
Court of Common Pleas of Lancaster County
Civil Action - Law

Johnson v. Johnson
Family Law – Divorce

The Court granted Plaintiff's motion for sanctions against Defendant for his failure to comply with multiple court orders requiring the submission of his inventory, income statement, and expense statement. Defendant's continued non-compliance led the Court to award \$2,000 in attorneys' fees. The Court held that both Defendant and his former attorney were partially responsible for the failure to comply, assigning 50% of the sanction to his former attorney. The Court denied plaintiff's motion for sanctions against separate defense counsel for alleged personal misconduct due to lack of a formal motion.

Opinion. Cynthia M. Johnson v. Milton M. Johnson. No. CI-22-06995.

Holly S. Filius, Esquire for the Plaintiff

Sandra Edwards Gray, Esquire for the Defendant

OPINION BY BROWN, J., June 28, 2024. This matter is before the court on a motion for sanctions filed by plaintiff, Cynthia M. Johnson ("Wife") against her husband, Milton M. Johnson ("Husband") for failing to file his inventory, income statement and expense statement and for failing to timely respond to discovery. After a hearing on June 17, 2024, where both parties were represented by counsel, this matter is ripe for review.

I. FACTS

Mrs. Johnson filed for divorce on November 10, 2022, raising, among other things, claims for equitable distribution of the marital property. Wife filed her preliminary inventory on July 13, 2023 and filed her income and expense statement on August 18, 2023. When Husband failed to file his inventory, income statement and expense statement within 20 days, Wife sought and was granted a motion to compel on September 19, 2023. This was nearly two months after Wife had filed her documents and served them on Husband. One week prior to the court granting Mother's motion to compel, on September 12, 2023, Attorney Jeffrey Paul entered his appearance on behalf of Husband.

When Husband had still not filed his inventory, income statement and expense statement by December 13, 2023, Wife sought a second motion to compel and requested sanctions. Wife also requested a motion to compel responses to discovery. The court, by order dated January 12, 2024 directed Husband to respond to specific interrogatory requests within 30 days. By order dated January 17, 2024, the court again ordered Husband to file his inventory within 45 days as a sanction barred Husband from presenting evidence contrary to the values for the marital estate stated by Wife in her July 13, 2023 inventory. The court directed that the Divorce Master consider attorneys' fees in

the Master's decision.

Wife again sought a motion to compel and sanctions of attorneys' fees on March 14, 2024 for Husband's ongoing failure to file his inventory, income statement and expense statement and for failing to comply with the court's January 12, 2024 order directing Husband respond to discovery responses. This filing resulted in the June 17, 2024 hearing.

Testimony at the hearing confirmed the failure of Husband to comply with the court's orders. Attorney Paul, the attorney for Husband during the time the orders were entered, testified that there was difficulty getting information on the marital estate from Husband and from financial institutions. Husband would sign releases, but certain entities would refuse to comply. Attorney Paul testified that Husband would provide information "in dribs and drabs." In a letter, Attorney Paul indicated to Attorney Sandra Gray that Husband had not been cooperating with him. Attorney Paul asserted that he represented Husband for only 4 months before suffering significant physical disabilities that made him unable to continue representation. Thereafter he sought substitute counsel to represent Husband.

II. DISCUSSION

Wife seeks attorneys' fees as a sanction against defendant Husband for his failure to comply with court orders. In her motion for sanctions, she asserts that Husband failed to timely file his inventory, expense statement and income statement after being compelled to do so by court order. The testimony and record support her assertions. Husband failed to comply with two court orders directing him to file his inventory, expense statement and income statement. The law is clear on the time in which husband must file these documents: "The other party shall file the tax returns, Income Statement, and Expense Statement within 20 days of service of the moving party's documents." Pa.R.C.P. 1920.31. "Within 20 days of service of the moving party's inventory, the non-moving party shall file an inventory." Pa.R.C.P. No. 1920.33. As of the date of the hearing, despite multiple court orders and the passing of over 11 months after Wife filed her inventory, expense statement and income statement, Husband had still not filed his documents.

Pa.R.C.P. 4019 provides that a failure to timely respond to discovery "may not be excused on the ground that the discovery sought is objectionable unless the party failing to act has filed an appropriate objection or has applied for a protective order." Husband neither filed objections nor applied for a protective order. As a sanction, the court may make:

- (1) an order that the matters regarding which the questions were asked, or the character or description of the thing or land, or the contents of the paper, or any other designated fact shall be taken to be established for the purposes of the action in accordance with the claim of the party obtaining the order;
- (2) an order refusing to allow the disobedient party to support or oppose designated claims or defenses, or prohibiting such party from introducing in evidence designated documents, things

or testimony, or from introducing evidence of physical or mental condition;

- (3) an order striking out pleadings or parts thereof, or staying further proceedings until the order is obeyed, or entering a judgment of non pros or by default against the disobedient party or party advising the disobedience;
- (4) an order imposing punishment for contempt, except that a party may not be punished for contempt for a refusal to submit to a physical or mental examination under Rule 4010;
- (5) such order with regard to the failure to make discovery as is just.

