

Lycoming Reporter

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No. 50



LYCOMING REPORTER

(USPS 322-900)

THE OFFICIAL LEGAL PERIODICAL FOR LYCOMING COUNTY

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PUBLISHED EVERY FRIDAY BY
LYCOMING LAW ASSOCIATION

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ADVERTISING RATES

Annual subscription, \$50 per year.

Estate advertisement consisting of three (3) insertions, which shall include one (1) Proof of Publication at no additional cost, \$80.

Incorporation Notices, Fictitious Name Notices, LLC Notices, and similar business notices consisting of one (1) insertion, which shall include one (1) Proof of Publication at no additional cost: \$70.00.

All other advertising unless done by special contract arrangement, \$1.65 per half-column line and \$3.30 per full column line. This shall entitle the advertiser to one (1) Proof of Publication at no additional cost.

Additional Proofs of Publication, \$4.00.

All legal notices must be submitted in typewritten form and are published exactly as submitted by the advertiser. Neither the Lycoming Reporter nor the printer will assume any responsibility to edit, make spelling corrections, eliminate errors in grammar or make any changes in content. The Lycoming Reporter makes no representation as to the quality of services offered by any advertiser in this publication.

**NOTICE TO THE PROFESSION
EARLY HOLIDAY PUBLICATION DEADLINE FOR
LYCOMING REPORTER
DECEMBER 30, 2011 ISSUE**

All advertisements and notices for the December 30, 2011 issue of the *Lycoming Reporter* must be received in the Lycoming Law Association Offices **NO LATER THAN THURSDAY, DECEMBER 22, 2011, AT 2:00 P.M.**

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PBI SEMINARS FOR WINTER/SPRING 2012

LYCOMING LAW ASSOCIATION
25 WEST THIRD STREET, SUITE 601
WILLIAMSPORT, PA

CONTACT PBI TO REGISTER: (800) 247-4724

**SIGN-IN FOR ALL SEMINARS IS ONE-HALF
HOUR PRIOR TO THE PROGRAM.**

**ANYONE REQUIRING SPECIAL ARRANGEMENTS
FOR A DISABILITY PLEASE CONTACT
ZINA BARLUP (800) 932-4637 EXT. 2284
TEN (10) DAYS PRIOR TO THE COURSE.**

**PBI may cancel replays when the registration is
insufficient ten days prior to the replay.**

Check with PBI for Tuition.

**An additional \$25.00 charge is
assessed for registration at the door.**

*If you plan to register at the door, please call
the PBI Customer Service Department at
(800) 247-4724 before the program.*

*If you are pre-registered and PBI elects to
cancel the replay, you will be notified by PBI.*

**Please feel free to check www.pbi.org
to confirm a scheduled seminar or replay.**

TUESDAY, JANUARY 24, 2012—9:00 A.M. to 5:00 P.M.
(5 Substantive, 1 Ethics) LITIGATING THE SCIENCE CASE

TUESDAY, FEBRUARY 7, 2012—9:00 A.M. to 12:30 P.M.
(3 Substantive) THE NUTS AND BOLTS OF MEDICAID
PLANNING

TUESDAY, FEBRUARY 21, 2012—9:00 A.M. to 12:30 P.M.
(3 Substantive) JOINT AND SEVERAL LIABILITY

FRIDAY, FEBRUARY 24, 2012—8:30 A.M. to 3:30 P.M.
(5 Substantive, 1 Ethics) POWERFUL WITNESS PREPARA-

TION: TIME TESTED TRUISMS AND NEW LITIGATION REALITIES

TUESDAY, MARCH 6, 2012—9:00 A.M. to 12:30 P.M.

(3 Substantive) NAVIGATING THE RISING TIDE OF RETALIATION CLAIMS

THURSDAY, MARCH 15, 2012—9:00 A.M. to 5:00 P.M.

(6 Substantive) FUNDAMENTALS OF HEALTH LAW

FRIDAY, MARCH 23, 2012—9:00 A.M. to 1:30 P.M.

(3 Substantive, 1 Ethics) PROTECTING YOUR CLIENT'S FUTURE—MEDICARE SET ASIDE ARRANGEMENTS AND STRUCTURED SETTLEMENTS

TUESDAY, MARCH 27, 2012—9:00 A.M. to 5:00 P.M.

(5 Substantive, 1 Ethics) FACEBOOK, TWITTER & BLOGGING OH MYSPACE! LEGAL ISSUES WITH SOCIAL NETWORKING SITES

WEDNESDAY, MARCH 28, 2012—9:00 A.M. to 4:30 P.M.

(5 Substantive, 1 Ethics) 25TH ANNUAL CIVIL LITIGATION UPDATE

THURSDAY, APRIL 5, 2012—9:00 A.M. to 10:00 A.M.

