## **RECENT OPINION SUMMARIES**

SPEED ET. AL.v. RAVASIO, M.D., ET. AL. A.D. 14-11020 (2015)

A cause of action for negligent infliction of emotional distress is restricted to four factual scenarios: (1) situations where the defendant had a contractual or fiduciary duty toward the plaintiff; (2) the plaintiff was subjected to a physical impact; (3) the plaintiff was in a zone of danger, thereby reasonably experiencing a fear of impending physical injury; or (4) the plaintiff observed a tortious injury to a close relative.

To recover under the bystander theory of liability, where there is a separateness in time between the alleged negligence and the resultant traumatic injury, a plaintiff must allege that she witnessed both. A plaintiff does not "witness" a traumatic injury for purposes of the bystander theory of liability when that plaintiff learns of the loved ones' injury or demise via a third party.

## DILLON MCCANDLESS KING COULTER & GRAHAM, ET. AL. v. RUPERT A.D. 12-10019 (2015)

A personal injury claim and a loss of consortium claim are separate and distinct claims. Although a loss of consortium claim hinges on the success of the underlying claim of the spouse, the loss of consortium claim in still considered to be a spate and distinct claim from the injured spouse's claim, as the non-injured spouse suffers injuries in her own right.

**Please Note:** The Butler County Legal Journal is published every Friday. All legal notices must be submitted in typewritten form and are published exactly as submitted by the advertiser. The Butler County Bar Association will not assume any responsibility to edit, make spelling corrections, eliminate errors in grammar or make any changes in content.

Please address all communications to:

Butler County Legal Journal
240 South Main Street | Butler PA 16001 | p: 724.841.0130 | f: 724.841.0132 |
BCLegalJournal@zoominternet.net

#### **ESTATE NOTICES**

Notice is hereby given that in the estates of the decedents set forth below the Register of Wills has granted letters testamentary or of 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: Carol Conner**

Late of: Middlesex Township PA Executor: Debra Scelza 220 Old Route 8 Valencia PA 16059 Attorney: Nicole L Thurner Kievit Heck Silbaugh 1421 Pittsburgh Road Suite 200 Valencia PA 16059

## Estate of: Carl W Cooper a/k/a: Carl Cooper

Late of: Worth Township PA Executor: Eugene A Cooper 154 Reichert Rd Portersville PA 16051 Attorney: Ronald W Coyer SR Law LLC 631 Kelly Blvd POB 67 Slippery Rock PA 16057

#### Estate of: Russell C Diehl

Late of: Butler Township PA Executor: Randal L Diehl 273 Grindel Rd Prospect PA 16052-2005 Attorney: David A Crissman Montgomery Crissman Montgomery & Kubit LLP 518 North Main Street Butler PA 16001

## Estate of: Marie E Hart a/k/a: Marie Ella Hart

Late of: Jackson Township PA Executor: Patricia Leach 532 Pfeiffer Road Marion Center PA 15759 Executor: David Hart 1025 Skunk Run Road Mercer PA 16137 Attorney: Gregory S Fox Fox & Fox PC 323 Sixth Street Ellwood City PA 16117

### Estate of: Dolores J Nelson

Late of: Mars PA
Executor: Nancy J Pappas
1242 Mars Evans City Rd
Evans City PA 16033
Executor: James A Nelson
226 Knoch Road
Saxonburg PA 16056
Attorney: Douglas E Weinrich PC
POB 810
Mars PA 16046

### Estate of: Helen R Olls

Late of: Saxonburg PA Executor: Barbara E Browning 16210 Bayside Pointe Apt 1308 Fort Myers FL 33908 Attorney: Lillian Orzechowski POB 77 Springdale PA 15144

### Estate of: William R Parker

Late of: Buffalo Township PA Executor: Jodi L Parker 492 Parker Road Sarver PA 16055 Attorney: Kathleen Marie Charlton Charlton & Charlton Inc 617 South Pike Road Sarver PA 16055

#### Estate of: Marsha B Petrarca

Late of: Butler Township PA Executor: Shirley L Kerr 407 Sawmill Run Road Butler PA 16001 Attorney: Sean M Gallagher Murrin Taylor Flach Gallagher 110 E Diamond Street Butler PA 16001

