

## LACKAWANNA JURIST

### JUDICIAL OPINION

**CASE NAME AND NUMBER:** Clauss-Walton v. Gulbin, 2021 WL 2029751 (Lacka. Co. 2021)

**DATE OF DECISION:** May 21, 2021

**JUDGE:** Terrence R. Nealon

**ATTORNEYS INVOLVED:**

Jason J. Mattioli, Esquire, Michael J. Ossont, Esquire, Counsel for Plaintiff  
Michael J. Domanish, Esquire, Counsel for Defendant

**SUMMARY OF OPINION:**

Plaintiff alleged that she was seriously injured in an automobile accident after defendant crossed the double yellow center line and struck plaintiff's vehicle head-on. Plaintiff averred that defendant had been experiencing symptoms of a urinary tract infection ("UTI"), that she knew that she was suffering from a UTI, that she was aware that untreated UTIs could cause fainting or dizzy spells, and that she passed out while operating her motor vehicle as a result of her untreated UTI. Plaintiff sought to recover punitive damages on that basis, and defendant filed preliminary objections challenging the legal sufficiency of that punitive damages claim.

Under Pa.R.C.P. 1019(b), a plaintiff may allege wanton and willful misconduct or recklessness generally in a pleading since they are conditions of the mind that may be averred generally. Moreover, punitive damages claims are allowed against motorists who act unreasonably and in conscious disregard of known or obvious risks which pose a high probability of harm to others. Plaintiff's allegations that defendant was experiencing known symptoms of a UTI, that defendant knew that she had a UTI and that an untreated UTI could "cause fainting or dizzy spells," and that defendant "passed out while operating her motor vehicle as a result of her untreated UTI," were more than sufficient to state a claim for recklessness and a corresponding demand for punitive damages. Therefore, the demurrers to the allegations of recklessness and claim for punitive damages were overruled.

### JUDICIAL OPINION

**CASE NAME AND NUMBER:** Cicchella v. Jaditz, 2021 WL 2142742 (Lacka. Co. 2021)

**DATE OF DECISION:** May 26, 2021

**JUDGE:** Terrence R. Nealon

**ATTORNEYS INVOLVED:**

Joel J. Feller, Esquire, Roberta A. Golden, Esquire, Attorney for Plaintiff

James A. Doherty, Jr., Esquire, Matthew J. Butler, Esquire, Counsel for Defendants, Stephen Jaditz, D.O., Horizon Medical Corporation, P.C. and Dr. Stephen Jaditz, LLC

Mark T. Perry, Esquire, Mary M. Montoro, Esquire, Counsel for Defendant, Charles T. Grad, M.D.

Lara J. Endler, Esquire, Counsel for Defendants, Community Medical Center a/k/a/ and/or d/b/a/ Geisinger Community Medical Center, Geisinger Clinic, Geisinger Health System, and Geisinger Health System Foundation

**SUMMARY OF OPINION:**

Plaintiff filed a wrongful death action alleging that the attending gastroenterologist, who originally diagnosed and treated the decedent for Hepatitis C and cirrhosis at the defendant-hospital, negligently failed to devise and implement an appropriate treatment plan comprised of continuous screening for liver cancer, even though the decedent's cirrhosis diagnosis increased his risk of developing liver cancer which ultimately caused his death four years later. The hospital filed a motion for summary judgment seeking to dismiss plaintiff's ostensible agency claim for the negligence of the gastroenterologist and his nurse practitioner, and contended that the evidence was insufficient as a matter of law under Section 516 of the MCARE Act, 40 P.S. § 1303.516. Plaintiff countered that her gastroenterology expert asserted negligence by the gastroenterologist that began in the hospital setting when he appeared to be the hospital's agent, and continued thereafter on an outpatient basis, as a result of which the jury should determine the question of an ostensible agency relationship.