(1 Ethics) ETHICS POTPOURRI: SOCIAL MARKETING FOR LAWYERS: DARNED IF YOU DO, DARNED IF YOU DON'T?

WEDNESDAY, APRIL 11, 2012—9:00 A.M. to 1:30 P.M.

(3 Substantive, 1 Ethics) THE FAMILY LAW DISCOVERY TOOL KIT

FRIDAY, MAY 18, 2012—8:30 A.M. to 12:45 P.M.

(4 Substantive) WORKERS' COMPENSATION PRACTICE & PROCEDURE 2012

**LIVE SEMINARS BEING HELD AT THE
PROFESSIONAL DEVELOPMENT CENTER
PENN COLLEGE
ONE COLLEGE AVENUE
WILLIAMSPORT, PA**

THURSDAY, MARCH 29, 2012—9:00 A.M. to 4:00 P.M.
(5 Substantive, 1 Ethics) FUNDAMENTALS OF OIL & GAS
LAW

TUESDAY, MAY 22, 2012—9:00 A.M. to 1:15 P.M.
(4 Substantive) GAS LEASES AND ESTATE PLANNING:
TECHNIQUES TO PROTECT THE FUTURE OF YOUR CLI-
ENT'S MINERAL RIGHTS

NOTICES TO THE PROFESSION

Effective January 3, 2012, the scheduling of criminal case Preliminary Hearings before Magisterial District Courts is amended as follows:

Monday	29-3-02 (MDJ Whiteman formerly MDJ Schriener)
Tuesday	29-1-01 (MDJ Carn)
Wednesday (a.m.)	29-3-01 (MDJ Lepley)
Wednesday (p.m.)	29-3-04 (MDJ Sortman)
Thursday	29-1-02 (MDJ Page)
Friday	29-3-03 (MDJ Kemp formerly MDJ McRae)

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PUBLIC NOTICE

The current term of office of United States Magistrate Judge William I. Arbuckle, III at Williamsport, Pennsylvania is due to expire on July 28, 2012. The United States District Court is required by law to establish a panel of citizens to consider the reappointment of the part-time magistrate judge to a new four-year term.

The duties of a magistrate judge in this court include the following: (1) To exercise all the powers and duties conferred or imposed upon United States Magistrate Judges by law or the Federal Rules of Criminal Procedure or the Federal Rules of Civil Procedure; (2) To administer oaths and affirmations, impose conditions of release under 18 U.S.C. §3146, and take acknowledgments, affidavits and depositions; (3) To try persons accused of misdemeanors committed within this district in accordance with 18 U.S.C. §3401, order presentence investigation reports and sentence such persons; (4) To conduct proceedings in accordance with Fed.R.Cr.P. 40; (5) To conduct extradition proceedings, in accordance with 18 U.S.C. §3184; (6) To appoint attorneys under the court's Criminal Justice Act Plan; (7) To review applications by prisoners for post-trial and other relief, make such orders as are necessary to obtain appropriate information which may be of assistance in determining the merits of any complaint, submit reports and recommendations to the district judge having jurisdiction over the case; (8) To act as a special master when designated by the district court; (9) To receive indictments returned by grand juries; (10) To conduct arraignments to the extent of taking a not guilty plea or noting a defendant's intention to plead guilty or nolo contendere; and (11) Conduct trials and the disposition of civil cases on consent of the parties.

This public notice is posted for the public's commentary in the clerk's office in Scranton, Harrisburg and Williamsport or may be viewed on the court's Internet web site at www.pamd.uscourts.gov.

Comments from members of the bar and the public are invited as to whether the incumbent magistrate judge should be recommended by the panel for reappointment by the court and should be directed to:

Merit Selection Panel
c/o Clerk, U.S. District Court
William J. Nealon Federal Building and U.S. Courthouse
P.O. Box 1148
Scranton, PA 18501-1148

Comments must be received no later than January 8, 2012.

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The full text of the following decisions of the Court of Common Pleas of Lycoming County have been posted to the Lycoming Law Association Web site. To read the decision, navigate to www.lycolaw.org/Cases/search.asp, and enter the name or Web citation or check “Recent Postings.” [How to read the summaries: **Case Name**, (date of issuance)—issuing judge, category: Summary of legal concepts involved (Web citation—unique number assigned to opinion) (Date posted to the Web site)]

