

LYCOMING REPORTER

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LYCOMING REPORTER

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THE OFFICIAL LEGAL PERIODICAL FOR LYCOMING COUNTY

PUBLISHED EVERY FRIDAY BY
LYCOMING LAW ASSOCIATION

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LYCOMING LAW ASSOCIATION

Penn Tower, 25 West Third Street, Suite 803

Williamsport, PA 17701

www.lycolaw.org

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Real Estate: *Fred Holland*



Your online connection for:

- Court Calendar • Continuing Legal Education
- Conference Room Facilities • Legal Assistance
- Recent Court Decisions • Upcoming LLA & Public Events

www.lycolaw.org

SCHEDULED EVENTS

Additional information about any of these events is available on the Lycoming Law Association website at www.lycolaw.org.

- 3/2/2016 – Court Administration MEET & GREET:** *Come and meet the new District Court Administrator, Adrienne Stahl, and the new Director of Court Services, Jenn McConnell, along with the entire Court Administration team.*
Time: 11:30 AM to 1:30 PM. **Location:** LLA Office
- 3/14/2016 – LLA Committee Chair Lunch:** *Meeting to review accomplishments of the past year and discuss goals and objectives.* **Time:** 12:00 PM to 1:00 PM. **Location:** LLA Office
- 3/28/2016 – Executive Committee Meeting:** *Regular monthly meeting.*
Time: 12:00 PM to 1:00 PM. **Location:** LLA Office

The mission of the Lycoming Law Association is to promote the practice of law using the highest ethical standards and to advance the public image of our profession. We accomplish this by communicating within our profession and throughout our community, providing continuing legal education, encouraging collegiality among attorneys and the Court, providing *pro bono* legal assistance, and through community involvement.

UPCOMING LYCOMING COUNTY CLE OPPORTUNITIES

- 2/23/2016** – **Unfair Labor Practices for the Non-Union Workplace:** *PBI Video Replay.* **CLE credits:** 2 Substantive / 1 Ethics **Time:** 9:00 AM to 12:30 PM. **Location:** Lycoming Law Association Office
- 2/24/2016** – **The Legal Issues Surrounding Pipeline & Rights-of-Way Agreements in the Marcellus Shale Region:** *PBI Groupcast.* **CLE credits:** 4 Substantive **Time:** 9:00 AM to 1:15 PM. **Location:** Lycoming Law Association Office
- 2/25/2016** – **Fundamentals of PA Business Corporation Practice:** *PBI Video Replay.* **CLE credits:** 5 Substantive / 1 Ethics **Time:** 9:00 AM to 5:00 PM. **Location:** Lycoming Law Association Office
- 3/1/2016** – **Estate Planning in a Shale Energy Environment:** *PBI Video Replay.* **CLE credits:** 4 Substantive **Time:** 9:00 AM to 1:30 PM. **Location:** Lycoming Law Association Office
- 3/3/2016** – **Boundary Law in PA:** *PBI Groupcast.* **CLE credits:** 4 Substantive **Time:** 12:00 PM to 4:15 PM. **Location:** Lycoming Law Association Office
- 3/9/2016** – **Essentials of Copyright Law:** *PBI Video Replay.* **CLE credits:** 4 Substantive **Time:** 9:00 AM to 1:30 PM. **Location:** Lycoming Law Association Office
- 3/10/2016** – **Guardianship 101:** *PBI Groupcast.* **CLE credits:** 3 Substantive / 1 Ethics **Time:** 12:00 PM to 4:15 PM. **Location:** Lycoming Law Association Office
- 3/15/2016** – **Handling the Workers' Comp. Case:** *PBI Groupcast.* **CLE credits:** 5 Substantive / 1 Ethics **Time:** 8:25 AM to 3:45 PM. **Location:** Lycoming Law Association Office
- 3/23/2016** – **29th Annual Civil Litigation Update:** *PBI Groupcast.* **CLE credits:** 5 Substantive / 1 Ethics **Time:** 9:00 AM to 4:15 PM. **Location:** Lycoming Law Association Office
- 3/28/2016** – **Advanced Title Insurance Issues:** *PBI Groupcast.* **CLE credits:** 3 Substantive **Time:** 12:30 PM to 3:45 PM. **Location:** Lycoming Law Association Office
- 3/31/2016** – **Elections and Disclaimers in Estates:** *PBI Video Replay.* **CLE credits:** 3 Substantive **Time:** 9:00 AM to 12:30 PM. **Location:** Lycoming Law Association Office
- 4/4/2016** – **Long-Term Care Planning for Seniors:** *PBI Groupcast.* **CLE credits:** 5 Substantive / 1 Ethics **Time:** 8:30 AM to 3:30 PM. **Location:** Lycoming Law Association Office
- 4/5/2016** – **Frequently Asked Questions About Ethics and Social Media:** *PBI Video Replay.* **CLE credits:** 1 Ethics **Time:** 9:00 AM to 10:00 AM. **Location:** Lycoming Law Association Office

