



Chester County Law Reporter

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Chester County Law Reporter

(USPS 102-900)

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Seiffert v. Whitfeld, et al.

Motion to compel independent medical examination – 100 mile radius – Traveling costs

1. Pa.R.Civ.P. 4010 governs a party’s right to require a party to attend an independent medical examination (IME) when the mental or physical condition of a party is in controversy; the court may order the party to submit to a physical or mental examination on motion for good cause shown and shall specify the time, place, manner, conditions and scope of the examination.
2. The rule is silent on which party bears the cost for traveling to an IME.
3. As to depositions, Pa.R.Civ.P. 4008 provides if a deposition is to be taken more than one hundred miles from the courthouse, the court, upon motion, may make an order requiring the payment of reasonable expenses, including attorney’s fees, as the court shall deem proper.
4. Pa.R.C.P. 4011(b) provides that no discovery shall be permitted which would cause unreasonable expense to a party.
5. Payment for expenses to attend an IME should not be required where a distance of less than 100 miles is involved.
6. Based upon the foregoing, the Court *Held* (a) Defendants may elect to require Plaintiff to attend an IME within 100 miles of Plaintiff’s home residence in Florida without having to pay for Plaintiff’s costs; (b) Defendants may elect to require Plaintiff to attend an IME with a physician in Pennsylvania and pay for Plaintiff’s reasonable costs for flights, hotel, and car rental; (c) Defendants may elect to require Plaintiff to attend an IME in Pennsylvania on the day before trial without having to pay for Plaintiff’s costs; and (d) Defendants may otherwise elect to require Plaintiff to attend an IME in Pennsylvania on a day that Plaintiff is visiting Pennsylvania without having to pay for Plaintiff’s costs.

R.E.M.

C.C.P. Chester County, Pennsylvania, Civil Action No. 2023-04644-TT; Stephanie Seiffert vs. Lauren Whitfield, Omar Whitfield, and AIRBNB, Inc.

Ryan Curran for Plaintiff

Lauren Vincenzo for Defendants Lauren Whitfield and Omar Whitfield
Binder, J., May 16, 2024:-

STEPHANIE SEIFFERT
Plaintiff

vs.

LAUREN WHITFIELD; OMAR
WHITFIELD; and AIRBNB, INC.
Defendants

IN THE COURT OF COMMON PLEAS
CHESTER COUNTY, PENNSYLVANIA

CIVIL ACTION – LAW

ORDER and MEMORANDUM

AND NOW, this 16th day of May, 2024, upon consideration of Defendants’ Motion to Compel Independent Medical Examination¹ filed March 13, 2024, Plaintiff’s response thereto, and oral argument on May 13, 2024, for the reasons set forth in the accompanying Memorandum it is hereby **ORDERED** as follows:

1. Defendants may elect to require Plaintiff to attend an IME within 100 miles of Plaintiff’s home residence in Florida without having to pay for Plaintiff’s costs;²
2. Defendants may elect to require Plaintiff to attend an IME with Dr. Kelly Murray or another physician in Pennsylvania paying for Plaintiff’s reasonable costs for flights, hotel, and car rental/taxi/uber;
3. Defendants may elect to require Plaintiff to attend an IME with Dr. Kelly Murray or another physician in Pennsylvania on the day before trial without having to pay for Plaintiff’s costs; and
4. Defendants may otherwise elect to require Plaintiff to attend an IME with Dr. Kelly Murray or another physician in Pennsylvania on a day that Plaintiff is visiting Pennsylvania without having to pay for Plaintiff’s costs.³

BY THE COURT:

/s/ **BRET M. BINDER, J.**

¹ The full title is Defendants Lauren and Omar Whitfield’s Motion to Compel Plaintiff to Attend an Independent Medical Examination Pursuant to Pa.R.C[iv].P. 4010.

² Should Defendants choose this option, this court would view favorably any request by Defendants for their IME physician to testify remotely at trial.

³ Plaintiff’s counsel represented at the hearing that Plaintiff returned recently to Pennsylvania to see family but the dates were not conducive to Defendant’s chosen physician’s availability. Moreover, Plaintiff’s counsel advised that Plaintiff is undergoing medical treatment and does not have plans to return to Pennsylvania in the near future; however, if that is to change, Plaintiff shall promptly notify Defendants so that they may consider this option and Plaintiff’s cooperation under this option shall not be unreasonable withheld.

MEMORANDUM

Defendants Lauren Whitfield and Omar Whitfield (Defendants) seek to compel Plaintiff Stephanie Seiffert to attend an independent medical examination (IME) with Dr. Kelly Murray in Pennsylvania. Plaintiff lives in Florida and agrees to attend an IME with Dr. Murray or another physician in Pennsylvania so long as Defendants pay the expense.⁴ The issue before this court in this particular case is whether Defendants' right to require Plaintiff to attend an IME is broad enough to require Plaintiff to attend an IME pursuant to terms dictated by Defendants without consideration of the cost to Plaintiff.

The rule of civil procedure that specifically governs a party's right to require another party to attend an IME provides in relevant part as follows:

(2) When the mental or physical condition of a party, or of a person in the custody or under the legal control of a party, is in controversy, the court in which the action is pending may order the party to submit to a physical or mental examination by an examiner or to produce for examination the person in the party's custody or legal control.

...

(3) The order may be made only on motion for good cause shown and upon notice to the person to be examined and to all parties and shall specify the time, place, manner, conditions and scope of the examination and the person or persons by whom it is to be made.

Pa.R.Civ.P. 4010.

