

York Legal Record

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

Vol. 123

YORK, PA, THURSDAY, February 25, 2010

No. 46

CASES REPORTED

MICHELLE BROWN and MICHAEL BROWN, Individually and as
Co-Administrators of the Estate of MITCHELL BROWN, Deceased,
and as parents of ZACHARY M. BROWN and JACOB L. BROWN, Minors
vs. JAMES E. KIRBY, M.D., SPRINGDALE PEDIATRICS,
DIANA L. LYNN, R.N., and VNA HOME HEALTH - WELLSPAN

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Medical Malpractice – Motion for Partial Summary Judgment



Dated Material Do Not Delay

To: All Bar Association Members
From: Maria Musti Cook, Liberty Bell Award Chairperson
Re: Liberty Bell Award

May 1st marks the annual national celebration of Law Day USA. As part of the York County Bar Association and York County Bar Foundation celebration of Law Day, the Liberty Bell Award is presented to a non-lawyer in York County in recognition of his or her volunteer efforts within the community. The Law Day Committee seeks the input of the entire Bar Association membership for Liberty Bell Award nominations.

While the York community is fortunate to have many worthy volunteer leaders, the criteria for the Liberty Bell Award focuses on specific law-related activities. The nominees should be non-lawyers in York County who, through volunteer efforts, have provided outstanding service in one of the following areas:

- 1. Promoting a better understanding of our Constitution and the Bill of Rights**
- 2. Encouraging greater respect for the law and courts**
- 3. Stimulating a deeper sense of individual responsibilities so that citizens recognize their duties as well as their rights**
- 4. Contributing to the effective functioning of our institutions of government**
- 5. Fostering a better understanding and appreciation of the role of law in our society**

If there is a particular individual whom you believe is deserving of the award, please submit a nomination petition containing the individual's name, background information and reasons why you believe he/she is deserving of the award. All nomination petitions should be forwarded by Friday, March 19, 2010, to the York County Bar Center, 137 East Market Street, York, PA 17401. All nomination petitions will be reviewed by the Liberty Bell Award Selection Committee who will select a winner. The Award will be presented at the Bar Association's Law Day luncheon on Monday, May 3, 2010.

The Liberty Bell Award is the most prestigious award that the Bar Association presents, and we are extremely interested in selecting a worthy recipient. Your input is greatly appreciated.

2-25-1t

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Subscription: \$45.00 per year to non-members, \$25.00 to members.
Published Weekly, Periodicals Postage Paid, York, PA 17405
U.S.P.S. No. 696140

POSTMASTER: Send address changes to
York Legal Record, 137 E. Market St., York, PA 17401

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**MICHELLE BROWN and
MICHAEL BROWN, Individually
and as Co-Administrators of the
Estate of MITCHELL BROWN,
Deceased, and as parents of
ZACHARY M. BROWN and
JACOB L. BROWN, Minors vs.
JAMES E. KIRBY, M.D., SPRINGDALE
PEDIATRICS, DIANA L. LYNN, R.N.,
and VNA HOME HEALTH -
WELLSPAN**

Medical Malpractice – Motion for
Partial Summary Judgment

No. 2008 – SU – 003460-22

1. Plaintiffs brought this action to recover under the Wrongful Death and Survival Acts for the death of their infant son. Defendants filed Preliminary Objections to Plaintiffs claims for negligent infliction of emotional distress, which were denied. Defendants subsequently filed a Motion for Partial Summary Judgment on the issue which the Court granted based upon the absence of a contemporaneous perception.

In the Court of Common Pleas of York County Pennsylvania; **MICHELLE BROWN and MICHAEL BROWN, Individually and as Co-Administrators of the Estate of MITCHELL BROWN, Deceased, and as parents of ZACHARY M. BROWN and JACOB L. BROWN, Minors vs. JAMES E. KIRBY, M.D., SPRINGDALE PEDIATRICS, DIANA L. LYNN, R.N., and VNA HOME HEALTH - WELLSPAN.** Medical Malpractice – Motion for Partial Summary Judgment.

