

# Lycoming Reporter

---

Vol. 29

November 2, 2012

No. 44

---



# LYCOMING REPORTER

(USPS 322-900)

THE OFFICIAL LEGAL PERIODICAL FOR LYCOMING COUNTY

[www.lycolaw.org](http://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

---

## 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 FALL/WINTER 2012  
WINTER/SPRING 2013**

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.**

*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](http://www.pbi.org)  
to confirm a scheduled seminar or replay.**

**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 PROCEED-  
INGS

**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

**TUESDAY, FEBRUARY 12, 2013—12:30 P.M. to 3:45 P.M.**  
(3 Substantive) PRESENTING A CASE TO A ZONING HEARING BOARD

**FRIDAY, FEBRUARY 22, 2013—8:30 A.M. to 3:30 P.M.**  
(6 Substantive) MASTERING EVIDENCE

**THURSDAY, MARCH 21, 2013—9:00 A.M. to 4:30 P.M.**  
(5 Substantive, 1 Ethics) 26th ANNUAL CIVIL LITIGATION UPDATE

**THURSDAY, APRIL 18, 2013—9:00 A.M. to 1:15 P.M.**  
(4 Substantive) UNEMPLOYMENT COMPENSATION

**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](http://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)]

- ▶ **Commonwealth vs. Hatchett** (10/16/2012)—Judge Nancy L. Butts  
Criminal: Prima facie case of assault by prisoner with deadly weapon; use of a razor attached to a comb by Band-Aids to another’s face. (Hatchett101612bt) (Posted: 10/17/2012)
- ▶ **Commonwealth vs. Allison** (10/16/2012)—Judge Nancy L. Butts  
Criminal: Motion to terminate ARD; subsequent DUI charges; claim of failure to disclose charges during ARD hearing. (Allison101612bt) (Posted: 10/17/2012)
- ▶ **Commonwealth vs. Meixel** (10/16/2012)—Judge Marc F. Lovecchio  
Criminal: Motion in limine; admissibility of hearsay statements, not introduced for the truth; relevance of evidence; prejudice; cautionary instruction. (Meixe101612L) (Posted: 10/17/2012)
- ▶ **Federated Capital Corporation vs. Casilio** (10/16/2012)—Judge Dudley N. Anderson  
Civil: Non-jury trial; credit card debt; assignment of claim; joint liability of credit card holder with the business; recoverability of interest at high rate. (federatedcapital101612a) (Posted: 10/17/2012)
- ▶ **Young vs. Dantonio** (10/16/2012)—Judge Richard A. Gray  
Civil: Motions for summary judgment; factual dispute; meeting of the minds in a contract case; existence of a reserve price. (Young101612g) (Posted: 10/17/2012)

- **Commonwealth vs. \$2052.00 US Currency; Brown vs. Commonwealth** (10/15/2012)—Judge Richard A. Gray  
Civil, Criminal: Motion for return of property and petition for forfeiture; burden of Commonwealth to prove a nexus between confiscated money and a drug transaction; totality of circumstances; ion scan; shifting burden; observations of experienced police officer. (brown101512g) (Posted: 10/17/2012)
- **Conestoga Ceramic Tile Distributors, Inc., Travelers Casualty and Surety Company of America, IMC Construction, Inc., Profast Commercial Flooring, Inc. and Pennsylvania College of Technology** (10/16/2012)—Judge Dudley N. Anderson  
Civil: Motion for judgment on the pleadings; claim for breach of contract barred by terms of the payment bond voiding bonding company's obligation if bonded contractor promptly makes payment; lack of contractual relationship as barring claim; repeal of Bond Law of 1967; claim barred by payment under the Procurement Code; unjust enrichment. (conestoga101612a) (Posted: 10/16/2012)

**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**

**Boatman, Jacques L.,** dec'd.

Late of Muncy.

Co-Executors: Thomas W. Boatman, 227 Colonial Forge Lane, Muncy, PA 17756 and Michele A. Vanbuskirk, 9090 Blue Willow Court, Gainesville, GA 30506.

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

**Goodfellow, Helen L.,** dec'd.

Late of Loyalsock Township.

Executrix: Kimberly Adams, 36 Hillcrest Drive, Cogan Station, PA 17728.

Attorneys: Fred A. Holland, Esquire, Murphy, Butterfield & Holland, P.C., 442 William Street, Williamsport, PA 17701.

**Hill, George B.,** dec'd.

Late of Hepburn Township.

Executors: Scott M. Hill and Mary L. Dunphy 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.

**Lundy, Emma R.,** dec'd.

Late of Cogan Station, Eldred Township.

Co-Executors: Jimmie L. Lundy, 5882 Warrensville Road, Williamsport, PA 17701, Louann M. Confer, 200 Chaa-pel Mountain Road, Cogan Station, PA 17728 and Sharon L. Huyck, 6624 Armstrong Road, Muncy, PA 17756.

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

**Schaefer, Norma J.,** dec'd.

Late of Jersey Shore.

Executrix: Mary A. Miller.