The rule is silent on which party bears the cost for traveling to an IME. However, caselaw provides some guidance. In Klusko v. Gaines-Murfit Chevrolet, Inc., 16 Pa. D. & C. 2d 86 (Bucks Cty. 1959), the defendant's IME was 75 miles away in another county and the plaintiff asked the court to order the defendant to pay plaintiff's travel expenses. The court noted that expense alone is not a valid objection to an IME unless it is an unreasonable expense. Id. at 88 (citing Pa.R.Civ.P. 4011(b), which provides in relevant part "no discovery . . . shall be permitted which would cause unreasonable . . . expense to the . . . party."). The Klusko court adopted the standards set by Pa.R.Civ.P. 4008⁵ which expressly authorizes cost-shifting for depositions:

⁴ Plaintiff at oral argument offered to share the expense equally. Defendants did not accept Plaintiff's offer.

⁵ The Rule provides that "If a deposition is to be taken by oral examination more than one hundred miles from the courthouse, the court upon motion may make an order requiring the payment of reasonable expenses, including attorney's fees, as the court shall deem proper." Pa.R.Civ.P. 4008.

Moreover, by Pa. R. C. P. 4008, it has also provided an analogy for measuring reasonableness of expense in this connection. The latter rule authorizes the payment of expenses attendant upon the taking of oral depositions, but only if the examination occurs more than 100 miles from the courthouse. Adopting as a rule of thumb, in the interests of certainty and practicality, the 100-mile standard so enunciated, we do not believe that traveling expenses incident to the parallel discovery device of a medical examination in this age of modern transportation should be considered unreasonable if less than that distance be involved, at least in the absence of unusual circumstances which are not even hinted in these proceedings.

Id. at 88-89. Ultimately, the court held that payment for expenses would not be required where a distance of less than 100 miles was involved.

In Jamison v. Saul, 2 Pa. D & C. 3d 495 (Lehigh Cty. 1977), the court considered whether a plaintiff in Colorado could be compelled to return to Pennsylvania without payment of travel expenses for an IME. The Jamison court considered Rules 4008, 4010, 4011, and 4012 and ultimately held:

Similar [expense] considerations can and should guide this court in ordering wife plaintiff to submit to a physical examination pursuant to Pa. R.C[iv].P. 4010. We should not order her to submit to a pre-trial examination in Pennsylvania unless defendants agree to pay the travel and lodging expenses incidental to her coming to Pennsylvania for that purpose.

Defendants will not be prejudiced nor will their rights under Pa. R.C[iv].P. 4010 be impaired by such action. They can, if they prefer, wait until wife plaintiff comes to Pennsylvania for trial and have her examined by a physician at that time. It will undoubtedly be her physical condition at the time of trial which will be in issue, and defendants will in that event be the beneficiaries of an up-to-date report. Neither party need then incur the additional expense of a separate pre-trial trip to Pennsylvania by plaintiff for examination.

Id. at 498. Compare Meeker v. Sarris, 40 Pa. D. & C. 2d 643 (Beaver Cty. 1966) (providing that a twenty-mile distance into the City of Pittsburgh did not constitute an unreasonable expense and that Rule 4010 did not require the IME to be held in the county of plaintiff's residence or where the suit was brought); State Farm Mut. Auto. Ins. Co. v. Morris, 432 A.2d 1089 (Pa.Super. 1981) (holding that the expense to travel from Delaware County to Philadelphia for an IME was slight and the trial court was not unreasonable in requiring the plaintiff to make the trip without expense reimbursement); Christian v. Weis Mkts., Inc., 61 Pa.D&C.5th (Lackawanna Cty. 2016)

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(holding that Defendant must pick a physician from Luzerne or Lackawanna County and that requiring Plaintiff to travel 126 miles to a Delaware County physician was unreasonable); Judge v. Solid Waste Services, Inc., 41 Pa.D.&C.4th (Lackawanna Cty. 2016) (holding that, inter alia, over 100 miles for an IME was unreasonable in light of the physicians available in Lackawanna or Luzerne County); Kapp v. Oasis Enterprises, Inc., 83 Lacka.Jur. 190 (Lackawanna Cty. 1982) (holding that a plaintiff could not be compelled to attend a Rule 4010 exam in a county approximately 100 miles outside of the forum county).

This court finds the reasoning of the Klusko and Jamison line of cases persuasive. There is no question that Defendants are entitled to an IME pursuant to Pa.R.Civ.P. 4010. Similarly, there is no question that Defendants would have Plaintiff bear the expense of travelling each way a distance much greater than 100 miles. Given the distance involved and the resulting cost and time to travel to Pennsylvania, consideration of the principles of Rule 4008, 4010, 4011, and 4012, and the availability of modern remote appearance technology, Defendants are entitled to compel Plaintiff to attend an IME pursuant to the terms and conditions set forth in this court's Order.

Accordingly, this court will enter an Order deciding Defendants Lauren and Omar Whitfield's Motion to Compel Plaintiff to Attend an Independent Medical Examination Pursuant to Pa.R.C[iv].P. 4010 consistent with the foregoing.

