

# Adams County Legal Journal

Vol. 59

December 29, 2017

No. 34, pp. 183-186

BRIAN MICHAEL, M.D. V. WELLSPAN MEDICAL GROUP

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ADAMS COUNTY LEGAL JOURNAL (USPS 542-600)

Designated for the Publication of Court and other Legal Notices. Published weekly by Adams County Bar Association, John W. Phillips, Esq., Editor and Business Manager.

Business Office – 117 BALTIMORE STREET, ROOM 305, GETTYSBURG, PA 17325-2313. Telephone: (717) 334-1553

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VEHICLE TITLE SEARCH

Cliff Whitener of Gettysburg, PA, in search of Steven J. Hopkins of Williamstown, NJ, in an effort to obtain a vehicle title for a 1963 Oldsmobile Cutlass, purchased January 1, 2015. It is blue/green with a white top, VIN#631H46095.

12/29

DOING BUSINESS AS/  
FICTITIOUS NAME

NOTICE IS HEREBY GIVEN pursuant to the provisions of the Fictitious Names Act of Pennsylvania that an application for registration of a fictitious name was filed with the Department of State of the Commonwealth of Pennsylvania, for the conduct of a business under the fictitious name of FACE CO-OP with its principal office or place of business at 44 Charlestown Court, Littlestown, PA 17340. Each entity, other than an individual, interested in such business is: Family Academic Christian Enrichment, Incorporated.

12/29

ARTICLES OF INCORPORATION

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania, on the 19th day of August, 2017 with respect to a proposed nonprofit corporation, FAMILY ACADEMIC AND CHRISTIAN ENRICHMENT, INCORPORATED, which has been incorporated under the Nonprofit Corporation Law of 1988.

12/29

LEGAL NOTICE-ANNUAL MEETING

The annual meeting of the policyholders of the Protection Mutual Insurance Company of Littlestown will be held at the office located at 101 South Queen Street, in the Borough of Littlestown, PA, between the hours of 1:00 pm and 2:00 pm on January 13, 2018, for the purpose of electing directors, transacting any other business properly presented, and to vote on the amended and restated bylaws.

A copy of the proposed amended and restated bylaws can be obtained by calling the office of Protection Mutual Insurance Company of Littlestown at 717-359-5840.

Attest: Scott A. Hawk  
Secretary

12/15, 12/22, 12/29, & 1/5

## BRIAN MICHAEL, M.D. V. WELLSPAN MEDICAL GROUP

1. When the words of a statute are clear and unambiguous, there is no need to look beyond the plain meaning of the statute under the pretext of pursuing its spirit.

2. Only in instances where the words of a statute are not explicit may a court resort to consideration of statutory factors in aid of construction.

3. A statute is ambiguous if its language is subject to at least two reasonable interpretations.

4. When all sections of the statute are read in conjunction with each other in the context of the entire statute, it is clear that the "complaint" referenced in (35 P.S.) Section 7313 refers to complaints brought pursuant to the statutory procedure contained within the act.

## IN THE COURT OF COMMON PLEAS OF ADAMS COUNTY, PENNSYLVANIA, CIVIL 17-S-1037, BRIAN MICHAEL, M.D. V. WELLSPAN MEDICAL GROUP.

Catherine E. Rowe, Esq., Attorney for Plaintiff

David J. Freedman, Esq., Attorney for Defendant

George, J., December 13, 2017

### OPINION

This litigation originates from the Wellspan Medical Group's ("Wellspan") termination of employment of Dr. Brian Michael ("Dr. Michael"). Dr. Michael claims Wellspan unlawfully terminated his employment as a result of an OSH Act<sup>1</sup> complaint filed by him alleging Wellspan's failure to provide protective equipment as required by OSHA<sup>2</sup> standards. Dr. Michael has filed a Complaint under the Pennsylvania Whistleblower Law, 43 P.S. § 1421 et seq, and the Pennsylvania Worker and Community Right to Know Act, 35 P.S. §§ 7301-7320 ("WCRKA"). In response, Wellspan has filed Preliminary Objection to the action brought under the WCRKA claiming the allegations in the Complaint are legally insufficient to support the cause of action under this act. For the reasons set forth below, the Preliminary Objection is sustained.

The purpose of the WCRKA is to "protect employees from the dangers that can occur from exposure to hazardous chemicals used in the workplace...by imposing on employers and chemical suppliers certain obligations and by making available to employees the identity of chemicals used in the workplace." *Heffran v. Dep't. of Labor*

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<sup>1</sup> Occupational Safety and Health Act of 1970, 29 U.S.C. §§ 651-678

<sup>2</sup> The Department of Labor's Occupational Safety and Health Administration

*& Indus.*, 863 A.2d 1260, 1262 (Pa. Commw. Ct. 2004), *affirmed*, 886 A.2d 222 (Pa. 2005). Included within the act's provisions are enforcement powers granted to the Department of Labor and Industry which includes the authority to assess civil penalties of up to \$10,000 for each violation of the act. 35 P.S. § 7314(d). Relevant to the current discussion, the act permits an employee to bring an independent civil action enjoining employer's actions in violation of the act.<sup>3</sup> It further provides employment protection for exercising rights under the act.<sup>4</sup> More specifically, the act reads:

No employer shall discharge or cause to be discharged, or otherwise discipline or in any manner discriminate against, an employee because the employee has filed a complaint, has assisted the department with respect to an inspection under [35 P.S. § 7314], has instituted or caused to be instituted any proceeding under or related to this act, has testified or is about to testify in any proceeding, has requested any information or properly refused work under [35 P.S. § 7305] or has exercised any right afforded pursuant to the provisions of this act.

35 P.S. § 7313(a).

In his Complaint, Dr. Michael correctly notes OSHA imposed requirements concerning protective clothing in regulations establishing bloodborne pathogen standards which are included on the hazardous substance list established by the WCRKA. He reasons, therefore, that his OSH Act Complaint alleging a violation of these standards is “a complaint” for which an employee is protected from termination under the WCRKA. Conversely, Wellspan argues that the OSH Act Complaint is not a “complaint” under the WCRKA as Dr. Michael has never instituted a complaint with the Pennsylvania Department of Labor and Industry claiming any violation of the WCRKA. In light of the lack of action by Dr. Michael under the WCRKA, Wellspan argues that the protective provisions of the act are factually inapplicable. In light of these arguments, the pivotal issue is whether a complaint filed under the OSH Act entitles the filing employee to the employee protections against termination set forth in the WCRKA.

