

LACKAWANNA JURIST

JUDICIAL OPINION

CASE NAME AND NUMBER: Mayer v. Delserra, 2019 WL 1878310 (Lacka. Co. 2019)

DATE OF DECISION: April 25, 2019

JUDGE: Terrence R. Nealon

ATTORNEYS INVOLVED:

Matt Casey, Esquire, Ryan P. Chase, Esquire, Counsel for Plaintiffs
Paul J. Wylam, Esquire, Counsel for Defendants, Joseph J. Delserra, M.D. and Northeastern Surgical Specialists, P.C.
Stuart T. O'Neal, Esquire, M. Sean Maravich, Esquire, Courtney C. Barbacane, Esquire, Counsel for Defendants, Scranton Hospital Company, LLC d/b/a Regional Hospital of Scranton
Dean F. Murtagh, Esquire, Chilton G. Goebel, III, Esquire, Counsel for Additional Defendants, Richard Hacker, M.D. and EMCare Physician Services, Inc.
James A. Doherty, Jr., Esquire, Grace E. Doherty, Esquire, Counsel for Additional Defendant, Sheela Prahalad, M.D.

SUMMARY OF OPINION:

In this wrongful death action alleging failure to properly treat the decedent's gastrointestinal condition, thereby causing her to develop an infectious bowel perforation, sepsis, and multi-organ failure which resulted in her death, the defendant-hospital filed a motion *in limine* seeking to preclude plaintiff's actuarial-economic expert from offering opinions regarding the decedent's future economic loss on the bases that he had allegedly overstated the decedent's loss by overestimating her worklife expectancy and "the effect of productivity and inflation over time" under 40 P.S. § 1303.510. Although Pennsylvania law does not permit a damages award to be based on mere guesswork or speculation, the Supreme Court recognizes that "future earnings cannot be calculated with mathematical precision and exactness" and that an award for future earnings need only be supported by "a reasonably fair basis." Plaintiff's expert based his opinions and projections upon the decedent's documented employment history, her income tax returns, and her husband's testimony regarding her intentions with respect to the anticipated duration of her future self-employment. The expert also utilized widely-accepted life expectancy figures derived from mortality tables published by the federal government, and interest rates generally used in the actuarial-economic field. Therefore, the expert's calculations had a reasonable basis in fact, and since the defense objections to his assumptions and calculations concerned the weight, rather than the admissibility, of his testimony, the hospital's motion *in limine* was denied.

JUDICIAL OPINION

CASE NAME AND NUMBER: Com. v. Chmiel, 2019 WL 2090611 (Lacka. Co. 2019)

DATE OF DECISION: May 13, 2019

JUDGE: Terrence R. Nealon

ATTORNEYS INVOLVED:

Jennifer A. Buck, Esquire, Philip M. McCarthy, Esquire, Counsel for the Commonwealth
James Moreno, Esquire, Tracy Ulstead, Esquire, Counsel for Defendant

SUMMARY OF OPINION:

Relying upon the 2015 press release issued by the Department of Justice and the FBI admitting that microscopic hair comparison analysis ("MHCA") testimony by FBI lab examiners prior to 2000 was scientifically flawed since it overstated the significance of their findings, defendant filed a PCRA petition seeking a new trial on the grounds that this murder convictions and death penalty sentences were based upon "unreliable scientific evidence" comprised of MHCA testimony, and that the state police forensic examiner who testified against him provided misleading and unreliable MHCA opinions that exceeded the limits of that science. Defendant also cited an agreement that was published by the FBI, the Innocence Project and that the National Association of Criminal Defense Lawyers in 2012 identifying three types of errors that the FBI examiners had committed in their pre-2000 testimony. Based upon the FBI's admission that its analysts had provided flawed testimony and that the FBI had trained many state and local analysts, the Supreme Court held that the defendant was entitled to an evidentiary hearing to determine whether the state police forensic examiner's trial testimony exceeded the limits of science and overstated to the jury the significance of the microscopic hair analysis.