APPEARANCES:

THOMAS W. HALL, ESQUIRE
For Plaintiffs

CHRISTOPHER A. STUMP, ESQUIRE
TODD R. BARTOS, ESQUIRE
For Defendants

ADAMS, J., January 12, 2010

**MEMORANDUM OPINION GRANTING
DEFENDANTS' MOTION FOR
PARTIAL SUMMARY JUDGMENT**

This case is currently before the Court on the Motion for Partial Summary Judgment of Defendants James E. Kirby, M.D., Springdale Pediatrics, Diana L. Lynn, R.N., and VNA Home Health-WellSpan. For the following reasons, Defendants' Motion for Partial Summary Judgment is GRANTED.

FACTS AND PROCEDURAL HISTORY

Decedent Mitchell Brown was born prematurely at approximately twenty-four weeks gestation on June 15, 2006. He was hospitalized until November 20, 2006, due to various medical issues arising from his premature birth. After his release from Hershey Medical Center, Decedent came under the care of Defendant James E. Kirby, M.D., an employee of Defendant Springdale Pediatrics. Defendant Kirby saw Mitchell on November 21, 2006, and Plaintiff Michelle Brown attended Mitchell's visit. During the visit, Plaintiff Michelle Brown expressed concerns to Defendant Kirby that Mitchell was having trouble breathing. Defendant Kirby attempted to use a "pulse oximeter" to obtain an oxygen reading on Mitchell, but was unable to get an accurate reading because the pulse oximeter available to Defendant Kirby at the time was too large.

Plaintiff Michelle Brown asked if Mitchell should be taken for additional medical treatment, but Defendant Kirby responded that a nurse would be coming to Plaintiffs' residence the following morning to use a pulse oximeter. After the visit with Defendant Kirby, Mitchell and Plaintiff Michelle Brown returned home.

On November 22, 2006, Plaintiff Michelle Brown stated that Mitchell appeared more irritable and seemed to be breathing heavier than the day before. At 1 p.m., Defendant Diana L. Lynn, R.N. visited Plaintiffs' home to assess Mitchell's condition. Soon thereafter, Defendant Lynn telephoned Defendant Kirby and discussed Mitchell's condition. After speaking with Defendant Kirby, Defendant Lynn attempted to obtain a pulse oximeter from a supply company but was unable due to the Thanksgiving holiday. Defendant Lynn then left Plaintiffs' home, and stated that Defendant Kirby would be calling later for the status of Mitchell.

On the evening of November 22, 2006, Defendant Kirby called the Plaintiffs to discuss Mitchell's condition. According to Plaintiff Michele Brown, Defendant Kirby said to call him if Mitchell's temperature changed, "other than that, just keep an eye on him."

Later on the evening of November 22, 2006, Mitchell was laid to sleep in a playpen, and Plaintiff Michelle Brown went to sleep in a recliner, both of which were located in Plaintiffs' living room. During the night, Plaintiff Michelle Brown stated that she checked on Mitchell throughout the night, and she was "constantly right beside him." Around 2 a.m., on November 23, 2006, Plaintiff Michelle Brown gave Mitchell his medication, and shortly thereafter, both Mitchell and Plaintiff Michelle Brown fell asleep.

At approximately 2:30 a.m. on November 23, 2006, Plaintiff Michelle Brown found Mitchell unresponsive, blue, and did not appear to be breathing. Hearing her screams, Plaintiff Michael Brown entered the room and called paramedics. Plaintiff Michelle Brown began chest compressions and performed CPR on Mitchell. Mitchell was transported to York Hospital by the paramedics. Mitchell was pronounced dead shortly after arriving at York Hospital.

Plaintiffs filed a Complaint and Certificates of Merit on July 16, 2008. Additional Certificates of Merit were filed on July 22, 2008. An Amended Complaint was filed on September 9, 2008. Plaintiffs bring their claims for negligence and vicarious negligence under both the Wrongful Death Act and the Survival Act. Plaintiffs made additional claims for negligent infliction of emotional distress.

Defendants filed Preliminary Objections and Brief in Support on October 15, 2008, objecting to the legal sufficiency of Plaintiff Michael Brown's claim for negligent infliction of emotional distress. On July 1, 2009, by Order and Memorandum Opinion, the Honorable Richard K. Renn sustained Defendants' Preliminary Objections.

