104 S. Church St., West Chester, PA 19382, Executrix. NANCY W. PINE, Esquire, Pine & Pine, LLP, 104 S. Church St., West Chester, PA 19382, atty.

WALLACE, Mary Ella, late of City of Coatesville. Patricia Egan, 528 Gilmer Road, Coatesville, PA 19320, care of GORDON W. GOOD, Esquire, 3460 Lincoln Highway, Thorndale, PA 19372, Executor. GORDON W. GOOD, Esquire, Keen Keen & Good, LLC, 3460 Lincoln Highway, Thorndale, PA 19372, atty.

WOOD, William C., a/k/a William Wood, late of East Pikeland Township. Kathy L. Bielawski, care of JESSICA R. GRATER, Esquire, 740 E. High Street, Pottstown, PA 19464, Executrix. JESSICA R. GRATER, Esquire, Monastra & Grater, LLC, 740 E. High Street, Pottstown, PA 19464, atty.

YOUNG, George Arthur, late of Valley Township. Loretta L. Massey, care of W. MARSHALL PEARSON, Esquire, 311 Exton Commons, Exton, PA 19341-2450, Administrator. W. MARSHALL PEARSON, Esquire, 311 Exton Commons, Exton, PA 19341-2450, atty.

2nd Publication

BARAKAT, Adel Roland, a/k/a Adel R. Barakat, late of East Goshen Township. Lamia Patricia Barakat and Rami Paul Barakat, care of BRIAN R. GILBOY, Esquire, Two Logan Square, 100 N. 18th St., Ste. 1825, Philadelphia, PA 19103, Executors. BRIAN R. GILBOY, Esquire, Gilboy & Gilboy LLP, Two Logan Square, 100 N. 18th St., Ste. 1825, Philadelphia, PA 19103, atty.

BARR, Kenneth Robert, a/k/a Kenneth R. Barr, late of West Chester Borough. Diane B. Ippoldo, care of STEPHEN M. PORTER, Esquire, 125 Strafford Ave., Ste. 112, Wayne, PA 19087, Administratrix. STEPHEN M. PORTER, Esquire, Brett Senior & Associates, P.C., 125 Strafford Ave., Ste. 112, Wayne, PA 19087, atty.

CLANCY, Donna E., a/k/a Donna Elise Clancy, late of West Chester Borough. Michael A. Clancy, 640 Cascade Way, Kennett Square, PA 19348 and Matthew J. Clancy, 1 Peter Gamble Ln., Glen Mills, PA 19342, care of JENNIFER L. SIMONS, Esquire, 17 E. Gay St., Ste. 100, West Chester, PA 19380, Executors. JENNIFER L. SIMONS, Esquire, Gawthrop Greenwood, P.C., 17 E. Gay St., Ste. 100, West Chester, PA 19380, atty.

DOTO, JR., Joseph C., a/k/a Joseph Charles Doto, Jr., late of West Caln Township. Michele Lynn DiGennaro, care of JAY G. FISCHER, Esquire, 342 East Lancaster Avenue, Downingtown, PA 19335, Executrix. JAY G. FISCHER, Esquire, 342 East Lancaster Avenue, Downingtown, PA 19335, atty.

FABBRI, Anne R., late of Tredyffrin Township. Joseph F. Butera and Remo J. Butera, care of WILLIAM L. LANDSBURG, Esquire, Blue Bell Executive Campus, 460 Norristown Rd., Ste. 110, Blue Bell, PA 19422-2323, Executors. WILLIAM L. LANDSBURG, Esquire, Wisler Pearlstine, LLP, Blue Bell Executive Campus, 460 Norristown Rd., Ste. 110, Blue Bell, PA 19422-2323, atty.

FALDETI, Kathryn, late of Penn Township. Cameron Faldeti, care of IRA D. BINDER, Esquire, 227 Cullen Rd, Oxford, PA 19363, Executor. IRA D. BINDER, Esquire, 227 Cullen Rd, Oxford, PA 19363, atty.

