

# Lebanon County Legal Journal

The official legal periodical for Lebanon County  
containing the decisions rendered in the 52nd Judicial District

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Vol. 51

Lebanon, Pennsylvania, May 14, 2014

No. 33

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**Paul W. Kilgore, Esq., Chairman**

**C. Walter Whitmoyer, Jr., Esq., Editor**

**Stephanie Axarlis, Esq., Editor**

**DECEDENTS' ESTATES**

**NOTICE IS HEREBY GIVEN** that Letters Testamentary or of Administration have been granted in the following estates. All persons indebted to the said estate are required to make payment, and those having claims or demands to present the same without delay to the administrators or executors named.

**FIRST PUBLICATION**

**ESTATE OF ELIZABETH B. CLARK**, late of Cornwall Borough, Lebanon County, PA, deceased. Letters Testamentary have been granted to the undersigned Executor.

Timothy D. Sheffey, Esquire, Executor  
Reilly, Wolfson, Sheffey, Schrum and  
Lundberg LLP  
1601 Cornwall Road  
Lebanon PA 17042

**ESTATE OF CHARLES W. EISENHAUER**, late of Myerstown Borough, Lebanon County, PA, deceased. Letters Testamentary have been granted to the undersigned Executors.

Fay M. Burkholder, Co-Executor  
318 S. Railroad Street  
Myerstown PA 17067

Charla K. Bishop, Co-Executor  
18098 White Oak Court, G26  
Lewes DE 19958

Kenneth C. Sandoe, Esquire  
Steiner, Sandoe and Cooper, Attorneys

**ESTATE OF ANNA E. GERLACH**, late of Palmyra, Lebanon County, PA, deceased. Letters Testamentary have been granted to the undersigned Executor.

Jonathan A. Gerlach, Executor  
809 Charlotte Street  
Fredericksburg VA 22401

**SECOND PUBLICATION**

**ESTATE OF THERESA M. BENTZEL**, late of Myerstown, Lebanon County, PA, deceased. Letters Testamentary have been granted to the undersigned Executrix.

Beverly A. Kinard, Executrix

c/o Edmund G. Hauff, Esquire  
640 Hamilton Mall, Suite 301  
Allentown PA 18101-2180

**ESTATE OF RICHARD P. CLAY**,  
late of North Lebanon Township,  
Lebanon County, PA, deceased. Letters  
Testamentary have been granted to the  
undersigned Executors.

Steven P. Clay, Executor  
9 Eve Avenue  
Lebanon PA 17046

Craig J. Null, Executor  
307 West Carpenter Avenue  
Myerstown PA 17067

John D. Enck, Esquire  
Spitler, Kilgore & Enck, PC  
522 South Eighth Street  
Lebanon PA 17042  
Attorney

**ESTATE OF GRACE C. KELCHNER**,  
late of Myerstown Borough, Lebanon  
County, PA, deceased. Letters Testamentary  
have been granted to the undersigned  
Executors.

Roger L. Kelchner, Executor  
8 Deck Road  
Myerstown PA 17067

Ronald L. Kelchner, Executor  
143 Hock Road  
Oley PA 19547

**ESTATE OF FRANK R. KIRCHNER**,  
late of Lebanon County, PA, deceased.  
Letters Testamentary have been granted to  
the undersigned Co-Executors.

Loretta Gutshall, Co-Executor  
603 Mayflower Drive  
Myerstown PA 17067

David Kirchner, Co-Executor  
222 Carpenter Avenue  
Myerstown PA 17067

Timothy J. Huber, Esquire  
Buzgon Davis Law Office  
525 South Eighth Street  
Lebanon PA 17042

**ESTATE OF JOSEPH W. KUNDER II**  
a/k/a Joseph W. Kunder Sr. a/k/a Joseph W.  
Kunder, late of North Lebanon Township,  
Lebanon County, PA, deceased. Letters  
Testamentary have been granted to the  
undersigned Executor.

Joseph W. Kunder, Executor

c/o Meaghan Shirk, Esquire  
Sullivan, Sullivan and Snelling PC  
242 South Eighth Street  
Lebanon PA 17042

**ESTATE OF MARGUERITE LASCH**, late of Lebanon County, PA, deceased. Letters Testamentary have been granted to the undersigned Executrix.

Donna A. Zeller, Executrix  
14 Maple Lane  
Myerstown PA 17067

David R. Warner, Esquire  
Buzgon Davis Law Office  
525 South Eighth Street  
Lebanon PA 17042

**ESTATE OF JEAN GODLEY LITTLEFIELD**, late of Jackson Township, Lebanon County, PA, deceased. Letters Testamentary have been granted to the undersigned Co-Executors.

Janice L. Taylor, Co-Executor  
524 N. Market Street  
Myerstown PA 17067

Bruce G. Littlefield, Co-Executor  
542 Bertolet Mill Road  
Oley PA 19547

Samuel G. Weiss, Jr., Esquire  
Weiss, Weiss & Weiss

**ESTATE OF RICHARD E. REB**, late of Union Township, Lebanon County, PA, deceased. Letters of Administration have been granted to the undersigned Administrator.

John E. Reb, Administrator  
1024 Oak Knoll Drive  
Harrisburg PA 17111

Kenneth C. Sandoe, Esquire  
Steiner, Sandoe & Cooper, Attorneys

**ESTATE OF MARTIN N. SHUEY**, late of Lebanon County, PA, deceased. Letters Testamentary have been granted to the undersigned Executrix.

Kathy Gerlach, Executrix  
2111 Kline Street  
Lebanon PA 17042

Edward J. Coyle, Esquire  
Buzgon Davis Law Office  
525 South Eighth Street  
Lebanon PA 17042

**ESTATE OF CATHERINE C. SIMONE,**  
late of Lebanon County, PA, deceased.  
Letters Testamentary have been granted to  
the undersigned Executrix.

Ninetta Dickerson, Executrix  
151 West Durham Street  
Philadelphia PA 19119

Edward J. Coyle, Esquire  
Buzgon Davis Law Office  
525 South Eighth Street  
Lebanon PA 17042

**ESTATE OF ROMAINE A. SMITH**  
a/k/a Romaine H. Smith, late of North  
Londonderry Township, Lebanon County,  
PA, deceased. Letters Testamentary have  
been granted to the undersigned Executor.

James Meyer, Executor  
246 Harvey Road  
Hershey PA 17033

Gerald J. Brinser, Esquire  
Attorney

**ESTATE OF WALTER G. STEELE,**  
late of Mt. Gretna, Lebanon County, PA,  
deceased. Letters Testamentary have been  
granted to the undersigned Executrix.