Attorneys: Tammy A. Weber, Esquire, Marshall, Parker & Associates, LLC, 49 E. Fourth Street, Williamsport, PA 17701.

**Tobiasz, Christopher,** dec'd.

Late of South Williamsport.

Executrix: Joanne M. Lalli, 195 Jacks Hollow Road, South Williamsport, PA 17701.

Attorneys: C. Edward S. Mitchell, Esquire, Mitchell Gallagher, 10 West Third Street, Williamsport, PA 17701.

**Winters, Martha Ann,** dec'd.

Late of the Borough of Jersey Shore.

Executrix: Vickey Lee Bar-do, 423 Wylie Street, Jersey Shore, PA 17740.



## LYCOMING REPORTER

---

Attorneys: Lewis G. Steinberg, Esquire, Snowiss, Steinberg & Faulkner, LLP, Attorneys at Law, 333 N. Vesper Street, Lock Haven, PA 17745.

---

### SECOND PUBLICATION

**Diehl, Doris L.,** dec'd.

Late of the Township of Loy-alsock.

Executor: Woodlands Bank, 2450 E. Third Street, Williamsport, PA 17701.

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

---

**Dietrick, Catherine J.,** dec'd.

Late of the Borough of South Williamsport.

Executrix: Debra J. Andrews, 77 Hemlock Ridge Road, Jersey Shore, PA 17740.

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

---

**Feigles, Roger D.,** dec'd.

Late of Muncy.

Co-Administrators: Kelley J. Gardner, 343 Sawmill Road, Cogan Station, PA 17728 and Brett D. Feigles, 132 South Broad Street, Jersey Shore, PA 17740.

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

---

**Freed, William Marvin a/k/a**

**W. Marvin Freed,** dec'd.

Late of Lycoming County.

Executor: Richard L. Freed, 1500 Parkhurst Drive, Bowling Green, KY 42101.

---

**Gray, Roger E.,** dec'd.

Late of Pennsdales.

Co-Executrices: Mary L. Gray, 180 Woodley Hollow Road, Muncy, PA 17756 and Barbara J. Strouse, 2023 Hall Road, Muncy, PA 17756.

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

---

**King, Joan D.,** dec'd.

Late of the City of Williamsport.

Executor: Gary D. Kolczynski, 771 Morgan Valley Road, Williamsport, PA 17702.

---

**Linser, Beverly J.,** dec'd.

Late of Muncy.

Executrix: Linda Bomboy, 1664 Pleasant Hill Road, Cogan Station, PA 17728.

Attorneys: Campana, Lovocchio & Morrone, P.C., 602 Pine Street, Williamsport, PA 17701, (570) 326-2401.

---

**Nibert, Donna C.,** dec'd.

Late of 2260 Kehr Hill Road, Montoursville.

Executor: Donald R. Nibert, 2260 Kehr Hill Road, Montoursville, PA 17754.

Attorney: Malcolm S. Mussina, Esquire, 426 Broad Street, Montoursville, PA 17754.

---

**Orso, James H.,** dec'd.

Late of Williamsport.

Administrator: Joseph F. Orso, Jr., 2201 Reed Street, Williamsport, PA 17701.

Attorneys: Joseph F. Orso, III, Esquire, Rudinsky, Orso and Lynch, 339 Market Street, Williamsport, PA 17701, (570) 321-8090.

---

**Wheary, Frank L. a/k/a**

**Frank Wheary,** dec'd.

Late of the Township of Cummings.

## LYCOMING REPORTER

---

Executrix: Norma Wheary,  
11772 North Route 44 High-  
way, Waterville, PA 17776.  
Attorneys: Adrienne J. Stahl,  
Esquire, Steinbacher & Stahl,  
413 Washington Boulevard,  
Williamsport, PA 17701.

**Wothers, Lois H.,** dec'd.

Late of Brown Township  
Administrator: L. Craig Har-  
ris, 128 South Main Street,  
Jersey Shore, PA 17740.  
Attorneys: L. Craig Harris,  
Esquire, Carpenter, Harris  
& Flayhart, 128 S. Main St.,  
P.O. Box 505, Jersey Shore,  
PA 17740.

---

### THIRD PUBLICATION

**Diehl, Betty M.,** dec'd.

Late of the City of Williams-  
port.  
Executor: Woodlands Bank,  
2450 E. Third Street, Williams-  
port, PA 17701.  
Attorney: Joseph L. Rider, Es-  
quire, 143 West Fourth Street,  
Williamsport, PA 17701.

**Jones, Tyrone L.,** dec'd.

Late of Williamsport.  
Administratrix: Deborah  
Goodman-Jones, 685 First Av-  
enue, Williamsport, PA 17701.  
Attorneys: McNerney, Page,  
Vanderlin & Hall, 433 Market  
Street, P.O. Box 7, Williams-  
port, PA 17703.

**Muthler, Johanna G.,** dec'd.

Late of Jersey Shore.  
Executor: Citizens & Northern  
Bank.  
Attorneys: Matthew J. Parker,  
Esquire, Marshall, Parker &  
Associates, LLC, 49 E. Fourth  
Street, Williamsport, PA 17701.