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NOTICES

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**CHANGE OF NAME NOTICE
IN THE COURT OF COMMON PLEAS
CHESTER COUNTY, PENNSYLVANIA
CIVIL ACTION
LAW NO. 2024-09833-NC**

NOTICE IS HEREBY GIVEN that the name change petition of Veronnica Esmeralda Herrera was filed in the above-named court and will be heard on Friday, February 14, 2025 at 2:00:00 PM, in Courtroom 4 at the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania.
Date of filing the Petition: Friday, November 1, 2024
Name to be changed from: Veronnica Esmeralda Herrera to: Vero Lamont
Any person interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

**CHANGE OF NAME NOTICE
IN THE COURT OF COMMON PLEAS
CHESTER COUNTY, PENNSYLVANIA
CIVIL ACTION
LAW NO. 2024-10961-NC**

NOTICE IS HEREBY GIVEN that the name change petition of Nancy B Hofer was filed in the above-named court and will be heard on Friday, April 4, 2025 at 2:00:00 PM, in Courtroom 2 at the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania.
Date of filing the Petition: Monday, December 9, 2024
Name to be changed from: Nancy B Hofer to: Nancy

Augusta Hofer

Any person interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

**CHANGE OF NAME NOTICE
IN THE COURT OF COMMON PLEAS
CHESTER COUNTY, PENNSYLVANIA
CIVIL ACTION
LAW NO. 2024-04884-NC**

NOTICE IS HEREBY GIVEN that the name change petition of Jennifer Paris on behalf of minor child Anthony John Grover was filed in the above-named court and will be heard on Friday, January 24, 2025 at 2:00:00 PM, in Courtroom 6 at the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania.
Date of filing the Petition: Monday, June 10, 2024
Name to be changed from: Anthony John Grover to: Anthony Grover Valerio
Any person interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

DISSOLUTION NOTICE

NOTICE IS HEREBY GIVEN that the directors of the Kennett Rotary Foundation, a Pennsylvania non-profit corporation, with an address of P.O. Box 291, Kennett Square, Pennsylvania 19348, have approved a proposal that the corporation voluntarily dissolve, and that the Board of Directors is now engaged in winding up and settling the affairs of the corporation under the provisions of Section 5977 of the Nonprofit Corporation Law of 1988, as amended.

KAREN E. EICHMAN, ESQUIRE
Eichman Law, PLLC
8 Federal Road, Suite 3
West Grove, PA 19390

ESTATE NOTICES

Letters Testamentary or of Administration having been granted in the following Estates, all persons having claims or demands against the estate of the said decedents are requested to make known the same and all persons indebted to the said decedents are requested to make payment without delay to the respective executors, administrators, or counsel.

1st Publication

ANTHONY, Anne E., late of Phoenixville Borough. Angelo J. Trapani, care of JOCELIN A. PRICE, Esquire, 131 W. State St., P.O. Box 50, Doylestown, PA 18901, Executor. JOCELIN A. PRICE, Esquire, Antheil, Maslow & MacMinn, LLP, 131 W. State St., P.O. Box 50, Doylestown, PA 18901, atty.

BROWN, Leonor, a/k/a Leonor Graciela Brown, late of East Whiteland Township. Robert J. Brown, III, care of RUSSELL J. RESSLER, Esquire, 30 Valley Stream Parkway, Malvern, PA 19355-1481, Executor. RUSSELL J. RESSLER, Esquire, Stradley Ronon Stevens & Young LLP, 30 Valley Stream Parkway, Malvern, PA 19355-1481, atty.

BRUSCH, Jeannette Michelle, a/k/a Jeannett, late of Phoenixville. Glenna Marie Swarr, 2498 Jane Lane Gilbertsville Pa 19525, Executrix.

BURDETT, Rita Elizabeth, a/k/a Rita E. Burdett, late of West Chester. Donna Remigo, 551 Cory Lane, Aston, PA 19014 and Angela Hatton, 219 Lewis Farm Drive, Cochranville, PA 19330, Executors.

COLA, Mary Margaret, a/k/a Mary M. Cola, late of West Pikeland Township. Michael F. Cola, 1441 Horseshoe Trail, Chester Springs, PA 19425, care of WILLIAM J. THOMAS, Esquire, 6 E. Close, Moorestown, NJ 08057, Executor. WILLIAM J. THOMAS, Esquire, 6 E. Close, Moorestown, NJ 08057, atty.

DEAVILLE, Lucia, late of Caln Township. Rachel Romano, 1306 Oak Street, Coatesville, PA 19320, care of WHITNEY P. O'REILLY, Esquire, 1600 Market Street, Fl 32, Philadelphia, PA 19103, Executrix. WHITNEY P. O'REILLY, Esquire, Cohen Seglias Pallas Greenhall & Furman, PC, 1600 Market Street, Fl 32, Philadelphia, PA 19103, atty.

EBERT, Kenneth J., late of East Brandywine Township. Ceida L. Ebert, 101 Woodbine Rd., Unit 1219, Downingtown, PA 19335, care of JAMES E. McERLANE, Esquire, 24 E. Market St., P.O. Box 565, West Chester, PA 19381-0565, Executrix. JAMES E. McERLANE, Esquire, Lamb McErlane,

PC, 24 E. Market St., P.O. Box 565, West Chester, PA 19381-0565, atty.

ENGEL, Katrinka Mary, a/k/a Katrinka Engel, late of New Garden Township. Nathaniel Carota, care of TRISHA W. HALL, Esquire, 1201 N. Market St., 20th Fl., Wilmington, DE 19801, Executor. TRISHA W. HALL, Esquire, Connolly Gallagher LLP, 1201 N. Market St., 20th Fl., Wilmington, DE 19801, atty.

