

# LYCOMING REPORTER

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## LYCOMING REPORTER

(USPS 322-900)

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

## LYCOMING LAW ASSOCIATION

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## SCHEDULED EVENTS

Additional information about any of these events is available on the Lycoming Law Association website at [www.lycolaw.org](http://www.lycolaw.org).

- 3/19/2020 – Memorial Service for Kristine Waltz.** *Memorial Service for Kristine Waltz, Ctrm. #1, 4 PM. Time: 4:00 PM to 5:00 PM.*
- 3/23/2020 – Executive Committee Meeting.** *Monthly meeting of the LLA Executive Committee. Time: 12:00 PM to 1:00 PM.*
- 3/25/2020 – Lycoming Law Association Foundation.** *Monthly meeting of the Lycoming Law Association Foundation. Time: 12:00 PM to 1:00 PM.*
- 3/31/2020 – Family Law Committee Meeting.** *Brown bag lunch meeting. Time: 12:00 PM to 1:00 PM.*
- 4/4/2020 – Wills for Heroes—In Memory of Attorney Kristine Waltz.** *Old Lycoming Township Fire Hall—Specific Details TBA—I Ethics and I Substantive Credit for Attorney Volunteers. Time: 8:00 AM to 4:00 PM.*
- 4/27/2020 – Executive Committee Meeting.** *Monthly meeting of the LLA Executive Committee. Time: 12:00 PM to 1:00 PM.*
- 4/28/2020 – Criminal Law Committee Meeting.** *Brown bag lunch meeting. Time: 12:00 PM to 1:00 PM.*
- 4/29/2020 – Lycoming Law Association Foundation.** *Monthly meeting of the Lycoming Law Association Foundation. Time: 12:00 PM to 1:00 PM.*
- 5/1/2020 – Law Day.** *The 2020 Law Day Celebration will be held at 4 PM in Ctrm. #1. After the ceremony there will be a reception in the jurors' lounge for the winners, their families and teachers; a reception for the LLA members will be held at a location TBD. Time: 4:00 PM to 5:00 PM.*

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**UPCOMING LYCOMING COUNTY CLE OPPORTUNITIES**

- 3/23/2020 – Realty Transfer Tax Update.** *PBI Groupcast. Register at [www.pbi.org](http://www.pbi.org). CLE Credits: 3 Substantive Time: 12:00 PM to 3:15 PM.*
- 3/26/2020 – Retirement Planning for Lawyers.** *Eat & Earn. Speaker: Alex M. Poirer, First Commonwealth Bank. Download the flyer. CLE Credits: 1 Substantive Time: 12:00 PM to 1:00 PM.*
- 3/31/2020 – Binders on Pennsylvania Evidence.** *PBI Groupcast. Register at [www.pbi.org](http://www.pbi.org). CLE Credits: 3 Substantive Time: 1:00 PM to 4:15 PM.*
- 4/2/2020 – Eliminate the “He Said/She Said”—Improve Communication and Keep Parents Accountable.** *Eat & Earn. Speaker: Kevin Dorsey, Our Family Law Wizard. Download the flyer. CLE Credits: 1 Substantive Time: 12:00 PM to 1:00 PM.*
- 4/9/2020 – Replay in the Afternoon.** *(1) Hot Appellate Tips; (2) Atticus Finch and the Uncommon Good; (3) Navigating Ethical Landmines in the Delivery of Legal Services; (3) Key New Caselaw Developments. CLE Credits: 2 Substantive / 2 Ethics Time: 1:00 PM to 5:00 PM.*
- 4/15/2020 – PFA Practice in Lycoming County—Practical Tips From the Court, Wise Options and North Penn Legal Services.** *Eat and Earn. Speakers: Hon. Joy Reynolds McCoy, Amber Morningstar, Jennifer Heverly, Esq. and Taylor Mullholand, Esq. Download the brochure. CLE Credits: 1 Substantive Time: 12:00 PM to 1:00 PM.*
- 4/21/2020 – Replay in the Afternoon.** *(1) Nuts & Bolts of PA’s Interlock Program; (2) PA’s Clean Slate Program; (3) Don’t Give Up Minutes Before the Miracle; (4) Polygraph 101. CLE Credits: 2 Substantive / 2 Ethics Time: 1:00 PM to 5:00 PM.*

\*For more information on these events and CLEs go to [www.lycolaw.org](http://www.lycolaw.org) or contact Michele Frey at the LLA Office at (570) 323-8287.

