

Lycoming Reporter

Vol. 29

September 14, 2012

No. 37



LYCOMING REPORTER

(USPS 322-900)

THE OFFICIAL LEGAL PERIODICAL FOR LYCOMING COUNTY

www.lycolaw.org

PUBLISHED EVERY FRIDAY BY
LYCOMING LAW ASSOCIATION

Editor: Gary L. Weber

Business Manager: Jessica A. Engel

“LYCOMING REPORTER (ISSN 0884-187X) is published weekly for \$50 per annum by the Lycoming Law Association, Penn Tower, 25 West Third Street, Suite 601, Williamsport, PA 17701. Periodical postage paid at Williamsport, PA 17701-9998 and additional mailing offices. POSTMASTER: Send address changes to LYCOMING REPORTER, Penn Tower, 25 West Third Street, Suite 601, Williamsport, PA 17701.”

General Office: Penn Tower, 25 West Third Street, Suite 601, Williamsport, Pennsylvania
Legal Notices of less than 300 words in length must be received by 1:00 P.M. on the Tuesday preceding the date of publication; all other notices must be received by 4:00 P.M. on the Monday preceding the date of publication.

Library of Congress Catalog Card Number 61—18866

Printed by Clare Printing, 206 S. Keystone Avenue, Sayre, PA 18840

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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.

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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 SUMMER/FALL/WINTER 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 fee is assessed
for registration at the door.**

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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.**

FRIDAY, SEPTEMBER 21, 2012—8:30 A.M. to 5:00 P.M.
(5 Substantive, 1 Ethics) IMMIGRATION LAW FORUM—2012

TUESDAY, SEPTEMBER 25, 2012—9:00 A.M. to 5:00 P.M.
(6 Substantive) THE TECHNOLOGY YOU NEED TO START A
LAW PRACTICE OR TO OVERHAUL THE ONE YOU HAVE

TUESDAY, OCTOBER 2, 2012—9:00 A.M. to 5:00 P.M.
(5 Substantive, 1.5 Ethics) FAMILY OF LAWS FOR THE FAM-
ILY LAWYER

WEDNESDAY, OCTOBER 3, 2012—8:30 A.M. to 12:45 P.M.
(4 Substantive) VETERANS' BENEFITS SYMPOSIUM

TUESDAY, OCTOBER 9, 2012—9:00 A.M. to 12:30 P.M.
(3 Substantive) FAIR HEARINGS AND APPEALS IN ELDER LAW

MONDAY, OCTOBER 15, 2012—12:30 P.M. to 4:45 P.M.
(4 Substantive) EFFECTIVE USE OF SUPPRESSION MOTIONS

THURSDAY, OCTOBER 18, 2012—9:00 A.M. to 1:30 P.M.
(4 Substantive) SPECIAL ISSUES RELATED TO THE TERMINATION OF PARENTAL RIGHTS

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

THURSDAY, OCTOBER 25, 2012—9:00 A.M. to 5:00 P.M.
(5 Substantive, 1 Ethics) TRIAL EVIDENCE—ARTISTRY AND ADVOCACY IN THE COURTROOM

WEDNESDAY, OCTOBER 31, 2012—8:30 A.M. to 1:00 P.M.
(4.5 Substantive) 16th ANNUAL FAMILY LAW UPDATE

THURSDAY, NOVEMBER 1, 2012—9:00 A.M. to 1:30 P.M.
(4 Substantive) FUNDAMENTALS OF CIVIL PRACTICE AND PROCEDURE

WEDNESDAY, NOVEMBER 7, 2012—9:00 A.M. to 1:15 P.M.
(4 Substantive) ENVIRONMENTAL ISSUES AFFECTING OIL AND GAS DEVELOPMENT

THURSDAY, NOVEMBER 8, 2012—9:00 A.M. to 1:30 P.M.
(4 Substantive) YOUR FIRST DIVORCE CASE

TUESDAY, NOVEMBER 13, 2012—8:30 A.M. to 3:45 P.M.
(5 Substantive, 1 Ethics) ABCs OF FORECLOSURE PROCEEDINGS

FRIDAY, NOVEMBER 16, 2012—9:00 A.M. to 4:00 P.M.
(5 Substantive, 1 Ethics) HOT TOPICS IN CAPITAL CASES

TUESDAY, NOVEMBER 20, 2012—9:00 A.M. to 5:00 P.M.
(6 Substantive) HOW JURIES VIEW TRACTOR-TRAILER ACCIDENTS AFTER JOINT AND SEVERAL