Here, the court has already imposed a sanction on Husband by order dated January 17, 2024, barring Husband from presenting evidence contrary to the values for the marital estate stated by Wife in her July 13, 2023 inventory. With respect to attorneys' fees, the court can award them to the party who is successful in establishing contempt for failure to comply with a court order or to the party that successfully defends against such a motion. Furthermore, Rule 4019(g)(l) explains:

if following the refusal, objection or failure of a party or person to comply with any provision of this chapter, the court, after opportunity for hearing, enters an order compelling compliance and the order is not obeyed, the court on a subsequent motion for sanctions may, if the motion is granted, require the party or deponent whose conduct necessitated the motions or the party or attorney advising such conduct or both of them to pay to the moving party the reasonable expenses, including attorney's fees, incurred in obtaining the order of compliance and the order for sanctions, unless the court finds that the opposition to the motion was substantially justified or that other circumstances make an award of expenses unjust.

For attorneys' fees to be awarded the following must occur: (1) a failure to comply with discovery; (2) a hearing and order compelling compliance; (3) a failure to comply with the order to compel; and, (4) a subsequent motion for sanctions. All of these things have occurred in this situation with an additional hearing to address the subsequent motion for sanctions. Pursuant to Rule 4019(g)(1), the court may require the party or the party's attorney to pay reasonable attorneys' fees.

It is evident from the testimony that confusion existed sometime after January 2024 as to which attorney represented Husband. Attorney Paul was suffering from physical limitations and Attorney Gray had not yet entered her appearance. However, Husband was compelled by court order on September 19, 2023, to file his inventory, income and expense statement long before April 2, 2024 when Attorney Gray entered her appearance and long before any confusion occurred regarding representation. The discovery due by February 11, 2024, as directed by the court's order of January 12, 2024, is a closer matter.

By February 11, 2024 the handoff of Husband from Attorney Paul to Attorney Gray was in the works. Attorney Paul had an obligation to advise incoming counsel of outstanding discovery and to continue to direct his client to provide information. This was also the time during which Attorney Paul began to suffer physical limitations. The grant of attorneys' fees is discretionary with the court and intended to address contumacious conduct by parties or their attorneys. The court is not convinced that failing to respond to the specific discovery requests rises to this level in light of the transfer of the case to new counsel and the physical limitations of Attorney Paul.

Husband's failure to file his inventory, income statement and expense statement is not a close case, however. As a consequence of Husband's failure to file his inventory, income statement and expense statement, the court awards \$2,000 in attorneys' fees for the failure to comply with the court's orders of September 19, 2023 and December 13, 2023.

The question then becomes who should pay these fees? Attorney Paul? Husband? Or both? Attorney Paul testified that he had difficulty obtaining information on the marital estate from Husband and also from financial institutions. Attorney Paul also testified that Husband would provide information "in dribs and drabs." Finally, in a letter, Attorney Paul indicated to Attorney Gray that Husband had not been cooperating with him.

When Attorney Paul entered his appearance for Husband on September 12, 2023, he was well aware of the requirement to file an inventory, income statement and expense statement. He testified that he prepared one for Domestic Relations in a separate support action that Wife had filed against Husband. While a Domestic Relations income and expense statement is not identical to a filing in compliance with Rule 1920.31, information used to create one could have been used to create the others. Accordingly, Attorney Paul bears some responsibility for the failure to comply with the court's orders and the court assigns him 50% of the sanction.

At the hearing, plaintiff also sought to seek sanctions against attorneys for personal conduct that allegedly occurred among counsel. However, there was no motion filed by plaintiff seeking sanctions against the attorneys individually for such conduct. Accordingly, the court will not entertain sanctions against them apart from what has been addressed above for failure to comply with court orders. An appropriate order follows.

ORDER

AND NOW, this 28th day of June 2024, IT IS HEREBY ORDERED that no later than July 31, 2024 defendant Milton M. Johnson shall pay attorneys' fees of \$1,000 and Attorney Jeffrey Paul shall pay attorney's fees of \$1,000 to attorney Holly S. Fillius, Esq., as a sanction for failure to comply with court orders directing the filing of Mr. Johnson's inventory, expense statement and income statement. This payment will not be considered part of any equitable distribution owed to plaintiff from defendant and shall not prejudice plaintiff in any way in the pending divorce action.

BY THE COURT:

A handwritten signature in blue ink, appearing to read 'LGB III', is written over the text 'BY THE COURT:'.

LEONARD G. BROWN III, JUDGE

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

Easterday, Colleen A., dec'd.

Late of Terre Hill Borough.
Executor: Brandon McFadden
c/o May Herr & Grosh, LLP,
234 North Duke Street, Lancaster, PA 17602.
Attorney: Bradley A. Zuke.

Gendy, Brittany M., dec'd.

Late of Lancaster.
Executor: William Gendy c/o
Nikolaus & Hohenadel, LLP,
327 Locust Street, Columbia,
PA 17512.
Attorney: Christopher R. Grab,
Esquire

Grill, Melvin R., Jr. a/k/a Melvin R. Grill, dec'd.

Late of West Lampeter Township.
Executrix: Debra J. Decaro c/o
Law Offices of Mark L. Blevins,

Esquire, 701 Penn Grant Road,
Lancaster, PA 17602.

