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(USPS 102-900)

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Jester v. Ost Family Practice Assoc., Ltd. et al.

Civil action – Judgment of non pros – Petition to reopen judgment – Void judgment

1. Pennsylvania Rule of Civil Procedure 237.3 directs a trial court to open a judgment of non pros if a petition for relief therefrom is filed within ten days after the entry of a judgment of non pros on the docket, and the plaintiff's proposed complaint states a meritorious cause of action.
2. Because a void judgment is no judgment at all, the Court is authorized to sua sponte strike the judgment.
3. A void judgment is a mere blur on the record, and which it is the duty of the court of its own motion to strike off, whenever its attention is called to it.
4. Under Pa.R.C.P. 227.4, the prothonotary is authorized to enter judgment upon praecipe of a party when, among other instances, a court grants or denies relief but does not itself enter judgment or order the prothonotary to do so.
5. Pennsylvania Rule of Civil Procedure 227.4(2) applies where the trial court rules upon a motion for post-trial relief, but does not itself enter judgment on the post-trial order. Only in that circumstance may the prothonotary, upon praecipe of a party, enter judgment in accordance with the ruling on the motion.
6. Under Pennsylvania Rule of Civil Procedure 237.1, the prothonotary may enter a judgment of non pros against a plaintiff for failure to file an original complaint provided that the defendant's praecipe to do so includes a certification that a written notice of intention to file the praecipe was mailed or delivered to the plaintiff at least ten days prior to the date the praecipe is filed.
7. Rule 237.1 is read in conjunction with Rule 1037, which provides that, when an action is commenced by writ of summons, the prothonotary, upon praecipe of the defendant, shall enter a rule upon the plaintiff to file a complaint. If a complaint is not filed within twenty days after service of the rule, the prothonotary, upon praecipe of the defendant pursuant to Rule 237.1, shall enter a judgment of non pros.
8. Rule 237.1 does not apply to a judgment entered upon praecipe pursuant to an order of court. Prior notice to the plaintiff of the defendant's intention to seek non pros in this circumstance serves no purpose because the court itself has directed in an order that a judgment of non pros be entered against the plaintiff upon praecipe of the defendant.
9. The phrase "pursuant to an order of court" in Rule 237.1 means that the order itself must specify that judgment be entered.

10. The phrase “pursuant to an order of court” in Rule 237.1 was intended to obviate the need for prior notice where the court was entering judgment, and it was not intended to permit the prothonotary to enter judgment as a sanction for noncompliance with a previous court order.
11. Where an amended complaint is not timely filed in accordance with an order of court, the only proper method for obtaining a judgment of non pros against the plaintiff is by motion to the court for non pros.
12. Where the prothonotary takes an action beyond his authority, such as the entry of judgment where he is not empowered to do so, his action is void, and the judgment entered is a nullity. This is because the prothonotary is a purely ministerial office, and any authority exercised by the prothonotary must derive from either statute or rule of court.
13. Judgment of Non Pros was entered by the Prothonotary in favor of defendant, Jennersville Family Medicine, LLC and against the plaintiffs. Plaintiffs filed a Petition to Reopen Judgment Pursuant to Rule 237.3, and the Court Held, that the Judgment of Non Pros was stricken.

P.McK.

C.C.P. Chester County, Civil Action – Law, No. 2017-11931-PL; Kimberly Jester, Individually and as the Administrator of the Estate of Carl Jester, Zachary Jester and Samantha Jester v. Ost Family Practice Associates, Ltd., Jennersville Family Medicine, LLC, Mary-Anne Ost., M.D., Michael Barkasy, M.D. and Daniel Duran, M.D.

George Donze and Timothy E. Lengkeek for plaintiffs

Thomas M. Savon for defendant Ost Family Practice Associates, Ltd.

Elaine M. Ross and Natasha L. Dorcus for defendant Jennersville Family Medicine, LLC

Joseph G. Zack for defendant Mary-Anne Ost, M.D.

James P. Kilcoyne, Jacqueline R. Drygas and Joshua M. Neuman for defendants Michael Barkasy, M.D. and Daniel Duran, M.D.