TUESDAY, NOVEMBER 27, 2012—9:00 A.M. to 1:30 P.M.
(3 Substantive, 1 Ethics) DEFAMATION, LIBEL AND SLANDER

WEDNESDAY, NOVEMBER 28, 2012—9:00 A.M. to 12:15 P.M.
(3 Substantive) ELDER LAW UPDATE

TUESDAY, DECEMBER 4, 2012—9:00 A.M. to 10:00 A.M.
(1 Ethics) ETHICS POTPOURRI—DISCIPLINARY DIVERSION FOR LAWYERS AND JUDGES

TUESDAY, DECEMBER 4, 2012—1:15 P.M. to 4:30 P.M.
(3 Substantive) SLICING UP THE PIE: PROPERTY DISTRIBUTION IN PENNSYLVANIA

THURSDAY, DECEMBER 6, 2012—9:00 A.M. to 1:30 P.M.
(4 Substantive) HOW TO PROPERLY DOCUMENT A SETTLEMENT AGREEMENT (AFTER THE NEW JOINT AND SEVERAL LIABILITY LAW)

FRIDAY, DECEMBER 7, 2012—9:00 A.M. to 12:30 P.M.
(3 Substantive) RESIDENTIAL REAL ESTATE CLOSING DOCUMENTS

TUESDAY, DECEMBER 11, 2012—9:00 A.M. to 5:00 P.M.
(6 Substantive) TRYING A CASE IN STATE COURT (FROM START TO FINISH)

THURSDAY, DECEMBER 13, 2012—9:00 A.M. to 12:30 P.M.
(3 Substantive) CELL PHONE FORENSICS: WHAT EVERY ATTORNEY SHOULD KNOW ABOUT RECOVERING DIGITAL EVIDENCE

WEDNESDAY, DECEMBER 19, 2012—12:00 P.M. to 4:15 P.M.
(4 Substantive) CRIMINAL LAW UPDATE 2012

THURSDAY, DECEMBER 20, 2012—12:15 P.M. to 4:30 P.M.
(3 Substantive, 1 Ethics) 19th ANNUAL AUTO LAW UPDATE

THURSDAY, DECEMBER 27, 2012—9:00 A.M. to 5:00 P.M.
(5 Substantive, 1 Ethics) EVALUATING THE DAI CASE

NOTICE TO THE PROFESSION
Lycoming County Planning
Commission Solicitor

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 Solicitor for the County Planning Commission. The Solicitor will represent the County in matters of Land Use, Subdivision and Land Development.

Successful candidates will have a law degree, be versed in Land Use Law, and current bar status in Pennsylvania. The position will assume responsibility for advising the Lycoming County Planning Commission and the Director of Planning and Community Development. This contract would be effective January 1, 2013 and run through December 31, 2015.

Interested candidates should forward a letter of interest and resume prior to September 30, 2012, addressed to Planning and Community Development, Attn.: Kurt Hausammann, Jr., AICP, Director, Lycoming County Court House, 48 West Third Street, Williamsport, PA 17701.

EOE/AA

Au-31; S-7, 14

The full text of the following decisions of the Court of Common Pleas of Lycoming County have been posted to the Lycoming Law Association website. 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 website)]

- ▶ **Vandine, Weikel, Charles, Shannon and Foust vs. Vandine, Manufacturers and Traders Trust Company, M & T Securities, Inc., Allstate Life Insurance Company, Glenbrook Life and Annuity Company, Stauffer, Parks, Reichard and M & T Bank** (08/09/2012)—Judge Richard A. Gray
Civil: Preliminary objections; timeliness of amended complaint filed 30 days after due under order of court; failure to serve amended complaint; failure of counsel to appear to argue cause for the delay; pleading in a concise or summary form; complaint consisting of 1192 paragraphs on 328 pages. (vandine080912g) (Posted: 09/01/2012)
- ▶ **Commonwealth vs. Young** (08/03/2012)—Judge Richard A. Gray
Criminal: Appeal. (young080312g) (Posted: 09/01/2012)
- ▶ **Commonwealth vs. Burden** (08/27/2012)—Judge Marc F. Lovecchio
Criminal: Weight and sufficiency of evidence; use of weapon hidden in pocket to commit robbery; threat of violence as element of offenses; relevance of deadly weapon enhancement for employing a weapon to definition of robbery and theft; verdict shocking the court conscience. (Burden082712L) (Posted: 08/29/2012)
- ▶ **Commonwealth vs. Kibler** (08/14/2012)—Judge Marc F. Lovecchio
Criminal: Appeal. (Kibler081412L) (Posted: 08/29/2012)
- ▶ **Commonwealth vs. Richardson** (08/27/2012)—Judge Marc F. Lovecchio
Criminal: Appeal. (Richardson082712L) (Posted: 08/27/2012)