Deborah Ramsey, Executrix  
c/o Barbara Suple-Sullivan, Esquire  
549 Bridge Street  
New Cumberland PA 17070

**PHYLLIS A. WASSERMAN  
REVOCABLE TRUST,** Phyllis A.  
Wasserman, Trustee, late of Lebanon PA,  
deceased. Lynn B. Levengood and Neal B.  
Levengood, Successor Co-Trustees of the  
Phyllis A. Wasserman Revocable Trust,  
state that they are Successor Co-Trustees  
of the Phyllis A. Wasserman Revocable  
Trust, and all persons indebted to the trust  
are requested to make payment, and those  
having claims to present the same, without  
delay, to:

Anthony J. Fitzgibbons, Esquire  
279 North Zinn's Mill Road, Suite D  
Lebanon PA 17042

### **THIRD PUBLICATION**

**ESTATE OF GLADYS G. GARRISON,**  
late of South Londonderry Township,  
Lebanon County, PA, deceased. Letters  
Testamentary have been granted to the  
undersigned Executor.

Violet M. Fackler, Executor  
1954 Laudermilch Road  
Palmyra PA 17078

Or to  
Jean D. Seibert, Esquire  
Caldwell & Kearns PC  
3631 North Front Street  
Harrisburg PA 17110

**ESTATE OF LEROY C. RENNINGER**,  
late of Lebanon City, Lebanon County,  
PA, deceased. Letters Testamentary have  
been granted to the undersigned Executor.

Suzanne L. Whitman, Executor  
2 Oak Tree Lane  
Myerstown PA 17067

Or to  
Sean J. O'Brien, Esquire  
Mogel, Speidel, Bobb & Kershner  
520 Walnut Street  
Reading PA 19601-3406

**ESTATE OF ERNEST A. WALTERS**,  
late of Lebanon County, PA, deceased.  
Letters of Administration have been  
granted to the undersigned Administrator.

Lori A. Shutt, Administrator  
103 South Manheim Street  
Annville, PA 17003

Daryl J. Gerber, Esquire,  
The Law Office of Daryl J. Gerber  
46 E. Main Street  
Palmyra, PA 17078

**ESTATE OF JEAN B. WENGERT**, late  
of Jackson Township, Lebanon County,  
PA, deceased. Letters Testamentary have  
been granted to the undersigned Executor.

Robert H. Wengert, Sr., Executor  
28 Katy Lane  
Myerstown PA 17067

Kenneth C. Sandoe, Esquire  
Steiner, Sandoe & Cooper, Attorneys

## **NOTICE OF PETITION FOR NAME CHANGE**

Civil Law Action No. 2014-00820, in  
the Court of Common Pleas of Lebanon  
County, PA. Nature of Action: This is a  
court proceeding requesting that the court  
enter an order declaring that the name of  
the above-named individual be changed  
from **Rebecca Elizabeth Diaz-Jimenez  
to Rebecca Elizabeth Diaz**. The hearing  
in the Petition has been scheduled to take  
place on May 30, 2014, at 1:30 p.m. in  
Courtroom No. 2 of the Lebanon County  
Court of Common Pleas, located at 400  
South Eighth Street, Lebanon PA 17042.

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 (20) days of this notice. 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, or  
cannot afford one, go to or telephone the  
office set forth below to find out where  
you can get legal help.

MidPenn Legal Services  
513 Chestnut Street  
Lebanon PA 17042  
717-274-2834

**NOTICE OF FILING OF ADOPTION  
PETITION**

**In The General Court Of Justice District  
Court Division, Cumberland County,  
North Carolina, File No.: 14SP608**

In The Matter Of: Elijah Peter Almestica  
Suzanne Boice Lotito, Petitioner  
John Doe, Respondent  
TO: Unknown Father John Doe:

**NOW COMES** Petitioner, **Suzanne Boice  
Lotito**, and the Court pursuant to  
N.C.G.S. § 48-2-401 and hereby makes  
notice to the Respondent, John Doe, the  
following:

**Jennifer Leigh Lotito**, the biological mother, gave birth to a male child, Elijah Peter Almestica, on December 8, 2007, in Fayetteville, North Carolina. You have been identified as the biological father. The biological mother states that conception of the minor child occurred during an encounter at a party in Lebanon County, Pennsylvania sometime around March 3, 2007. It is the intent of the biological mother to have the maternal grandmother adopt the minor child. It is her belief that your consent to the adoption is not required. If you believe your consent to the adoption of this child by the maternal grandmother is required pursuant to G.S. § 48-2-401, you must notify the Court in writing no later than 40 days from the date you received this notice that you believe your consent is required. A copy of your notice to the Court must be sent to Jodi P. Carpenter, Attorney at Law, 309 Person

Street, Fayetteville, North Carolina 28301. You have 40 days from the date of the first publication of this Notice to respond in writing to the Clerk of Court, Cumberland County, P.O. Box 363, Fayetteville, North Carolina 28302, after service of this notice if you believe that your consent is required in order to participate in and receive further notice of a proceeding, including any notice of the time and place of any hearing. If you fail to do so within the specified time, the Court will rule that your consent is not required.

This 23<sup>rd</sup> day of April, 2014  
Jodi P. Carpenter Of  
Smith, Dickey, Dempster, Carpenter,  
Harris & Jordan, P.A.  
Attorney for Petitioner  
309 Person Street  
Fayetteville, NC 28301  
910-484-8195

**NOTICE OF ACTION IN MORTGAGE  
FORECLOSURE**

**In the Court of Common Pleas of  
Lebanon County, PA, Civil Action No.  
2014-00164.**

**Wells Fargo Bank, N.A. S/B/M to  
Wachovia Bank, N.A., Plaintiff**

vs.

**John Dullebawn, in his capacity as  
Administrator and Heir of the estate  
of Vincent K. Helms, unknown heirs,  
successors, assigns and all persons,  
firms, or associations claiming right,  
title or interest from or under Vincent  
K. Helms, deceased, Defendants**

To: Unknown heirs, successors, assigns and all persons, firms, or associations claiming right, title or interest from or under Vincent K. Helms, deceased. You are hereby notified that on January 27, 2014, Plaintiff, Wells Fargo Bank, N.A. S/B/M to Wachovia Bank, N.A., filed a Mortgage Foreclosure Complaint endorsed with a Notice to Defend, against you in the Court of Common Pleas of Lebanon County, PA, docketed to No. 2014-00164. Wherein Plaintiff seeks to foreclose on the mortgage secured on your property located at **7 Aspen Way, Lebanon PA 17046-1865** whereupon your property would be sold by the Sheriff of Lebanon County. You are hereby notified to plead to the above referenced complaint on or before 20 days from the date of this publication

or a judgment will be entered against you. 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, or cannot afford one, go to or telephone the office set forth below. This office can provide you with information about hiring 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.

