

# York Legal Record

A Record of Cases Argued and Determined in the Various Courts of York County

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No. 3

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## CASES REPORTED

In the Matter of: Petition of KENNETH M. SILBERSTEIN  
Appeal from Grant of Open Record Request, Petitioner

v.

Commonwealth of Pennsylvania, Office Of Open Records, York Township,  
and Stacey MacNeal, Esquire, Respondents

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Petition for Open Records – Right To Know

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Dated Material Do Not Delay

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The  
**York Legal Record**  
Volume CXXIV

**In the Matter of: Petition of  
KENNETH M. SILBERSTEIN  
Appeal from Grant of  
Open Record Request, Petitioner**

**v.  
COMMONWEALTH OF  
PENNSYLVANIA, OFFICE OF OPEN  
RECORDS, YORK TOWNSHIP,  
and STACEY MACNEAL, Esquire,  
Respondents**

Petition for Open Records – Right To Know

No. 2009-SU-004714-08

1. Before the Court is Kenneth M. Silberstein's Petition seeking to overturn the Final Determination of the appeals officer of the Commonwealth's Office of Open Records pursuant to Pennsylvania's Right-to-Know Law, directing Petitioner to provide documents stored on his private computer. The Court held that the Requester has the burden of proving that the documents are public records and, in this case, the Requester failed to meet that burden.

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In the Court of Common Pleas of York County Pennsylvania; **In the Matter of: Petition of KENNETH M. SILBERSTEIN, Appeal from Grant of Open Record Request, Petitioner v. Commonwealth of Pennsylvania, Office Of Open Records, York Township, and Stacey MacNeal, Esquire, Respondents.** Petition for Open Records – Right To Know.

**APPEARANCES:**

**JOSEPH M. BAGLEY**, Esquire  
For Petitioner Silberstein

**STEVEN M. HOVIS**, Esquire  
For Respondent York Township

**MARC B. KAPLIN**, Esquire  
For Respondent MacNeal

**CORINNA V. WILSON**, Esquire  
For Respondent OOR

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**FINDINGS OF FACT and  
CONCLUSIONS OF LAW**

AND NOW, this 5th day of April, 2010, this matter is before the Court on the petition of Kenneth M. Silberstein seeking to overturn the Final Determination of the appeals officer of the Commonwealth's Office of Open Records pursuant to Pennsylvania's Right-to-Know Law. That determination, *inter alia*, held that York Township was required to obtain records from Petitioner which were kept on his personal computer and provide them to the requester, Respondent MacNeal.

There is related litigation pending which involved pre-complaint discovery issues which were previously presented to the Court and on which we ruled in December of 2009. Those claims were not brought pursuant to the Right-to-Know Law. (*Heritage Hills v. York Township, et al.*, 2009 SU 04165-01)

For the following reasons, we conclude that the Office of Open Records erred and we REVERSE that portion of the Final Determination as it applies to Petitioner Silberstein.

**FINDINGS OF FACT:**

1. On June 10, 2009, Respondent MacNeal sent a request by facsimile for records to York Township which included a request asking for "any and all electronic communications or written correspondence between Commissioner Ness and/or Commissioner Silberstein and citizens of the Township, including but not limited to John Bowders, in reference to Charter Homes, the TND Application ... from January 1, 2008 to date. (OOR Response, Tab 1)
2. On July 14, 2009, York Township, by its Open Records Officer Debbie Grove, responded to that request by replying that the Township:  
has produced only emails that are on computers under the possession and control of the Township. Any documents that are specifically on computers that are solely maintained by Commissioner Ness and/or

Commissioner Silberstein and/or businesses for which they own or are employed, the Township has not produced said electronic communications. Furthermore, any and all electronic communications between one individual Commissioner and a citizen or citizens of the Township are not considered public records as defined under the Law. Therefore, said electronic communications or written correspondence have not been provided herewith.

(OOR Response, Tab 2, p. 1, 2)

3. Township also responded on that same date to a third request made by Respondent MacNeal which asked for electronic communications or written correspondence between Commissioner Silberstein and "any legal counsel other than the Township Solicitor..." This request was apparently misstated by the OOR appeals officer as being a request concerning Commissioner Ness. (Final Determination, p. 2, #3) The response stated that communications of Commissioner Silberstein and any legal counsel were being withheld as not being public records and protected by the attorney client privilege. (OOR Response, Tab 2, p. 2)
4. On July 22, 2009, OOR received a timely appeal filed by MacNeal. (Final Determination, p. 2; OOR Response, Tab 3, p. 1)
5. At all times relevant to consideration of these issues, Silberstein was a Commissioner for York Township. (OOR Response, Tab 13)
6. On August 14, 2009, Silberstein requested an extension of time to respond as a party with a direct interest in the matter. (OOR Response, Tab 13, p. 2) That request was apparently denied, though his submission was apparently considered and made a part of the record. (OOR Response, Tab 13)
7. The Office of Open Records did not hold a hearing, so no transcript of testimony is available from that office.
8. On August 21, 2009, OOR issued its Final Determination, granting MacNeal's appeal and finding that the records on Ness's and Silberstein's personal computers are "public records in possession of the Township" and requiring the Township to "obtain the records from Commissioner Silberstein and provide them to the Citizen, also subject to redaction for any non-public information." (Final Determination, p. 15)

9. On September 21, 2009, Silberstein filed his Petition for Review, appealing the Final Determination of the OOR to this Court.<sup>1</sup>
9. On September 24, 2009, we scheduled argument on the Petition for October 21, 2009.
10. On October 1, 2009, a motion to quash the petition was filed by MacNeal. In that motion, it is significant that MacNeal alleged that Silberstein had no standing to pursue an appeal because he was neither a "requester" nor a "local agency."
11. The motion to quash was denied by our Order entered October 15, 2009.
12. Argument was held on the petition for review on October 21, 2009.

## DISCUSSION:

### Appeals Process Generally:

Since this matter was submitted to this Court for disposition, two significant cases were decided by our appellate courts which impact our review and analysis of the issues presented to us. In *Bowling v. Office of Open Records*, \_\_\_ A.2d \_\_\_, 2010 WL 395637, (Pa.Cmwlt. February 5, 2010) the Commonwealth Court held, *inter alia*, that a court reviewing determinations from the OOR may conduct a hearing, albeit somewhat informally, in order to reach an expedited result,<sup>2</sup> to supplement the record from the OOR. In *Nationwide Mutual Insurance Company v. Fleming*, \_\_\_ A.2d \_\_\_, 2010 WL 336171 (Pa. Supreme January 29, 2010) a greatly divided Supreme Court attempted to address the extent of the attorney client privilege, an issue involved in the case at bar.

Pennsylvania's Right-to-Know Law provides for judicial review of the final determination of the state's Office of Open Records. 64 P.S. Sec. 67.1302(a). The requestor or the local agency may file a petition for review with a court of common pleas within thirty (30) days of the date of the final determination of the OOR. 65 P.S. § 67.1302 (a).

In this case, the individual filing the petition for review was a commissioner (Silberstein) of the local agency (York Township). His standing to do so and our reasons for denying the motion to quash the appeal will be discussed below.

