

LACKAWANNA JURIST

JUDICIAL OPINION

CASE NAME AND NUMBER: Com. v. Evans, 2021 WL 4352787 (Lacka. Co. 2021)

DATE OF DECISION: September 23, 2021

JUDGE: Terrence R. Nealon

ATTORNEYS INVOLVED:

Mark J. Powell, Esquire, Lackawanna County District Attorney

Brian J. Gallagher, Esquire, Lackawanna County Assistant District Attorney

Paul P. Ackourey, Esquire, Counsel for Defendant, Thomas R. Evans

SUMMARY OF OPINION:

Defendant, who was charged with first-degree murder, third-degree murder, unlawful possession of a firearm due to prior felony convictions, possession of a firearm without a license, and tampering with physical evidence, filed a motion for a writ of *habeas corpus* challenging the sufficiency of the evidence introduced during his preliminary hearing. Defendant contended that the Commonwealth attempted to establish a *prima facie* case as to the offenses charged by relying entirely upon hearsay evidence in contravention of appellate precedent.

At a preliminary hearing, the Commonwealth need only establish a *prima facie* case that the crimes in question have been committed and that the accused is probably the perpetrator, and in making that determination, the evidence must be viewed in the light most favorable to the prosecution with effect being given to all inferences reasonably drawn from the evidence. Although the Commonwealth may not satisfy its burden in that regard based upon hearsay evidence alone, some degree of hearsay evidence may be considered under Pa.R.Crim.P. 542(E). The preliminary hearing record reflected that the Commonwealth did not rely exclusively on hearsay evidence in establishing a *prima facie* case for the charges filed against defendant. Based upon the non-hearsay testimony, the physical and documentary proof, and the limited hearsay evidence introduced during the preliminary hearing, the evidentiary record was sufficient to support a *prima facie* case for the five offenses charged. Therefore, defendant's motion for a writ of *habeas corpus* was denied.

JUDICIAL OPINION

CASE NAME AND NUMBER: J. C. v. Horizon Medical Corp., P.C. 2021 WL 4730410 (Lacka. Co. 2021)

DATE OF DECISION: October 8, 2021

JUDGE: Terrence R. Nealon

ATTORNEYS INVOLVED:

Lawrence J. Moran, Sr., Esquire, Luke P. Moran, Esquire, Counsel for Plaintiff

Kevin L. Golden, Esquire, James A. Doherty, Jr., Esquire, Counsel for Defendant, Horizon Medical Corporation, P.C.

Joel I. Fishbein, Esquire, Adam Yanoff, Esquire, Counsel for Defendant, Joel Jerome Laury

SUMMARY OF OPINION:

A pre-physician assistant student who shadowed an allergist in his medical practice instituted a tort action against him on February 14, 2020, alleging that he lured her into a locked and unmonitored examination room on June 21, 2018, and touched her breasts and groin areas with his bare hands, and while he was disrobed to his underwear, under the pretext of demonstrating a physical examination of the lymph nodes. After Section 5533(b)(2) of the Judicial Code, 42 Pa.C.S., was amended effective November 26, 2019, to extend the applicable statute of limitations to her 30th birthday, the student filed a complaint on April 13, 2021, also naming the allergist's corporate employer as a defendant. The employer demurred to its joinder as a defendant on the grounds that the student's claims against it were time-barred by April 13, 2021, since the limitations period established by Section 5533(b)(2)(i.1) allegedly applies only to individual perpetrators, but not their principals or institution employers, and that it could not be applied retroactively to revive her lapsed claims. The allergist and corporate employer challenged the factual specificity of the student's allegations concerning post-conduct admissions made by the allergist and her fraud and punitive damages claims. They also sought to strike as "scandalous or impertinent matter" the student's averments regarding virtually identical conduct by the allergist with another shadowing student in August 2017.

The plain language of Section 5533(b)(2)(i.1) and its contemporaneous legislative history supported the conclusion that its expanded statute of limitations period is intended to apply not only to individual offenders, but also to their institutional enablers or principals. Since the then-existing limitations period governing the student's tort claim had not yet expired as of the effective date of Section 5533(b)(2)(i.1) on November 26, 2019, its application in this case did not constitute an impermissible retroactive application of that statute. Furthermore, the student's allegations in support of her fraud and punitive damages claims were sufficiently specific to provide the allergist and his employer with adequate notice of the claims against which they had to defend. In addition, her allegations regarding an earlier shadowing student were relevant to the issue of whether the employer knew or should have known of the necessity for greater supervision and monitoring of the allergist, and as such, were not "immaterial and inappropriate" to the proof required in this matter. Accordingly, the preliminary objections were overruled.