- 4/6/2016 – Social Security Disability: The Basics:** *PBI Groupcast.* **CLE credits:** 3 Substantive / 1 Ethics **Time:** 9:00 AM to 1:15 PM. **Location:** Lycoming Law Association Office
- 4/13/2016 – Sophisticated Issues for Family Lawyers:** *PBI Video Replay.* **CLE credits:** 4 Substantive **Time:** 9:00 AM to 1:30 PM. **Location:** Lycoming Law Association Office
- 4/14/2016 – Civil Practice in Magisterial District Courts:** *PBI Video Replay.* **CLE credits:** 3 Substantive / 1 Ethics **Time:** 9:00 AM to 1:30 PM. **Location:** Lycoming Law Association Office
- 4/18/2016 – The Basics of Realty Tax:** *PBI Groupcast.* **CLE credits:** 3 Substantive **Time:** 12:30 PM to 3:45 PM. **Location:** Lycoming Law Association Office
- 4/19/2016 – Marketing and Ethics: Balancing Smart Business Development and Adhering to the Rules:** *PBI Video Replay.* **CLE credits:** 1 Ethics **Time:** 9:00 AM to 10:00 AM. **Location:** Lycoming Law Association Office
- 4/22/2016 – Success With Summary Judgment Motions: How to Win Before Trial:** *PBI Video Replay.* **CLE credits:** 3 Substantive **Time:** 9:00 AM to 12:30 PM. **Location:** Lycoming Law Association Office
- 4/26/2016 – Litigating the Insurance Bad Faith Claim:** *PBI Video Replay.* **CLE credits:** 3 Substantive **Time:** 9:00 AM to 12:30 PM. **Location:** Lycoming Law Association Office
- 4/28/2016 – Current Issues in Nursing Home Litigation:** *PBI Video Replay.* **CLE credits:** 5 Substantive / 1 Ethics **Time:** 9:00 AM to 5:00 PM. **Location:** Lycoming Law Association Office
- 5/3/2016 – Family Caregiver Agreements & Use of Real Estate for Elder Law Attorneys:** *PBI Groupcast.* **CLE credits:** 3 Substantive **Time:** 9:00 AM to 12:15 PM. **Location:** Lycoming Law Association Office
- 5/4/2016 – Workers’ Comp. Practices & Procedure 2016:** *PBI Groupcast.* **CLE credits:** 4 Substantive **Time:** 8:30 AM to 12:45 PM. **Location:** Lycoming Law Association Office
- 5/11/2016 – Municipal Law Update:** *PBI Video Replay.* **CLE credits:** 5 Substantive / 1 Ethics **Time:** 9:00 AM to 5:00 PM. **Location:** Lycoming Law Association Office
- *PBI Seminar.** For tuition, registration, and all other information, please contact PBI Customer Service at (800) 247-4724, or online at www.pbi.org. Unless otherwise noted, this seminar is being held at the Lycoming Law Association Offices at 25 West Third Street, Suite 803, Williamsport, PA. Additional fees may be assessed for registration at the door.
- **LLA Seminar.** For tuition, registration, location, and all other information, please contact Michele Frey at the LLA Office at (570) 323-8287, by email at mfrey@lycolaw.org, or online at www.lycolaw.org.

The full text of the following Lycoming County Court opinions is reported at www.lycolaw.org/Cases/search.asp.