When an appeal is taken from the OOR's final determination, the "[r]ecord before a court shall consist of the request, the agency's response, the appeal filed under section 1101, the hearing transcript, if any, and the final written determination of the appeals officer." 64 P.S. Sec. 67.1303(b). In

the present case, while there is an extensive "record", no hearing was held by OOR, so there is no transcript of proceedings before the appeals officer. We previously interpreted Section 1303(b), with some hesitation since the section is not clear on this issue, as precluding the taking of additional testimony by a court reviewing the case, and as requiring that the court's decision be based on the record submitted from the appeals proceeding. It was in light of our interpretation that we held only argument on the case and limited the matters we would consider to the "record" developed before the OOR.

The *Bowling* court concluded that a reviewing court may, indeed, conduct a hearing to supplement the record developed before the OOR. (Slip Opinion, p. 19) We conclude that our failure to hold a hearing does not limit our ability to decide this matter pursuant to the Right-to-Know Law, unless, at some future point, we are required to pass upon the issues raised by the assertion of the attorney-client privilege.

Our decision must contain findings of fact and conclusions of law based upon the evidence as a whole, and the court is to clearly and concisely explain the rationale for the decision. 64 P.S. Sec. 67.1301(a).

#### Scope and Standard of Review:

Also notably absent from the Law is the scope and standard of review that the court is to employ in reviewing the final determination of the appeals officer. In the context of judicial appeals, our appellate courts have explained the concepts of "scope" of review and "standard" of review, which were again discussed in *Bowling*.

"Scope of review" and "standard of review" are often-albeit erroneously-used interchangeably. The two terms carry distinct meanings and should not be substituted for one another. "Scope of review" refers to "the confines within which an appellate court must conduct its examination." *Coker v. S.M. Flickinger Company, Inc.*, 533 Pa. 441, 450, 625 A.2d 1181, 1186 (1993). In other words, it refers to the matters (or "what") the appellate court is permitted to examine. In contrast, "standard of review" refers to the manner in which (or "how") that examination is conducted. In *Coker* we also referred to the standard of review as the "degree of scrutiny" that is to be applied.

*Morrison v. Commonwealth of Pennsylvania, Dept. Of Public Welfare*, 538 Pa. 122, 646 A.2d 565 (1994). In *Bowling*, the Commonwealth Court concluded that "a reviewing court, in its appellate jurisdiction, independ-

ently reviews the OOR's orders and may substitute its own findings of fact for that of the agency." (*Bowling, Id.*, Slip Opinion, p. 9)

The OOR submits to us that as "the exclusive agency of first impression for all appeals from denials of requests under the RTKL ... OOR's determinations ... deserve deference when being reviewed by this Court in its appellate jurisdiction." (OOR's Response to Petition for Review, p. 2 # 11.) Significantly, the *Bowling* Court disagrees, concluding that "the usual deferential standard of review on appeal from Commonwealth agencies, such as the OOR, does not apply." (Slip Opinion, p. 10.)

#### Standing of Silberstein to Appeal:

In this case, the individual filing the petition for review was a commissioner (Silberstein) of the local agency (York Township). MacNeal objected to Silberstein's standing to appeal the decision, reasoning that he was neither a "local agency" nor the "requester" pursuant to 65 P.S. Sec. 67.1302(a) (appeals from appeals officer). (See Motion to Quash Petition for Review, Paragraph 14.) The Right-to-Know Law is silent as to the right of one "with a direct interest" in the matter to request judicial review of a decision. This additional shortcoming of the Right-to-Know Law was addressed in an unreported memorandum decision of the Commonwealth Court which Silberstein cites in support of his position that a party with a direct interest in the proceedings must be given the right of appeal. (Answer of Kenneth M. Silberstein to Motion to Quash, p. 2). Unlike the Superior Court (IOP 65.37), the Commonwealth Court's Internal Operating Procedures do not appear to prohibit lower courts from considering unpublished memorandum opinions.

We find the reasoning of the Commonwealth Court in *East Stroudsburg University Foundation v. Office of Open Records*, No. 886 C.D. 2009 (July 20, 2009) persuasive. Section 67.1101(c) of the Right-to-Know Law permits "[a] person other than the agency or requester with a direct interest in the record subject to an appeal under this section..." to participate, upon request, in the appeal process. Silberstein submitted such a request, of sorts, when he asked the appeals officer to consider his letter of August 14, 2009 requesting an extension of time to submit materials. (OOR Response, Tab 13, p. 2) The appeals officer "accepted [the] submission as that of a party in direct interest." (OOR Response, Tab 14, p. 2), and did not contest Silberstein's standing in the proceedings. (See Letter of September 18, 2009, Buglione, Esq. to Silberstein, attached to Answer of Kenneth M. Silberstein to Motion to Quash.) It is hard to imagine anyone with a

more direct interest in the subject matter of the request than Silberstein, the person whose personal computer is proposed to be searched pursuant to MacNeal's request.

To adopt the position of MacNeal and deprive Silberstein the right to appeal a decision directly affecting his rights would, as the Commonwealth Court concluded in *East Stroudsburg*, render the Right-To-Know Law non-compliant with due process safeguards under the Pennsylvania Constitution. To hold otherwise, as the Commonwealth Court further pointed out, would render this Court without jurisdiction to order Silberstein to comply with the OOR's Final Determination if sustained on appeal. Finally, such a position would appear to be at odds with the Law's grant of standing to one with a "direct interest" in the proceedings. (Section 67-1101(c)(1))

MacNeal advances the "open floodgates" argument against granting standing to "private individuals who disagree with the decision of their public employer with respect to public documents." (MacNeal's Memorandum of Law, p. 7, note 2) While our present holding is not necessarily so broad, where as here, one or several individuals demonstrate a "direct interest" in the subject matter under consideration, those individuals may very well have a constitutional right to appeal an appeals officer's decision. We believe our Courts would be up to the task.<sup>3</sup>

#### **Burden of Proof:**

The request directed by MacNeal to the Township requested "[a]ny and all electronic communications or written correspondence between ... Ness and ... Silberstein and citizens of the Township..." concerning certain residential developments under consideration by the Township. The request was not limited to "public records" as defined in the Right-to-Know Law.

The Right-to-Know Law provides that there is a presumption that a "record in the possession of a ... local agency" is a public record. 65 P.S. Sec. 67-301. The "burden of proving that a record of a ... local agency is exempt from public access shall be on the ... local agency...". 65 P.S. Sec. 67-708(a). That subsection is located within the section of the Law dealing with "Exceptions for public records" and which further sets out certain "exceptions" which are exempt from disclosure, even though the record may arguably be a "public record". It does not, however, address the burden of proof to establish what is a "public record" in the first instance, and especially for records not in the "possession of a ... local agency."

The Right-to-Know Law appears, then, to require a two step analysis to determine

whether information must be disclosed pursuant to a request. The first step is to determine whether the information sought is a "public record, legislative record or financial record." 65 P.S. Sec. 67-701(a). That determination is aided by the presumption *for records in the possession of a local agency*.

