

Lycoming Reporter

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No. 20



LYCOMING REPORTER

(USPS 322-900)

THE OFFICIAL LEGAL PERIODICAL FOR LYCOMING COUNTY

www.lycolaw.org

PUBLISHED EVERY FRIDAY BY
LYCOMING LAW ASSOCIATION

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Business Manager: Jessica A. Engel

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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, \$1.75 per half-column line and \$3.50 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.

PBI SEMINARS FOR SPRING/SUMMER/FALL 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.

THURSDAY, MAY 24, 2012—9:00 A.M. to 12:30 P.M.
(0 Substantive, 3 Ethics) **EMERGING LAW FIRMS: ETHICAL**
GUIDANCE FOR PENNSYLVANIA LAW FIRMS AND AT-
TORNEYS

WEDNESDAY, MAY 30, 2012—9:00 A.M. to 5:00 P.M.
(6 Substantive) **TRIALS—TIPS, TACTICS & PERSONAL TALES**

TUESDAY, JUNE 5, 2012—9:00 A.M. to 5:00 P.M.
(6 Substantive) **BEST OF THE OIL AND GAS LAW COLLO-**
QUIUM—CENTRAL PA

TUESDAY, JUNE 26, 2012—9:00 A.M. to 4:15 P.M.
(6 Substantive) **REPRESENTING RESIDENTIAL LANDLORD**
& TENANTS

WEDNESDAY, JUNE 27, 2012—8:30 A.M. to 3:40 P.M.
(5 Substantive, 1 Ethics) GENERAL PRACTITIONERS UPDATE 2012

TUESDAY, JULY 10, 2012—8:30 A.M. to 12:45 P.M.
(3 Substantive, 1 Ethics) DEFAMATION, LIBEL & SLANDER

TUESDAY, JULY 24, 2012—9:00 A.M. to 12:30 P.M.
(3 Substantive) SPOILATION AND PRESERVATION OF EVIDENCE IN THE CIVIL CASE

TUESDAY, JULY 31, 2012—9:00 A.M. to 5:00 P.M.
(6 Substantive) FUNDAMENTALS OF PERSONAL INJURY

THURSDAY, AUGUST 9, 2012—9:00 A.M. to 12:15 P.M.
(3 Substantive) CELL PHONE FORENSICS: WHAT EVERY ATTORNEY SHOULD KNOW ABOUT RECOVERING DIGITAL EVIDENCE

THURSDAY, AUGUST 23, 2012—9:00 A.M. to 10:00 A.M.
(1 Ethics) ETHICS TOOLBOX: AN UPDATE BY THE PBA LEGAL ETHICS AND PROFESSIONAL RESPONSIBILITY COMMITTEE

TUESDAY, AUGUST 28, 2012—9:00 A.M. to 1:15 P.M.
(4 Substantive) WHAT THE PERSONAL INJURY LAWYER NEEDS TO KNOW ABOUT MEDICARE SECONDARY PAYER STATUTE

TUESDAY, OCTOBER 23, 2012—8:30 A.M. to 4:30 P.M.
(5 Substantive, 1 Ethics) THE SECOND SEASON: ISSUES FOR DIVORCE OVER FIFTY

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

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 CLIENT'S MINERAL RIGHTS

NOTICE TO PROFESSION

CARLTON W. SWETLAND

Court Reporter ♦ Notary Public

3085 Route 49 ♦ Westfield, PA 16950 ♦ (814) 367-5482

Fast and Accurate Transcripts ♦ Low Appearance Fee for Lycoming County

M-18, 25; J-1

CONFLICT ATTORNEY

Lycoming County Government is seeking to establish a professional service agreement with a contractor (individual attorney or law firm) to serve as a Part-Time CONFLICT ATTORNEY, to represent clients who are found to be in conflict with representation by the Public Defender's Office, as assigned by the Court Administrator. Successful candidates will have a law degree and current bar status in Pennsylvania. The position will assume responsibility for approximately 65 cases and will be reimbursed in the amount of \$35,000.00 per year. This contract would be effective July 1, 2012 and run through June 30, 2013.

Interested candidates should forward a letter of interest and resume prior to June 10, 2012, addressed to the Court Administrator's Office, Lycoming County Courthouse, 48 West Third Street, Williamsport, PA 17701.