On September 21, 2009, Defendants filed a Motion for Partial Summary Judgment as to Count V, Plaintiff Michelle Brown's claim for negligent infliction of emotional distress. Defendants' Motion for Partial Summary Judgment is currently before this Court.

DISCUSSION

After relevant pleadings are closed, but within such time as not to unreasonably delay trial, any party may move for summary judgment in whole or in part as a matter of law. Summary judgment is appropriate where "there is no genuine issue of any material fact as to a necessary element of the cause of action or defense which could be established by discovery or expert report." Pa.R.Civ.P. 1035.2(1).

Summary judgment is also warranted "if, after completion of discovery relevant to the motion, including the production of expert reports, an adverse party who will bear the burden of proof at trial has failed to produce sufficient evidence of facts essential to the cause of action or defense which in a jury trial would require the issues to be submitted to a jury." Pa.R.Civ.P. 1035.2(2).

Summary judgment is proper only where the pleadings, depositions, answers to interrogatories, admissions of record and affidavits on file support the conclusion that no genuine issue of material fact exists and the

moving party is entitled to judgment as a matter of law. *Penn. Ctr. House, Inc. v. Hoffman*, 553 A.2d 900 (Pa. 1989). In determining whether to grant a motion for summary judgment, the court must view the record in light most favorable to the nonmoving party. *Dorohovich v. West Am. Ins.*, 589 A.2d 252 (Pa. Super. Ct. 1991). All doubts as to the existence of a genuine issue of material fact must be resolved against the moving party. *Marks v. Tasman*, 589 A.2d 205 (Pa. 1991).

Moreover, in summary judgment proceedings, it is not the court's function to determine the facts, but only to determine if an issue of material fact exists. *Godlewski v. Pars Mfg.*, 597 A.2d 106 (Pa. Super. Ct. 1991). Summary judgment serves to eliminate the waste of time and resources of both litigants and the court in cases where a trial would be a useless formality. *Liles v. Balmer*, 567 A.2d 691 (Pa. Super. Ct. 1989). Summary judgment should only be granted in those cases that are free and clear from doubt. *Johnson v. Harris*, 615 A.2d 771 (Pa. Super. Ct. 1992).

Law of the Case Doctrine— Coordinate Jurisdiction Rule

In this case, Plaintiff Michelle Brown's claim for negligent infliction of emotional distress is based on her assertion that she suffered harm due to Defendants' negligent care of her son Mitchell. Specifically, Plaintiff Michelle Brown argues that since she was present both during the negligent acts of the Defendants and subsequently Mitchell's injury, she meets the requirement for negligent infliction of emotional distress.¹

Previously in this matter, the Honorable Richard K. Renn ruled and issued a Memorandum Opinion on Defendants' demurrer, deciding that Plaintiff Michael Brown had failed to plead facts sufficient for a claim of negligent infliction of emotional distress. In coming to this conclusion, the Court established the controlling legal rule concerning the establishment of negligent infliction of emotional distress. Due to the Court's previous decision, this Court is now compelled to analyze Defendants' Motion for Partial Summary Judgment under the "law of the case doctrine."

The law of the case doctrine encompasses the rule that a court involved in a later phase of a litigated matter "should not reopen questions decided by another judge of that same court." *SmithKline Beecham Corp. v. Stop Huntingdon Animal Cruelty USA*, 959 A.2d 352, 357 (Pa. Super. Ct. 2008) (citing *Commonwealth v. Starr*, 664 A.2d 1326, 1331 (Pa. 1995)). Within the law of the case doctrine, stems the "coordinate jurisdiction rule," which commands "upon transfer of a matter between trial judges of coordinate jurisdiction,

a transferee trial judge may not alter resolution of a legal question previously decided by a transferor trial judge.” *Zane v. Friends Hosp.*, 836 A.2d 25, 29 (Pa. 2003) (“simply stated, judges of coordinate jurisdiction should not overrule each other’s decisions.”).