FENNER, Margaret Mary, a/k/a Margaret Fenner and Peggy Fenner, late of West Pikeland Township. William C. Fenner, 1462 Yellow Springs Rd., Chester Springs, PA 19425, care of DAVID S. KOVSKY, Esquire, 30 S. 17th St., 5th Fl., Philadelphia, PA 19103, Executor. DAVID S. KOVSKY, Esquire, Duane Morris LLP, 30 S. 17th St., 5th Fl., Philadelphia, PA 19103, atty.

HUGUES, William James, late of Oxford. Mary P Hugues, 230 South 23rd Street, Philadelphia, PA 19103, Executor.

KNABLE, Thomas A., late of Thornbury Township. Susan R. Rodgers, 14 Overlook Road, Bloomsbury, NJ 08804, care of FRANK W. HAYES, Esquire, 31 South High Street, West Chester, PA 19382, Executrix. FRANK W. HAYES, Esquire, Hayes & Romero, 31 South High Street, West Chester, PA 19382, atty.

KUMARASAMY, Palanisamy, late of East Whiteland Township. Jothi Palanisamy, care of KARIM P. HUSAIN, Esquire, 535 N. Church St., Ste. 220, West Chester, PA 19380, Administratrix. KARIM P. HUSAIN, Esquire, 535 N. Church St., Ste. 220, West Chester, PA 19380, atty.

LINDABERY, George Peter, late of Malvern. Krystene Rivers, 36 Bryan Ave, Malvern, Pennsylvania 19355, Executor.

MATTIA, Charles M., a/k/a Charles Michael Mattia, late of West Whiteland Township. Anne M. Mattia, 210 Cambridge Chase, Exton, PA 19341, care of REBECCA A. HOBBS, Esquire, 41 E. High St., Pottstown, PA 19464, Executrix. REBECCA A. HOBBS, Esquire, OWM Law, 41 E. High St., Pottstown, PA 19464, atty.

MILLER, Richard S., late of Malvern Borough. Donna Kay Cooper, care of GUY F. MATTHEW, Esquire, 300 W. State St., Ste. 300, Media, PA 19063, Executrix. GUY F. MATTHEW, Esquire, Eckell, Sparks, Levy, Auerbach, Monte, Sloane, Matthews & Auslander, P.C., 300 W. State St., Ste. 300, Media, PA 19063, atty.

MULLIGAN, Kathleen, late of West Chester Bor-

ough. Karen Shanoski, 1690 Magnolia Ln., Norristown, PA 19403, care of STACEY W. McCONNELL, Esquire, 24 E. Market St., P.O. Box 565, West Chester, PA 19381-0565, Executrix. STACEY W. McCONNELL, Esquire, Lamb McErlane, PC, 24 E. Market St., P.O. Box 565, West Chester, PA 19381-0565, atty.

PEACOCK, Polly A., late of West Whiteland. Charles H. Peacock, 3 W. Adair Drive #13 Norristown, PA 19403, care of MICHAELANGELO L. DIPPOLITO, Esquire, 712 Kimberton Road, Chester Springs, PA 19425, Administrator. MICHAELANGELO L. DIPPOLITO, Esquire, ThePeoplesLaw-Firm.com, 712 Kimberton Road, Chester Springs, PA 19425, atty.

SPENGLER, Lindsay B., late of Spring City Borough. Michael D. Spengler and/or Sharon A. Spengler, care of KENNETH E. PICARDI, Esquire, 1129 E. High St., P.O. Box 776, Pottstown, PA 19464-0776, Co-Executors. KENNETH E. PICARDI, Esquire, 1129 E. High St., P.O. Box 776, Pottstown, PA 19464-0776, atty.

STURGILL, Jerry J, late of West Nottingham Township. Gary E. Thompson, Esquire, care of GARY E. THOMPSON, Esquire, 822 S. Matlack Street, Suite 101, West Chester, PA 19382, Administrator. GARY E. THOMPSON, Esquire, Carosella & Associates, P.C., 822 S. Matlack Street, Suite 101, West Chester, PA 19382, atty.

WELTGE, Ralph. a/k/a Ralph W. Weltge, late of East Caln Township. Kirsten B. Hare, care of NINA B. STRYKER, Esquire, Centre Square West, 1500 Market St., Ste. 3400, Philadelphia, PA 19102-2101, Administratrix. NINA B. STRYKER, Esquire, Obermayer, Rebmann, Maxwell & Hippel, LLP, Centre Square West, 1500 Market St., Ste. 3400, Philadelphia, PA 19102-2101, atty.

WOOD, Linda Carol, late of New Garden Township. William David Wood, 8837 Gap Newport Pike, Avondale, PA 19311, care of ROBIN J. MARZELLA, Esquire, 3513 North Front Street, Harrisburg, PA 17110, Administrator. ROBIN J. MARZELLA, Esquire, R.J. Marzella & Associates, 3513 North Front Street, Harrisburg, PA 17110, atty.

2nd Publication

AMBROZATES, JR., John P., late of West Caln Township. Travis J. Ambrozates, care of KARYN L. SEACE, CELA, Esquire, 105 East Evans Street, Evans Building, Suite A, West Chester, PA 19380, Administrator. KARYN L. SEACE, CELA, Esquire, Seace Elder Law, PLLC, 105 East Evans Street, Ev-

ans Building, Suite A, West Chester, PA 19380, atty.

HALPIN, Thomas J., late of Easttown Township. Judith A. Halpin, care of JONATHAN H. ELLIS, Esquire, One Tower Bridge, 100 Front St., Ste. 100, Conshohocken, PA 19428, Executrix. JONATHAN H. ELLIS, Esquire, Flaster Greenberg, PC, One Tower Bridge, 100 Front St., Ste. 100, Conshohocken, PA 19428, atty.