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<sup>3</sup> 35 P.S. § 7315(b)

<sup>4</sup> 35 P.S. § 7313.

Pennsylvania law makes clear that a court, in construing enactments of the legislature, are to rely upon the rules of statutory construction and are obliged to consider the intent of the legislature giving full effect to that intention. *Commonwealth v. Teeter*, 961 A.2d 890, 896 (Pa. Super. 2008). “When the words of a statute are clear and unambiguous, there is no need to look beyond the plain meaning of the statute under the pretext of pursuing its spirit.” *Warrantech Consumer Products Services, Inc. v. Reliance Ins. Co.*, 96 A.3d 346, 354 (Pa. 2014) (internal quotation marks omitted). Only in instances where the words of a statute are not explicit may a court resort to consideration of statutory factors in aid of construction. *Id.* A statute is ambiguous if its language is subject to at least two reasonable interpretations. *Id.* at 354-55.

Instantly, Dr. Michael advances the interpretation that the word “complaint” contained in Section 7313 encompasses any complaint related to hazardous substances regardless of where or with whom the complaint is filed. Wellspan, on the other hand, interprets the word “complaint” under the relevant section to be limited to a complaint made under the provisions of the WCRKA. Although the WCRKA does not precisely define the word’s meaning, legislative intent is clear when the words are read in conjunction with all the sections of the statute at issue.

Initially, all the actions protected by Section 7313 relate to specific rights afforded under the act. Indeed, the paragraphs within the section limit their application to rights provided under the act. In the section immediately following Section 7313, the act provides an aggrieved person with the right to file a complaint with the Department of Labor and Industry and sets forth a specific procedural path to address the complaint.<sup>5</sup> In a later section, the act limits enforcement provisions to the specifically outlined complaint procedure or actions for injunctive relief by prohibiting a court from awarding “compensatory and liquidated damages, costs and expenses of litigation, including expert witness fees and reasonable attorney fees” for any civil action brought under the act. 35 P.S. § 7315(b). When all sections of the statute are read in conjunction with each other in the context of the entire statute, it is clear that the “complaint” referenced in Section 7313 refers to complaints brought pur-

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<sup>5</sup> See 35 P.S. § 7314

suant to the statutory procedure contained within the act. Any other interpretation is nonsensical as it leads to the absurd conclusion that the filing of any complaint by an employee, regardless of the subject of the complaint or the forum in which it is raised, triggers the protections of WCRKA Section 7313. The more reasonable interpretation is one which relates, and limits, application of protective provisions of the WCRKA to complaints concerning violations of the provisions of the act.<sup>6</sup> As Dr. Michael has not pled such a violation, the Preliminary Objection will be sustained.

For the foregoing reasons, the attached Order is entered.

### ORDER

AND NOW, this 13th day of December, 2017, the Preliminary Objection of Wellspan Medical Group is sustained. Count II of the Complaint is dismissed. Plaintiff is granted twenty (20) days from the date of this Order within which to file an Amended Complaint in the event there is a factual basis for a claim under the Pennsylvania Worker and Community Right to Know Act pursuant to the discussion in the attached Opinion.

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<sup>6</sup> Statutes should receive a sensible construction and should be construed, if possible, to avoid absurdity. **Summit Sch., Inc. v. Com., Dep't. of Educ.**, 108 A.3d 192, 197 (Pa. Commw. Ct. 2015).

## SHERIFF SALES

IN PURSUANCE of writs of execution issuing out of the Court of Common Pleas of Adams County, Pennsylvania, and to me directed, will be exposed to Public Sale on Friday January 19, 2018 at 10:00 AM in the 4th floor Jury Assembly room in the Adams County Court House, 117 Baltimore Street, Gettysburg, PA 17325

**No. 17-SU-557**  
**WELLS FARGO BANK, NA**  
**vs.**

**RONALD E. ASHBY, JR., KIMBERLY ANN FUNK**  
 PROPERTY ADDRESS: 4 SOUTH BONNIEFIELD DRIVE, GETTYSBURG, PA 17325

By Virtue of a Writ of Execution No.

17-SU-557

Wells Fargo Bank, NA

**vs.**

Ronald E. Ashby, Jr.  
 Kimberly Ann Funk a/k/a Kimberly A. Funk  
 owner(s) of property situate in the Bonneauville Borough, Adams County, Pennsylvania, being 4 South Bonniefield Drive,  
 Gettysburg, PA 17325-7830  
 Parcel No. 06009-0078-000  
 (Acreage or street address)  
 Improvements thereon: RESIDENTIAL DWELLING Judgment amount:  
 \$116,709.80  
 Attorneys for Plaintiff  
 Phelan Hallinan Diamond & Jones, LLP

**No. 17-SU-585**  
**FEDERAL NATIONAL MORTGAGE ASSOCIATION ("FANNIE MAE")**  
**vs.**

**MICHAEL E. BLACK, CHRISTINA M. HISE**

PROPERTY ADDRESS: 63 LOCUST DRIVE, LITTLESTOWN, PA 17340  
 By Virtue of Writ of Execution No.  
 17-SU-585

Plaintiff: Federal National Mortgage Association ("Fannie Mae")

**vs.**

Defendant(s): Michael E. Black and Christina M. Hise, a/k/a Christine Marie Eckard  
 Property Address: 63 Locust Drive, Littlestown PA 17340  
 Township or Borough: partly in Germany Township and partly in Union Township PARCEL NO.: 15117-0024-000  
 IMPROVEMENTS THEREON:  
 Residential Dwelling JUDGMENT AMOUNT: \$331,105.63  
 ATTORNEYS FOR PLAINTIFF: Martha E. Von Rosenstiel, P.C.

**No. 17-SU-303**  
**MIDFIRST BANK**  
**vs.**

**STEVEN L. DORN, TINA M. DORN**  
 PROPERTY ADDRESS: 18 APPLER COURT, LITTLESTOWN, PA 17340  
 By Virtue of a Writ of Execution No.