### Estate of: Harold V Reed

Late of: Forward Township PA Executor: Harold D Reed 227 Arlington Avenue Butler PA 16001 Executor: Gary L Reed 282a Reibold Road Renfrew PA 16063 Attorney: Michael A Nahas 1631 Nolo Way Pittsburgh PA 15206

## Estate of: Agnes F Sarver a/k/a: Agnes Florence Kirk Sarver

Late of: Prospect PA Executor: William N Sarver Jr POB 216 Prospect PA 16052 Attorney: Amy E Molloy Sr Law LLC 631 Kelly Blvd POB 67 Slippery Rock PA 16057

#### Estate of: Robert G Shaheen

Late of: Cranberry Township PA Executor: Anita M Shaheen 305 Woodmont Drive Cranberry Township PA 16066 Attorney: J Benjamin Yeager Yeager & Eberhardt 700 Park Avenue Suite One Altona PA 16602

#### Estate of: Alexander J Stockmal

Late of: Buffalo Township PA Administrator: Philip Stockmal 9411 Babcock Boulevard Allison Park PA 15101 Attorney: Rebecca L Hagan Fox Rothschild LLP BNY Mellon 500 Grant Street Ste 2500 Pittsburgh PA 15219

#### Estate of: Edward E Vasko

Late of: Adams Township PA Executor: Janice L Dunbar 3042 Point Clear Drive Fort Mill SC 29708 Attorney: Orlando R Sodini Thompson Calkins & Sutter LLC 850 Ridge Avenue Suite 300 Pittsburgh PA 15212

BCLJ: November 6, 13 & 20, 2015

#### SECOND PUBLICATION

#### Estate of: Anthony F Bryan Jr

Late of: Harrisville PA Administrator: Leah Ferguson 5461 Richland Road Gibsonia PA 15044 Attorney: John R Owen Esq Rhoades & Owen LLC 310 Grant Street Suite 1030 Pittsburgh PA 15219

Estate of: Margery L Himes

Late of: Cranberry Township PA
Admr dbn cta: Robert W McFate Esq
3178B State Route 257
POB 407
Seneca PA 16346
Attorney: Robert W McFate
McFate And Merkel
3178B State Route 257
POB 407
Seneca PA 16346

### Estate of: Mary Ann A Hiwiller

Late of: Cranberry Township PA Administrator: Michael E Hiwiller 137 York Road Cranberry Twp PA 16066-2153 Attorney: Peter J Pietrandrea Pietrandrea Law 1309 Freedom Road Cranberry Twp PA 16066

### Estate of: Dylan Patrick Johnson

Late of: Clay Township PA Administrator: Tammy M Johnson 173 Kelly Rd Butler PA 16001 Attorney: Sam H Jessee PC POB 100091 Pittsburgh PA 15214

### **Estate of: Mark B Maharg**

Late of: Jefferson Township PA Executor: Eric B Maharg 966 Sunset Drive Butler PA 16001 Executor: Dennis L Maharg 119 Skyview Lane Lititz PA 17543 Attorney: Thomas J May Dillon, McCandless, King, Coulter & Graham LLP 128 West Cunningham Street Butler PA 16001

## Estate of: Barbara B Parsons a/k/a: Barbara Parsons

Late of: Cranberry Township PA
Administrator: Frederick R Parsons
722 Norman Drive
Cranberry Twp PA 16066
Attorney: Keith H West
Clark Hill PLC
One Oxford Centre
301 Grant St 14th FI
Pittsburgh PA 15219 1425

## Estate of: Earl Lester Phipps a/k/a: Earl L Phipps

Late of: Connoquenessing PA Executor: Donald B Phipps 119 Harmony Road Prospect PA 16052 Executor: James E Phipps 183 Heath Terrace Buffalo NY 14223 Attorney: Gwilym A Price III 129 South McKean St Butler PA 16001-6029

## Estate of: Elizabeth R Walker a/k/a: Emma Elizabeth Walker

Late of: Zelienople PA Executor: David O Cashdollar 803 Enterprise Road Grove City PA 16127 Attorney: No Attorney on Record

