

## LACKAWANNA JURIST

### JUDICIAL OPINION

**CASE NAME AND NUMBER:** Fertig v. Horace Mann Ins. Co. 2022, WL 310130 (Lacka. Co. 2022)

**DATE OF DECISION:** January 18, 2022

**JUDGE:** Terrence R. Nealon

**ATTORNEYS INVOLVED:**

Bradley Moyer Esquire, Thomas J. Carroll, Jr., Esquire, Counsel for Plaintiff, Destiny Fertig  
Anthony P. Trozzolillo, Esquire, Counsel for Defendant, Horace Mann Insurance Company and/or Horace Mann Property & Casualty Insurance Company

### **SUMMARY OF OPINION:**

The jury in this underinsured motorist (UIM) benefits trial rendered a verdict awarding plaintiffs \$75,000.00 for future medical expenses, but \$0.00 for past and future noneconomic damages, even though the defense medical expert testified that plaintiff had unresolved injuries to her head, neck, and knee that were causally related to the accident and the jury was instructed, without objection, that it "must at least award some damages for those uncontested injuries" in this admitted liability case. After the verdict was molded to \$0.00 to reflect the stipulated credit for the tortfeasor's liability insurance coverage limit of \$100,000.00, plaintiff filed a post-trial motion seeking a new trial on noneconomic damages only on the ground that the verdict was against the weight of the uncontroverted medical evidence, and an award of delay damages under Pa.R.Civ.P. 238 based upon the gross award of \$75,000.00. Defendant contended that plaintiff (1) waived her right to secure a new trial by failing to object at the time that the verdict was announced and to request that the jury resume its deliberations to correct its zero verdict, and (2) was not entitled to a new trial even if she preserved her weight-of-the-evidence challenge. It further submitted that plaintiff could not recover delay damages on a verdict that was molded to \$0.00.

Plaintiff asserted that the zero verdict was contrary to the weight of the uncontroverted evidence, rather than being inconsistent or problematic on its face, and did not waive her right to seek a new trial by neglecting to object and request resubmission of the case to the jury following a corrective instruction. The jury awarded \$75,000.00 for future medical expenses, which amount represented a projection provided by plaintiff's medical expert, but \$0.00 for past and future noneconomic damages despite the fact that defendant's medical expert testified that plaintiff's head, neck, and knee injuries had not resolved when he examined her 51 months after the accident. Since the verdict had to bear some reasonable relation to the harm suffered as demonstrated by the uncontroverted evidence, and an award of \$0.00 for past and future noneconomic damages was so disproportionate to the uncontested evidence as to defy common sense and logic, plaintiff's request for a new trial on noneconomic damages was granted. However, inasmuch as delay damages under Rule 238 are to be calculated based upon the molded verdict, and the verdict in this case was molded to \$0.00 following the stipulated offset for the liability insurance coverage limit, plaintiff was not entitled to prejudgment interest under Rule 238.

### JUDICIAL OPINION

**CASE NAME AND NUMBER:** Wearing v. Lion Tamer, LLC, 2022 WL 214728 (Lacka. Co. 2022)

**DATE OF DECISION:** January 24, 2022

**JUDGE:** Terrence R. Nealon

**ATTORNEYS INVOLVED:**

Christopher A. Piazza, Esquire, Counsel for Plaintiff,  
J. Michael Kunsch, Esquire, Counsel for Defendant

### **SUMMARY OF OPINION:**

Plaintiff commenced this tort action against a trampoline park operator for injuries he suffered on his premises while allegedly using a trampoline as a minor without any supervision or oversight. The operator filed preliminary objections pursuant to Pa.R.Civ.P. 1028(a)(6) seeking to stay this litigation and to compel plaintiff to submit to mediation and non-binding arbitration, if necessary, in compliance with the "participation agreement" executed by plaintiff's mother as a condition to entry into the trampoline park. The operator also sought to recover counsel fees and costs under a separate provision in the participation agreement that allegedly entitled it to recover, "to the extent permitted by law," its attorney's fees and costs incurred in seeking to enforce the mediation and non-binding arbitration provision.