Under Section 516 of the MCARE Act, a hospital may be vicariously liable for the negligence of an independent contractor physician based upon ostensible agency if the evidence shows that either (1) a reasonably prudent person in the patient's position would be justified in believing that the care was being provided by the hospital or its agent, or (2) the care was advertised or otherwise represented to the patient as being rendered by the hospital or its agent. The summary judgment record contained evidence that when a gastroenterology consultation was requested by the hospitalist due to the decedent's diagnosis, the gastroenterologist was assigned to the decedent's case without any input from the decedent who was never advised that the gastroenterologist was an independent contractor. Additionally, the hospital's website advertised the gastroenterologist as a hospital provider who was board-certified in gastroenterology, even though he was neither board-certified nor board-eligible in gastroenterology. Furthermore, plaintiff's expert opined that the gastroenterologist was negligent at the time of his initial inpatient evaluation of the decedent based upon his acknowledged unawareness of the need for liver cancer surveillance of a patient with cirrhosis, which negligence was compounded by his corresponding failure to prescribe a specific surveillance regimen at that time and to subsequently implement it on an outpatient basis. Viewing the record in the light most favorable to the plaintiff, it could not be declared as a matter of law that (1) a reasonably prudent person in the decedent's position would not have been warranted in believing that the allegedly negligent care by the gastroenterologist was being furnished by the hospital's agent, or (2) the hospital did not advertise or represent the gastroenterologist's care as being rendered by its agent. As a result, the hospital's motion for summary judgment was denied.

## LACKAWANNA JURIST

### ESTATES

#### First Notice

ESTATE OF THOMAS P. BALKO, Estate No. 35-21-00824, Deceased, late of Scranton, Lackawanna County, PA died May 14, 2021. Notice is hereby given that Letters of Testamentary have been granted in the above estate. All persons indebted to said estate are required to make payments, and those having claims or demands are to present the same without delay to the Executrix Ann Harrington c/o Atty. Anthony C. Lomma, 3703 Birney Avenue, Moosic, PA 18507.

NOTICE IS HEREBY GIVEN that Letters Testamentary have been granted in the **ESTATE OF WILLIAM M. FELLS**, Deceased, late of Covington Twp., Lackawanna County, Pennsylvania, 18444 who died on April 22, 2021. 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 Co-Executors, William M. Fells, III, and Kimberly A. Sanderson, or Scott R. Sanderson, Attorney for the Estate – Sanderson Building, One Terrace Drive, Olyphant, Pennsylvania 18447.

**ESTATE OF RICHARD M. FULLER**, DECEASED, late of Clarks Summit, Lackawanna County, Pennsylvania, (died June 5, 2021). Letters of Administration having been granted, creditors shall make demand and debtors shall make payment to Stephen J. Evers, Esq., Attorney for the Estate, 213 R. North State Street, Clarks Summit, PA, 18411.

**ESTATE OF MARY E. GALLO**, late of Carbondale, Lackawanna County, Pennsylvania, (died August 21, 2020). Notice is hereby given that Letters of Administration on the above estate have been granted to Marie Greto, of Carbondale, Pennsylvania, Administratrix. All persons indebted to the said estate are required to make payment and those having claims to present the same without delay to the Administratrix named herein, or to Patrick N. Coleman, Esquire, Tellie & Coleman, P.C., 310 East Drinker Street, Dunmore, PA 18512.

**ESTATE OF ANN MARIE HOPKINS, A/K/A ANN MARIE HARRISON, A/K/A ANN MARIE RIGGI**, late of Scranton, PA (died 5/21/2021) Kelly P. Hopkins, Executor. Paul A. Kelly, Jr., Esq.- Attorney, 201 Lackawanna Avenue, Suite 306, Scranton, PA 18503.

**ESTATE OF JOHNCARLO ANTHONY LIGI, SR.**, late of Jefferson Twp., PA (Died: May 16, 2021). Johncarlo Ligi, Jr., Executor or Albert E. Nicholls, Jr., Attorney for the Estate, 1421 E. Drinker, Street, Dunmore, Pennsylvania 18512.

**RE: ESTATE OF ROBERT J. MCDONNELL**, late of Scranton, PA, who died May 18, 2021. Letters Testamentary in the above estate having been granted, all persons having claims or demands against the estate of the decedent shall make them known and present them, and all persons indebted to said decedent shall make payment thereof without delay to: Marie M. Toffey, Executor or Daniel L. Penetar, Jr., Esquire, Administrator of the Estate, 116 North Washington Avenue, Suite 2A, Scranton, PA 18503.