### Estate of: John P Zamperini

Late of: Center Township PA Executor: Carol Niggel 2102 Winchester Court Renfrew PA 16053 Attorney: Mary Jo Dillon Dillon McCandless King Coulter & Graham LLP 128 West Cunningham Street Butler PA 16001

BCLJ: October 30, November 6 & 13, 2015

#### THIRD PUBLICATION

### Estate of: Jack Stephen Affolder

Late of: Cranberry Township PA Executor: Cheryl Reckard 439 Leasureville Road Cranberry Township PA 16023 Attorney: Toni L DiGiacobbe Krassenstein & Associates PC 7500 Brooktree Road Wexford PA 15090

## Estate of: Anna Marie Black a/k/a: Anna M Black

Late of: Connoquenessing PA Executor: Cynthia Gregor 125 Harmony Road Prospect PA 16052 Attorney: Jeffrey D Banner Heritage Elder Law & Estate Planning LLC 318 South Main Street Butter PA 16001

### Estate of: Helen A Bellotti

Late of: Jefferson Township PA Administrator: William A Collins 310 Edgewood Drive Cabot PA 16023 Attorney: Pamela H Walters POB 654 277 Main Street Saxonburg PA 16056

### Estate of: Helen E Montgomery

Late of: Venango Township PA Executor: Pearl A Montgomery POB 13 Eau Claire PA 16030 Attorney: Scott W Schreffler Lynn King & Schreffler PC 606 Main St POB 99 Emlenton PA 16373

### **Estate of: Thomas James Mitchell**

Late of: Butler PA
Administrator: William G Mitchell
1210 Oakridge Drive
Butler PA 16001
Attorney: Lawrence P Lutz
Lutz & Pawk
The Morgan Center Bldg
101 East Diamond St Suite 102
Butler PA 16001

### **Estate of: Mary Lou Neff**

Late of: Zelienople PA Executor: David E Neff 370 Railroad Lane Orrtanna PA 17353 Attorney: Steven T Casker Lope Casker & Casker 207 East Grandview Ave Zelienople PA 16063

# Estate of: Henry Pasquinelli a/k/a: Henry J Pasquinelli

Late of: Jefferson Township PA Executor: Michele L Kasunich 200 Green Manor Drive Butler PA 16002 Executor: Robin S Hasychak 911 West Sunbury Road West Sunbury PA 16061 Attorney: Mary Jo Dillon Dillon McCandless King Coulter & Graham LLP 128 West Cunningham Street Butler PA 16001

## Estate of: Timothy C Senft a/k/a: Timothy Carl Senft

Late of: Connoquenessing PA Executor: Bradley M Senft 6985 Pike Court Arvada CO 80007 Attorney: Robert J Stock Stock & Patterson PNC Bank Bldg Suite 603 106 South Main St Butler PA 16001

### **Estate of: Tyler Ray Thompson**

Late of: Concord Township PA
Administrator: Robina J Richards
1151 Treasure Lake
Dubois PA 15801
Administrator: Scott K Thompson
205 Hindman Road
Petrolia PA 16050
Attorney: Tracy Cornibe Schaffner
Zunder & Associates PC
130 East Jefferson Street

## Estate of: Robert Clarence Wolfe a/k/a: Bob Wolfe

Butler PA 16001

Late of: Saxonburg PA Executor: Russell Conrad Wolfe 9395 Crosspointe Drive Fairfax Station VA 22039 Attorney: No Attorney on Record