► **Commonwealth vs. Gadra** (08/21/2012)—Judge Marc F. Lovecchio

Criminal: Response to notice of intent to dismiss Post Conviction Relief Act petition; accuracy of defense counsel's representations about possible sentencing. (Gadra082112L) (Posted: 08/27/2012)

► **Commonwealth vs. Kilgus** (08/22/2012)—Judge Marc F. Lovecchio

Criminal: Response to notice of intent to dismiss Post Conviction Relief Act petition; competency to waive *Miranda* rights; inadequate offer of proof; signed certification from medical professional; low IQ. (Kilgus082212L) (Posted: 08/22/2012)

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

Cholin, Dorothea a/k/a Dorothea M. Cholin, dec'd.

Late of 1251 Rural Ave. #216, Williamsport.

Executor: John M. Cholin.

Attorneys: P. Jeffrey Hill, Esquire, Harding & Hill LLP, Third Street Office, 38 West Third Street, Bloomsburg, PA 17815.

Edler, Vivian M., dec'd.

Late of Pine Township.

Executor: Del S. Edler 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.

Flook, Donald E. a/k/a Donald Eugene Flook a/k/a Donald Flook, dec'd.

Late of the City of Williamsport.

Administratrix: June H. Flook, 2116 Federal Ave., Williamsport, PA 17701.

Attorneys: Adrienne J. Stahl, Esquire, Steinbacher & Stahl, 413 Washington Boulevard, Williamsport, PA 17701.

Hanford, Velda M., dec'd.

Late of Williamsport.

Executor: Charles R. Hanford, Sr., 913 Wayne Avenue, Williamsport, PA 17701.

Attorneys: L. Craig Harris, Esquire, Carpenter, Harris & Flayhart, 128 S. Main St., P.O. Box 505, Jersey Shore, PA 17740.

Hoffman, Laura E., dec'd.

Late of Williamsport.

Executor: Philip G. Hoffman, 208 Grimesville Road, Williamsport, PA 17701.

Attorney: Richard G. Scheib, Esquire, 11 Reitz Blvd., Suite 102, Lewisburg, PA 17837-9293.

Sampsell, Edith Belle, dec'd.

Late of the Township of Loyalsock.

The Edith B. Sampsell Family Trust dated September 17, 2010.

Executors/Trustees: Russell Clemons and Michelle Clemons, 24 Casey Drive, Williamsport, PA 17701.

Attorney: Scott A. Williams, Esquire, 57 East Fourth Street, P.O. Box 3, Williamsport, PA 17703.

Skvarka, Michael J., dec'd.

Late of the Township of Woodward.

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Executors: Franklin Skvarka, 5460 So. Rt. 220 Hwy., Linden, PA 17744, Paul J. Skvarka, 250 Hemlock Hill Rd., Montgomery, PA 17752 and Pamela A. Skvarka, 1244 W. Emery Church Rd., Linden, PA 17744.

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

SECOND PUBLICATION

Clees, Caroline E., dec'd.

Late of Montoursville.

Executrix: Barbara A. Clark, Montoursville, PA.

Attorneys: Gary T. Harris, Esquire, Rieders, Travis, Humphrey, Harris, Waters & Waffenschmidt, 161 West Third Street, Williamsport, PA 17701, (570) 328-8711.

Day, Elmer D., dec'd.

Late of the Township of Woodward.

Executrix: Cristal L. Day, 117 Harvest Street, Linden, PA 17744.

Attorney: Joseph L. Rider, Esquire, 143 West Fourth Street, Williamsport, PA 17701.

Reynolds, Donna C. a/k/a Donna Cathryn Reynolds, dec'd.

Late of Franklin Township.

Administratrix: Malisa K. Schaffer, 287 Buck Street, Muncy, PA 14456.

Attorneys: Stephen C. Sholder, Esquire, Raup, Wiley & Sholder, 634 West Fourth Street, Williamsport, PA 17701.