The PCRA evidence established that the state police examiner never received MHCA training by the FBI, nor did the FBI or any other entity ever instruct him "how to testify" in criminal trials. The examiner's trial testimony did not contain any of the three errors identified by the FBI, the Innocence Project, and the NACDL and did not overstate to the jury the significance of the MHCA evidence. The evidence did not establish that MHCA has lost its general acceptance within the relevant scientific community, and even defendant's own forensic microscopist testified that "hair microscopy is still a valid science." Additionally, defendant did not establish that the exclusion of all MHCA evidence would likely result in a different verdict if a new trial was granted. Accordingly, his third PCRA petition seeking a fourth trial was denied.

ESTATES

First Notice

Notice is hereby given that Letters Testamentary have been granted to Mari Hendershot, Executrix of the **ESTATE OF SUSAN BOND, A/K/A SUSAN M. BOND**, late of West Abington Township, PA, who died on June 3, 2019. 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 the Executrix or to Raymond C. Rinaldi, II, Esquire, Rinaldi & Poveromo, P.C., P.O. Box 826, Scranton, PA 18501.

ESTATE OF ANN E. BRAZIL, ESTATE NUMBER 35-2019-787 DECEASED, LATE OF DUNMORE, LACKAWANNA COUNTY, PA: DIED FEBRUARY 5, 2019. 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 GERALD R. BRAZIL, 1910 GREEN RIDGE STREET, DUNMORE, PA 18512.

Notice is hereby given that Letters Testamentary have been granted in the **ESTATE OF IRVING CADER**, late of Clarks Summit, Lackawanna County, (died June 13, 2019), to James Cader, Michael H. Roth, Esquire, Attorney, 116 N. Washington Avenue, P.O. Box 234, Scranton, Pennsylvania 18501-0234. 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 Executor named above.

ESTATE OF JAMES JOSEPH CAMPO, SR., deceased, late of Clarks Summit, PA (died June 6, 2019). Letters Testamentary 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 to John V. Campo or to Raymond W. Ferrario, Attorney for the Estate, Suite 528, Scranton Life Building, 538 Spruce Street, Scranton, PA 18503-1816.

ESTATE OF MILDRED CHORBA, ESTATE NUMBER 35-2019-821, DECEASED LATE OF THROOP, LACKAWANNA COUNTY, PA: DIED MAY 21, 2019. 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 MICHAEL E. CHORBA, JR., 831 DUDLEY STREET, THROOP, PA 18512.

ESTATE OF HELEN W. DEITZER, ESTATE NUMBER 35-2019-798 , DECEASED LATE OF MOSCOW, LACKAWANNA COUNTY, PA: DIED MAY 27, 2019. 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 SUSAN D. FOFI, 7405 ROCKY RAVINE DRIVE, FAIRFAX STATION, VA. 22039 AND DAVID P. DEITZER, 207 SHADY DRIVE, ROARING BROOK TWP, PA. 18444.

ESTATE OF STELLA KOWALSKI, late of Scranton, PA (died February 9, 2019) Letters Testamentary were granted to Barbara Joyce and Frances Rozaieski, Executrices. Elaine C. Geroulo, Esq., Attorney for the Estate 411 Jefferson Avenue, Scranton, PA 18510.

NOTICE IS HEREBY GIVEN that Letters of Administration have been granted in the **ESTATE OF PETER V. PICERNO**, Deceased, late of Scranton, PA who died on April 14, 2019, to Kristopher Arheart. 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 the Administrator, Kristopher Arheart, 1428 N. Webster Avenue, Scranton, PA 18505, or to Michael J. Krushinski, Esquire, Attorney for the Estate at 418 Main Street, Dickson City, PA 18519.

