## IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

LENORA R. KANE, : No. 97-21,720

:

Plaintiff

:

vs. : CIVIL ACTION - LAW

:

DONALD M. FLOOK,

Defendant : Motion for Reconsideration

## ORDER

AND NOW, this \_\_\_\_ day of May 1999, the Motion filed by Lenora Kane for Reconsideration of the Court's Order dated March 4, 1999, is hereby DENIED.

In the Motion for Reconsideration, Ms. Kane claims that she inadvertently missed the forty-five (45) day deadline of April 19, 1999 to pay Mr. Flook the \$560 owed to him in order for her to maintain possession of the 1987 Plymouth Voyager Van which the parties owned jointly. However, Ms. Kane acknowledges in her motion that she had the money in-hand to pay to Mr. Flook by April 16, 1999.

The Court has bent over backward throughout several hearings and Orders to allow Ms. Kane to maintain possession of this vehicle. By Order dated August 18, 1998, the Court allowed her to maintain possession of the van, and in that Order, required her to pay \$360 to Mr. Flook by October 18, 1998 at which point the Order required Mr. Flook to sign over the title of the van. Ms. Kane, however, failed to make the payment as ordered.

Thus, the Court found Ms. Kane in contempt by Order of March 4, 1999. Yet, the Court still allowed Ms. Kane to maintain possession of the van and gave her until April 19, 1999.

(45 additional days) to pay the appropriate sum to Mr. Flook and maintain possession of the

van.

The Court has tried to allow Ms. Kane to maintain possession of this van since

August 1998. Ms. Kane could have accomplished obtaining possession of the van by simply

complying with a Court Order over an eight (8) month period.

In light of this history, the Court finds it difficult to now change another clearly set

deadline which Ms. Kane was well aware of since she was present in the courtroom when the

time frame in question was discussed and dictated into the Court Order.

For above reasons, her Motion for Reconsideration is DENIED.

This Order does not affect any claim Ms. Kane or Mr. Flook have against each

other for the van or any other disputed property between the parties.

Ms. Kane shall cooperate in signing any documents needed to effectuate transfer

of the van to Mr. Flook.

By The Court,

Kenneth D. Brown

cc: William Miele, Esquire Lenora R. Kane

321 Park St. Williamsport, PA 17701

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