Mahon, J., November 20, 2018:-

KIMBERLY JESTER, Individually and as : IN THE COURT OF COMMON PLEAS
the Administrator of the Estate of Carl
Jester, ZACHARY JESTER, and : CHESTER COUNTY, PENNSYLVANIA
SAMANTHA JESTER : CIVIL ACTION – LAW

Plaintiffs, : NO. 2017-11931-PL

vs.

OST FAMILY PRACTICE ASSOCIATES,
LTD., JENNERSVILLE FAMILY
MEDICINE, LLC, MARY-ANNE OST,
M.D., MICHAEL BARKASY, M.D., and
DANIEL DURAN, M.D.

Defendants.

George Donze, Esquire and Timothy E. Lengkeek, Esquire, for Plaintiffs
Thomas M. Savon, Esquire, for Defendant Ost Family Practice Associates, Ltd.
Elaine M. Ross, Esquire and Natasha L. Dorcus, Esquire, for Defendant
Jennersville Family Medicine, LLC
Joseph G. Zack, Esquire, for Defendant Mary-Anne Ost, M.D.
James P. Kilcoyne, Jacqueline R. Drygas, Esquire and Joshua M. Neuman, Esquire
for Defendant Michael Barkasy, M.D. and Defendant Daniel Duran, M.D.

ORDER

AND NOW, this 20th day of November, 2018, upon consideration of Plaintiffs’ *Petition to Reopen Judgment Pursuant to Rule 237.3*, it is hereby **ORDERED** and **DECREED** that the Judgment of Non Pros entered by the Prothonotary in favor of Defendant, Jennersville Family Medicine, LLC and against Plaintiffs, Kimberly Jester, Individually and as the Administrator of the Estate of Carl Jester, Zachary Jester, and Samantha Jester, on June 14, 2018, is hereby **STRICKEN**.¹

BY THE COURT:

/s/ WILLIAM P. MAHON J.

¹ On June 14, 2018, the Prothonotary of Chester County entered a judgment of non pros against Plaintiffs Kimberly Jester, Individually and as the Administrator of the Estate of Carl Jester, Zachary Jester and Samantha Jester (“Plaintiffs”) pursuant to a praecipe filed by Defendant Jennersville Family Medicine, LLC (“Jennersville”). On June 25, 2018, Plaintiffs filed a petition with the Court to open the judgment. The Court finds that, alternatively, the prothonotary exceeded its authority in entering a judgment of non pros against Plaintiffs pursuant to Jennersville’s praecipe. Accordingly, the Court sua sponte strikes the judgment.

The relevant procedural history of this case is as follows. Jennersville filed preliminary in response to Plaintiffs' first amended complaint. On May 23, 2018, the Court entered an order sustaining Jennersville's objections. The terms of the order also stated that Plaintiffs were "granted leave to file a Second Amended Complaint within twenty (20) days of the date this [o]rder is docketed," or by June 12, 2018.

Plaintiffs failed to timely file that permitted Second Amended Complaint. On June 14, 2018, Jennersville filed a praecipe requesting the prothonotary to enter a judgment of non pros against Plaintiffs. The praecipe stated, in relevant part, that Plaintiffs "fail[ed] to file a Second Amended Complaint within twenty (20) days pursuant to" the Court's order of May 23, 2018, and cited in support of the entry of judgment Pennsylvania Rules of Civil Procedure 227.4(2) and 237.1(b)(2). The prothonotary entered a judgment of non pros in favor of Jennersville and against Plaintiffs the same day. Four days later, on June 18, 2018, Plaintiffs filed a second amended complaint.

Instantly, Plaintiffs petition the Court to open the judgment. In support, Plaintiffs rely on Pa. R.C.P. 237.3, which directs a trial court to open a judgment of non pros if a petition for relief therefrom "is filed within ten days after the entry of a judgment of non pros on the docket," and the plaintiff's proposed complaint "states a meritorious cause of action." Pa. R.C.P. 237.3(b)(1); see also, Pa. R.C.P. 3051(a) (Providing that relief from a judgment of non pros "shall be sought by petition," and that "[a]ll grounds for relief, whether to strike off the judgment or to open it, must be asserted in a single petition.").