Whipple, Jean L. a/k/a Jean Louise Whipple, dec'd.

Late of South Williamsport.

Executor: Clifford L. Whipple, Jr., 130 West Southern Avenue, South Williamsport, PA 17702.

Attorneys: L. Craig Harris, Esquire, Carpenter, Harris & Flayhart, 128 S. Main St., P.O. Box 505, Jersey Shore, PA 17740.

THIRD PUBLICATION

Bower, Clara Jane, dec'd.

Late of Penn Township.

Executors: Ruth A. Fulmer, 14268 State Route 118 Highway, Benton, PA 17814 and Daniel W. Bower, 74 Bower Lane, Hughesville, PA 17737.

Attorneys: Thomas D. Hess, Esquire, Hess and Hess, P.C., 30 South Main Street, Hughesville, PA 17737.

Brooks, Carol A., dec'd.

Late of Piatt Township.

Executors: R. Wayne Brooks and Mark A. Brooks c/o Daniel K. Mathers, Esquire, Mathers & Stapp, P.C., 416 Pine St., Ste. 308, Williamsport, PA 17701.

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

Draper, Darold D., dec'd.

Late of the City of Williamsport.

Executrix: Evelyn B. Yale, 903 Redington Avenue, Troy, PA 16947.

Attorneys: Brann, Williams, Caldwell & Sheetz, Attorneys at Law, 1090 West Main Street, Troy, PA 16947.

Goverick, Mildred C., dec'd.

Late of the Borough of Montoursville.

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Executrix: Carol A. Hampton,
1211 Fulton Street, Elkhart,
IN 46514.

Attorney: Andrea B. Bower,
Esquire, 426 Broad Street,
Montoursville, PA 17754.

Hess, Jennie Mae, dec'd.

Late of Muncy Creek Town-
ship.

Executor: Robert F. Hess, 269
Center Street, P.O. Box 130,
Picture Rocks, PA 17762.

Attorneys: Thomas D. Hess,
Esquire, Hess and Hess,
P.C., 30 South Main Street,
Hughesville, PA 17737.

Holmes, Lucy C., dec'd.

Late of Hughesville.

Executors: Daniel E. Holmes,
108 Lime Bluff Road, Hughes-
ville, PA 17737 and Susan
J. Smith, 191 Sperry Drive,
Hughesville, PA 17737.

Attorneys: Thomas D. Hess,
Esquire, Hess and Hess,
P.C., 30 South Main Street,
Hughesville, PA 17737.

Miller, Paul G., dec'd.

Late of the Borough of Mont-
gomery.

Executor: Muncy Bank &
Trust Co., 2 North Main
Street, Muncy, PA 17756.

Attorney: Joseph L. Rider, Es-
quire, 143 West Fourth Street,
Williamsport, PA 17701.

Schooff, John C., dec'd.

Late of Trout Run.

Executor: Rolf C. Schooff c/o
Daniel K. Mathers, Esquire,
Mathers & Stapp, P.C., 416
Pine St., Ste. 308, Williams-
port, PA 17701.

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

Shaner, Dorothy D., dec'd.

Late of the Township of Loy-
alsock.

The Dorothy D. Shaner Pro-
tector Trust, dated September
29, 2008.

Settlor: Dorothy D. Shaner.

Trustee: Stephen A. Schles-
ing, 2051 Reed Street, Williams-
port, PA 17701.

Attorneys: Adrienne J. Stahl,
Esquire, Steinbacher & Stahl,
413 Washington Boulevard,
Williamsport, PA 17701.

Tate, Karen A., dec'd.

Late of Loyalsock Township.

Executor: George R. Tate,
1507 Sheridan Street, Wil-
liamsport, PA 17701.

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

Vaught, William C., dec'd.

Late of the Borough of Muncy.

Executor: Susquehanna Trust
& Investment Company, 48
Orchard Drive, Shamokin
Dam, PA 17876.

Attorney: Joseph L. Rider, Es-
quire, 143 West Fourth Street,
Williamsport, PA 17701.

NOTICE

NOTICE IS HEREBY GIVEN
that Articles of Incorporation were
filed on June 27, 2012, with the
Department of State of the Com-
monwealth of Pennsylvania, at
Harrisburg, Pennsylvania, for the
purpose of obtaining a Certificate
of Incorporation 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 corporation is:

PACIFIC VSC, INC.

whose corporation's initial registered office in this Commonwealth is: 10 Alexander Drive, Muncy, PA 17756.