LACKAWANNA JURIST

JUDICIAL OPINION

CASE NAME AND NUMBER: Barbarevech v. Tomlinson, 2021 WL 4776119 (Lacka. Co. 2021)

DATE OF DECISION: October 13, 2021

JUDGE: Terrence R. Nealon

ATTORNEYS INVOLVED:

Joseph A. Quinn, Jr., Esquire, Nicole M. Santo, Esquire, Ryan N. Molitoris, Esquire, Kathleen DePillis, Esquire, Counsel for Plaintiffs

Jay L. Edelstein, Esquire, James J. Walsh, Esquire, Counsel for Defendants

SUMMARY OF OPINION:

The corporate defendant in this motor vehicle action filed a motion for a protective order seeking to bar the plaintiffs from attempting to elicit opinions or subjective beliefs from corporate designees during their depositions. No appellate court in Pennsylvania has yet addressed the specific objection asserted by the corporate defendant. However, when interpreting a state discovery rule, Pennsylvania courts may consider relevant federal authority construing a substantially similar federal discovery rule, and according to the Explanatory Comment accompanying Pa.R.C.P. 4007.1, the substance of Rule 4007.1(e) and Fed.R.Civ.P. 30(b)(6) are "almost verbatim." The federal district courts in Pennsylvania have uniformly recognized that when a corporation produces an employee pursuant to a Fed.R.Civ.P. 30(b)(6) notice, it represents that the employee has the authority to speak on behalf of the corporation with respect to the subjects identified in the deposition notice, including the knowledge, subjective beliefs, and opinions of the corporation. The designated witness deposition approach adopted by the federal district courts was determined to be sound and consistent with the state practice of liberal discovery to further the truth-determining process essential to our judicial system. Therefore, that federal reasoning was applied to the designated witness depositions at issue, and the corporate defendant's motion for a protective order was denied.

JUDICIAL OPINION

CASE NAME AND NUMBER: Auto Club Insurance Association v. Enterprise Holdings, Inc., 2021 WL 4846325 (Lacka Co. 2021)

DATE OF DECISION: October 15, 2021

JUDGE: Terrence R. Nealon

ATTORNEYS INVOLVED:

Patrick J. Murphy, Esquire, Counsel for Plaintiff

Melissa A. Osborne, Esquire, Counsel for Defendants, Enterprise Holdings, Inc., Enterprise Rent-A-Car, and National Car Rental

SUMMARY OF OPINION:

In this property subrogation case, defendants filed preliminary objections seeking to dismiss this case "for lack of timely prosecution." The materials submitted by the parties reflected that although there was 51 months of docket inactivity, plaintiff's counsel had repeatedly contacted defendants' risk manager and their liability insurer's claim specialist by mail, email, and telephone during much of that time, albeit with rare and nominal responses from them. The failure to prosecute timely or diligently may not be raised by preliminary objection, and can only be asserted by way of a motion for judgment of *non pros*. To secure such a dismissal, defendants must establish that (1) plaintiff has shown a want of due diligence in failure to proceed with reasonable promptitude, (2) there was no compelling reason for the delay, and (3) the delay caused some prejudice to defendants. The delay must cause actual prejudice, such as the death of a witness, the loss of evidence, or any substantial diminution of the defendant's ability to properly present its case at trial. Defendants failed to show that they suffered any actual prejudice as a result of the delay in litigating this matter, as a result of which its preliminary objections were overruled. Nevertheless, in order to facilitate the prompt conclusion of this matter, plaintiff was directed to present a case management proposal of the Discovery Motions Court Judge pursuant to Lacka. R.C.P. 4000.2 in order to have deadlines established for the completion of discovery, the exchange of expert reports, the filing of case-dispositive motions, and the submission of a Certificate of Readiness under Lacka. Co. R.C.P. 214.

LACKAWANNA JURIST

ESTATES

First Notice

NOTICE is hereby given that Letters Testamentary have been granted in the **ESTATE OF STEVE CARLIN, JR, a/k/a STEVE T. CARLIN, JR.**, late of the City of Scranton, Lackawanna County, who died October 1, 2021. All persons indebted to said Estate are requested to make payment and those having claims to present the same, without delay, to the Executor, **STEVE T. CARLIN, III**, and his Attorneys, **SAPORITO, FALCONE & WATT**, 48 SOUTH MAIN STREET, PITTSTON, PA 18640.