ESTATE OF ROBERT PETRIKOVICZ, late of Mayfield, Lackawanna County, PA (died April 20, 2019). Notice is hereby given that Letters Testamentary in the above Estate have been issued to Paulette Petrikovicz, Executrix. Creditors shall present claims and Debtors shall make payments to Paulette Petrikovicz, c/o Arthur J. Rinaldi, Esquire, Rinaldi & Rinaldi, 2 West Olive Street, Scranton, PA 18508.

ESTATE OF WALTER A. SAAVEDRA late of Scranton, Lackawanna County, Pennsylvania (died October 18, 2018). Notice is hereby given that Letters of Administration for the Estate of Walter A. Saavedra have been issued to Gloria Broussard. All those having claims or demands against the Estate or indebtedness owed to the Estate shall present claims or remit payment without delay to Gloria Broussard, c/o Jule Gaige, Attorney for the Estate, 615 Clay Avenue, Third Floor, Scranton, PA 18510. 570-350-5225.

ESTATE OF MATHILDA E. SCOTT, ESTATE NUMBER 35-2019-795, DECEASED, LATE OF MOOSIC, LACKAWANNA COUNTY, PA: DIED MAY 21, 2019. 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 ELLEN K. RUDIS, AKA ELLEN F. RUDIS, 124 JOYCE DRIVE, MOOSIC, PA 18507.

ESTATE OF HELEN SWORIN, late of Dunmore, Lackawanna County, Pennsylvania, (died December 12, 2018). Notice is hereby given that Letters of Administration have been issued to Marilyn Bowersox, Administrator of the Estate. MARIANNE M. STIVALA, ESQUIRE, BRIAN J. CALI & ASSOCIATES, 103 EAST DRINKER STREET, DUNMORE, PENNSYLVANIA 18512.

ESTATE OF LINDA ANN WILLIAMS, AKA LINDA A. WILLIAMS, ESTATE NUMBER 35-2019-858 , DECEASED LATE OF SCRANTON, LACKAWANNA COUNTY, PA: DIED JUNE 6, 2019. NOTICE IS HEREBY GIVEN THAT LETTERS OF ADMINISTRATION 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 SHARI SALVESEN, 24 RED OAK COURT, MONROE TOWNSHIP, NEW JERSEY 08831.

IN RE: **ESTATE OF RUTH E. YAVORSKI**, late of Scranton, Pennsylvania (died June 1, 2019). Notice is hereby given that the Letters Testamentary on the above Estate have been granted to Chester C. Yavorski, Jr. All persons indebted to said estate are required to make payment and those having

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claims to present the same without delay to the Executor named above or to Eugene Daniel Lucas, Esquire, 207 Lackawanna Avenue, Olyphant, PA 18447.

ESTATE OF JOSEPH T. ZADRUSKY, A/K/A JOSEPH T. ZADRUSKY, JR., late of Scranton, Pennsylvania (died 05/28/19). Notice is hereby given that Letters of Testamentary on the above Estate have been granted to Peoples Security Bank & Trust Company, Attn: Kirsten Noll, of Scranton, PA 18503, and William Baker, of Archbald, PA 18403, Co-Executors. All persons indebted to the said estate are required to make payment and those having claims to present the same without delay to the Co-Executors named herein, or to Patrick N. Coleman, Esquire, Tellie & Coleman, P.C., 310 East Drinker Street, Dunmore, PA 18512.

IN RE: **ESTATE OF ANDREA M. ZILLA**, late of Throop, Pennsylvania (died June 2, 2019). Notice is hereby given that the Letters Testamentary on the above Estate have been granted to Brian J. Zilla. All persons indebted to said estate are required to make payment and those having claims to present the same without delay to the Executor named above or to Eugene Daniel Lucas, Esquire, 207 Lackawanna Avenue, Olyphant, PA 18447.