Attorney: Mark L. Blevins, Esquire.

Hartranft, Linda C. a/k/a Linda Carol Hartranft, dec'd.

Late of Manheim Township.
Executor: Timothy R. Hartranft
c/o Good Law Firm, 132 West
Main Street, New Holland, PA
17557.

Attorneys: Good Law Firm.

Larmie, Carol J., dec'd.

Late of West Lampeter Township.

Co-Administrators: Valerie W. Boos, Carla L. Savidge c/o Appel Yost & Zee LLP, 33 North Duke Street, Lancaster, PA 17602.

Attorney: Jeffrey P. Ouellet, Esquire.

Lehman, Ernest E., Sr., dec'd.

Late of Lancaster Township.
Executor: Christine A. Meckley
c/o Scott Allen Mitchell, Esq.,
Saxton & Stump, LLC, 280
Granite Run Dr., Ste. 300, Lancaster, PA 17601.

Attorney: Saxton & Stump, LLC.

Leisey, Evelyn J., dec'd.

Late of Denver Borough.
Executor: Alan L. Leisey c/o
Young and Young, 44 S. Main
Street, P.O. Box 126, Manheim,
PA 17545.

Attorneys: Young and Young.

Michael, Geraldine A., dec'd.

Late of Upper Leacock Township.

Executor: Denise L. Lefever c/o
Glick, Goodley, Deibler & Fanning, LLP, 131 W. Main Street,

New Holland, PA 17557.
Attorney: Patrick A. Deibler,
Esq., Glick, Goodley, Deibler &
Fanning, LLP.

Miller, Maida E., dec'd.

Late of East Drumore Township.
Executor: James S. Fogarty c/o
James N. Clymer, Esq., 408
West Chestnut Street, Lancaster,
PA 17603.
Attorneys: Clymer Musser &
Sarno, PC.

Roberts, Kelly K., dec'd.

Late of Providence Township.
Executrix: Cherie A. Maguire
c/o Nikolaus & Hohenadel, LLP,
303 West Fourth Street, Quarry-
ville, PA 17566.
Attorney: John C. Hohenadel,
Esquire.

**Whiteford, Linda A. a/k/a Linda
A. Fansler**, dec'd.

Late of Mount Joy Borough.
Co-Executors: Mary L. Blake,
Robert W. Whiteford, 139 Equine
Drive, Marietta, PA 17547.
Attorney: None.

**Yanni, Beth A. a/k/a Beth Anne
Yanni**, dec'd.

Late of Rapho Township.
Executor: Michael J. Yanni c/o
Young and Young, 44 S. Main
Street, P.O. Box 126, Manheim,
PA 17545.
Attorneys: Young and Young.

SECOND PUBLICATION

Bailey, Martin E., dec'd.

Late of West Lampeter Town-
ship.
Administratrix: Mary L. Bailey
c/o Kristen L. Behrens, Esq.,
1500 Market St., #3500E, Phila-

delphia, PA 19102.
Attorney: Kristen L. Behrens,
Atty., Dilworth Paxson, LLP,
1500 Market St., #3500E, Phila-
delphia, PA 19102.

Bell, Richard L., dec'd.

Late of Manor Township.
Executrix: Cynthia M. Sikoski
c/o Steven R. Blair, Attorney at
Law, 650 Delp Road, Lancaster,
PA 17601.
Attorney: Steven R. Blair, Esq.

Bowen, Catherine, dec'd.

Late of Ephrata.
Executrix: Mary Magnes c/o
James B. Campese, Atty, The
Campese Law Firm, 200 Capital
Drive, Aliquippa, PA 15001.
Attorney: James B. Campese.

Brickley, Susan P., dec'd.

Late of East Hempfield Town-
ship.
Administrators: Stephen W.
Brickley, Jennifer S. Deja c/o
Russell, Krafft & Gruber, LLP,
101 North Pointe Blvd., Suite
202, Lancaster, PA 17601.
Attorney: Nichole M. Baer.

Groff, Curtis Michael, dec'd.

Late of Rapho Township.
Administrator: Adrian E. Young
c/o Aevitas Law, PLLC, 275
Hess Blvd., Suite 101, Lancast-
er, PA 17601.
Attorneys: Neil R. Vestermark,
Esquire, Aevitas Law, PLLC.

**Hagen, Doris R. a/k/a Doris
Ruth Hagen**, dec'd.

Late of West Lampeter Town-
ship.
Executor: Christopher Hagen
c/o Jeffrey C. Goss, Esquire,
480 New Holland Avenue, Suite

6205, Lancaster, PA 17602.
Attorneys: Brubaker Connaughton Goss & Lucarelli LLC.

Herrington, Helen J., dec'd.

Late of Pequea Township.
Executor: Florence Alexander c/o Glick, Goodley, Deibler & Fanning, LLP, 131 W. Main Street, New Holland, PA 17557.
Attorney: Patrick A. Deibler, Esq., Glick, Goodley, Deibler & Fanning, LLP.

Keefer, Suzanna K., dec'd.

Late of Bainbridge.
Executrix: Robin L. Swope, 156 Hillsdale Road, Elizabethtown, PA 17022.
Attorney: None.