The Court finds it unnecessary to consider whether Plaintiffs' petition satisfies the requirements for opening a judgment of non pros because the action of the prothonotary in entering the judgment against Plaintiffs is void and without legal effect. Further, because "a void judgment is no judgment at all," N. Forests II, Inc. v. Keta Realty Co., 130 A.3d 19, 35 (Pa. Super. 2015) (citation omitted), the Court is authorized to sua sponte strike the judgment. See, e.g., M & P Mgmt., L.P. v. Williams, 937 A.2d 398, 401 (Pa. 2007) (A void judgment is a "mere blur on the record, and which it is the duty of the court of its own motion to strike off, whenever its attention is called to it") (citation omitted); Santander Bank, N.A. v O'Keefe, 2017 WL 1293274, at *1 (Pa. Com. Pl. 2017) (Sua sponte striking off void judgment).

The praecipe filed by Jennersville requested the prothonotary to enter a judgment of non pros against Plaintiffs "[p]ursuant to Pa. R.C.P. 227.4(2) and Pa. R.C.P. 237.1(b)(2)." Contrary to Jennersville's assertion, neither of these Rules authorized the prothonotary to enter judgment against Plaintiffs in the circumstances present here.

Rule 227.4 was originally adopted in 1983 as part of a series of new rules governing post-trial practice. See, 1983 Expl. Cmt. to Pa. R.C.P. 227.4 ("Rule 227.4 is the last of the new rules governing post-trial practice."). Under Rule 227.4, the prothonotary is authorized to enter judgment "upon praecipe of a party" when, among other instances, "a court grants or denies relief but does not itself enter judgment or order the prothonotary to do so." Pa. R.C.P. 227.4(2). Jennersville apparently believed that the Court's order of May 23, 2018 was an instance of a trial court granting relief (sustaining Jennersville's preliminary objections to Plaintiffs' amended complaint) but not otherwise entering judgment against Plaintiffs or ordering the prothonotary to do so. It was not. Rule 227.4(2) applies "where the trial court rules upon a motion for post-trial relief, but does not itself enter judgment on the post-trial order." 1 Goodrich Amram 2d § 227.4:1. Only in that circumstance may the prothonotary, "upon praecipe of a party ... enter judgment in accordance with the ruling on the motion." 1 Goodrich Amram 2d § 227.4:3. Accordingly, both Jennersville and the prothonotary erred in relying on Rule 227.4(2) to enter a judgment of non pros against Plaintiffs for failure to file a second amended complaint within the time frame set forth in the Court's May 23, 2018 order.

Jennersville also relied on Pa. R.C.P. 237.1(b)(2) in its praecipe for judgment of non pros. Rule 237.1

governs when the prothonotary may enter judgments of either non pros or default upon praecipe of a party. Under the Rule, the prothonotary may enter a judgment of non pros against a plaintiff for failure to file an original complaint provided that the defendant's praecipe to do so includes "a certification that a written notice of intention to file the praecipe" was mailed or delivered to the plaintiff at least ten days prior to the date the praecipe is filed. Pa. R.C.P. 237.1(a)(2)(i). Rule 237.1 is read in conjunction with Rule 1037, which provides that, when an action is commenced by writ of summons, "the prothonotary, upon praecipe of the defendant, shall enter a rule upon the plaintiff to file a complaint." Pa. R.C.P. 1037(a). "If a complaint is not filed within twenty days after service of the rule, the prothonotary, upon praecipe of the defendant [pursuant to Rule 237.1], shall enter a judgment of non pros." *Ibid*.

Rule 237.1 also identifies certain instances in which the Rule itself is not applicable. Subparagraph (b) (2) provides: "This rule does not apply to a judgment entered . . . upon praecipe pursuant to an order of court." Pa. R.C.P. 237.1(b)(2). As observed in the Rule's explanatory comment, prior notice to the plaintiff of the defendant's intention to seek non pros in this circumstance "serves no purpose" because the court itself has directed in an order that a judgment of non pros be entered against the plaintiff upon praecipe of the defendant. 1994 Expl. Cmt. to Pa. R.C.P. 237.1.

