

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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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.

6/27/2016 – Executive Committee Meeting: *Regular monthly meeting* **Time:** 12:00 PM to 1:00 PM. **Location:** LLA Office

7/20/2016 – Annual Picnic: **Time:** 5:30 PM to 8:00 PM. **Location:** Hiawatha

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

- 6/3/2016 – Real Estate Agent and Broker Liability:** *PBI Groupcast*. **CLE credits:** 2 Substantive / 1 Ethics **Time:** 9:00 AM to 12:15 PM. **Location:** Lycoming Law Association Office
- 6/8/2016 – Talking With Pictures: Courtroom Persuasion in the Multimedia Age:** *PBI Video Replay*. **CLE credits:** 5 Substantive / 1 Ethics **Time:** 9:00 AM to 5:00 PM. **Location:** Lycoming Law Association Office
- 6/14/2016 – Quiet Title: A Puzzle Worth Solving:** *PBI Video Replay*. **CLE credits:** 3 Substantive / 1 Ethics **Time:** 9:00 AM to 1:30 PM. **Location:** Lycoming Law Association Office
- 6/15/2016 – Eat & Earn: Developments in Employment Law:** *Developments in Employment Law: Personnel Files, Wellness Programs and the First Amendment, Presented By: Ryan M. Tira*. **CLE credits:** 1 Substantive **Time:** 12:00 PM to 1:00 PM. **Location:** Lycoming Law Association Office
- 6/21/2016 – Alzheimer’s Disease and Other Dementias: Diagnosis, Research and Estate Planning Issues:** *PBI Groupcast*. **CLE credits:** 5 Substantive / 1 Ethics **Time:** 8:30 AM to 3:30 PM. **Location:** Lycoming Law Association Office
- 6/29/2016 – CLE for Today’s Busy Lawyer:** *PBI Groupcast*. **CLE credits:** 5 Substantive / 1 Ethics **Time:** 8:30 AM to 3:45 PM. **Location:** Lycoming Law Association Office
- 7/15/2016 – Vehicle Stops and Searches in Pennsylvania:** *PBI Groupcast*. **CLE credits:** 3 Substantive **Time:** 8:30 AM to 12:15 PM. **Location:** Lycoming Law Association Office
- 7/22/2016 – Understanding Injuries to the Brain, Back & Knee:** *PBI Groupcast*. **CLE credits:** 6 Substantive **Time:** 8:30 AM to 3:30 PM. **Location:** Lycoming Law Association Office
- 7/25/2016 – Easements and Rights of Way: From Acquisition to Zoning:** *PBI Groupcast*. **CLE credits:** 3 Substantive / 1 Ethics **Time:** 12:00 PM to 4:15 PM. **Location:** Lycoming Law Association Office
- 8/4/2016 – The Jury Process in Criminal Cases:** *PBI Video Replay*. **CLE credits:** 3 Substantive **Time:** 9:00 AM to 12:30 PM. **Location:** Lycoming Law Association Office
- 8/8/2016 – Federal Appellate Advocacy:** *PBI Groupcast*. **CLE credits:** 3 Substantive **Time:** 9:00 AM to 12:15 PM. **Location:** Lycoming Law Association Office
- 8/9/2016 – CLE Ethics Fun and Fantasy With Sean Carter:** *PBI Groupcast*. **CLE credits:** 3 Substantive / 3 Ethics **Time:** 9:00 AM to 4:15 PM. **Location:** Lycoming Law Association Office
- 8/11/2016 – Premises Liability Litigation: Focus on the Slip, Trip and Fall Case:** *PBI Groupcast*. **CLE credits:** 4 Substantive **Time:** 12:00 PM to 4:15 PM. **Location:** Lycoming Law Association Office

8/16/2016 – Ethics Potpourri – Depression: An Occupational Hazard of the Legal Profession: PBI Video Replay. CLE credits: 1 Ethics Time: 9:00 AM to 10:00 AM. 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.

What do Personal Injury, Social Security Disability, Workers' Compensation, Long-Term Disability, Divorce/Support, and ADA Employment Law cases all have in common? The need for **VOCATIONAL EXPERT TESTIMONY** because it assesses and explains damages, disability, earning capabilities, and availability of reasonable accommodations. You have spent resources establishing or defending against liability. Now retain an expert so what is at stake is evaluated professionally.