Ludke, Helen R., dec'd.

Late of Lititz Borough.
Executor: Stephen R. Gibble c/o Gibble Law Offices, P.C., 126 East Main Street, Lititz, PA 17543.
Attorney: Stephen R. Gibble., Esquire.

Moorehead, Regina A., dec'd.

Late of Fulton Township.
Administrator: John Francis Deal c/o Steven M. Zelinger, Esq., 1650 Market St., Philadelphia, PA 19103.
Attorney: Steven M. Zelinger, Atty., 1650 Market St., Philadelphia, PA 19103.

Petticoffer, Edna W., dec'd.

Late of East Donegal Township.
Executrix: Michelle P. Myers c/o Thomas M. Gish, Attorney, P.O. Box 5349, Lancaster, PA 17606.
Attorneys: Gibbel Kraybill & Hess, LLP.

Phyllaier, Michael J. a/k/a Michael J. Phyllaier, Sr. a/k/a Mike Phyllaier, Sr., dec'd.

Late of Lititz.
Executor: Michael J. Phyllaier, Jr., 114 Bayberry Dr., Lancaster, PA 17603.
Attorney: None.

Plucker, Henry J., dec'd.

Late of East Cocalico Township.
Administratrix: Nancy A. Holland, 942 W. Penn Ave., Robeson, PA 19551 c/o Andrew S. George, Atty., Kozloff Stoudt, PC, 2640 Westview Dr., Wyomissing, PA 19610.
Attorney: Andrew S. George, Atty.

Porter, Dorothy S. a/k/a Dorothy Porter, dec'd.

Late of Ephrata Borough.
Executrix: Patricia A. Hall c/o Lindsay M. Schoeneberger, RKG Law, 108 West Main Street, Ephrata, PA 17522.
Attorney: Lindsay M. Schoeneberger.

Reiff, David L., dec'd.

Late of Brecknock Township.
Executors: Eugene W. Reiff, Martha Jane Cline c/o Robert E. Sisko, Esquire, 700 North Duke Street, P.O. Box 4686, Lancaster, PA 17604-4686.
Attorneys: Morgan, Hallgren, Crosswell & Kane, P.C.

Smith, Linda Sue, dec'd.

Late of Lititz Borough.
Executor: Jennifer L. Smith c/o Good Law Firm, 132 West Main Street, New Holland, PA 17557.
Attorneys: Good Law Firm.

Smith, Stephanie Elaine a/k/a

Stephanie E. Smith, dec'd.

Late of Lititz Borough.
Executor: Nicholas C. Barlieb
c/o Pyfer, Reese, Straub, Gray
& Farhat, P.C., 128 N. Lime
Street, Lancaster, PA 17602.
Attorneys: Pyfer, Reese, Straub,
Gray & Farhat, P.C.

Supplee, Nancy N., dec'd.

Late of New Holland Township.
Executor: Mark N. Supplee
c/o Lisa Comber Hall, Esquire,
Hall Law Offices, A Professional
Corporation, 27 S. Darlington
Street, West Chester, PA 19382.
Attorney: Lisa Comber Hall, Es-
quire, Hall Law Offices, A Pro-
fessional Corporation, 27 S.
Darlington Street, West Ches-
ter, PA 19382.

**Szymanski, Stanley F. a/k/a
Stanley Francis Szymanski**,
dec'd.

Late of Ephrata Township.
Executrix: Nicole Belfiore c/o
Anthony P. Schimaneck, 700
North Duke Street, P.O. Box
4686, Lancaster, PA 17604-
4686.
Attorneys: Morgan, Hallgren,
Crosswell & Kane, P.C.

**Walker, Janette K. a/k/a Ja-
nette Kay Walker**, dec'd.

Late of West Earl Township.
Co-Executors: Margaret P. De-
isher, 138 Lakeview Dr., Mohn-
ton, PA 19540, Jacqueline L.
Henry, 216 Buckfield Drive,
Lititz, PA 17543 c/o Robert R.
Kreitz, Esquire, Kreitz | Gal-
len-Schutt, 1210 Broadcasting
Road, Suite 103, Wyomissing,
PA 19610.
Attorney: Robert R. Kreitz, Es-
quire.

THIRD PUBLICATION

**Adams, Robert H. a/k/a Robert
Henry Adams**, dec'd.

Late of Akron Borough.
Executor: Mark A. Adams c/o
Kluxen, Newcomer & Dreis-
bach, Attorneys-at-Law, 2221
Dutch Gold Drive, Dutch Gold
Business Center, Lancaster, PA
17601.
Attorney: Melvin E. Newcomer,
Esq.

**Alexander, Alan R. a/k/a Alan
Richard Alexander**, dec'd.

Late of Manheim Township.
Executor: Bradley M. Alexan-
der c/o Robert E. Sisko, Es-
quire, 700 North Duke Street,
P.O. Box 4686, Lancaster, PA
17604-4686.
Attorneys: Morgan, Hallgren,
Crosswell & Kane, P.C.

**Baker, Russel P. a/k/a Russell
P. Baker**, dec'd.

Late of West Donegal Township.
Executor: Nicole E. Durborow
c/o Robert E. Sisko, Esquire,
700 North Duke Street, P.O.
Box 4686, Lancaster, PA 17604-
4686.
Attorneys: Morgan, Hallgren,
Crosswell & Kane, P.C.

