

LACKAWANNA JURIST
JUDICIAL OPINION

CASE NAME AND NUMBER: Arvonio v. PNC Financial Services Group, Inc., 2018 WL 894047 (Lacka. Co. 2018)

DATE OF DECISION: February 14, 2018

JUDGE: Terrence R. Nealon

ATTORNEYS INVOLVED: Joseph T. Wright, Esquire, George A. Reihner, Esquire,
Danielle M. Mulcahey, Esquire, Counsel for Plaintiffs
Robert A. Nicholas, Esquire, Joseph J. Mahady, Esquire,
Matthew G. Boyd, Esquire, Counsel for Defendant

SUMMARY OF OPINION:

Debtors/Mortgagors filed a breach of fiduciary action against an investment management group for purportedly liquidating their investment management accounts without their authorization, and defendant filed a motion *in limine* involving the proper measure of damages for the intentional or negligent conversion of stocks, bonds, or other like property of fluctuating value. Section 8335 of the Judicial Code limits any such recovery to the difference between the proceeds of the wrongful conversion and the higher value that the property may have reached within a "reasonable time" after the owner received notice of the conversion, and that statute further provides where the relevant facts are not in dispute, the "reasonable time" period "shall be fixed by the court as a matter of law." Appellate precedent in Pennsylvania has definitively established that "reasonable time" under Section 8335 in terms of days or weeks rather than years.

Defendant maintains that the accounts' authorized owner instructed it to gradually liquidate the accounts in early August 2008 due to the tumultuous financial market, whereas the owner denied having issued that directive. It was undisputed that the accounts were liquidated from August 2008 to April 2009, and that although the progressive liquidation of those accounts was reflected on the monthly statements that the owners received, the owners contended that they first became aware of that liquidation in early April 2009. It was also uncontested that on April 20, 2009, the account owners instructed the defendant in writing to apply the liquidation proceeds to the owners' outstanding debt balance, and that the owners later defaulted by failing to pay the net balance by its due date of June 30, 3009.

The "reasonable time" under 42 Pa.C.S. § 8335 reflected the period within which the owners had a fair opportunity to disaffirm the unauthorized sale, to re-enter the market, and to repurchase the stocks or securities that were allegedly converted. Defendants' expert has calculated those damages utilizing a "reasonable time" date ranging between April 20, 2009 (the date of the instruction to apply the proceeds to the outstanding indebtedness) and June 30, 2009 (the date the debt was to be paid in full). The owners' expert intended to use the date of trial (late February 2018) as the comparison date under Section 8335. No court applying Section 8335 has ever fixed the "reasonable time" period as greater than 30 days and the owners' proffered use of a date almost nine years after the owners admittedly received notice of the conversion conflicts with that well-settled law. Therefore, the motion *in limine* to preclude a "reasonable time" date after June 30, 2009, was granted.

LACKAWANNA JURIST
JUDICIAL OPINION

CASE NAME AND NUMBER: Kellock v. Wilkes-Barre General Hospital Co., 2018 WL 986052 (Lacka. Co. 2018)

DATE OF DECISION: February 20, 2018

JUDGE: Terrence R. Nealon

ATTORNEYS INVOLVED:

Matthew A. Casey, Esquire, John Pinto, Esquire, Counsel for Plaintiffs
Stuart T. O'Neal, Esquire, M. Sean Maravich, Esquire, Courtney C. Barbacane, Esquire, Counsel for Defendants, Wilkes-Barre Hospital Company, LLC d/b/a Wilkes-Barre General Hospital, Commonwealth Health Physician Network, Commonwealth Health Network, and Commonwealth Health Systems
James A. Doherty, Jr., Esquire, Grace Doherty Hillebrand, Esquire, Counsel for Defendants, OB-GYN Associates, LLC, and John Frye, M.D.
Howard S. Stevens, Esquire, Graig M. Schultz, Esquire, Counsel for Defendant, Scranton Hospital Company, LLC d/b/a Moses Taylor Hospital
Michael P. Perry, Esquire, Michael O. Pitt, Esquire, Counsel for Defendant, Scranton Hospital Company, LLC d/b/a Moses Taylor Hospital