JACKSON, Ida Sue, late of Kennett Township. Robert W. Dantonio, 188 Schoolhouse Lane, Glen Mills, PA 19342, Executor.

JAKUBOWICZ, Robert Frank, late of West Chester Borough. Caroline J. Nelson, care of SALLY A. FARRELL, Esquire, 17 W. Miner St., West Chester, PA 19382, Administratrix. SALLY A. FARRELL, Esquire, MacElree Harvey, LTD., 17 W. Miner St., West Chester, PA 19382, atty.

JANS, Carolyn R., late of Honey Brook Township. Roberta Enders Martin, P.O. Box 1372, Volcano, HI 96785, care of STACEY W. McCONNELL, Esquire, 24 E. Market St., P.O. Box 565, West Chester, PA 19381-0565, Executrix. STACEY W. McCONNELL, Esquire, Lamb McErlane, PC, 24 E. Market St., P.O. Box 565, West Chester, PA 19381-0565, atty.

MORRIS, Sandra B., a/k/a Sandra Bromley Morris, late of Schuylkill Township. Rebecca Morris and Galloway Cheston Morris, V, care of MICHAEL C. McBRATNIE, Esquire, P.O. Box 673, Exton, PA 19341-0673, Executors. MICHAEL C. McBRATNIE, Esquire, Fox Rothschild LLP, P.O. Box 673, Exton, PA 19341-0673, atty.

WAGNER, Kathleen P., late of Phoenixville. Robert G. Wagner, Jr., care of DOUGLAS L. KAUNE, Esquire, 120 Gay Street, P.O. Box 289, Phoenixville, PA 19460, Executor. DOUGLAS L. KAUNE, Esquire, Unruh, Turner, Burke & Frees, P.C., 120 Gay Street, P.O. Box 289, Phoenixville, PA 19460, atty.

WITHAM, Virginia H., late of Kennett Square. Cheryl C. Bogen, 133 W. Hillendale Road, Kennett Square, PA 19348, care of MARK R. SPROW, Esquire, 9 East Lancaster Avenue, Shillington, PA 19607, Phone 610-376-1531, Executrix. MARK R. SPROW, Esquire, 9 East Lancaster Avenue, Shillington, PA 19607, Phone 610-376-1531, atty.

WRIGLEY, Charlotte C., late of Londonderry Township. Thomas W. Wrigley and Richard C. Wrigley, care of WINIFRED MORAN SEBASTIAN, Esquire, P.O. Box 381, Oxford, PA 19363, Executors. WINIFRED MORAN SEBASTIAN, Esquire, P.O. Box 381, Oxford, PA 19363, atty.

3rd Publication

BRADLEY, William F., late of East Fallowfield Township. Elizabeth M. Wilds, 825 Ridge Ave., Atglen, PA 19310 and Christine M. Wolf, 616 Fox Fields Rd., Bryn Mawr, PA 19010, care of DENISE M. ANTONELLI, Esquire, 17 E. Gay St., Ste. 100, West Chester, PA 19380, Executrices. DENISE M. ANTONELLI, Esquire, Gawthrop Greenwood, PC, 17 E. Gay St., Ste. 100, West Chester, PA 19380, atty.

COTTER, Michael L., late of West Chester Borough. Mary L. Cotter, 500 N. Franklin St., West Chester, PA 19380, care of STACEY W. McCONNELL, Esquire, 24 East Market Street, P.O. Box 565, West Chester, PA 19381-0565, Executrix. STACEY W. McCONNELL, Esquire, Lamb McErlane, P.C., 24 East Market Street, P.O. Box 565, West Chester, PA 19381-0565, atty.

DEVEREUX, Kimberly A., a/k/a Kimberly Ann Devereux, late of West Goshen Township. Charles M. Devereux, care of CARRIE A. S. KENNEDY, Esquire, 171 W. Lancaster Ave., Paoli, PA 19301-1775, Executor. CARRIE A. S. KENNEDY, Esquire, Connor, Weber & Oberlies, 171 W. Lancaster Ave., Paoli, PA 19301-1775, atty.

FERRARA, Beverly Ann, a/k/a Beverly A. Ferrara, late of East Bradford Township. Carla Ferrar and Valli Ferrara-Chapjian, care of PAIGE ZIRRITH, Esquire, 1 Roberts Ave., Glenside, PA 19038, Administratrices DBN-CTA. PAIGE ZIRRITH, Esquire, Klenk Law, LLC, 1 Roberts Ave., Glenside, PA 19038, atty.

FILOROMO, Maria D., a/k/a Maria J. Filoromo, late of East Brandywine Township. Joseph G. Filoromo, care of CHARICE D. CHAIT, Esquire, 29 Mainland Road, Suite-1, Harleysville, PA 19438, Executor. CHARICE D. CHAIT, Esquire, Peckman Chait LLP, 29 Mainland Road, Suite-1, Harleysville, PA 19438, atty.

GREVY, Helen M., late of West Caln Township. Kerry Ann Metzger, care of J. MICHAEL RYAN, Esquire, 300 North Pottstown Pike, Suite 150, Exton, PA 19341, Executrix. J. MICHAEL RYAN, Esquire, 300 North Pottstown Pike, Suite 150, Exton, PA 19341, atty.

LONG, Jean L., a/k/a Jean Lawrie Long, late of East Goshen Township. Janet L. Hughes, care of LOUIS N. TETI, Esquire, 620 Freedom Business Center, Ste. 200, King of Prussia, PA 19406, Executrix. LOUIS N. TETI, Esquire, Stevens & Lee, P.C., 620 Freedom Business Center, Ste. 200, King of

Prussia, PA 19406, atty.

