

## LACKAWANNA JURIST

### JUDICIAL OPINION

**CASE NAME AND NUMBER:** Butler v. Scranton Manufacturing Co. et al., 2022 WL 278755 (Jan. 28, 2022)

**DATE OF DECISION:** January 28, 2022

**JUDGE:** Terrence R. Nealon

#### **ATTORNEYS INVOLVED:**

Matthew D. Dempsey, Esquire, Counsel for Plaintiffs

Robert J. Cosgrove, Esquire, Jennifer Seme, Esquire, Counsel for Defendant, Scranton Manufacturing Company, Inc., Individually and t/a New Way Trucks

Steven T. Williams, Esquire, Counsel for Defendant, Eagle Truck Equipment, Inc.

Robert D. McMahon, Esquire, Counsel for Defendant, Triple Cities Acquisition, LLC, Individually and t/a Triple Cities Mack Sales and Service Company

Vlada Tasich, Esquire, Counsel for Defendant, Mack Truck, Inc.

Michael J. Domanish, Esquire, Counsel for Additional Defendant, Fastenal Company

#### **SUMMARY OF OPINION:**

A borough refuse collector, who was riding a garbage truck on its rear "riding step" that allegedly snapped and detached from the moving truck and caused him to suffer serious head injuries, commenced this products liability case against the manufacturers and distributors of the truck and riding step. A defendant-manufacturer subpoenaed several borough employees for depositions, and pursuant to Pa.R.Civ.P. 234.1(b)(2), also demanded the production of 11 categories of documents. Contending that the borough manager acted in bad faith by failing to produce the requested records at his deposition, the manufacturer filed a motion to compel a second deposition of the borough manager and to impose monetary sanction upon the borough under Rule 234.5(b). It also sought to depose the borough council president who is a member of the law firm that represents plaintiff in this matter.

The record submitted by the parties reflected that (a) the borough council president contacted plaintiff's father shortly after this incident to advise him of his son's injury, and (b) certain truck maintenance decisions before and after this incident were made by borough council. In light of the liberal discovery standard applicable in civil litigation, the manufacturer was entitled to depose the borough council president regarding his post-accident conversation with plaintiff's father and his knowledge of borough council's garbage truck maintenance decisions, although there was no basis for finding that the borough council president was likely to be a necessary witness concerning a contested issue in this case for purposes of the disqualification of his law firm in this matter. No other discovery from the borough was warranted under the circumstances, and the manufacturer's request for sanctions under Rule 234.5(b) was without merit. Therefore, the manufacturer's discovery motion was granted with respect to the limited deposition of the borough council president but denied in all other respects.

### JUDICIAL OPINION

**CASE NAME AND NUMBER:** Gawrys v. Zaffino, 2022 WL 445678 (Lacka. Co. 2022)

**DATE OF DECISION:** February 11, 2022

**JUDGE:** Terrence R. Nealon

#### **ATTORNEYS INVOLVED:**

Bradley D. Moyer, Esquire, Counsel for Plaintiff

Mariclare L. Hayes, Esquire, Counsel for Defendant, Fred Zaffino

#### **SUMMARY OF OPINION:**

The landowner in this premises liability action filed preliminary objections challenging the factual specificity of plaintiff's allegations of recklessness and demand for punitive damages, and demurring to plaintiff's claims for "interest," "costs of suit," and "attorneys' fees" in his prayer for relief. Relying upon Pa.R.Civ.P. 1019(a) and its requirement that "[t]he material facts on which a cause of action . . . is based shall be stated in a concise and summary form," the owner contended that plaintiff failed to allege sufficient facts to support a finding of recklessness and an award of punitive damages. The landowner also asserted that the American Rule barred plaintiff's requests for counsel fees, interest, and costs. Plaintiff countered that recklessness is a condition of the mind that "may be averred generally" under Pa.R.Civ.P. 1019(b), and further submitted that although his demand for counsel fees was subject to dismissal for legal insufficiency, his claims for pre-judgment interest and taxable costs should not be stricken.