SUMMARY OF OPINION:

The parents of a brain-damaged child filed an action against Luzerne County and Lackawanna County health care providers alleging obstetrical, nursing, and institutional negligence. The Luzerne County hospital and Lackawanna County hospital filed preliminary objections asserting improper venue under Pa.R.C.P. 1006(a.1), which provides that a medical professional liability action may be brought "only in a county in which the cause of action arose." The hospitals contended that the allegedly negligent health care services were furnished in Luzerne County, whereas Lackawanna County had merely "tangential" or "peripheral" contact with the torts claims since the resulting injuries merely occurred there.

In addition to asserting the failure to properly interpret fetal heart tracings and to promptly perform a cesarean section delivery in Luzerne County which caused the infant to experience perinatal asphyxia, the parents further alleged that after the newborn was transferred to the Lackawanna County hospital, those medical professionals deviated from the standard of care by neglecting to timely initiate therapeutic hypothermia and to request a pediatric neurology consultation "during a critical window within which the catastrophic consequences of the initial insult would have been avoided or minimized." Since the parents alleged that negligent health care services were furnished in Lackawanna County, the malpractice claim against the Lackawanna County hospital arose in this forum, and in light of the parents' assertion of joint and several liability against the Luzerne and Lackawanna County health care providers, venue was found to be proper in Lackawanna County pursuant to Pa.R.C.P. 1006(c)(2).

LACKAWANNA JURIST

**REQUEST FOR PROPOSAL FOR PENSION BOARD SOLICITOR FOR
THE BOROUGH OF DUNMORE,
LACKAWANNA COUNTY, PENNSYLVANIA –**

The Borough of Dunmore seeks to engage a Solicitor for the Dunmore Pension Board to provide professional services including legal advice and consultation. Selected Counsel shall work closely with the Borough Solicitor and Borough Labor and Employment Counsel. The Borough is accepting "Request for Proposals and Qualifications" from duly qualified individual attorneys and/or law firm(s). *To obtain further information on the necessary requirements and mandates for the application process, and the requirements of the Proposal, please contact Vito Ruggiero, Secretary/Borough Manager, 400 South Blakely Street, Dunmore, PA 18512 at (570) 558-7025, Monday through Friday 8:00 a.m. to 4:00 p.m.* Proposals must be received no later than Friday May 11, 2018 at 3:00 p.m. An original (clearly marked as the ORIGINAL) and ten (10) full, complete and exact copies of each proposal shall be submitted in a sealed envelope marked as "Pension Board Solicitor Request for Proposal" and addressed to *Vito Ruggiero, Secretary/Borough Manager, 400 South Blakely Street, Dunmore, PA 18512 (faxed or emailed proposals will not be accepted).*

Services that are subject of the Request for Proposal ("RFP") are more fully delineated in the RFP and include, and are not limited to, attending Pension Board Meetings and providing legal services/legal opinions as needed relevant to the Pension Board or any associated litigation. At times, Counsel may be called upon to issue written legal opinions.

Specifications are more fully delineated in the RFP. It is recommended, but not mandatory, that the Applicant maintain knowledge, experience and abilities relative to the following: a) Working with government, including but not limited to Boroughs of the Commonwealth of Pennsylvania, and governing Boards associated with the same; b) Experience in a Council/ Mayor - Manager Form of Government; c) Pennsylvania laws, codes and regulations; d) Preparation and review of ordinances, resolutions, agreements, contracts, forms, and other documents required by the Pension Board; and e) Government ethics laws. Prior experience with Act 600 is recommended but not required.

ESTATES

First Notice

Notice is hereby given that Letters Testamentary have been granted to Donna M. Baldacci in the **ESTATE OF PARIS A. BALDACC**, late of Scranton, Pennsylvania, who died on March 2, 2018. All persons indebted to the Estate are requested to make payment and those having claims or demand are to present same without delay to Donna M. Baldacci, Executrix c/o John P. Finnerty, Esquire, 75 Glenmaura National Boulevard, Moosic, Pennsylvania 18507.