17-SU-303

MIDFIRST BANK

**vs.**

STEVEN L. DORN and TINA M. DORN,  
 Address owner(s) of property situate in the Borough of Littlestown, Adams County, Pennsylvania, being 18 APPLER COURT  
 LITTLESTOWN, PA 17340  
 PARCEL NO: 27004-0106-000  
 Improvements thereon: RESIDENTIAL DWELLING Judgment Amount:  
 \$80,655.89  
 Attorneys for Plaintiff  
 Leon P. Haller Attorney for Plaintiff PA I.D. #15700

**No. 17-SU-470**  
**PNC BANK, NATIONAL ASSOCIATION**  
**vs.**

**BARRY A. FISSEL**  
 PROPERTY ADDRESS: 41 PRINCE STREET, LITTLESTOWN, PA 17340  
 By Virtue of Writ of Execution No.  
 17-SU-470

PNC Bank, National Association

**vs.**

Barry Fissel  
 41 Prince Street Littlestown, PA 17340  
 Borough of Littlestown Book 471 Page 961  
 Parcel #27008-0121-000  
 Judgement \$126,425.12  
 Improvements thereon: Residential Dwelling Attorneys for Plaintiff:  
 Tucker Arnsberg, P.C.  
 1500 One PPG Place Pittsburgh, PA 15222  
 (412) 566-1212

**No. 16-SU-985**  
**ROUNDPOINT MORTGAGE SERVICING CORPORATION**  
**vs.**

**SHELBY L. FOGUS,**  
 IN HER CAPACITY AS  
 CO-ADMINISTRATRIX AND HEIR OF  
 THE ESTATE OF EUGENE L. FOGUS,  
 JR a/k/a EUGENE LESLIE FOGUS, JR,  
 COURTNEE P. FOGUS, IN HER  
 CAPACITY AS CO-ADMINISTRATRIX  
 AND HEIR OF THE ESTATE OF  
 EUGENE L. FOGUS, JR., a/k/a  
 EUGENE LESLIE FOGUS, JR., JASON  
 T. FOGUS, IN HIS CAPACITY AS HEIR  
 OF THE ESTATE OF EUGEN L.  
 FOGUS, JR., a/k/a EUGENE LESLIE  
 FOGUS, JR., CAMERON FOGUS, IN  
 HIS CAPACITY AS HEIR OF THE  
 ESTATE OF EUGENE L. FOGUS, JR.,  
 a/k/a EUGENE LESLIE FOGUS, JR.,  
 UNKNOWN HEIRS, SUCCESSORS,  
 ASSIGNS, AND ALL PERSONS,  
 FIRMS, OR ASSOCIATIONS CLAIMING

RIGHT, TITLE OR INTEREST FROM OR  
 UNDER EUGENE L. FOGUS, JR., a/k/a  
 EUGENE LESLIE FOGUS, JR.,  
 DECEASED, MICHAEL FOGUS, IN HIS  
 CAPACITY AS HEIR OF EUGENE L.  
 FOGUS JR., a/k/a EUGENE LESLIE  
 FOGUS, JR.

PROPERTY ADDRESS: 42 JESSICA  
 DRIVE, GETTYSBURG, PA 17325  
 By Virtue of a Writ of Execution No.  
 16-SU-985

Round point Mortgage Servicing  
 Corporation

**vs.**

Shelby L. Fogus, in Her Capacity as  
 Co-Administratrix and Heir of The  
 Estate of Eugene  
 L. Fogus, Jr., a/k/a Eugene Leslie  
 Fogus, Jr.  
 Courtnee P. Fogus, in Her Capacity as  
 Co-Administratrix and Heir of The  
 Estate of Eugene L. Fogus, Jr., a/k/a  
 Eugene Leslie Fogus, Jr.  
 Jason T. Fogus, in His Capacity as Heir  
 of The Estate of Eugene L. Fogus, Jr.,  
 a/k/a Eugene Leslie Fogus, Jr.,  
 Cameron Fogus, in His Capacity as Heir  
 of The Estate of Eugene L. Fogus, Jr.,  
 a/k/a Eugene Leslie Fogus, Jr., Michael  
 Fogus, in His Capacity as Heir of  
 Eugene L. Fogus, Jr., a/k/a Eugene  
 Leslie Fogus, Jr., Deceased  
 Unknown Heirs, Successors, Assigns,  
 and All Persons, Firms, or Associations  
 Claiming Right, Title or Interest From or  
 Under Eugene L. Fogus, Jr., a/k/a  
 Eugene Leslie Fogus,  
 Jr., Deceased  
 owner(s) of property situate in the  
 BONNEAUVILLE BOROUGH, ADAMS  
 County, Pennsylvania, being 42  
 Jessica Drive,  
 Gettysburg, PA 17325-7984  
 Parcel No.: 06005-0140  
 Improvements thereon: RESIDENTIAL  
 DWELLING Judgment Amount:  
 \$134,278.83  
 Attorneys for Plaintiff  
 Phelan Hallinan Diamond & Jones, LLP

NOTICE directed to all parties in interest  
 and claimants that a schedule of distribu-  
 tion will be filed by the Sheriff no later than  
 30 days after the date of sale and that  
 distribution will be made in accordance  
 with that schedule unless exceptions are  
 filed thereto within ten days thereafter.

Purchaser must settle for property on or  
 before filing date. ALL claims to property  
 must be filed with Sheriff before sale date.

AS SOON AS THE PROPERTY IS  
 DECLARED SOLD TO THE HIGHEST  
 BIDDER 20% OF THE PURCHASE PRICE  
 OR ALL OF THE COST, WHICHEVER  
 MAY BE THE HIGHER, SHALL BE PAID  
 FORTHWITH TO THE SHERIFF.

James W. Muller  
 Sheriff of Adams County

www.adamscounty.us

12/22, 12/29 & 1/5

## SHERIFF SALES

IN PURSUANCE of writs of execution issuing out of the Court of Common Pleas of Adams County, Pennsylvania, and to me directed, will be exposed to Public Sale on Friday January 19, 2018 at 10:00 AM in the 4th floor Jury Assembly room in the Adams County Court House, 117 Baltimore Street, Gettysburg, PA 17325

**No. 17-SU-573****ACNB BANK****vs.****GARRETSON TILE COMPANY, U.S.****ATTORNEY**

PROPERTY ADDRESS: 1540

CHAMBERSBURG RD, GETTYSBURG, PA 17325

By Virtue of Writ of Execution No. 2017-SU-573

ACNB BANK

**vs.**

Garretson Tile Company and The United States Of America

1540 Chambersburg Road Gettysburg, PA 17325

Cumberland Township

Parcel Id Number: 09-E12-0034-000

Improvements Thereon: Commercial Property Judgment Amount: \$519,622.51

Attorneys for Plaintiff Sharon E. Myers, Esquire CGALaw Firm

135 North George Street York, PA 17401

717-848-4900

**No. 16-SU-1018****U.S. BANK NATIONAL ASSOCIATION****vs.****STEPHANIE N. GILBERT, JEFFREY****M. BAUM**

PROPERTY ADDRESS: 45 LONGVIEW DRIVE, GETTYSBURG, PA 17325

By Virtue of Writ of Execution No.