However, the Right-to-Know law is, at best, confusing as to *who* has the burden of proof to demonstrate that a record is a "public record" within the context of this case – where the records are not in the possession of the agency, but instead, reside on the personal computer of a commissioner. Initially, the request must be made with "sufficient specificity to enable the agency to ascertain which records are being requested...". *Id.* Later, the Law directs that upon receiving a request, "an agency shall make a good faith effort to determine if the record requested is a public record ... and whether the agency has possession, custody or control of the identified record..." . 65 P.S. Sec. 67-901.

At the appeals level, the requester's appeal "shall state the grounds upon which the requester asserts that the record is a public record...". 65 P.S. Sec. 67-901. Since the proceeding conducted by the OOR is an "appeal", the requester, MacNeal would appear to have the burden of demonstrating that the information requested is a "public record", if it is not "in the possession of a ... local agency...". MacNeal appears to recognize this, given the extensive memorandum filed in support of the position that the requested information was, indeed, a "public record." (OOR Response, Tab 3, Exhibit "C".)

We conclude that the requester has the initial burden of proving that the records being requested are "public records" subject to public access. As we previously indicated, this burden may be aided by the presumption that records in possession of an agency are, indeed, public records.

Pursuant to Section 67-708, the burden then shifts to the agency to prove that a public record is exempt from public access. In this case, however, since the Township has not denied the request on the basis of an "exemption", we need not engage in that prong of the analysis at this time.

#### **What Is a Public Record?**

The appeals officer, relying on prior decisions of the OOR and without much further analysis of the issue, accepted the position that the "records" maintained on Silberstein's personal computer were, indeed, "public records" because they were records of a public official, and therefore within the control of the local agency. (OOR Final Determination, Tab 17, p. 12.) We conclude that this deter-



mination is erroneous and not supported by a plain reading of the Right-to-Know Law.

The Law requires “local agencies” to provide “public records”. 65 P.S. 67-302(a). The term “public records” is defined by the Right-to-Know Law as a “record, including a financial record, of a ... *local agency*...” that is not exempt nor protected by a privilege. (Emphasis supplied.) 65 P.S. Sec. 67-102. To make sense of that definition, one must further examine the definitions of a “record” and a “local agency”. The Law defines a “record” as “[i]nformation ... that documents a transaction or activity of an *agency* and that is created, received or retained pursuant to law or in connection with a transaction, business or activity of the *agency*. ...” (Emphasis again supplied.) The term “agency” is defined by reference to the term “local agency” which is defined as, among others, any political subdivision or local agency, authority, council, board, or commission or *similar governmental entity*. (Emphasis supplied.) *Id.*

It is clear that Silberstein is not a *governmental entity*. He has no authority to act alone on behalf of the Township, nor does he have any obligation to keep records of, let alone disclose to the public, every conversation, note, e-mail or telephone call in which he discusses matters pertaining to the Township. *Connors v. West Green School District*, 131 Pa.Cmwlth. 95, 569 A.2d 978 (1989). They are not matters which document a “transaction or activity of an agency” as set forth in the Right-to-Know Law.<sup>4</sup>

Since it is the burden of the requester to demonstrate that the requested records are, indeed, “public records”, we conclude that MacNeal has not sustained her burden. Accordingly, the OOR’s determinations that “[t]he Township has not provided any evidence that the records are exempt” and that Silberstein’s e-mails are “public records of the Township that must be disclosed” (Final Determination, Tab 17, p. 13, 14) are erroneous.<sup>5</sup>

#### **Attorney-Client Privilege:**

As we previously noted, the Pennsylvania Supreme Court decided the case of *Nationwide Mutual Insurance Company v. Fleming*, \_\_\_ A.2d \_\_\_, 2010 WL 336171 (Pa. Supreme January 29, 2010) in which the extent of the attorney-client privilege was discussed. (Silberstein cites us to the Superior Court’s opinion, which was affirmed by virtue of the divided Supreme Court.) The Court was evenly split and produced two opinions in support of the respective sides. While this Court tends to agree with the reasoning of the Opinion in Support of Reversal authored by Mr. Justice Saylor, we conclude that we need not decide the issues of attorney-client privilege, given our conclusions concerning the

requirement to disclose the information on Silberstein’s computer.

Further, we would, in all likelihood, not be in a position to decide the attorney-client issues. Since we initially concluded that we could not take any new evidence to decide the case in our “appellate” capacity, no evidence exists as to which records may, indeed, be subject to the attorney-client privilege. If it should be determined that our analysis about what is a “public record” is incorrect, then Silberstein’s assertion of the attorney-client privilege would have to be made in the context of a request to have those records “exempt” from public disclosure. We do not necessarily agree with Silberstein that a blanket assertion of the attorney-client privilege is sufficient to throw the burden to the requesting party to prove otherwise. Such a position appears to conflict with the express terms of the Right-to-Know Law. Section 67-708(a). A hearing, pursuant to *Bowling* would likely have to be held to review each record to determine if the privilege attaches.

As we noted, however, that determination can await another day.

#### **CONCLUSIONS OF LAW:**

1. Silberstein has standing to appeal the OOR’s determination that the records on his personal computer are “public records” subject to disclosure.
2. The requester, MacNeal, has the burden of proving that the records she is requesting on Silberstein’s personal computer are “public records”.
3. The requester has failed to sustain her burden of showing that the requested records stored on Silberstein’s personal computer are “public records” subject to disclosure under the Right-to-Know Law.
4. The OOR’s determination that the “records” on Silberstein’s personal computer are “public records” subject to disclosure under the Right-to-Know Law was erroneous.
5. “Records” on Silberstein’s personal computer need not be disclosed to the requester either by the Township or by Silberstein.
6. Given our holding, above, we need not decide whether any of the requested records are protected by the attorney-client privilege.

We direct that a copy of these Findings shall be sent to counsel for the parties, and to Corinna V. Wilson, Chief Counsel, Pennsylvania Office of Open Records.

By the Court,

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RICHARD K. RENN, President Judge

## FOOTNOTES

<sup>1</sup> We note that the last day to file an appeal would have been September 20, 2009, which was a Sunday. Therefore the appeal was timely filed during the next business day. 1 Pa.C.S. Sec. 1908.

<sup>2</sup> We acknowledge that we have not given the parties a particularly “expeditious” resolution of this matter. We thought it preferable, however, to address the impact of the two recently decided appellate cases cited above on the matters pending before us.

<sup>3</sup> That assumes, of course, that the legislature will properly fund the courts to allow the third branch of government the means to be able to deal with new issues being created by the legislature.

<sup>4</sup> At most, they may be considered as “internal, predecisional deliberations of an agency, its ... officials...” which are still exempt from disclosure pursuant to Section 67-708(b)(10(i)(A)).

<sup>5</sup> We have little doubt that there may be cases in which there are, indeed, “public records” of an agency in possession of one of its employees to which disclosure under the Right-to-Know Law would apply. This is not one of those cases.