ESTATE OF ELIZABETH BASALYGA, DECEASED, late of 822 EDELLA ROAD, CLARKS SUMMIT, PA 18411, (Died FEBRUARY 27, 2018) **ROBERT D. BASALYGA, RUSSELL BASALYGA, JR., and BARBARA BASALYGA BROJACK, Co-Executors**; Mark G. Rudalavage, 171 Scranton-Carbondale Highway, Eynon, Pennsylvania 18403-1027, Attorney.

ESTATE OF HILDA BROWN, late of Clarks Summit, Pennsylvania (Died March 26, 2018). Letters Testamentary has been granted to Evelyn Wolfer, Executrix. All persons having claims against the Estate or indebted to the Estate shall make payment or present claims to Douglas P. Thomas, Attorney for the Estate, 345 Wyoming Avenue, Suite 200, Scranton, PA 18503.

Notice is hereby given that letters of administration have been granted in the **ESTATE OF MERYL CORALLO**, late of Scranton (died December 23, 2017), Louise Corallo, Administratrix, Jonathan S. Comitz, Comitz Law Firm, LLC 46 Public Square, Suite 101, Wilkes-Barre, PA 18701. 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 administrators named or their attorneys.

NOTICE IS HEREBY GIVEN that Letters of Administration have been granted in the **ESTATE OF WILLIAM J. DAVIES JR., A/K/A WILLIAM J. DAVIES**, Deceased, late of 1006 Sampson Street, Taylor, Pennsylvania, 18517 (died March 04, 2018), and all persons indebted to said estate are requested to make payment, and those having claims to present the sum without delay, to **TARA LYNN FROESE AND WILLIAM J. DAVIES, Co-Administrators** c/o Joseph S. Colbassani, Esquire, MINORA, MINORA, COLBASSANI, KROWIAK, MATTIOLI AND MUNLEY, 700 Vine Street, 18510, Attorney for the estate.

ESTATE OF LEONARD H. GUZENSKI A/K/A LEONARD GUZENSKI, late of Dickson City, PA, (died 08/18/2017). Letters Testamentary in the above estate having been granted, all creditors shall make demand and all debtors shall make payment without delay to Dennis Guzenski, Executor, or John E.V. Pieski, Attorney for the Estate, 610 Maplewood Drive, Olyphant Post Office, Dickson City, PA 18447.

ESTATE OF DONALD HOPKINS, late of Dunmore, Lackawanna County, Pennsylvania, (died January 12, 2018). Letters of Administration on the said decedent having been granted to the undersigned, any person having claim against the estate should make their claim known to the personal representative. Administrator: Mary Kay Hopkins, 1107 North Irving Avenue, Dunmore, PA 18510. Attorney: Kari E. Mellinger, Esquire, R.J. Marzella & Associates, 3513 North Front Street, Harrisburg, PA 17110.

ESTATE OF JAMES R. JUSTIN, A/K/A JAMES JUSTIN, late of Clarks Summit, Lackawanna County, Pennsylvania, (died March 9, 2018). Notice is hereby given

that Letters Testamentary have been granted on April 2, 2018, to Elizabeth F. Romanski. All persons indebted to said Estate are required to make immediate payment and those having claims or demands shall present the same, without delay, to Judd B. Fitze, 7 Marion Street, Tunkhannock, PA 18657, Attorney for Estate.

ESTATE OF DAVID S. LOVE, late of the City of Scranton, Pennsylvania died February 27, 2018. Sean Gallagher Attorney for the Estate, 416 Jefferson Avenue, Scranton, PA 18510. Notice is hereby given that Letters Administration have been granted to Wayne Love. All persons indebted to the said estate are required to make payment, and those having claims or demands are to present the same without delay to the Co- Executors name.

ESTATE OF LEO P. MORAN, late of Scranton, PA (died March 6, 2018). Notice is hereby given that Letters Testamentary for the Estate of Leo P. Moran have been issued to Cherilynne Harrington and William Wesnak, Jr., Executors 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.