LOWMAN, Dean Ray, late of West Caln. Mary Elaine Zeisler, 1043 Telegraph Rd, Coatesville, PA 19320, Executor.

MARZELLA, SR., Dennis, late of East Vincent Township. Dennis Marzella, Jr., 839 Spruce Street, Pottstown, PA 19464, and Eric Marzella, 1323 South Hanover Street, Pottstown, PA 19465, care of JEFFREY C. KARVER, Esquire, 7 East Philadelphia Avenue, Suite 1, Boyertown, PA 19512, Executors. JEFFREY C. KARVER, Esquire, Boyd and Karver, P.C., 7 East Philadelphia Avenue, Suite 1, Boyertown, PA 19512, atty.

McCABE, Edwin W., a/k/a Edwin Walter McCabe, late of West Nantmeal Township. Virginia M. Griffith, 70 Christie Lane, Honey Brook, PA 19344, care of GORDON W. GOOD, Esquire, 3460 Lincoln Highway, Thorndale, PA 19372, Executor. GORDON W. GOOD, Esquire, Keen Keen & Good, LLC, 3460 Lincoln Highway, Thorndale, PA 19372, atty.

MEISTER, Holly Christine, late of Uwchlan Township. Arthur W. Meister, Jr., 30 S. Village Avenue, Exton, PA 19341, care of FRANK W. HAYES, Esquire, 31 South High Street, West Chester, PA 19382, Administrator. FRANK W. HAYES, Esquire, Hayes & Romero, 31 South High Street, West Chester, PA 19382, atty.

MILLER, Hugh E., late of West Brandywine Township. Susan M. McGlynn, 714 Peggy Stewart Court, Davidsonville, MD 21035, care of GARTH G. HOYT, Esquire, 426 W. Lancaster Ave., Ste. 110, Devon, PA 19333, Executrix. GARTH G. HOYT, Esquire, McNees Wallace & Nurick, LLC, 426 W. Lancaster Ave., Ste. 110, Devon, PA 19333, atty.

MOORE, Thomas James, late of Valley Township. Christian T. Moore, care of JOSEPH A. BELLINGHERI, Esquire, 17 W. Miner St., West Chester, PA 19382, Administrator. JOSEPH A. BELLINGHERI, Esquire, MacElree Harvey, LTD., 17 W. Miner St., West Chester, PA 19382, atty.

MULHERIN, III, Andrew Joseph, a/k/a Andrew J. Mulherin, III, late of West Whiteland Township. Carolyn Mulherin, care of GUY F. MATTHEWS, Esquire, 300 W. State St., Ste. 300, Media, PA 19063, Executrix. GUY F. MATTHEWS, Esquire, Eckell, Sparks, Levy, Auerbach, Monte, Sloane, Matthews & Auslander, P.C., 300 W. State St., Ste. 300, Media, PA 19063, atty.

MUMA, Robert J., late of Uwchlan Township. Deborah Muma, care of MICHAEL C. McBRATNIE, Esquire, P.O. Box 673, Exton, PA 19341-0673,

Executrix. MICHAEL C. McBRATNIE, Esquire, Fox Rothschild LLP, P.O. Box 673, Exton, PA 19341-0673, atty.

PLATT, Margaret Ann, late of Penn Township. John Francis Platt, 193 Glendale Road Oxford, Pa. 19363, Executor.

RILEY, Robert A., late of Parkesburg Borough. Michael T. Riley, 225 Strasburg Ave., Parkesburg, PA 19365, care of KRISTEN R. MATTHEWS, Esquire, 14 E. Welsh Pool Rd., Exton, PA 19341, Administrator. KRISTEN R. MATTHEWS, Esquire, Kristen Matthews Law, 14 E. Welsh Pool Rd., Exton, PA 19341, atty.

SARACENO, John Joseph, late of Kennett Twp.. Kellie Ann Saraceno, care of NEIL E. LAND, Esquire, 213 E. State Street, Kennett Square, PA 19348, Administratrix. NEIL E. LAND, Esquire, Brutscher Foley Milliner Land & Kelly, LLP, 213 E. State Street, Kennett Square, PA 19348, atty.

SEABROOKS, Delrose B., a/k/a Delrose Seabrooks, late of East Goshen Township. Michael P. Li-Seabrooks, 573 Grand Street, Apt. D804, New York, NY 10002, care of FRANK W. HAYES, Esquire, 31 South High Street, West Chester, PA 19382, Executor. FRANK W. HAYES, Esquire, Hayes & Romero, 31 South High Street, West Chester, PA 19382, atty.

SHILLING, Dorothy Ann, late of Penn Township. Sandra Shilling and Mark Shilling, care of KARA A. KLAIBER, Esquire, 80 W. Lancaster Ave., 4th Fl., Devon, PA 19333-1331, Administrators. KARA A. KLAIBER, Esquire, McCausland Keen + Buckman, 80 W. Lancaster Ave., 4th Fl., Devon, PA 19333-1331, atty.

SPALTRO, Elvira M., a/k/a Elvira Spaltro, late of Willistown Township. Paula D'Amico, care of ALAN J. MITTELMAN, Esquire, 1635 Market St., 7th Fl., Philadelphia, PA 19103, Executrix. ALAN J. MITTELMAN, Esquire, Spector Gadon Rosen Vinci P.C., 1635 Market St., 7th Fl., Philadelphia, PA 19103, atty.