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## ESTATE NOTICES

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### ADMINISTRATOR'S AND EXECUTORS NOTICES

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#### FIRST PUBLICATION

BETTY A. ALLISON a/k/a BETTY ANN ALLISON late of Shrewsbury Borough, York Co., PA, deceased. Glenda K. Brakman, 104 Heron Cay Court, North, Topsail Beach, North Carolina, 28460, Executrix. Harry L. McNeal, Jr., Esquire, Attorney. 4-29-3t

DOROTHY E. BAILEY late of Springettsbury Twp., York Co., PA, deceased. Wanda B. Bailey, 2444 Ridgewood Rd., York, PA 17402, Administratrix. Griest, Himes, Herrold, Schaumann, Ferro, LLP. John C. Herrold, Esquire, Attorney. 4-29-3t

MARY K. BEECHER late of Wrightsville Borough, York Co., PA, deceased. Audrey E. Lower, c/o 2997 Cape Horn Rd., Suite A-6, Red Lion, PA 17356, Executrix. Eveler & Eveler LLC, Attorney. 4-29-3t

JOAN M. BERG late of York City, York Co., PA, deceased. Dean E. Krout, 109 Ivy St., York, PA 17402, Executor. Griest, Himes, Herrold, Schaumann, Ferro, LLP. John C. Herrold, Esquire, Attorney. 4-29-3t

MILES BURNELL BORTNER a/k/a MILES BURNEL BORTNER late of Shrewsbury Borough, York Co., PA, deceased. Richard Sterner, c/o 515 Carlisle Street, Hanover, PA 17331, Executor. Elinor Albright Rebert, Esquire, Attorney. 4-29-3t

MIRIAM A. BREEN late of West York Borough, York Co., PA, deceased. Kathleen A. Myers and Bridget K. Hahn, 1424 Stanton St., York, PA 17404, Co-Administratrices. John W. Stitt, Esquire, Attorney.

CAROL BROWN late of York Twp., York Co., PA, deceased. Donna Silar and Jerome Brown, c/o 2997 Cape Horn Rd., Suite A-6, Red Lion, PA 17356, Executors. Eveler & Eveler LLC, Attorney. 4-29-3t

AVIS MARY DAKE late of Springettsbury Twp., York Co., PA, deceased. Maryann Poloway, c/o 129 E. Market St., York, PA 17401, Administratrix. Griest, Himes, Herrold, Schaumann, Ferro, LLP. John C. Herrold, Esquire, Attorney. 4-29-3t

ANNA R. FREED late of York Twp., York Co., PA, deceased. Georgette E. Freed Wolf and Joann E. Deardorff, c/o 2025 E. Market Street, York, PA, 17402, Co-Executrices. Richard H. Mylin, III, Esquire, Attorney. 4-29-3t

MARY L. GERBER late of Franklin Twp., York Co., PA, deceased. Allan Gerber, 828 Baltimore Road, Dillsburg, PA 17019 or Jay R. Gerber, 2 N. Seasons Drive, Dillsburg, PA 17019, Executors. The Wiley Group, P.C. Jan M. Wiley, Esquire, Attorney. 4-29-3t

KATHRYN L. KAUFFMAN late of East Prospect Borough, York Co., PA, deceased. Ray Kauffman, c/o 117 E. Market St., York, PA 17401, Executor. Anstine & Sparler. William B. Anstine, Jr., Esquire, Attorney. 4-29-3t

RALPH R. KLING late of York Twp., York Co., PA, deceased. David W. Kling, c/o 135 North George St., Ste. #213, York, PA 17401, Executor. James A. Holtzer, Esquire, Attorney. 4-29-3t

JOEL T. KREWSON late of West Manchester Twp., York Co., PA, deceased. David Matthew Krewson, c/o 48 South Duke Street, York, PA 17401, Executor. Manifold & Bankenstein. Bruce C. Bankenstein, Esquire, Attorney. 4-29-3t

RICHARD G. MARBURGER late of Springettsbury Twp., York Co., PA, deceased. Richard A. Marburger & Victoria L. Lelii, c/o 2997 Cape Horn Rd., Suite A-6, Red Lion, PA 17356, Administrators. Eveler & Eveler LLC, Attorney. 4-29-3t

CHARLOTTE H. MILLER a/k/a CHARLOTTE B. MILLER late of West Manheim Twp., York Co., PA, deceased. Mary June Fishel, c/o 515 Carlisle Street, Hanover, PA 17331, Executrix. Elinor Albright Rebert, Esquire, Attorney. 4-29-3t

IRENE E. RENOLL late of West Manchester Twp., York Co., PA, deceased. Roger C. Zeigler, 910 Taxville Rd., York, PA 17408, Executor. John W. Stitt, Esquire, Attorney. 4-29-3t

KATHLEEN M. SECHRIST late of Dover Twp., York Co., PA, deceased. Charlotte F. Boeckel and Marlin L. Augenbaugh, 2130 Hess Road, York, PA 17404, Co-Executors. STOCK AND LEADER. Thomas M. Shorb, Esquire, Attorney. 4-29-3t

HAROLD J. SMITH late of Manheim Twp., York Co., PA, deceased. Harold D. Smith, Sr., 4466 Skyview Drive, Glenville, PA 17329; Kevin D. Smith, 4632 Copenhaver Road, Glenville, PA 17329; Bryan G. Smith, 7011 Saranac Lane, Matthews, NC 28105; Stephen L. Smith, 529 1/2 McAllister Street, Hanover, PA 17331 and Keith D. Smith, 2161 Oakwood Drive, Hanover, PA 17331, Executors. Stonesifer and Kelley, P.C. Harry C. Stonesifer, Esquire, Attorney. 4-29-3t

LOUISE V. STEIN late of York Twp., York Co., PA, deceased. Robert K. Stein, Richard K. Stein and William E. Stein, 261 Franklin Square Drive, Dallastown, PA 17313, Co-Executors. STOCK AND LEADER. Byron H. LeCates, Esquire, Attorney. 4-29-3t

DOROTHY M. TOOMEY late of Windsor Twp, York Co., PA, deceased. John D. Toomey, Donna M. Martin and Robin C. Dehoff a/k/a Robin C. Peters, c/o 2997 Cape Horn Rd., Suite A-6, Red Lion, PA 17356, Administrators. Eveler & Eveler LLC, Attorney. 4-29-3t

ESTLE B. WHITE late of Lower Chanceford Twp., York Co., PA, deceased. Chad A. Martin, c/o 901 Delta Road, Red Lion, PA 17356, Executor. Andrea S. Anderson, Esquire, Attorney. 4-29-3t

HERBERT D. YOST, SR. late of York Co., PA, deceased. Kathy Jo Brown and Vickie M. Leiphart, c/o 1434 W. Market St., York, PA 17404, Co-Executrices. John W. Stitt, Esquire, Attorney. 4-29-3t

## SECOND PUBLICATION

DAVID A. BOWMAN late of Paradise Twp., York Co., PA, deceased. Nancy A. Zumbum, c/o 119 West Hanover Street, Spring Grove, PA 17362, Executrix. Craig A. Diehl, Esquire, Attorney. 4-22-3t

J. JAMES BURG a/k/a JOEL JAMES BURG late of Springettsbury Twp., York Co., PA, deceased. J. Gregory Burg, c/o 25 North Duke Street, York, PA 17401, Executor. SMITH, ANDERSON, BAKER & LONG. Charles J. Long, Esquire, Attorney. 4-22-3t