16-SU-1018

U.S. BANK NATIONAL ASSOCIATION

**vs.**

Stephanie N. Gilbert, Jeffrey M. Baum 45 Longview Drive,

Gettysburg, PA 17325 Township of Cumberland

Parcel number 09F11-0002A-000

Improvements thereon of Residential Dwelling Judgment amount

\$291,391.48

MANLEY DEAS KOCHALSKI LLC P. O.

Box 165028

Columbus, OH 43216-5028

614-220-5611

**No. 17-SU-681****BAYVIEW LOAN SERVICING, LLC vs.****C. ANN HARTMAN, G. LAWRENCE HARTMAN, JR.**

PROPERTY ADDRESS: 25 Cannon Lane, Gettysburg, PA 17325

By Virtue of Writ of Execution No.

2017-SU-681

BAYVIEW LOAN SERVICING, LLC vs.

C. ANN HARTMAN

25 Cannon Lane, Gettysburg, PA 17325

Mount Pleasant Township, Adams County, Pennsylvania.

Parcel: 32-011-0035-000

Improvements thereon of the Residential Dwelling Judgement:

\$75,507.60

Attorney for Plaintiff:

MATTLEMAN, WEINROTH &amp; MILLER, P.C. By: ROBERTW. WILLIAMS, ID No. 31550

401 Route 70 East, Suite 100 Cheny Hill, NJ 08034

(856) 429-5507

**No. 17-SU-778****U.S. BANK NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY,****BUT SOLELY AS LEGAL TITLE TRUSTEE FOR BCAT 2016-1STT****vs.****CHARLOTTE M HESS, TODD H HESS**

PROPERTY ADDRESS: 40 FEESER ROAD, LITTLESTOWN, PA 17340

By Virtue of Writ of Execution No.

17-SU-778

U.S. Bank National Association, not in its individual capacity, but solely as legal title trustee for BCAT 2016-18TT

**vs.**

Charlotte M. Hess and Todd H. Hess

40 Feeser Road, Littlestown, PA 17340

Situate in the Germany Township, Adams County Pennsylvania, Parcel

No. 15116-0057D-000

Improvements thereon consist of

Residential Real Estate. Judgment

amount: \$203,310.07

Stern &amp; Eisenberg, PC Attorneys for Plaintiff

1581 Main Street, Suite 200 The Shops at Valley Square Warrington, PA 18976

**No. 17-SU-459****WILMINGTON SAVINGS FUND, FSB, D/B/A CHRISTIANA TRUST, NOT****INDIVIDUALLY BUT AS TRUSTEE FOR CARLSBAD FUNDING****MORTGAGE TRUST****vs.****DEANNA C. JOHNSON**

PROPERTY ADDRESS: 250 FEESER ROAD, LITTLESTOWN, PA 17340

By Virtue of Writ of Execution No.

17-SU-459

Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust, not individually but as trustee for Carlsbad Funding Mortgage Trust

**vs.**

Deanna C. Johnson

250 Feeser Road,

Littlestown, PA 17340 Mount Joy Township

Parcel I.D. No. 15116-0013D-00

Improvements thereon consist of a Detached Single Family Residential Dwelling

Judgement: \$255,094.77

Attorney for Plaintiff: Stephen M.

Hladik, Esquire Hladik, Onorato &amp;

Federman, LLP 298 Wissahickon

Avenue North Wales, PA 19454

**No. 17-SU-786****WELLS FARGO BANK, N.A.****vs.****JEFFREY LEE JONES**

PROPERTY ADDRESS: 91 PEACH

GLEN IDAVILLE ROAD, GARDNERS, PA 17324

By Virtue of a Writ of Execution No.

17-SU-786

Wells Fargo Bank, NA

**vs.**

Jeffrey Lee Jones

owner(s) of property situate in the

HUNTINGTON TOWNSHIP, ADAMS

County, Pennsylvania, being 91 Peach

Glen Idaville Road,

Gardners, PA 17324-9666 Parcel No.

22G03-0062-000

Improvements thereon: RESIDENTIAL

DWELLING Judgment Amount:

\$177,329.77

Attorneys for Plaintiff

Phelan Hallinan Diamond &amp; Jones, LLP

NOTICE directed to all parties in interest and claimants that a schedule of distribution will be filed by the Sheriff no later than 30 days after the date of sale and that distribution will be made in accordance with that schedule unless exceptions are filed thereto within ten days thereafter.

Purchaser must settle for property on or before filing date. ALL claims to property must be filed with Sheriff before sale date.

AS SOON AS THE PROPERTY IS DECLARED SOLD TO THE HIGHEST BIDDER 20% OF THE PURCHASE PRICE OR ALL OF THE COST, WHICHEVER MAY BE THE HIGHER, SHALL BE PAID FORTHWITH TO THE SHERIFF.

James W. Muller

Sheriff of Adams County

www.adamscounty.us

12/22, 12/29 &amp; 1/5



## SHERIFF SALES

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**No. 17-SU-618**  
**DITECH FINANCIAL LLC F/K/A**  
**GREEN TREE SERVICING LLC**

vs.

**RONALD G LAMB, SHIRLEY LAMB,**  
**UNITED STATES OF AMERICA**

PROPERTY ADDRESS: 650  
 BASEHOAR-ROTH ROAD,  
 LITTLESTOWN, PA 17340

By Virtue of Writ of Execution No.

17-SU-618

Ditech Financial LLC

vs.

Ronald G. Lamb, Shirley Lamb,  
 United States of America for the Middle  
 District

Township of Mount Joy, Adams County,  
 Pennsylvania, and being known as 650  
 Basehoar-Roth Road,

Littlestown, Pennsylvania 17340.

PARCEL NUMBER: 30G17-0051-000

THE IMPROVEMENTS THEREON ARE:

Residential Dwelling REAL DEBT:

\$317,892.77

Attorney for Plaintiff:

McCabe, Weisberg and Conway, P.C.