- ▶ **Commonwealth vs. Ball** (02/16/2016)—Judge Marc F. Lovecchio
Criminal: Petition to withdraw from criminal representation; irreconcilable differences between the parties; jurisdiction of the court to act in cases on appeal; entitlement to appointed counsel; appointment of new counsel. (Ball021616L)
- ▶ **Pellegrino vs. Primus Technologies Corp., Sullivan and Doe** (02/12/2016)—Judge Richard A. Gray
Civil: Motion for judgment on the pleadings; forced buyout of minority shareholder; remedies allowed by the Business Corporation Law; court's equitable powers; claim that a single entity can conspire with itself; claim for conversion where plaintiff's stock is being taken at reduced value as a result of the majority shareholders' action. (Pellegrino911216g)
- ▶ **Commonwealth vs. Harris** (02/16/2016)—Judge Richard A. Gray
Criminal: Appeal; motion for mistrial; document not disclosed during discovery; prejudice; vague statements in the Rule 1925 statement; sufficiency of the evidence of drug offenses. (Harris021116g)
- ▶ **Commonwealth vs. Jett** (02/12/2016)—Judge Marc F. Lovecchio
Criminal: Suppression motion; probable cause to support issuance of search warrant of vehicle; probable cause to search residence; nexus between the items sought and the place to be searched. (Jett021226L)
- ▶ **Commonwealth vs. Anderson** (02/12/2016)—Judge Marc F. Lovecchio
Criminal: Post Conviction Relief Act petition; unlawfully induced guilty plea; claim not supported by guilty plea documents. (Anderson021216L)
- ▶ **Commonwealth vs. Bell** (02/05/2016)—Judge Nancy L. Butts
Criminal: Suppression motion; saturation patrol for drug interdiction established by authority of county district attorney; jurisdiction of college police officer to stop vehicle within 500 yards of college; capacity of officer. (Bell020516bt)

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**Alban, Bernice a/k/a Bernice Ann Alban, dec'd.**

Late of the City of Williamsport.
Executor: Robert M. Alban, 339 El-dred Street, Williamsport PA 17701.
Attorney: Joseph L. Rider, Esquire, 143 West Fourth Street, Williamsport, PA 17701.

Barclay, David F. a/k/a David Francis Barclay a/k/a David Barclay, dec'd.

Late of Route 118, P.O. Box 24, Lairdsville.
Executrix: Cheryl J. Barclay.
Attorneys: P. Jeffrey Hill, Esquire, Harding, Hill & Turowski, LLP, 38 West Third Street, Bloomsburg, PA 17815.

Clark, Wendell V. a/k/a Wendoll V. Clark, dec'd.

Late of Williamsport.
Co-Executrices: Diane R. Cox and Lisa M. Bennett.
Attorneys: Matthew J. Parker, Esquire, Marshall, Parker & Weber, LLC, 49 E. Fourth Street, Williamsport, PA 17701.

Drum, Randy L., dec'd.

Late of Muncy.
Administratrix: Darena K. Follmer, 323 Colonial Drive, Montoursville, PA 17754.
Attorneys: Thomas D. Hess, Esquire, Hess and Hess, P.C., 30 South Main Street, Hughesville, PA 17737.

Frantz, Anna B., dec'd.

Late of the Township of Penn.
Executor: Edward D. Frantz, 2235 Beaver Lake Road, Hughesville, PA 17737.
Attorney: Joseph L. Rider, Esquire, 143 West Fourth Street, Williamsport, PA 17701.

Grazulis, Vincent J., dec'd.

Late of 411 Willow Street, Montoursville Borough.
Executrix: Deborah S. Berrigan, Eldercare Solutions, P.O. Box 755, Williamsport, PA 17701.
Attorneys: Lester L. Greevy, Jr., Esquire, Greevy & Shoemaker, 5741 State Route 87, Williamsport, PA 17701, (570) 435-2233.

Haefner, Anne E., dec'd.

Late of Williamsport.
Executrix: Jacqueline M. Fagnano, 343 Tinsman Ave., Williamsport, PA 17701.
Attorneys: Stephen C. Sholder, Esquire, Raup & Sholder, P.C., 270 West Third Street, Williamsport, PA 17701, (570) 321-0709.

Hunter, Howard E., dec'd.

Late of the Township of Fairfield.
Executors: Craig R. Hunter, 1124 Locust Street, Montoursville, PA 17754 and Jeffrey R. Hunter, 326 Back Street, Montoursville, PA 17754.
Attorneys: James G. Malee, Esquire, Malee Law Firm, P.C., 310 East Third Street, Williamsport, PA 17701, (570) 321-6112.

McKeag, Louella F., dec'd.

Late of 1983 Poco Farm Road, Loy-alsock Township.

Co-Administrators: David L. McKeag and Emily McElheny, 2001 Poco Farm Road, Williamsport, PA 17701.

Attorneys: Lester L. Greevy, Jr., Esquire, Greevy & Shoemaker, 5741 State Route 87, Williamsport, PA 17701, (570) 435-2233.

Morrison, A. Allen, dec'd.

Late of Fairfield Township.