Rule 1019(b) clearly states that "conditions of mind may be averred generally," and appellate precedent has specifically held that wanton, willful, and reckless conduct are conditions of the mind that may be alleged generally under Rule 1019(b). Rule 1019(a) requires "material facts" to "be stated in a concise and summary form" in support of "a cause of action," but decisional authority in this Commonwealth has long recognized that a request for punitive damages does not constitute "a cause of action" and is merely an element of damages that is incidental to an underlying cause of action. Since the landowner did not challenge the factual specificity of the averments supporting plaintiff's stated cause of action, the preliminary objection seeking to strike plaintiff's general averments of recklessness and derivative demand for punitive damages was overruled based upon the plain language of Rule 1019(a) and (b). By stipulation of counsel, plaintiff's claim for "attorneys' fees" was stricken due to legal insufficiency, but the demurrer to the requests for pre-judgment interest under Pa.R.Civ.P. 238 and taxable costs pursuant to 42 Pa.C.S. § 1726 and Lacka. Co. R.C.P 275 was overruled.

## LACKAWANNA JURIST

### ESTATES

#### **First Notice**

Letters of Testamentary, have been granted in the **ESTATE OF JOHANNA THERESA BECK**, Deceased, to Astra J. Beck, Executrix, or Powell Law Attorneys, 527 Linden Street, Scranton, PA 18503. All persons having claims against the estate are requested to present them in writing and all persons indebted to the estate to make payment to it in care of the Attorney noted above.

**ESTATE OF HELEN M. BROGENSKI a/k/a HELEN MARIE BROGENSKI**, of Jessup, Pennsylvania (died December 10, 2021). All persons indebted to the estate shall make payment and those having claims or demands are to present same without delay to the Executor, Joseph Brogenksi, or Richard A. Fanucci, Attorney for the Estate, 1711 Main Street, Blakely, PA 18447.

NOTICE IS HEREBY GIVEN that Letters Testamentary have been granted in the **ESTATE OF EDMUND J. CARR Deceased**, late of Clarks Summit, Lackawanna County, Pennsylvania, 18411, who died on December 27, 2021. All persons indebted to the Estate are requested to make payment and those having claims or demands are to present same, without delay, to the Executor, Kevin J. Carr or Scott R. Sanderson, Attorney for the Estate – Sanderson Building, 1 Terrace Drive, Olyphant, Pennsylvania 18447. THE SANDERSON LAW FIRM.

**ESTATE OF WILLIAM T. CLARK SR.** ESTATE NUMBER 35-2021-1815, DECEASED, LATE OF SCRANTON, LACKAWANNA COUNTY, PA: DIED NOVEMBER 14, 2021. NOTICE IS HEREBY GIVEN THAT LETTERS ADMINISTRATION HAVE BEEN GRANTED IN THE ABOVE ESTATE. ALL PERSONS INDEBTED TO SAID ESTATE ARE REQUIRED TO MAKE PAYMENTS, AND THOSE HAVING CLAIMS OR DEMANDS ARE TO PRESENT THE SAME WITHOUT DELAY TO WILLIAM T. CLARK JR, 1608 TIFTON CT RICHMOND VA 23224.

NOTICE IS HEREBY GIVEN that Letters Testamentary in the **ESTATE OF ROBERT J. COLOMBO, SR. A/K/A ROBERT COLOMBO**, late of the City of Scranton, Lackawanna County, Pennsylvania, have been granted to the undersigned. All persons indebted to said estate are required to make immediate payment and those having claims shall present them for settlement to: LORETTA ECKERT, EXECUTRIX, KEVIN R. GREBAS, Esquire, COLBERT & GREBAS, P.C., 210 Montage Mountain Road – Suite A, Moosic, PA 18507. Date of Death: October 11, 2021.