The purpose for which the corporation was organized is: To have unlimited power to engage in and do any lawful act concerning any and all lawful business for which corporations may be incorporated under the Pennsylvania Business Corporation Law of 1988, as amended.

MALCOLM S. MUSSINA, ESQUIRE
426 Broad Street
Montoursville, PA 17754

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ACTION TO QUIET TITLE

In the Court of Common Pleas of
Lycoming County, Pennsylvania
Civil Action—Law

NO. 12-00574

GEORGE W. ECK, an individual
and KERRY W. GROSS,
an individual

vs.

MADLINE R. LENINGTON,
deceased and all of her
Heirs, Executors,
Administrators, Successors,
Assigns and Devisees

**ACTION TO
QUIET TITLE NOTICE**

TO: MADLINE R. LENINGTON,
deceased and all of her Heirs,
Executors, Administrators,
Successors, Assigns and De-
visees

You are notified that the Plaintiffs have commenced an Action to Quiet Title against you which you are required to defend.

You are required to plead to the Complaint within twenty (20) days after the last appearance of this notice, that is, no later than October 4, 2012.

If you fail to answer the Complaint within twenty (20) days, a preliminary judgment may be entered against you within thirty (30) days thereafter.

This action concerns a portion of the land described as follows:

All that certain piece, parcel and lot of land situate in Old Lycoming Township, same being bounded and described as follows:

Beginning at the intersection of Mahaffey Lane and a proposed alley, the said alley having a width of Twenty Feet (20') along the said Mahaffey Lane in a Westward direction; thence North along the line of said alley in a line adjoining the present grantees herein to the flood control dyke; thence Westward on a northwesterly line along said dyke some Twenty Feet (20') more or less to the West side of the proposed alley; thence Southward along the West side of the said alley Three Hundred Twenty-Seven Feet (327') more or less to the north side of Mahaffey Lane; thence Southeast along the North side of Mahaffey Lane to the place of beginning.

Being the same premises conveyed unto John F. Gross and Ethel F. Gross, his wife, by Quitclaim Deed of Durant L. Furey, dated the 14th day of December, 1960, as recorded in the Office of Recording of Deeds of Lycoming County in Deed Book 1034, at Page 92.

Excepting that portion of the above described property conveyed

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by John F. Gross, Jr. and Patricia A. Gross, his wife, to James J. Colburn and Elizabeth J. Colburn by Deed dated March 28, 1985, and recorded in Lycoming County Deed Book 1107, at page 84.

If you wish to defend, you must enter a written appearance personally or by attorney with the Court of 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 claimed in the Complaint or for any other claim or relief requested by the Plaintiffs. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO A LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, CONTACT:

Pennsylvania Bar Association
Lawyer Referral Service
100 South Street
P.O. Box 186
Harrisburg, PA 17108-0186
Telephone No. (800) 692-7375
IF YOU CANNOT AFFORD A

LAWYER, CONTACT:

North Penn Legal Service
329 Market Street
Williamsport, PA 17701
Telephone No. (570) 323-8741
WILFRED A. KNECHT, ESQUIRE
McCORMICK LAW FIRM
Attorneys for Plaintiff
835 West Fourth Street
Williamsport, PA 17701
(570) 326-5131

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NOTICE

NOTICE IS HEREBY GIVEN that Miller Asphalt Paving, LLC,

has filed an application with the Commonwealth of Pennsylvania on April 11, 2012, to conduct business under the Fictitious Name of:

M & M PAVING & EXCAVATING
2715 McCoy Street, Williamsport,
PA 17701 pursuant to the provisions of 54 Pa. Code Subch. 17C.
HOEGEN & ASSOCIATES, P.C.

Attorneys

152 South Franklin Street
Wilkes-Barre, PA 18701

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NOTICE

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania, on August 15, 2012.

The name of the Corporation is:

REED TRIO, INC.
McNerney, Page, Vanderlin & Hall
433 Market Street
P.O. Box 7
Williamsport, PA 17703

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NOTICE

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania on July 30, 2012.

The name of the Corporation is:

HICKORY FLATS
GAS AND OIL, INC.
McNerney, Page, Vanderlin & Hall
433 Market Street
P.O. Box 7
Williamsport, PA 17703

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PERIODICAL PUBLICATION

*** Dated Material. Do Not Delay. Please Deliver Before Monday, September 17, 2012**