BCLJ: October 23, 30 & November 6, 2015

#### **MORTGAGES**

October 19 - 23, 2015

- Adamczyk, David A., et al-Howard Hanna Mtg Servs, et al-Cranberry Twp.-\$153,750.00
- Adamczyk, David A., et al-Howard Hanna Mtg Servs, et al-Cranberry Twp.-\$61,400.00
- Adamczyk, David A., et al-Howard Hanna Mtg Servs -Cranberry Twp.-\$61,400.00
- Antonelli, Cara-Pacific Union Fin LLC, et al-Cranberry Twp.-\$137,365.00
- **Appleby, Patrick J., et ux**-Wells Fargo Bk NA-Cranberry Twp.-\$250,000.00
- Arman, Bayram, et ux-Citizens Bk of Pa-Cranberry Twp.-\$132,000.00
- Baechtel, Joseph N., aka-First Natl Bk of Pa, et al-Slippery Rock Borough-\$70,000.00
- Baehr, Frederick J., III-Mars Natl Bk-Mars Borough-\$18,000.00
- **Bargiband, Nicholas M., et ux**-Wells Fargo Bk NA-Lancaster Twp.-\$304,885.00
- Benko, Dane D., et ux-First Commonwealth Bk-Butler City-\$450,000.00
- Benko, Dane D., et ux-First Commonwealth Bk-Butler City-\$450,000.00
- Beyer, Thomas J., et ux-Mars Natl Bk-Middlesex Twp.-\$70,000.00
- Birckbichler, Kurt A., et ux-Butler Armco Emp Cred Un-Clay Twp.-\$141,400.00
- Boarts, Gary G., et al-Utilities Emp Cred Un-Center Twp.-\$75,000.00
- Boros, Nathaniel S., et ux-WesBanco Bank Inc, et al-Jackson Twp.-\$206,440.00
- Brennan, Matt, et al-Cityworth Mtg LLC, et al-Clinton Twp.-\$143,355.00

- Bricker, Brent, et ux-First Commonwealth Bk-Winfield Twp.-\$158,000.00
- Bromley, Michael A., et ux-First Guaranty Mtg Corp, et al-Slippery Rock Twp.-\$250.000.00
- **Buchanan, Brandon J., et al**-Butler Armco Emp Cred Un-Buffalo Twp.-\$60,000.00
- Burlett, Andrew, et ux-Howard Hanna Mtg Servs, et al-Cranberry Twp.-\$270,750.00
- Callender, Dale R., Sr., et ux-West Penn Fin Serv Ctr Inc, et al-Prospect Borough-\$132,000.00
- Callender, Ryan J., et al-Farmers Natl Bk of Emlenton-Venango Twp.-\$100,000.00
- Chamberlain, Michael I.-Huntington Natl Bk-Cranberry Twp.-\$85,100.00
- CNC, LLC, et al-PNC Bk Natl Assn-Cranberry Twp.-\$1,617,000.00
- Coffield, Grant, et ux-Provident Funding Associates LP, et al-Adams Twp.-\$399,000.00
- Collins, Lisa Marie-Butler Armco Emp Cred Un-Butler Twp.-\$109,000.00
- Corbett, William B., et al-Butler Armco Emp Cred Un-Connoquenessing Boro.-\$25,000.00
- Craig, Bradley D.-Butler Armco Emp Cred Un-East Butler Borough-\$55,100.00
- Cress, Joshua J., et al-West Penn Fin Serv Ctr Inc, et al-Franklin Twp.-\$207,005.00
- **Dayton, Richard J., Jr.**-Greentree Mtg Co LP, et al-Cranberry Twp.-\$97,875.00
- **Druschel, Michael S., et ux**-WesBanco Bank Inc-Cranberry Twp.-\$300,000.00
- **Duke, Jason A., et ux-**Mars Natl Bk-Penn Twp.-\$87,500.00
- Echtler, Joann M.-Northwest Sav Bk-Middlesex Twp.-\$136,800.00
- Eckert, Matthew J., et al-Mars Natl Bk-Oakland Twp.-\$140,000.00
- Faub, Carl L., by P/A-Bank of England, et al-Jackson Twp.-\$382,500.00
- Ferree, Edward E., et al-Farmers Natl Bk of Emlenton-Middlesex Twp.-\$1,100,000.00
- **Fisher, Matthew, et ux**-Cityworth Mtg LLC, et al-Washington Twp.-\$191,468.00
- Fraser, Kenneth W., Jr., et ux-First Commonwealth Bk-Penn Twp.-\$84,800.00
- **Gillespie, Joshua M., et ux**-Union Home Mtg Corp, et al-Cranberry Twp.-\$315,900.00
- **Gindlesperger, Donald G., et ux**-Mars Natl Bk-Adams Twp.-\$30,000.00
- Grace Youth & Family Foundation Inc, aka-First Commonwealth Bk-Butler City, Wd. 2-\$314,000.00
- **Graham, Kathleen L.**-Dollar Bk Fed Sav Bk-Butler Twp., Wd. 6-\$30,217.47
- Gurung, Krishna, et ux-M. S. Flynn Inc, dba, et al-Cranberry Twp.-\$248,200.00
- Haid, Mark J., et al-Butler Armco Emp Cred