CHARLES BLAINE COOPER late of Glen Rock Borough, York Co., PA, deceased. Kevin C. Cooper, 1953 Cooper Road, New Freedom, PA 17349, Administrator. STOCK AND LEADER. J. Ross McGinnis, Esquire, Attorney. 4-22-3t

HARRY L. CUSTER a/k/a HARRY LEWIS CUSTER late of Penn Twp., York Co., PA, deceased. Harry Douglas Custer, 70 Knisley Drive, Hanover, PA 17331, Administrator. Stonesifer and Kelley, P.C., Attorney. 4-22-3t

JOHN CLEAVEN EVERETT late of East Manchester Twp., York Co., PA, deceased. Christine E. Scott, c/o P.O. Box 312, Stewartstown, PA 17363, Executrix. Laura S. Manifold, Esquire, Attorney. 4-22-3t

DAVID M. FISSEL late of Dillsburg, York Co., PA, deceased. Rory R. Stine, 2300 Cobble Hill Terrace, Silver Spring, MD 20902, Executor. Knupp Law Offices, LLC. Robert L. Knupp, Esquire, Attorney. 4-22-3t

ARLENE E. HEFNER late of Hanover Borough, York Co., PA, deceased. Arlene Reuss, c/o 250 York Street, Hanover, PA 17331, Executrix. Gates & Gates, P.C. Samuel A. Gates, Esquire, Attorney. 4-22-3t

ESTHER A. HERR late of York Co., PA, deceased. Paul Richard Herr, c/o One West Marketway, York, PA 17401, Executor. Jeffrey T. Bitzer, Esquire, Attorney. 4-22-3t

ALINE B. KLUSSMAN late of Springettsbury Twp., York Co., PA, deceased. Patricia C. Bankenstein, c/o 48 South Duke Street, York, PA 17401, Executrix. Bruce C. Bankenstein, Esquire, Attorney. 4-22-3t

JEANETTE E. KOONTZ late of York Co., PA, deceased. George John Koontz, 2016 Yingling Drive, Spring Grove, PA 17362, Administrator. MOONEY & ASSOCIATES. George W. Swartz, II, Esquire, Attorney. 4-22-3t

ALICE I. KREITZ late of Shrewsbury Borough, York Co., PA, deceased. Terrence L. Kreitz, c/o 119 West Hanover Street, Spring Grove, PA 17362, Executor. Craig A. Diehl, Esquire, Attorney. 4-22-3t

BEATRICE S. LAUBER late of Windsor Twp., York Co., PA deceased. Sandra J. Kelley, c/o 2025 E. Market Street, York, PA 17402, Executrix. Richard H. Mylin, III, Esquire, Attorney. 4-22-3t

RUTH A. RISHEL a/k/a RUTH ANNA RISHEL late of Warrington Twp., York Co., PA, deceased. Bonnie R. Shultz, 655 Yeager Road, Wellsville, PA 17365, Executrix. Wix, Wenger & Weidner. David R. Getz, Esquire, Attorney. 4-22-3t

KATHRYN B. ROSENZWEIG late of York Co., PA, deceased. Reda M. Kaufman and Janet L. Neiman, c/o 1434 W. Market Street, York, PA 17404, Co-Executrices. John W. Stitt, Esquire, Attorney. 4-22-3t

MONICA SCHMEYER a/k/a MONICA L. SCHMEYER late of Manheim Twp., York Co., PA, deceased. Elsa A. Schmeier, 203 K West Clearview Road, Hanover, PA 17331, Executrix. MILLER & SHULTIS, P.C. Timothy J. Shultis, Esquire, Attorney. 4-22-3t

PHYLLIS R. SHANK a/k/a PHYLLIS RUTH SHANK late of North York Boro, York Co., PA, deceased. Richard R. Shank, Jr., 124 Laurel Street, North York, PA 17404, Executor. 4-22-3t

ANN G. SHIRES late of York Co., PA, deceased. Elizabeth A. Lusk, c/o 2000 Linglestown Road, Suite 202, Harrisburg, PA 17110, Personal Representative. Hazen Elder Law, Attorney. 4-22-3t

EDWARD J. WILLIAMS a/k/a EDWARD J. WILLIAMS, SR. late of Conewago Twp., York Co., PA, deceased. Edward J. Williams a/k/a

Edward J. Williams, Jr., c/o 32 N. Duke St., P.O. Box 544, York, PA 17405, Executor. Morris & Vedder. Rand A. Feder, Esquire, Attorney. 4-22-3t

### THIRD PUBLICATION

LOIS A. ALBRIGHT late of Carroll Twp., York Co., PA, deceased. Evelyn M. Silvis, 366 Franklin Church Road, Dillsburg, PA 17019, Executrix. The Wiley Group, P.C. Jan M. Wiley, Esquire, Attorney. 4-15-3t

MARGARET JUNE BARRON late of Windsor Twp., York Co., PA, deceased. Stephen G. Barron, Diana Barron Lane and David J. Barron, c/o 2997 Cape Horn Rd., Suite A-6, Red Lion, PA 17356, Executors. Eveler & Eveler LLC, Attorney. 4-15-3t

MILLIE M. BULL a/k/a MILLIE MAXWELL BULL a/k/a MILLIE LOUISE BULL late of Codorus Twp., York Co., PA, deceased. Susan R. Bull, 4287 Fissels Church Road, Glen Rock, PA 17327, Administratrix. Kristina A. Bange, Esquire, Attorney. 4-15-3t

KENNETH E. FURMAN late of Mount Wolf Borough, York Co., PA, deceased. Teddy P. Furman, 77 S. 6th Street, P.O. Box 77, Mt. Wolf, PA 17347, Executor. Gregory H. Gettle, Esquire, Attorney. 4-15-3t

CATHERINE P. GARRETT late of Fairview Twp., York Co., PA, deceased. Thomas A. Garrett, c/o 3901 Market Street, Camp Hill, PA 17011-4227. COYNE & COYNE, P.C. Lisa Marie Coyne, Esquire, Attorney. 4-15-3t

J CLIFFORD GEHR a/k/a JACOB C. GEHR and JACOB GEHR late of Spring Garden Twp., York Co., PA, deceased. Sharon L. Shepard, c/o 1946 Carlisle Road, York, PA 17408, Administratrix, c.t.a. John M. Hamme, Esquire, Attorney. 4-15-3t

ROBERT LEE GOSSWEILER a/k/a ROBERT L. GOSSWEILER a/k/a ROBERT L. GOSSWEILER, SR. late of Hopewell Twp., York Co., PA, deceased. Carol V.S. Gossweiler, c/o P.O. Box 312, Stewartstown, PA 17363, Executrix. Laura S. Manifold, Esquire, Attorney. 4-15-3t

LLOYD G. GRAHAM late of Red Lion Borough, York Co., PA, deceased. Lucreta Z. Clark, 2342 S. Queen Street, York, PA 17402 and Betty M. Saylor, 474 Salem Church Road, Windsor, PA 17366, Co-Executors. LAUCKS & LAUCKS, LLP. David M. Laucks, Esquire, Attorney. 4-15-3t