**Bedrosian, Peter G. a/k/a Peter
Giragos**, dec'd.

Late of Manheim Township.
Executor: Peter L. Bedrosian
c/o Michael C. Giordano, Esq.,
221 W. Main Street, Mechanics-
burg, PA 17055.
Attorney: Michael C. Giordano,
Attorney & Counselor at Law.

Bond, Suzan W. a/k/a Suzan Wallin Bond, dec'd.

Late of West Lampeter Township.

Executor: Laura Sue Bond c/o Anthony P. Schimaneck, 700 North Duke Street, P.O. Box 4686, Lancaster, PA 17604-4686.

Attorneys: Morgan, Hallgren, Crosswell & Kane, P.C.

Bruno, Michael a/k/a Michael J. Bruno, dec'd.

Late of Leacock Township.

Executor: Michael J. Bruno c/o Linda Kling, Esquire, 121 E. Main Street, New Holland, PA 17557.

Attorneys: Smoker Gard Associates LLP.

Costrello, Kyle Anthony a/k/a Kyle A. Costrello a/k/a Kyle Costrello, dec'd.

Late of Rapho Township.

Administratrix: Beth Moore-Weirich, 607 Waverly Drive, Hollidaysburg, PA 16648.

Attorney for Estate: Jessica L. Fisher, Esquire, McQuaide Blasko, Gateway Centre, 601 Hawthorne Drive, Suite 2A, Hollidaysburg, PA 16648.

Diem, Deborah K. a/k/a Deborah K. Styer, dec'd.

Late of Salisbury Township.

Executor: Ronald L. Diem, Sr. c/o Good Law Firm, 132 West Main Street, New Holland, PA 17557.

Attorneys: Good Law Firm

Evans, Leslie C., dec'd.

Late of Manheim Borough.

Co-Executors: Jonathan D. Ev-

ans, Pamela J. Evans c/o Ann L. Martin, Attorney, P.O. Box 5349, Lancaster, PA 17606.

Attorneys: Gibbel Kraybill & Hess LLP.

Fasnacht, Terry L. a/k/a Terry Lynn Fasnacht, dec'd.

Late of East Cocalico Township.

Executrix: Susan A. Fasnacht c/o Robert E. Sisko, Esquire, 700 North Duke Street, P.O. Box 4686, Lancaster, PA 17604-4686.

Attorneys: Morgan, Hallgren, Crosswell & Kane, P.C.

Ferguson, Jane S., dec'd.

Late of Colerain Township.

Executor: T. Joseph Ferguson c/o Andrew S. Rusniak, Esquire, McNees Wallace & Nurick LLC, 570 Lausch Lane, Suite 200, Lancaster, PA 17601.

Attorneys: McNees Wallace & Nurick LLC.

Gordon, Bonnie M. a/k/a Bonnie Mary Gordon, dec'd.

Late of Providence Township.

Executrix: Jill Glessner c/o Bellomo & Associates, LLC, 3198 East Market Street, York, PA 17402.

Attorney: Jeffrey R. Bellomo, Esquire.

Gregson, Donna W., dec'd.

Late of Elizabethtown.

Executor: Robert D. Gregson c/o Lindsay A. Casadei, Esq., Byler & Winkle, P.C., 363 West Roseville Road, Lancaster, PA 17601.

Attorney: Lindsay A. Casadei, Esq.

Greiner, Anthony A., dec'd.

Late of Manheim Borough.
Executrix: Cathy G. Hower c/o Gardner and Stevens, P.C., 109 West Main Street, Ephrata, PA 17522.
Attorney: Kurt A. Gardner.

Groff, Rose T. a/k/a Rose Teresa Groff, dec'd.

Late of Providence Township.
Executor: John G. Groff, Jr. c/o Nikolaus & Hohenadel, LLP, 303 West Fourth Street, Quarryville, PA 17566.
Attorney: Jeffrey S. Shank, Esquire.

Harmes, Linda D. a/k/a Linda Darlene Harmes, dec'd.

Late of West Hempfield Township.
Administratrix: Lisa M. Howry c/o Bellomo & Associates, LLC, 3198 East Market Street, York, PA 17402.
Attorney: Jeffrey R. Bellomo, Esquire.

Hatch, Louise F., dec'd.

Late of Lancaster Township.
Executor: Stephen M. Hatch c/o Angela M. Ward, Esq., AWard Law, LLC, 2173 Embassy Dr., Lancaster, PA 17602.
Attorney: Angela M. Ward, Esq.

Hutchinson, John R., dec'd.

Late of Elizabethtown Borough.
Co-Executors: Jodi L. Altobello, Chad M. Hutchinson, Todd M. Hutchinson c/o Appel Yost & Zee LLP, 33 North Duke Street, Lancaster, PA 17602.
Attorney: Dana C. Panagopoulos.

Knosp, James L., dec'd.