In re: **ESTATE OF CLEMENT M. NOVITSKY**, late of Scott Township, Pennsylvania, 05/24/2017. 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 Patricia A. Novitsky, Personal Representative, or to Joseph S. Toczydlowski, Jr., Esquire of the Toczydlowski Law Office, 392 N. Main Street, Archbald, PA 18403.

NOTICE IS HEREBY GIVEN that Letters Testamentary have been issued to Robert J. Radics, Executor of the **ESTATE OF ALICE RADICS A/K/A ALICE H. RADICS**, Deceased, who died on March 8, 2018, late of City of Scranton, 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 in care of the undersigned, Bregman & Lantz, LLC, 1205 Wyoming Avenue, Forty Fort, PA 18704.

Estate Notice is Hereby Given that Letters of Testamentary have been Granted to Karen Schadt in the **ESTATE OF WARREN SCHATD**, late of the City of Scranton, Lackawanna County, Pennsylvania, who died February 2, 2018. All persons indebted to said Estate are requested to make payment and those having claims to present the same, without delay, to Justin J. Sullia, Esq., Mey and Sullia, LLP, 1144 East Drinker Street, PA 18512.

Estate Notice is Hereby Given that Letters of Testamentary have been Granted to Karen Sumski in the **ESTATE OF MATILDA MARY SMITH**, late of the City of Scranton, Lackawanna County, Pennsylvania, who died February 10, 2018. All persons indebted to said Estate are requested to make payment and those having claims to present the same, without delay, to Justin J. Sullia, Esq., Mey and Sullia, LLP, 1144 East Drinker Street, PA 18512.

NOTICE IS HEREBY GIVEN that Letters Testamentary in the **ESTATE OF PHILOMENA T. YORK**, late of the Borough of Olyphant, Lackawanna County, Pennsylvania, (died January 3, 2018), have been granted to the undersigned. All persons indebted to said estate are required to make immediate payment and those having claims shall present them for settlement to: **DAVID TAMBURELLI, EXECUTOR, BRENDA D. COLBERT, Esquire, COLBERT & GREBAS, P.C.**, 210 Montage Mountain Road- Suite A, Moosic, PA 18507.

LACKAWANNA JURIST

In re: **ESTATE OF BARBARA A. ZUMBO**, late of Scranton, Lackawanna County, Pennsylvania, 18504 (died March 3, 2018). 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 Jeananne Agostinelli, Personal Representative, or to Joan Guari, Esquire of the Toczylowski Law Office, 392 N. Main Street, Archbald, PA 18403.

Second Notice

ESTATE OF JUDITH M. BIRD, late of 32 Fallbrook Road, Carbondale, PA 18407, Deceased. Letters of Administration on the above estate having been granted to the undersigned, all persons indebted to the estate are requested to make payment, and those having claims to present the same, without delay, to: Personal Representative: Alicia Hendricks, 133 Main Street, East Greenville, PA 18107 or Attorney for the Estate: Stanley J. Kuter, Esquire, Prince Law Offices PC, 646 Lenape Road, Bechtelsville, PA 19505.

ESTATE OF KATHLEEN A. COBB, late of Carbondale, Pennsylvania, (died 01/21/2018). Notice is hereby given that Letters of Administration on the above estate have been granted to Tiffany A. Frisbie and Jeffery W. Nepa, of Carbondale, PA, Co-Administrators. All persons indebted to the said estate are required to make payment and those having claims to present the same without delay to the Co-Administrators named herein, or to Patrick N. Coleman, Esquire, Tellie & Coleman, P.C., 310 East Drinker Street, Dunmore, PA 18512.

ESTATE OF ROSE MARIE GALLO, late of Dunmore, PA (died December 16, 2017). Letters of Testamentary having been granted Vito G. Gallo, Jr. All persons knowing themselves to be indebted to said Estate will make payment immediately, and those having claims will present them for settlement to Vito G. Gallo, Jr., Executor, or to: Tullio DeLuca, Attorney for the Estate, 381 N. 9th Avenue, Scranton, PA 18504.