The full text of the following Lycoming County Court opinions is reported at [www.lycolaw.org/cases/search.asp](http://www.lycolaw.org/cases/search.asp)

- ▶ **Commonwealth vs. Kapp** (03/05/2020)—Judge Nancy L. Butts  
Criminal: Motion to reconsider suppression order; issue arising during suppression hearing; police officer ordering a blood draw without consent, before a warrant was obtained; no showing of an independent medical purpose for blood draw. (Kapp030520BT) (Posted: March 7, 2020)
- ▶ **Com. Dept. L. & I. Bureau of Labor Law Compliance vs. Market Street South, Inc. and Marcello** (03/06/2020)—Judge Ryan M. Tira  
Civil: Preliminary objections; action to collect unpaid wages; attempt to assert affirmative defense as preliminary objection; dates that fall outside the three-year statute of limitations as bar to entire claim; claimed lack of notice; refusal of certified letter by defendant; timeliness of notice; statutory construction; legislative intent to make it easier for employees to recover unpaid wages; definition of “immediately” as required for notice to claim a penalty; notice required to allow a claim for liquidated damages and penalty; required service by certified mail; sufficiency of pleading of elements of a contract; facts upon which objecting party has as much or better knowledge than the pleader; claimed failure to exhaust a statutory remedy by failing to engage in a good-faith dispute or contest of claims; need to pierce corporate veil to claim against corporate officer; evidence of co-mingled business money with personal money; indispensable party; proper party was sued but under wrong designation; amending complaint. (Commonwealth030620t) (Posted: March 7, 2020)
- ▶ **Commonwealth vs. Bey** (03/04/2020)—Judge Nancy L. Butts  
Criminal: Post Conviction Relief Act petition; claimed failure of counsel to appeal upon request; credibility issue; waiver of issues by pleading guilty; knowing, intelligent and voluntary guilty plea. (Bey030420BT) (Posted: March 7, 2020)
- ▶ **JT vs. JJS** (03/05/2020)—Judge Joy Reynolds McCoy  
Family: Protection from abuse matter; personal jurisdiction; specific incidents of abuse that occurred in St. Thomas, with no allegations of abuse occurring in Pennsylvania; minimum contacts; relationship of brief history of employment in Pennsylvania to abuse alleged to have occurred out of state. (JT030520m) (Posted: March 7, 2020)

► **Mase Estate (03/05/2020)**—Judge Eric R. Linhardt

Wills and Estates: Petition for pre-complaint discovery and motion to reconsider; untimely challenge to the probated will; adequacy of notice; exceptions to 1-year statute of limitations; fraud exception pertaining to fraud upon the court and not fraud involving creation of the will. (mase030520Li) (Posted: March 5, 2020)

► **Williamsport vs. Fraternal Order of Police Lodge 29 (03/04/2020)**

—Judge Eric R. Linhardt

Civil: Petition to vacate arbitration award; calculation of cost-of-living adjustment; contract interpretation; reliance on settlement agreement involving separate union contract; narrow certiorari scope of review; duty to affirm even a decision that was manifestly unreasonable or a misinterpretation of the law. (Williamsport030420Li) (Posted: March 5, 2020)

► **Fausnaught vs. UPMC Susquehanna and Klock (03/04/2020)**—

Judge Eric R. Linhardt

Civil: Preliminary objections; legal sufficiency of the pleading; no right of private action or relief for HIPAA violations; necessary elements for defamation; truth as affirmative defense not raised at preliminary objection stage; pleading that alleged communication was defamatory in character; need to plead with particularity highly personal, sensitive or potentially embarrassing contents of medical records; prima facie claim for defamation per se; duty of care to protect stored employee data on computer systems; HIPAA as establishing a duty of care; notice of conduct of employee that would establish liability for negligent supervision; negligence per se based on violation of HIPAA; UTPCPL violation for claimed slow notification of violation of breach of privacy; prima facie case of intrusion upon seclusion; presumption of existence of duty where harm derives from defendant's affirmative, risk-causing conduct; high standard to prove intentional infliction of emotional distress; sufficiency of allegations to claim punitive damages; striking excessively vague and equivocal language and facts that are not necessary elements of plaintiff's claim; motion for protective order; subpoena of documents in possession of an opposing party; unilateral scheduling of a deposition of an opposing party's employee. (fausnaught030420Li) (Posted: March 4, 2020)