123 South Broad Street, Suite 1400

Philadelphia, PA 19109

**No. 14-SU-748**

**PNC BANK, NATIONAL ASSOCIATION**

vs.

**ELIAS N. LANGAS, JULIE A. LANGAS**

PROPERTY ADDRESS: 971

MCGLAUGHLIN ROAD, FAIRFIELD, PA

17320

By Virtue of Writ of Execution No.

14-SU-748

PNC BANK, NATIONALASSOCIATION

vs.

ELIAS N LANGAS, JULIE A. LANGAS

a/k/a JULIE RITTER

ALL THAT CERTAIN LOT OF LAND

SITUATE IN LIBERTY TOWNSHIP

ADAMS COUNTY PENNSYLVANIA

BEING KNOWN AS 971

MCGLAUGHLIN ROAD, FAIRFIELD, PA

17320

PARCEL NUMBER 25-d15-0033

IMPROVEMENTS: RESIDENTIAL

PROPERTY JUDGEMENT \$94,243.24

UDREN LAW OFFICES PC

WOOD CREST CORPORATE CENTER

111 WOODCREST ROAD, SUIT 200

CHERRY HILL, NJ 08003-3620

856-699-5400

**No. 17-SU-896**

**U.S. BANK NATIONAL ASSOCIATION,**  
**AS TRUSTEE FOR RESIDENTIAL**  
**ASSET MORTGAGE PRODUCTS,**  
**INC., MORTGAGE ASSET-BACKED**  
**PASS-THROUGH CERTIFICATES,**  
**SERIES 2005-EFC3**

vs.

**DARRELL J. LITTLE, SR., ELIZABETH**  
**A. LITTLE**

PROPERTY ADDRESS: 44 LOCUST

DRIVE, LITTLESTOWN, PA 17340

By Virtue of a Writ of Execution No.

17-SU-896

U.S. Bank National Association, as

Trustee for Residential Asset Mortgage

Products, Inc., Mortgage Asset-Backed

Pass-Through Certificates, Series 2005-

Efc3

vs.

Darrell J. Little a/k/a Darrell J. Little, Sr

Elizabeth A. Little

owner(s) of property situate in the

GERMANY TOWNSHIP, ADAMS

County, Pennsylvania, being 44 Locust

Drive, Littlestown, PA 17340-9710

Parcel No.15117-0020A-000

Improvements thereon: RESIDENTIAL

DWELLING Judgment Amount

\$106,822.69

Attorneys for Plaintiff

Phelan Hallinan Diamond & Jones, LLP

**No. 15-SU-1171**

**BANK OF AMERICA, N.A.**

vs.

**VIVIAN LUCKENBAUGH a/k/a VIVIAN**

**M. LUCKENBAUGH, INDIVIDUALLY**

**AND AS KNOWN HEIR OF ALBERT**

**LUCKENBAUGH a/k/a ALBERT L.**

**LUCKENBAUGH, SR., DEBRA C.**

**EYER-SCOTT, KNOWN HEIR OF**

**ALBERT LUCKENBAUGH a/k/a**

**ALBERT L. LUCKENBAUGH, SR.,**

**ALBERT L. LUCKENBAUGH, JR.,**

**KNOWN HEIR OF ALBERT**

**LUCKENBAUGH a/k/a ALBERT**

**LUCKENBAUGH, SR., UNKNOWN**

**HEIRS, SUCCESSORS, ASSIGNS**

**AND ALL PERSONS, FIRMS OR**

**ASSOCIATIONS CLAIMING RIGHT,**

**TITLE, OR INTEREST FROM OR**

**UNDER ALBERT LUCKENBAUGH**

**a/k/a ALBERT L. LUCKENBAUGH,**

**SR., CAITLIN V.C. EYER, KNOWN**

**HEIR OF DEBRA C. EYER-SCOTT,**

**KNOW HEIR OF ALBERT**

**LUCKENBAUGH a/k/a ALBERT L.**

**LUCKENBAUGH, SR., UNKNOWN**

**HEIRS, SUCCESSORS, ASSIGNS**

**AND ALL PERSONS, FIRMS OR**

**ASSOCIATIONS CLAIMING RIGHT,**

**TITLE, OR INTEREST FROM OR**

**UNDER DEBRA C. EYER-SCOTT,**

**KNOWN HEIR OF ALBERT**

**LUCKENBAUGH a/k/a ALBERT L.**

**LUCKENBAUGH, SR., VIVIAN M.**

**LUCKENBAUGH, ALBERT L.**

**LUCKENBAUGH, SR.**

PROPERTY ADDRESS: 474 HERSHEY  
 HEIGHTS ROAD, HANOVER, PA 17331  
 By Virtue of Writ of Execution No.

15-SU-1171

Bank of America, N.A

vs.

Albert Luckenbaugh, Jr., known heir of

Albert Luckenbaugh a/k/a Albert L.

Luckenbaugh, Sr.

Caitlyn V.C. Eyer, known heir of Debra

C. Eyer-Mortgage Scott, known heir of

Albert Luckenbaugh a/k/a Albert L.

Luckenbaugh, Sr. unknown heirs,

successors, assigns and all persons,

firms or associations claiming right, title

or interest from or under Albert

Luckenbaugh a/k/a Albert L.

Luckenbaugh, Sr. unknown heirs,

successors, assigns and all persons,

firms or associations claiming right, title

or interest from or under Debra C. Eyer-

Scott, known heir of Albert

Luckenbaugh a/k/a Albert L.

Luckenbaugh, Sr. Vivian Luckenbaugh

a/k/a Vivian M. Luckenbaugh,

individually and as known heir of Albert

Luckenbaugh a/k/a Albert L.

Luckenbaugh

474 Hershey Heights Road, Hanover,

PA 17331

BERWICK TOWNSHIP, ADAMS

COUNTY, PENNSYLVANIA

Parcel: 4-42-94

Improvements thereon of the

Residential property

Judgment: \$266,838.15

Attorney for Plaintiff:

UDREN LAW OFFICES, P.C.

WOODCREST CORPORATE CENTER 1

11 WOODCREST ROAD, SUITE 200

CHERRY HILL, NJ 08003-3620

856-669-5400

pleadings@udren.com

NOTICE directed to all parties in interest and claimants that a schedule of distribution will be filed by the Sheriff no later than 30 days after the date of sale and that distribution will be made in accordance with that schedule unless exceptions are filed thereto within ten days thereafter.