Despite the coordinate jurisdiction rule, departure from the previous trial judges’ holding is possible in “exceptional circumstances.” The limited circumstances include (1) “where there has been an intervening change in the controlling law,” (2) “a substantial change in the facts or evidence giving rise to the dispute in the matter,” or (3) “where the prior holding was clearly erroneous and would create a manifest injustice.” *Starr*, 664 A.2d at 1332.

The Honorable Richard K. Renn previously determined that Plaintiff Michael Brown could not recover under the theory of negligent infliction of emotional distress because he failed to allege that he “contemporaneously perceived whether by sight or sound” the negligent act which resulted in the death of the child. Plaintiff Michael Brown’s Amended Complaint averred that he was awoken from his sleep by his wife’s screams and found his son blue, unresponsive, and not breathing.

Based on the facts presented to the Court in the Amended Complaint, and the Court’s ruling that such facts do not meet the elements of negligent infliction of emotional distress, this Court must find that Plaintiff Michelle Brown has subsequently failed to present facts that allow recovery under negligent infliction of emotional distress. The factual situation of Plaintiff Michelle Brown is too similar to that of Plaintiff Michael Brown to justify a different result.

Specifically, both parents were present for at least part of the alleged negligent conduct of Defendants.² More significantly, however, is the fact that both parents were asleep and later awoke to find Mitchell blue, unresponsive, and not breathing. Plaintiff Michelle Brown argues that her factual situation is different because she was sleeping in the same room when Mitchell was found unresponsive, blue, and not breathing. Despite this argument, the “perception” of Plaintiff Michael Brown and Michelle Brown were the same, each perceived Mitchell living before they fell asleep, and unresponsive, blue, and not breathing when they awoke.

In addition to the coordinate jurisdiction rule denying Plaintiff Michelle Brown’s claim, this Court holds that the “exceptional circumstances,” where this Court may refuse to follow the previous decision, do not apply. First, this Court is not aware of an intervening change of law to Pennsylvania’s negligent infliction of emotional distress doctrine since the Court’s prior ruling on July 1, 2009. The

second exception does not apply because, as mentioned, Plaintiff Michelle Brown and Michael Brown experienced nearly identical factual situations.

Finally, this Court finds that the Court’s prior decision was not clearly erroneous as to create a manifest injustice. Plaintiff strongly relies on the case *Love v. Cramer*, to prove that the previous ruling was incorrect. But this case clearly presents a different factual situation. In *Love v. Cramer*, the court analyzed the issue of “contemporaneous perception,” and held that a plaintiff could recover under negligent infliction of emotional distress when the plaintiff witnessed the negligent medical care of a loved one and later personally observed the loved one’s heart attack. *Id.* at 1178. The court in *Love* noted that the plaintiff, “experienced a sensory and contemporaneous observance of her mother’s fatal heart attack.” *Id.* at 1177. The court reasoned that even though the negligence did not take place at the time of the actual injury, plaintiff should not be prevented from recovery. *Id.* at 1177.

Unlike in *Love*, there is no “contemporaneous perception,” by Plaintiff Michelle Brown. In this case, Plaintiff awoke to find Mitchell in his condition, while the plaintiff in *Love* personally witnessed her mother having a heart attack. Based on the difference in material facts, reliance on *Love* is inappropriate and further supports the Court’s prior decision in this matter.³

CONCLUSION

In conclusion, this Court holds that Defendants have met the standard for granting summary judgment as there is no genuine issue of a material fact as to a necessary element of the cause of action for negligent infliction of emotional distress. Accordingly, Defendants’ Motion for Partial Summary Judgment is GRANTED.

BY THE COURT,

JOSEPH C. ADAMS, JUDGE

Date: January 12th, 2010

ORDER

AND NOW, this 12th day of January 2010, for the reasons set forth in the Memorandum Opinion of this date, Defendants’ Motion for Partial Summary Judgment is hereby GRANTED.