Jennersville's belief that the Court's May 23, 2018 order implicated Rule 237.1(b)(2) was in error. In *Chamberlain v. Altoona Hosp.*, 567 A.2d 1067 (Pa. Super 1989) the Superior Court explained that the phrase "pursuant to an order of court" in Rule 237.1 means that the order itself must "specify that judgment be entered." *Id.* at 1069. The court elaborated: "The phrase was intended to obviate the need for prior notice where the court was entering judgment, and it was not intended to permit the prothonotary to enter judgment as a sanction for noncompliance with a previous court [o]rder." *Ibid.* (emphasis in original). As such, in *Chamberlain*, the court held that the prothonotary was not authorized to enter a judgment of non pros against a plaintiff based on a praecipe that follows a plaintiff's failure to file in a timely manner an amended complaint when ordered to do so by the court. *Ibid.* The order at issue in *Chamberlain*, like the order in this case, did not "specify that judgment be entered" upon the defendant's praecipe, but instead directed the plaintiff "to file a more specific complaint within twenty (20) days of the Order." *Id.* at 1067; see also, *Rounsley v. D.C. Ventre & Sons, Inc.*, 522 A.2d 569, 572 (Pa. Super. 1987) (Holding that an order denying preliminary objections and instructing the defendant to file an answer within 20 days "or suffer a default judgment" did not specify that judgment be entered for noncompliance. Rather, the terms of the order were "a mere expression by the court of the possible ramifications that could occur if [an] answer to the complaint was not timely filed.").

Here, the Court's order of May 23, 2018 did not specify that judgment be entered upon Jennersville's praecipe. Rather, the terms of the order granted Plaintiffs leave to file a second amended complaint within 20 days, and as such simply put Plaintiffs on notice "of the possible ramifications that could occur" if a new complaint was not timely filed. Accordingly, both Jennersville and the prothonotary erred in relying on Rule 237.1(b)(2) to enter a judgment of non pros against Plaintiffs for failure to file the complaint in a timely manner. Moreover, because Rule 237.1(a) only contemplates the entry of non pros against a plaintiff upon praecipe of a defendant for failure to file an original complaint when ruled to do so by the prothonotary, the proper procedure for Jennersville to have followed in this case would have been to file a motion with the court seeking a judgment of non pros against Plaintiffs. See, e.g., *Chamberlain*, 567 A.2d at 1069 - 70 ("[W]here an amended complaint is not timely filed in accordance with an Order of court, the only proper method for obtaining a judgment of non pros against the plaintiff is by motion to the court for non pros."); 7 *Standard Pennsylvania Practice* 2d § 39:103 (Explaining that a defendant may obtain a judgment of non pros against a plaintiff "by motion" when an amended complaint is not timely filed pursuant to a court order. "The prothonotary does not have the authority to interpret an order of court and to enter a non pros solely upon the defendant's praecipe in that situation."); 3 *Goodrich Amram* 2d § 1037(c):5 ("[A] judgment of non pros may be entered against the plaintiff on motion of the

defendant ... when the plaintiff is dilatory in prosecuting an action.”).

Our case law is clear that a judgment entered by the prothonotary without authority “is a nullity and without legal effect.” *Newsome v. Braswell*, 406 A.2d 347, 350 (Pa. Super. 1979); see also, *Chamberlain*, 567 A.2d at 1068 (“Where the prothonotary takes an action beyond his authority, such as the entry of judgment where he is not empowered to do so, his action is void, and the judgment entered is a nullity.”). This is because the prothonotary is “a purely ministerial office, [and] any authority exercised by the prothonotary must derive from either statute or rule of court.” *Olenginski v. Cty. of Luzerne*, 24 A.3d 1103, 1105 (Pa. Cmwlth. 2011) (citation omitted). As explained, no statute or rule of court authorized the prothonotary to enter a judgment of non pros against Plaintiffs upon Jennersville’s praecipe in the circumstances present here. Accordingly, the judgment of non pros entered by the prothonotary on June 14, 2018, in favor of Jennersville and against the Plaintiffs must be stricken.

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CORPORATION NOTICE

NOTICE IS HEREBY GIVEN THAT Articles of Incorporation were filed with and approved by the Department of State of the Commonwealth of Pennsylvania on the March 12, 2020 for DB Kakes Corp. in accordance with the provisions of the Pennsylvania Business Corporation Law of 1988. The purpose or purposes for which it was organized are: The Distribution and Sale of Tasty Kake Products. Donald B. Lynn, Jr., Esq., Solicitor Larmore Scarlett LLP
123 E. Linden Street, P.O. Box 384
Kennett Square, PA 19348

ESTATE NOTICES

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

1st Publication

ARMSTRONG, James Alphonsas, a/k/a Jim, late of Lincoln University. James M. Armstrong, 333 Clearfield Drive, Lincoln University, PA 19352 and Linda A. Lowrie, 205 Valley Green Drive, Coatesville, PA 19320, Executors.