RE: ESTATE OF CHUCK P. COCCODRILLI, late of Jefferson Township, Lackawanna County, Pennsylvania (died October 22, 2021). Notice is hereby given that Letters Testamentary for the Estate have been issued to Curt Coccodrilli, Executor 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 ROSEANN DSURNEY, late of Gouldsboro, Clifton Township, Lackawanna County, PA (September 28, 2021). Notice is hereby given that Letters Testamentary on the above Estate have been granted to John Dsurney. All persons indebted to the said estate are required to make payment and those having claims to present the same without delay to the Executor named above or to Timothy B. Fisher II, Esquire, Fisher & Fisher Law Offices LLC, Attorneys for the Estate, 525 Main Street, PO Box 396, Gouldsboro, PA 18424.

ESTATE OF MICHAEL KERECHAN late of Dickson City, Lackawanna County, PA (died September 29, 2021). Letters of Administration having been granted, all persons having claims or demands against estate of decedent shall make them known and present them, and all persons indebted to said decedent shall make payment thereof without delay to Marcie Lopera, 23 Grove Road, Scott Twp, PA 18447 or to William F. Dunstone, Esquire, of Oliver, Price & Rhodes, Attorney for the Estate, 1212 S. Abington Road, Clarks Summit, PA 18411.

ESTATE OF WALTER W. KOWANICK, Scranton, Lackawanna County, PA, died August 30, 2021, Letters Administration granted, all persons having claims against said Estate, shall make them known, present them and all indebted to decedent shall make immediate notification to David J. Nenish, Executor, or to Caputo & Mariotti, P.C., 730 Main Street, Moosic, PA 18507.

ESTATE OF DENNIS J. LEHMAN, late of Ransom Twp., Lackawanna County, Pennsylvania (died September 23, 2021). Letters Testamentary granted to Joseph J. Lehman, Executor; all persons indebted thereto shall make payment and all creditors shall present their claims without delay to Paul Keeler, Esq., 415 S. State St., Clarks Summit, Pennsylvania, 18411. Paul Keeler, Esquire, KEELER LEGAL, LLC, Attorney.

ESTATE OF FRANK MILLER a/k/a FRANK E. MILLER a/k/a FRANK E. MILLER, JR., of Clarks Summit, Pennsylvania (died October 30, 2021). All persons indebted to the estate shall make payment and those having claims or demands are to present same without delay to the Executor, Jay D. Miller, or Richard A. Fanucci, Attorney for the Estate, 1711 Main Street, Blakely, PA 18447.

Second Notice

NOTICE is hereby given that Letters of Administration have been given in the **ESTATE OF CATHERINE ELIZABETH ALEXANDER**, late of West Abington Township, Lackawanna County, Pennsylvania, who died August 29, 2021. 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 Co-Administrators, Peter Alexander and Catherine Gillott and attorneys, Hourigan, Kluger & Quinn, P.C., 600 Third Avenue, Kingston, PA 18704.

NOTICE is hereby given that Letters of Administration have been granted to Norene Carney of 151 Shadyside Dr., Greenfield Twp., PA 18407, in the **ESTATE OF JOSEPH X. CARNEY**, late of Greenfield Twp., Lackawanna County, PA, who passed away July 30, 2020. All persons indebted to said Estate are requested to make payment and those having claims or demands to present the same without delay to the Administratrix named or to the attorney for said Estate: Patrick A. Kane III, Esq., 960 Scranton-Carbondale Hwy., Archbald, PA 18403.

ESTATE OF GLENN ALVIN CLAUSSON, late of Throop, Pennsylvania, (Died September 7, 2021). Notice is hereby given that Letters of Administration on the above Estate have been granted to Ryan Dougherty, Executor. All persons indebted to the said Estate are required to make payment and those having claims to present the same without delay to the Administrators named herein, or to Jill M. Spott, Esquire, Sheils Law Associates, P.C., Attorney for Estate, 108 North Abington Road, Clarks Summit, Pennsylvania 18411.

NOTICE is hereby given that Testamentary Letters have been granted to Jeremhy S. Corrigan of 809 Beechwood Dr., Olyphant, PA 18447, in the **ESTATE OF GERALD F. CORRIGAN, JR.**, late of Carbondale, Lackawanna County, PA, who passed away July 9, 2021. All persons indebted to said Estate are requested to make payment and those having claims or demands to present the same without delay to the Executor named or to the attorney for said Estate: Patrick A. Kane III, Esq., 960 Scranton-Carbondale Hwy., Archbald, PA 18403.

ESTATE OF ELIZABETH ANN DAVIS late of Taylor Borough, PA (DIED September 16, 2021), Elizabeth R. Munley, Executrix, or to Donald J. Frederickson, Jr., KOBAL & FREDERICKSON, Attorneys for the Estate, 435 Main Street, Moosic, PA 18507-1017.