BY THE COURT,

JOSEPH C. ADAMS, JUDGE

FOOTNOTES

¹ Plaintiffs rely on *Love v. Cramer*, 606 A.2d 1175 (Pa. Super. Ct. 1992), which holds that although a contemporaneous observance by a plaintiff must be proven, there is no requirement that a plaintiff must witness both the defendant's negligence and the injury at the same time. In *Love v. Cramer*, the Pennsylvania Superior Court allowed the plaintiff to recover when (1) the plaintiff was present during the defendant's negligent act against plaintiff's mother and (2) was present later during the heart attack of plaintiff's mother. "The fact that the negligence . . . did not take place at the time of the actual injury should not prevent [plaintiff from recovery.]" *Id.* at 1177.

² Plaintiff Michelle Brown was arguably present at each Defendant's treatment. Plaintiff Michael Brown was present at least during Defendant Lynn's treatment.

³ This view of *Love v. Cramer* is supported by the Pennsylvania Superior Court's perception of negligent infliction of emotional distress. "Moreover, because of the important and far reaching public policy concerns involved, any further extension of recovery for the tort for negligent infliction of emotional distress should come from our Supreme Court." *Blanyar v. Pagnotti Enterprises, Inc.*, 679 A.2d 790, 793 (Pa. Super. Ct. 1996). "This court has consistently followed the Supreme Court in so limiting recovery for negligent infliction [of emotional distress]." *Bloom v. Dubois Reg'l Med. Ctr.*, 597 A.2d 671, 682 (Pa. Super. Ct. 1991).

ESTATE NOTICES

ADMINISTRATOR'S AND EXECUTORS NOTICES

FIRST PUBLICATION

STEVEN M. ALLEN late of West Manchester Twp., York Co., PA, deceased. Michael J. Allen and Craig A. Allen, c/o 239 East Main Street, Waynesboro, PA 17268-1681, Personal Representatives. Salzmann Hughes, P.C. Nancy H. Meyers, Esquire, Attorney. 2-25-3t

JAMES LEE DICE late of Newberry Twp., York Co., PA, deceased. Danny J. Trahan, c/o 2675 Eastern Boulevard, York, PA 17402, Administrator. Andrew F. Kagen, Esquire, Attorney. 2-25-3t

DOROTHY A. ENDERLIN late of York Twp., York Co., PA, deceased. John Franklin Enderlin, c/o 117 E. Market St., York, PA 17401, Executor. Anstine & Sparler. William B. Anstine, Esquire, Attorney. 2-25-3t

LINDA S. FEBRES late of York Twp., York Co., PA, deceased. Miguel A. Febres, c/o 120 Pine Grove Commons, York, PA 17403, Administrator. Elder Law Firm of Robert Clofine. Erin J. Miller, Esquire, Attorney. 2-25-3t

BETTY I. HACKMAN late of York Twp., York Co., PA, deceased. Carol Coble, 369 Wire Road, York, PA 17402, Executrix. Griffith, Strickler, Lerman, Solymos & Calkins. Michael P. Bianchini, Esquire, Attorney. 2-25-3t

DANNY CHARLES HAFFNER late of Conewago Twp., York Co., PA, deceased. Caine C. Haffner, 903 Blueleaf Ct., Frederick, MD 21701, Administrator. Rob A. Krug, Esquire, Attorney. 2-25-3t

RONALD S. HEILIG late of Jackson Twp., York Co., PA, deceased. Joel C. Heilig, 6600 Church Rd., Spring Grove, PA 17362, Executor. Guthrie, Nonemaker, Yingst & Hart. Keith R. Nonemaker, Esquire, Attorney. 2-25-3t

KATHRYN E. KEFAUVER a/k/a CATHERINE E. KEFAUVER late of Yorkana Borough, York Co., PA, deceased. David E. Kefauver, c/o 32 N. Duke St., P.O. Box 544, York, PA 17405, Executor. Morris & Vedder. Rand A. Feder, Esquire, Attorney. 2-25-3t

ERVIN E. KLINEDINST late of North Codorus Twp., York Co., PA, deceased. Nathan C. Platt,