CLEMENT-HOFF, Louise Darling, a/k/a Louise D Hoff, late of West Chester. Gina L Clement, 315 W Nields St, West Chester, PA 19382, Executrix.

LARKIN, Mary Theresa, a/k/a Mary Theresa Larkin Podlesny, late of Glenmoore. Elise L. Bradley, care of ELISE L. BRADLEY, Esquire, 253 E. Marthart Avenue, Havertown, PA 19083, Executrix. ELISE L. BRADLEY, Esquire, 253 E. Marthart Avenue, Havertown, PA 19083, atty.

MULFORD, Richard A., late of Tredyffrin Township. William R. Haller, care of ERIN E. McQUIGGAN, Esquire, 30 South 17th Street, Philadelphia, PA 19103, Executor. ERIN E. McQUIGGAN, Esquire, Duane Morris LLP, 30 South 17th Street, Philadelphia, PA 19103, atty.

RUMIANO, Ruth Ann, late of Devon. The Haverford Trust Company, care of STEPHEN G. YUSEM, Esquire, 920 Lenmark Drive, Blue Bell, PA 19422, Executor. STEPHEN G. YUSEM, Esquire, 920 Lenmark Drive, Blue Bell, PA 19422, atty.

WARD, Olga Katherine, late of East Brandywine Township. Wesley R. Hatch, care of DOUGLAS L. KAUNE, Esquire, 120 Gay Street, P.O. Box 289, Phoenixville, PA 19460, Executor. DOUGLAS L. KAUNE, Esquire, Unruh, Turner, Burke & Frees, P.C., 120 Gay Street, P.O. Box 289, Phoenixville, PA 19460, atty.

WATSON, Hezekiah, late of Coatesville. Aneesah Salter, 1050 S. George Street, York, PA 17403, Administrator. ELIZABETH T. STEFANIDE, Esquire, 339 W. Baltimore Avenue, Media, PA 19063, atty.

2nd Publication

AUERWECK, Norma L., late of East Goshen Township. Steven C. Auerweck, care of W. MARSHALL PEARSON, Esquire, 311 Exton Commons, Exton, PA 19341-2450, Executor. W. MARSHALL PEARSON, Esquire, Firm, Exton Commons, Exton, PA 19341-2450, atty.

BAILEY, Jack, late of New Garden Township. Jakki O. Bailey, care of CAROLINA R. HEINLE, Esquire, 724 Yorklyn Road, Suite 100, Hockessin, DE 19711, Personal Representative. CAROLINA R. HEINLE, Esquire, Crossland Heinle & Bryde, LLC, 724 Yorklyn Road, Suite 100, Hockessin, DE 19711, atty.

FEBO, Virginia S., late of Honey Brook Township. Stephen E. Warren, care of JEFFREY C. GOSS, Esquire, 480 New Holland Avenue, Suite 6205, Lancaster, PA 17602, Executor. JEFFREY C. GOSS, Esquire, Brubaker Connaughton Goss & Lucarelli LLC, 480 New Holland Avenue, Suite 6205, Lancaster, PA 17602, atty.

HERBERT, Helen M., late of West Chester. Linda A. Waller, 353 Boulevard Ave., Pitman, NJ 08071, Executor.

KALIA, Madhu, a/k/a Madhu P. Kalia, late of Tredyffrin Township. Stephen W. Workman and Michael J. Foy, 700 Elkins Avenue, C-3, Elkins Park, PA 19027, Executors. ALEXIA M. FISHMAN, Esquire, Cozen O'Connor, One Liberty Place, 1650 Market Street, Suite 2800, Philadelphia, PA 19103, atty.