**S. O'Sche:** Lien: \$2369.64: Atty - None: 15-21739

Clerk of Courts vs. **Thomas Lee Odom:** Judgment: \$1486.50: Atty - None: 15-21767 Clerk of Courts vs. **Jose Olivo, Jr.:** Judgment: \$1774.50: Atty - None: 15-21732

USX Federal Ćredit Union vs. **Brandon R. Osche:** Judgment: \$2911.86: Matthew D. Urban, Esq.: 15-21782

USX Federal Credit Union vs. **Brandon Osche and Samantha Drane:** Judgment: \$9026.80: Matthew D. Urban, Esq.: 15-21783

Clerk of Courts vs. Nickie Paul Quickle: Judgment: \$5151.50: Atty - None: 15-21768

Clerk of Courts vs. **Bradley David Remerowski:** Judgment: \$2987.00: Atty-None: 15-21769

Clerk of Courts vs. Cody Vaughn Robinson: \$1329.50: Atty - None: 15-21733

Clerk of Courts vs. Maria Jean Rock: Judgment: \$2877.00: Atty - None: 15-21770 Midland Funding LLC vs. Susan Schuler: Transcript: \$1876.96: Atty - None: 15-21699 Commonwealth of PA-UCF vs. Securestate LLC: Lien: \$738.27: Atty - None: 15-21698 Clerk of Courts vs. Margaret M. Skelley: Judgment: \$1623.00: Atty - None: 15-21771 Clerk of Courts vs. Brenhan James Skrak:

Clerk of Courts vs. **Brenhan James Skrak:**Judgment: \$224391.70: Atty - None: 1521734

Clerk of Courts vs. Joshua Jennings Space: Judgment: \$3417.07: Atty - None: 15-21772 Clerk of Courts vs. Trenton Lee Stearns: Judgment: \$1272.50: Atty - None: 15-21735 Clerk of Courts vs. Richard John Taylor, III: Judgment: \$3126.50: Atty - None: 15-21736 Clerk of Courts vs. Daniel Christopher

Clerk of Courts vs. **Daniel Christopher Vavro:** Judgment: \$2386.50: Atty - None: 15-21737

Clerk of Courts vs. **Terry Williams:** Judgment: \$1098.00: Atty - None: 15-21773

Clerk of Courts vs. **Derek M. Wiser:** Judgment: \$3969.50: Atty - None: 15-21774

Clerk of Courts vs. Richard Douglas Wissinger: Judgment: \$3844.50: Atty -None: 15-21738

Clerk of Courts vs. Chase Alexander Zmijowski: Judgment: \$2327.50: Atty -

None: 15-21775

### **EXECUTIONS**

Week ending October 30, 2015

1st Name-Plaintiff
2nd Name-Defendant

Capital One Bank (USA) N.A. vs. Caroline
A. Dinicola and PNC Bank, Garnishee:
15-30275

Discover Bank vs. David J. Keasey and

**Butler Armco Employees Credit Union, Garnishee:** 15-30274

Discover Bank vs. Mary T. McLaughlin and Northwest Bank, Garnishee: 15-30273 Ally Financial Inc. vs. Zachery L. Older, Wesbanco Bank, Inc., Garnishee and Citizens Bank, Garnishee: 15-30276

#### **DIVORCES**

Week ending October 30, 2015

## 1st Name-Plaintiff 2nd Name-Defendant

William M. Daniels vs. **Chante N. Daniels:** Elizabeth A. Smith, Esq.: 15-90724 Jenna L. Estock vs. **Brian P. Estock:** Gerri V.