RUTH MARIE HALL late of Penn Twp., York Co., PA, deceased. Leland R. Hall, c/o 120 Pine Grove Commons, York, PA 17403, Executor. Elder Law Firm of Robert Clofine. Robert

Clofine, Esquire, Attorney. 4-15-3t

JAMES L. HAUPT late of Fairview Twp., York Co., PA, deceased. Elda M. Burnell, 240 Lincoln Drive, New Cumberland, PA 17070, Executrix. Snowiss, Steinberg & Faulkner, LLP. Michael K. Hanna, Sr., Esquire, Attorney. 4-15-3t

ATHALENE M. MICKLEY late of York City, York Co., PA, deceased. Lona D. Seipple, c/o 50 East Market Street, Hellam, PA 17406, Executrix. Donald B. Swope, Esquire, Attorney. 4-15-3t

MILDRED J. HAYWARD late of Windsor, York Co., PA, deceased. Steven R. Tompkins, 202 Pine Ct., Red Lion, PA 17356, Executor. 4-15-3t

MARY A. KAUFMAN late of Hanover Borough, York Co., PA, deceased. Barbara A. Boyer, 229 George St., Hanover, PA 17331, Executrix. Guthrie, Nonemaker, Yingst & Hart. Matthew L. Guthrie, Esquire, Attorney. 4-15-3t

DALE E. KELLER a/k/a DALE EUGENE KELLER late of Lower Windsor Twp., York Co., PA, deceased. Tracey D. Keller and Mark A. Keller, c/o 2997 Cape Horn Rd., Suite A-6, Red Lion, PA 17356, Executors. Eveler & Eveler LLC, Attorney. 4-15-3t

STEVEN M. KING late of Franklin Twp., York Co., PA, deceased. John R. King, 1417 Frost Road, Mechanicsburg, PA 17055 or Shirley L. Hawkins, 726 W. Siddonsburg Road, Dillsburg, PA 17019, Executors. The Wiley Group, P.C. Jan M. Wiley, Esquire, Attorney. 4-15-3t

LETITIA E. KNILEY late of Manchester Twp., York Co., PA, deceased. Kenneth L. Kniley, 553 Locust Street, Columbia, PA 17512, Executor. Mountz & Kreisler Law Offices, David T. Mountz, Esquire, Attorney. 4-15-3t

KATHY MCKINNEY late of Dillsburg, Franklin Twp., York Co., PA, deceased. Trina McKinney, 175 East 93rd Street, 4B, New York, NY, 10128 and Christel McKinney, 489 E. Elmwood Avenue, Mechanicsburg, PA 17055, Executors. 4-15-3t

ESTELLE M. MILLER late of Hanover Borough, York Co., PA, deceased. Richard J. Miller and James A. Miller, c/o 215 Baltimore Street, Hanover, PA 17331, Co-Executors. Shultz Law Firm, LLC. Thomas M. Shultz, Esquire, Attorney. 4-15-3t

LINDA M. MYERS late of Hanover Borough, York Co., PA, deceased. Lisa A. Myers, 24 Highland Avenue, Hanover, PA 17331 and Jayne S. Myers Wildasin, 1672 Art Drive, Hanover, PA 17331, Executrices. Donald W. Dorr, Esquire, Attorney. 4-15-3t

BENJAMIN F. PRICE, JR. late of Codorus Twp., York Co., PA, deceased. Allen S. Redding, c/o 250 York Street, Hanover, PA 17331,

Administrator. Gates & Gates, P.C. Samuel A. Gates, Esquire, Attorney. 4-15-3t

ANDREW M. RILL late of Warrington Twp., York Co., PA, deceased. Sandra G. Kline, c/o Ten East High Street, Carlisle, PA 17013, Administratrix. MARTSON, LAW OFFICES. Ivo V. Otto III, Esquire, Attorney. 4-15-3t

ISAAC L. RUPPERT a/k/a ISAAC LEROY RUPPERT a/k/a ISSAC LEROY RUPPERT a/k/a ISAAC RUPPERT late of Lower Windsor Twp., York Co., PA, deceased. Reuben L. Ruppert and Daniel J. Ruppert, c/o 40 South Duke Street, York, PA 17401-1402, Co-Executors. Garber & Garber. John M. Garber, Esquire, Attorney. 4-15-3t

JUNE L. SHEFFER late of West York Borough, York Co., PA, deceased. Bradley L. Bennett, Jr., c/o 17 East Market Street, York, PA 17401, Executor. Blakey, Yost, Bupp & Rausch, LLP. David A. Mills, Esquire, Attorney. 4-15-3t

ANN G. SHIRES late of York Co., PA, deceased. Elizabeth A. Lusk, c/o 2000 Linglestown Road, Suite 202, Harrisburg, PA 17110, Personal Representative. Hazen Elder Law, Attorney. 4-15-3t

SARAH M. SMITH late of York Co., PA, deceased. Dennis Walter Smith, c/o One West Marketway, York, PA 17401, Executor. Jeffrey T. Bitzer, Esquire, Attorney. 4-15-3t

BEATRICE F. STORM a/k/a BEATRICE VIOLA STORM late of Hanover Borough, York Co., PA, deceased. Rodney L. Storm, 700 Linden Avenue, Hanover, PA 17331, Administrator. Stonesifer and Kelley, P.C., Attorney. 4-15-3t

OLIVIA C. VAN HEININGEN a/k/a OLIVIA C. VAN HEININGER late of Spring Garden Twp., York Co., PA, deceased. John H. Frederick, Jr. and Dirk van Heiningen, Jr., c/o 40 South Duke Street, York, PA 17401-1402, Co-Executors. Garber & Garber. John M. Garber, Esquire, Attorney. 4-15-3t

DELMA L. WINAND late of York City, York Co., PA, deceased. William Winand, c/o 2997 Cape Horn Rd., Suite A-6, Red Lion, PA 17356, Executor. Eveler & Eveler LLC, Attorney. 4-15-3t

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**ATTENTION ATTORNEYS  
YOUR OFFICE IS WAITING FOR YOU.**

Fully furnished office space is available in a modern facility in Carlisle 20 minutes from Harrisburg with free parking.

Sub-lease agreement includes many extras including administrative support by Paralegal, office computer, online legal research, access to a fully furnished conference room.

Contact:

**Knight & Associates, P.C.  
(717) 249-5373.**

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Stress, Depression, Anxiety**

**1-888-999-1941**

***Call for a free consultation.***

**CIVIL NOTICES**

**ACTION IN MORTGAGE FORECLOSURE**

PHH MORTGAGE CORPORATION  
Vs.  
ALEXANDER N. ROBLES

NO. 2009-SU-005313-06

**NOTICE**

TO ALEXANDER N. ROBLES:

You are hereby notified that on OCTOBER 22, 2009, Plaintiff, PHH MORTGAGE CORPORATION, filed a Mortgage Foreclosure Complaint endorsed with a Notice to Defend, against you in the Court of Common Pleas of YORK County Pennsylvania, docketed to No. 2009-SU-005313-06. Wherein Plaintiff seeks to foreclose on the mortgage secured on your property located at 313 WARREN STREET, YORK, PA 17403 whereupon your property would be sold by the Sheriff of YORK 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.

