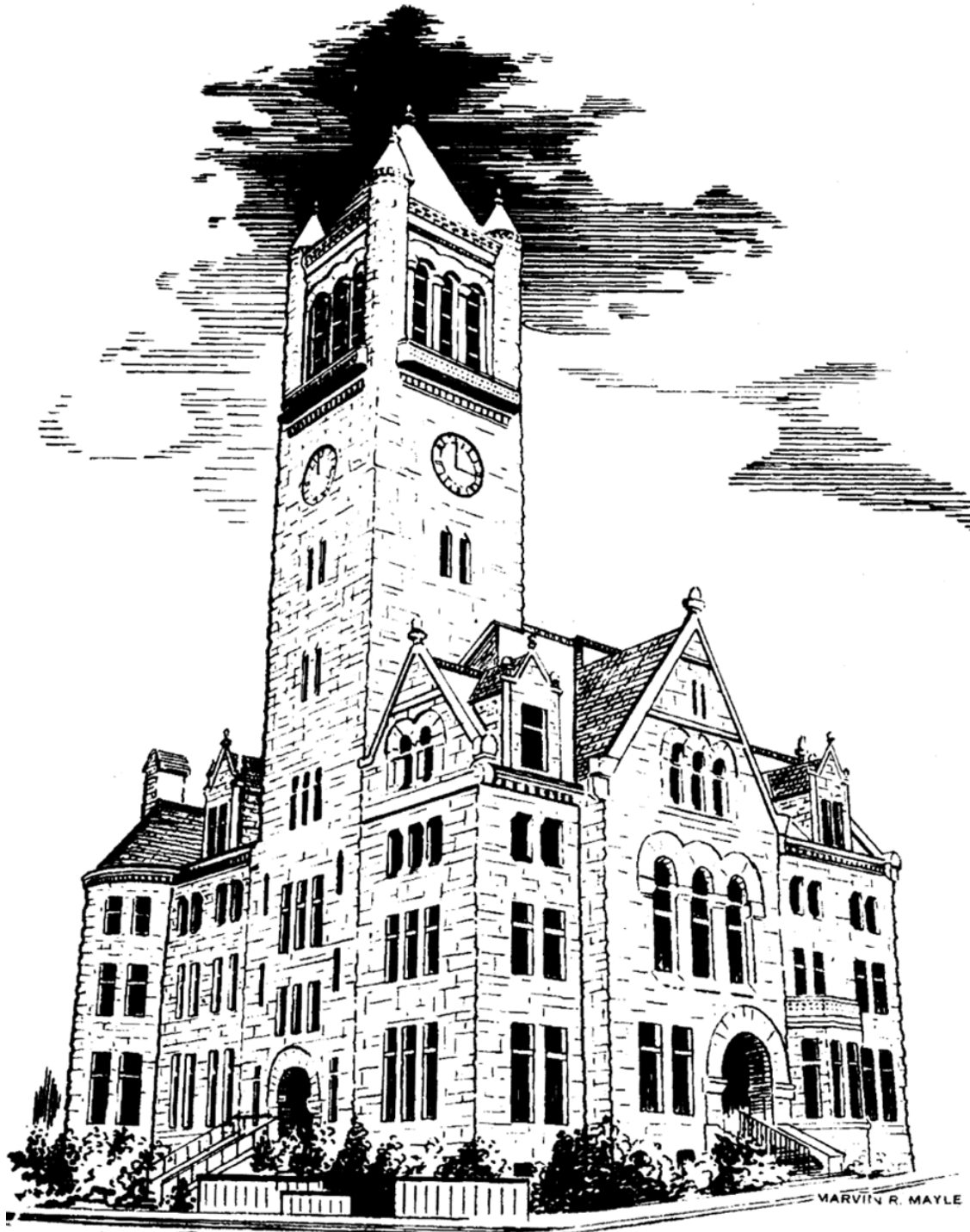


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Notice is hereby given that letters testamentary or of administration have been granted to the following estates. All persons indebted to said estates are required to make payment, and those having claims or demands to present the same without delay to the administrators or executors named.

Third Publication

BETTY B. HUSBAND, late of the Borough of Dawson, Fayette County, PA

Personal Representative:

Richard A. Husband

c/o Richard A. Husband Esquire LLC

208 South Arch Street, Suite 2

Connellsville, PA 15425

Attorney: Richard A. Husband

ROBERT MINER, late of Connellsville, Fayette County, PA

Executor: Michael Miner

c/o Goodwin Como, P.C.