Second Notice

In the **ESTATE OF LOUIS B. CONFORTI**, late of the Township of Elmhurst, Lackawanna County, Pennsylvania. Letters of Administration in the above Estate having been granted to the undersigned, all persons indebted to said Estate are requested to make prompt payment and all having claims against said Estate will present them without delay: Wendy S. Nowicki, Administratrix of the Estate, c/o Deborah Albert-Heise, Esquire, Attorney for Estate, 103 Warren Street, Tunkhannock, PA 18657.

NOTICE IS HEREBY GIVEN that Letters Testamentary in the **ESTATE OF RICHARD F. ETTINGER A/K/A RICHARD FRANK ETTINGER**, (date of death: March 25, 2019) 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: RICHARD V. ETTINGER, 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 **ARTHUR M. FERRARI, A/K/A ARTHUR M. FERRARI, JR.**, late of the City of Scranton, Lackawanna County, Pennsylvania who died June 11, 2019. 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 Sarah K. Shoff, Executrix, 822-1/2 River Street, Scranton, PA 18505, or Robert H. Sayers, 814 Main Street, Dickson City, Pennsylvania, 18519, Attorney for the Estate.

ESTATE OF KATHLEEN A. GALLAGHER A/K/A KATHLEEN GALLAGHER, late of the Borough of Clarks Summit, Lackawanna County, Pennsylvania (died June 10, 2019). Personal Representative is Maureen Gallagher, 22 Hall Avenue, Clarks Green, Pennsylvania. Attorney for the Estate is Nancy M. Barrasse, Esquire, 224 Adams Avenue, Scranton, Pennsylvania 18503.

ESTATE OF PATRICIA A. JANISZEWSKI, DECEASED, late of 1004 DRINKER TURNPIKE, COVINGTON TWP., PA 18444, (Died May 27, 2019) ROSEANN HANSEN, Executrix; Dante A. Cancelli, Esquire, Suite 401, 400 Spruce Street, Scranton, Pennsylvania 18503, Attorney.

In re: **ESTATE OF LORETTA C. KNOTT**, late of Scranton, Lackawanna County, PA (died January 15, 2019). 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 the said Decedent shall make payment thereof, without delay, to Charles J. Knott, Jr., Personal Representative, or to Attorney Brian A. Schuh, 1424 Main Street, Peckville, PA 18452.

ESTATE OF MARY B. McDERMOTT, Deceased, late of Dickson City, Pennsylvania (died December 29, 2018). All persons indebted to said Estate are required to make payment, and those having claims or demands to present the same, without delay, to Sasha McDermott McLain, Executrix, c/o Attorney Joseph F. Gaughan, 300 Mulberry Street, Suite 303, Scranton, PA 18503.

Third Notice

Notice is hereby given that Testamentary Letters have been granted to Peter Balzani of 3636 Leonard Drive, Endwell, NY 13760, in the **ESTATE OF CARMELLA A. BALZANI**, late of Scranton, Lackawanna County, PA, who passed away February 17, 2019. 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, 960 Scranton/Carbondale Hwy., Archbald, PA 18403.

RE: **ESTATE OF LOUISE M. CHERNEFSKI**, late of Moosic, PA, who died May 29, 2019. 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: Beverly Yelpeo, Executrix, or Daniel L. Penetar, Jr., Esquire, 116 North Washington Avenue, Suite 2A, Scranton, PA 18503.

ESTATE OF MARION A. CLAUSS, late of the City of Scranton, Pennsylvania (died May 09, 2019). Notice is hereby given that Letters of Testamentary on the above Estate have been granted to Kathryn Clauss of the City of Scranton, PA. All persons indebted to the said estate are required to make payment and those having claims to present the same without delay to the Personal Representative named herein, or to Nicholas D. Tellie, Esquire, Tellie & Coleman, P.C., 310 East Drinker Street, Dunmore, PA 18512.

RE: **ESTATE OF SHIRLEY COSNER**, late of Newton Township, Pennsylvania. Letters of Testamentary in the above estate having been granted, creditors shall make demand and debtors shall make payment to Sharon Kelly, 5311 Jessamine Lane, Orlando, FL 32839, Executrix, or to James W. Reid, Esquire, Oliver, Price & Rhodes, Attorneys for the Estate, 1212 South Abington Road, PO Box 240, Clarks Summit, PA 18411.