MidPenn Legal Services  
513 Chestnut Street  
Lebanon PA 17042  
717-274-2834







**SHERIFF'S SALE OF VALUABLE REAL ESTATE**

BY VIRTUE OF WRITS OF EXECUTION ISSUED OUT OF THE COURT OF COMMON PLEAS OF LEBANON COUNTY, PENNSYLVANIA, TO ME DIRECTED, WILL BE EXPOSED TO PUBLIC SALE ON JUNE 10, 2014 at 10:00 A.M., in the Lebanon County Municipal Building, Room #12, (Auditorium/Basement), 400 South Eighth Street, Lebanon, PA 17042. The Following Described Real Estate to wit:

BRUCE E. KLINGLER,  
Sheriff of Lebanon County

**Sale No. 1**

Plaintiff: Wells Fargo Bank, N.A.

Defendant: Katherine L. White

Attorney for Plaintiff:  
Phelan Hallinan, LLC  
Jonathan Lobb, Esquire  
One Penn Center at Suburban Station  
1617 JFK Blvd., Suite 1400  
Philadelphia, PA 19103  
(215) 563-7000

Judgment Amount: \$98,960.01  
Execution No. 2013-02225

GIS: 01:2339611-368179  
Property known as:  
224 South 5<sup>th</sup> Street, a/k/a  
225 South Fifth Street  
Lebanon, PA 17042

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**Sale No. 3**

Plaintiff: JPMorgan Chase Bank, National Association

Defendant: Shirley Farias

Attorney for Plaintiff:  
KML Law Group, P.C.  
Salvatore Filippello, Esquire  
BNY Mellon Independence Center  
701 Market Street, Suite 5000  
Philadelphia, PA 19106-1532  
(215) 627-1322

Judgment Amount: \$161,955.56  
Execution No. 2013-02231

GIS: 11:2323944-366705  
Property known as:  
43 Rosemont Drive  
Myerstown, PA 17067

---

**Sale No. 4**

Plaintiff: Jonestown Bank and Trust  
Company

Defendant: Doris M. Rivera

Attorney for Plaintiff:  
Reilly Wolfson Law Offices  
Paul C. Bametzreider, Esquire  
1601 Cornwall Road  
Lebanon, PA 17042  
(717) 273-3733

Judgment Amount: \$28,545.87  
Execution No. 2013-02401

GIS: 05:2338927-372228

Property known as:  
469 New Street  
Lebanon, PA 17046

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**Sale No. 5**

Plaintiff: Donald C. Wanamaker

Defendant: Billy Joe Zohner and  
Chantelle L. Gerhart

Attorney for Plaintiff:  
Reilly Wolfson Law Offices  
Magdalene C. Zeppos, Esquire  
1601 Cornwall Road  
Lebanon, PA 17042  
(717) 273-3733

Judgment Amount: \$117,459.34  
Execution No. 2013-02297

GIS: 33:2311463-416842

Property known as:  
15 Clearview Lane  
Jonestown, PA 17038

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**Sale No. 6**

Plaintiff: PHH Mortgage Corporation

Defendant: Kevin A. Kline

Attorney for Plaintiff:  
Phelan Hallinan, LLC  
Jonathan Lobb, Esquire  
One Penn Center at Suburban Station  
1617 JFK Blvd., Suite 1400  
Philadelphia, PA 19103  
(215) 563-7000

Judgment Amount: \$174,062.94  
Execution No. 2013-02405

GIS: 16:2288888-355618

Property known as:  
405 West Cherry Street  
Palmyra, PA 17078

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**Sale No. 7**

Plaintiff: Bank of America, N.A., as  
Successor by Merger to BAC Home Loans  
Servicing, LP f/k/a Countrywide Home  
Loans Servicing, LP

Defendant: Sandra M. Fisher and  
Timothy A. Fisher

Attorney for Plaintiff:  
Phelan Hallinan, LLC  
Jonathan Lobb, Esquire  
One Penn Center at Suburban Station  
1617 JFK Blvd., Suite 1400  
Philadelphia, PA 19103  
(215) 563-7000

Judgment Amount: \$179,441.60  
Execution No. 2013-01820

GIS: 33:2317356-392867  
Property known as:  
70 Camp Meeting Road  
Jonestown, PA 17038

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**Sale No. 8**

Plaintiff: Wells Fargo Bank, N.A.

Defendant: Irvin M. Low, in his capacity  
as Executor and Devisee of the Estate  
of George E. Low, Unknown Heirs.  
Successors. Assigns, and all Persons,  
Firms, or Associations. Claiming Right  
Title or Interest from or Under George E.  
Low, Deceased

Attorney for Plaintiff:  
Phelan Hallinan, LLC

Jonathan Lobb, Esquire  
One Penn Center at Suburban Station  
1617 JFK Blvd., Suite 1400  
Philadelphia, PA 19103  
(215) 563-7000

Judgment Amount: \$111,475.65  
Execution No. 2013-00806

GIS: 08:2344326-367233  
Property known as:  
438 Bechwood Avenue  
Lebanon, PA 17042

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**Sale No. 10**

Plaintiff: Citimortgage, Inc., successor by  
merger with Citibank, N.A. successor by  
merger with Citicorp Trust Bank, FSB

Defendant: Todd M. Raymond and Tina  
M. Rueppel-Raymond

Attorney for Plaintiff:  
Millstead & Associates  
Robert W. Williams, Esquire  
1 East Stow Road  
Marlton, NJ 08053

Judgment Amount: \$102,875.46  
Execution No. 2013-02139

GIS: 02:2334134-367623  
Property known as:  
1570 Walnut Street  
Lebanon, PA 17042

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**Sale No 11**

Plaintiff: Bank of America, N.A.,  
Successor by Merger to BAC Home Loans  
Servicing, LP FKA Countrywide Home  
Loans Servicing, LP

Defendant: Donald W. Clemens and  
Sandra J. Clemens

Attorney for Plaintiff:  
Phelan Hallinan, LLC  
Jonathan Lobb, Esquire  
One Penn Center at Suburban Station  
1617 JFK Blvd., Suite 1400  
Philadelphia, PA 19103  
(215) 563-7000

Judgment Amount \$146,802.84  
Execution No. 2010-02549

GIS: 17:2383324-380136  
Property known as:  
310 Chestnut Street  
Richland, PA 17087

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**Sale No. 12**

Plaintiff: Wells Fargo Bank, N.A.