92 East Main Street, Suite 1

Uniontown, PA 15401

Attorney: Amanda Como

BETTY ROHLF, a/k/a BETTY FRANGOS ROHLF, a/k/a BETTY F. ROHLF, late of Uniontown, Fayette County, PA

Executrix: Barabra Jane Rohlf

c/o Ventresca & Ventresca, LLP

5500 Brooktree Road, Suite 101

Wexford, PA 15090

Attorney: Kenneth M. Ventresca

Second Publication

GLENN EUGENE CRITCHFIELD, a/k/a GLENN E. CRITCHFIELD, a/k/a GLENN CRITCHFIELD, late of Saltlick Township, Fayette County, PA

Administrator: Brian E. Critchfield

c/o Rafferty Legal, PLLC

1600 Lincoln Avenue

Latrobe, PA 15650

Attorney: Jessica L. Rafferty

BARBARA LEE GALLAGHER a/k/a BARBARA L. GALLAGHER, late of Dunbar Township, Fayette County, PA

Co-Executors: Mary Franko and

Matthew Corvin

c/o Goodwin Como, P.C.

92 E. Main Street, Suite 1

Uniontown, PA 15401

Attorney: Benjamin F. Goodwin

RONALD MEADE, late of Connellsville, Fayette County, PA

Executrix: Pelar Octavia Meade-Taylor

215 N 10th Street

Connellsville, PA 15425-2414

DIANE MONACO, a/k/a DIANE E. MONACO, late of Springfield Township, Fayette County, PA

Executor: Tina Bartholomai

c/o 1714 4th Street

Connellsville, PA 15425

THOMAS E. PASTERICK a/k/a THOMAS EDWARD PASTERICK, late of Perry Township, Fayette County, PA

Executrix: Beatriz Ortiz-Pasterick

c/o Beisler Law Office

41 Robbins Station Road

North Huntingdon, PA 15642

Attorney: Daniel Beisler

RAYMOND D. TISSUE, late of
Uniontown, Fayette County, PA
Personal Representative:
John R. Thomas
c/o The Law Office of Tyler C. Shultz
92 East Main Street
Suite LL-2
Uniontown, PA 15401
Attorney: Tyler C. Shultz

GEORGIA N. SLEZAK, late of
Connellsville, Fayette County, PA
Executor: Eric Slezak
c/o 414 Morrison Drive
Pittsburgh, PA 15216
Attorney: James K. Wood

First Publication

**DOUGLAS RAY BLACK a/k/a
DOUGLAS R. BLACK**, late of Perry
Township, Fayette County, PA
Administratrix: Staicey Black
c/o 823 Broad Avenue
Belle Vernon, PA 15012
Attorney: Mark E. Ramsier

**WILLIAM BRISBANE a/k/a
WILLIAM DAVID BRISBANE a/k/a
WILLIAM D. BRISBANE, JR.**, late of
Springfield Township, Fayette County, PA
Co-Executrix: Maria Luiza Galveas
Brisbane-Palhães and Christianna G.
Brisbane
c/o Lope & Casker
207 E. Grandview Avenue
Zelienople Pennsylvania 16063
Attorney: Steven Casker

GWENDOLYN M. KNIGHT, late of
Uniontown City, Fayette County, PA
Executor: Patrick K. Lion
c/o Davis & Davis Attorneys At Law
107 East Main Street
Uniontown, PA 15401
Attorney: Gary J. Frankhouser

TERESA LAH a/k/a TERESA J. LAH,
late of Perry Township, Fayette County, PA
Executrix: Amber Lynn Evon aka
Amber L. Evon
c/o Anderson Law Firm
429 Fourth Avenue, Suite 602
Pittsburgh, PA 15219
Attorney: Caleb Dunn

MARY E. MEYERS, late of Connellsville
City, Fayette County, PA
Personal Representative:
Constance Nicholson
c/o Finoli Law, LLC
229 South Maple Avenue
Greensburg, PA 15601
Attorney: Vincent J. Finoli

**JOHN WAGNER a/k/a JOHN ROBERT
WAGNER**, late of Henery Clay Township,
Fayette County, PA
Executor: John S. Wagner Jr.
c/o Pavina Law, LLC
4 N. Beeson Boulevard
Uniontown, PA 15401
Attorney: Bryan Pavina Jr.

LEGAL NOTICES

*** None ***

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COMMERCIAL/RESIDENTIAL/CURRENT OWNER/MINERAL TITLE

A DECADE OF EXPERIENCE E&O INSURED WILL TRAVEL ACCEPTING NEW CLIENTS

JUDICIAL OPINION

IN THE COURT OF COMMON PLEAS OF FAYETTE COUNTY, PENNSYLVANIA CIVIL DIVISION

JOHN CELLURALE, d/b/a FAYETTE :	:	
COUNTY CONCESSIONS, LLC,	:	
Plaintiff,	:	
vs.	:	
BEST TRAILERS AND SUPPLY and :	:	
QUALITY CARGO, LLC,	:	No. 409 of 2026, G.D.
Defendants.	:	Honorable Nancy D. Vernon

OPINION AND ORDER

VERNON, J.