Notice is hereby given that Letters Testamentary have been granted in the **ESTATE OF ROBERT C. COSNER a/k/a ROBERT CHARLES COSNER**, late of Clarks Summit, Lackawanna County, Commonwealth of Pennsylvania, (Died: January 7, 2022). All persons indebted to the Estate are requested to make payment and those having claims or demands are to present same, without delay to the Executrix: Elizabeth Breslin, or Attorney Barbara J. O'Hara, 1421 E. Drinker Street, Dunmore, Pennsylvania 18512. ATTORNEY BARBARA J. O'HARA

**ESTATE OF JOHN J. DUBAS a/k/a JOHN JOSEPH DUBAS a/k/a JOHN DUBAS**, of Jessup, Pennsylvania (died October 28, 2021). All persons indebted to the estate shall make payment and those having claims or demands are to present same without delay to the Executor, Kris Sheridan, or Richard A. Fanucci, Attorney for the Estate, 1711 Main Street, Blakely, PA 18447.

In re: **ESTATE OF JOSEPH J. FANTI**, late of Scranton, Lackawanna County, Pennsylvania, died *January 15, 2022*. Letters of Administration in the above Estate having been granted, all person having claims or demands against the Estate of the Decedent shall make them known and present them, and all persons indebted to the said Decedent shall make payment thereof, without delay, to Catherine Inells, Personal Representative, or to Joseph S. Toczydlowski, Jr., Esquire of the Toczydlowski Law Office, 723 North Main Street, Archbald, PA 18403.

**ESTATE OF EUGENE RALPH FLOWER** late of Thornhurst Township, Lackawanna County, PA (December 24, 2021). Notice is hereby given that Letters of Administration on the above Estate have been granted to Jeanette M. Flower. All persons indebted to the said estate are required to make payment and those having claims to present the same without delay to the Administratrix named above or to Timothy B. Fisher II, Esquire, Fisher & Fisher Law Offices LLC, Attorneys for the Estate, 525 Main Street, PO Box 396, Gouldsboro, PA 18424.

**ESTATE OF CAROL M. GILL a/k/a CAROL MARIE GILL a/k/a CAROL GILL**, of Scranton, Pennsylvania (died September 30, 2021). All persons indebted to the estate shall make payment and those having claims or demands are to present same without delay to the Administrator, James DeStefano, or Richard A. Fanucci, Attorney for the Estate, 1711 Main Street, Blakely, PA 18447.

**ESTATE OF VALENTINO GRASSETTI A/K/A VALENTINO P. GRASSETTI**, late of the Borough of Dickson City, Lackawanna County, Pennsylvania (died, December 24, 2021). Letters Testamentary were granted to VALENTINO GRASSETTI, JR. Creditors present claims and debtors make payments to John P. Pesota, Esquire, Suite 402 SNB Plaza, 108 North Washington Avenue. Scranton, Pa. 18503.

**ESTATE OF JOHN KELEMANIK**, late of Scranton (died March 23, 2021). Letters of Testamentary having been granted to John Kelemanik Jr. and Mary Grace Kelemanik. All persons knowing themselves to be indebted to said Estate will make payment immediately, and those having claims will present them for settlement to John Kelemanik Jr. and Mary Grace Kelemanik, Co-executors, or to: Tullio DeLuca, Co-Attorney for the Estate, 381 N. 9<sup>th</sup> Avenue, Scranton, PA 18504 and Gregory A. Germain, Co-Attorney for the Estate, 639 Jefferson Ave., Scranton, PA 18510.

**ESTATE OF ROBERT D. LaMORTE**, late of Peckville, Pennsylvania (died 01/27/2021). Notice is hereby given that Letters of Testamentary on the above Estate have been granted to Lori A. Wrobleksi, of Winter Garden, FL, Executrix. All persons indebted to the said Estate are required to make payment and those having claims to present the same without delay to the Executrix named herein, or to Patrick N. Coleman, Esquire, Tellie & Coleman, P.C., 310 East Drinker Street, Dunmore, PA 18512.

**ESTATE OF DAVID MICHAEL LAZAR.** ESTATE NUMBER 35-2022-80, DECEASED, LATE OF SIMPSON, LACKAWANNA COUNTY, PA: DIED DECEMBER 5, 2021. NOTICE IS HEREBY GIVEN THAT LETTERS TESTAMENTARY HAVE BEEN GRANTED IN THE ABOVE ESTATE. ALL PERSONS INDEBTED TO SAID ESTATE ARE REQUIRED TO MAKE PAYMENTS, AND THOSE HAVING CLAIMS OR DEMANDS ARE TO PRESENT THE SAME WITHOUT DELAY TO ANTHONY J. MARCAVAGE, 711 PLEASURE ROAD LANCASTER PA 17601.