KRANZLEY, Evan S., late of North Coventry Township. Michele K. Hillier, 219 Masters Drive, Pottstown, PA 19464, care of JAMES D. SCHEFFEY, Esquire, 1129 E. High St., PO Box 776, Pottstown, PA 19464-0776, Executrix. JAMES D. SCHEFFEY, Esquire, Yergey Daylor Allebach Scheffey Picardi, 1129 E. High St., PO Box 776, Pottstown, PA 19464-0776, atty.

MACGUINNESS, Susan L., late of West Whiteland Township. Stephen S. MacGuinness, care of LISA COMBER HALL, Esquire, 27 S. Darlington Street, West Chester, PA 19382, Executor. LISA COMBER HALL, Esquire, Hall Law Offices, A Professional Corporation, 27 S. Darlington Street, West Chester, PA 19382, atty.

MILLER, Evelyn M., late of East Whiteland Township. Carol J. Hershey, care of ROBERT S. SUPPLEE, Esquire, 329 S High Street, West Chester, PA 19382-3336, Administratrix. ROBERT S. SUPPLEE, Esquire, Robert S. Supplee, P.C., 329 S High Street, West Chester, PA 19382-3336, atty.

RILEY, III, Malcolm, late of Malvern. Eric Riley, care of JOEL S. LUBER, Esquire, 2929 Arch Street, 13th Floor, Philadelphia, PA 19104, Administrator. JOEL S. LUBER, Esquire, Reger Rizzo & Darnall, LLP, 2929 Arch Street, 13th Floor, Philadelphia, PA 19104, atty.

RYAN, Stella, late of West Vincent Township. Cheryl R. Rorke and Robert E. Ryan, Jr., care of BRUCE A. HERALD, Esquire, 120 John Robert Thomas Drive, Exton, PA 19341, Executors. BRUCE A. HERALD, Esquire, 120 John Robert Thomas Drive, Exton, PA 19341, atty.

3rd Publication

ALTHOUSE, Barbara A., a/k/a Barbara Ann Althouse, late of West Fallowfield Township. Larry W. Althouse, and John D. Althouse, care of WINIFRED MORAN SEBASTIAN, Esquire, PO Box 381, 208 E. Locust Street, Oxford, PA 19363, Executors. WINIFRED MORAN SEBASTIAN, Esquire, PO Box 381, 208 E. Locust Street, Oxford, PA 19363, atty.

BENNETT, Dorothy L., late of West Nottingham Township. Robin Brooks, 489 Maxatawny Drive, Pocono Lake, PA 18347, Executor.

BOWMAN, Bertha P., a/k/a Bertha Petroll Bowan, late of Penn Township. Bradford W. Bowman, Jr., and W. Andrew Bowman, care of ANITA M. D'AMICO, Esquire, 204 North Union Street, Kennett Square, PA 19348, Executors. ANITA M. D'AMICO, Esquire, D'Amico Law, P.C., 204 North Union Street, Kennett Square, PA 19348, atty.

CAMPBELL, John, a/k/a John Edward Campbell, late of Penn Township. Lora Ann Miller, care of L. PETER TEMPLE, Esquire, P.O. Box 384, Kennett Square, PA 19348, Executrix. L. PETER TEMPLE, Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

CHANDLER, Malcolm Wright, late of Honey Brook Township. Timothy Chandler, 389 Tara Drive, Pittsburgh, PA 15236, Executor.

DEVAULT, Emma Jane, a/k/a Emma J. DeVault, late of East Goshen Township. Wayne DeVault, 417 Chrislena Lane, West Chester, PA 19380, Executor. DAVID T. VIDEON, Esquire, Baratta, Russell & Baratta, 1000 N. Providence Road, Media, PA 19063, atty.

HAINS, Ralph S., late of Spring City. Joan M. Hoch, care of JACOB THIELEN, Esquire, 22 E. Main Street, Fleetwood, PA 19522, Executrix. JACOB THIELEN, Esquire, O'Keefe, Miller & Thiel, P.C., 22 E. Main Street, Fleetwood, PA 19522, atty.

MYLES, Beverly May, late of Willistown Township. Bonnie L. Jackson, 601 Brookfield Way, West Chester, PA 19382, Executrix. JENNIFER FELD, Esquire, Colliton Elder Law Associates, 790 East Market Street, Suite 250, West Chester, PA 19382, atty.