ESTATE OF LEONARD A. GALLO, late of Scranton Borough, Lackawanna County, Pennsylvania. Jeffrey A. Gallo, 315 Norle Street, State College, PA 16801, Executor. Douglas C. Lovisky, Esquire, 1500 West College Avenue, State College 16801, Attorney.

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ESTATE OF JOSEPH T. GIONTA, JR., decedent died on April 29, 2019, in Scranton, Lackawanna County, and his address was 1303 Tall Tree Drive, Scranton, PA. Letters Testamentary have been granted to Executor: Alexander Gionta, c/o Law Offices of Bernard Walter, 1674 Memorial Highway, Shavertown, PA 18708, 570-674-9000.

Letters of Administration have been granted on the **ESTATE OF ARLENE M. KAKAREKA**, to Joseph Kakareka. Make all claims and pay all debts to this representative without delay, care of the estate attorney. Attorney John J. Mercuri, PO Box 310, Moscow, PA 18444.

RE: **ESTATE OF OLGA LEKARZ**, late of Scranton, Lackawanna County, and State of Pennsylvania, deceased, who died on the 23rd day of April, 2019. Letters of Testamentary 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 Executrix, Gloria Miller, 827 So. Glenwood Street, Allentown, PA 18103, or to Mattes & Mattes, P.C., 324 North Washington Ave., Scranton, PA 18503.

NOTICE IS HEREBY GIVEN that Letters of Testamentary have been granted to Jeffrey D. Locker, Executor of the **ESTATE OF ETHEL M. LOCKER**, late of City of Scranton, Lackawanna County, Pennsylvania, date of death September 3rd, 2018. 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.

ESTATE OF JOHN J. MARTINELLI, late of Scranton, PA (died February 25, 2019). Letters of Testamentary having been granted to Yolanda Martinelli. All persons knowing themselves to be indebted to said Estate will make payment immediately, and those having claims will present them for settlement to Yolanda Martinelli, Executrix, or to: Tullio DeLuca, Attorney for the Estate, 381 N. 9th Avenue, Scranton, PA 18504.

ESTATE OF MERRILL THOMAS NANTON, JR., A/K/A MERRILL T. NANTON, JR., late of Scranton, Pennsylvania (died 04/20/2019). Notice is hereby given that Letters of Testamentary on the above Estate have been granted to Marilyn Y. Earley, of East Lansing, Michigan 48823, Executrix. All persons indebted to the said estate are required to make payment and those having claims to present the same without delay to the Executrix named herein, or to Patrick N. Coleman, Esquire, Tellie & Coleman, P.C., 310 East Drinker Street, Dunmore, PA 18512.

NOTICE IS HEREBY GIVEN that Letters Testamentary have been granted in the **ESTATE OF ROBERT A. NARDELLI**, Deceased, late of Jessup, Lackawanna County, Pennsylvania, 18434, who died on April 8, 2019. 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, Robert Nardelli, or John P. Sanderson, III, Attorney for the Estate – Sanderson Building, One Terrace Drive, Olyphant, Pennsylvania 18447.

ESTATE OF ROBERT OWENS late of the Borough of Jermy, Lackawanna County, Pennsylvania (died April 12, 2019). The Personal Representative is Lee Ann Arnold, 5411 Bloomington Road, Madison Township, PA 18444. Attorney for the Estate is Nancy M. Barrassé, Esquire, 224 Adams Avenue, Scranton, Pennsylvania 18503.

Notice is hereby given that Letters Testamentary have been given in the **ESTATE OF EDWIN UTAN a/k/a Atty. EDWIN UTAN**, late of Dunmore, Lackawanna County, Pennsylvania, who died on June 2, 2019. 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, Alan Glassman and his attorneys, Hourigan, Kluger & Quinn, P.C., 600 Third Avenue, Kingston, PA 18704.