VASSALLO, Donald Arthur, a/k/a Donald A. Vassallo, late of Kennett Township. John G. Vassallo, 5 Beauport Court, Marlton, NJ 08053, care of MICHAEL F. DINGERDISSEN, Esquire, 500 Delaware Avenue, Suite 1500, Wilmington, DE 19801, Executor. MICHAEL F. DINGERDISSEN, Esquire, Morris James LLP, 500 Delaware Avenue, Suite 1500, Wilmington, DE 19801, atty.

WHITE, III, William John, a/k/a John White, late

of Phoenixville Borough. Caryl Toner, 324 Wellington Rd., West Chester, PA 19380, care of JENNIFER FELD, Esquire, 312 Huntington Court, West Chester, PA 19380, Executrix. JENNIFER FELD, Esquire, 312 Huntington Court, West Chester, PA 19380, atty.

WILT, Linda Joan, late of West Brandywine Township. Lori Ostrowski, care of PETER E. BORT, Esquire, 101 Lindenwood Dr., Ste. 225-G, Malvern, PA 19355, Executrix. PETER E. BORT, Esquire, Bort Law, 101 Lindenwood Dr., Ste. 225-G, Malvern, PA 19355, atty.

FICTITIOUS NAME

Notice is hereby given pursuant to the provisions of the Fictitious Names Act of Pennsylvania that an application for registration of a fictitious name was filed with the Department of State of the Commonwealth of Pennsylvania, for the conduct of a business under the fictitious name of **Venerable Advisors** with its principal office or place of business at **1475 Dunwoody Dr, Ste. 200, West Chester, PA 19380**. The names and addresses, including street and number, if any, of all persons who are parties to the registration are: **Venerable Investment Advisors, LLC, 1475 Dunwoody Dr, Ste. 200, West Chester, PA 19380**.

FOREIGN REGISTRATION STATEMENT

Notice is hereby given that Emperion, inc., a foreign corporation formed under the laws of the State of Delaware where its principal office is located at 440 E Swedesford Rd, Ste 1010, Wayne, PA 19087, has registered to do business in Pennsylvania with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on 11/25/24, under the provisions of Chapter 4 of the Association Transactions Act.

The registered office in Pennsylvania shall be deemed for venue and official publication purposes to be located in Chester County.

FOREIGN REGISTRATION STATEMENT

Notice is hereby given that Emperion Services, Inc., a foreign corporation formed under the laws of the State of Delaware where its principal office is located at 440 E Swedesford Rd, Ste 1010, Wayne, PA 19087, has registered to do business in Pennsylvania with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on 11/25/24, under the provisions of Chapter 4 of the Association

Transactions Act.

The registered office in Pennsylvania shall be deemed for venue and official publication purposes to be located in Chester County.

NOTICE FOR 2019-05991-RC

IN THE COURT OF COMMON PLEAS
CHESTER COUNTY, PENNSYLVANIA
NewRez LLC d/b/a Shellpoint Mortgage Servicing
Plaintiff,

vs.

Martin Santos Pagan (deceased)

Defendants.

CIVIL DIVISION

Docket No.: 2019-05991-RC

NOTICE OF SHERIFF'S SALE

OF REAL PROPERTY PURSUANT TO
PENNSYLVANIA RULE OF CIVIL PROCEDURE
3129

TO: Martin Santos, Jr., as Believed Heir to the Estate of Martin Santos Pagan, Antonia DeJesus, as Believed Heir to the Estate of Martin Santos Pagan, Ja'haad Maldonado, as Believed Heir to the Estate of Martin Santos Pagan, Unknown Heirs and/or Administrators of the Estate of Martin Santos Pagan
3801 Norwood Avenue

Downingtown AKA Downington, PA 19335

TAKE NOTICE:

That the Sheriff's Sale of Real Property (Real Estate) will be offered for public auction online at <https://www.bid4assets.com/> on November 21, 2024 at 11:00AM prevailing local time.

THE PROPERTY TO BE SOLD is delineated in detail in a legal description consisting of a statement of the measured boundaries of the property, together with a brief mention of the buildings and any other major improvements erected on the land.

(SEE LEGAL DESCRIPTION ATTACHED AS EXHIBIT "A").

The LOCATION of your property to be sold is: 3801 Norwood Avenue, Downingtown AKA Downington, PA 19335

The JUDGMENT under or pursuant to which your property is being sold is docketed to:

No. 2019-05991-RC

THE NAME(S) OF THE OWNER(S) OR REPUTED OWNER(S) OF THIS PROPERTY ARE:

Martin Santos, Jr., as Believed Heir to the Estate of Martin Santos Pagan; Maricela Beans, as Believed Heir to the Estate of Martin Santos Pagan; Antonia DeJesus, as Believed Heir to the Estate of Martin Santos Pagan; Ja'haad Maldonado, as Believed Heir

to the Estate of Martin Santos Pagan; Unknown Heirs and/or Administrators of the Estate of Martin Santos Pagan

A SCHEDULE OF DISTRIBUTION, being a list of the persons and/or governmental or corporate entities or agencies being entitled to receive part of the proceeds of the sale received and to be disbursed by the Sheriff (for example to banks that hold mortgages and municipalities that are owed taxes), will be filed by the Sheriff thirty (30) days after the sale, and distribution of the proceeds of sale in accordance with this schedule will, in fact, be made unless someone objects by filing exceptions to it, within ten (10) days of the date it is filed. Information about the Schedule of Distribution may be obtained from the Sheriff of the Court of Common Pleas of Chester County, at the Chester County Sheriff's Office, 201 West Market Street, Suite 1201, West Chester, PA 19380.