ESTATE OF ELIZABETH GOWARTY, late of Clarks Summit, Lackawanna County, Pennsylvania, (died March 1, 2018). Letters Testamentary having been granted, creditors shall make demand and debtors shall make payment to Stephen J. Evers, Esq., Attorney for the Estate, 213 R. N. State Street, Clarks Summit, PA, 18411.

RE: **ESTATE OF JOHN HARLE**, late of Scranton, Lackawanna County, Pennsylvania (died February 13, 2017). Notice is hereby given that Letters of Administration for the Estate have been issued to John Harle, Jr., Administrator of the Estate. All those having claims or demands against the Estate or indebtedness owed to the Estate shall present claims or remit payment without delay to the Administrator, or to John J. McGovern, Jr., Attorney for the Estate, 321 Spruce Street – Suite 201, Scranton, PA 18503.

ESTATE OF EDWARD S. KOWNASKI A/K/A EDWARD KOWNASKI, late of Dickson City, PA, (died 01/31/2018). Letters Testamentary in the above estate having been granted, all creditors shall make demand and all debtors shall make payment without delay to Michael Krystiniak, Executor, or John E.V. Pieski, Attorney for the Estate, 610 Maplewood Drive, Olyphant Post Office, Dickson City, PA 18447.

ESTATE OF LILLIAN KROPA, late of Dickson City, Lackawanna County, Pennsylvania (died December 24, 2017). Personal Representative is Karen Zavislak. Attorney for the Estate is Nancy M. Barrasse, Esquire, 224 Adams Avenue, Scranton, Pennsylvania 18503.

ESTATE OF WILLIAM KROPA, late of Dickson City, Lackawanna County, Pennsylvania (died March 21, 2018). Personal Representative is Karen Zavislak. Attorney for the Estate is Nancy M. Barrasse, Esquire, 224 Adams Avenue, Scranton, Pennsylvania 18503.

Re: **ESTATE OF ERIC J. KRUPSKI**, late of Scranton, Lackawanna County, Pennsylvania, who died March 11, 2017, Letters of Administration in the above Estate, having been granted, all persons having claims or demands against the Estate of the decedent shall make them known and present them, and all persons indebted to said decedent shall make payment thereof without delay to: Billie Jean Guzzon, Administratrix, c/o Paul J. LaBelle, Esquire, Paul J. LaBelle & Associates, 3703 Birney Avenue, Moosic, Pennsylvania 18507.

ESTATE OF ANTHONY T. MAGISTRO JR., late of Scott Township, PA (died February 17, 2018). Letters Testamentary have been granted in the above Estate. Creditors shall make demand and debtors shall make payment without delay to: Anthony Magistro III and Lisa Doty, Co-Executors, c/o Ernest A. Sposto Jr., Esquire, 108 North Washington Ave, Suite 701, Scranton, PA 18503.

ESTATE OF PATRICIA ANN MARKWITH A/K/A PATRICIA A. MARKWITH, DECEASED, late of 203 FIRST STREET, BLAKELY, PA 18447, (Died FEBRUARY 21, 2018) ROBERT MARKWITH, Executor; Mark G. Rudalavage, 171 Scranton-Carbondale Highway, Eynon, Pennsylvania 18403-1027, Attorney.

ESTATE OF JOSEPH P. McCORMACK, DECEASED, late of 2612 OLYPHANT AVE., SCRANTON, PA 18509, (Died MARCH 13, 2018) SEAN McCORMACK, Executor; Dante A. Cancelli, Esquire, Suite 401, 400 Spruce Street, Scranton, Pennsylvania 18503, Attorney.

RE: **ESTATE OF HELEN STROJEK**, late of Scranton, Lackawanna County, Pennsylvania (died January 14, 2018). Notice is hereby given that Letters of Administration for the Estate have been issued to Nicholas Colacicco, Administrator of the Estate. All those having claims or demands against the Estate or indebtedness owed to the Estate shall present claims or remit payment without delay to the Administrator, or to John J. McGovern, Jr., Attorney for the Estate, 321 Spruce Street – Suite 201, Scranton, PA 18503.