NOTICE IS HEREBY GIVEN that Letters Testamentary have been granted in the **ESTATE OF RITA KAY MORRISON**, late of Carbondale, Lackawanna County, Pennsylvania (died April 30, 2021). All persons indebted to the Estate are requested to make payment, and those having claims or demands are to present same, without delay, to the

Executor, Brian Morrison, or John J. Lawler, Jr., Attorney for the Estate, 25 North Main Street, Suite Two, Carbondale, Pennsylvania 18407.

In the **ESTATE OF JOSEPH PLESKA**, of Fell Township, Lackawanna County, Commonwealth of Pennsylvania. Letters of Administration in the above estate have been granted to his daughter and son, Gina Haley and Joseph Pleska. All persons indebted to said estate are requested to make prompt payment and all having claims against said estate will present them without delay to: Marissa McAndrew, Esquire, McAndrew Law Offices, PC, 630 Main Street, Forest City, PA 18421, (570) 785 – 3333. Attorney for the Estate

Notice is hereby given that Letters of Administration have been granted in the **ESTATE OF ROBERT M. SEBER**, late of Scranton, Lackawanna County, Pennsylvania. 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 Administratrix, Samantha Petroziello, 535 N. Rebecca Ave., Scranton, PA 18504, or Armand E. Olivetti, Jr., and Jeffrey J. Poplawsky, attorneys for the Estate, 307 N. Blakely Street, Dunmore, PA 18512.

**ESTATE OF ANN L. SIMERSON**, deceased, late of Lackawanna County, Pennsylvania. Letters of Administration have been granted to undersigned, who requests all persons having claims or demands against the Estate of the Decedent to make them known the same, and all persons indebted to the Decedent to make payments without delay to the Michael Lahey, Administrator, or to his attorney: Edwin A. Abrahamson, Jr., 1006 Pittston Avenue, Scranton, PA 18503.

**ESTATE OF JOHN A. SOBIESKI**, late of Dickson City, Lackawanna County, Pennsylvania (died February 15, 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 Mary Ann Dominick, 1099 Dimmick Street, Dickson City, Pennsylvania 18519, Administrator; John R. Sobieski, 110 Fifth Avenue, Blakely, Pennsylvania 18447, Administrator; 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 JAMES WITIAK**, late of the Borough of Archbald, Lackawanna County, Pennsylvania, (died March 12, 2020). Notice is hereby given that Letters Testamentary on the above estate have been issued to Elaine Witiak, Executrix of the Estate. All persons indebted to the said Estate are required to make payment and those having claims or demands to present the same without delay to the Executrix or to Guy N. Valvano, Esquire, 117 W. Drinker Street, Dunmore, PA 18512, Attorney for the Estate.

#### Second Notice

Notice is hereby given that, in the estate of the decedent set forth below, the Register of Wills has granted letters, testamentary or of administration to the persons named. All persons having claims against said estate are requested to make known the same to them or their attorneys and all persons indebted to said decedent are requested to make payment without delay to the executors or administrators named below. **ESTATE OF STANLEY EARL BAGG**, late of Clarks Summit Borough, Deborah Amico, 31 Willow Avenue, Slatington, PA. Attorney Kenneth R.

## LACKAWANNA JURIST

Bachman, Esq., 1063 Mosser Road, T-204, Breinigsville, PA 18031.

**ESTATE OF LEON ROBERT BRONSON**, Deceased (died on 2/10/2021). Late of Carbondale, Lackawanna County, PA. Letters Testamentary have been granted and all creditors shall make demand and all debts shall make payment without delay to JOAN BRONSON, C/O HARRY T. COLEMAN, ESQUIRE, 41 N. Main Street, Carbondale, PA 18407.

Notice is hereby given that Letters Testamentary have been granted to Catherine Chelland, Executrix of the **ESTATE OF GEORGE J. CHELLAND**, late of Old Forge, PA, who died on May 30, 2021. All persons indebted to Estate are required to make payment and those having claims or demands are to present the same without delay to the Executrix or to Raymond C. Rinaldi, II, Esquire, Rinaldi & Poveromo, P.C., P.O. Box 826, Scranton, PA, 18501.