Defendant: Angelica O. Hernandez and  
David Hernandez

Attorney for Plaintiff:  
Phelan Hallinan, LLC  
Jonathan Lobb, Esquire  
One Penn Center at Suburban Station  
1617 JFK Blvd., Suite 1400  
Philadelphia, PA 19103  
(215) 563-7000

Judgment Amount: \$169,346.56  
Execution No. 2013-02232

GIS: 24:2400845-373247  
Property known as:  
100 Edgemont Lane  
Newmanstown, PA 17073

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**Sale No. 13**

Plaintiff: M & T Bank

Defendant: The Unknown Heirs of Robert  
E. White, Deceased, Robin White, Solely  
in her Capacity of Heir of Robert E. White,  
Deceased

Attorney for Plaintiff:  
KML Law Group, P.C.  
Salvatore Filippello, Esquire  
BNY Mellon Independence Center  
701 Market Street, Suite 5000  
Philadelphia, PA 19106-1532  
(215) 627-1322

Judgment Amount: \$35,973.79  
Execution No. 2013-01258

GIS: 02:2336790-368387  
Property known as:  
121 South 11<sup>th</sup> Street  
Lebanon, PA 17042

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**Sale No. 15**

Plaintiff: PNC Bank, National Association,  
Successor by Merger to National City  
Mortgage, a Division of National City  
Bank

Defendant: Jose A. Kuilan

Attorney for Plaintiff:  
KML Law Group, P.C.  
Salvatore Filippello, Esquire  
BNY Mellon Independence Center  
701 Market Street, Suite 5000  
Philadelphia, PA 19106-1532  
(215) 627-1322

Judgment Amount: \$108,799.22  
Execution No. 2013-02456

GIS: 03:2336876-369814  
Property known as:  
121 North 10<sup>th</sup> Street  
Lebanon, PA 17046

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**Sale No. 16**

Plaintiff: PNC Bank, National Association

Defendant: Michael S. Bowman

Attorney for Plaintiff:  
KML Law Group, P.C.  
Salvatore Filippello, Esquire  
BNY Mellon Independence Center  
701 Market Street, Suite 5000  
Philadelphia, PA 19106-1532  
(215) 627-1322

Judgment Amount: \$141,174.70  
Execution No. 2013-02450

GIS: 02:2336834-364810  
Property known as:  
817 South 12<sup>th</sup> Street  
Lebanon, PA 17042

---

**Sale No. 17**

Plaintiff: PHH Mortgage Corporation,  
f/k/a Cendant Mortgage Corporation, d/b/a  
PHH Mortgage Services

Defendant: Kelly J. Dibello

Attorney for Plaintiff:  
Phelan Hallinan, LLC  
Jonathan Lobb, Esquire  
One Penn Center at Suburban Station  
1617 JFK Blvd., Suite 1400  
Philadelphia, PA 19103  
(215) 563-7000

Judgment Amount: \$100,843.60  
Execution No. 2011-00812

GIS: 33:2316658-399783  
Property known as:  
4063 North Route 72 a/k/a  
2614 State Route 72  
Jonestown, PA 17038

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**Sale No. 18**

Plaintiff: Bank of America, N.A. as  
Successor by Merger to BAC Home Loans  
Servicing, LP f/k/a Countrywide Home  
Loans Servicing, LP

Defendant: Matthew L. Lee

Attorney for Plaintiff:  
Phelan Hallinan, LLC  
Jonathan Lobb, Esquire  
One Penn Center at Suburban Station  
1617 JFK Blvd., Suite 1400  
Philadelphia, PA 19103  
(215) 563-7000

Judgment Amount: \$69,506.46  
Execution No. 2013-00493

GIS: 05:2338193-372332  
Property known as:  
523 North Chapel Street a/k/a  
523 Chapel Street  
Lebanon, PA 17046

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**Sale No. 19**

Plaintiff: The Bank of New York Mellon  
Trust Company, N.A., as Trustee on Behalf  
of CWABS Asset-Backed Certificates  
Trust 2005-6

Defendant: Karl Sics

Attorney for Plaintiff:  
Law Offices of Gregory Javardian  
Gregory Javardian, Esquire  
1310 Industrial Boulevard

1<sup>st</sup> Floor, Suite 101  
Southampton, PA 18966  
(215) 942-9690

Judgment Amount: \$163,650.60  
Execution No. 2013-00969

GIS: 27:2336943-377240  
Property known as:  
855 Jay Street  
Lebanon, PA 17046

---

**Sale No. 20**

Plaintiff: PHH Mortgage Corporation

Defendant: Hector M. Class and  
Jennifer Cabasquini

Attorney for Plaintiff:  
Phelan Hallinan, LLC  
Jonathan Lobb, Esquire  
One Penn Center at Suburban Station  
1617 JFK Blvd., Suite 1400  
Philadelphia, PA 19103  
(215) 563-7000

Judgment Amount: \$76,060.27  
Execution No. 2012-01178

GIS: 07:2336235-371588  
Property known as:  
415 North 11<sup>th</sup> Street  
Lebanon, PA 17046

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**Sale No. 21**

Plaintiff: Wells Fargo Bank, N.A.

Defendant: Hamid Housni

Attorney for Plaintiff:  
Phelan Hallinan, LLC  
Jonathan Lobb, Esquire  
One Penn Center at Suburban Station  
1617 JFK Blvd., Suite 1400  
Philadelphia, PA 19103  
(215) 563-7000

Judgment Amount: \$121,386.44  
Execution No. 2013-02112

GIS: 26:2332729-367891  
Property known as:  
1841 Center Street  
Lebanon, PA 17042

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**Sale No. 22**

Plaintiff: Deutsche Bank National Trust  
Company, as Trustee for Morgan Stanley  
Home Equity Loan Trust 2005-3, Mortgage  
Pass-Through Certificates, Series 2005-3

Defendant: Nicole A. Cruci and  
John M. Kearney

Attorney for Plaintiff:  
Phelan Hallinan, LLC  
Jonathan Lobb, Esquire  
One Penn Center at Suburban Station  
1617 JFK Blvd., Suite 1400  
Philadelphia, PA 19103  
(215) 563-7000

Judgment Amount: \$213,819.11  
Execution No. 2012-01522

GIS: 28:2294346-354675  
Property known as:  
510 Buttonwood Street  
Palmyra, PA 17078