Co-Administrators: Jack L. Morrison, 1020 Dogwood Lane, Enola, PA 17025 and Richard A. Morrison, 315 Klump Road, Cogan Station, PA 17728.

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

Ressler, Patricia A., dec'd.

Late of Lycoming County.

Executor: Brett M. Ressler, 11 Orange Street, Northumberland, PA 17857.

Attorneys: Jeffrey Apfelbaum, Esquire and Benjamin Apfelbaum, Esquire, Attorneys at Law, 124 North Fourth Street, Sunbury, PA 17801.

Salvatori, Mona, dec'd.

Late of Williamsport.

Executrix: Maria D. Ananea c/o Michael J. Casale, Jr., Esquire, 1500 Sycamore Road, Suite 120, Montoursville, PA 17754.

Attorney: Michael J. Casale, Jr., Esquire, 1500 Sycamore Road, Suite 120, Montoursville, PA 17754, (570) 601-1298.

Yoxtheimer, James H. a/k/a James

H. Yoxtheimer, Sr., dec'd.

Late of Porter Township.

Executor: James H. Yoxtheimer, Jr., 6 East Park Street, P.O. Box 149, Avis, PA 17721.

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

SECOND PUBLICATION**Bower, Margaret E.**, dec'd.

Late of Williamsport.

Administratrix: Anna Bower, 829 4th Ave., Williamsport, PA 17701.

Attorney: Mary C. Kilgus, Esquire, 185 N. Main Street, Hughesville, PA 17737, Ph. (570) 312-0386, fax (570) 312-0387.

Hafer, John C., dec'd.

Late of Jersey Shore.

Co-Executors: Kimberly Yenner and Jason Hafer c/o Anthony J. Grieco, Esquire, Elion, Wayne, Grieco, Carlucci & Shipman, P.C., 125 East Third St., Williamsport, PA 17701.

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

Herman, Lee R. a/k/a Lee Ruth Herman, dec'd.

Late of Old Lycoming Township.

Executrix: Sarabelle Leuthner.

Attorneys: Julieanne E. Steinbacher, Esquire, Steinbacher, Goodall & Yurchak, 413 Washington Boulevard, Williamsport, PA 17701.

Keiser, Beatrice M., dec'd.

Late of the Township of Wolfe.

Co-Executrices: Janet L. Bigger, 855 Hockley Hill Road, Turbotville, PA 17772 and Carol K. Webb, 89 Blue Sky Drive, Hughesville, PA 17737.

Attorney: Robert E. Benion, Esquire, P.O. Box 356, Milton, PA 17847.

Kinney, Margaret E. a/k/a Peggy Kinney, dec'd.

Late of Williamsport.

Executrix: Stefanie A. Hostrander, 102 Nicol Drive, Reading, PA 19606.

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

Potter, Mary Louise, dec'd.

Late of the City of Williamsport.
Executrix: Sandra Roy, 2580 Bottle Run Road, Williamsport, PA 17701.
Attorneys: James G. Malee, Esquire, Malee Law Firm, P.C., 310 East Third Street, Williamsport, PA 17701, (570) 321-6112.

Ulshafer, Nelson S., Sr., dec'd.

Late of Williamsport.
Executrix: Lisa A. Fedak, P.O. Box 611, Glen Gardner, NJ 08826.

Wertman, William R., dec'd.

Late of 7301 Route 118 Highway, Lairdsville.
Executors: Gaylord E. Morgan and Linda L. Morgan, 6734 Route 118 Highway, Lairdsville, PA 17742.
Attorney: J. Howard Langdon, Esquire, 3 South Main Street, Muncy, PA 17756.

THIRD PUBLICATION

Baker, Geraldine F., dec'd.

Late of Nisbet.
Executrix: Sally Weaver.
Attorney: Richard G. Scheib, Esquire, 11 Reitz Blvd., Suite 102, Lewisburg, PA 17837-9293.

Confair, Charles H., dec'd.

Late of Unityville.
Executor: Ronald L. Confair.
Attorneys: Charles F. Greevy, III, Esquire, Greevy & Taylor Law Office, Lycoming Executive Plaza, 330 Pine Street, Suite 403, Williamsport, PA 17701, (570) 320-7100.

Felix, Ann M., dec'd.

Late of Williamsport.
Executrix: Kirsten A. Burkhart, 331 Brandon Avenue, Williamsport, PA 17701.

Attorneys: McNerney, Page, Vanderlin & Hall, 433 Market Street, Williamsport, PA 17701.

Greenaway, Martha A., dec'd.