The clear language of the participation agreement obligated "the parties to first attempt to settle" this personal injury dispute by mediation, and to thereafter submit "any unresolved claims" to non-binding arbitration. Since a valid agreement to participate in "alternative dispute resolution" existed between the parties, and the claims at issue fell within the scope of that agreement, the preliminary objections in the nature of a motion to stay these proceedings and to compel mediation and non-binding arbitration were sustained. However, since the attorney's fees and costs provision in the participation agreement was unreasonably favorable to the operator whose customers had no meaningful choice regarding the acceptance of that provision, it was found to be unenforceable due to its procedural and substantive unconscionability. Accordingly, the preliminary objections were overruled with respect to the operator's request for counsel fees and costs.

## LACKAWANNA JURIST

### ESTATES

#### **First Notice**

Notice is hereby given that in the estate of the decedent set forth below, the Register of Wills of Lackawanna County, PA has granted Letters Testamentary to the person named. All persons having claims or demands against the estate are requested to make known the same and all persons indebted to the estate are requested to make payment without delay to the executrix or her attorney. **ESTATE OF JOHN BEIDLER**, late of Scranton, PA. Executrix: Ann Nicastro, c/o Traud Law Offices, 3055 College Heights Blvd., Ste. 2A, Allentown, PA 18104. Attorney: T. Benjamin Traud, Esq., 3055 College Heights Blvd., Ste. 2A, Allentown, PA 18104.

**ESTATE OF BARBARA BEYNON**, late of Taylor, Lackawanna County, PA (October 30, 2021). Letters of Administration were granted to Paul M. McGonagle. Creditors present claims and debtors make payment to the Administrator or to Kim A. Giombetti, Esq., The Ritz Building, 222 Wyoming Avenue, Scranton, PA 18503, Attorney for the Estate.

RE: Notice is hereby given that Letters of Administration have been granted in the **ESTATE OF JOHN J. BRADLEY**, late of Carbondale, Lackawanna County, Commonwealth of Pennsylvania (died December 22, 2021). All persons indebted to the Estate are requested to make payments and all those having claims or demands are to present same, without delay to Michael P. Bradley, Executor of the Estate or Sean P. McGraw, Esquire, Attorney for the Estate, 41 N. Main Street, 4<sup>th</sup> Floor, Carbondale, PA 18407.

RE: **ESTATE OF DAVID H. DICKSTEIN a/k/a DAVID HARRIS DICKSTEIN**, late of Waverly Township, Pennsylvania (died January 15, 2022). Notice is hereby given that Letters Testamentary for the Estate David H. Dickstein a/k/a David Harris Dickstein have been issued to Gail Dickstein, Executor of the Estate. All those having claims or demands against the Estate or indebtedness owed to the Estate shall present claims or remit payment without delay to the Executor at 115 Estate Drive, Waverly Township, PA 18411 or to Robert T. Kelly, Jr., Myers, Brier & Kelly, LLP, Attorney for the Estate, 425 Spruce Street, Suite 200, Scranton, PA 18503.

RE: **ESTATE OF ALLEN CHARLES DRAKE**, late of Clarks Summit, Lackawanna County, Pennsylvania (died January 24, 2022). Letters of Administration having been granted, creditors shall make demand and debtors shall make payments to Ellen Drake Beechko, Administratrix, or Attorney James E. O'Brien, Jr., Scranton Life Building, Suite 610, 538 Biden Street, Scranton, PA 18503.

**ESTATE OF MARYANN HABEEB**, late of Waverly Twp., Pennsylvania (died November 10, 2021). Letters of Administration have been issued to Gregory Habeeb and John M. Habeeb, Co-Administrators of the Estate. All those indebted to said Estate are required to make payment and those having claims to present the same without delay to the Co-Administrators or to Patrick Walsh, Esquire, Attorney for the Estate at 604 N. State Street, Clarks Summit, PA 18411.

RE: **ESTATE OF WILLIAM S. HOUSLEY**, late of Scranton, Lackawanna County, PA (died November 2, 2021), Letters of Administration have been granted to the undersigned, who requests all persons having claims or demands against the Estate of the Decedent to make known the same, and all persons indebted to the Decedent to make payment without delay to: Catherine Housley, Administratrix, or to her attorney: Thomas J. Jones, Jr., Esquire, 410 Biden Street, Suite 301, Scranton, Pennsylvania 18503.

IN RE: **ESTATE OF JEAN ANN HOWARTH**, late of Scott Township, Lackawanna County, PA (died December 5, 2021). Letters Testamentary in the above Estate having been granted, all person having claims or demands against the Estate of the Decedent shall make them known and present them, and all persons indebted to the said Decedent shall make payment thereof, without delay, to the Estate Personal Representative, Harold E. Howarth Jr., or to Joseph S. Toczydowski, Esquire, 723 North Main Street, Archbald, PA 18403.