---

**Sale No. 23**

Plaintiff: First National Bank of  
Fredericksburg

Defendant: Glenn D. Weaver and  
Sharon L. Weaver

Attorney for Plaintiff:  
Spitler, Kilgore & Enck  
Paul W. Kilgore, Esquire  
522 South 8<sup>th</sup> Street  
Lebanon, PA 17042  
(717) 273-7621

Judgment Amount: \$66,397.06  
Execution No. 2013-02558

GIS: 19:2335727-417151  
Property known as:  
59 Ulsh Lane  
Fredericksburg, PA 17026

---

**Sale No. 24**

Plaintiff: The Bank of New York Mellon  
fka The Bank of New York as Trustee for  
the Certificateholders of the CWABS, Inc.,  
Asset-Backed Certificates, Series 2006-5

Defendant: Jonathan M. Yordy

Attorney for Plaintiff:  
Milstead & Associates, LLC  
Robert W. Williams, Esquire  
1 E. Stow Road  
Marlton, NJ 08053  
(856) 482-1400

Judgment Amount: \$194,433.13  
Execution No. 2011-01716

GIS: 32:2320467-389479  
Property known as:  
2216 North Route 72  
Lebanon, PA 17046

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**Sale No. 25**

Plaintiff: JPMorgan Chase Bank, National  
Association

Defendant: Donald L. Aller

Attorney for Plaintiff:  
Shapiro & DeNardo, LLC  
Bradley J. Osborne, Esquire  
3600 Horizon Drive, Suite 150  
King of Prussia, PA 19406  
(610) 278-6800

Judgment Amount: \$ 79,014.93  
Execution No. 2014-00153

GIS: 01:2340759-368625

Property known as:  
209 Walnut Street  
Lebanon, PA 17042

GIS: 01:2340744-368624

Property known as:  
211 Walnut Street  
Lebanon, PA 17042

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**Sale No. 26**

Plaintiff: Santander Bank, N.A., Formerly  
known as Sovereign Bank, N.A.

Defendant: Nancy L. Liskey

Attorney for Plaintiff:  
Phelan Hallinan, LLC  
John Michael Kolesnik, Esquire  
One Penn Center at Suburban Station  
1617 JFK Blvd., Suite 1400  
Philadelphia, PA 19103  
(215) 563-7000

Judgment Amount: \$48,639.26  
Execution No. 2013-01556

GIS: 09:2342862-372720

Property known as:  
341 East Guilford Street  
Lebanon, PA 17046

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**Sale No. 27**

Plaintiff: The Bank of New York Mellon  
f/k/a The Bank of New York as Successor  
trustee for JPMorgan Chase Bank,  
N.A., as Trustee for the Benefit of the  
Certificateholders of Populars ABS, Inc.  
Mortgage Pass-Through Certificates  
Series 2005-A

Defendant: Ronald D. Weaber, Rose S.  
Weaber and United States of America

Attorney for Plaintiff:  
Udren Law Offices, P.C.  
Elizabeth L. Wassall, Esquire  
Woodcrest Corporate Center  
111 Woodcrest Road, Suite 200  
Cherry Hill, NJ 08003  
(856) 669-5400

Judgment Amount: \$164,809.00  
Execution No. 2013-00188

GIS: 11:2324562-368380  
Property known as:  
128 East Penn Avenue  
Cleona, PA 17042

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**Sale No. 28**

Plaintiff: JPMC Specialty Mortgage, LLC

Defendant: Joseph A. Delange

Attorney for Plaintiff:  
Phelan Hallinan, LLC  
Adam H. Davis, Esquire  
One Penn Center at Suburban Station  
1617 JFK Blvd., Suite 1400

Philadelphia, PA 19103  
(215) 563-7000

Judgment Amount: \$116,448.06  
Execution No. 2013-01499

GIS: 18:2312598-364765  
Property known as:  
25 West Queen Street  
Annville, PA 17003

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**Sale No. 29**

Plaintiff: Jonestown Bank & Trust  
Company

Defendant: Pamela S. O'Donnell

Attorney for Plaintiff:  
Reilly Wolfson Law Offices  
Paul C. Bametzreider, Esquire  
1601 Cornwall Road  
Lebanon, PA 17042  
(717) 273-3733

Judgment Amount: \$101,309.24  
Execution No. 2014-00182

GIS: 32:2330418-384876  
Property known as:  
1705 Water Street  
Lebanon, PA 17046

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**Sale No. 30**

Plaintiff: The Bank of New York Mellon  
fka the Bank of New York as Trustee for  
the Certificateholders of the CWABS, Inc.  
Asset-Backed Certificates, Series 2005-7

Defendant: Jesse A. Gibson, II and Joella  
L. Gibson a/k/a Joella Gibson

Attorney for Plaintiff:  
Phelan Hallinan, LLC  
John Michael Kolesnik, Esquire  
One Penn Center at Suburban Station  
1617 JFK Blvd., Suite 1400  
Philadelphia, PA 19103  
(215) 563-7000

Judgment Amount: \$163,181.34  
Execution No. 2012-00786

GIS: 16:2291509-358759  
Property known as:  
145 North Franklin Street  
Palmyra, PA 17078

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**Sale No. 32**

Plaintiff: Nationstar Mortgage, LLC  
Successor by Merger to Centex Home  
Equity Company, LLC

Defendant: John H. Hull

Attorney for Plaintiff:  
Zucker, Goldberg & Ackerman, LLC  
Denise Carlon, Esquire  
200 Sheffield Street, Suite 101  
Mountainside, NJ 07092  
(908) 233-8500

Judgment Amount: \$99,460.28  
Execution No. 2013-01093

GIS: 32:2324618-393654  
Property known as:  
2369 Quarry Road  
Lebanon, PA 17046

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**Sale No. 33**

Plaintiff: Jonestown Bank and Trust  
Company

Defendant: Kay F. Speziali-Holman

Attorney for Plaintiff:  
Reilly Wolfson Law Offices  
Paul C. Bametzreider, Esquire  
1601 Cornwall Road  
Lebanon, PA 17042  
(717) 273-3733

Judgment Amount: \$85,406.02  
Execution No. 2013-00848

GIS: 32:2327051-401194  
Property known as:  
2205 State Route 22  
Jonestown, PA 17038

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**Sale No. 34**

Plaintiff: Wells Fargo Bank, N.A.