Purchaser must settle for property on or before filing date. ALL claims to property must be filed with Sheriff before sale date.

AS SOON AS THE PROPERTY IS DECLARED SOLD TO THE HIGHEST BIDDER 20% OF THE PURCHASE PRICE OR ALL OF THE COST, WHICHEVER MAY BE THE HIGHER, SHALL BE PAID FORTHWITH TO THE SHERIFF.

James W. Muller

Sheriff of Adams County

www.adamscounty.us

12/22, 12/29 & 1/5

## SHERIFF SALES

IN PURSUANCE of writs of execution issuing out of the Court of Common Pleas of Adams County, Pennsylvania, and to me directed, will be exposed to Public Sale on Friday January 19, 2018 at 10:00 AM in the 4th floor Jury Assembly room in the Adams County Court House, 117 Baltimore Street, Gettysburg, PA 17325

**No. 17-SU-206**  
**SPECIALIZED LOAN SERVICING, LLC**  
 vs.

**VIVIAN S. MENSCH-CHAVEZ,**  
**JEFFREY L. CHAVEZ**  
 PROPERTY ADDRESS: 111 LAURA  
 LANE, GETTYSBURG, PA 17325  
 By Virtue of a Writ of Execution No.  
 17-SU-206  
 Specialized Loan Servicing, LLC  
 vs.

Vivian S. Mensch-Chavez, Jeffrey L.  
 Chavez  
 Owner of property situate in the  
 CUMBERLAND TOWNSHIP, ADAMS  
 County, Pennsylvania, being 111 Laura  
 Lane,  
 Gettysburg, PA 17325-8588  
 Parcel No. 09FII-0352-000  
 Improvements thereon: RESIDENTIAL  
 DWELLING  
 Judgment Amount: \$338,585.14  
 Attorneys for Plaintiff  
 Phelan Hallinan Diamond & Jones, LLP

**No. 16-SU-911**  
**ACNB BANK, FORMERLY KNOWN AS**  
**ADAMS COUNTY NATIONAL BANK**  
 vs.

**JOSEPH DANIEL MILLER, DORRIS**  
**PAULINE MILLER**  
 PROPERTY ADDRESS: 1865  
 HILLTOWN ROAD, BIGLERVILLE, PA  
 17307  
 By Virtue of Writ of Execution No.  
 2016-SU-911

ACNB Bank, formerly known as Adams  
 County National Bank  
 vs.

Joseph D. Miller, Dorris P. Miller  
 1865 Hilltown Road,  
 Biglerville, PA 17307 Franklin Township  
 Parcel No.: 12-CIO-0010A  
 Improvements Thereon: Residential  
 Dwelling  
 Judgment Amount: \$25,336.44  
 Attorneys for Plaintiff: Puhl, Eastman &  
 Thrasher 220 Baltimore Street  
 Gettysburg, PA 17325

**No. 16-SU-1053**  
**WILMINGTON SAVINGS FUND**  
**SOCIETY, FSB, D/B/A CHRISTIANA**  
**TRUST**  
 vs.

**CHARLES E. NICHOLSON**  
 PROPERTY ADDRESS: 33 RED BIRD  
 LANE, GETTYSBURG, PA 17325  
 By Virtue of the Writ of Execution No.

16-SU-1053  
 Wilmington Savings Fund Society, FSB,  
 d/b/a Christiana Trust, not individually  
 but as trustee for Pretium Mortgage  
 Acquisition Trust

vs.  
 Charles E. Nicholson  
 Being known and number as  
 33 Red Bird Lane Gettysburg, PA 17325  
 in the Borough of Bonneauville, County  
 of Adams, Commonwealth of  
 Pennsylvania Parcel No. 06002-0016-  
 000  
 Improvements: Residential Dwelling  
 Judgment Amount: \$118,921.53  
 Richard M. Squire & Associates, LLC  
 Bradley J. Osborne, Esquire 115 West  
 Avenue, Suite 104,  
 Jenkintown, PA 19046  
 Phone: 215-886-8790

**No. 17-SU-491**  
**WELLS FARGO BANK, NA**  
 vs.

**TALISHA N. POWELL**  
 PROPERTY ADDRESS: 35 JAMES  
 AVENUE, LITTLESTOWN, PA 17340  
 By Virtue of a Writ of Execution  
 No.17-S-491  
 Wells Fargo Bank, NA  
 vs.

Talisha N. Powell  
 owner(s) of property situate in the  
 LITTLESTOWN BOROUGH, ADAMS  
 County, Pennsylvania, being 35 James  
 Avenue,  
 Littlestown, PA 17340-1107  
 Parcel No. 27008-0051-000  
 Improvements thereon: RESIDENTIAL  
 DWELLING Judgment Amount:  
 \$72,465.67  
 Attorneys for Plaintiff  
 Phelan Hallinan Diamond & Jones, LLP

**No. 14-SU-980**  
**US BANK NATIONAL ASSOCIATION**  
 vs.

**TRAVIS R. REED, KANDACE J.**  
**KREIGLINE**  
 PROPERTY ADDRESS: 3246 OLD HWY  
 30 HWY, ORRTANNA, PA 17353  
 By Virtue of Writ of Execution No. 14-S-  
 980

US BANK NATIONAL ASSOCIATION AS  
 TRUSTEE FOR CRMSI REMIC SERIES  
 2006-01  
 -REMIC PASS-THROUGH  
 CERTIFICATES SERIES 2006-01,  
 vs.