**WAYNE A. MARIANELLI**, Deceased, of Lackawanna County, No. 35-22-00149, Anthony A. Marianelli, Administrator, c/o ATTY. JAMES E. MISCAVAGE, 55 Old Clairton Rd., Ste. 204, Pleasant Hills, PA 15236 at 412-653-5711.

**ESTATE OF THERESA Ogonosky**, late of Taylor, Lackawanna County, Pennsylvania (died December 29, 2021). Executrix: Joanne Fiorelli. Attorney: Doreen M. Graziano, Esquire, R. 120 Corcoran Street, Old Forge, PA 18518. Doreen M. Graziano, Esquire.

NOTICE IS HEREBY GIVEN that Letters Testamentary have been issued to Marilyn Boylan, in the **ESTATE OF JAMES D. PINNELL**, who died December 18, 2021, late of the City of Scranton, Lackawanna County, Pennsylvania. All creditors are requested to present their claims and all persons indebted to the decedent will make payment to the aforementioned Executor in care of her attorneys HISCOX & MUSTO 400 Third Ave., Suite 201, Kingston, PA 18704.

**ESTATE OF KELLY A. RINALDI**, late of Jefferson Township, Pennsylvania, (died April 30, 2020). Letters of Administration have been granted to Michael Rinaldi, Administrator of the Estate, who requests all persons having claims or demands against the Estate of the Decedent to make known the same, and all persons indebted to the Decedent to make payments without delay to the Administrator named herein or to the attorney for the Estate at: James J. Conaboy, Esquire, Abrahamsen, Conaboy & Abrahamsen, P.C., 1006 Pittston Avenue, Scranton, PA 18505.

**ESTATE OF ANN M. SCHOFFSTALL a/k/a ANN LOUISE SCHOFFSTALL**, Late of Clarks Summit, County of Lackawanna, and Commonwealth of Pennsylvania. Letters Testamentary have been granted to George R. Schoffstall, Jr., who requests that all persons having claims or demands against the estate of the decedent make known the same, and all persons indebted to the decedent make payments without delay to George R. Schoffstall, Jr., c/o Law Offices of Lawrence B. Fox, P.C., 1834 Pennsylvania Avenue, Allentown, PA 18109.

## LACKAWANNA JURIST

**ESTATE OF HARRY R. SYKES, III**, late of City of Scranton, Pennsylvania (died December 02, 2021). Notice is hereby given that Letters of Testamentary on the above Estate have been granted to Todd P. Sykes, Dunmore, PA David B. Sykes, Clarks Summit, PA and Lawrence N. Sykes, Scranton, PA. All persons indebted to the said estate are required to make payment and those having claims to present the same without delay to the Personal Representatives named herein, or to Nicolas D. Tellie, Esquire, Tellie & Coleman, P.C., 310 East Drinker Street, Dunmore, PA 18512.

**RE: ESTATE OF ROGER D. WALLACE**, late of South Abington Township, Pennsylvania (Died September 17, 2021). Notice is hereby given that Letters Testamentary on the above estate have been granted to Jed Avery Wallace. All persons indebted to said estate are required to make payment and those having claims to present the same without delay to the Executor named above or to James P. Gregorowicz, Esquire, Attorney for the Estate, SNB Plaza, Suite 405, 108 North Washington Avenue, Scranton, PA 18503.

**IN RE: ESTATE OF MARY ANN WATERS**, late of Mayfield, Lackawanna County, PA (died September 7, 2021). Letters Testamentary in the above Estate having been granted, all person having claims or demands against the Estate of the Decedent shall make them known and present them, and all persons indebted to the said Decedent shall make payment thereof, without delay, to the Estate Personal Representatives Donna Rovinsky and Francis M. Waters, or to Joseph S. Toczydlowski, Jr., Esquire, 723 North Main Street, Archbald, PA 18403.