RE: **ESTATE OF JOHN CONNOLLY III**, late of Scranton, Pennsylvania (died March 17, 2020). Notice is hereby given that Letters of Administration for the Estate of John Connolly III have been issued to Zane M. Burrier, Administrator of the Estate. All those having claims or demands against the Estate or indebtedness owed to the Estate shall present claims or remit payment without delay to the Administrator at 8108 Lincoln Avenue – Apt. D, Evansville, IN 47715 or to Robert T. Kelly, Jr., Myers, Brier & Kelly, LLP, Attorney for the Estate, 425 Spruce Street, Suite 200, Scranton, PA 18503.”

**ESTATE OF FRANK DROST, SR. A/K/A FRANK DROST** late of Scranton, Lackawanna County, Pennsylvania (died April 13, 2021). Notice is hereby given that Letters Testamentary have been issued to Lisa Bauman, 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 Lisa Bauman, c/o John J. McGee, Attorney for the Estate, P.O. Box 3298, Scranton, PA 18505.

**ESTATE OF CLAIRE ANN EIBACH A/K/A CLAIRE EIBACH**, late of Scranton, Lackawanna County, Pennsylvania (died April 13, 2021). Notice is hereby given that Letters Testamentary have been issued to Sally Ann Marrazzo, 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 Sally Ann Marrazzo, c/o John J. McGee, Attorney for the Estate, P.O. Box 3298, Scranton, PA 18505.

**ESTATE OF KEVIN FLANAGAN**, late of Scranton, Lackawanna County, (died November 28, 2020). Notice is hereby given that Letters of Administration have been granted to Ann Mullin. All persons indebted to the said Estate are required to make payment, and those having claims or demands to present same without delay to the Administratrix or to David I. Falk, Esq., attorney for the estate, 227 Penn Avenue, Scranton, PA 18503.

NOTICE IS HEREBY GIVEN that Letters of Administration have been granted in the **ESTATE OF RANDOLPH J. HORHUTZ A/K/A RANDOLPH HORHUTZ OR RANDY HORHUTZ OR RANDY HORUTZ**, Deceased, late of 712 Park Street, Mayfield, Lackawanna County, Pennsylvania 18433, who died on April 12, 2021. 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 Administratrix, Gloria J. Horhutz, or Michael N. Krusa, Attorney for the Estate, 3397 Scranton/Carbondale Highway, Suite 4, Blakely, Pennsylvania 18447.

**ESTATE OF ROBERT E. JACKSON**, DECEASED, late of Scranton, Lackawanna County, Pennsylvania, (died May 7, 2021). Letters Testamentary having been granted, creditors shall make demand and debtors shall make payment to Stephen J. Evers, Esq., Attorney for the Estate, 213 R. North State Street, Clarks Summit, PA, 18411.

NOTICE IS HEREBY GIVEN that Letters Testamentary in the **ESTATE OF MICHAEL J. JEZUIT**, (Date of Death: January 30, 2021) late of the City of Scranton, Lackawanna County, Pennsylvania, have been granted to the undersigned. All persons indebted to said estate are required to make immediate payment and those having claims shall present them for settlement to: STANLEY JEZUIT, EXECUTOR, BRENDA D. COLBERT, ESQUIRE, COLBERT & GREBAS, P.C., 210 Montage Mountain Road – Suite A, Moosic, PA 18507.

Notice is hereby given that Letters Testamentary have been granted in the **ESTATE OF RUTH M. MILLIGAN**, late of Fell Township, Lackawanna County, Pennsylvania (died April 16, 2021). All person indebted to the Estate are requested to make payments and all those having claims or demands are to present same, without delay to Therese Talarico, Executrix of the Estate, or Sean P. McGraw, Esquire, Attorney for the Estate, 41 N. Main Street, Suite 415, Carbondale, PA 18407.

RE: **ESTATE OF TANA T. VACENDAK A/K/A GAETANA T. VACENDAK**, late of Clarks Summit, Pennsylvania (died April 11, 2021). Notice is hereby given that Letters of Administration for the Estate of Tana T. Vacendak a/k/a Gaetana T. Vacendak have been issued to Michael Vacendak, Administrator of the Estate. All those having claims or demands against the Estate or indebtedness owed to the Estate shall present claims or remit payment without delay to the Administrator at 9188 Valley View Drive, Clarks Summit, PA 18411 or to Patrick A. Walsh, Esquire, Myers, Brier & Kelly, LLP, Attorney for the Estate, 425 Spruce Street, Suite 200, Scranton, PA 18503.