ESTATE OF COREY M. WEIDOW, late of Scranton, PA, who died February 23, 2018. Letters of Administration in the above estate having been granted, all persons having claims or demands against the Estate of the decedent shall make them known and present them, and all persons indebted to said decedent shall make payment thereof without delay to: Kristen Weidow, Administratrix c/o Brian J. Walsh, Esq., 436 Jefferson Avenue, Scranton, PA 18510, Attorney for the Estate.

NOTICE IS HEREBY GIVEN that Letters Testamentary have been issued to Sandra Rospigliosi, Executor of the **ESTATE OF JUDITH ANN ZIEGENFUS**, Deceased, who died on February 26, 2018, late of Moscow, 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 in care of the undersigned. Bregman & Lantz, LLC, 1205 Wyoming Avenue, Forty Fort, PA 18704.

Third Notice

ESTATE OF ROSE BARSCHESKI, late of Olyphant, PA, (died 01/06/2018). Letters Testamentary in the above estate having been granted, all creditors shall make demand and all debtors shall make payment without delay to Jason Barscheski, Executor, or John E.V. Pieski, Attorney for the Estate, 610 Maplewood Drive, Olyphant Post Office, Dickson City, PA 18447.

Notice is hereby given that Letters Testamentary have been granted in the **ESTATE OF OLEG W. BELJAEFF, A/K/A OLEG WLADIMIR BELJAEFF**, Deceased, late of 308 Walnut Street, Jermyn, Lackawanna County, Pennsylvania 18433, who died on January 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 Executor, Eugene Beljaeff, or Michael N. Krisa, Attorney for the Estate, 3397 Scranton/Carbondale Highway, Suite 4, Blakely, Pennsylvania 18447.

ESTATE OF JOAN E. BENNIE, Deceased late of Moosic, PA LACKAWANNA COUNTY: Died March 15, 2018. Notice is hereby given that letters of Testamentary has been granted in the above estate. All persons indebted to said estate are required to make payments and those having claims or demands are to present the same without delay to Mildred A. Cesare, Executrix, 400 Main Street, Moosic, PA 18507.

RE: **ESTATE OF EVELYN CHEPLICK** late of Scott Township, Lackawanna County, Pennsylvania (died January 17, 2018). Notice is hereby given that Letters Testamentary for the Estate of Evelyn Cheplick have been issued to Steven Cheplick and John A. Cheplick, Executors 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 Executors at 34 Kita Road, Scott Township, PA 18447 or to Kris E. Fendrock, Esquire, Myers, Brier & Kelly, LLP, Attorney for the Estate, 425 Spruce Street, Suite 200, Scranton, PA 18503.

In the **ESTATE OF JOHN M. CHUPRON** (Died 01/18/2018) late of Taylor, PA, all persons indebted to or having claims against Decedent should contact Gerald J. Butler, Attorney for the Estate, P.O. Box 234, 116 N. Washington Ave., Suite 400, Scranton, PA 18501-0234.

ESTATE OF VIRGINIA GRIFFITH-DIONNE, Deceased late of Carbondale, PA LACKAWANNA COUNTY: Died August 2, 2017. Notice is hereby given that letters of Testamentary has been granted in the above estate. All persons indebted to said estate are required to make payments and those having claims or demands are to present the same without delay to James L. Griffith Jr., Executor, 216 Windsor Way, Roaring Brook Township, PA 18444.

RE: **ESTATE OF JOHN L. FORTUNA**, late of Taylor, Lackawanna County, Pennsylvania (died February 22, 2018). Notice is hereby given that Letters Testamentary for the Estate have been issued to Margaret Fortuna, 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.

RE: **ESTATE OF JOHN C. HESSLING**, deceased, late of the City of Carbondale, County of Lackawanna and Commonwealth of Pennsylvania (Died December 10, 2017). Notice is hereby given that 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 KATHLEEN ANN PELICK, Executrix, care of DAVID J. TOMAINE, Esq., Attorney for the Estate, 960 Scranton/Carbondale Highway, Archbald, PA 18403.