September 4, 2026

Before the Court are Preliminary Objections filed by Defendants Best Trailers and Supply and Quality Cargo, LLC to the Complaint of Plaintiff John Cellurale, d/b/a Fayette County Concessions, LLC, challenging this Court's exercise of personal jurisdiction, venue, and requesting dismissal pursuant to the doctrine of forum non conveniens.

In its Complaint, Plaintiff alleges that it purchased a food trailer manufactured by Quality Cargo, LLC and sold by Best Trailers and Supply for use in his mobile food business located in Fayette County, Pennsylvania. The Complaint further alleges that shortly after purchase the trailer suffered a structural failure caused by defective construction, that the manufacturer's warranty was denied, and that Plaintiff sustained repair costs, business losses, and other damages. The Complaint alleges at Count I - Products Liability, Count II - Breach of the Implied Warranty of Merchantability against Best, Count III - Breach of Express Warranty against Quality, and Count IV - Breach of Contract against Best.

Pennsylvania Rule of Civil Procedure 1028(a)(1) authorizes preliminary objections based on "lack of jurisdiction over the subject matter of the action or the person of the defendant." The burden of proof initially rests upon the party contesting jurisdiction, and once that party has provided proof, the burden then shifts to the non-moving party to adduce evidence demonstrating there is a basis for asserting jurisdiction over the moving party. *Delta Health Technologies, LLC v. Companions and Homemakers, Inc.*, 218 A.3d 432 (2019). When preliminary objections challenging personal jurisdiction, if sustained, would result in dismissal of an action, the court must consider the evidence in the light most favorable to the nonmoving party. *Dumond, Inc. v. Galgano*, 345 A.3d 741 (2025).

Under Pennsylvania's long-arm statute, courts are permitted to exercise personal jurisdiction over a nonresident defendant "to the fullest extent allowed under the Constitution of the United States and may be based on the most minimum contact with this Commonwealth allowed under the Constitution of the United States." 42 Pa.C.S.A. § 5322(b). Pennsylvania law recognizes two bases for the exercise of in personam jurisdiction over a corporation: general jurisdiction and specific jurisdiction. In either case, the court's authority must comport with Pennsylvania's long-arm statute and the Due Process Clause. The United States Supreme Court has held that general personal jurisdiction cannot be exercised over defendants when the corporate defendant is not incorporated in the state and does not have its principal place of business in the state. *Daimler AG v. Bauman*, 571 U.S. 117 (2014). CSX Corporation is not incorporated in Pennsylvania and does not have a principal place of business in the Commonwealth. Further, general jurisdiction can only extend beyond that in the "exceptional case." *Id.* Plaintiffs have not alleged that such an exceptional case is present, nor does one exist.

Where general jurisdiction is lacking, a court may exercise specific jurisdiction only if the plaintiff's claims arise out of or relate to the defendant's contacts with Pennsylvania. In order for a state court to exercise specific jurisdiction, the suit must arise out of or relate to the defendant's contact with the forum. *Bristol-Myers Squibb Co. v. Superior Court*, 582 U.S. 255 (2017). Specific jurisdiction depends on an affiliation between the forum and the underlying controversy, principally, activity or an occurrence that takes place in the forum state and is therefore subject to the state's regulation. *Mendel v. Williams*, 53 A.3d 810, 817 (Pa. Super. 2012). The specific jurisdiction inquiry focuses on the defendant's own purposeful conduct directed at the forum and the relationship between that conduct and the underlying controversy. It requires an affiliation between Pennsylvania and the events giving rise to the claim, namely, activity occurring in, or purposefully directed toward, the Commonwealth such that the defendant could reasonably anticipate being haled into a Pennsylvania court. Specific jurisdiction therefore exists only to the extent the cause of action arises from the defendant's transaction of business or other deliberate forum-directed conduct within Pennsylvania.

Applying these principles, this Court concludes that Plaintiff has established a *prima facie* basis for the exercise of specific personal jurisdiction over Defendants Best Trailers and Supply and Quality Cargo, LLC. Plaintiff alleges that Defendants marketed the trailer to a Pennsylvania purchaser, negotiated the sale with a Pennsylvania resident, accepted payment from that Pennsylvania purchaser, shipped the trailer to Pennsylvania, and issued a manufacturer's warranty in connection with that sale. Plaintiff further alleges that the breach of warranty and damages occurred after the trailer was delivered for use in Pennsylvania. These assertions have not been contradicted by Defendants.

The claims asserted in this action arise directly from the sale of the trailer and the denial of warranty coverage. At this stage, the Court is required to accept these allegations as true and construe them in the light most favorable to Plaintiffs, which allege that Defendants purposefully entered a commercial relationship with a Pennsylvania purchaser and supplied a product intended for use here. Accordingly, Plaintiff has established a *prima facie* basis for personal jurisdiction sufficient and preliminary objection is overruled.