**RE: ESTATE OF DENISE MARIE WEISS a/k/a DENISE WEISS a/k/a DENISE LEE**, late of Dalton, Lackawanna County, and State of Pennsylvania, deceased, who died on the 17<sup>th</sup> day of December, 2021. Letters of Testamentary having been granted, all persons having claims or demands against the estate of the decedent shall make them known and present them, and all persons indebted to the decedent shall make payment thereof without delay to the Testatrix, Joyce Weiss, 319 Ayla Lane, Dalton, PA 18414, or to Mattes & Mattes, P.C., 324 N. Washington Ave., Scranton, PA 18503.

### **Second Notice**

**ESTATE OF JOHN D. BRONZO a/k/a JOHN BRONZO**, Late of Moscow, Pennsylvania. Notice is hereby given that, in the estate of the decedent set forth below, the Register of Wills has granted letters, testamentary or of administration to the persons named. All persons having claims against said estate are requested to make known the same to them or their attorneys and all persons indebted to said decedent are requested to make payment without delay to the executors or administrators named below. Donna H. McDonald, c/o 310 East Drinker Street, PO Box 175, Dunmore, PA 18512-0175. Executrix. Patrick N. Coleman, Esq., 310 E. Drinker St., PO Box 175, Dunmore, PA 18512-0175.

**RE: ESTATE OF ROBERT CHERRY**, late of Jessup, PA (deceased August 6, 2021). Letters Testamentary in the above estate having been granted, creditors shall make demand and debtors shall make payment to Lauren Cherry, 11550 Old Georgetown Rd., Rockville, MD, Executrix, or to James Christopher Munley, Esquire, Munley Law, Attorney for the Estate, 227 Penn Avenue, Scranton, PA 18503.

**ESTATE OF THOMAS GERRITY, JR.**, Deceased, of 1425 Sloan Street, Scranton, Lackawanna County, PA, died December 6, 2021. Notice is hereby given that Letters Testamentary have been granted in the above Estate. All persons indebted to said Estate are required to make payment; and those having claims or demands are to present the same without delay to Loretta Gerrity, Executrix, 1425 Sloan Street, Scranton, Pennsylvania 18504, or Attorney Paul G. Batyko III, 4113 Birney Avenue, Moosic, Pennsylvania 18507.

**RE: ESTATE OF MICHAEL F. LAWLER**, late of Jessup, Pennsylvania (died January 17, 2022). Notice is hereby given that Letters Testamentary for the Estate of Michael F. Lawler have been issued to James P. McAndrew, Executor of the Estate. All those having claims or demands against the Estate or indebtedness owed to the Estate shall present claims or remit payment without delay to the Executor at 10 W. Valley View Drive, Sugarloaf, PA 18249 or to Robert T. Kelly, Jr., Myers, Brier & Kelly, LLP, Attorney for the Estate, 425 Biden Street, Suite 200, Scranton, PA 18503.

**ESTATE OF MARYANN PATCHOFSKY**, late of Scranton, PA (died 1/19/22), Nicholas Gabello, Sr., Executor. Paul A. Kelly, Jr., Esq.-Attorney. 201 Lackawanna Avenue, Suite 306, Scranton, PA 18503.

**ESTATE OF WARREN ROBERT SHOTTO**, late of Dunmore, Lackawanna County, Pennsylvania (died December 6, 2020). Notice is hereby given that Letters Testamentary for the Estate have been issued to Warren Shotto, Executor of the Estate. All those having claims or demands against the Estate or indebtedness owed to the Estate shall present claims or remit payment without delay to the Administrator, or to John J. McGovern, Jr., Attorney for the Estate, 321 Spruce Street - Suite 201, Scranton, PA 18503.

**ESTATE OF MARK SUMMA**, late of Old Forge, Lackawanna County, Pennsylvania (died January 23, 2022). Notice is hereby given that Letters of Administration for the Estate have been issued to Mary Summa, Administrator of the Estate. All those having claims or demands against the Estate or indebtedness owed to the Estate shall present claims or remit payment without delay to the Administrator, or to John J. McGovern, Jr., Attorney for the Estate, 321 Spruce Street - Suite 201, Scranton, PA 18503.

**ESTATE OF NANCY RUCKER WALLIS**, late of Greenfield Township, Lackawanna County, Pennsylvania (died April 2, 2020). Letters of Administration having been granted, all persons having claims or demands against estate of decedent shall make them known and present them, and all persons indebted to said decedent shall make payment thereof without delay to Jeffrey D. Wallis, Administrator, 124 Lake Avenue, Greenfield Township, Pennsylvania, 18407 or to James J. Gillotti, of Oliver, Price & Rhodes, Attorney for the Estate, 1212 South Abington Road, P.O. Box 240, Clarks Summit, Pennsylvania 18411.