Defendant: Kristin J. Cleckner and Charles H. Cleckner, III a/k/a Charles H. Cleckner

Attorney for Plaintiff:  
Phelan Hallinan, LLC  
Jonathan Lobb, Esquire  
One Penn Center at Suburban Station  
1617 JFK Blvd., Suite 1400  
Philadelphia, PA 19103  
(215) 563-7000

Judgment Amount: \$221,805.74  
Execution No. 2013-02469

GIS: 16:2291504-354392  
Property known as:  
101 West Orchard Drive  
Palmyra, PA 17078

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**Sale No. 35**

Plaintiff: Citimortgage, Inc s/b/m to ABN AMRO Mortgage Group, Inc.

Defendant: Walter G. Miller

Attorney for Plaintiff:  
Phelan Hallinan, LLC  
Joseph E. DeBarberie, Esquire  
One Penn Center at Suburban Station  
1617 JFK Blvd., Suite 1400  
Philadelphia, PA 19103  
(215) 563-7000

Judgment Amount: \$98,787.37  
Execution No. 2011-00147

GIS: 26:2321080-366558

Property Known as:  
559 West Locust Street  
Cleona, PA 17042

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**Sale No. 36**

Plaintiff: Wells Fargo Bank, N.A.

Defendant: Kenneth J. Dippolito and Nancy E. Dippolito

Attorney for Plaintiff:  
Phelan Hallinan, LLC  
Jonathan Lobb, Esquire  
One Penn Center at Suburban Station  
1617 JFK Blvd., Suite 1400  
Philadelphia, PA 19103  
(215) 563-7000

Judgment Amount: \$168,909.08  
Execution No. 2013-02233

GIS: 31:2293128-347772

Property known as:  
322 Springbrook Drive  
Palmyra, PA 17078

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**Sale No. 37**

Plaintiff: GMAC Mortgage, LLC

Defendant: Onofre Antonio Jordan a/k/a  
Onofre A. Jordan

Attorney for Plaintiff:  
Stern and Eisenberg, P.C.  
Andrew J. Marley, Esquire  
1518 Main Street, Suite 200  
Warrington, PA 18976  
(215) 572-8111

Judgment Amount: \$75,106.83  
Execution No. 2011-02430

GIS: 30:2344192-369481

Property known as:  
24 Folmer Street  
Lebanon, PA 17042

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**Sale No. 38**

Plaintiff: Wells Fargo Bank, N.A.

Defendant: Lauren C. Troutman

Attorney for Plaintiff:  
Phelan Hallinan, LLC  
John Michael Kolesnik, Esquire  
One Penn Center at Suburban Station  
1617 JFK Blvd., Suite 1400  
Philadelphia, PA 19103  
(215) 563-7000

Judgment Amount: \$170,735.29  
Execution No. 2013-00507

GIS: 30:2346800-366676

Property known as:  
569 Fox Ridge Lane  
Lebanon, PA 17042

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**Sale No. 39**

Plaintiff: Township of Jackson

Defendant: Charles T. Knepp and  
Amy F. Knepp

Attorney for Plaintiff:  
Reilly Wolfson Law Offices  
Paul C. Bametzreider, Esquire  
1601 Cornwall Road  
Lebanon, PA 17042  
(717) 273-3733

Judgment Amount: \$2,584.90  
Execution No. 2012-00496

GIS: 23:2364457-380205

Property known as:  
33 Laurel Drive  
Myerstown, PA 17067

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**Sale No. 41**

Plaintiff: Wells Fargo Bank, N.A.

Defendant: Jack Morris Heagy, Jr. a/k/a  
Jack M. Heagy, Jr.

Attorney for Plaintiff:  
Phelan Hallinan, LLC  
Joseph E. DeBarberie, Esquire  
One Penn Center at Suburban Station  
1617 JFK Blvd., Suite 1400  
Philadelphia, PA 19103  
(215) 563-7000

Judgment Amount: \$102,469.79  
Execution No. 2014-00250

GIS: 02:2332946-366088  
Property known as:  
380 Summit Court  
Lebanon, PA 17042

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**Sale No. 43**

Plaintiff: OneWest Bank, FSB

Defendant: Toni Ann Lancia and  
Richard W. Thomas

Attorney for Plaintiff:  
Udren Law Offices, P.C.  
Harry B. Reese, Esquire  
Woodcrest Corporate Center  
111 Woodcrest Road, Suite 200  
Cherry Hill, NJ 08003  
(856) 669-5400

Judgment Amount: \$49,922.41  
Execution No. 2012-01120

GIS: 10:2340581-372918

Property known as:  
129 Canal Street  
Lebanon, PA 17046

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**Sale No. 44**

Plaintiff: Township of Jackson

Defendant: Robert E. Dissinger and  
Doreen M. Dissinger

Attorney for Plaintiff:  
Reilly Wolfson Law Offices  
Paul C. Bametzreider, Esquire  
1601 Cornwall Road  
Lebanon, PA 17042  
(717) 273-3733

Judgment Amount: \$485.99  
Execution No. 2005-00405

Judgment Amount: \$3,824.11  
Execution No. 2012-00912

Judgment Amount: \$858.84  
Execution No. 2013-01699

GIS: 23:2362656-386994  
Property known as:  
197 North Ramona Road  
Myerstown, PA 17067

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**Sale No. 45**

Plaintiff: Metro Bank, f/k/a Commerce Bank/Harrisburg, N.A.

Defendant: Dwayne O’Byle and Cheryl O’Byle

Attorney for Plaintiff:  
Mette, Evans & Woodside  
Melanie L. Vanderau, Esquire  
3401 North Front Street  
P.O. Box 5950  
Harrisburg, PA 17110  
(717) 2323-5000

Judgment Amount: \$125,949.79  
Execution No. 2013-02494

GIS: 15:2372652-382202  
Property known as:  
126 South Broad Street  
Myerstown, PA 17067

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**Sale No. 46**

Plaintiff: U.S. Bank National Association, Not in its Individual Capacity, but solely as Trustee for the RMAC Trust, Series 2011-2T

Defendant: Arthur M. Bankus, Jr. and Michele B. Bankus

Attorney for Plaintiff:  
Richard M. Squire & Associates, LLC  
Richard M. Squire, Esquire  
One Jenkintown Station, Suite 104  
115 West Avenue

Jenkintown, PA 19046  
(215) 886-8790

Judgment Amount: \$34,100.09  
Execution No. 2014-00084

GIS: 02:2337730-368281  
Property known as:  
831 Walnut Street  
Lebanon, PA 17042

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**Sale No. 47**

Plaintiff: Wells Fargo Bank, N.A.