RE: **ESTATE OF MARGARET C. RAFTER**, late of N. Abington Township, Pennsylvania. Letters Testamentary in the above estate having been granted, creditors shall make demand and debtors shall make payment to John Edward Rafter, 186 Decker Road, N. Abington Township, PA 18414, Executor, or to James W. Reid, Esquire, Oliver, Price & Rhodes, Attorneys for the Estate, 1212 South Abington Road, PO Box 240, Clarks Summit, PA 18411.

ARTICLES OF INCORPORATION

Notice is hereby given that Articles of Incorporation were filed with the Department of State, Commonwealth of Pennsylvania in accordance with the provisions of the Business Corporation Law of 1988, as amended, for **Shrigopal, Inc.**

David J. Tomaine, Esq.
T1-7/12

ARTICLES OF INCORPORATION

Tobacco Market Inc. hereby gives notice that Articles of Incorporation have been filed with the Department of State of the Commonwealth of Pennsylvania, under the provisions of the Pennsylvania Business Corporation Law of 1988, approved December 21, 1988, P.L. 1444, No. 177, effective October 1, 1989, as amended. The purpose for which the corporation is to be organized is for a retail convenience store.

ARTICLES OF INCORPORATION

Notice is hereby given that the Articles of Incorporation for **MYAHM, Inc.**, were filed with the Department of State, Commonwealth of Pennsylvania under the provisions of the Business Corporation Law of 1988, as amended, on June 26, 2019. The registered office of the Corporation is 42 Old Mill Road, Jermy, PA 18433.

ALBERT E. NICHOLLS, JR., ESQUIRE
T1-7/12

FICTITIOUS NAME

Pursuant to the provisions of the Fictitious Names Act of PA (54 Pa.C.S. Section 301 et. seq.), Jonathan Maier (1430 Monsey Ave., Scranton, PA 18509) has registered "**Hotel and Shore!**" with the PA Department of State for the conduct of business.

T1-7/12

CERTIFICATE OF ORGANIZATION

Notice is hereby given that on March 27, 2019, a Certificate of Organization for **Oon Realty, Group, LLC** has been filed and approved by the Department of State, Commonwealth of Pennsylvania, in accordance with the provisions of the Pennsylvania Limited Liability Company Law of 1994, 15 Pa. C.S.A Section 8901, et seq., as amended.

Kevin M. Smith, Esquire
T1-7/12

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NOTICE

Bank of New York Mellon Trust Company, N.A. as Trustee
for Mortgage Assets Management Series I Trust
PLAINTIFF
VS.

Unknown Heirs, Successors, Assigns and All Persons, Firms or Associations Claiming Right, Title or Interest from or under
Rudalee Redican a/k/a Rudalee A. Redican, deceased Kathleen O'Brien, Known Heir of Rudalee Redican a/k/a Rudalee A.

Redican, deceased

DEFENDANTS

COURT OF COMMON PLEAS

CIVIL DIVISION

LACKAWANNA COUNTY

NO: 2018-06592

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
Rudalee Redican a/k/a Rudalee A. Redican, deceased

800 Lake Drive East

Gouldsboro, PA 18424

Your house (real estate) at:

800 Lake Drive East, Gouldsboro, PA 18424

23302050018

is scheduled to be sold at Sheriff's Sale on October 15, 2019 at: Lackawanna County Sheriff's Office

200 North Washington Avenue, Scranton, PA 18503

at 10:00AM to enforce the court judgment of \$269,994.05 obtained by Bank of New York Mellon Trust Company, N.A. as Trustee
for Mortgage Assets Management Series I Trust 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 Bank of New York Mellon Trust Company, N.A. as Trustee for Mortgage Assets Management Series I Trust 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.
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.