Notice is hereby given that Letters of Administration have been granted in the **ESTATE OF CATHERINE J. ZISKOWSKI**, late of Archbald, Lackawanna County, Commonwealth of Pennsylvania (died October 7, 2021). All persons indebted to the Estate are requested to make payments and all those having claims or demands are to present the same, without delay, to Barbara Amabile, Administratrix of the Estate or Jeffrey W. Nepa, Esquire, Attorney for the Estate, 41 N. Main Street, 4<sup>th</sup> Floor, Carbondale, PA 18407.

## LACKAWANNA JURIST

### Third Notice

#### **IN RE: ESTATE OF PATRICIA HOLLY ACQUINO,**

late of Blakely, Pennsylvania (Died December 09, 2021). Notice is hereby given that Letters Testamentary on the above Estate have been granted to Gerald L. Henry. All persons indebted to the said Estate are required to make payment and those having claims to present the same without delay to the Executor named above or to Eugene Daniel Lucas, Esquire, 1425 Green Ridge Street, Dunmore, PA 18509.

**ESTATE OF WILLIAM L. CAREY,** late of City of Scranton, Lackawanna County, Pennsylvania, deceased. Letters Testamentary in the above named estate having been granted to the undersigned, all persons indebted to the estate are requested to make immediate payment, and those having claims are directed to present the same without delay to the undersigned or his attorney within four months from the date hereof and to file with the Clerk of the Court of Common Pleas of the Thirty-Fifth Judicial District, Orphans' Court Division, a particular statement of claim, duly verified by an Affidavit setting forth an address within the County where notice may be given to Claimant. Kenneth Carey, Executor, 133 Woodcrest Boulevard, Stroudsburg, PA 18360. Elizabeth Bensinger Weekes, Esquire, Bensinger and Weekes, LLC, 529 Sarah Street, Stroudsburg, PA 18360.

**ESTATE OF ANN L. DAVIS A/K/A ANN LIEGEY DAVIS,** late of South Abington Township, Lackawanna County, Pennsylvania (died January 3, 2022). Letters Testamentary having been granted, all persons having claims or demands against estate of decedent shall make them known and present them, and all persons indebted to said decedent shall make payment thereof without delay to James Davis, Executor, 137 Clark Street, Clarks Green, Pennsylvania 18411, or to James J. Gillotti, of Oliver, Price, & Rhodes, Attorney for the Estate, 1212 South Abington Road, P.O. Box 240, Clarks Summit, Pennsylvania 18411.

**IN RE: ESTATE OF ANN C. DROUSE,** late of Scranton, Pennsylvania (Died December 06, 2021). Notice is hereby given that Letters Testamentary on the above Estate have been granted to David T. Drouse. All persons indebted to the said estate are required to make payment and those having claims to present the same without delay to the Executor named above or to Eugene Daniel Lucas, Esquire, 1425 Green Ridge Street, Dunmore, PA 18509.

**ESTATE OF BONNIE EMERSON** late of Madison Township, Pennsylvania (Died November 22, 2021). Letters of Administration have been granted to Brian K. Emerson, Neil T. Emerson, and Kevin J. Emerson, Co-Administrators. All persons having claims against the Estate or indebted to the Estate shall make payment or present claims to Douglas P. Thomas, Attorney for the Estate, 345 Wyoming Avenue, Suite 200, Scranton, PA 18503.

**ESTATE OF BERNADINE V. FULL, DECEASED,** late of 26 CHERRY COURT, CLIFTON TWP., PA 18424, (Died NOVEMBER 23, 2021). RUSSELL FULL, Executor; Dante A. Cancelli, Suite 260, 125 North Washington Ave., Scranton, Pennsylvania 18503, Attorney.

#### **ESTATE OF DIANE MARIE GINSBURGH A/K/A**

**DIANE GINSBURGH,** late of Scranton, Lackawanna County, Pennsylvania (died December 20, 2021). Letters Testamentary having been granted, all persons having claims or demands against estate of decedent shall make them known and present them, and all persons indebted to said decedent shall make payment thereof without delay to Denise Kern, Executor, 16 Parkland Drive, South Abington Township, Pennsylvania 18411 or to Jenna Kraycer Tuzze, of Oliver, Price & Rhodes, Attorney for the Estate, 1212 South Abington Road, P.O. Box 240, Clarks Summit, Pennsylvania 18411.