EOE/AA

M-18

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**, *docket number* (Web citation—unique number assigned to opinion)—issuing judge (date of issuance) [category] Summary of legal concepts involved (Date posted to the Web site)]

- ▶ **In re: Nolan Condemnation by South Williamsport** (04/25/2012)—Judge Dudley N. Anderson
Civil: Petition for appointment of viewers; declaration of taking for easement to place sewer lines; attempt to have the borough include additional parts of the property. (nolancondemnation042512a) (Posted: 04/25/2012)
- ▶ **Commonwealth vs. Hartsock** (04/25/2012)—Judge Dudley N. Anderson
Criminal: Appeal; Megan’s Law registration; claimed homelessness; temporary abode. (hartsock042512a) (Posted: 04/25/2012)
- ▶ **Commonwealth vs. Cobbs** (04/24/2012)—Judge Marc F. Lovecchio
Criminal: Appeal; petition for return of property; derivative contraband; specificity of notice of hearing; supplemental order more than 30 days after initial order; collateral estoppel; lack of factual dispute; treatment of supplemental order as if summary judgment were filed; waiver of objections. (Cobbs042412L) (Posted: 04/25/2012)
- ▶ **Commonwealth vs. Trapp** (04/23/2012)—Judge Marc F. Lovecchio
Criminal: Defendant’s motion in limine; prior bad acts evidence; other assaults; relevance; potential of prejudice outweighing probative value. (Trapp042312L) (Posted: 04/25/2012)
- ▶ **DJS vs. JRS** (04/23/2012)—Judge Richard A. Gray
Custody: Motion to relocate child to neighboring county; autistic child; educational needs; factors to be considered under newly enacted Child Custody Act. (DJS042312g) (Posted: 04/24/2012)

- ▶ **Meyers vs. Carey, Tilva, West Branch Orthopaedics & Sports Medicine, Inc.; Susquehanna Regional Healthcare Alliance, Inc., Susquehanna Regional Healthcare Alliance t/d/b/a Susquehanna Health and Divine Providence Hospital** (04/24/2012)—Judge Richard A. Gray
Civil: Preliminary objections to new matter; affirmative defenses pleaded without material facts; defenses by operation of law; affirmative defenses in the Health Care Services Malpractice Act and the MCARE Act; statute of limitations defense. (Meyers042412g) (Posted: 04/24/2012)
- ▶ **Rapp vs. Waltz** (04/23/2012)—Judge Dudley N. Anderson
Civil: Appeal; Private Road Act; impact of Eminent Domain Code; exercise of eminent domain occurring prior to acquisition of property; public versus private purpose issue. (rapp042312a) (Posted: 04/24/2012)
- ▶ **Commonwealth vs. Burks** (04/27/2012)—Judge Marc F. Lovecchio
Criminal: Appeal. (Burks042712L) (Posted: 05/01/2012)
- ▶ **Commonwealth vs. Mathers** (04/27/2012)—Judge Marc F. Lovecchio
Criminal: Non-jury verdict; conspiracy to assault child; agreement to commit criminal acts; renouncement; evidence from Internet chats; overt acts. (mathers042712L) (Posted: 05/01/2012)
- ▶ **Commonwealth vs. Kibler** (04/26/2012)—Judge Marc F. Lovecchio
Criminal: Post Conviction Relief Act petition; guilty plea; waiver of claims; inadequacy of legal representation; factual allegations giving rise to a defense; mandatory sentence. (Kibler042612L) (Posted: 05/01/2012)

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

Eddinger, Mary A., dec'd.

Late of South Williamsport.
Co-Executors: John R. Chevalier, 931 Howard Lane, Vandalia, OH 45377 and Nancy A. Long, 616 Park Avenue, Williamsport, PA 17701.
Attorneys: Wilfred K. Knecht, Esquire, McCormick Law Firm, 835 West Fourth Street, Williamsport, PA 17701.

English, Lewis K., dec'd.

Late of Montoursville.
Executor: Lee K. English, 250 Gordon Street, S. Williamsport, PA 17702.
Attorneys: Wilfred K. Knecht, Esquire, McCormick Law Firm, 835 West Fourth St., Williamsport, PA 17701.

Mansel, James M., dec'd.