Late of Paradise Township.
Executors: Joshua L. Knosp, Jamie L. Knosp c/o Glick, Goodley, Deibler & Fanning, LLP, 131 W. Main Street, New Holland, PA 17557.
Attorney: Patrick A. Deibler, Esq., Glick, Goodley, Deibler & Fanning, LLP.

Kuehn, Mark R., dec'd.

Late of Earl Township.
Executor: Theodore R. Kuehn c/o Good Law Firm, 132 West Main Street, New Holland, PA 17557.
Attorneys: Good Law Firm.

Maser, Gretchen C., dec'd.

Late of West Lampeter Township.
Executor: Robert C. Maser c/o Angelo J. Fiorentino, Attorney, P.O. Box 5349, Lancaster, PA 17606.
Attorneys: Gibbel Kraybill & Hess LLP.

Moeller, John A., Sr., dec'd.

Late of Lancaster Township.
Executrix: Stephanie Bernstein c/o RKG Law, 101 North Pointe Blvd, Suite 202, Lancaster, PA 17601.
Attorney: Lindsay M. Schoeneberger.

Moorehead, Edward a/k/a Edward J. Moorehead, dec'd.

Late of Fulton Township.
Administrator: John Deal c/o Steven M. Zelinger, Esq., 1650 Market St., #3600, Philadelphia, PA 19103.
Attorney: Steven M. Zelinger, LLC, Atty., 1650 Market St., #3600, Philadelphia, PA 19103.

Moran, Margaret M., dec'd.

Late of Rapho Township.
Executrix: Theresa M. Camara
c/o Young and Young, 44 S.
Main Street, P.O. Box 126,
Manheim, PA 17545.
Attorneys: Young and Young.

Myers, Eva Blanche a/k/a Eva B. Myers, dec'd.

Late of Elizabethtown Borough.
Co-Executors: Gregory A. Myers,
Debra J. Fritchman c/o
Kluxen, Newcomer & Dreis-
bach, Attorneys-at-Law, 2221
Dutch Gold Drive, Dutch Gold
Business Center, Lancaster, PA
17601.
Attorney: Melvin E. Newcomer,
Esq.

Sturgis, Barbara A., dec'd.

Late of Earl Township.
Executor: John H. May c/o
John H. May, Esquire, 49 North
Duke Street, Lancaster, PA
17602.
Attorneys: May, Herr & Grosh,
LLP.

Taylor, Betty Ann M., dec'd.

Late of Lancaster.
Executor: Lori Stoltzfus c/o
Legacy Law, PLLC., 147 W. Air-
port Road, Suite 300, Lititz, PA
17543.
Attorney: Katelyn M. Haldeman,
Esq.

Torp-Smith, Mary Lou, dec'd.

Late of West Lampeter Town-
ship.
Executor: Jonathan M. Saxe
c/o Law Office of James Clark,
277 Millwood Road, Lancaster,
PA 17603.

Attorney: James R. Clark.

Waldrop, Martha E., dec'd.

Late of Earl Township.
Executrix: Debra W. Tarrant
c/o Linda Kling, Esquire, 121
E. Main Street, New Holland,
PA 17557.
Attorneys: Smoker Gard Associ-
ates LLP.

Warfel, Urbana M., dec'd.

Late of Pequea Township.
Executor: Glenn D. Warfel c/o
RKG Law, 101 North Pointe
Blvd, Suite 202, Lancaster, PA
17601.
Attorney: Lindsay M. Schoene-
berger, Esquire.

Wiker, Eleanor L., dec'd.

Late of Warwick Township.
Executor: Brian R. Wiker c/o
Robert E. Sisko, Esquire, 700
North Duke Street, P.O. Box
4686, Lancaster, PA 17604-
4686.
Attorneys: Morgan, Hallgren,
Crosswell & Kane, P.C.

ACTION TO QUIET TITLE

IN THE COURT OF COMMON
PLEAS

ACTION TO QUIET TITLE

NO: CI-24-05930

ESTATE OF VINCENT A. LOM-
BARDO AND ESTATE OF MARI-
ANNA LOMBARDO,
PLAINTIFF

V.

**ALANMORE INVESTMENTS
ITS SUCCESSORS AND/OR AS-
SIGNS**

DEFENDANT

NOTICE

TO THE DEFENDANT: You have
been sued in court for a court or-

der to satisfy certain mortgages. If you wish to defend, you must take action within twenty (20) days after this notice by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court 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.

LANCASTER BAR ASSOCIATION
LAWYER REFERRAL SERVICE
717-393-0737

Jeffrey S. Shank, Esquire, Attorney ID #74471

Attorney for Plaintiff
NIKOLAUS & HOHENADEL, LLP
222 South Market Street, Suite 201

Elizabethtown, PA 17022
(717) 367-1370

S-20

ARTICLES OF DISSOLUTION

Notice is hereby given to all persons interested or who may

be affected by **Blazing Saddles, Inc.**, a Pennsylvania business corporation, that the Board of Directors is now engaged in winding up and settling the affairs of said Corporation so that its corporate existence shall be ended by the filing of Articles of Dissolution with the Department of State of the Commonwealth of Pennsylvania pursuant to the provisions of the Pennsylvania Business Corporation Law of 1988.