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WILLIAMSPORT SUN-GAZETTE

TUESDAY, MARCH 10, 2020

# Talk of the Town

## HOMETOWN LAW



In 1969 Charles "Skip" Greevy first entered a courtroom as an attorney. Fifty years have passed, and much has changed in the world and in Lycoming County, but Skip Greevy is still practicing law in his hometown. This feat was recognized by the members of the Lycoming Law Association (LLA) at their 2020 Annual Banquet. There is a long list of legal accomplishments that distinguished Skip's career, including an argument and victory in the U.S. Supreme Court. The Greevy family has had extensive influence in the Lycoming County legal community over the last century, with seven members having been admitted to the county bar. Greevy, center, was introduced by long-time friend and LLA member Ed Mitchell, left, and LLA president Angela Campana Lovecchio.



**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****Johnson, Ernest L.,** dec'd.

Late of South Williamsport.  
Executor: Eugene W. Johnson, 229 Frenchtown Road, Milford, PA 18337.  
Attorneys: McNerney, Page, Vanderlin & Hall, 433 Market Street, Williamsport, PA 17701.

**Lewis, Eileen L.,** dec'd.

Late of Montoursville.  
Executrix: Ruth Elizabeth Servey, 749 Yeagle Road, Montoursville, PA 17754.  
Attorneys: Thomas D. Hess, Esquire, Hess and Hess, P.C., 30 South Main Street, Hughesville, PA 17737.

**Staccone, Louis M.,** dec'd.

Late of the Township of Old Lycoming.  
Executor: Rose M. Cohick c/o Malee Law Firm, P.C., 310 East Third Street, Williamsport, PA 17701.  
Attorneys: Malee Law Firm, P.C., 310 East Third Street, Williamsport, PA 17701.

**Stone, Doris F.,** dec'd.

Late of the Borough of Montoursville.  
Executrix: Debra J. Millheim, 45 Back Street, Lot #9, Montoursville, PA 17754.  
Attorney: Andrea B. Bower, Esquire, 426 Broad Street, Montoursville, PA 17754.

**West, Mary E.,** dec'd.

Late of Hughesville.  
The West Family Irrevocable Trust dated June 20, 2019.  
Settlor: Mary E. West.  
Executor/Trustee: Ashley A. West, 370 Peavine Hollow Rd., Hughesville, PA 17737.  
Attorneys: Stephen C. Sholder, Esquire, Raup & Sholder, P.C., 445 Elmira Street, Williamsport, PA 17701, (570) 321-0709.

**SECOND PUBLICATION****Arp, Margaret J.,** dec'd.

Late of Montoursville.  
Administrator: James C. Arp, 101 Lincoln Ave., Williamsport, PA 17701.  
Attorneys: Stephen C. Sholder, Esquire, Raup & Sholder, P.C., 445 Elmira Street, Williamsport, PA 17701, (570) 321-0709.

**Barrett, Robert G.,** dec'd.

Late of Williamsport.  
Executrix: Tammy Hoover.  
Attorney: Richard G. Scheib, Esquire, 11 Reitz Blvd., Suite 102, Lewisburg, PA 17837-9293.

**Cockrum, Fred H., Jr.,** dec'd.

Late of Hughesville.  
Administratrix: Kimberly A. Taylor c/o Patricia L. Bowman, Esquire, 1530 Sherman Street, Williamsport, PA 17701.  
Attorney: Patricia L. Bowman, Esquire, 1530 Sherman Street, Williamsport, PA 17701.

**Fink, George R.,** dec'd.

Late of Trout Run.

Co-Executors: Elura L. Fink and Logan J. Fink c/o Murphy, Butterfield & Holland, P.C., 442 William Street, Williamsport, PA 17701.

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

**Hartmann, A. Carolyn,** dec'd.

Late of the Township of Penn.

The Hartmann Family Irrevocable Grantor's Trust dated May 9, 2011. Executrix/Trustee: Carol Ann Stein c/o J. Howard Langdon, Esquire, 3 South Main Street, Muncy, PA 17756.

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

**Kauffman, Melvin W., Jr.,** dec'd.

Late of South Williamsport.

Co-Executrices: Sharon L. Brown and Kay L. Stroble c/o Murphy, Butterfield & Holland, P.C., 442 William Street, Williamsport, PA 17701.