Defendant: Terri G. Ryersbach and Steven Ryersbach

Attorney for Plaintiff:  
Phelan Hallinan, LLC  
Jonathan Lobb, Esquire  
One Penn Center at Suburban Station  
1617 JFK Blvd., Suite 1400  
Philadelphia, PA 19103  
(215) 563-7000

Judgment Amount: \$104,975.58  
Execution No. 2013-01156

GIS: 08:2342418-367186  
Property known as:  
520 South 1<sup>st</sup> Avenue  
Lebanon, PA 17042

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**Sale No. 48**

Plaintiff: Bank of America, N.A.

Defendant: Ronald D. Turner and Tara  
Turner

Attorney for Plaintiff:  
Phelan Hallinan, LLC  
Jonathan Lobb, Esquire  
One Penn Center at Suburban Station  
1617 JFK Blvd., Suite 1400  
Philadelphia, PA 19103  
(215) 563-7000

Judgment Amount: \$146,823.37

Execution No. 2013-01676

GIS: 32:2322989-399483

Property known as:  
201 Lighthouse Drive  
Jonestown, PA 17038

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All parties and claimants are hereby notified that schedules of distribution will be filed by the sheriff in his office within thirty (30) days from sale and distribution will be made in accordance with the schedule unless exceptions are filed there to within ten (10) days thereafter.

BRUCE E. KLINGLER,  
Sheriff of Lebanon County



**WEALAND, et us vs. PARKER No. 2013-00801**

*Civil Action – Defamation – Slander – Elements – Publication – Third Parties -Time and Place – Insufficient Specificity – Preliminary Objections.*

1. Pa.R.C.P. No. 1019(a) requires that the material facts on which a cause of action is based be stated in a concise and summary form. A Complaint must not only apprise a defendant of the claim being asserted, but must also summarize the essential facts to support the claim.
2. Rule 1019(f) provides that averments of time and place shall be specifically stated. However, under certain circumstances, allegations of periods of time, rather than dates certain, are sufficient if the defendants have greater knowledge than plaintiff of the actual dates when the acts were committed.
3. The fact that the defendant has as equal knowledge as the plaintiff does not excuse the plaintiff from the necessity of pleading a cause of action. Regardless of the knowledge of the adverse party, the pleader must aver the material facts so that the basis for his claim or defense appears of record, and so that both the trial court and the appellate court can determine the issues to be tried.
4. A party may file Preliminary Objections to a pleading on the basis of insufficient specificity.
5. A prima facie case for defamation requires the claimant to plead the following: (1) the defamatory character of the communication; (2) publication of the communication to a third party; (3) the communication refers to the plaintiff, (4) the third party's understanding of the communication's defamatory character, and (5) injury.
6. A pleading setting forth a cause of action for defamation must specifically identify on its face what the allegedly defamatory statements consist of and the identity of those to whom they were made.
7. A counterclaim is not pled with requisite specificity if the allegations are general in nature and fail to set forth the identity of the person or persons to whom the defamatory comments or statements were made and the time or place the alleged defamatory statements were made.
8. Although the Court did not require Defendant to provide the precise dates on which the statements were made, it did hold that Defendant must pinpoint the timeframe with much more accuracy.

**WEALAND, et us vs. PARKER No. 2013-00801**

9. The Court also found the Defendant's references to the recipients and location of the defamatory comments impermissibly vague since Plaintiffs are entitled to have this information pled in order to prepare their response and defend against such allegations.

10. Because the Plaintiffs are entitled to be apprised of the precise conduct which is the basis for the cause of action asserted against them by Defendant, the Court sustained Plaintiffs' Preliminary Objections and directed Defendant to amend her Counterclaim to plead these items with the requisite specificity.

Plaintiffs' Preliminary Objections to Defendant's Counterclaim. C.P. of Lebanon County, Civil Action-Law, No. 2006-01715.

IN THE COURT OF COMMON PLEAS OF LEBANON COUNTY  
PENNSYLVANIA

CIVIL DIVISION NO. 2013-00801

DANIEL J. WEALAND, JR. and MELISSA M. WEALAND, husband and wife

v.

SUSAN M. PARKER

**ORDER OF COURT**

AND NOW, this 31st day of January, 2013, upon consideration of Plaintiff's Preliminary Objections to Defendants' Counterclaim, and the Briefs submitted by the parties, it is hereby Ordered that said Preliminary Objections are SUSTAINED. Defendant is granted leave to amend her Counterclaim in accordance with the accompanying Opinion within twenty days of this Order.

**BY THE COURT:**

\_\_\_\_\_, P.J.  
**JOHN C. TYLWALK**

**WEALAND, et us vs. PARKER No. 2013-00801**

**APPEARANCES:**

**ROBERT B. KEYS, ESQUIRE FOR DANIEL J. WEALAND, JR. and  
MELISSA M. WEALAND**

**LYNN ERICKSON, ESQUIRE FOR SUSAN M. PARKER**

**OPINION, TYLWALK, P.J., JANUARY 31, 2014**

Plaintiffs instituted this action on April 30, 2013 seeking recovery for damages incurred as a result of Defendant's unlawful entry into their home. The Complaint alleges that Plaintiff Melissa M. Wealand ("Wife") was sleeping in the couple's living room at 1:30 a.m. on August 2, 2011 and that Defendant kicked in the front door and entered the house. Once inside, Defendant struck Wife in and about the head and face with brass knuckles, pushed her into a wall and choked her with a copper pipe. Wife sustained severe injuries and various items in the home were damaged during this incident. Plaintiff Daniel J. Wealand, Jr. ("Husband") also asserts a claim for loss of consortium. On August 13, 2013, Defendant filed an Answer and a Counterclaim asserting causes of action in Defamation and Assault against Wife. Plaintiffs have filed Preliminary Objections to Defendant's Counterclaim, seeking dismissal of the count in Defamation for lack of specificity. The matter was listed for Argument and is now ripe for disposition.

Defendant alleges that at the time of this incident, she was a nationally-recognized ATV champion with a very high public profile and that she utilized her notoriety to promote various charitable organizations and to encourage participation in ATV racing to children, disabled persons and others. She alleges that prior to August 2, 2011, she and Wife were friends, participated in social activities together, and visited each other's homes on a regular basis. Her Counterclaim further alleges that:

22. At some time in January 2011, Plaintiff Melissa Wealand, a married woman, told people who were closely associated with the Defendant and her public racing career that she was having a sexual affair with the Defendant, and that she wished to leave her children and husband for the Defendant.