## LACKAWANNA JURIST

NOTICE IS HEREBY GIVEN that Letters Testamentary have been granted in the **ESTATE OF DOROTHY LOKUTA**, late of Moosic, Lackawanna County, Pennsylvania who died November 16, 2021. All persons indebted to said Estate are requested to make payment and all those with claims or demand are to present the same to the Executor, Joseph Lokuta, in care of his attorney: c/o Maureen K. Collins, Esquire, Mahler Law Firm, LLC, 1043 Wyoming Avenue, 1<sup>st</sup> Floor, Forty Fort, PA 18704.

**ESTATE OF ELIZABETH MARICHAH**. ESTATE NUMBER 35-2022-195, DECEASED, LATE OF SCRANTON, LACKAWANNA COUNTY, PA: DIED DECEMBER 20, 2021. NOTICE IS HEREBY GIVEN THAT LETTERS TESTAMENTARY HAVE BEEN GRANTED IN THE ABOVE ESTATE. ALL PERSONS INDEBTED TO SAID ESTATE ARE REQUIRED TO MAKE PAYMENTS, AND THOSE HAVING CLAIMS OR DEMANDS ARE TO PRESENT THE SAME WITHOUT DELAY TO JOHN J. VERNOSKI, 5523 LAKEWHITE CT, FAIRFAX VA 22032.

**ESTATE OF ANN M. MOORE**, DECEASED, late of 702 CHURCH STREET, MOSCOW, PA 18444, (Died JANUARY 29, 2022). JAMES P. MOORE, Executor; Dante A. Cancelli, Suite 260, 125 North Washington Ave., Scranton, Pennsylvania 18503, Attorney. DANTE A. CANCELLI, ESQUIRE

**RE: ESTATE OF MARGERY B. MORANO**, late of Waverly, PA, who died December 17, 2021. Letters Testamentary in the above estate having been granted, all persons having claims or demands against the estate of the decedent shall make them known and present them, and all persons indebted to said decedent shall make payment thereof without delay to: Kathryn A. Vassil and John A. Morano, Jr., Co-Executors, or Daniel L. Penetar, Jr., Esquire, 116 North Washington Avenue, Suite 2A, Scranton, PA 18503.

NOTICE IS HEREBY GIVEN that Letters Testamentary in the **ESTATE OF JOHN D. MUMFREDA A/K/A JOHN DONATO MUMFREDA**, late of the City of Scranton, Lackawanna County, Pennsylvania, have been granted to the undersigned. All persons indebted to said estate are required to make immediate payment and those having claims shall present them for settlement to: HELEN C. MOFFITT, EXECUTRIX, BRENDA D. COLBERT, Esquire, COLBERT & GREBAS, P.C., 210 Montage Mountain Road – Suite A, Moosic, PA 18507.

**RE: ESTATE OF BRADLEY NASH, a/k/a BRADLEY NASH, SR.**, late of Clarks Green, Pennsylvania (died February 9, 2022). Letters Testamentary in the above estate having been granted, all persons having claims or demands against estate of decedent shall make them known and present them, and all persons indebted to said estate shall make payment thereof without delay to Bradley Nash Jr., Co-Executor, Executor, 162 Foxwood Estates, Boone, NC 28607; Michelle Rose Nash, Co-Executor, 233 North Main Street, Apt. 2, Taylor, PA 18517; or to Paul D. Horger, Esquire, Oliver, Price & Rhodes, Attorneys for the Estate, 1212 South Abington Road, P.O. Box 240, Clarks Summit, Pennsylvania 18411.

### IN THE ESTATE OF KATHRYN MARY PARKINSON

late of the Township of South Abington, County of Lackawanna and Commonwealth of Pennsylvania, deceased, who died on December 15, 2021; Letters Testamentary have been granted to the undersigned. All persons having claims against the estate of said decedent are requested to make known the same and all persons indebted to make payment without delay to: David Weist, Catherine J. Garbus, Esquire, 24 E. Tioga Street, Tunkhannock, PA 18657. (570) 836-6749.