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

**Lippoli, Beverly J. a/k/a Beverly J. Sampsell,** dec'd.

Late of Loyalsock Twp.

Executrix: Lana L. Raymond, 1761 McConnell Drive, Williamsport, PA 17701.

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

**McNeil, Linda L.,** dec'd.

Late of Upper Fairfield Township.

Administratrix: Tamara L. Siegfried, 45 Back Street, Lot 1, Montoursville, PA 17754.

Attorney: Joseph L. Rider, Esquire, 1700 Four Mile Drive, Williamsport, PA 17701.

**Morgan, Joyce M.,** dec'd.

Late of Williamsport.

Executor: Steven D. Morgan c/o Anthony J. Grieco, Esquire, Elion, Grieco, Carlucci & Shipman, P.C., 125 East Third St., Williamsport, PA 17701.

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

**Morrison, Lucile F.,** dec'd.

Late of Williamsport.

Co-Executors: Thomas J. Morrison, 2340 Roosevelt Avenue, Williamsport, PA 17701 and Mary Edwards, 2267 Marydale Avenue, Williamsport, PA 17701.

Attorneys: James D. Casale, Esquire, Casale & Bonner, P.C., 331 Elmira Street, Williamsport, PA 17701, (570) 326-7044.

**Rader, Shirley A.,** dec'd.

Late of Muncy.

Executrix: Edith L. Coleman, 720 Lincoln Avenue, Williamsport, PA 17701.

Attorney: Scott A. Williams, Esquire, 57 East Fourth Street, Williamsport, PA 17701.

**Salvatori, Tammey R.,** dec'd.

Late of Williamsport.

Executrix: Trish A. Rider, 1114 Drake St. SW, Vienna, VA 22180-6521.

Attorneys: Stephen C. Sholder, Esquire, Raup & Sholder, P.C., 445 Elmira Street, Williamsport, PA 17701, (570) 321-0709.

**Sartori, Shirley H.,** dec'd.

Late of the Township of Cascade.

Administrator: Tina Boatman, 1020 Kaiser Hollow Road, Montoursville, PA 17754.

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

### THIRD PUBLICATION

**Cortier, Enola L.,** dec'd.

Late of the City of Williamsport.

Executor: David E. Cortier, 3620 Oak Street, Cogan Station, PA 17728.

Attorney: Joseph L. Rider, Esquire, 1700 Four Mile Drive, Williamsport, PA 17701.

**Ergott, Loetta A.,** dec'd.

Late of Jersey Shore.

Executor: Leslie Harold Ergott c/o John O. Stover, Jr., Esquire, 537 Chestnut Street, Emmaus, PA 18049.

Attorneys: John O. Stover, Jr., Esquire, Law Offices of John O. Stover, Jr., 537 Chestnut Street, Emmaus, PA 18049.

**Hacker, Robert J.,** dec'd.

Late of Muncy.

Co-Executors: Elaine K. Hacker and Chris Hacker.

The Elaine K. Hacker Supplemental Needs Trust, dated June 28, 2007.

Settlor: Robert J. Hacker.

Trustee: Erik C. Johnson.

The Robert J. Hacker Income Only Protector Trust, dated December 5, 2007.

Settlor: Robert J. Hacker.

Trustee: Elaine K. Hacker.

Attorneys: Brittany O. L. Smith, Esquire, Steinbacher, Goodall & Yurchak, 413 Washington Boulevard, Williamsport, PA 17701.

**Holcomb, Patricia A.,** dec'd.

Late of the City of Williamsport.

Executor: Robert L. Holcomb, 1801 Northway Road, Williamsport, PA 17701.

Attorney: Joseph L. Rider, Esquire, 1700 Four Mile Drive, Williamsport, PA 17701.

**Miller, Annabel R.,** dec'd.

Late of the Township of Loyalsock.

Executrix: Cynthia Y. Timbie, 624 Carlton Otto Lane, #23, Odenton, MD 21113.

Attorneys: Paul A. Roman, Esquire, Law Offices of Joseph L. Rider, 1700 Four Mile Drive, Williamsport, PA 17701.

**Morris, William J., Jr.,** dec'd.

Late of Williamsport.

Co-Executors: Michael J. Morris and James L. Morris.

Attorneys: Brittany O. L. Smith, Esquire, Steinbacher, Goodall & Yurchak, 413 Washington Boulevard, Williamsport, PA 17701.