BARLEY SNYDER LLP, Attorneys
S-20

Notice is hereby given by
Episcopal Towers/Shippensburg, PA.,

a Pennsylvania Nonprofit Corporation, which had its registered office in the Commonwealth of Pennsylvania at 2316 Dairy Road, Lancaster, PA 17601, Lancaster County, Pennsylvania, that the corporation has terminated its affairs and intends to file Articles of Dissolution with the Pennsylvania Department of State.

S-20

Notice is hereby given by **Frey-Bitterman Enterprises, Inc.**, a Pennsylvania for profit corporation, that said corporation is winding up its affairs in the manner prescribed by the Business Corporation Law of Pennsylvania, so that its corporate existence shall cease upon the filing of Articles of Dissolution in the Department of State of the Commonwealth of Pennsylvania.

S-20

Notice is hereby given to all persons interested or who may be affected by **GarDel, LLC** a Penn-

sylvania limited liability company (“Company”), is engaged in winding up and settling the affairs of said Company so that its existence shall be ended by the filing of Certificate of Termination with the Department of State of the Commonwealth of Pennsylvania pursuant to the provisions of the Pennsylvania Business Corporation Law of 1988, as amended. It is hereby publicly requested that all persons with claims against said Company present them in accordance with this notice. Any such claims must be submitted in writing to Barley Snyder LLP, 126 East King Street, Lancaster, PA, 17602, Attn: Reilly Noetzel, Esq., Re: GarDel, LLC. The written claim must describe the claim in reasonable detail, set forth the amount of the claim, be accompanied by any written evidence to support the claim, and contain return contact information of the claimant or claimant’s counsel. A claim against said Company will be barred unless an action to enforce the claim is commenced within two years after publication of this notice.

BARLEY SNYDER LLP, Attorneys
S-20

Notice is hereby given that **L&J Optix, Inc., formerly known as Alvin Hocke Optical Co., Inc.**, a Pennsylvania corporation with its registered business office at 1386 Oregon Road, Leola, Pennsylvania 17540 is now engaged in winding up and settling the business and affairs of said corporation. The corporation will file Articles of Dissolution with the Commonwealth of Pennsylvania at Harrisburg,

Pennsylvania so that its existence shall be ended by the issuance of a Certificate of Dissolution by the Department of State, under the provisions of the Pennsylvania Business Corporation Law of 1988, as amended. Any notices of claims should be mailed c/o the president at the above address.

JEFF GONICK
Attorney

S-20

ARTICLES OF INCORPORATION

Notice is hereby given that a nonprofit corporation known as **LANCASTER HOUSING FUND I** was incorporated on August 29, 2024, under the provisions of the Nonprofit Corporation Law of 1988, as amended, for charitable, religious and educational purposes as defined in Section 501(c)(3) of the Internal Revenue Code, including, without limitation, to provide, support and maintain high quality workforce/affordable housing for low-income individuals residing in Lancaster County, Pennsylvania, and surrounding communities in South Central, Pennsylvania and all other activities permitted under the Act.

BARLEY SNYDER
Attorneys

S-20

NOTICE IS HEREBY GIVEN that Nonprofit Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, on September 4, 2024, for the purpose of obtaining a Certificate of Incorporation under the provisions of the Nonprof-

it Corporation Law of 1988. The name of the proposed nonprofit corporation is **Urban Arts House**.

S-20

CHANGE OF NAME NOTICES

IN THE COURT OF COMMON PLEAS

CIVIL ACTION - LAW

No. CI-22-03005

IN RE: CHANGE OF NAME OF DONOVAN TERRELLE SCHAEFFER

NOTICE IS HEREBY GIVEN that a Petition has been filed in the Court of Common Pleas of Lancaster County, Pennsylvania, seeking to change the name of **Donovan Terrelle Schaeffer** to Donovan Terrelle Benner. A hearing on the Petition will be held on December 5, 2024, at 2:00 p.m. in Courtroom No. 4 at the Lancaster County Courthouse, 50 North Duke Street, Lancaster, Pennsylvania, at which time any persons interested may attend and show cause, if any, why the Petition should not be granted.

Lancaster Law Group, LLC

Victor G. Myers, Esquire

110 E. King Street

Lancaster, PA 17602

717-358-0600

Attorney ID# 318374

S-20

NOTICE IS HEREBY GIVEN that a Petition has been filed in the Court of Common Pleas of Lancaster County, Pennsylvania, seeking to change the name of **Ellen Kathleen Funk** to Ellen Kathleen Bowers. A hearing on the Petition will be held on October 16, 2024 at 9:00 a.m., in Courtroom No. TBD at the Lancaster Coun-

ty Courthouse, 50 North Duke Street, Lancaster, Pennsylvania, at which time any persons interested may attend and show cause, if any, why the Petition should not be granted.

Jeffrey S. Shank, Esquire
Nikolaus & Hohenadel, LLP
222 S. Market St., Suite 201
Elizabethtown, PA 17022
717-367-1370

S-20

IN THE COURT OF COMMON PLEAS

CIVIL ACTION - LAW

No. CI-24-04864

IN RE: CHANGE OF NAME OF LINDSEY MARIE KLINGENSMITH

NOTICE IS HEREBY GIVEN that a Petition has been filed in the Court of Common Pleas of Lancaster County, Pennsylvania, seeking to change the name of **Lindsey Marie Klingensmith** to Lindsey Marie Day. A hearing on the Petition will be held on December 5, 2024, at 2:30 p.m. in Courtroom No. 4 at the Lancaster County Courthouse, 50 North Duke Street, Lancaster, Pennsylvania, at which time any persons interested may attend and show cause, if any, why the Petition should not be granted.