THIS PAPER IS A NOTICE OF THE TIME AND PLACE OF THE SALE OF YOUR PROPERTY.

It has been issued because there is a Judgment against you. It may cause your property to be held, to be sold or taken to pay the Judgment. You may have legal rights to prevent your property from being taken. A lawyer can advise you more specifically of these rights. If you wish to exercise your rights, you must act promptly.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET FREE LEGAL ADVICE.

Lawyer Referral Service
Chester County Bar Association
15 West Gay Street, 2nd Floor
West Chester, PA 19380
(610) 429-1500

THE LEGAL RIGHTS YOU MAY HAVE ARE:

1. You may file a petition with the Court of Common Pleas of Chester County to open the Judgment if you have a meritorious defense against the person or company that has entered judgment against you. You may also file a petition with the same Court if you are aware of a legal defect in the obligation or the procedure used against you.
2. After the Sheriff's Sale, you may file a petition with the Court of Common Pleas of Chester County to set aside the sale for a grossly inadequate price or for other proper cause. This petition must be filed before the Sheriff's Deed is delivered.
3. A petition or petitions raising the legal issues or rights mentioned in the preceding paragraphs must

be presented to the Court of Common Pleas of Chester County. The petition must be served on the attorney for the creditor or on the creditor before presentation to the Court and a proposed order or rule must be attached to the petition. If a specific return date is desired, such date must be obtained from the Court Administrator's Office, Chester County Courthouse, 201 West Market Street, Suite 1400, West Chester, PA 19380, before presentation of the petition to the Court.

Dated: 11/20/24

Meredith H. Wooters, Esquire (307207)

NOTICE FOR 2024-09625-RC

**IN THE COURT OF COMMON PLEAS OF CHESTER COUNTY, PENNSYLVANIA
CIVIL DIVISION**

NO: 2024-09625-RC

FEDERAL HOME LOAN MORTGAGE CORPORATION, AS TRUSTEE FOR THE BENEFIT OF THE FREDDIE MAC SEASONED LOANS STRUCTURED TRANSACTION TRUST, SERIES 2018-2 vs. HENRY NURSE, AS SURVIVING HEIR OF GARY L. NURSE, DECEASED, UNKNOWN SURVIVING HEIRS OF GARY L. NURSE, DECEASED,

NOTICE

TO THE DEFENDANTS:

You are hereby notified Federal Home Loan Mortgage Corporation, as Trustee for the benefit of the Freddie Mac Seasoned Loans Structured Transaction Trust, Series 2018-2, has filed a Complaint in Mortgage Foreclosure with regard to 186 Isabella Road, Elverson, PA 19520, endorsed with a Notice to Defend, against you at No. 2024-09625-RC in the Civil Division of the Court of Common Pleas of Chester County, Pennsylvania, wherein plaintiff seeks to foreclose on the mortgage encumbering said property, which foreclosure would lead to a public sale by the Chester County Sheriff.

If you wish to defend, you must enter a written appearance personally or by attorney and file your defenses or objections in writing with the court. You are warned that if you fail to do so the case may

proceed without you and a judgment may be entered against you without further notice for the relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

Chester County Lawyer Referral Service
Chester County Bar Association
15 W. Gay Street, 2nd Floor
West Chester, PA 19381-3191
(610) 429-1500

PLAINTIFF'S ATTORNEY:
STEPHEN M. HLADIK, ESQUIRE
HLADIK, ONORATO & FEDERMAN, LLP
298 WISSAHICKON AVENUE
NORTH WALES, PA 19454, (215) 855-9521

NOTICE FOR 2024-06323-RC

IN THE COURT OF COMMON PLEAS OF CHESTER COUNTY; No. 2024-06323-RC. Trumark Financial Credit Union, Plaintiff vs. James Sean Sweeney a/k/a Sean Sweeney, Defendant.

Notice of Action in Mortgage Foreclosure TO: James Sean Sweeney a/k/a Sean Sweeney. Premises subject to foreclosure: 200 Lincoln Avenue, #225, Phoenixville, PA 19460.

NOTICE: If you wish to defend, you must enter a written appearance personally or by attorney and file your defenses or objections in writing with the court within twenty days of this publication. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you without further notice for the relief requested by the Plaintiff. You may lose money or property or other rights important to you. You should take this notice to your lawyer at once. If you do not have a lawyer, go to or telephone the office set forth below. This office can provide you with information about hiring a lawyer. If you cannot afford to hire a lawyer, this office may be able to provide you with informa-

tion about agencies that may offer legal services to eligible persons at a reduced fee or no fee. Chester County Bar Association, Lawyer Referral Service, 15 West Gay Street, West Chester, PA 19380. Weber Gallagher, Attorney for Plaintiff, 2000 Market Street, 13th Floor, Philadelphia, PA 19103, (267) 295-3364.

NOTICE FOR 2022-07133-CT

Commonwealth of Pennsylvania
In the Court of Common Pleas of Chester County,
Pennsylvania
SUBPOENA TO ATTEND AND TESTIFY – Civil
Action No. 2022-07133-CT
Frank Satiro et al. v. Christan Ricco et al.

To: Rachel Buck, of Pottstown, PA 19464

You are ordered by the court to come to Bennett Bricklin Satzberg LLC, 1500 Market Street 32 Floor, Philadelphia, PA 19102 on 12/19/24 at 10:30 am to testify on behalf of Defendant in the above case and to remain until excused.