**ESTATE OF JACQUELINE E. HAWKINS a/k/a JACQUELINE HAWKINS,** late of Covington Township, Lackawanna County, PA (September 8, 2021). Notice is hereby given that Letters Testamentary on the above Estate have been granted to Terri Proctor. All persons indebted to the said estate are required to make payment and those having claims to present the same without delay to the Executrix named above or to Timothy B. Fisher II, Esquire, Fisher & Fisher Law Offices LLC, Attorneys for the Estate, 525 Main Street, PO Box 396, Gouldsboro, PA 18424.

**ESTATE OF GEORGE A. REIHNER,** Deceased. Late of Scranton Borough, Lackawanna County, PA. Letters Testamentary on the above Estate have been granted to the undersigned, who request all persons having claims or demands against the estate of the decedent to make known the same and all persons indebted to the decedent to make payment without delay to Janet R. Schoepfer, 305 E. 95<sup>th</sup> St., Apt. G-6, New York, NY 10128 & George Allan Reihner, 6246 Orchard Ln., Cincinnati, OH 45213, Executors. Or to their Atty.: Latisha Bernard Schuenemann, Barley Snyder LLP, 2755 Century Blvd., Wyomissing, PA 19610.

**ESTATE OF LAURIE A. SCHULER,** late of Scranton, Lackawanna County, Pennsylvania. Letters of Administration on the above estate having been granted to Cheryl Williams, all persons indebted to the said estate are requested to make payment, and those having claims to present the same without delay to her c/o Joseph Kosierowski, Esq. 400 Broad Street, Milford, Pennsylvania 18337.

Notice is hereby given, that letters testamentary have been granted in the **ESTATE OF JOHN J. WALL,** deceased, 304 Schoolsides Drive, Throop, PA 18512 who died October 2, 2021. All persons indebted to the said Estate are requested to make immediate payment and those having claims shall present them for settlement to: Lois A. Wall, Executrix, c/o James T. Mulligan, Jr., Esq., 3703 Birney Avenue, Moosic, PA 18507.

#### **FICTITIOUS NAME**

Notice is hereby given that an Application for Registration of Fictitious Name was filed in the Department of State of the Commonwealth of Pennsylvania on December 15, 2021 for **Amberlight Farms** at 259 N. Gravel Pond Rd., Clarks Summit, PA 18411. The name and address of each individual interested in the business is Blake Belleman at 259 N. Gravel Pond Rd., Clarks Summit, PA 18411. This was filed in accordance with 54 Pa.C.S. 311.417. T-1

**LACKAWANNA JURIST**

**ACTION TO QUIET TITLE**

TO: RICHARD OWENS, JEAN M. OWENS, NANCY PENDERGAST, their heirs, devisees, person representatives, and assigns, and all persons claiming by, from, through or under them.

YOU ARE NOTIFIED THAT ENTRE-NOUS, LLC, has commenced an Action to Quiet Title in the Court of Common Pleas of Lackawanna County, Pennsylvania, filed to No. 22-CIV-0583, which you are required to defend, setting for that it is the owner of the following described lands:

All that certain piece of land situate in the City of Scranton, County of Lackawanna, State of Pennsylvania, being Lot No. Sixteen (16) in square or Block "L" on the map of Hartranff's re-alotment of Block "L" and "M" of Williams Addition to the City of Scranton, which map is duly recorded in the Recorder of Deeds Office in and for Lackawanna County in Map Book 1 at page 88; said lot being Thirty-Two and One-Half (32 1/2) feet wide in front on the Northeasterly side of Depot Street; Eighty (80) feet in depth and rectangular in shape. Being a portion of Lots numbers one and two in Block "L" on Williams' Addition to the City of Scranton, map of which is intended to be duly recorded. The lot hereby conveyed being the westerly one-half (1/2) of the premises conveyed by Paragon Plaster and Supply Company to Richard I. Owens and Loretta S. Owens, his wife, by deed dated December 15, 1914 and recorded in the Office for the Recording of Deeds, etc., in and for Lackawanna County in Deed Book 270 at page 406.

Subject to the same conditions, covenants, reservations, restrictions and exceptions as are contained in deeds in the prior line of title.

Last Assessed Owner is ADVANCED CONSULTING, INC., Map No. 135. 10-040-029.