**ESTATE OF JOHN T. PUPALITIS**, late of Dunmore, Pennsylvania (died 01/03/2022). Notice is hereby given that Letters of Testamentary on the above estate have been granted to John T. Pupalitis, Jr., of Dunmore, Executor. All persons indebted to the said estate are required to make payment and those having claims to present the same without delay to the Executor named herein, or to Patrick N. Coleman, Esquire, Tellie & Coleman, P.C., 310 East Drinker Street, Dunmore, PA 18512.

NOTICE IS HEREBY GIVEN of the opening of the **ESTATE OF JOHN F. RAFALKO** of Scranton, Lackawanna County, Pennsylvania, date of death on July 4, 2021, Darlene K. Gavin, was appointed as Administratrix on February 9, 2022. Administrators, Creditors are to present claims and debtors are to make payments to Anne Marie Howells, Esquire (Attorney for the Estate) 307 West Market Street, Suite #1, Scranton, PA 18508. (570) 344-1088.

**ESTATE OF THERESA M. ROJEK a/k/a THERESA ROJEK**, of Ollyphant, Pennsylvania (died December 2, 2021). All persons indebted to the estate shall make payment and those having claims or demands are to present same without delay to the Executor, Michael A. Rojek, or Richard A. Fanucci, Attorney for the Estate, 1711 Main Street, Blakely, PA 18447.

Notice is hereby given that Letters Testamentary have been granted in the following Estate. All persons indebted to said Estate are required to make payment, and those having claims or demands to present the same without delay to the Executor named. **ESTATE OF HELEN ROJENCHES**, Taylor, PA. John J. Rojenches, Jr., Executor; Christopher J. Szweczyk, Esquire, Attorney, 321 Biden Street, Suite 201, Scranton, PA 18503.

**ESTATE OF JOSEPHINE SAFKO**, of Jessup, Pennsylvania (died December 12, 2021). All persons indebted to the estate shall make payment and those having claims or demands are to present same without delay to the Executor, Michael S. Safko, or Richard A. Fanucci, Attorney for the Estate, 1711 Main Street, Blakely, PA 18447.

NOTICE IS HEREBY GIVEN that Letters Testamentary have been granted in the **ESTATE OF RITA SPARACINO, a/k/a RITA T. SPARACINO**, late of the Borough of Taylor, Lackawanna County, who died January 17, 2022. All persons indebted to said Estate are requested to make payment and those having claims to present the same, without delay, to the Executrix, PATRICIA WYLAM, and her Attorneys. SAPORITO, FALCONE & WATT, 48 SOUTH MAIN STREET, PITTSTON, PA 18640.

**RE: ESTATE OF MARIE SWIETOCZOWSKI**, late of New York, NY, who died December 10, 2011. Letters Testamentary in the above estate having been granted, all persons having claims or demands against the estate of the decedent shall make them known and present them, and all persons indebted to said decedent shall make payment thereof without delay to: Sophie Swietochowski, Administrator, or Daniel L. Penetar, Jr., Esquire, 116 North Washington Avenue, Suite 2A, Scranton, PA 18503.

## LACKAWANNA JURIST

### Second Notice

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## LACKAWANNA JURIST

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

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

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

### Third Notice

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

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

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

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

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

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

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

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

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

## LACKAWANNA JURIST

### ARTICLES OF INCORPORATION

NOTICE IS HEREBY GIVEN THAT Articles of Incorporation for KJS Deliveries, Inc. were filed with the Pennsylvania Department of State and approved March 17, 2021, under the provisions of the Business Corporation Law of 1988, as amended and supplemented.

Michael D. Walker, Esquire  
Walker & Walker, P.C.  
Attorney T-1

### ARTICLES OF INCORPORATION

NOTICE IS HEREBY GIVEN THAT Articles of Incorporation for KJS Distribution, Inc. were filed with the Pennsylvania Department of State and approved March 17, 2021, under the provisions of the Business Corporation Law of 1988, as amended and supplemented.