Late of Williamsport.
Executrix: Eleanor M. Alsted, 13579 State Route 87, Williamsport, PA 17701.

Attorneys: Henry P. Perciballi, Esquire, Law Offices of Perciballi & Williams, LLC, a division of Stevens & Lee, 429 Market Street, Williamsport, PA 17701.

McNett, Dorothy M., dec'd.

Late of Williamsport.
Executor: Ronald K. McNett, 1904 Mill Hill Road, Roaring Branch, PA 17765.
Attorney: Scott A. Williams, Esquire, 57 East Fourth Street, P.O. Box 3, Williamsport, PA 17703.

SECOND PUBLICATION

Bubb, Max C., dec'd.

Late of Hughesville.
Executor: Larry M. Bubb, 14307 Shady Beach Trail, Prior Lake, MN 55372.
Attorney: Layne R. Oden, Esquire, Nine South Main Street, Muncy, PA 17756-1306.

Gottschall, Dorothy M., dec'd.

Late of Muncy Creek Township.
Executrix: Roberta Gautsch, 7 Center Avenue, Muncy, PA 17756-1401.
Attorneys: James G. Malee, Esquire, Malee Law Firm, P.C., 310 East Third Street, Williamsport, PA 17701, (570) 321-6112.

Kane, Margaret A. a/k/a Margaret Amy Kane, dec'd.

Late of Williamsport.
Executor: The Muncy Bank and Trust Company, Maggie Aderhold, Trust Officer, 2 North Main Street, Muncy, PA 17756.
Attorney: Layne R. Oden, Esquire, Nine South Main Street, Muncy, PA 17756-1306.

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Kiess, Robert Gilmore a/k/a

Robert G. Kiess, dec'd.

Late of Muncy.

Co-Executors: Robert Gilmore Kiess, II, 562 Abbington Lane, Douglasville, GA 30134, Clyde Gorr Kiess, 1950 Barrett Lakes Blvd. N.W., Kennesaw, GA 30144 and John Gorr Kiess, 2857 Four Mile Drive, Montoursville, PA 17754.

Attorney: Layne R. Oden, Esquire, Nine South Main Street, Muncy, PA 17756-1306.

Kneedler, Richard C., dec'd.

Late of Loyalsock Township.

Executrix: Sandra M. Hill, 154 Dusty Lane, Cogan Station, PA 17728.

Attorneys: James G. Malee, Esquire, Malee Law Firm, P.C., 310 East Third Street, Williamsport, PA 17701, (570) 321-6112.

Koontz, Thomas W., dec'd.

Late of Williamsport.

Administratrix: Joan M. Koontz, 1172 Russell Avenue, Williamsport, PA 17701.

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

Lose, Thomas T., dec'd.

Late of Bastress Township.

Executrix: Holli Trimble c/o Daniel K. Mathers, Esquire, Mathers & Stapp PC, 416 Pine St., Ste. 308, Williamsport, PA 17701.

Attorneys: Daniel K. Mathers, Esquire, Mathers & Stapp PC, 416 Pine St., Ste. 308, Williamsport, PA 17701.

Smith, Hazel G. a/k/a Hazel V.

Smith, dec'd.

Late of Montoursville.

Co-Executors: Dale Smith, 128 Grammer Road, Williamsport, PA 17701 and Ronald Haldeman, 13 Post Road, Roaring Branch, PA 17765.

Attorneys: Brann, Williams, Caldwell & Sheetz, Attorneys at Law, 120 Troy Street, P.O. Box 146, Canton, PA 17724.

Young, Dean F., dec'd.

Late of the Borough of Jersey Shore.

Executrices: Pamela J. Young, 107 Beagle Rd., Mill Hall, PA 17751 and Debra A. Sanders, 1518 Evergreen Rd., Williamsport, PA 17701.

Attorney: Leroy H. Keiler, III, Esquire, P.O. Box 263, Jersey Shore, PA 17740.

THIRD PUBLICATION

Barrow, William C., Jr., dec'd.

Late of Jersey Shore.

Executor: W.C. Barrow, III.

Attorneys: Matthew J. Parker, Esquire, Marshall, Parker & Associates, LLC, 49 E. Fourth Street, Williamsport, PA 17701.

Gerber, Daniel J., dec'd.

Late of the Borough of South Williamsport.