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.

Northern Pennsylvania Legal Service, Inc.  
33 North Main Street, Suite 200  
Pittston, PA 18640  
Phone: (570) 342-0184

Lawyer Referral Service  
Lackawanna Bar Association  
233 Penn Avenue  
Scranton, PA 18503  
(570) 969-9161 T-1

**NOTICE**

**IN THE COURT OF COMMON PLEAS  
OF LACKAWANNA COUNTY, PENNSYLVANIA  
WELLS FARGO BANK, N.A. :**

Plaintiff : **CIVIL DIVISION**

:  
v. : **No.: 2021-05493**

:  
:

**ROCHELLE COXE A/K/A ROCHELLE M. COXE A/K/A  
ROCHELLE FERRARO-COXE, IN HER CAPACITY AS  
HEIR OF CHARLES J. COXE, DECEASED; UNKNOWN  
HEIRS, SUCCESSORS, ASSIGNS, AND ALL PERSONS,  
FIRMS, OR ASSOCIATIONS CLAIMING RIGHT, TITLE OR  
INTEREST FROM OR UNDER CHARLES J. COXE,  
DECEASED**

Defendant(s)

**NOTICE**

NOTICE TO:  
UNKNOWN HEIRS, SUCCESSORS, ASSIGNS, AND ALL PERSONS, FIRMS, OR ASSOCIATIONS CLAIMING RIGHT, TITLE OR INTEREST FROM OR UNDER CHARLES J. COXE, DECEASED

You are hereby notified that on December 20, 2021, Plaintiff, WELLS FARGO BANK, N.A. filed a Complaint against you in the Court of Common Pleas of LACKAWANNA County, Pennsylvania, Docket No. 2021-05493, wherein Plaintiff seeks to enforce its rights under its loan documents. 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 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 INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

North Penn Legal Services  
33 North Main Street, Ste 200  
Pittston, PA 18640  
Telephone: 570-299-4100

BROCK & SCOTT, PLLC  
Attorney for Plaintiff  
(844)856-6646 T-1

# LACKAWANNA JURIST

## NOTICE

CIVIL ACTION  
COURT OF COMMON PLEAS  
LACKAWANNA COUNTY, PA  
CIVIL ACTION-LAW  
NO. 2021-05524  
NOTICE OF ACTION IN MORTGAGE FORECLOSURE  
BANK OF AMERICA, N.A, Plaintiff

v.

LEE G. POWELL, JR., IN HIS CAPACITY AS HEIR OF LEE POWELL; JASON POWELL, IN HIS CAPACITY AS HEIR OF LEE POWELL; UNKNOWN HEIRS, SUCCESSORS, ASSIGNS AND ALL PERSONS, FIRMS OR ASSOCIATIONS CLAIMING RIGHT, TITLE OR INTEREST FROM OR UNDER LEE POWELL, Defendants

To: UNKNOWN HEIRS, SUCCESSORS, ASSIGNS AND ALL PERSONS, FIRMS OR ASSOCIATIONS CLAIMING RIGHT, TITLE OR INTEREST FROM OR UNDER LEE POWELL Defendant(s), 122 MAPLE STREET MOSCOW, PA 18444  
COMPLAINT IN MORTGAGE FORECLOSURE

You are hereby notified that Plaintiff, BANK OF AMERICA, N.A, has filed a Mortgage Foreclosure Complaint endorsed with a Notice to Defend, against you in the Court of Common Pleas of LACKAWANNA County, PA docketed to No. 2021-05524, seeking to foreclose the mortgage secured on your property located, 122 MAPLE STREET MOSCOW, PA 18444.

### NOTICE

YOU HAVE BEEN SUED IN COURT. If you wish to defend against the claims set forth in this notice you must take action within twenty (20) days after the Complaint and Notice are served, by entering a written appearance personally or by attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. 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 any money claimed in the Complaint or for any other claim or 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 THE INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

Northeastern Pennsylvania Legal Services  
33 N. Main Street  
Suite 200  
Pittston, PA 18640  
570-299-4100

Robertson, Anschutz, Schneid, Crane & Partners, PLLC  
A Florida professional limited liability company  
ATTORNEYS FOR PLAINTIFF  
Jenine Davey, Esq. ID No. 87077  
133 Gaither Drive, Suite F  
Mt. Laurel, NJ 080 T-1