GILLMER, Kathryn S., late of Exton. Brooke Adelberger, 2050 Lenni Road, Aston, PA 19014, care of DANIEL MASCHI, Esquire, 708 Floral Vale Boulevard, Yardley, PA 19067, Executor. DANIEL MASCHI, Esquire, Zlock & Grisillo, 708 Floral Vale Boulevard, Yardley, PA 19067, atty.

GUNTHER, William, late of West Chester. Jeanne Gunther, Executor.

JULIANO, Thomas Charles, a/k/a Thomas C. Juliano, late of East Goshen Township. Regina Alice Juliano, care of JAY G. FISCHER, Esquire, 342 East Lancaster Avenue, Downingtown, PA 19335, Executrix. JAY G. FISCHER, Esquire, Jay G. Fischer Law, 342 East Lancaster Avenue, Downingtown, PA 19335, atty.

LIGHT, Lawrence E., a/k/a Larry Light, late of Malvern. Barbara R. Corbin, 1202 Raintree Lane, Malvern, PA 19355, care of J. MICHAEL CONSIDINE, JR., Esquire, 1845 Walnut Street, Suite 1199, Philadelphia, PA 19103, Administratrix. J. MICHAEL CONSIDINE, JR., Esquire, J. Michael Considine, Jr., PC, 1845 Walnut Street, Suite 1199, Philadelphia, PA 19103, atty.

MILLARD, Charles D., a/k/a Charles David Millard, late of East Nottingham Township. Nicholas J. Millard, 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.

REYNOLDS, Maurice Alexander, a/k/a Maurice A. Reynolds and Mike Reynolds, late of New Garden Township. Jennifer L. Patton, 205 Delaware Ave.,

Oxford, PA 19363 and Michael E. Keiter, 48 Oxford Circle, West Grove, PA 19390, care of ANITA M. D'AMICO, Esquire, 65 S. Third St., Oxford, PA 19363, Administrators. ANITA M. D'AMICO, Esquire, D'Amico Law, P.C., 65 S. Third St., Oxford, PA 19363, atty.

RICHARDS, Harry, late of Easttown Township. Joseph Boulanger, 100 N. Fairfield Road, Apt.1, Devon, PA 19333, care of JOSEPH P. DIGIORGIO, Esquire, 1800 E. Lancaster Ave. Paoli, PA 19301, Executor. JOSEPH P. DIGIORGIO, Esquire, 1800 E. Lancaster Ave. Paoli, PA 19301, atty.

SCHWAB, Jeanne A., late of West Vincent Township. Carol K. Harrington and Anne Elizabeth Krulikowski, care of LISA COMBER HALL, Esquire, 27 S. Darlington Street, West Chester, PA 19382, Co-Executrices. LISA COMBER HALL, Esquire, Hall Law Offices, A Professional Corporation, 27 S. Darlington Street, West Chester, PA 19382, atty.

SERAFIN, Justin F., late of East Coventry Township. Thomas Jefferson University, c/o Rozlyn Anderson Flood, Asst. V.P., 1101 Market St., Ste. 2400, Philadelphia, PA 19107, care of DEVIN S. FOX, Esquire, 620 Freedom Business Center, Ste. 200, King of Prussia, PA 19406, Executor. DEVIN S. FOX, Esquire, Stevens & Lee, 620 Freedom Business Center, Ste. 200, King of Prussia, PA 19406, atty.

SYKES, Ronald E., a/k/a Ronald Earl Sykes, late of West Chester Borough. Karen D. Sykes and Fiduciary Trust Company International of Pennsylvania, care of TERRANCE A. KLINE, Esquire, 200 E. State St., Ste. 306, P.O. Box A, Media, PA 19063, Executors. TERRANCE A. KLINE, Esquire, Law Office of Terrance A. Kline, 200 E. State St., Ste. 306, P.O. Box A, Media, PA 19063, atty.