Attorney, 3032 Muirfield Road, Dover, PA 17315, Executor. 2-25-3t

NAVIN DIEHL MCWILLIAMS, JR., a/k/a NAVIN D. MCWILLIAMS JR., late of Springettsbury Twp., York Co., PA, deceased. Navin D. McWilliams, III, c/o 135 North George Street, York, PA 17401, Administrator. CGA Law Firm, PC. Richard K. Konkel, Esquire, Attorney. 2-25-3t

MARY A. MILLER late of Shrewsbury Borough, York Co., PA, deceased. Dean R. Miller, Phillip K. Miller and Donna Faye Rohrbaugh, c/o 575 Fairview Terrace, York, PA 17403-3607, Executors. Wm. S. Eisenhart, Jr., Esquire, Attorney. 2-25-3t

CHRISTINE E.K. MORGAN a/k/a CHRISTINE MORGAN late of West Manchester Twp., York Co., PA, deceased. Melanie M. Bair, c/o 135 North George Street, York, PA 17401, Executrix. CGA Law Firm, PC. Richard K. Konkel, Esquire, Attorney. 2-25-3t

LOUISE M. RAMER late of York City, York Co., PA, deceased. Connie D. Kirkendall and Edward M. Ramer, c/o 145 East Market Street, York, PA 17401, Administrator. Menges, McLaughlin & Kalasnik, P.C. Matthew D. Menges, Esquire, Attorney. 2-25-3t

SKYLAR W. STUDENROTH late of the Borough of Wrightsville, York Co., PA, deceased. Brian E. Studenroth, c/o 327 Locust Street, Columbia, PA 17512, Executor. Nikolaus & Hohenadel. John F. Markel, Esquire, Attorney. 2-25-3t

THELMA L. WAGNER late of Springfield Twp., York Co., PA, deceased. Tina A. Buchanan, Kenneth L. Wagner, Jr., and JoAnn E. Sheffer, 16721 Susquehanna Trail, New Freedom, PA 17349, Co-Executors. Dorothy Livaditis, Esquire, Attorney. 2-25-3t

SECOND PUBLICATION

IVA E. CRAFT late of Dover Twp., York Co., PA, deceased. Esther J. Miller, 1 Landvale Street, PO Box 415, York Haven, PA 17370, Executrix. Edward A. Stankoski, Jr., Esquire, Attorney. 2-18-3t

KENNETH R. KAUFFMAN late of Springettsbury Twp., York Co., PA, deceased. Barbara K. Garber, 1196 Taxville Road, York, PA 17408, Administratrix. Marc Roberts, Esquire, Attorney. 2-18-3t

WALTER J. KING late of Springettsbury Twp., York Co., PA, deceased. James J. King, c/o 56 S. Duke Street, York, PA 17401-1402, Executor. Richard R. Reilly, Esquire, Attorney. 2-18-3t

HARRY W. KOTTACAMP late of York Twp.,

York Co., PA, deceased. Beverly J. Burkey, c/o 135 North George Street, York, PA 17401, Executrix. CGA Law Firm, PC. Richard K. Konkel, Esquire, Attorney. 2-18-3t

VIRGINIA R. PANDOLFINO late of York City, York Co., PA, deceased. Catherine C. Sowers, c/o 17 East Market Street, York, PA 17401, Executrix. Blakey, Yost, Bupp & Rausch, LLP. Charles A. Rausch, Esquire, Attorney. 2-18-3t

ANNAMAE SEBRIGHT late of Dillsburg Borough, York Co., PA, deceased. Raymond K. Sebright and Darylene D. Lehmer, c/o 124 West Harrisburg Street, Post Office Box 310, Dillsburg, PA 17019-0310, Co-Executors. Schrack & Linsenbach Law Offices. Wm. D. Schrack III, Esquire, Attorney. 2-18-3t

VIOLET M. SHAFFER late of Codorus Twp., York Co., PA, deceased. Leslie R. Shaffer a/k/a Leslie R. Shafer, Keith A. Shaffer and Jane A. Stiffler, P.O. Box 312, Stewartstown, PA 17363, Co-Executors. Laura S. Manifold, Esquire, Attorney. 2-18-3t

PEARL M. TOMPKINS late of Lower Chanceford Twp., York Co., PA, deceased. H. Clayton Tompkins and James E. Tompkins, 700 Burkholder Road, Red Lion, PA 17356, Co-Executors. STOCK AND LEADER. Ronald L. Hershner, Esquire, Attorney. 2-18-3t