**NOTICE**

If you wish to defend, you must enter a written appearance personally or by attorney and file your defenses or objections in writing with the court. 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.

YORK COUNTY  
LAWYER REFERRAL SERVICE  
YORK LEGAL REFERRAL

137 EAST MARKET STREET  
YORK, PA 17401  
717-854-8755 x201

PHELAN HALLINAN & SCHMIEG, LLP.  
Suite 1400  
One Penn Center @ Suburban Station  
Philadelphia, PA 19103-1814  
215-563-7000  
Main Fax: 215-563-7009

4-29-1t

Solicitor

SUNTRUST MORTGAGE, INC., PLAINTIFF  
vs.  
WILLIAM N. TREICHLER, JR, DEFENDANT

No. 2010-SU-000702-06

TO: WILLIAM N. TREICHLER, JR., whose last known address is 699 Pinetown Road, Lewisberry, PA 17339.

You are hereby notified that Plaintiff, SUNTRUST MORTGAGE, INC., has filed a Mortgage Foreclosure Complaint endorsed with a notice to defend against you in the Court of Common Pleas of York County, Pennsylvania, docketed to No. 2010-SU-000702-06, wherein Plaintiff seeks to foreclose on the mortgage secured on your property located, 699 Pinetown Road, Lewisberry, PA 17339, whereupon your property will be sold by the Sheriff of York County.

**NOTICE**

You have been sued in court. If you wish to defend against the claims set forth in the following pages, 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 claim in the Complaint of 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 OR CANNOT AFFORD ONE, 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.

SHANE B. KOPE, Esquire  
4-29-1t Attorney for the Corporation

YORK COUNTY BAR ASSOCIATION  
LAWYER REFERRAL SERVICE  
137 E. Market St., York, PA 17401  
717.854.8755

POWERS, KIRN & JAVARDIAN, LLC  
GREGORY JAVARDIAN, Esquire

1310 Industrial Boulevard, Suite 101  
Southampton, PA 18966  
215-942-2090

4-29-1t Atty. for Plaintiff

Notice is hereby given that a for profit corporation known as STAMBAUGH ACQUISITION COMPANY, INC. has been incorporated under the provisions of the For Profit Corporation Law of 1988.

BARLEY SNYDER LLC

4-29-1t Attorneys at Law

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**ARTICLES OF AMENDMENT**

NOTICE is hereby given that on or about April 30, 2010 Articles of Amendment shall be filed with the Department of State, Commonwealth of Pennsylvania by YORK CITY SEWER AUTHORITY pursuant to the provisions of 53 P.S. §305. The amendments to the Articles of Incorporation shall include a change of the registered address to 345 East Market Street, York, PA 17403, and extending the term of existence of the Authority to a date fifty (50) years from the date of approval of the Articles of Amendment.

STOCK AND LEADER

STEVEN M. HOVIS, Esquire

4-29-1t Solicitor

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**ARTICLES OF INCORPORATION**

Notice is hereby given that CENTRAL PENN SERVICE GROUP, INC. has been incorporated under the provisions of the Business Corporation Law of 1988.

KOPE & ASSOCIATES LAW OFFICES LLC

NOTICE is hereby given that YORK 912 PATRIOTS, INC. has been incorporated under the provisions of the Pennsylvania Business Corporation Law of 1988.

BECKER & STRAUSBAUGH, P.C.

ARTHUR J. BECKER, JR., Esquire

4-29-1t Attorneys for York 912 Patriots, Inc.

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**ARTICLES OF INCORPORATION –  
NONPROFIT CORPORATION**

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, on April 15, 2010, for the purpose of obtaining a Certificate of Incorporation for a Domestic Nonprofit Corporation organized under the Nonprofit Corporation Law of 1988, Act of December 21, 1988, P.L. 1444, No. 177, as amended.

The name of the corporation is: HI SPEED RAIL FACILITIES, INC.

SMIGEL, ANDERSON & SACKS, LLP

ROGER M. MORGENTHAL, Esquire

4-29-1t Solicitor

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**CHANGE OF NAME**

IN THE COURT OF COMMON PLEAS OF  
YORK COUNTY, PENNSYLVANIA

NOTICE IS HEREBY GIVEN THAT ON THE 9TH DAY, OF APRIL, 2010, THE PETITION OF LAYLA LONDON LAUGHMAN WAS FILED IN THE COURT OF COMMON PLEAS OF CUMBERLAND COUNTY, PENNSYLVANIA, FOR A DECREE TO CHANGE HER NAME FROM LAYLA LONDON LAUGHMAN TO LAYLA LONDON SWITZER. THE COURT HAS SCHEDULED A HEARING ON THIS MATTER ON JULY 16, 2010 AT 1:30 P.M. IN COURT ROOM NO. 2, CUMBERLAND COUNTY COURTHOUSE, COURTHOUSE SQUARE, CARLISLE, PENNSYLVANIA. WHEN AND WHERE ALL PERSONS MAY APPEAR AT THAT TIME AND SHOW CAUSE, SHOULD THEY HAVE ANY, WHY THE PETITION SHOULD NOT BE GRANTED.

MARYLOU MATAS, Esquire

4-29-1t Solicitor

NOTICE is hereby given that a petition for change of name was filed in the Court of Common Pleas, requesting a decree to change the name of MARIA-DANIELLE ALANA LENNEN to MARIA DANIELLE KEISTER.

The Court has fixed the 14th day of June, 2010 at 9:00 a.m. in Courtroom #6, York County Judicial Center, 45 North George Street, York, Pennsylvania, as the time and place for the hearing on said petition when and where all persons interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

THE WILEY GROUP

JAN WILEY, Esquire

4-29-1t Attorneys at Law

**FICTITIOUS NAME**

FICTITIOUS NAME NOTICE is hereby given that an Application for Registration of a ficti-

tious name has been filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania pursuant to the Fictitious Name Act No. 1982-295 setting forth that Central Penn Service Group, Inc. is the only entity owning or interested in a business the character of which is commercial and industrial janitorial services and that the name style and designation under which said business is and will be conducted is CENTRAL PENN BUILDING SERVICES and the principal office or place of business of said business is 1555 North Queen Street, York Pennsylvania 17404.

KOPE & ASSOCIATES LAW OFFICES, LLC

SHANE B. KOPE, Esquire

4-29-1t Attorney for Applicant

FICTITIOUS NAME NOTICE is hereby given that an Application for Registration of a fictitious name has been filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania pursuant to the Fictitious Name Act No. 1982-295 setting forth that Central Penn Service Group, Inc. is the only entity owning or interested in a business the character of which is commercial and industrial janitorial services and that the name style and designation under which said business is and will be conducted is CENTRAL PENN RESTORATION & REMODELING and the principal office or place of business of said business is 1555 North Queen Street, York Pennsylvania 17404.