TLOU, Rethabile, late of Caln Township. Angel Omoruan, 17 Killdeer Ln., Downingtown, PA 19335, care of KRISTEN R. MATTHEWS, Esquire, 14 E. Welsh Pool Rd., Exton, PA 19341, Executrix. KRISTEN R. MATTHEWS, Esquire, Kristen Matthews Law, 14 E. Welsh Pool Rd., Exton, PA 19341, atty.

3rd Publication

BIONDI, Robert Joseph, a/k/a Robert J. Biondi, late of Valley Township. Cynthia L. Burt, care of KARYN L. SEACE, CELA, Esquire, 105 East Evans Street, Evans Building, Suite A, West Chester, PA 19380, Executrix. KARYN L. SEACE, CELA, Esquire, Seace Elder Law, PLLC, 105 East Evans Street, Evans Building, Suite A, West Chester, PA 19380, atty.

CARROLL, James Paul, a/k/a James Carroll, late of East Bradford Township. Parker Carroll, care of NICOLE B. LaBLETТА, Esquire, 4745 W. Lincoln Highway, Parkesburg, PA 19365, Executor. NICOLE B. LaBLETТА, Esquire, Randy Hope Steen Law Offices, 4745 W. Lincoln Highway, Parkesburg, PA 19365, atty.

COLE, Debra Ann, late of Caln Township. Casey Faith Venzon, care of W. PETER BARNES, Esquire, 218 West Miner Street, West Chester, PA 19382, Executor. W. PETER BARNES, Esquire, Klein, Head, Barnes & Wood, LLP, 218 West Miner Street, West Chester, PA 19382, atty.

DAVIS, Margaret H, late of Downingtown. Patricia D Ward, 2423 Founders Creek Ct, Midlothian VA 23113, Executor.

DETERLINE, Carol M., late of East Bradford Township. Barbara D. Wheeler, care of JANET M. COLLITON, Esquire, 790 E. Market St., Ste. 250, West Chester, PA 19382-4806, Executrix. JANET M. COLLITON, Esquire, Colliton Elder Law Associates, 790 E. Market St., Ste. 250, West Chester, PA 19382-4806, atty.

HART, Rosalie Marie, late of Easttown Township. The Havertown Trust Company, care of DENISE M. ANTONELLI, Esquire, 17 E. Gay Street, Suite 100, West Chester, PA 19380, Executor. DENISE M. ANTONELLI, Esquire, Gawthrop Greenwood, PC, 17 E. Gay Street, Suite 100, West Chester, PA 19380, atty.

JENNINGS, Catherine T., late of Kennett Square, East Marlborough Township. James H. Jennings, Jr., 479 Dean Drive, Kennett Square, PA 19348, care of DONALD F. KOHLER, JR., Esquire, 27 South Darlington Street, West Chester, PA 19382, Executor. DONALD F. KOHLER, JR., Esquire, 27 South Darlington Street, West Chester, PA 19382, atty.

KANE, Robert Peter, a/k/a Robert P. Kane and Bob Kane, late of Penn Township. Susan J. Kane, 922 Stauffer Circle, West Grove, PA 19390, care of ANITA M. D'AMICO, Esquire, 65 S. Third St, Oxford, PA 19363, Executrix. ANITA M. D'AMICO, Esquire, D'Amico Law, P.C., 65 S. Third St, Oxford, PA 19363, atty.

MacMONEGLE, Debra Ann, late of Modena Borough. Charles MacMonegle, Jr., care of ROBERT H. BEMBRY, III, Esquire, P.O. Box 27372, Philadelphia, PA 19118, Administrator. ROBERT H. BEMBRY, III, Esquire, Law Offices of Robert H. Bembry, III, P.O. Box 27372, Philadelphia, PA 19118, atty.

MICHAEL, JR., Robert A., late of Township of

Honey Brook. Elizabeth Schostak, 201 Marie Road, West Chester, PA 19380, care of DAVID M. ROTH, Esquire, 123 North 5th Street, Allentown, PA 18102, Executor. DAVID M. ROTH, Esquire, The Roth Law Firm, 123 North 5th Street, Allentown, PA 18102, atty.