Notice is hereby given that Letters of Administration have been granted to Jacelyn Doran, Administratrix of the **ESTATE OF THOMAS HENNIGAN A/K/A THOMAS E. HENNIGAN**, late of Dunmore, PA, who died on September 28, 2016. All persons indebted to Estate are required to make payment and those having claims or demands are to present the same without delay to the Administratrix or to Raymond C. Rinaldi, II, Esquire, Rinaldi & Poveromo, P.C., P.O. Box 826, Scranton, PA, 18501.

NOTICE IS HEREBY GIVEN that Letters of Administration have been granted to Grace Maslar, of Archbald, PA in the **ESTATE OF DAVID P. MASLAR, JR.**, (died December 15, 2017), late of Archbald, Lackawanna County, Pennsylvania. All persons and creditors having claims against the Estate or who are indebted to the Estate shall make payment or make claims to the Administrator, Grace Maslar, or to Joseph P. Wargo, Esq., Attorney for the Estate, 198 Sanko Drive, Olyphant, PA 18447. (570) 881-6581.

RE: **ESTATE OF NADINA P. MATTES**, late of Dalton Borough, Lackawanna County, and State of Pennsylvania, deceased, who died on the 8th day of March, 2018. Letters of Testamentary having been granted, all persons having claims or demands against the estate of the decedent shall make them known and present them, and all persons indebted to the decedent shall make payment thereof without delay to the Executor, Roger Mattes, Jr., Esquire, Mattes & Mattes, P.C., 324 N. Washington Ave., Scranton, PA 18503.

ESTATE OF ARTHUR W. MCPHILLIPS III, Deceased late of Scranton, PA LACKAWANNA COUNTY: Died January 6, 2018. Notice is hereby given that letters of Testamentary has been granted in the above estate. All persons indebted to said estate are required to make payments and those having claims or demands are to present the same without delay to Theresa Heffner, Executrix, 42 Cole Village, Clarks Summit, PA 18411.

ESTATE OF MARY ANN MCGINLEY A/K/A MARY A. MCGINLEY, late of the City of Scranton, Lackawanna County, Pennsylvania (died January 5, 2018) Executrix: Kimberly A. Bird. Attorneys: P. Timothy Kelly, Esquire, Needle Law, P.C., 240 Penn Avenue, Suite 202, Scranton, PA 18503.

RE: **ESTATE OF JAMES R. MILES**, late of Scranton, Pennsylvania. Letters of Testamentary in the above estate having been granted, creditors shall make demand and debtors shall make payment to Gary A. Miles, 1123 Myers Avenue, Peckville, PA 18452, 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.

ESTATE OF MADELEINE PAONE A/K/A MADELEINE M. PAONE, late of Blakely (died February 18, 2018). Notice is hereby given that Letters Testamentary in the above estate have been granted to Michael Paone. All persons indebted to the said Estate are required to make payment and those having claims to present the same without delay to Michael Paone, Executor, or to Howard M. Spizer, Esquire, Attorney for the Estate, Hinman, Howard & Kattell, LLP, 705 Bank Towers Building, 321 Spruce Street, Scranton, PA.

Notice is hereby given that Letters Testamentary have been granted in the **ESTATE OF ROSE PERRY**, Deceased, late of Dunmore, PA who died on January 16, 2018, to Linda Perry. All persons having claims or demands against the estate of the decedent shall make them known and present them,

LACKAWANNA JURIST

and all persons indebted to said decedent shall make payment thereof without delay to the Executrix, Linda Perry, 338 Buckley Drive, Harrisburg, PA 17112 or to Michael J. Krushinski, Esquire, Attorney for the Estate at 418 Main Street, Dickson City, PA 18519.

Notice is hereby given that Letters Testamentary have been granted to David H. Pond in the **ESTATE OF DOLORES CATHERINE POND**, late of Factoryville, Pennsylvania, who died on March 3, 2018. All persons indebted to the Estate are requested to make payment and those having claims or demand are to present same without delay to David H. Pond, Executor c/o John P. Finnerty, Esquire, 75 Glenmaura National Boulevard, Moosic, Pennsylvania 18507.