ESTATE OF STEPHEN DOUGHERTY, Deceased, late of Dunmore, Lackawanna County, Pa. Letters of Administration on the above estate have been granted to the undersigned. All persons indebted to the estate are requested to make payment and those having claim to present the same without delay to: Administrator: Matthew Dougherty, 37 Church Hill Road, Dalton, PA 18414, or Attorney: John L. Dougherty, Esq., 211 S. Orange St., Media, PA 19063.

ESTATE OF SANTO M. GABRIEL, JR., late of Borough of Clarks Summit, PA (died October 28, 2021). Letters of Administration on the above estate have been granted, all persons having claims and demands against the estate of the above decedent shall make them known and present them; all of the persons indebted to the said decedent shall make payment thereof without delay to: Garrett Gabriel, Sr. and Mark Gabriel, 26 Parkview Lane, Dalton, PA 18414. PATRICK J. LAVELLE, ATTORNEY FOR THE ESTATE.

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ESTATE OF EDWARD G. GASPER, DECEASED, late of 315 SCHOOL ST., MOOSIC, PA 18507, (Died OCTOBER 3, 2021). CLEMENT D. GASPER, Executor; Dante A. Cancelli, Suite 260, 125 North Washington Ave., Scranton, Pennsylvania 18503, Attorney.

IN RE: LOUIS A. GONSAULS, SR., deceased, late of the City of Carbondale, Lackawanna County, Pennsylvania (September 9, 2021). Notice is hereby given that Letters of Administration on the above estate have been granted to Deborah Rafferty. All persons indebted to the said estate are required to make payment and those having claims to present the same without delay to the Administrator named above or James M. Tressler, Esquire, Tressler Law, LLC, 933 Northern Boulevard, Second Floor, South Abington Township, PA 18411.

ESTATE OF SHIRLEY HOLMES A/K/A SHIRLEY J. HOLMES, late of Clarks Summit, Lackawanna County, Pennsylvania (died April 21, 2021). Letters of Administration having been granted, all persons having claims or demands against estate of decedent shall make them known and present them, and all persons indebted to said decedent shall make payment thereof without delay to Colin Holmes, Administrator, 1008 Sunset Avenue, Clarks Summit, Pennsylvania 18411 or to Kimberly Kost Scanlon, of Oliver, Price & Rhodes, Attorney for the Estate, 1212 South Abington Road, P.O. Box 240, Clarks Summit, Pennsylvania 18411.

NOTICE IS HEREBY GIVEN that Letters of Administration have been granted to William Howells, Administrator of the **ESTATE OF JANE M. HOWELLS**, 35-21-01317, Lackawanna County, Pennsylvania, date of death June 19, 2021. Creditors are to present claims and debtors are to make payments to Anne Marie Howells, Esquire (Attorney for the Estate), 307 West Market Street, Suite #1, Scranton, PA 18508-2783. (570) 344-1088. Client@howellslaw.com

NOTICE IS HEREBY GIVEN that Letters Testamentary have been granted in the **ESTATE OF PATRICIA G. KENEALLY**, late of Carbondale, Lackawanna County, Pennsylvania (died October 9, 2021). All persons indebted to the Estate are requested to make payment, and those having claims or demands are to present the same, without delay, to the Executrix, Christine Gurzler, or John J. Lawler, Jr., Attorney for the Estate, 25 North Main Street, Suite Two, Carbondale, Pennsylvania 18407.

NOTICE IS HEREBY GIVEN that Letters Testamentary have been granted to Salley Van Wert, Executrix of the **ESTATE OF MARY ANN KLEEMAN** late of Scranton, Lackawanna County, Pennsylvania, who died on August 20, 2021. All persons indebted to said Estate are required to make payment and those having claims to present the same without delay to the Executrix or to J. Timothy Hinton, Jr., of Haggerty Hinton & Cosgrove LLP, 1401 Monroe Avenue, Suite 2, Dunmore, PA 18512.

In re: **ESTATE OF VIRGINIA KLEINBAUER**, late of Archbald, Lackawanna County, PA (died September 11, 2021). Letters Testamentary 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 the Estate Personal Representative, Ileana Seman, or to Joseph S. Toczydlowski, Esquire, 723 North Main Street, Archbald, PA 18403.

ESTATE OF ALBERTA J. KULAS, late of the Borough of Dickson City, Lackawanna County, Pennsylvania, (died, November 21, 2020). Letters of Administration were

granted to EDWARD J. KULAS. Creditors present claims and debtors make payments to John P. Pesota, Esquire, Suite 402 SNB Plaza, 108 North Washington Avenue, Scranton, Pa. 18503.