Shawnee S. Burton, Esquire
Lancaster Law Group, LLC

110 E. King Street

Lancaster, PA 17602

717-358-0600

Attorney ID# 308054

S-20

CORPORATE NOTICE

Conoy Township Youth Athletic Association, Inc.

has been incorporated under the provisions of the Nonprofit Corporation Law of 1988 of the Commonwealth of Pennsylvania. Nikolaus & Hohenadel, LLP Kevin D. Dolan, Esquire

S-20

FICTITIOUS NAME NOTICE

Marcellene Mumma filed in the Office of the Secretary of the Commonwealth of Pennsylvania, on or about August 29, 2024 registration of the name:

Memorable Occasions by Marcie under which she intends to do business at 209 North Barbara Street, Mount Joy, PA 17552 pursuant to the provisions of the Act of Assembly of December 16, 1982, Chapter 3, known as the "Fictitious Name Act".

Clymer Musser & Sarno PC Attorneys

S-20

ORPHANS' COURT DIVISION

Orphans' Court Division Auditing Notices

To All Claimants, Beneficiaries, Heirs and Next of Kin, and other persons interested: NOTICE IS GIVEN that the following accounts in decedents', incapacitated persons, minors', and trust estates have been filed in the office of the Clerk of the Orphans' Court division of the Court of Common Pleas of Lancaster County and will be presented to said Orphans' Court Division for Audit and confirmation therein to the parties legally entitled thereto on

OCTOBER 1, 2024

at 9 o'clock a.m. in Courtroom No. 11 on the fourth floor of the Courthouse, 50 North Duke Street, Lancaster, PA

1. McCARTHY, TRACY A., decd., 2023-00348. First and Final Acct. Robert K. Callaway, Admin., Lucy F Dowd, Atty.
2. LYET, CATHERINE MARIE, decd., 2023-00493. First and Final Acct. Judy S. Ware, Admin., Randy R. Moyer, Atty.
3. HARRIS, ABBEY I., decd., 2023-01711. Statement of Acct. Adrienne J. Jackson, Exec., Angelo J. Fiorentino, Atty.

Anne L. Cooper
Clerk of the Orphans' Court
Division
of the Court of Common Pleas.
S-20, 27

SUITS ENTERED

Defendant's name appears first in capitals, followed by plaintiff's name, number and plaintiff's or appellant's attorney.

September 5, 2024
to September 11, 2024

SULYOK, IMMO; Suburban Lancaster Sewer Authority; 06353; Peipher

BOOST MOBILE; East Lampeter Township; 06361; Peipher

PAGAN, CARLOS; Axiom Acquisition Ventures LLC; 06355; Tsarouhis

CLAGETT, JOSHUA; Credit Acceptance Corporation; 06363; Morris

BATES, CAROLE; Sunset Estates Inc.; 06381; Orgass

LIBERTY MUTUAL INSURANCE, SAFECO; Matthew Bransby; 06387; Kane

KINTNER, AUSTIN; Sofi Bank National Association; 06399; Grady

WILLIAMS, DONALD; Lebanon Federal Credit Union; 06407; Dougherty

HARNISH, JEFFREY M; Karen J. Harnish; 06411; Rothermel

MCLAUGHLIN, BRIAN, MCLAUGHLIN, LESLIE KUFFEL; Michelle E. Vonnieda-Lagrassa; 06419; Larsen

LEGEND OF LITITZ, LEGEND SENIOR LIVING LLC, LITITZ PCH LLC HCRI PENNSYLVANIA PROPERTIES HOLDING COMPANY; Ignacio Lebron Rodriguez; 06427; Gregory

BEILER, SARAH L., BEILER, DONALD L.; Solanco School District; 06433; Leininger

CROWE, MATTHEW; Janirette Dozier; 06444; Shorr

JAMES, NATHAN, BLUEFYN US INC; Quentin T. Schmick; 06446; Ronnall

LANCASTER MAIN STREET LLC; Palisades Mortgage Loan Trust 2021-RTL1; 06454; Marks

KAZI FOODS OF NEW JERSEY INC; Angel Callazo; 06457; Morgan

JM LAPP PLUMBING AND HEATING LLC, RIEHL, JAMIEN KYLE; Carmen Maldonado; 06468; O'Neil

POGWIST, LOGAN; Centier Bank; 06469; Demers

GODS ENDTIME MINISTRY FUND INC; Clear Channel Outdoor LLC; 06480; Wechsler

FRAZIER, KEVIN; Westlake Financial Services; 06481; Frazier

GREAVES, GEORGE A, GREAVES, NATALIE J; Westlake

Financial Services; 06482; Lauer

BORELLI, MICHELE A, JANE/JOHN DOE #1-2; Lisa Renee

Lowenthal; 06329; Lowenthal