MOORE, Constance E., late of Schuylkill Township. John R. Moore, Jr., care of ELIZABETH R. HOWARD, Esquire, 301 Gay St., P.O. Box 507, Phoenixville, PA 19460, Administrator. ELIZABETH R. HOWARD, Esquire, 301 Gay St., P.O. Box 507, Phoenixville, PA 19460, atty.

NILSON, Jean B., late of Malvern. Arthur J. Nilson, care of DOUGLAS L. KAUNE, Esquire, 120 Gay Street, P.O. Box 289, Phoenixville, PA 19460, Executor. DOUGLAS L. KAUNE, Esquire, Unruh, Turner, Burke & Frees, P.C., 120 Gay Street, P.O. Box 289, Phoenixville, PA 19460, atty.

PARKE, Mary M., late of Oxford. Margaret S. Harvey, 247 Ashleys Way, Oxford, PA 19363, care of JANICE FALINI, Esquire, 392 N. Church Street, West Chester, PA 19380, Executrix. JANICE FALINI, Esquire, Falini Law Office, LLC, 392 N. Church Street, West Chester, PA 19380, atty.

PETYK, Mstyslaw A., a/k/a M. Andrew Petyk, late of Tredyffrin Township. Roman Petyk, 30 Valley Dell Blvd, Phoenixville, PA 19460, Executor.

PHILLIPS, Perry E., a/k/a Perry Phillips, late of West Caln Township. Barbara Phillips, 550 Old Wilmington Rd., Coatesville, PA 19320, care of WAYNE C. BUCKWALTER, Esquire, 24 E. Market St., P.O. Box 565, West Chester, PA 19381-0565, Executrix. WAYNE C. BUCKWALTER, Esquire, Lamb McErlane, PC, 24 E. Market St., P.O. Box 565, West Chester, PA 19381-0565, atty.

POTTER, Donald D., a/k/a Donald D. Potter, Sr., late of New London Township. Sherry F. Potter, 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.

SALTZER, JR., Paul Leonard, a/k/a Paul L. Saltzer, late of North Coventry Township. Judith Ann Saltzer, 1400 E. Keller Rd., Pottstown, PA 19465, care of JANNA M. PELLETIER, Esquire, 535 N. Church St., Ste. 115, West Chester, PA 19380, Executrix. JANNA M. PELLETIER, Esquire, 535 N. Church St., Ste. 115, West Chester, PA 19380, atty.

SARLES, Wesley P., late of East Marlborough Township. Tristan Sarles, 116 E. Street Road, Ken-

nett Square, PA 19348 and Kyle Sarles, 116 E. Street Road, Kennett Square, PA 19348, care of CHRISTINA ROBERTS, Esquire, 3305 Edgmont Avenue, Brookhaven, PA 19015, Co-Administrators. CHRISTINA ROBERTS, Esquire, Breslin Murphy & Roberts, 3305 Edgmont Avenue, Brookhaven, PA 19015, atty.

SHEEHAN, Lawrence J., a/k/a Lawrence John Sheehan, late of West Caln Township. Dawn Noell Sheehan, care of JAY G. FISCHER, Esquire, 342 East Lancaster Avenue, Downingtown, PA 19335, Executor. JAY G. FISCHER, Esquire, 342 East Lancaster Avenue, Downingtown, PA 19335, atty.

VITEK, Carol Ann, a/k/a Carol A. Vitek and Carol Vitek, late of West Whiteland Township. George Petrovich, 423 Westfield Drive, Exton, PA 19341, care of DANTE W. RENZULLI, JR., Esquire, 120 John Robert Thomas Drive, Exton, PA 19341, Executor. DANTE W. RENZULLI, JR., Esquire, 120 John Robert Thomas Drive, Exton, PA 19341, atty.

WESCOTT, June B., late of Pennsbury Township. Robert F. Wescott, care of DONALD B. LYNN, JR., Esquire, P.O. Box 384, Kennett Square, PA 19348, Executor. DONALD B. LYNN, JR., Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

WILLIAMS, Cornelius M., late of Pocopson. Helen L. Dorsey, 4 Old Philadelphia Pike, Apt A, Douglassville PA 19518, Executor.