ESTATE OF MATTHEW JOHN LOFTUS, SR. a/k/a MATTHEW J. LOFTUS, SR. a/k/a MATTHEW LOFTUS, SR. a/k/a **MATTHEW LOFTUS** late of the City of Scranton, Lackawanna County, Pennsylvania (died September 19, 2021). Personal Representative is Matthew J. Loftus, Jr., 835 River Street, Scranton, PA 18505. Attorney for the Estate is Marissa Steppacher Ellis, Esq. Steppacher Law Offices, LLC., 224 Adams Avenue, Courthouse Square, Scranton, Pennsylvania 18503.

NOTICE IS HEREBY GIVEN that Letters Testamentary have been granted in the **ESTATE OF MATTHEW A. MATTERO**, late of Fell Township, Lackawanna County, Pennsylvania (died August 29, 2020). All persons indebted to the Estate are requested to make payment, and those having claims or demands are to present same, without delay, to the Executrix, Linda J. Mattero, or John J. Lawler, Jr., Attorney for the Estate, 25 North Main Street, Suite Two, Carbondale, Pennsylvania 18407.

ESTATE OF MICHELLE McCORMACK aka MICHELLE M. McCORMACK late of Moosic, Lackawanna County, PA (died October 23, 2021). Letters Testamentary having been granted, all persons having claims or demands against estate of decedent shall make them known and present them, and all persons indebted to said decedent shall make payment thereof without delay to Robert P. McCormack, 513 Minooka Avenue, Moosic, PA 18507 or to Jane M. Carbonas, Esquire, of Oliver, Price & Rhodes, Attorney for the Estate, 1212 S. Abington Road, Clarks Summit, PA 18411.

ESTATE OF MICHAEL McLAUGHLIN, late of Covington Township, Lackawanna County, Pennsylvania (died October 15, 2021). Letters Testamentary having been granted, all persons having claims or demands against estate of decedent shall make them known and present them, and all persons indebted to said decedent shall make payment thereof without delay to Jude McLaughlin, Executor, 129 Highland Road, Roaring Brook Township, Pennsylvania 18444 or to Jenna Kraycer Tuzze, of Oliver, Price & Rhodes, Attorney for the Estate, 1212 South Abington Road, P.O. Box 240, Clarks Summit, Pennsylvania 18411.

RE: ESTATE OF CHERIE A. MECCA, late of Dunmore, Pennsylvania (died October 18, 2021). Notice is hereby given that Letters of Administration for the Estate of Cherie A. Mecca have been issued to Dolores A. Mecca, Administratrix 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 Administratrix at 155 Walnut Street, Dunmore, PA 18512 or to Kris E. Fendrock, Esquire, Myers, Brier & Kelly, LLP, Attorney for the Estate, 425 Spruce Street, Suite 200, Scranton, PA 18503.

ESTATE OF FLORENCE E. MORTON, late of South Abington Township, Lackawanna County, Pennsylvania (died September 14, 2021). Letters Testamentary having been granted, all persons having claims or demands against estate of decedent shall make them known and present them, and all persons indebted to said decedent shall make payment thereof without delay to Thomas Morton, Executor, 2505 Coxshire Lane, Davidsonville, Maryland, 21035, or to James J. Gillotti, of Oliver, Price & Rhodes, Attorney for the Estate, 1212 South Abington Road, P.O. Box 240, Clarks Summit, Pennsylvania 18411.

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ESTATE OF WALTER MOYER a/k/a WALTER E. MOYER, SR., late of Scranton, PA (died June 25, 2021), WALTER MOYER, Jr., Executor, c/o Michael F. Bailey, Esquire, 4099 Birney Avenue, Moosic, PA 18507.

Letters of Administration have been granted to the **ESTATE OF CLARA PARE**, Deceased to Anthony Scavo, Administrator, or Christopher T. Powell, Powell Law, 527 Linden Street, Scranton, PA 18503. All persons having claims against the estate are requested to present them in writing and all persons indebted to the estate to make payment to it in care of the Attorney noted above.

RE: FLORENCE PROFKA, DECEASED, (died August 13, 2021) late of Scranton, Pennsylvania, Lackawanna County. Letters Testamentary having been granted, creditors shall make demand and debtors shall make payment to David K. Brown, Esquire, Kreder Brooks Hallstone LLP, 220 Penn Avenue, Suite 200, Scranton, Pennsylvania, 18503.

ESTATE OF MARY IRENE SCHUBERT, late of the City of Scranton, Lackawanna County, Pennsylvania. Letters Testamentary on the above estate having been granted to Gregory Schubert, all persons indebted to the said estate are requested to make payment, and those having claims to represent the same without delay to him c/o Joseph Kosierowski, Esq. 400 Broad Street, Milford, Pennsylvania 18337.