Jerrold Rutkove, MA, CRC

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Referral rates for services for 2016 are \$110/hour in deposition/hearing/court, \$80/hour all else.

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

- ▶ **Commonwealth vs. Bean** (05/23/2016)—Judge Dudley N. Anderson
Criminal: Motion to preclude defenses; charges related to certain incidents of sexual behavior; evidence of consent; assuming absence of consent where person is unconscious; relevancy of evidence that rebuts assumed consent; use of drugs as affecting consent; evidence of past prostitution activities with defendant; Rape Shield Law; in camera hearing to determine relevancy to show bias or motive or to attack credibility; prejudice; alternative means of proof. (Bean052316a)
- ▶ **Commonwealth vs. Jennings** (05/19/2016)—Judge Marc F. Lovecchio
Criminal: Motion to dismiss; sex offender vehicle registration requirements; discovery of e-mails and correspondence between or among the Pennsylvania Board of Probation and Parole and law enforcement; remedies for discovery violations; discretion to dismiss charges for extreme and egregious violations; prejudice; availability of traditional contempt sanctions for willful discovery violations. (Jennings051916L)
- ▶ **Commonwealth vs. Barkholz** (05/17/2016)—Judge Marc F. Lovecchio
Criminal: Restitution modification motion; adopting civil settlement agreement; enforceability of civil agreement criminal proceeding. (barkholz051716L)

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**Hall, T. Max a/k/a Thomas Max Hall, dec'd.**

Late of Williamsport.
 Executrix: Betty L. Hall, 1729 Pentridge Cove, Williamsport, PA 17701
 Attorneys: McNerney, Page, Vanderlin & Hall, 433 Market Street, Williamsport, PA 17701.

Lehman, Glenn S. a/k/a Glenn Samuel Lehman, dec'd.

Late of Loyalsock Township.
 Executor: Perry P. Lehman.
 Attorneys: Matthew J. Parker, Esquire, Marshall, Parker & Weber, LLC, 49 E. Fourth Street, Suite 105, Williamsport, PA 17701.

Meckley, Mary M. a/k/a Mary Margaret Meckley, dec'd.

Late of Muncy Creek Township.
 Executrix: Jeanne M. Burkholder, 141 Buck Street, Muncy, PA 17756.
 Attorney: Layne R. Oden, Esquire, Nine South Main Street, Muncy, PA 17756-1306.

SECOND PUBLICATION**Artley, James F., dec'd.**

Late of Penn Township.
 Executrix: Teresa A. Stackhouse, 12524 Route 220 Highway, Hughesville, PA 17737.
 Attorneys: Thomas D. Hess, Esquire, Hess and Hess, P.C., 30 South Main Street, Hughesville, PA 17737.

Beiter, Robert W., dec'd.

Late of the Township of Loyalsock.
 Executors: Angela M. Welty, Robert T. Beiter and Paula J. Beiter.
 Attorneys: Julieanne E. Steinbacher, Esquire, Steinbacher, Goodall & Yurchak, 413 Washington Boulevard, Williamsport, PA 17701.

Berresford, John F., dec'd.

Late of Montoursville.
 Executrix: Ann L. Berresford.
 Attorneys: Tammy A. Weber, Esquire, Marshall, Parker & Weber, LLC, 49 E. Fourth Street, Williamsport, PA 17701.

Breon, Patricia A., dec'd.

Late of Lycoming County.
 Executrix: Gwendolyn Nasr, 32 Thrush Field Way, Pittsford, NY 14534.
 Attorney: Scott A. Williams, Esquire, 57 East Fourth Street, P.O. Box 3, Williamsport, PA 17703.

Carberry, Virginia M., dec'd.

Late of South Renovo, Clinton County.
 Administrators: Robert C. Morton and Richard C. Morton c/o Patricia L. Bowman, Esquire, 1530 Sherman Street, Williamsport, PA 17701.
 Attorney: Patricia L. Bowman, Esquire, 1530 Sherman Street, Williamsport, PA 17701.

Fedorowicz, Ella Frances a/k/a Ella Frances Federowicz, dec'd.

Late of Williamsport.

Executrix: Virginia Lee Federowicz a/k/a Virginia L. Fedorowicz, 257 Wagner Road, Williamsport, PA 17701.

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

Kerwell, Bernard W. a/k/a William B. Kerwell, dec'd.

Late of Montgomery.

Executrix: Bernette Lynn Ardrey, 425 Sheridan Street, Williamsport, PA 17701.

Attorneys: John A. Smay, Esquire, Williams and Smay, 39 S. Main St., P.O. Box 35, Muncy, PA 17756.

Miller, Max J., dec'd.

Late of Hughesville.

Executrix: Tina Marie Barto, 590 Broadway, Hughesville, PA 17737.

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

Sampsell, Edwin B., Jr., dec'd.

Late of the Township of Washington.

Executor: Harry L. Sampsell, 2943 Elimsport Road, Montgomery, PA 17752.

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

Snyder, Alma Jean, dec'd.

Late of 1557 Dutchtown Road, Muncy.

Executors: Timothy M. Snyder, 1557 Dutchtown Road, Muncy, PA 17756 and David T. Snyder, 405 Church Road, Unityville, PA 17774.

Attorney: J. Howard Langdon, Esquire, 3 South Main Street, Muncy, PA 17756.

Snyder, Grace I., Jr., dec'd.

Late of Muncy.

Administratrix: Deborah A. Kleese, 693 Beacon Light Road, Pennsdale, PA 17756.

Attorneys: Stephen C. Sholder, Esquire, Raup & Sholder, P.C., 270 West Third Street, Williamsport, PA 17701.

Woltz, Lawrence D., dec'd.

Late of Williamsport.

Executrix: Tina M. Watkins c/o Marc S. Drier, Esquire, 227 Allegheny Street, Jersey Shore, PA 17740.

Attorney: Marc S. Drier, Esquire, 227 Allegheny Street, Jersey Shore, PA 17740.

THIRD PUBLICATION

Blakeslee, Glenn L., dec'd.

Late of the City of Williamsport.

Executrix: Anne Bliss.

Attorneys: Eric Ladley, Esquire, Steinbacher, Goodall & Yurchak, 413 Washington Boulevard, Williamsport, PA 17701.

Budman, Leonard E., dec'd.

Late of Allenwood.

Executor: John A. Smay, 39 South Main Street, P.O. Box 35, Muncy, PA 17756.

Attorneys: John A. Smay, Esquire, Williams and Smay, 39 S. Main St., P.O. Box 35, Muncy, PA 17756.

Thomas, Robert C., dec'd.

Late of Jersey Shore.

Administratrix: Patricia E. Hillyard, 182 Shingle Hollow Road, Jersey Shore, PA 17740.

Attorney: Leroy H. Keiler, III, Esquire, 110 Oliver Street, Ste. 2, P.O. Box 263, Jersey Shore, PA 17740, (570) 398-2750.

**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 June 7, 2016 unless exceptions are filed before 5:00 P.M. on that date.

1. Rouguex, James E.—Gary A. Per-son and Janine M. Noll, Executors.

2. Peterson, Arnold D.—Wayne P. Urbine, Executor.
Kathy Rinehart
Register of Wills

M-20, 27

FILING ARTICLES OF INCORPORATION

NOTICE IS HEREBY GIVEN that the Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania, on May 13, 2016, for the purpose of obtaining a Certificate of Incorporation of a proposed business corporation to be organized under Subpart C of the Nonprofit Corporation Law of 1988 of the Commonwealth of Pennsylvania.

The name of the proposed Corpo-ration is:

**LYCOMING BIOLOGY
FIELD STATION, INC.**

McCormick Law Firm
835 West Fourth Street
Williamsport, PA 17701

M-27

REGISTRATION OF FICTITIOUS NAME

NOTICE IS HEREBY GIVEN that K & J Boulevard Enterprises, Inc., 503 Washington Boulevard, Williamsport, Pennsylvania, has filed with the Secre-tary of the Commonwealth of Pennsyl-vania, Harrisburg, Pennsylvania 17105, on May 4, 2016, an Application for Registration of Fictitious Name under the Fictitious Name Act to conduct business under the name of:

JOEY'S FOOD SERVICE

with their principal place of business at: 503 Washington Boulevard, Williams- port, Pennsylvania, they being the only individuals interested in it or owning said business; all in accordance with 54 Pa. C.S. §311(g), as amended.

MICHAEL J. CASALE, JR., ESQUIRE
1500 Sycamore Road
Suite 120
Montoursville, PA 17754
(570) 327-0111

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FULL-TIME PARALEGAL

Local firm has an immediate open- ing for a full-time Paralegal to assist attorneys in estate planning and ad- ministration matters. Experience with Lackner estate management software a plus. Salary is commensurate with ex- perience. Interested individuals should submit a cover letter, stating salary requirements, with resume to: Business Manager, P.O. Box 577, Williamsport, PA 17703; or epearson@mcclaw.com.

M-20, 27

**Do you know what your
LYCOMING LAW ASSOCIATION
FOUNDATION**

has done to improve the delivery of legal services in our community, facilitate learning about the legal system, and enhance the image of the organized Bar?

Assigned over \$59,000.00 in Arbitration Fees to North Penn Legal Services to promote and facilitate the delivery of legal services to indigent persons in Lycoming County over the last eight years

Granted \$500.00 to the Changing Lives Through Literature Program to assist in the purchase of books

Granted \$3,000.00 to West Branch School to assist in funding a trip for students to travel to Washington, DC and visit the Supreme Court and the Houses of Congress

Granted \$6,000.00 to North Penn Legal Services to assist in funding an AmeriCorp position

Granted \$2,000.00 to CASA to assist in developing the CCAP curriculum and train program staff and volunteers

Granted \$1,245.00 to North Penn Legal Services so that one of their Staff Attorneys could attend a Fair Debt Collection Act Boot Camp Seminar in San Francisco

Granted \$1,489.00 to North Penn Legal Services so that one of their Staff Attorneys could attend a Consumer Rights Litigation Conference in Philadelphia

Granted \$2,952.00 to the Law Library at the JV Brown Library for the initial digitization of its current collection of 140 local ordinances

Granted \$1,000.00 to the Curtin PTO toward their Ben Carson Reading Room Project

Granted \$2,945.00 to CASA of Lycoming County, so that the CASA Director and the CASA Coordinator of Early Education could attend at a three day national conference on Children and the Law held at Harvard Law School

Granted \$2,625.00 to North Penn Legal Services to fund the costs of a law student's employment at NPLS for ten weeks during a summer

Granted \$250.00 to Susquehanna Home Care & Hospice for the Nurse Family Partnership to purchase reference books for nurses to use with low income families

Granted \$1,250.00 to CASA for the purchase of a computer system and necessary software

Granted \$2,200.00 to North Penn Legal Services for the development of a customized Lycoming County Child Custody Video

Granted \$1,500.00 to Wise Options (on behalf of the Domestic Violence Task Force) for the preparation, printing and distribution of a county protocol for domestic violence calls

Granted \$1,000.00 to North Penn Legal Services to assist in funding a Medicare Part D Provider Education Training

Granted \$7,500.00 to the Lycoming County Historical Society for the interpretation, archiving and digitalization of historical legal documents owned by the Taber Museum

Granted \$2,750.00 to Lycoming County for training necessary to establish a Domestic Fatality Review Team

Established a Pro Bono Litigation Costs Reimbursement Fund

Request for Grant Funding should be directed to the LLA Community Activities and Outreach and Committee. Information is available on the LLA website at <http://www.lycolaw.org/Committees/LLAfoundation.htm>

Please consider the Lycoming Law Association Foundation when making planned gifts.

Donations to the Lycoming Law Association Foundation are tax deductible.

The Lycoming Law Association Foundation is a tax-exempt, not-for-profit, 501(c)(3) corporation.

Its mission is to cultivate the science of jurisprudence, improve the legal and judicial system, and facilitate the administration of justice for residents of Lycoming County.

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PERIODICAL PUBLICATION

* Dated Material. Do Not Delay. Please Deliver Before Tuesday, May 31, 2016