Paulisick, Esq.: 15-90728

Jessica Nusser vs. **Douglas Lane:** Atty - None: 15-90730

Patricia A. Pollock vs. **Andrew C. Pollock:** Thomas J. May, Esq.: 15-90725

Donald S. Schons vs. Lori Lee Schons: Atty - None: 15-90726

Erin Maria Weightman vs. **Nicholas James Weightman:** Atty - None: 15-90722

Annie Y. Wiest vs. **Paul H. Wiest:** Glenn A. Smith, Esq.: 15-907238

#### REVOCABLE TRUST NOTICE

On September 17, 2015, Dorothy S. McKennan, surviving settlor of the McKennan Revocable Agreement of Trust, died. The Trustee, pursuant to 20 Pa.C.S. §7755(c), requests all persons having claims or demands against the Trust of the decedent to make known the same, and all persons indebted to decedent to make payment without delay to

David W. Snyder, Successor Trustee 24620 Wolf Rd. P.0. Box 40581 Bay Village, OH 44140,

or to JOHN H. AULD, II, ESQUIRE ABERNETHY, AULD & YOUNG, P.C. 4499 Mt. Royal Blvd. Allison Park, PA 15101.

BCLJ: October 30, November 6 & 13, 2015

#### NOTICE OF TRUST ADMINISTRATION

NOTICE is hereby given of the administration of the ROBERT B. KLINE LIVING TRUST DATED MAY 26, 1997. ROBERT B. KLINE, Settlor of the Trust, of 554 Holyoke Road, Butler County, Pennsylvania, died on April 19, 2015. All persons having claims against the Decedent or the Trust are requested to make known the same to the Successor Trustee or Attorney named below. All persons indebted to the Decedent or the Trust are requested to make payment without delay to the Successor Trustee or Attorney named below.

Sandra L. Markle, Successor Trustee 550 Holyoke Road Butler. PA 16001

David A. Crissman, Esquire Montgomery, Crissman Montgomery, Kubit, LLP 518 North Main Street Butler, PA 16001

BCLJ: November 6, 13 & 20, 2015

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## IN THE COURT OF COMMON PLEAS OF BUTLER COUNTY, PENNSYLVANIA

## NOTICE OF FILING OF PETITION FOR NAME CHANGE

Notice is hereby given that, on October 5, 2015, the petition of Name Change was filed in the above-named court, requesting an order to change the name of **McKinley Mills to Pharoah Amenrah Imhotep**. The Court has fixed the 9th day of December, 2015, at 10:00 A.M., in Court Room 4, Court House, Butler, Pennsylvania as the time and place for the hearing on said petition, when and where all interested parties may appear and show cause, if any, why the request of the petitioner should not be granted.

McKinley Mills

BCLJ: November 6, 2015

- 12 -

### **REGISTER'S NOTICE**

I, **Judith Moser**, Register of Wills and Clerk of Orphans' Court of Butler County Pennsylvania, do hereby give Notice that the following Accounts of Personal Representatives/Trustees/Guardians have been filed in my office, according to law, and will be presented to Court for confirmation and allowances on **Monday**, **November 9**, **2015 at 1:30 PM** (prevailing time) of said day.

ESTATE OF:	PERSONAL REPRESENTATIVE	FILED
CONNOLLY, Dorothy A	Karen Kline and Joseph P Connolly	09/25/15
KEELER, Jennie E	Judith E. Sturges	09/25/15
MONTAG, Judith M	Robert G. Montag	09/01/15
OWENS, Mary V	Sarah E. Jones	09/28/15
MARBELL, Arthur D	Eileen L. Roxbury	09/10/15
SCHWEIGER, Rita M	Tammy R. Schweiger	09/15/15
STOCK, Anna R	Carol A. Gallagher and Jean M. Schnur	09/28/15
VARDY, Mary A	Kathy Ann Wolabaugh	09/25/15
WAITE, Charles Eugene	Natalie M. Ference and Thomas B. Mekis	09/28/15
NAME	GUARDIAN/TRUSTEE/POA	FILED
JOSEPH S. BORCZ AND HARRIETT A. BORCZ REVOCABLE LIVING TRUST	Paula J. Nagy	09/22/15
PCL I: October 30 & Nevember 6	2015	

BCLJ: October 30 & November 6, 2015