WITTHOFT, Bonita F., late of West Whiteland Township. Carol E. Lutterman, care of W. PETER BARNES, Esquire, 218 West Miner Street, West Chester, PA 19382, Executor. W. PETER BARNES, Esquire, Klein, Head, Barnes & Wood, LLP, 218 West Miner Street, West Chester, PA 19382, atty.

FICTITIOUS NAME REGISTRATION

Notice is hereby given that a Registration of Fictitious Name was filed in the Department of State of the Commonwealth of Pennsylvania on October 16, 2024, for **Brundage Art & Design Co.** with a principal place of business located at 36 Benburb Rd., Phoenixville, PA 19460 in Chester County. The individual interested in this business is Joseph Powell Brundage, also located at 36 Benburb Rd., Phoenixville, PA 19460. This is filed in compliance with 54 Pa.C.S. 311.

FICTITIOUS NAME REGISTRATION

Notice is hereby given that a Registration of Fictitious Name was filed in the Department of State of the Commonwealth of Pennsylvania on October 11, 2024, for **Innovate & Thrive** with a principal place of business located at 890 Old State Rd., Berwyn, PA 19312 in Chester County. The individual interested in this business is Raymond Gerald Porter, also located at 890 Old State Rd., Berwyn, PA 19312. This is filed in compliance with 54 Pa.C.S. 311.

NONPROFIT CORPORATION NOTICE

Notice is hereby given that Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania, for a nonprofit corporation which has been incorporated under the provisions of the Nonprofit Corporation Law of 1988. The name of the nonprofit corporation is: Downingtown Ridge Planned Community Association.

NONPROFIT CORPORATION NOTICE

WHITELAND MEADOWS HOMEOWNERS' ASSOCIATION has been incorporated under the provisions of the Pennsylvania Nonprofit Corporation Law of 1988, as amended for the purposes of managing, maintaining, caring for, preserving and administering a residential community to be known as Whiteland Meadows located in W. Whiteland Twp., Chester County, PA.
Carl N. Weiner, Esq.
Hamburg, Rubin, Mullin, Maxwell & Lupin, PC
1684 S. Broad St., Suite 230
P.O. Box 1479
Lansdale, PA 19446

NOTICE

COURT OF COMMON PLEAS - CHESTER COUNTY - No. 2024-06803-CT - PR EXTON SQUARE PROPERTY, L.P., By Its General Partner XGP LLC, By Its Agent PREIT SERVICES, LLC, Plaintiff vs. PRO NAIL & SPA, LLC t/a PRO-NAIL NAILERY, Defendant - To: PRO NAIL & SPA, LLC t/a PRO-NAIL NAILERY, Defendant - NOTICE - You have been sued in Court If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served, 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 THESE PAPERS 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. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER. IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFO. ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE. LAWYER REFERRAL SERVICE, Chester County Bar Assn., 15 W. Gay St., West Chester, PA. 19381, 610.429.1500. KIERSTIN M. LANGE, Atty. for Plaintiff, ZARWIN BAUM DeVITO KAPLAN SCHAEER & TODDY, P.C., 2005 Market St., 16th Fl., Phila., PA 19103, 215.569.2800

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ADVERTISEMENT OF EXISTENCE OF TRUST NOTICE

Trust Estate of KATHLEEN NOONAN HANBY, deceased, late of West Whiteland Township, Chester County, Pennsylvania. All persons having claims or demands against the Trust Estate of KATHLEEN NOONAN HANBY are requested to make known the same and all persons indebted to said decedent are requested to make payment without delay to:

Linda H. Greim, Trustee
c/o Larmore Scarlett LLP
P.O. Box 384
Kennett Square, PA 19348

Attorney:
DONALD B. LYNN, JR., Esquire
Larmore Scarlett LLP
P.O. Box 384
Kennett Square, PA 19348