Letters of Administration have been granted in the **ESTATE OF ROBERT H. RIEDER**, (died December 17, 2017), late of Taylor, Lackawanna County, Pennsylvania, Deceased to Florence Rieder, Administratrix, or Powell Law Attorneys, 527 Linden Street, Scranton, PA 18503

ESTATE OF NANCY M. WALSH A.K.A NANCY WALSH, late of Roaring Brook Township, Pennsylvania (Died March 6, 2018). Letters Testamentary having been granted to Eric Pencek, Executor. All persons having claims against the Estate or indebted to the Estate shall make payment or present claims to Douglas P. Thomas, Attorney for the Estate, 345 Wyoming Avenue, Suite 200, Scranton, PA 18503.

FICTITIOUS NAME

Notice is hereby given that Kimberly Evans, 1 Alexandria Drive, Blakely, PA 18447, filed with the Secretary of the Commonwealth of Pennsylvania on April 11, 2018, an application for Registration of the Fictitious Name, "theKimmy.com". The principal place of business is located at 1 Alexandria Drive, Blakely, PA 18447.

CHANGE OF NAME

NOTICE IS HEREBY GIVEN that on April 9, 2018, the Petition of Gabrielle Gnall o/b/o William Scott Nalesnik, Jr., was filed to Term Number 2018 CV 2151 in the Court of Common Pleas of Lackawanna County requesting a decree to change the minor child, William Scott Nalesnik's, name to William Scott Gnall. The Court has fixed the 25th day of May, 2018, at 9:00 AM in Courtroom #3, in the Lackawanna County Courthouse, 200 North Washington Avenue, Scranton 18503, as the time and place for hearing on said petition, when and where all persons interested may appear and show cause, if any they have, why the prayer of said petition should not be granted. Timothy Corbett, Esquire, (Attorney for the Movant), 612 Spruce Street, Scranton, PA 18503 (570) 880-0612.

CERTIFICATE OF ORGANIZATION

NOTICE IS HEREBY GIVEN THAT a Certificate of Organization for **NEVARC, LLC**, 790 Griffin Road, Roaring Brook Twp., PA 18444, has been filed with the Pennsylvania Department of State in accordance with the provisions of the Limited Liability Company Law, 15 Pa.C.S. §§ 8901 et seq., as amended.

Geff Blake, Esq.
BLAKE & WALSH, LLC

NOTICE

Court of Common Pleas
Lackawanna County
Civil Action – Law
No. 2017-04249

Notice of Action in Mortgage Foreclosure

Quicken Loans Inc.,
Plaintiff

vs.

The Unknown Heirs of John E. Wolff, Deceased, Edward Wolff, Solely in His Capacity as Heir of John E. Wolff, Deceased
& Heather Wolff, Solely in Her Capacity as Heir of John E. Wolff, Deceased,
Mortgagor and Real Owner,
Defendants

To: The Unknown Heirs of John E. Wolff, Deceased, Mortgagor and Real Owner, Defendant(s), whose last known address is 162 Pike Street, Carbondale, PA 18407.

This firm is a debt collector and we are attempting to collect a debt owed to our client. Any information obtained from you will be used for the purpose of collecting the debt. You are hereby notified that Plaintiff, Quicken Loans Inc., has filed a Mortgage Foreclosure Complaint endorsed with a notice to defend against you in the Court of Common Pleas of Lackawanna County, PA, docketed to No. 2017-04249, wherein Plaintiff seeks to foreclose on the mortgage secured on your property located, 162 Pike Street, Carbondale, PA 18407, whereupon your property will be sold by the Sheriff of Lackawanna County. 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 the 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 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 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. 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 information about agencies that may offer legal services to eligible persons at a reduced fee or no fee.

Northeastern PA Legal Services,
33 N. Main St., Ste. 200,
Pittston, PA 18640,
570.299.4100.

Michael T. McKeever,
Atty. for Plaintiff,
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215.627.1322.