Late of 1900 Ravine Road, Williamsport.
Executrix: Janet S. Miller, P.O. Box 122, Jersey Shore, PA 17740.
Attorney: Malcolm S. Mussina, Esquire, 426 Broad Street, Montoursville, PA 17754.

Haas, Ruth E., dec'd.

Late of the Township of Fairfield.
Executor: Ronald S. Gingery.
Attorneys: Eric Ladley, Esquire, Steinbacher, Goodall & Yurchak, 413 Washington Boulevard, Williamsport, PA 17701.

McCoy, Albert M., dec'd.

Late of Montoursville.
Executrix: Susan M. Fisher, 267 Griffith Road, Apt. 2, Muncy, PA 17756.
Attorneys: Fred A. Holland, Esquire, Murphy, Butterfield & Holland, P.C., 442 William Street, Williamsport, PA 17701.

Shief, Maxwell R., dec'd.

Late of Cogan Station.
Executor: Michael L. Shief, 1384 Crescent Hill Road, Cogan Station, PA 17728.
Attorneys: Stephen C. Sholder, Esquire, Raup & Sholder, P.C., 270 West Third Street, Williamsport, PA 17701, (570) 321-0709.

Shires, Mildred a/k/a Mildred J. Shires, dec'd.

Late of Hughesville.
Executrix: Mary C. Robinson, 16 North Broad Street, Hughesville, PA 17737.
Attorneys: Thomas D. Hess, Esquire, Hess and Hess, P.C., 30 South Main Street, Hughesville, PA 17737.

Wiggins, Charlotte J., No. 41-15-0723, dec'd.
 Late of 716 Woodland Avenue, Williamsport.
 Executor: John M. Dzvonick, 620 Caruthers Lane, Irwin, PA 15642.
 Attorneys: Benjamin W. Urso, Esquire, Zacharia & Brown P.C., 4500 Walnut Street, McKeesport, PA 15132.

**REGISTER OF WILLS
 CONFIRMATION OF
 ACCOUNTS**

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 are presented to the Orphans' Court of Lycoming County for Confirmation Absolute March 1, 2016 unless exceptions are filed before 5:00 P.M. on that date.

1. Fry, Virginia E. a/k/a Fry, Virginia Ruth Eck—Kenneth L. Eck and Patricia E. Rushoe, Executors.

2. Benway, Kevin L.—Wells Fargo Bank N.A., Guardian.

3. Daskalakis, Anna William a/k/a Anna Daskalakis—Irene Dupont Haralambis and Tina Daskalakis, Executrices.

4. Choate, Jane L.—Amy L. McNamara, Executrix.

5. Mitchell, Jesse R.—Marc F. Demshock, Executor.

6. Hill, Laura A.—Marvin M. Hill, Administrator.

Kathy Rinehart
 Register of Wills

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ANNUAL MEETING NOTICE

The Annual Meeting of the Members of West Branch Mutual Insurance Company will be held at the Company's Office, 32 South Main Street, Muncy, PA on Tuesday, April 26, 2016 from 10:00 A.M. to 12 o'clock P.M. E.S.T. Meeting is for the election of directors and to transact any other business which may come before the meeting.

Darlene H. Webb
 Secretary/Treasurer

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The Lycoming Law Association Foundation is a tax-exempt not-for-profit, 501(c)(3) corporation. The mission of the Foundation is to cultivate the science of jurisprudence, improve the legal and judicial system and facilitate the administration of justice for residents of Lycoming County.

The Foundation provides funding for worthwhile law-related community projects and activities, in addition to supporting the Williamsport Office of North Penn Legal Services, which has provided civil legal services on a wide range of high priority legal problems to poor people in Lycoming County since 1974.

The Foundation is funded through the support of the members of the Lycoming Law Association. This support comes in various forms: from member dues, income from the *Lycoming Reporter*; donations by individual lawyer members of the Lycoming County Bar; donations by other individuals, lawyer family members, and estates.

The Lycoming Law Association's Community Activities and Outreach Committee is responsible to advise and assist the Foundation in administering funds for community projects of merit. The Committee is actively involved in reviewing grant applications and in making recommendations to the Foundation and the Association's Executive Committee concerning the funding of worthwhile projects and activities.

For additional information regarding the Foundation and its procedures, contact Michele Frey, Executive Director, at (570) 323-8287 or mfrey@lycolaw.org.



PERIODICAL PUBLICATION

*** Dated Material. Do Not Delay. Please Deliver Before Monday, February 22, 2016**