ESTATE OF SUE ANN SNIEGOWSKI, late of Scranton, Lackawanna County, Pennsylvania. Letters Testamentary on the above estate having been granted to Robert Sniegowski, Jr., all persons indebted to the said estate are requested to make payment, and those having claims to present the same without delay to him c/o Joseph Kosierowski, Esq., 400 Broad Street, Milford, Pennsylvania 18337.

ESTATE OF JOHN J. STRANIERI, III, late of Scranton, Lackawanna County, Pennsylvania (died October 11, 2021). Letters of Administration having been granted, all persons having claims or demands against estate of decedent shall make them known and present them, and all persons indebted to said decedent shall make payment thereof without delay to Sara Stranieri, Executor, 105 Red Oak Drive, Olyphant, PA 18447 or to Jenna Kraycer Tuzze, of Oliver, Price & Rhodes, Attorney for the Estate, 1212 South Abington Road, P.O. Box 240, Clarks Summit, Pennsylvania 18411.

Third Notice

ESTATE OF MARY MARGARET BUTTNER A/K/A MARY M. BUTTNER, late of Scranton, Lackawanna County Pennsylvania (died September 29, 2021). Letters Testamentary having been granted, all persons having claims or demands against estate of decedent shall make them known and present them, and all persons indebted to said decedent shall make payment thereof without delay to Frederick George Buttner, Co-Executor, 1424 East Locust Street, Scranton, Pennsylvania 18505, Paul Christopher Buttner, Co-Executor, 1415 Cherry Street, Scranton, Pennsylvania 18505, or to Jenna Kraycer Tuzze, of Oliver, Price & Rhodes, Attorney for the Estate, 1212 South Abington Road, P.O. Box 240, Clarks Summit, Pennsylvania 18411.

ESTATE OF CAROL A. COMSTOCK A/K/A CAROL COMSTOCK, late of Clarks Summit, Lackawanna County, Pennsylvania (died September 21, 2021). Letters Testamentary having been granted, all persons having claims or demands against estate of decedent shall make them known and present them, and all persons indebted to said

decedent shall make payment thereof without delay to Arthur Brent Comstock, Executor, 913 Longview Terrace, Waverly Township, Pennsylvania 18411 or to Jenna Kraycer Tuzze, of Oliver, Price & Rhodes, Attorney for the Estate, 1212 South Abington Road, P.O. Box 240, Clarks Summit, Pennsylvania 18411.

Notice is hereby given that, on November 10, 2021, Letters Testamentary have been granted in the **ESTATE OF DONNA M. DERENICK a/k/a DONNA MARIE DERENICK**, late of Moosic, who died on October 31, 2021, to John P. Kuna, Executor. All persons indebted to said Estate are requested to make payment and those having claims to present the same, without delay, to the Executor, c/o The Powell Law Group, PC, 789 Airport Road, Ste. 106, Hazle Township, PA 18202.

RE: ESTATE OF ANTHONY J. GABELLO, late of Scranton, Lackawanna County, Pennsylvania (died April 13, 2021). Notice is hereby given that Letters Testamentary for the Estate of Anthony J. Gabello have been issued to Tammy L. O'Leary, 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 Jeffrey W. Nepa, Attorney for the Estate, 41 N. Main Street, Suite 400, Carbondale, PA 18407.

Notice is hereby given that Letters Testamentary have been granted in the **ESTATE OF STEPHEN J. KISHEL, a/k/a STEPHEN KISHEL**, deceased, late of Olyphant, Lackawanna County, Pennsylvania who died on June 23, 2020. All persons indebted to the estate are required to make payment and those having claims or demands are to present the same, without delay, to Judith Bobrowsky, Executrix of the estate, or to Donald P. Dolan, Esquire, Attorney for the estate, 436 Jefferson Avenue, Scranton, PA 18510.

ESTATE OF DOMINICK A. LOIACONO a/k/a DOMINICK LOIACONO, JR. late of Covington Township, Lackawanna County, Pennsylvania.

Date of Death: May 26, 2021
Executrix: Lisa Mackiewicz
Attorneys: Needle Law, P.C.
240 Penn Avenue – Suite 202
Scranton, PA 18503

P. Timothy Kelly, Esquire

ESTATE OF ANGELA MILLER aka SISTER ANGELA MILLER, IHM late of Scranton, Lackawanna County, PA (died April 28, 2018). Letters Testamentary having been granted, all persons having claims or demands against estate of decedent shall make them known and present them, and all persons indebted to said decedent shall make payment thereof without delay to Sister Ellen Maroney, IHM, 2300 Adams Avenue, Scranton, PA 18509 or to Jane M. Carlonas, Esquire, of Oliver, Price & Rhodes, Attorney for the Estate, 1212 S. Abington Road, Clarks Summit, PA 18411.