### Third Notice

RE: **ESTATE OF RICHARD E. CATO A/K/A RICHARD CATO**, late of Scranton, Lackawanna County, and State of Pennsylvania, deceased, who died on the 21<sup>st</sup> day of January, 2021. Letters of Administration having been granted, all persons having claims or demands against the estate of the decedent shall make them known and present them, and all persons indebted to the decedent shall make payment thereof without delay to the Administratrix, Lisa Brandt, P.O. Box 164, Portland, PA 18351, or to Mattes & Mattes, P.C., 324 N. Washington Ave., Scranton, PA 18503.

**ESTATE OF ANTHONY W. CERRA**, late of Carbondale City, Lackawanna County, Pennsylvania. Letters Testamentary in the above named estate having been granted to the undersigned, all person indebted to the estate are requested to make immediate payment and those having claims are directed to present the same without delay to the undersigned or his/her attorney within four months from the date hereof and to file with the Clerk of the Court of Common Pleas of Lackawanna County, Orphans' Court Division, a particular statement of claim, duly verified by an affidavit setting forth an address within the county where notice may be given to claimant. Anthony W. Cerra Jr., Co-Executor, 15 Sargent Rd., Swamscott, MA 01907 & Francis X. Cerra, Co-Executor, 21 Dewitt Avenue, Carbondale, PA 18407. Joseph

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P. McDonald, Jr., Esquire, 1651 West Main Street, Stroudsburg, PA 18360.

RE: **ESTATE OF PAUL COOLICAN A/K/A PAUL J. COOLICAN**, late of Clarks Summit, Pennsylvania (died May 7, 2021). Notice is hereby given that Letters Testamentary for the Estate Paul Coolican a/k/a Paul J. Coolican have been issued to Carol S. Hosier, 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 Executor at 112 Ashbury Drive, Clarks Summit, PA 18411 or to Kris E. Fendrock, Myers, Brier & Kelly, LLP, Attorney for the Estate, 425 Spruce Street, Suite 200, Scranton, PA 18503.

Notice is hereby given that Letters of Administration have been granted to Jennifer Dellamalva, Administratrix of the **ESTATE OF JOHN THOMAS DELLAMALVA A/K/A JOHN DELLAMALVA**, late of Moosic, PA, who died on May 6, 2021. All persons indebted to Estate are required to make payment and those having claims or demands are to present the same without delay to the Administratrix or to Raymond C. Rinaldi, II, Esquire, Rinaldi & Poveromo, P.C., P.O. Box 826, Scranton, PA, 18501.

**ESTATE OF RALPH F. ESTELLE**, late of Gouldsboro, Lackawanna County, Pennsylvania, deceased (Died January 11, 2021) Letters of Testamentary have been granted to Maureen Snellen, Executrix or Christopher T. Powell, Jr., Esquire, Powell Law, 527 Linden Street, Scranton, PA 18503.

**ESTATE OF MADELINE T. FLYNN**. ESTATE NUMBER 35-2021-691, DECEASED, LATE OF SCRANTON, LACKAWANNA COUNTY, PA: DIED FEBRUARY 20, 2021. NOTICE IS HEREBY GIVEN THAT LETTERS TESTAMENTARY HAVE BEEN GRANTED IN THE ABOVE ESTATE. ALL PERSONS INDEBTED TO SAID ESTATE ARE REQUIRED TO MAKE PAYMENTS, AND THOSE HAVING CLAIMS OR DEMANDS ARE TO PRESENT THE SAME WITHOUT DELAY TO MARTIN FLYNN, 1401 ORAM STREET, SCRANTON PA 18504.

NOTICE IS HEREBY GIVEN that Letters Testamentary have been issued to Randy R. Freeman, Executor of the **ESTATE OF SHIRLEY A. FREEMAN**, Deceased, who died on March 17, 2021, late of Scranton, Lackawanna County, Pennsylvania. All creditors are requested to present their claims and all persons indebted to the decedent will make payment to the aforementioned Executor or his attorney. ROSENN, JENKINS & GREENWALD, LLP, 1065 Highway 315, Suite 200, Wilkes-Barre, PA 18702.