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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, parcel or tract of land situate in the Township of Clifton, County of Lackawanna and Commonwealth of Pennsylvania, being Lot No. 800 on the map of Section F of Big Bass Lake, as appearing in the Office of the Recorder of Deeds in and for Lackawanna County in Map Book No. 6A at Page No. 40, bounded and described as follows, to wit:

BEGINNING at a point in the northwesterly line of Lake Drive East and at the southernmost corner of Lot No. 801; thence southwestwardly by the same by a curve to the left having a radius of 675 feet for an arc distance of 58.73 feet to a point of curvature; thence continuing by the same by a curve to the left having a radius of 811 feet for an arc distance of 62.61 feet to a point; thence North 81°-10'-00" West along the northerly line of a 25 foot R.O.W. for a distance of 164.39 feet to a point; thence North 8°-50'-00" East along a shore area of Big Bass Lake for a distance of 80 feet to a point; thence North 28°-44'-02" East along a shore area of Big Bass Lake for a distance of 75 feet to a point; thence South 69°-59'-31" East along the southwesterly line of Lot No. 801 for a distance of 155 feet to a point, the place of Beginning;

TOGETHER WITH AND SUBJECT to all rights, privileges, benefits, easements, covenants, conditions, restrictions, reservations, terms and provisions set forth in documents entitled "Declaration of Covenants Pertaining to Land of Big Bass Lake, Inc.," and "By-Laws of Big Bass Lake Community Association" appearing of record in Lackawanna County in Deed Books Nos. 751, 862 and 913 at Pages Nos. 696, 443 and 569 respectively, the entire context of which documents is incorporated herein by reference and made part hereof.

The estate and title hereby granted and conveyed shall be held and interpreted to extend to and include the heirs and assigns of Grantees and likewise those provisions in favor of or against Grantors as the case may be, shall be held and interpreted to extend to and include the heirs and assigns of Grantors.

Big Bass Lake, Inc. has by separate instrument notified Grantors herein of its intention not to exercise its right to purchase said premises as provided in Article VI of said Declaration of Covenants.

PARCEL NO. 23302-050-018

BEING THE SAME PREMISES which Charles R. Koabel and Dorothy E. Koabel, husband and wife, by Deed dated February 17, 1982 and recorded March 5, 1982 in Deed Book 1048, page 412 in the Office of the Recorder of Deeds in and for the County of Lackawanna, granted and conveyed unto John Redican and Rudalee Redican, husband and wife, in fee .

AND THE SAID John Redican has since departed this life on or about October 6, 1993, whereby title is vested in Rudalee Redican, his wife, by operation of law.

AND THE SAID Rudalee Redican has since departed this life on or about September 22, 2017, whereby title is vested in Unknown Heirs, Successors, or Assigns of Rudalee Redican, deceased and Kathleen O'Brien, Known Heir of Rudalee Redican a/k/a Rudalee A. Redican, deceased.

PROPERTY IDENTIFICATION NUMBER 23302050018

SHAPIRO & DeNARDO, LLC
BY: CHRISTOPHER A. DeNARDO, PA I.D. NO. 78447
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S&D FILE NO. 18-060819 (T1-7/12)

LACKAWANNA JURIST

NOTICE

IN THE COURT OF COMMON PLEAS
OF LACKAWANNA COUNTY COMMONWEALTH OF PENNSYLVANIA
ORPHANS' COURT DIVISION
NO.35-2019-893

In Declaratory Judgement Action to Determine Marital Status Under 23 Pa.C.S.A. §3306

IN RE: SARA ANN (MARTA) MORGAN

Notice is hereby given that Sarah Ann (Marta) Morgan has filed an action in Declaratory Judgement under §3306 of the Commonwealth Domestic Relations Code to obtain a Court Order determining her marital status to John P. Morgan (deceased).

If you wish to defend, you must enter a written appearance personally or by attorney and file your defenses or objections in writing with the court. 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 the 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, 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.

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

T1-7/12