NOTICE IS HEREBY GIVEN that Letters Testamentary have been granted to Joseph P. Geda, Jr., Executor of the **ESTATE OF WILLIAM P. PRESLOCK**, late of Taylor, Lackawanna County, Pennsylvania who died on August 29, 2021. 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 Executor in c/o Gregory S. Skibitsky, Jr., Esquire, Skibitsky & Molino, 457 North Main Street, Suite 101, Pittston, PA 18640.

ESTATE OF MARTHA M. ULLMANN, South Abington Twp., PA. Marie Kowalski, Executrix; Christopher J. Szweczyk, Esquire, Attorney, 321 Spruce Street, Suite 201, Scranton, PA 18503.

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ESTATE OF PETER VELTRI aka PETER D. VELTRI

late of Dalton, Lackawanna County, PA (died September 25, 2021). Letters Testamentary having been granted, all persons having claims or demands against estate of decedent shall make them known and present them, and all persons indebted to said decedent shall make payment thereof without delay to Janet C. Veltri, 404 W. Main Street, Dalton, PA 18414 or to Jane M. Carlonas, Esquire, of Oliver, Price & Rhodes, Attorney for the Estate, 1212 S. Abington Road, Clarks Summit, PA 18411.

ARTICLES OF INCORPORATION

Notice is hereby given that Articles of Incorporation-Nonprofit were filed on August 16, 2021, with the Department of State of the Commonwealth of Pennsylvania, in accordance with the provisions of the Pennsylvania Non-Profit Corporation Law of December 21, 1988, as amended, for the incorporation of Northeastern Pennsylvania-American Association of Physicians of Indian Origin.

OLIVER, PRICE & RHODES
By: James W. Reid, Esquire T-1

ARTICLES OF INCORPORATION

BMRacing, Inc. filed a Foreign Registration Statement with the Commonwealth of Pennsylvania. The address of its principal office under the laws of its jurisdiction is 201 Willow Road Dalton, PA 18414. The Commercial Registered Office Address is 201 Willow Rd. Dalton, PA 18414 in the county of Lackawanna. The Corporation is filed in compliance with the requirements of the applicable provision of 15 Pa. C.S. 412. T-1

FICTITIOUS NAME

NOTICE IS HEREBY GIVEN that Katherine Bischak has filed with the Secretary of the Commonwealth on November 17, 2021, the Registration of the Fictitious Name "Curiosities Killed the Kat Jewelry". The principal place of business address is 778 Main Street, Simpson, PA 18407. T-1

CHANGE OF NAME

Notice is given that Thomas Anthony Parise III has filed a Petition for Change of Name from Thomas Anthony Parise III to Paul Anthony Aleksak. A hearing will be held on January 28, 2022 at 9:00 am at the Lackawanna County Government Center. T-1

NOTICE

PUBLIC NOTICE NOTICE OF DISSOLUTION OF SKILLMAN HOLDINGS CORPORATION A PENNSYLVANIA CORPORATION

To all persons with claims against SKILLMAN HOLDINGS CORPORATION.

This is to notify you that Skillman Holdings Corporation, a Pennsylvania corporation, whose registered office, and principal place of business was located at 302 Phillips Road, Clifton Twp., Pennsylvania, has dissolved. All persons with claims against the dissolved corporation are requested to present their claims in writing. Each claim must contain sufficient information to enable the claimant and the substance of the claim to be reasonably identified. Each claim must be mailed to Skillman Holdings Corporation, 302 Phillips Road, Clifton Township, PA 18424, and received on or before January 21, 2022. The dissolved corporation may make distributions to other claimants and shareholders, or member of the corporation or persons interested as having been such without further notice.

Timothy B. Fisher II, Esquire
FISHER & FISHER LAW OFFICES LLC
525 Main Street
PO Box 396
Gouldsboro, PA 18424 T-1

LACKAWANNA JURIST

NOTICE

LOGS LEGAL GROUP LLP
BY: CHRISTOPHER A. DeNARDO, PA I.D. NO. 78447
KRISTEN D. LITTLE, PA I.D. NO. 79992
ELIZABETH L. WASSALL, PA I.D. NO. 77788
LESLIE J. RASE, PA I.D. NO. 58365
SAMANTHA GABLE, PA I.D. NO. 320695
LILY CALKINS, PA I.D. NO. 327356
3600 HORIZON DRIVE, SUITE 150
KING OF PRUSSIA, PA 19406
TELEPHONE: (610) 278-6800
E-MAIL: PAHELP@LOGS.COM
LLG FILE NO. 21-066058
Reverse Mortgage Funding LLC
PLAINTIFF
VS.