**ESTATE OF MICHAEL J. GIANZANTI**, late of Dunmore, Lackawanna County, Pennsylvania, (died April 16, 2021). Notice is hereby given that Letters Testamentary have been issued to Pamela Doran, Executrix of the Estate. MARIANNE M. STIVALA, ESQUIRE, BRIAN J. CALI & ASSOCIATES, 103 EAST DRINKER STREET, DUNMORE, PENNSYLVANIA 18512.

RE: **ESTATE OF ELIZABETH S. HOYLE, A/K/A ELIZABETH HOYLE**, late of Carbondale, Pennsylvania (died March 7, 2021). Notice is hereby given that Letters Testamentary for the Estate of Elizabeth S. Hoyle, a/k/a Elizabeth Hoyle have been issued to Elizabeth A. Hoyle, 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 at P.O. Box 507, Peapack, NJ 07977 or to Kristen M. Clark, Myers, Brier & Kelly, LLP, Attorney for the Estate, 425 Spruce Street, Suite 200, Scranton, PA 18503.

**ESTATE OF FRANCES M. KLINKO**, late of Archbald, Lackawanna County, PA (died January 27, 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 Richard P. Klinko, 701 North Main Street, Archbald, PA 18403 or to William F. Dunstone, Esquire, of Oliver, Price & Rhodes, Attorney for the Estate, 1212 S. Abington Road, Clarks Summit, PA 18411.

**ESTATE OF ANN M. LIPPERINI**. ESTATE NUMBER 35-2021-656, DECEASED, LATE OF SCRANTON, LACKAWANNA COUNTY, PA: DIED MARCH 23, 2021. NOTICE IS HEREBY GIVEN THAT LETTERS TESTAMENTARY HAVE BEEN GRANTED IN THE ABOVE ESTATE. ALL PERSONS INDEBTED TO SAID ESTATE ARE REQUIRED TO MAKE PAYMENTS, AND THOSE HAVING CLAIMS OR DEMANDS ARE TO PRESENT THE SAME WITHOUT DELAY TO RICHARD J. LIPPERINI, 1454 ARAPAHO CT, TOMS RIVER, NJ 08755.

**ESTATE OF RHODA MILLER A/K/A RHODA J. MILLER**, late of Taylor, PA (died January 25, 2021), Donald L. Miller, Jr., Executor, c/o Michael F. Bailey, Esquire, 4099 Birney Avenue, Moosic, PA 18507.

**ESTATE OF JAMES M. MUNLEY**, Late of South Abington Township, Pennsylvania (Died March 23, 2020). Letters Testamentary has been granted to Kathleen P. Munley, Executrix. All persons having claims against the Estate of indebted to the Estate shall make payment or present claims to Douglas P. Thomas, Attorney for the Estate, 345 Wyoming Avenue, Suite 200, Scranton, PA 18503.

**ESTATE OF IRENE B. O'HEARN**, late of Scranton, PA, who died May 12, 2021. Letters of Testamentary in the above Estate having been granted, all persons having claims or demands against the Estate of the decedent shall make them known and present them, and all persons indebted to said decedent shall make payment thereof without delay to: John O'Hearn, Executor, c/o Corinne E. Thiel, Esquire, 3703 Birney Avenue, Scranton, PA 18507.

NOTICE IS HEREBY GIVEN that Letters Testamentary have been granted in the **ESTATE OF EVELYN OSBORN**, Deceased, late of South Abington Township, Lackawanna County, Pennsylvania, who died on December 11, 2020. 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, Paul C. Osborn, in care of their attorney, Jannell L. Dudick, 1043 Wyoming Ave., Forty Fort, PA. 18704.

**ESTATE OF JEAN A. PATRONICK A/K/A JEAN ANGELA PATRONICK**, late of Old Forge, Lackawanna County, PA, (died August 22, 2020). Letters Testamentary were granted to Roberta A. Fratzola. Creditors present claims and debtors make payment to the Executrix, or to Kim A. Giombetti, Esq., The Ritz Building, 222 Wyoming Avenue, Scranton, PA 18503, Attorney for the Estate.