**Pauling, Sarah M.,** dec'd.

Late of Montgomery.

The Pauling Family Trust, dated December 19, 2003.

Settlor: Sarah M. Pauling.

Trustee: James A. Pauling.

Attorneys: Brittany O. L. Smith, Esquire, Steinbacher, Goodall & Yurchak, 413 Washington Boulevard, Williamsport, PA 17701.

**Seidel, Helga T.,** dec'd.

Late of Williamsport.

The Seidel Family Irrevocable Trust, dated September 1, 2016.

Settlor: Helga T. Seidel.

Executor/Trustee: Wesley J. Brown, 837 Market St., Williamsport, PA 17701.

Attorneys: Stephen C. Sholder, Esquire, Raup & Sholder, P.C., 445 Elmira Street, Williamsport, PA 17701, (570) 321-0709.

**Snook, Edward P.,** dec'd.

Late of Antes Fort.

Executrix: Geraldine M. Snook, 527 State Street, P.O. Box 84, Antes Fort, PA 17720.

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

**Thomas, Esther L.,** dec'd.

Late of the Borough of South Williamsport.

Executrix: Bonnie J. Thomas, 350 Fisher Street, S. Williamsport, PA 17702.

Attorney: Joseph L. Rider, Esquire, 1700 Four Mile Drive, Williamsport, PA 17701.

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**REGISTER OF WILLS  
CONFIRMATION OF  
ACCOUNTS**

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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 April 7, 2020 unless exceptions are filed before 5:00 P.M. on that date.

Coffman, Mae R., Estate—Brian R. Coffman, Christine C. Gardner and Spencer M. Coffman, Executors.  
David A. Huffman  
Register of Wills

M-13, 20, 27; A-3

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**INTENTION TO  
CHANGE NAME**

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In the Court of Common Pleas of Lycoming County, Pennsylvania

NO. 20-0219

In re: Name Change of  
Robert Brotzman-Smith

NOTICE IS HEREBY GIVEN that on February 6, 2020, a Petition was filed in the above-named Court, praying for a decree changing the name of Robert Clayton Michael Brotzman-Smith to Robert Michael Brotzman.

The Court has fixed March 30, 2020 at 1:30 p.m. in Courtroom number 2 of the Lycoming County Courthouse, 48 West Third Street, Williamsport, Pennsylvania 17701 as the time and place for the hearing on said petition, when and where all persons interested may appear and show cause, if any they have, why the prayer of the petitioner should not be granted.

M-13

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In the Court of Common Pleas of  
Lycoming County, Pennsylvania

NO. CV-20-222

In re: Name Change of  
Matthew Fox

NOTICE IS HEREBY GIVEN that on February 7, 2020, a Petition was filed in the above-named Court, praying for a decree changing the name of Matthew Fox to Aoife Fox.

The Court has fixed April 9, 2020 at 10:00 A.M. in Courtroom Number 2 of the Lycoming County Courthouse, 48 West Third Street, Williamsport, Pennsylvania 17701 as the time and place for the hearing on said petition, when and where all persons interested may appear and show cause, if any they have, why the prayer of the petitioner should not be granted.

M-13

In the Court of Common Pleas of  
Lycoming County, Pennsylvania

\_\_\_\_\_

In re: Name Change of  
Bryann Rae Nunez

\_\_\_\_\_

NOTICE IS HEREBY GIVEN that a  
Petition for Change of Name was filed

by Bryann Rae Nunez seeking to change  
her name from Bryann Rae Nunez  
to Bryann Rae Bachman. A hearing is  
scheduled for March 30, 2020 at 2 p.m.  
at the Lycoming County Courthouse,  
Williamsport. All persons having inter-  
est are invited to attend.

M-13

## Do you know what your



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?

**From 2003 to Present,  
the LLAF gave more than \$179,770 to worthy causes:**

**\$131,429** to provide free legal services to the residents of Lycoming County;

**\$23,241** to preserve and provide access to legal materials for the public;

**\$17,000** to train attorneys and other service providers in different areas of the law;

**\$8,100** to fund legal education and Mock Trial Teams for high school students.

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/lla-foundation>

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.

## LOOKING FOR ESTATE NOTICES

OR OTHER LEGAL NOTICES  
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**PERIODICAL PUBLICATION**

\* Dated Material. Do Not Delay. Please Deliver Before Monday, March 16, 2020