Defendants next contend that venue is improper because the sale occurred in Georgia and neither Defendant maintains a place of business in Pennsylvania. Pennsylvania Rule of Civil Procedure 2179(a)(3) and (4) permit venue where the cause of action arose or where a transaction or occurrence giving rise to the action took place.

The Complaint alleges that Plaintiff's business is located in Fayette County; the trailer was purchased for use in that business; the alleged defects manifested after the trailer was placed into service in the Commonwealth; warranty performance was sought from Fayette County; and the alleged economic damages were sustained here. Viewing the pleadings in the light most favorable to Plaintiff, the Court cannot conclude that Fayette County, Pennsylvania, lacks a sufficient connection to the occurrences giving rise to this litigation. As Defendants have failed to demonstrate that venue is improper, the preliminary objections are overruled.

Finally, Defendants request dismissal based on the doctrine of *forum non conveniens* pursuant to 42 Pa.C.S. § 5322(e), alleging that Georgia provides a more convenient forum. Motions to transfer venue out of state pursuant to the doctrine of *forum non conveniens* are governed by 42 Pa.C.S.A. § 5322, which provides in relevant part:

Inconvenient forum.--When a tribunal finds that in the interest of substantial justice the matter should be heard in another forum, the tribunal may stay or dismiss the matter in whole or in part on any conditions that may be just.

42 Pa.C.S.A. § 5322(e).

Before a court may grant dismissal under subsection 5322(e), Pennsylvania jurisprudence requires the consideration of two factors: “(1) a plaintiff’s choice of the place of the suit will not be disturbed except for weighty reasons, and (2) no action will be dismissed unless an alternative forum is available to the plaintiff.” Wright, 905 A.2d at 547-48 (quoting *Jessop v. ACF Indus., LLC*, 859 A.2d 801, 803 (Pa. Super. 2004) (emphasis omitted)).

In order to evaluate whether “weighty reasons” exist to disturb a plaintiff’s choice of forum, the trial court must examine private and public interest factors relevant to the case. The private factors include:

[T]he relative ease of access to sources of proof; availability of compulsory process for attendance of unwilling, and the cost of obtaining attendance of willing, witnesses; possibility of view of premises, if view would be appropriate to the action; and all other practical problems that make trial of a case easy, expeditious and inexpensive. There may also be questions as to the enforceability of a judgment if one is obtained. The court will weigh relative advantages and obstacles to fair trial.

...

With respect to public factors, the Supreme Court advised:

Administrative difficulties follow for courts when litigation is piled up in congested centers instead of being handled at its origin. Jury duty is a burden that ought not to be imposed upon the people of a community which has no relation to the litigation.... There is an appropriateness, too, in having the trial ... in a forum that is at home with the state law that must govern the case, rather than having a court in some other forum untangle problems in conflict of laws, and in law foreign to itself. *Bochetto v. Dimeling, Schreiber & Park*, A.3d 1072, 1079-80 (Pa. Super. 2016).

Vaughan Est. of Vaughan v. Olympus Am., Inc., 208 A.3d 66, 76 (Pa. Super. 2019).

“A plaintiff is entitled to choose the forum in which to pursue his claims and this choice should not be disturbed except for ‘weighty reasons.’” *Wright v. Aventis Pasteur, Inc.*, 905 A.2d 544 (Pa. Super. 2006).

Here, Defendants assert in general terms that relevant witnesses and documents are located in Georgia. They identify no unavailable witness, no witness unwilling to appear, no specific documentary burden, and no other evidence establishing that litigation in Pennsylvania would be oppressive rather than merely inconvenient. Whereas, Plaintiff’s alleged damages were sustained in Pennsylvania, where the trailer was intended to be used and where this action was filed. On the present record, Defendants have failed to meet the high burden required to disturb Plaintiff’s chosen forum and the preliminary objection will be overruled.

WHEREFORE, we will enter the following Order.

ORDER

AND NOW, this 4th day of September, 2026, upon consideration of the Preliminary Objections of Defendants Best Trailers and Supply and Quality Cargo, LLC to the Complaint of Plaintiff John Cellurale, d/b/a Fayette County Concessions, LLC, the record, and in accordance with the foregoing Opinion, it is hereby ORDERED and DECREED that the Preliminary Objections are OVERRULED. Defendants Best Trailers and Supply and Quality Cargo, LLC shall file an Answer to the Complaint within twenty (20) days.

BY THE COURT:
NANCY D. VERNON, JUDGE

ATTEST:
Prothonotary

MEMORIAL SERVICE

The Fayette County Bar Association will hold a memorial service for Charles C. Gentile, Esquire before the Court of Common Pleas at the Fayette County Courthouse in Courtroom Number One on Wednesday, October 21, 2026, at noon.