**ESTATE OF HANNAH PERRINS aka HANNAH SCHLAPPE PERRINS aka HANNAH PERRINS-SCHIAPPE aka HANNAH S. PERRINS**. ESTATE NUMBER 35-2021-693, DECEASED, LATE OF SCRANTON, LACKAWANNA COUNTY, PA: DIED APRIL 23, 2021. NOTICE IS HEREBY GIVEN THAT LETTERS TESTAMENTARY HAVE BEEN GRANTED IN THE ABOVE ESTATE. ALL PERSONS INDEBTED TO SAID ESTATE ARE REQUIRED TO MAKE PAYMENTS, AND THOSE HAVING CLAIMS OR DEMANDS ARE TO PRESENT THE SAME WITHOUT DELAY TO

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LORRIE REILLY, 201 SKYLINE DRIVE, ARCHBALD PA 18403.

**ESTATE OF GRETA PINYHA.** ESTATE NUMBER 35-2021-685, DECEASED, LATE OF OLD FORGE, LACKAWANNA COUNTY, PA: DIED MARCH 29, 2021. NOTICE IS HEREBY GIVEN THAT LETTERS TESTAMENTARY HAVE BEEN GRANTED IN THE ABOVE ESTATE. ALL PERSONS INDEBTED TO SAID ESTATE ARE REQUIRED TO MAKE PAYMENTS, AND THOSE HAVING CLAIMS OR DEMANDS ARE TO PRESENT THE SAME WITHOUT DELAY TO MICHELE DOMIANO-GNALL, 4 KIPLING DRIVE, MOOSIC PA 18507

**ESTATE OF CHARLES PRENDERGAST aka CHUCK PRENDERGAST.** ESTATE NUMBER 35-2021-737, DECEASED, LATE OF OLD FORGE, LACKAWANNA COUNTY, PA: DIED APRIL 25, 2021. NOTICE IS HEREBY GIVEN THAT LETTERS TESTAMENTARY HAVE BEEN GRANTED IN THE ABOVE ESTATE. ALL PERSONS INDEBTED TO SAID ESTATE ARE REQUIRED TO MAKE PAYMENTS, AND THOSE HAVING CLAIMS OR DEMANDS ARE TO PRESENT THE SAME WITHOUT DELAY TO THOMAS ALLEN POSSINGER, 505 JOSEPHINE STREET, OLD FORGE PA 18518.

Notice is hereby given that letters of administration have been granted in the **ESTATE OF ARLENE F. SCAVO**, late of Scranton, (died April 4, 2021) to Christopher B. Scavo, c/o Comitz Law Firm, LLC, 46 Public Square, Suite 101, Wilkes-Barre, PA 18701. All persons indebted to said Estate are required to make payment and those having claims or demands to present the same without delay to the Administrator named or his attorney.

**ESTATE OF BARBARA E. SICHIK.** ESTATE NUMBER 35-2021-757, DECEASED, LATE OF SCRANTON, LACKAWANNA COUNTY, PA: DIED APRIL 30, 2021. NOTICE IS HEREBY GIVEN THAT LETTERS TESTAMENTARY HAVE BEEN GRANTED IN THE ABOVE ESTATE. ALL PERSONS INDEBTED TO SAID ESTATE ARE REQUIRED TO MAKE PAYMENTS, AND THOSE HAVING CLAIMS OR DEMANDS ARE TO PRESENT THE SAME WITHOUT DELAY TO JULIA A. FULLER, 15 HOFFAMN PLACE, BELLE MEAD NJ 08512

## CERTIFICATE OF ORGANIZATION

NOTICE IS HEREBY GIVEN THAT Certificate of Organization-Domestic Limited Liability Company of Blakely Properties LLC was filed with and approved by the Pennsylvania Department of State on June 3, 2021 in accordance with provisions of the Pennsylvania Business Corporation Law of 1988.