Travis R. Reed Kandace J. Kreigline  
 a/k/a Kandace J. Reed  
 3246 Old Hwy 30  
 aka 3246 Old Route 30  
 Orttanna, PA 17353 Franklin Township  
 Parcel No.: 12-809-0135  
 Improvements thereon: Residential  
 Dwelling Judgment amount:  
 \$246,221.99

Attorney for Plaintiff  
 Milstead & Associates,  
 LLC By: Roger Fay, Esquire ID No.  
 315987

1 E. Stow Road Marilton, NJ 08053  
 (856) 482-1400

**No. 17-SU-576**  
**WELLS FARGO BANK, N.A., S/B/M**  
**TO WELLS FARGO HOME**  
**MORTGAGE, INC., F/KI**  
 vs.

**CASSONDRA LYNN SELBY a/k/a**  
**CASSONDRA SELBY, IN HER**  
**CAPACITY AS EXECUTRIX AND**  
**DEVEISEE OF THE ESTATE OF**  
**KENNETH B. SELBY a/k/a KENNETH**  
**SELBY**  
 PROPERTY ADDRESS: 1179  
 HANOVER ROAD, GETTYSBURG, PA  
 17325

By Virtue of a Writ of Execution No.  
 17-SU-576

Wells Fargo Bank, N.A., s/b/m to Wells  
 Fargo Home Mortgage, Inc.

vs.  
 Cassondra Lynn Selby a/k/a Cassondra  
 Selby, in Her Capacity as Executrix and  
 Devisee of The Estate of Kenneth B.  
 Selby a/k/a Kenneth Selby  
 owner(s) of property situate in the  
 Straban Township, Adams County,  
 Pennsylvania, being 1179 Hanover  
 Road,  
 Gettysburg, PA 17325-7702 Parcel No.  
 38-G13-0060  
 Improvements thereon: RESIDENTIAL  
 DWELLING Judgment Amount:  
 \$136,045.84  
 Attorneys for Plaintiff  
 Phelan Hallinan Diamond & Jones, LLP

NOTICE directed to all parties in interest  
 and claimants that a schedule of distribu-  
 tion will be filed by the Sheriff no later than  
 30 days after the date of sale and that  
 distribution will be made in accordance  
 with that schedule unless exceptions are  
 filed thereto within ten days thereafter.

Purchaser must settle for property on or  
 before filing date. ALL claims to property  
 must be filed with Sheriff before sale date.

AS SOON AS THE PROPERTY IS  
 DECLARED SOLD TO THE HIGHEST  
 BIDDER 20% OF THE PURCHASE PRICE  
 OR ALL OF THE COST, WHICHEVER  
 MAY BE THE HIGHER, SHALL BE PAID  
 FORTHWITH TO THE SHERIFF.

James W. Muller  
 Sheriff of Adams County  
 www.adamscounty.us

12/22, 12/29 & 1/5

## ESTATE NOTICES

**NOTICE IS HEREBY GIVEN** that in the estates of the decedents set forth below, the Register of Wills has granted letters, testamentary of or administration to the persons named. All persons having claims or demands against said estates are requested to make known the same, and all persons indebted to said estates are requested to make payment without delay to the executors or administrators or their attorneys named below.

## FIRST PUBLICATION

## ESTATE OF MICHAEL RYAN BOBLITZ, DEC'D

Late of the Borough of Gettysburg, Adams County, Pennsylvania

Administratrix: Darla Rae Boblitz, 122 Janet Street, Hanover, PA 17331

## ESTATE OF PAULINE G. ENSOR, DEC'D

Late of Conewago Township, Adams County, Pennsylvania

Executrix: Darlene L. Kime, c/o Stonesifer and Kelley a division of Barley Snyder, 14 Center Square, Hanover, Pennsylvania 17331

Attorney: Stonesifer and Kelley a division of Barley Snyder, 14 Center Square, Hanover, Pennsylvania 17331

## ESTATE OF KATHLEEN J. SPANGLER, DEC'D

Late of the Borough of East Berlin, Adams County, Pennsylvania

Executor: Kathy S. King, c/o Sharon E. Myers, Esq., CGA Law Firm, PC, P.O. BOX 606, East Berlin, PA 17316

Attorney: Sharon E. Myers, Esq., CGA Law Firm, PC, P.O. BOX 606, East Berlin, PA 17316

## ESTATE OF JAMES K. STOCK, DEC'D

Late of the Borough of New Oxford, Adams County, Pennsylvania

Co-Executors: Alan James Stock, 245 Orchard Drive, Hanover, PA 17331; Louise S. Gebhart, 1615 Detwiler Drive, York, PA 17404

Attorney: Teeter, Teeter & Teeter, 108 West Middle Street, Gettysburg, PA 17325

## SECOND PUBLICATION

## ESTATE OF RUTH E. CRIST, DEC'D

Late of Straban Township, Adams County, Pennsylvania

Co-Executors: Kay F. Price, 363 Lake Meade Drive, East Berlin, PA 17316; Beth E. Becker, 5 Westerly Drive, Littlestown, PA 17340; Ross A. Crist, 17 Pleasanton Drive, East Berlin, PA 17316

Attorney: Teeter, Teeter & Teeter, 108 West Middle Street, Gettysburg, PA 17325

## ESTATE OF LINDA C. EYLER, DEC'D

Late of Oxford Township, Adams County, Pennsylvania

Robert W. Eyer, 1 Sunset Avenue, New Oxford, PA 17350

Attorney: David K. James, III, Esq., 234 Baltimore St., Gettysburg, PA 17325

## ESTATE OF DELBERT H. MOCK, DEC'D

Late of Menallen Township, Adams County, Pennsylvania

Executrix: Maria J. Nimmon, 2575 Coon Road, Aspers, PA 17304

Attorney: John C. Zepp, III, Esq., P.O. Box 204, 8438 Carlisle Pike, York Springs, PA 17372

## ESTATE OF ROBERT B. MYERS, DEC'D

Late of the Borough of East Berlin, Adams County, Pennsylvania

Executrix: Debra K. Jeffries, c/o Sharon E. Myers, Esq., CGA Law Firm, PC, PO BOX 606, East Berlin, PA 17316

Attorney: Sharon E. Myers, Esq., CGA Law Firm, PC, PO BOX 606, East Berlin, PA 17316

## ESTATE OF WILLIAM G. SENTZ, DEC'D

Late of Cumberland Township, Adams County, Pennsylvania

Administrators: Donna G. Bixler, 2774 Fairfield Road, Gettysburg, PA 17325; Matthew W. Sentz, 750 Rock Creek Ford Road, Gettysburg, PA 17325

Attorney: Puhl, Eastman & Thrasher, 220 Baltimore Street, Gettysburg, PA 17325

## THIRD PUBLICATION

## ESTATE OF LYNN ELLEN GRAY, DEC'D

Late of Straban Township, Adams County, Pennsylvania

Personal Representative: Richard L. Gray, 215 Montclair Rd., Gettysburg, PA 17325