**Powell, William J.,** dec'd.

Late of Watson.  
The William J. Powell Real  
Estate Protector Trust, dated  
October 1, 2010.  
Settlor: William J. Powell.  
Trustee: Lee Ann Eichenlaub,  
148 Cardinal Drive, Lock Ha-  
ven, PA 17745.  
Attorneys: Adrienne J. Stahl,  
Esquire, Steinbacher & Stahl,  
413 Washington Boulevard,  
Williamsport, PA 17701.

**Weaner, Martha Shipton a/k/a  
Martha R. Weaner,** dec'd.

Late of Montoursville.  
Executors: Mr. Scott R. Wean-  
er, 1334 S. Haddix Road,  
Montrose, WV 26283-9412  
and Mr. Lynn E. Ditty, 1325  
Granger Road, Northampton,  
PA 18067.  
Attorneys: Gary W. Calvin,  
Esquire, Dilts, Macary & Cal-  
vin, 540 Pennsylvania Ave.,  
Ste. 318, Fort Washington,  
PA 19034.

**Wheeler, Betty a/k/a Betty J.  
Wheeler a/k/a Betty Jane  
Wheeler,** dec'd.

Late of 229 Eldred Street, Wil-  
liamsport.  
Executrix: Gene Border, 1132  
High Street, Williamsport, PA  
17701.  
Attorney: David C. Raker,  
Esquire, 322 Court Street,  
Williamsport, PA 17701.

**Wilkinson, William W.,** dec'd.

Late of Old Lycoming Town-  
ship.  
Executrix: Jessica M. Binga-  
man c/o Daniel K. Mathers,  
Esquire, Mathers & Stapp,  
PC, 416 Pine St., Ste. 308,  
Williamsport, PA 17701.

## LYCOMING REPORTER

---

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

---

### NOTICE

---

NOTICE IS HEREBY GIVEN to all parties interested that the following Accounts together with all Statement of Proposed Distribution accompanying the same have been filed in the Office of the Register of Wills and Clerk of Orphans' Court presented to the Orphans' Court of Lycoming County for Confirmation Absolute November 6, 2012 unless exceptions are filed before 5:00 P.M. on that date.

1. Crooks, William D., III, Living Trust—Michael W. Bush and Elizabeth C. Bush, Trustees.

2. Edwards, Richard L., Sr.—Pamela A. Nolan, Executrix.

3. Stockwell, Catherine F., Trust—Manufacturers and Traders Trust Company, Trustee.

4. Winner, Paul K.—Paula J. Sager, Executrix.  
Annabel Miller  
Register of Wills

O-26; N-2

---

### FICTITIOUS NAME REGISTRATION

---

NOTICE IS HEREBY GIVEN, pursuant to the provisions of the Fictitious Names Act of Pennsylvania, that an Application for Registration of a Fictitious Name was filed in the office of the Department of State of the Commonwealth of Pennsylvania, for the conduct of a business under the fictitious name of:

MOON & RAVEN  
PUBLIC HOUSE

with its principal office or place of business at: 155 West Fourth Street, Williamsport, PA 17701.

The name and address, including street number, if any, of all persons who are parties to the registration are: Gary Shaw, 1433 River Road, Muncy, PA 17756 and Ned Roush, 230 Adams Street, Williamsport, PA 17701.

N-2

---

### BUSINESS CORPORATION

---

NOTICE IS HEREBY GIVEN that on October 3, 2012, Articles of Incorporation were filed with the Department of State for:

SOLID GOLD REALTY INC.  
a corporation organized under the provisions of the Pennsylvania Business Corporation Law of 1988, effective October 1, 1989, for the purpose of: engaging in all lawful business for which corporations may be incorporated under said act.

N-2

---

### NOTICE

---

NOTICE IS HEREBY GIVEN that Articles of Incorporation—Nonprofit were filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania on October 9, 2012.

The name of the Corporation is:  
THE RED RAIDER FOUNDATION  
McNerney, Page, Vanderlin & Hall  
433 Market Street  
P.O. Box 7  
Williamsport, PA 17703

N-2

---

### NOTICE

---

NOTICE IS HEREBY GIVEN that a Certificate of Organization was filed on or about October

## LYCOMING REPORTER

---

16, 2012, with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, for the purpose of obtaining a Certification 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:  
BISHOP AG-ENTERPRISES, LLC  
1283 Reynolds Hill Road, 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 a limited liability company may be organized under the Pennsylvania Business Corporation Law of 1988, as amended.

SCOTT T. WILLIAMS, ESQUIRE  
PERCIBALLI & WILLIAMS, LLC  
429 Market Street  
Williamsport, PA 17701

N-2

## LYCOMING REPORTER

---

### NOTES

## LYCOMING REPORTER

---

### NOTES

## LYCOMING REPORTER

---

### NOTES



---

---

## **PERIODICAL PUBLICATION**

**\* Dated Material. Do Not Delay. Please Deliver Before Monday, November 5, 2012**