23. The allegation was untrue, but the said Plaintiff repeated the statement to others thereafter, including Defendant's family, which statements were also communicated to the Defendant.

24. Thereafter, including allegations in this action, Plaintiff accused the Defendant of using brass knuckles to assault her.

**WEALAND, et us vs. PARKER No. 2013-00801**

25. All of said comments were made by Plaintiff intending to harm the reputation of the Defendant as to lower her in the estimation of the community and/or to deter third persons from associating with her.

(Defendant's Answer and Counterclaim, Paras. 22 - 25) Plaintiffs' Preliminary Objections assert that the Counterclaim is insufficiently specific as Defendant failed to identify the individuals to whom the statements were made as well as the time and place where Wife allegedly made the statements.

Pa.R.C.P. No. 1019(a) requires that the material facts on which a cause of action is based to be stated in a concise and summary form. Pa.R.C.P. No. 1019(a). A Complaint must not only apprise a defendant of the claim being asserted, but must also summarize the essential facts to support the claim. *Krajsa v. Key punch, Inc.*, 622 A.2d 355 (Pa. Super. 1993). Rule 1019(f) provides that averments of time and place shall be specifically stated. Pa.R.C.P. No. 1019(f). However, under certain circumstances, allegations of periods of time, rather than dates certain, are sufficient if the defendants have greater knowledge than plaintiff of the actual dates when the acts were committed. *Mikula v. Harrisburg Polyclinic Hospital*, 58 Pa.D.&C.2d 125 (C.C.P. Dauphin Cnty. 1972); Pa.R.C.P. No. 1019(f).

It is not sufficient that the defendant might know the basis for the plaintiff's claims against her as the rules require that the facts be set forth in the plaintiff's complaint. *Gross v. United Engineers, supra*. "The fact that the defendant has as equal knowledge as the plaintiff ... does not excuse the plaintiff from the necessity of pleading a cause of action. Regardless of the knowledge of the adverse party, the pleader must aver the material facts so that the basis for his claim or defense appears of record, and so that both the trial court and the appellate court can determine the issues to be tried." *Id.* at 237. A party may file Preliminary Objections to a pleading on the basis of insufficient specificity. Pa.R.C.P. No. 1028(a)(3).

A prima facie case for defamation requires the claimant to plead the following: (1) the defamatory character of the communication, (2) publication of the communication to a third party, (3) the communication refers to the plaintiff, (4) the third party's understanding of the communication's defamatory character, and (5) injury. *Bell v. Mayview State Hospital*, 853 A.2d 1058 (Pa. Super. 2004).

A pleading setting forth a cause of action for defamation must specifically identify on its face what the allegedly defamatory statements consist of and the identity of those to whom they were made. *Evans v. Philadelphia Newspapers, Inc.*, 1991 WL 1011010, 22 Phila Co. Rptr. 25 (C.C.P. Phila. Cnty. 1991), citing *Moses v. McWilliams*, 549 A.2d 950 (Pa. Super. 1988); *Gross v. United Engineers and Constructors, Inc.*, 302 A.2d 370 (Pa. Super. 1973). A counterclaim is not pled with requisite specificity if the allegations

**WEALAND, et us vs. PARKER No. 2013-00801**

are general in nature and fail to set forth the identity of the person or persons to whom the defamatory comments or statements were made and the time or place the alleged defamatory statements were made. *Industrial Valley Bank and Trust Co. v. Howard*, 533 A.2d 1055 (Pa. Super. 1987); *Pultz v. Whitehead*, 49 Pa.D.&C.3d 444 (C.C.P. Northampton Cnty. 1988).

In explaining the importance of the requirements for specificity in pleading a cause of action in defamation, the Court in *Evans v. Philadelphia Newspapers, Inc.*, supra, discussed the appellate court's holding in *Gross* as follows:

In explaining this requirement, the Superior Court in *Gross* stated that the Pennsylvania Rules of Civil Procedure mandate that plaintiffs plead the material facts of their cause of action and that because the material facts of a cause of action in defamation, whether written or oral, include the content of the statement, the identity of the person making the statement, and the identity of the person receiving the statement, these facts must be specifically pled. *Gross v. United Engineers*, 224 Pa.Super. at 235. The Court reasoned that such information was necessary so that the basis for the claim would appear of record, so that the defendants would be given notice of what they had to defend, and so that the trial and appellate courts could properly determine the issues to be resolved. *Gross v. United Engineers*, 224 Pa.Super. at 237. This rationale is particularly germane to suits based on slander where recipients may quickly forget the exact content of what they heard, and, since slight alterations of content may make the difference between truth and falsity, the content of what was said is extremely important. By requiring the plaintiff to specifically plead the content and identity of recipients, the statement is preserved of record and the defendant has the opportunity to respond appropriately and promptly investigate the allegations. ...

Plaintiffs' averments as to the time the slanderous statements were made is insufficient on its face. The phrase 'for a period of time following' could be applied to one day, one year or conceivably longer. In a defamation case, averments as to time are of significant importance in that the statute of limitations for such cases is one year after the statement is made. ... 42 Pa. C.S.A. §5523(1). If plaintiffs could make general averments as to time, statutes of limitations would be meaningless. Even if plaintiffs were able to supply the dates at some future point, they are not relieved from pleading all the material facts. *Gross v. United Engineers*, 224 Pa.Super. at 235. Indeed, plaintiffs have never made known to defendants or to the court specifically when these statements were made.

*Evans v. Philadelphia Newspapers, Inc.*, supra at 32.

**WEALAND, et us vs. PARKER No. 2013-00801**

As to time, Defendant avers that Wife made alleged defamatory statements in January 2011 and “thereafter.” This is clearly insufficient. Plaintiffs cannot respond to such a vague allegation and cannot evaluate any potential defense on the basis of the statute of limitations. We realize that it may be somewhat difficult to provide an exact date when statements made in casual circumstances are made. Thus, we will not require Defendant to provide the precise dates on which such statements were made; however, she must pinpoint the timeframe with much more accuracy.

Defendant’s references to the recipients and location of the defamatory comments are likewise impermissibly vague. Plaintiffs are also entitled to have this information pled in order to prepare their response and defend against such allegations.

Defendant argues that she should not be required to provide more specificity as Wife has superior knowledge of these facts. We disagree. Plaintiffs are entitled to be apprised of the precise conduct which is the basis for the cause of action asserted by Defendant. For these reasons, we will sustain Plaintiffs’ Preliminary Objections and direct Defendant to amend her Counterclaim to plead these items with the requisite specificity.