PINCIOTTI, Dominic Dominic E. Pinciotti, late of Thornbury. Stephen Pinciotti, 8810 Dune Ridge Court, Emerald Isle, NC 28594, Executor. VINCENT CAROSELLA, JR., Esquire, Carosella & Associates, P.C., 882 S. Matlack Street, Suite 101, West Chester, PA 19382-4505, atty.

QUIGG, SR., Robert Nelson, late of Schuylkill Township. Jennifer Lynn Walker, 2508 Noble Way, Limerick, PA 19468, Administratrix. CHARLES A. RICK, Esquire, Roland Rickstock, 933 North Charlotte Street, Suite 3-B, Pottstown, PA 19464, atty.

REEDY, June E., late of Westtown Township. Joseph T. Reedy and Mary R. Fretz, care of JON A. SWARTZ, Esquire, 7736 Main Street, Fogelsville, PA 18051, Executors. JON A. SWARTZ, Esquire, Swartz & Associates, 7736 Main Street, Fogelsville, PA 18051, atty.

SIMMINGTON, Nicholas, late of Easttown Township. Nicholas Simmington, care of THOMAS E. WYLER, Esquire, East Third Street, Media, PA 19063, Administrator. THOMAS E. WYLER, Esquire, Falzone & Wyler, East Third Street, Media, PA 19063, atty.

WILKERSON, SR., Philip Oliver, late of Chester County. Titania Ferrell, 1830 W. 6th St., Chester, PA 19103, Administratrix. DEBORAH LYNN ROFFMAN, Esquire, Law Office of Deborah Roffman, 111 N. Olive St., First Floor, Media, PA 19063, atty.

YEROKHIN, Andriy, late of East Whiteland Township. Oksana Yerokhina, care of LESLEY M. MEHALICK, Esquire, 30 Cassatt Avenue, Berwyn, PA 19312, Administratrix. LESLEY M. MEHALICK, Esquire, McAndrews, Mehalick, Connolly, Hulse and Ryan, P.C., 30 Cassatt Avenue, Berwyn, PA 19312, atty.

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NOTICE

NOTICE TO: Michele Thomas, her assigns and all persons claiming any right, title, claim or interest to the property located at 21 Weidner Way. TAKE NOTICE THAT James and Caryl Hanna have filed a Complaint in the aforesaid Court as of the above number, averring that, inter alia, you have significantly increased the amount and rate of stormwater flow onto their and concentrated its flow in a manner harmful to the Hannas' use and enjoyment of their land. Plaintiffs request monetary damages, an order directing that you repair their property to its pre-injury condition and for the Court to enter a preliminary and permanent injunction against you, to enjoin you from continuing to trespass on the Plaintiffs' property. You are hereby notified to file an Answer within twenty (20) days following the date of this publication. If you fail to do so final judgment may be entered against you, as prayed for in the complaint.

If you wish to defend, you must enter a written appearance personally or by an 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 or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.

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

FICTITIOUS NAME

NOTICE is hereby given, pursuant to Fictitious Names Act of 1982, 54 Pa.C.S. Section 301 et seq., which repealed prior laws on the subject, any entity or entities (including individuals, corporations, partnership or other groups, which conduct any business in Pennsylvania under an assumed or fictitious name shall register such name by filing an application for registration of fictitious name with the Department of State for the conduct of a business in Chester County, Pennsylvania under the assumed or fictitious name, style or designation of

Afroblisso, with its principal place of business at 55 Mystery Rose Lane, West Grove, PA 19390. The application has been (or will be) filed on: Tuesday, April 7, 2020. The name(s) and address(es) of the individual(s) or entity(ies) owning or interested in said business: Aisha J Konneh, 55 Mystery Rose Lane, West Grove, PA 19390

NONPROFIT CORPORATION

Notice is hereby given that Articles of Incorporation were filed with the Commonwealth of Pennsylvania, Department of State on March 25, 2020 for the purpose of forming a nonprofit corporation under the name Delaware Valley Association of Black Psychologists, pursuant to the provisions of the Pennsylvania Non-Profit Corporation Law of 1988, as amended.

The corporation has been organized for the following purposes: educational, charitable, scientific and research and other purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1988 including the making of distributions to organizations that qualify as exempt organizations thereunder.