KREDER BROOKS HAILSTONE LLP  
T1-7/2

## NOTICE

IN THE COURT OF COMMON PLEAS  
Lackawanna COUNTY  
CIVIL ACTION - LAW  
ACTION OF MORTGAGE FORECLOSURE  
Term No. 2021-00034

NOTICE OF ACTION IN MORTGAGE FORECLOSURE  
THE BANK OF NEW YORK MELLON, F/K/A THE BANK OF  
NEW YORK AS TRUSTEE FOR REGISTERED HOLDERS  
OF CWABS, INC., ASSET-BACKED CERTIFICATES,  
SERIES 2006-19

Plaintiff

vs.

The Unknown Heirs of PATRICK J. GILLESPIE, Deceased  
Mortgagor and Real Owner  
*Defendant*

The Unknown Heirs of PATRICK J. GILLESPIE, Deceased, MORTAGOR AND REAL OWNER, DEFENDANT whose last known address is 1722 Dorothy Street Scranton, Pa 18504. THIS FIRM IS A DEBT COLLECTOR AND WE ARE ATTEMPTING TO COLLECT A DEBT OWED TO OUR CLIENT. ANY INFORMATION OBTAINED FROM YOU WILL BE USED FOR THE PURPOSE OF COLLECTING THE DEBT.

You are hereby notified that Plaintiff THE BANK OF NEW YORK MELLON, F/K/A THE BANK OF NEW YORK AS TRUSTEE FOR REGISTERED HOLDERS OF CWABS, INC., ASSET-BACKED CERTIFICATES, SERIES 2006-19, has filed a Mortgage Foreclosure Complaint endorsed with a notice to defend against you in the Court of Common Pleas of Lackawanna County, Pennsylvania, docketed to No. 2021-00034 wherein Plaintiff seeks to foreclose on the mortgage secured on your property located, 1722 Dorothy Street Scranton, PA 18504 whereupon your property will be sold by the Sheriff of Lackawanna.

## NOTICE

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after the Complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the Court without further notice for any money claim in the Complaint of for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

NORTHEASTERN PENNSYLVANIA LEGAL SERVICES

## LACKAWANNA JURIST

33 N. Main Street  
Suite 200  
Pittston, PA 18640  
570-299-4100

Michael T. McKeever  
Attorney for Plaintiff  
KML Law Group, P.C., PC  
Suite 5000, BNY Independence Center  
701 Market Street  
Philadelphia, PA 19106-1532  
215-627-1322  
T1-7/2

OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

Northeastern Pennsylvania Legal Services  
33 N. Main Street- Suite 200  
Pittston, PA 18640  
570-299-4100

### **NOTICE**

IN THE COURT OF COMMON PLEAS  
Lackawanna COUNTY  
CIVIL ACTION - LAW  
ACTION OF MORTGAGE FORECLOSURE  
Term No. 20 CV 1967  
NOTICE OF ACTION IN MORTGAGE FORECLOSURE  
BAYVIEW LOAN SERVICING, LLC  
Plaintiff  
vs.  
CITIFINANCIAL, FRANK X. FOTIA & ROSE A. SWEENEY  
Mortgagor and Real Owner  
*Defendant*

Michael T. McKeever  
Attorney for Plaintiff  
KML Law Group, P.C., PC  
Suite 5000, BNY Independence Center  
701 Market Street  
Philadelphia, PA 19106-1532  
215-627-1322  
T1-7/2

FRANK X. FOTIA, DEFENDANT whose last known address is 3871 Palmetto St. Myrtle Beach SC 29579  
THIS FIRM IS A DEBT COLLECTOR AND WE ARE ATTEMPTING TO COLLECT A DEBT OWED TO OUR CLIENT. ANY INFORMATION OBTAINED FROM YOU WILL BE USED FOR THE PURPOSE OF COLLECTING THE DEBT.

You are hereby notified that Plaintiff BAYVIEW LOAN SERVICING, LLC, has filed a Quiet Title Complaint endorsed with a notice to defend against you in the Court of Common Pleas of Lackawanna County, Pennsylvania, docketed to No. 20 CV 1967 wherein Plaintiff seeks to foreclose on the mortgage secured on your property located, 4 Duffy Street Carbondale, PA 18407 whereupon your property will be sold by the Sheriff of Lackawanna.

### **NOTICE**

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after the Complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the Court without further notice for any money claim in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE