1	IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA
2	IN RE: :
3	MEMORIAL RESOLUTION : CV-21-0004
4	HENRY P. PERCIBALLI, ESQUIRE :
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11	TRANSCRIPT OF MEMORIAL SERVICE held
12	before the Honorable Court of Lycoming County in Courtroom No. 1
13	of the Lycoming County Courthouse, via Zoom, 48 West Third
14	Street, Williamsport, Pennsylvania, on August 2nd, 2021,
15	commencing at 4:05 p.m. and concluding at 4:40 p.m.
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18	COMMITTEE MEMBERS:
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20	Scott T. Williams, Esquire, Chairman
21	Michael Collins, Esquire
22	Fred Holland, Esquire
23	Layne Oden, Esquire
24	William Carlucci, Esquire
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PROCEEDINGS

everyone to this Special Session of Court. Today we have the privilege of holding a Memorial Service for Henry P. Perciballi, a long-time member of our Law Association. We recognize and appreciate all in attendance here today, including any family members or friends that are here to share their time here with this memorial service.

Back on -- I'm trying to remember when it was that I ordered this -- back in April, I believe it was, I would have ordered that a committee be formed to put together, actually, February, put together report and resolutions of committee listing the life and accomplishments of Mr. Perciballi. The members of that Committee are the Chairman is Scott T. Williams, Michael Collins, William Carlucci, Fred Holland and Layne Oden. I would now recognize the Chairman, Scott T. Williams, to present the Committee report and resolution. Mr. Williams.

SCOTT T. WILLIAMS: Thank you, Your Honor. To the Honorable Judges of the above-named Court, the Honorable Judge Nancy L. Butts, President Judge of the Court of Common Pleas of Lycoming County, 29th Judicial District, by Order dated February 19, 2021, appointed the Undersigned Committee to draft resolutions memorializing the life of Henry P. Perciballi, Esquire, and to submit the same to this Honorable Court at a

1 session of court that is scheduled for Monday, August 2nd, 2021. 2 Henry P. Perciballi, a member of the Bar of 3 this Court since 1960, died on December 12th, 2020. Henry was the beloved husband of Eleanor 4 5 Stearns Perciballi, the two married on June 5, 1951, and celebrated 69 years of marriage. 6 7 Henry was born on November 20, 1927, in 8 Williamsport, Pennsylvania, the son of Nicola and Michela 9 Perciballi. He grew up on Front Street and always spoke fondly 10 of the old neighborhood. 11 Henry was a member of Mater Dolorosa Catholic 12 Church, which closed, then attended St. Boniface Catholic Church. 13 Henry graduated from the University of 14 Pittsburgh with a degree in pharmacy in 1951. His career as a pharmacist was shortened by being drafted into the Army during 15 the Korean Conflict. He served stateside utilizing his 16 17 pharmacist training. 18 After the Army, Henry attended the T.C. Williams School of Law in Richmond, Virginia, graduating in 1958. 19 2.0 Henry was admitted to the Pennsylvania Bar on 21 November 11, 1960, upon motion of Judge Charles Scott Williams. 22 Henry practiced law in Lycoming County for 60 years. 23 Henry maintained law offices at 429 Market 24 Street over a period of many years. His associates included his

> RONI LYNN KREISHER OFFICIAL COURT REPORTER LYCOMING COUNTY, PA

nephew, Anthony Grieco, along with Jennifer Ayers, William

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Carlucci, Richard Gahr, Jason Poplaski, Layne Oden, and Scott T. Williams, who became his partner. Henry was a well-known and highly-regarded transactional lawyer. His clients included a significant number of the most successful business owners and real estate developers in Lycoming County, many of whom attended his funeral.

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Henry was a member of Masonic Lodge 755, the Knights Templar, and the Williamsport Consistory.

Henry was an athlete. He was a member of the 1945 undefeated Williamsport High School football team as well as the baseball and basketball teams.

Henry enjoyed playing golf and tennis, gardening around his home with his wife and visiting restaurants with his loved ones and friends. He was a very outgoing and social man and it is hard to go anywhere in Williamsport where people didn't know Uncle Henry.

Henry was preceded in death by his father, Nicola Perciballi, and mother, Michela (Mercaldo) Perciballi.

Henry is survived by his wife, Eleanor; his sister, Mary Grieco; his two nephews, Anthony and John Grieco and his niece, Nancy Pfeiffer.

Now, therefore, be it resolved that we, the undersigned, joined by the Bar of Lycoming County, do recognize the passing of Henry P. Perciballi, Esquire and recommend adopting the following resolutions:

P. Perciballi there has been a loss to the Bar of Lycoming County of an outstanding member, who represented the best principles of the legal profession, a loss to the community of a valued participant, a loss to his family of a devoted husband and uncle and a loss to his friends and acquaintances of a dear friend.

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Be it further resolved, that a copy of these resolutions be spread upon the records of this Court and that a copy of the same be sent to his widow.

Be it finally resolved, that this Court and its Bar hereby extend to his widow and family a deep and heartfelt expression of sympathy. That is respectfully submitted by myself as Chairman, Michael Collins, Fred Holland, Layne Oden and William Carlucci.

PRESIDENT JUDGE BUTTS: Thank you, Mr. Williams. Did you wish to make some statements or offer some remarks?

SCOTT T. WILLIAMS: Sure I would. First, I was provided a statement by Michael Collins. Mike couldn't be here today as Fred Holland as well couldn't be here, but Mike brought this over and asked me to read it.

So this is from Michael Collins. May it please the Court, family, friends and members of the Bar. I first met Henry in 1974 when I came to Williamsport to clerk for Judge Thomas C. Raup. I met him through a dear, late friend, Richard Gahr, who was then an associate with Henry. Not long

after that Henry's nephew, Tony Grieco, came to work there as well. Around that time I got to know him better as Uncle Henry. It was after the clerkship with Judge Raup that I then became a next-door neighbor to Henry at the McNerney Page Office. As detailed in the petition, Henry was well known as a transaction attorney. Part of that transaction practice included real estate development. He counseled many new businesses as well as long-standing businesses in the Williamsport community. I was fortunate to have been involved in some of those transactions with Henry and it was obvious to me that this knowledge was widespread in these areas of the law. He was willing to share his time to discuss any issue you might be having in a particular transaction.

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Some of the more lighthearted discussions I was able to have with Henry occurred many times at morning coffee at Franco's. It was there that I was able to engage in discussions while stock market information was playing on the television for Henry. I became familiar with his athletic achievements, not from him; but from some of his contemporaries that knew Henry in Williamsport. As many of us know, he was on the last undefeated football team at the Williamsport High School and involved in both basketball and baseball as well. It was obvious over the many years that he still carried that athletic ability as far as when it came to keeping in shape. It still amazes me how even in his 80's he would park his car across

1 Mulberry Street near Lycoming College and then trek back and 2 forth to his office. Our receptionist and some of our first 3 floor staffers in our office always remember Henry for popping in at the reception station where candy was laid out on the shelf. 4 5 He would take some and then take an envelope and load it up somewhat and go back to the office. I always wondered if he kept 6 7 the candy for himself or shared it with his staff at his office. 8 Scott Williams advised me that, in fact, he did share it with the 9 others in his office. Henry was a true gentleman and fine attorney. He will be sorely missed. And that concludes Mike's 10 11 statement, Your Honor.

PRESIDENT JUDGE BUTTS: Thank you.

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SCOTT T. WILLIAMS: I would say a couple things, but before doing that I would like to ask if any of the other members of the Committee have anything to offer?

PRESIDENT JUDGE BUTTS: Mr. Carlucci?

WILLIAM CARLUCCI: Thank you, Your Honor. I hope that I have successfully unmuted.

PRESIDENT JUDGE BUTTS: You did.

WILLIAM CARLUCCI: Henry knew my father. Because Henry knew my father when I graduated law school Henry gave me a job. I do not recall an interview. Henry needed an associate to work with Tony and the fact that Henry knew my father was good enough for him. I did not know anybody in the Lycoming County legal community other than Henry and I knew Rick Gahr a little

because Henry tasked Rick Gahr to manage my father's meager estate. So Rick Gahr had to shuffle a little bit of paper in connection with my father's meager estate and, as I said, Henry knew my father.

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I worked in Henry's office for about 2 1/2 years. Most Lycoming County lawyers probably had very little contact with Henry professionally, probably saw him walking around town maybe, I got a jelly bean somewhere along the line; but probably most of them didn't have a case with Henry. So I'm going to tell you what it was like working in Henry's office. Someone would walk in my office and say there was someone, a client, in Henry's office and Henry wanted me to come in and meet with him and the client and I would walk into Henry's office, the client always sat in the chair on the right. So there was another chair to the left and that's where I parked and then Henry in the client's presence would explain to me what the particular legal issue was and the facts surrounding it and would ask me to explain the law to the client, which I did. Then after I explained the law to the client Henry took back over and discussed with the client what in Henry's judgment was the right thing to do and the right thing to do, usually, involved going to the high ground, that is, avoiding litigation, avoiding an unnecessary dispute and generally ignoring everything I had just said about the law; but, instead, trying to find a way to get to a solution quickly and cost effectively. And what I learned in

those conversations is as between knowing the law and not knowing the law you're better off knowing the law, but as between doing the right thing or not doing the right thing, you're always better off doing the right thing and if doing the right thing is inconsistent with the law, ignore the law and just do the right thing because that's generally where Henry was headed.

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I would like to point out one other thing about Henry and a few other attorneys who are in heaven with him. I know that I'm going to miss some names and I apologize in advance for not keeping better track of names, but a few weeks ago we mourned the loss of Charlie Szybist and Charlie mentioned that he started doing collection work early in his career because other lawyers didn't want that work because it was regarded as grubby work. Well, along that line I'd like to mention that Henry was in a group of lawyers like John Campana and Ambrose Campana and Tony Miele and Jim Cendoma and, as I said, others that I'm going to miss some names; but these were attorneys who did not come from what I would call traditional lawyer places, that is, these are not country club lawyers. They are people who went to law school, did well, and then undertook to make a career in the law and did so taking the cases that came to them and working with passion on behalf of their clients and all of those lawyers, I know from personal experience, all of them were passionate people who represented their clients passionately inside of the law and I'm going to deeply miss every one of them.

Thank you, Your Honor.

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PRESIDENT JUDGE BUTTS: Thank you, Mr. Carlucci.
Mr. Williams, do you know if Mr. Oden is going to join us today?

SCOTT T. WILLIAMS: I do not, Your Honor. I had not heard from Layne.

PRESIDENT JUDGE BUTTS: Okay. All right. Well, since it appears that he's not here, did you want to make those few words?

SCOTT T. WILLIAMS: Sure. I will. Thank you. Thank you, Your Honor. You know, I was with Henry for nearly 39 years here at this office so I could probably tell hundreds of stories, you know, just the things Bill was saying reminded me of many; but we don't have time for that so I only wanna tell two and to point out in these two stories some of Henry's personality and characteristics. He was a very progressive man. I remember before coming to Williamsport, I was from Canton and came here from Pittsburgh, I didn't know anybody here and I had sent some letters out and in 1981 I had come back to home during bear season, I was gonna go bear hunting and I happened to follow up with some calls and when I followed up with Henry he said come on in here, come on in here like he always does with people. And I said I'm not dressed for an interview and those of you know who know Henry he was an impeccable dresser and here I was making this call I had blue jeans and a flannel shirt on and I said I'm not dressed to come in there. He said, that doesn't matter, come

So I went in and I met with him and we talked awhile and he said listen, I got to go to an appointment and so he took me out in his car, he had a big blue Mercedes at that time and I wondered where we were going. Well, we were going up on Memorial Avenue where he was enrolling in a computer course in 1981. Now, for the younger attorneys we weren't using computers in 1981. was a new thing, but he was bound and determined that that was the future and he was going to try to learn all he could about Well, he saw that coming. He never really did learn a lot them. about it, but he saw that that was the way of the future and that's the progressive nature he had. Even at age 92 before his passing, he talked about investing in Bitcoin and 5G was gonna change everything and you weren't even going to use computers, it was everything would be on your phone and he just had that progressive nature about him clear into his old age.

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Henry had to do with his ability to handle an emotional situation. He had like an uncanny, I don't know, it was more of a just an ability to handle it without a lot of -- without a lot of words and thought attached to it. The story was that we had a client whose wife had recently passed away. Her name was Susan and he was very close to Susan and he would go to the cemetery every morning to see Susan's grave and he would do things to it and put little stones around and take care of things, but one day he came in to see Henry, just totally irate, beside himself

because the people at the cemetery had disturbed the way he had kept this grave for Susan and he wanted Henry to call somebody, to sue the cemetery, just do something to remedy this situation and Henry sat there and listened to it all and then he said one of the most — one of the more profound things I have ever heard him say. He looked at this client and said what would Susan tell you to do? And he thought about it for a minute and he said, you know, you're right she would tell me to just let it go and he calmed down and no calls were made and I think Henry did really follow up to see if they could take care of some things; but it just calmed that whole situation down instantly and I found that to be a good story of how Henry could handle those kind of things. Thank you, Your Honor.

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PRESIDENT JUDGE BUTTS: Thank you and the Committee very much for your work. The Court approves the report and resolution of the Committee and enters the following Order: And now this 2nd day of August, 2021, in consideration of the resolution presented by the Committee appointed to draft resolutions in the death of Henry P. Perciballi, the said resolutions are adopted and it is ORDERED AND DIRECTED that the resolutions herewith submitted and attached be adopted as an official expression of the Lycoming County Law Association and this Court and that the same be spread upon the records of the Court and the copies of this resolution be delivered to the family of Henry P. Perciballi and it is further ORDERED AND

DIRECTED that said resolution be entered at large upon the record of the Court and that it be printed in the Lycoming Reporter.

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I'm going to ask my colleagues to say a few words, but Judge McCoy wished that she could be here; but she is currently attending a Juvenile Procedural Rules Committee and Judge Tira sent me a message that he's off today and not able to be in a location that he'll be able to join the service, but he wanted me to pass along his apologies for his inability to be here and that he had a strong affinity for Henry. Judge Lovecchio.

JUDGE LOVECCHIO: I wanted to thank Scott and Bill for their comments, especially because as I sat here, it brought me back to that group of attorneys, including my father-in-law who came from not much, who grew up in that particular area of Williamsport and who ended up being just tremendous attorneys and tremendous contributors to the community all in different ways. It was funny, I met Henry before I even moved here. I think my father-in-law introduced me to him one time and he said that's the kind of attorney you want to be where you make all your money not being an attorney and I kind of laughed and said yeah, that sounds good to me; but so knowing Henry through my father-in-law was always special. Henry was always affable and kind and talkative and always willing to give things of himself. always treated me with a tremendous amount of respect and, as I said, kindness. I remember one time it was after my

father-in-law had died and Scott may remember this, Henry said something to Pete and myself about whether we, you know, might want to join with them and we could have a firm together and the thing that broke down the negotiations was Henry expected Pete and I to come to work every day in a suit coat and tie and we just couldn't do that. I had to laugh, but that was the kind of guy Henry was and I didn't say it; but probably wouldn't have worked anyway; but it was like geez louise we can't come to work in a suit coat and tie. But thank you Scott and Bill for bringing me back and for those fond memories regarding that group of people. Henry was special and that whole group of attorneys was special and our bar suffers greatly as a result of not having them be active members. Thank you.

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PRESIDENT JUDGE BUTTS: Thank you. Judge Linhardt.

JUDGE LINHARDT: Thank you, Judge Butts. I did not have the opportunity to get to know Henry Perciballi. Like Bill mentioned, I knew Mr. Perciballi from seeing him walking downtown and from saying a casual hello, but I want to thank Judge Lovecchio and Bill and Scott for sharing your thoughts and your stories because it's helpful for those of us in the Bar, who did not have the opportunity to know this generation of attorneys to have the opportunity to learn about them now. So thank you for that.

PRESIDENT JUDGE BUTTS: Thank you. I want to echo

my colleague's remarks about you, Scott. I was surprised when you said that you had worked with him for 39 years. It just always seemed like you just started there because I would always see him around and I would never see you so when I would see you it was like oh, yeah, that's right he's with him. Because Henry walked -- he walked a lot around town. I remember though seeing him mostly at the theater with his wife and he just was a very pleasant man. The little bit that I worked with Charlie Szybist I would hear Mr. Szybist talk about him. A lot of respect and literally, Bill, as you -- as you remarked about the group of people that must be meeting in heaven having their own law association meeting, it's unfortunate because we do -- our Bar has taken a huge hit over these last many months of people who meant a lot to this community and to this law association that our newest members won't ever have the chance to meet. again, I echo the remarks of Judge Lovecchio and Judge Linhardt to the extent that we appreciate the time and effort that you put together in enabling us to learn more about Mr. Perciballi that maybe we wouldn't have had the chance to know. So thank you. I'd be happy now to hear any comments that

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I'd be happy now to hear any comments that any members of the Bar would like to make about Mr. Perciballi. If you want to unmute yourself and I can call upon you. Cliff Reiders.

CLIFF RIEDERS: Yes. Henry is responsible for my having become a bank lawyer, which might be surprising to members

of this Bar to know that I have represented one or another bank for since the early 80's and that was because of Henry and without naming who the bank was he was a shareholder of a bank and he was concerned about whether the shareholders were being treated fairly and so he asked me if I would like to get involved and I did and over a course of time I got to know the bank presidents and we worked out a number of problems to avoid litigation actually, not to have litigation; but to avoid. think when I was hired Henry's view might have been, well, there has to be litigation, this is the guy to do it; and I think I may have surprised Henry in a positive way by being able to work out most of those problems without it and then I went on from there to represent other banks, which I still do to this date, although, a different bank. Henry was responsible for that. kinda sought me out. He had the ability, I think, to see qualities in different people. You've heard other people speak about the fact that he reached out to younger lawyers in the community and he would see something about that person or those people and he would draw upon that and he would bring them out and he would give them an opportunity to excel in this community. I've always been very grateful to Henry for that and it is for me kind of a little bit of a sideline, not like anything else I do and I owe it 100 percent totally to Henry reaching out to me at that time.

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The other thing I want to say about Henry and

it's a little bit hard to say this and probably a lot of members would not fully understand it and I said it about one of our -in one of our other tributes and that is this community was not always receptive to the background or the ethnicity of people like Henry Perciballi or myself for that matter and Henry knew that and I always felt that he -- his treatment of me was a little bit extra, extra good because he saw me as a, if you pardon the word a lonsman, somebody that of the same land that he could understand and I could understand and that we may have shared some of those same levels of discomfort when we were new to the community. He got that, he understood it, and he and I actually talked about it on a few occasions. Yes, he was a gentleman and, you know, we need more people like that in the Bar today. Justice Souter once said that the law is about how we treat other people, that's all there is to the law and when I think about people like Henry Perciballi, you know, he knew that instinctively. He knew what the law is about is how you treat other people, whether it be his clients, whether it be the young lawyers, whether it be the judges in any way, in anywhere that he went and anything that he did he had positive relationships with people. He knew how to relate to people and if somebody did not relate to him in a nice way or he didn't care for somebody he knew how to avoid conflict.

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 $\hbox{So and the last point I want to make is that } \\ \hbox{I am related to one of his employees and she spoke very }$

endearingly of him of how well he treated other people and how much respect he showed to those who worked for him and that was wonderful to hear, that was in the relatively recent past. She was one somebody who came to him with some baggage. A lot of people would not have given her the opportunity that he did. So he was an all-around good guy, he certainly had a positive effect on my life and in the lives of many other people. He will be dearly missed. He was a gentleman and a fine lawyer. Thank you.

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PRESIDENT JUDGE BUTTS: Thank you. Anyone else like to share a few words?

SKIP GREEVY: Judge, this is Skip. I will mention a couple of things. I obviously known Henry many, many, years going back into, I'm sure, the 60's and 70's, maybe even before that. As most of you know I do assist Judge Butts in setting up these memorial groups in trying to get the resolutions put together and as we have come along and I think about Ed Mitchell, I think about Scott A. Williams, myself becoming the real senior members of the bar at this point perhaps taking the mantle a little bit, that Charlie Szybist and certainly Henry had given to We had an attorney by the name of Charlie Caffrey that passed away a couple two, three years ago and I really searched around trying to find people that might have known him. I called Henry. I said, Henry, you of all people have got to have really had a contact with Charlie Caffrey and it took me, I bet, two or three weeks to convince him that he should be part of the

resolutions committee for Charlie Caffrey because he certainly		
knew him, he practiced with him. I knew he had practiced		
alongside of him, maybe even on either side of him at times and		
Henry did appear, told a couple of stories about Charlie,		
particularly, how they enjoyed sharing a glass of wine now and		
then and it was just a very good addition. I'm not sure to this		
day and I may be wrong, but I'm not sure Henry or Scott here were		
members of the Law Association and there have been some talk that		
we retired members that were not members and so on, but certainly		
the fact that the attorneys that knew the attorneys on back		
become a valuable resource as have been mentioned here a couple		
times today to put on the record what these gentlemen and women		
have meant to this bar association and how they have practiced		
law and I really feel very deeply. Henry was one of the guys		
that I found myself periodically giving a call to and saying,		
Henry, I got this particular situation how do I get out of it and		
particularly there was one or two Masonic matters that he helped		
sort out real quickly and as noted by Scott he was a member of		
the Masonic Lodge here. So I am very happy to that there's been		
a good attendance here for Henry, he certainly deserved it and		
certainly we will miss him greatly as we move ahead. Thank you.		
PRESIDENT JUDGE BUTTS: Thank you. Anyone else?		
Okay. Well, it doesn't appear that anyone else has unmuted. So		
this would now conclude the memorial service for Henry P.		
Perciballi. Once again, I would like to thank the members of the		

1	Law Association, friends and family who are here and especially
2	the Resolutions Committee for attending today's service. So
3	thank you all very much and this would conclude this Special
4	Session of Court.
5	(Whereupon, the Special Session of Court concluded at 4:40 p.m.)
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CERTIFICATE

I hereby certify that the proceedings and the evidence are transcribed fully and accurately from the notes taken by me on the hearing of the above cause to the best of my ability and that this copy is a correct transcript of the same.

Roni Lynn Kreisher Official Reporter Lycoming County, PA

The foregoing record of the proceedings upon the hearing of the above cause is hereby approved and directed to be filed.

DATE