Michael D. Walker, Esquire  
Walker & Walker, P.C.  
Attorney T-1

### ARTICLES OF INCORPORATION

NOTICE IS HEREBY GIVEN THAT Articles of Incorporation for Superior Transport Solutions, Inc. were filed with the Pennsylvania Department of State and approved September 11, 2020, under the provisions of the Business Corporation Law of 1988, as amended and supplemented.

Michael D. Walker, Esquire  
Walker & Walker, P.C.  
Attorney T-1

### ARTICLES OF INCORPORATION

NOTICE IS HEREBY GIVEN THAT Articles of Incorporation for **Lisk Insurance Agency, Inc.** were filed and accepted by the Commonwealth of Pennsylvania, Department of State of January 11, 2022 in accordance with the provisions of the Pennsylvania Business Law of December 21, 1988, P.L. 1444, Number 177, as amended and supplemented.

Patrick J. Lavelle, Esquire T-1

### FICTITIOUS NAME

Notice is hereby given that an Application for Registration of Fictitious Name was filed with the Pennsylvania Department of State on March 4, 2022 for the conduct of a business under the name of **Milewski Towing & Recovery at 2300 Washburn St., Scranton, PA 18504.** The name and address of the party interested in the business is: **Keyser Valley Auto Wreckers, Inc., 2300 Washburn St., Scranton, PA 18504.**

Geff Blake, Esq.  
BLAKE & WALSH, LLC T-1

### CHANGE OF NAME

AND NOW, this 3<sup>rd</sup> day of March, 2022, upon motion of Lisa Jane Riotta, Petitioner it is ORDERED and DECREED that the within Petition be heard on the 29<sup>th</sup> day of April, 2022 at 1:30PM before the Honorable Mary Dempsey-Walsh and that notice of the filing of the within Petition and of the aforesaid date of hearing be published in the Scranton Times and the Lackawanna Jurist at least thirty (30) days before the hearing. T-1

### CHANGE OF NAME

In Re: Name Change of Antonio Fernandez Villanova. AND NOW, this 21<sup>st</sup> day of February, 2022, a Hearing on the Petition for Change of Name is scheduled for the 29<sup>th</sup> day of April, 2022 at 1:30PM before the Honorable Mary Dempsey-Walsh at the Lackawanna County Government Center at 123 Wyoming Avenue, Scranton, Pennsylvania. Petitioner is directed to give Notice of this Hearing by Publication in the Lackawanna County Jurist and a Newspaper of general circulation where the Petitioner resides. T-1

## LACKAWANNA JURIST

### NOTICE

LOGS LEGAL GROUP LLP

BY: CHRISTOPHER A. DeNARDO, PA I.D. NO. 78447

KRISTEN D. LITTLE, PA I.D. NO. 79992

ELIZABETH L. WASSALL, PA I.D. NO. 77788

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LLG FILE NO. 21-066273

Bank of New York Mellon Trust Company, N.A. as Trustee for Mortgage Assets Management Series I Trust

PLAINTIFF

VS.

Unknown Heirs, Successors, Assigns and All Persons, Firms or Associations Claiming Right, Title or Interest from or under John Smith, Deceased; Laura Jones, known heir of Catherine Lennox, deceased; Patricia Davis Vanston, known heir of Catherine Lennox, deceased; John Lennox, known heir of Catherine Lennox, deceased; James Lennox, known heir of Catherine Lennox, deceased; and Ernest Joseph Lennox

DEFENDANTS

COURT OF COMMON PLEAS

CIVIL DIVISION

LACKAWANNA COUNTY

NO: 2021-05385

To the Defendants, Unknown Heirs, Successors, Assigns and All Persons, Firms or Associations Claiming Right, Title or Interest from or under John Smith, Deceased: TAKE NOTICE THAT THE Plaintiff, Bank of New York Mellon Trust Company, N.A. as Trustee for Mortgage Assets Management Series I Trust has filed an action Mortgage Foreclosure, as captioned above.

### NOTICE

IF YOU WISH TO DEFEND, YOU MUST ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE YOUR DEFENSE OR OBJECTIONS 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.

Lackawanna County Lawyer Referral Service

North Penn Legal Services

33 N. Main Street, Suite 200

Pittston, PA 18640 T-1