Administratrices: Nayana D. Flipse, 2263 Fox Street, Williamsport, PA 17701 and Heather L. Kriner, 2609 East Hills Drive, Williamsport, PA 17701.

Attorneys: L. Craig Harris, Esquire, Carpenter, Harris & Flayhart, 128 S. Main St., P.O. Box 505, Jersey Shore, PA 17740 and Charles A. Szybist, Esquire, Charles A. Szybist Law Office, 423 Mulberry Street, Williamsport, PA 17701.

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Sheets, Grace F., dec'd.
Late of Shrewsbury Township.
Executrix: Susan Whipple,
2350 Highland Lake Road,
Hughesville, PA 17737.
Attorneys: Thomas D. Hess,
Esquire, Hess and Hess,
P.C., 30 South Main Street,
Hughesville, PA 17737.

Wileman, Anna B., dec'd.
Late of the Township of Loy-
alsock.
Executor: Woodlands Bank,
2450 E. Third Street, Williams-
port, PA 17701.
Attorney: Joseph L. Rider, Es-
quire, 143 West Fourth Street,
Williamsport, PA 17701.

NOTICE

In the Court of Common Pleas of
Lycoming County, Pennsylvania
Civil Division

Case Number: 12-00214

DISCOVER BANK, THROUGH
ITS SERVICING AGENT, DB
SERVICING CORPORATION
Plaintiff
v.
SANCHIT GUPTA
Defendant

NOTICE TO DEFEND

You have been sued in court.
If you wish to defend against the
claims set forth in the follow-
ing pages, you must take action
within twenty (20) days after this
complaint and notice are served,
by entering a written appearance
personally or by attorney and filing

in writing with the court your de-
fenses 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 claimed 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 PA-
PER TO YOUR LAWYER AT ONCE.
IF YOU DO NOT HAVE A LAWYER,
GO TO OR TELEPHONE THE OF-
FICE 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.

IF YOU DO NOT HAVE A LAW-
YER CONTACT:
PENNSYLVANIA BAR
ASSOCIATION
LAWYER REFERRAL SERVICE
100 South Street
P.O. Box 186
Harrisburg, PA 17108-0186
Telephone: (800) 692-7375
OR

IF YOU CANNOT AFFORD A
LAWYER YOU MAY BE ELIGIBLE
FOR LEGAL AID THROUGH:
LEGAL SERVICES OFFICE
329 Market Street
Williamsport, PA 17701
Telephone: (570) 323-8741

LYCOMING REPORTER

NOTICE

NOTICE IS HEREBY GIVEN that a Certificate of Organization was filed on or about May 7, 2012, with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, for the purpose of obtaining a Certificate of Organization for a domestic business corporation, 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:

W.C. REIGHARD, LLC

The registered office of said corporation is: 1341 E. Third Street, Williamsport, PA 17701. The purpose for which the corporation was organized is: To have unlimited power to engage in and do any lawful business for which a limited liability company may be organized under Pennsylvania Business Corporation Law of 1988, as amended.

ELLIOT B. WEISS, ESQUIRE
ELLIOT B. WEISS & ASSOCIATES
416 Pine Street
Suite 203
Williamsport, PA 17701

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NOTICE

NOTICE IS HEREBY GIVEN, pursuant to the provisions of the Act of Assembly of December 16, 1982, P.L. 1309, No. 295 (54 Pa. C.S.A. Section 311), as amended, of the filing in the Office of the Secretary of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, on April 16, 2012, a Registration of Fictitious Name for the conduct of a business under the assumed or fictitious name, style or designation of:

FROSTY BEVERAGE

with its principal place of business at: 460 John Brady Drive, Muncy, PA 17756.

The names and addresses of the persons and entity owning the business are: Chester J. Ruth, III, 118 Valley Heights Drive, Williamsport, PA 17701, Jonathan E. Swart, 261 Mt. Equity Road, Pennsdale, PA 17756 and JASWART, INC., 118 Valley Heights Drive, Williamsport, PA 17701.
J. HOWARD LANGDON, ESQUIRE
Solicitor for Frosty Beverage
3 South Main Street
Muncy, PA 17756

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PERIODICAL PUBLICATION

*** Dated Material. Do Not Delay. Please Deliver Before Monday, May 21, 2012**