- ▶ **MLM vs. WCB** (12/08/2011)—Judge Joy Reynolds McCoy
Divorce: Petitions for contempt for failure to comply with property settlement agreement; affect of mutual releases in agreement to relieve a party of violation of the agreement, where agreement was reaffirmed after the violation; timeliness of compliance with terms of agreement when no time specified; contempt where party lacked ability to comply with the agreement; need for an order to enforce an agreement through contempt petition. (Murphy120811m) (Posted: 12/12/2011)
- ▶ **Conti vs. White Deer Run, Inc., White Deer Run of Williamsport and CRC Health Group, Inc.** (12/09/2011)—Judge Dudley N. Anderson
Civil: Motion for summary judgment; claim for damages due to mishandled drug evaluation; loss of nursing license; causation; supplementation of record with expert report. (conti120911a) (Posted: 12/09/2011)
- ▶ **Hill vs. Century 21 Appraisals/Privatized Lycoming County Assessment Office** (12/07/2011)—Judge Richard A. Gray
Civil: Preliminary objections; alleged violations of civil rights, criminal fraud, deceptive business practices, mail fraud, illegal taxation, breach of contract, and racketeering criminal enterprise; personal and subject matter jurisdiction; lack of service; standing to object to tax assessment; statutory remedies; exhaustion of administrative remedies. (hill120712g) (Posted: 12/08/2011)

► **EMA vs. JBA** (12/05/2011)—Judge Richard A. Gray

Support: Appeal; child support; enforcement of agreement; contempt petition; burden of proof to show contempt; credibility of witnesses; attempt to reopen the record to provide rebuttal evidence; discretion of the court; lack of a good reason and proper showing as to why the record should be reopened. (ema120511g) (Posted: 12/06/2011)

ESTATE AND TRUST 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. Notice is also hereby given of the existence of the trusts of the deceased settlors set forth below for whom no personal representatives have been appointed within 90 days of death. All persons having claims or demands against said estates or trusts are requested to make known the same, and all persons indebted to said estates or trusts are requested to make payment, without delay, to the executors or administrators or trustees or to their attorneys named below.

FIRST PUBLICATION

Bonner, Mary, dec'd.

Late of Cogan Station.
Executrix: Patricia Bonner Foote, 3637 State Route 973 West, Cogan Station, PA 17728.

Attorneys: Anthony J. Grieco, Esquire, Elion, Wayne, Grieco, Carlucci, Shipman, Dinges & Dinges, P.C., 125 East Third Street, Williamsport, PA 17701.

Everitt, Suzanne J., dec'd.

Late of the Borough of South Williamsport.

Executor: Brandon M. Everitt, 140 Spring Crest Lake Road, Watsontown, PA 17777.

Attorney: Thomas E. Boop, Esquire, 106 Market St., P.O. Box 470, Sunbury, PA 17801.

Fithian, Evelyn H. a/k/a Evelyn Helen Fithian a/k/a Evelyn M. Fithian, dec'd.

Late of Hughesville.

Executors: John F. Digan, 358 Bush Hollow Road, Pennsdale, PA 17756 and Renee D. Laychur, 274 S. Main Street, Hughesville, PA 17737.
Attorneys: McNERNEY, Page, Vanderlin & Hall, 433 Market Street, P.O. Box 7, Williamsport, PA 17703.

Godfrey, Margaret A., dec'd.

Late of Williamsport.

Co-Executrices: Sheri A. Smith, 421 Saddlery Drive, Perkasio, PA 18944 and Wendy J. Kerns, 107 Gibson Place, Port Matilda, PA 16870.

Attorneys: Wilfred K. Knecht, Esquire, McCormick Law Firm, 835 West Fourth Street, Williamsport, PA 17701.

Henry, William E., dec'd.

Late of South Williamsport.

Co-Administrators: Matthew Henry, 217 West Lincoln Avenue, South Williamsport, PA 17702 and Linda Patrick, 226 West Second Avenue, South Williamsport, PA 17702.

Attorneys: John R. Bonner, Esquire, Casale & Bonner, P.C., 33 West Third Street, Suite 202, Williamsport, PA 17701, (570) 326-7044.

King, Kenneth L., dec'd.

Late of Montgomery.

Administratrix: Charlotte E. Myers, 308 Almost Country Road, Cogan Station, PA 17728.

Attorneys: Anthony J. Grieco, Esquire, Elion, Wayne, Grieco, Carlucci, Shipman, Dinges & Dinges, P.C., 125 East Third Street, Williamsport, PA 17701.

Klimash, John, dec'd.
Late of Muncy Creek Township.
Executrix: Jean Marie DeMuro, 58 Ponderosa Drive, Muncy, PA 17756.
Attorney: Nicholas A. Barna, Esquire, 831 Court Street, Honesdale, PA 18431.

—————
McCoy, Arlene E., dec'd
Late of Muncy.
Executors: Edward A. McCoy, 78 Paterno Way, Cogan Station, PA 17728 and Virginia A. Mahaffey, 700 Sylvan Drive, South Williamsport, PA 17702.
Attorneys: McNerney, Page, Vanderlin & Hall, 433 Market Street, P.O. Box 7, Williamsport, PA 17703.