Unknown Heirs, Successors, Assigns and All Persons, Firms or Associations Claiming Right, Title or Interest from or under Marie Wallick, deceased

Salvatore Cortese, known Heir of Marie Wallick, deceased
DEFENDANTS

COURT OF COMMON PLEAS
CIVIL DIVISION
LACKAWANNA COUNTY

NO: 2021-01653

NOTICE OF SHERIFF'S SALE OF REAL PROPERTY

TO: Unknown Heirs, Successors, Assigns and All
Persons, Firms or Associations Claiming Right,
Title or Interest from or under Marie Wallick, deceased
210 Barber Street
Old Forge, PA 18518

Your house (real estate) at 210 Barber Street, Old Forge, PA 18518 is scheduled to be sold at Sheriff's Sale at Lackawanna County Courthouse, 200 North Washington Avenue, Scranton, PA 18503 on February 4, 2022 at 10:00AM to enforce the court judgment of \$121,443.10 obtained by Reverse Mortgage Funding LLC against you.

NOTICE OF OWNER'S RIGHTS

YOU MAY BE ABLE TO PREVENT THIS SHERIFF'S SALE

To prevent this Sheriff's Sale you must take immediate action:

1. The sale will be cancelled if you pay back to Reverse Mortgage Funding LLC the amount of the judgment plus costs or the back payments, late charges, costs, and reasonable attorneys fees due. To find out how much you must pay, you may call:(610) 278-6800.
2. You may be able to stop the sale by filing a petition asking the Court to strike or open the judgment, if the judgment was improperly entered. You may also ask the Court to postpone the sale for good cause.
3. You may be able to stop the sale through other legal proceedings.
4. You may need an attorney to assert your rights. The sooner you contact one, the more chance you will have of stopping the sale. (See notice on page two of how to obtain an attorney.)

YOU MAY STILL BE ABLE TO SAVE YOUR PROPERTY AND YOU HAVE OTHER RIGHTS EVEN IF THE SHERIFF'S SALE DOES TAKE PLACE.

5. If the Sheriff's Sale is not stopped, your property will be sold to the highest bidder. You may find out the price bid by calling (610) 278-6800.
6. You may be able to petition the Court to set aside the sale if the bid price was grossly inadequate compared to the value of your property.

LACKAWANNA JURIST

7. The sale will go through only if the buyer pays the Sheriff the full amount due in the sale. To find out if this has happened you may call 570-963-6719.
8. If the amount due from the buyer is not paid to the Sheriff, you will remain the owner of the property as if the sale never happened.
9. You have a right to remain in the property until the full amount due is paid to the Sheriff and the Sheriff gives a deed to the buyer. At that time, the buyer may bring legal proceedings to evict you.
10. You may be entitled to a share of the money, which was paid for your house. A schedule of distribution of the money bid for your house will be filed by the Sheriff no later than thirty days after the Sheriff Sale. This schedule will state who will be receiving the money. The money will be paid out in accordance with this schedule unless exceptions (reasons why the proposed distribution is wrong) are filed with the Sheriff within ten (10) days after the date of filing of said schedule.
11. You may also have other rights and defenses or ways of getting your house back, if you act immediately after the sale.

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 LISTED BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Lackawanna County Lawyer Referral Service
North Penn Legal Services
33 N. Main Street, Suite 200
Pittston, PA 18640
570-299-4100

PURSUANT TO THE FAIR DEBT COLLECTION PRACTICES ACT YOU ARE ADVISED THAT THIS LAW FIRM IS DEEMED TO BE A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

METES AND BOUNDS DESCRIPTION OF PROPERTY:

ALL THAT CERTAIN PIECE OF LAND situate in the Borough of Old Forge, County of Lackawanna, Commonwealth of Pennsylvania, bounded and described as follows:

Being Lot No. 34 in Block No. 2 upon the plot of "Stewart's Addition to Rendham, Pennsylvania", which said plot is recorded in the Office for recording deeds in and for Lackawanna County, Pennsylvania, at Scranton, in Deed Book No. 137, Page 50;

Said lot fronting on Barber Street, upon said plot and being 50.24 feet in width upon said street, 56 feet in width in rear, and 150 feet more or less in depth, as fully shown upon the said plot recorded as aforesaid.

PROPERTY IDENTIFICATION NUMBER 17516050018. T-1