Attorney: G. Steven McNolly, Esq., 119 Baltimore Street, Hanover, PA 17331

## ESTATE OF BRIAN MICHAEL LEONARD, DEC'D

Late of the Borough of McSherrystown, Adams County, Pennsylvania

Administratrix: Diane M. Leonard, 660 Crickat Lane, McSherrystown, PA 17344

Attorney: Amy E.W. Ehrhart, Esq., 118 Carlisle St., Suite 202, Hanover, PA 17331

## ESTATE OF JANET S. MICKLEY a/k/a JANET MAE MICKLEY, DEC'D

Late of Franklin Township, Adams County, Pennsylvania

Executor: Wayne E. Mickley, 15 Jack Road, Orttanna, PA 17353

Attorney: Bernard A. Yannetti, Jr., Esq., Hartman & Yannetti, 126 Baltimore Street, Gettysburg, PA 17325

## ESTATE OF LILLIAN C. MILLER, DEC'D

Late of Oxford Township, Adams County, Pennsylvania

Co-Executors: Robert F. Miller and Lee A. Miller, c/o Sharon E. Myers, Esq., CGA Law Firm, PC, P.O. BOX 606, East Berlin, PA 17316

Attorney: Sharon E. Myers, Esq., CGA Law Firm, PC, P.O. BOX 606, East Berlin, PA 17316

## ESTATE OF ANNA E. MYERS, DEC'D

Late of Mt. Pleasant Township, Adams County, Pennsylvania

Micheal Myers and Joanne Miller, 41 Maple Street, Gettysburg, PA 17325

Attorney: Amy S. Loper, Esq., O'Donnell & Barr Law Group, LLP, 11 Carlisle Street, Suite 301, Hanover, PA 17331

## ESTATE OF CHARLES W. ROGERS, DEC'D

Late of Mt. Joy Township, Adams County, Pennsylvania

Executrix: Patricia A. Rogers, P.O. Box 776, Funkstown, MD 21734

Attorney: Puhl, Eastman & Thrasher, 220 Baltimore Street, Gettysburg, PA 17325

## SHERIFF SALES

IN PURSUANCE of writs of execution issuing out of the Court of Common Pleas of Adams County, Pennsylvania, and to me directed, will be exposed to Public Sale on Friday January 19, 2018 at 10:00 AM in the 4th floor Jury Assembly room in the Adams County Court House, 117 Baltimore Street, Gettysburg, PA 17325

**No. 17-SU-203**  
**WELLS FARGO FINANCIAL**  
**PENNSYLVANIA, INC.**

vs.

**LOUISE K. SLOTHOUR**  
 PROPERTY ADDRESS: 25 AUTUMN DRIVE, GETTYSBURG, PA 17325  
 By Virtue of a Writ of Execution No. 17-SU-203

Wells Fargo USA Holdings, Inc.  
 Successor by Merger to Wells Fargo Financial Pennsylvania, Inc

vs.

Louise K. Slothour  
 owner(s) of property situate in the Bonneauville Borough, Adams County, Pennsylvania, being 25 Autumn Drive, Gettysburg, PA 17325-7748  
 Parcel No. 06005-0095-000  
 Improvements thereon: RESIDENTIAL DWELLING Judgment Amount: \$110,558.75  
 Attorneys for Plaintiff  
 Phelan Hallinan Diamond & Jones, LLP

**No. 17-SU-281**  
**BAYVIEW LOAN SERVICING, LLC**

vs.

**THE UNKNOWN HEIRS OF FRANK P. BLOSENSKI a/k/a FRANK P. BLOSENSKI, JR DECEASED, CHRISTOPHER BLOSENSKI, SOLEY IN HIS CAPACITY AS HEIR OF FRANK P. BLOSENSKI a/k/a FRANK P. BLOSENSKI, JR., DECEASED**  
 PROPERTY ADDRESS: 96 ROCKY ROAD, BIGLERVILLE, PA 17307  
 By Virtue of Writ of Execution No. 17-SU-281

BAYVIEW LOAN SERVICING, LLC

vs.

CHRISTOPHER BLOSENSKI Soley in His Capacity as Heir of Frank P. Blozenski a/k/a Frank P. Blozenski, Jr., Deceased & The Unknown Heirs of Frank P. Blozenski a/k/a Frank P. Blozenski, Jr., Deceased  
 96 Rocky Road  
 Biglerville, PA 17307 Menallen - Township  
 Parcel No: 29C06-0040L-000 (Acreage or street address)  
 IMPROVEMENTS THEREON:  
 RESIDENTIAL DWELLING JUDGMENT AMOUNT: \$53,667.43  
 Attorneys for Plaintiff KML Law Group, P.C.

**No. 17-SU-818**  
**ACNB BANK**

vs.

**TODD A. THOMAS, CHRISTINE P. THOMAS**  
 PROPERTY ADDRESS: 104 DOUBLEDAY AVENUE, GETTYSBURG, PA 17325  
 By Virtue of Writ of Execution No. 2017-SU-818  
 ACNB BANK

vs.

TODD A. THOMAS & CHRISTINE P. THOMAS  
 104 DOUBLEDAY AVENUE  
 GETTYSBURG, PA 17325  
 CUMBERLAND TOWNSHIP  
 Parcel ID Number: 09-F12-0169-000  
 IMPROVEMENTS THEREON:  
 Commercial Property - Inn JUDGMENT AMOUNT: \$878,966.78  
 Attorneys for Plaintiff Sharon E. Myers, Esquire CGA Law Firm  
 135 North George Street York, PA 17401  
 717-848-4900

**No. 17-SU-502**  
**NATIONSTAR MORTGAGE LLC**

vs.

**CAROLYN M. WATSON, CHRISTOPHER J. WATSON**  
 PROPERTY ADDRESS: 324 GETTYSBURG ROAD, LITTLESTOWN, PA 17340  
 By Virtue of Writ of Execution No. 17-SU-502  
 NATIONSTAR MORTGAGE, LLC  
 vs.  
 Carolyn M. Watson, Christopher J. Watson  
 324 Gettysburg Road, a/k/a, 324 Gettysburg Road 16,  
 Littlestown, PA 17340 Township of Germany  
 Parcel number: 15117-0248-000  
 Improvements thereon of Residential Dwelling Judgment amount \$286,980.01  
 MANLEY DEAS KOCHALSKI LLC  
 P.O. Box 165028 Columbus, OH 43216-5028 614-220-5611

NOTICE directed to all parties in interest and claimants that a schedule of distribution will be filed by the Sheriff no later than 30 days after the date of sale and that distribution will be made in accordance with that schedule unless exceptions are filed thereto within ten days thereafter.

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12/22, 12/29 & 1/5