—————
Spring, Clark R., dec'd.
Late of Montoursville.
Executrix: Marijean Butson, 1551 Warrensville Road, Montoursville, PA 17754.
Attorneys: Kristine L. Waltz, Esquire, Elion, Wayne, Grieco, Carlucci, Shipman, Dinges & Dinges, P.C., 125 East Third Street, Williamsport, PA 17701.

—————
Tyndale, Daniel S., dec'd.
Late of Williamsport.
Executor: Kenneth L. Tyndale, 101 Dorlee Court, Grantville, PA 17028.

—————
SECOND PUBLICATION

Baldwin, Kent T., dec'd.
Late of Montoursville.
Executrix: Kathryn B. Johnson, 1725 McConnell Drive, Williamsport, PA 17701.
Attorneys: Stephen C. Sholder, Esquire, Raup, Wiley & Sholder, 634 West Fourth Street, Williamsport, PA 17701.

Crist, E. Ruth a/k/a Erma Ruth Crist, dec'd.
Late of Williamsport.
Co-Executors: Jacalyn Berry and Robert Konkle c/o Jonathan E. Butterfield, Esquire, 442 William Street, Williamsport, PA 17701.
Attorneys: Jonathan E. Butterfield, Esquire, Murphy, Butterfield & Holland, P.C., 442 William Street, Williamsport, PA 17701.

—————
Gallese, Theodore G., dec'd.
Late of Hughesville Borough.
Executrix: Lucinda S. Heim c/o James T. Baldwin, Esquire, Baldwin & Baldwin, 42 South Front Street, Milton, PA 17847.
Attorneys: James T. Baldwin, Esquire, Baldwin & Baldwin, 42 South Front Street, Milton, PA 17847.

—————
Holdren, David G., dec'd.
Late of Hughesville.
Executor: Joshua P. Holdren, 1878 German Road, Unityville, PA 17774.
Attorneys: Thomas D. Hess, Esquire, Hess and Hess, P.C., 30 South Main Street, Hughesville, PA 17737.

—————
Mitchell, Jane S., dec'd.
Late of Williamsport.
Executor: C. Edward S. Mitchell, 10 West Third St., Williamsport, PA 17701.

—————
Ritter, Frank E., dec'd.
Late of Loyalsock Township.
Executrices: Barbara A. Ritter and Bonnie L. Krampe c/o James T. Baldwin, Esquire, Baldwin & Baldwin, 42 South Front Street, Milton, PA 17847.

Attorneys: James T. Baldwin,
Esquire, Baldwin & Baldwin,
42 South Front Street, Milton,
PA 17847.

Upham, Janice L., dec'd.

Late of Williamsport.
Executrix: Tracie Painton,
2438 Richey Street, Williams-
port, PA 17701.
Attorney: Christian D. Frey,
Esquire, 140 East Third Street,
Williamsport, PA 17701.

THIRD PUBLICATION

Bower, John I., dec'd.

Late of Williamsport.
Administratrix: Anna M. Bow-
er, 829 4th Avenue, Williams-
port, PA 17701.
Attorneys: Jason K. Fetter,
Esquire, Fetter McDermott
Law Firm, Old City Hall, 454
Pine Street, Williamsport, PA
17701.

D'Angelo, Mark L., dec'd.

Late of 7791 State Route 87,
Williamsport.
Executrix: Katherine M.
D'Angelo Lauver, 412 Yeker
Farm Lane, Allentown, PA
18103.
Attorney: Malcolm S. Mus-
sina, Esquire, 426 Broad
Street, Montoursville, PA
17754.

Young, Alfred W., dec'd.

Late of Williamsport.
Executrix: Sandra L. Reese.
Attorneys: Matthew J. Parker,
Esquire, Marshall, Parker
& Associates, LLC, 49 E.
Fourth Street, Williamsport,
PA 17701.

NOTICE

NOTICE IS HEREBY GIVEN
that a Certificate of Organization
was filed on December 2, 2011
with the Department of State of the
Commonwealth of Pennsylvania
at Harrisburg, PA for the purpose
of obtaining a Certificate of Orga-
nization for the Limited Liability
Company, organized under the
Business Corporation Law of 1988,
December 21, 1988 (P.L. 1444, No.
177), as amended. The name of the
Limited Liability Company is:

SUMMIT CONSTRUCTION AND
PROPERTY SERVICES, LLC

The purpose for which the busi-
ness was organized is: To have
unlimited power to engage in and
do any lawful act concerning any
and all lawful business for which
a limited liability company may be
organized under the Pennsylvania
Business Corporation Law of 1988,
as amended.

STEPHEN C. SHOLDER, ESQUIRE
RAUP, WILEY & SHOLDER
634 West Fourth St.
Williamsport, PA 17701

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LYCOMING REPORTER

NOTES



PERIODICAL PUBLICATION

*** Dated Material. Do Not Delay. Please Deliver Before Monday, December 19, 2011**