KOPE & ASSOCIATES LAW OFFICES, LLC

SHANE B. KOPE, Esquire

4-29-1t Attorney for Applicant

Notice is hereby given a certificate was or will be filed under the Fictitious Name Act approved May 24, 1945 in the Office of the Secretary of the Commonwealth of Pennsylvania, setting forth that Steven M. Why, 2469 Bradford Drive, York, Pennsylvania 17402 are the only person(s) owning or interested in a business, the character of which is catalog/mail order sales and that the name, style and designation under which said business is and will be conducted is EASTERN COAST and the location where said business is and will be located is 2536 Eastern Blvd., Box 199, York, PA 17402.

STEVEN M. WHY

4-29-1t Solicitor

**NOTICE OF SHERIFF SALE**

NO.: 2009-SU-04890-06

**NOTICE OF SHERIFF SALE  
OF REAL ESTATE  
PURSUANT TO Pa.R.C.P. 3129**

AMERICAN NATIONAL BANK dba  
LEADER FINANCIAL SERVICES, Plaintiff

vs.

FRIEDA REYES-ORTIZ, Defendant(s)

TO: FRIEDA REYES-ORTIZ

That the Sheriff's Sale of Real Property (Real Estate) will be held at York County Sheriff's Office, 45 North George Street, York, PA 17401 on 06/14/2010 at 2:00pm prevailing local time.

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

The LOCATION of your property to be sold is:

323 East King Street, York, PA, 17403

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

No.: 2009-SU-04890-06

A complete copy of the Notice of Sheriff Sale will be sent to you upon request to the Attorney for the Plaintiff, Scott A. Dieterick, Esquire, Zucker, Goldberg & Ackerman, LLC, 200 Sheffield Street, Mountainside, NJ 07092, 908-233-8500

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

IT HAS BEEN ISSUED BECAUSE THERE IS A JUDGMENT AGAINST YOU.

IT MAY CAUSE YOUR PROPERTY TO BE HELD, TO BE SOLD OR TAKEN TO PAY THE JUDGMENT.

You may have legal rights to prevent your property from being taken away. A lawyer can advise you more specifically of these rights. If you wish to exercise your rights, YOU MUST ACT PROMPTLY.

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

YORK COUNTY LAWYER  
REFERRAL SERVICE  
York Legal Referral  
137 E. Market Street  
York, PA 17401  
Phone (717) 854-8755, Ext. 201

ZUCKER, GOLDBERG & ACKERMAN, LLC  
4-29-1t Solicitor

NO.: 2009-SU-004025-06

**NOTICE OF SHERIFF SALE  
OF REAL ESTATE  
PURSUANT TO Pa.R.C.P. 3129**

LEADER FINANCIAL SERVICES, Plaintiff  
vs.

DANIEL L. JOHNS, JR.;  
MELISSA L. JOHNS, Defendant(s)

TO: DANIEL L. JOHNS, JR.

That the Sheriff's Sale of Real Property (Real Estate) will be held at York County Sheriff's Office, 45 North George Street, York, PA 17401 on 06/14/2010 at 2:00pm prevailing local time.

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

The LOCATION of your property to be sold is:

1300 West Poplar Street, York, PA, 17404

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

No.: 2009-SU-004025-06

A complete copy of the Notice of Sheriff Sale will be sent to you upon request to the Attorney for the Plaintiff, Scott A. Dieterick, Esquire, Zucker, Goldberg & Ackerman, LLC, 200 Sheffield Street, Mountainside, NJ 07092, 908-233-8500

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

IT HAS BEEN ISSUED BECAUSE THERE IS A JUDGMENT AGAINST YOU.

IT MAY CAUSE YOUR PROPERTY TO BE HELD, TO BE SOLD OR TAKEN TO PAY THE JUDGMENT.

You may have legal rights to prevent your property from being taken away. A lawyer can advise you more specifically of these rights. If you wish to exercise your rights, YOU MUST ACT PROMPTLY.

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

YORK COUNTY LAWYER  
REFERRAL SERVICE  
York Legal Referral  
137 E. Market Street  
York, PA 17401  
Phone (717) 854-8755, Ext. 201

ZUCKER, GOLDBERG & ACKERMAN, LLC  
4-29-1t Solicitor

No. 2009-SU-001683-06

### NOTICE OF SHERIFF'S SALE OF REAL PROPERTY

PENNSYLVANIA STATE  
EMPLOYEES CREDIT UNION v.  
RICK A. NORTHCRAFT  
a/k/a RICHARD A. NORTHCRAFT

TO: RICK A. NORTHCRAFT a/k/a RICHARD A. NORTHCRAFT

Your house (real estate) at 150 Saint Andrews Way, Etters, Pennsylvania is scheduled to be sold at Sheriff's Sale on June 14, 2010 at 2:00 p.m., Office of the York County Sheriff in the York County Judicial Center, 45 North George Street, York, Pennsylvania 17401, to enforce the court judgment of \$120,535.06 obtained by Pennsylvania State Employees Credit Union against you.

### NOTICE OF OWNER'S RIGHTS

#### YOU MAY BE ABLE TO PREVENT THIS SHERIFF'S SALE

To prevent this Sheriff's Sale you must take immediate action:

1. The sale will be canceled if you pay to Pennsylvania State Employees Credit Union (the amount of the judgment plus costs)(the back payments, late charges, costs, and reasonable attorney's fees due). To find out how you must pay, you may call Shawn M. Long, Esquire (717-299-5201).

2. You may be able to stop the sale by filing a petition asking the Court to strike or open the judgment, if the judgment was improperly entered. You may also ask the Court to postpone the sale for good cause.

3. You may also be able to stop the sale through other legal proceedings.

You may need an attorney to assert your rights. The sooner you contact one, the more chance you will have of stopping the sale. (See notice below to find out how to obtain an attorney).

#### YOU MAY STILL BE ABLE TO SAVE YOUR PROPERTY AND YOU HAVE OTHER RIGHTS EVEN IF THE SHERIFF'S SALE DOES TAKE PLACE.

1. If the Sheriff's Sale is not stopped, your property will be sold to the highest bidder. You may find out the price bid by calling the Sheriff of York County, at (717) 771-9601.

2. You may be able to petition the Court to set aside the sale if the bid price was grossly inadequate compared to the value of your property.

3. The sale will go through only if the buyer pays the Sheriff the full amount due in the sale. To find out if this has happened, you may call the Sheriff of York County at (717) 771-9601.

4. If the amount due from the buyer is not paid to the Sheriff, you will remain the owner of the property as if the sale never happened.

5. You have a right to remain in the property until the full amount due is paid to the Sheriff and the Sheriff gives a deed to the buyer. At that time, the buyer may bring legal proceedings to evict you.

6. You may be entitled to a share of the money which was paid for your house. A schedule of distribution of the money bid for your house will be filed by the Sheriff on or about July 14, 2010. This schedule will state who will be receiving that money. The money will be paid out in accordance with this schedule unless exceptions (reasons why the proposed distribution is wrong) are filed with the Sheriff within ten (10) days after the filing of the schedule of distribution.

7. You may also have other rights and defenses, or ways of getting your house back, if you act immediately after the sale.

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

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