THIRD PUBLICATION

EVELYN BOYD a/k/a EVELYN MARIE BOYD late of York City, York Co., PA, deceased. Leon Butler, 200 East Market Street, York, PA 17403 and Michael C. Boyd, 231 Chestnut Street, York, PA 17403, Co-Executors. Dorothy Livaditis, Esquire, Attorney. 2-11-3t

JOAN V. BRUBAKER late of Springettsbury Twp., York Co., PA, deceased. Richard H. Mylin, III, c/o 2025 E. Market Street, York, PA, 17402, Executor. Richard H. Mylin, III, Esquire, Attorney. 2-11-3t

ETHEL P. BUCK a/k/a ETHEL A. BUCK late of Manchester Twp., York Co., PA, deceased. Robert J. Buck, c/o 120 Pine Grove Commons, York, PA 17403, Executor. Elder Law Firm of Robert Clofine. Robert Clofine, Esquire, Attorney. 2-11-3t

GLENN E. CHRONISTER late of Washington Twp., York Co., PA, deceased. Holly N. Carney a/k/a Holly N. Hoover, c/o 2025 E. Market Street, York, PA 17402, Executrix. Richard H. Mylin, III, Esquire, Attorney. 2-11-3t

WALTER J. FAHS late of Manchester Twp., York Co., PA, deceased. Julie Fahs, c/o 129 East Market Street, York, PA 17401, Executrix. Griest, Himes, Herrold, Schaumann, Ferro LLP. John C.

Herrold, Esquire, Attorney. 2-11-3t

THELMA A. HILBERT a/k/a THELMA HILBERT late of Dover Twp., York Co., PA, deceased. Joseph R. Hilbert, Jr., c/o 40 South Duke Street, York, PA 17401-1402, Executor. Garber & Garber. John M. Garber, Esquire, Attorney. 2-11-3t

GEORGE F. HUNTER late of Shrewsbury Twp., York Co., PA, deceased. Frederick Christopher Hunter a/k/a Christopher Fred Hunter, c/o 135 North George Street, York, PA 17401, Executor. CGA Law Firm, PC. Michelle Pokrifka, Esquire, Attorney. 2-11-3t

KENNETH L. KALTREIDER late of Codorus, York Co., PA, deceased. Richard L. Kaltreider and Thomas C. Kaltreider, c/o 119 West Hanover Street, Spring Grove, PA 17362, Co-Executors. Craig A. Diehl, Esquire, CPA. 2-11-3t

JOHN WEBSTER NESS late of Spring Grove Borough, York Co., PA, deceased. Eric Hoffman, c/o 135 North George Street, York, PA 17401, Executor. CGA Law Firm, PC. Jeffrey L. Rehmeier II, Esquire, Attorney. 2-11-3t

NEAL M. PANZARELLA late of Shrewsbury Borough, York Co., PA, deceased. Neal A. Panzarella, c/o 56 S. Duke Street, York, PA 17401-1402, Executor. Richard R. Reilly, Esquire, Attorney. 2-11-3t

BETTY R. POET late of North York Borough, York Co., PA, deceased. Patrice M. Poet, 8 N. 4th Street, P.O. Box 216, Mt. Wolf, PA 17347-0216, Executrix. Stacey R. MacNeal, Esquire, Attorney. 2-11-3t

RAYMOND RIVERA late of Jackson Twp., York Co., PA, deceased. Beth Ann Rivera, c/o 129 East Market Street, York, PA 17401, Executrix. Griest, Himes, Herrold, Schaumann, Ferro LLP. Suzanne H. Griest, Esquire, Attorney. 2-11-3t

GENE S. SWARTZ late of Dover Twp., York Co., PA, deceased. Stanley E. Swartz, 126 Young Ave., Coopersburg, PA 18036, Executor. John W. Stitt, Esquire, Attorney. 2-11-3t

LEWIS H. THOMAN late of North Codorus Twp., York Co., PA, deceased. Roy W. Thoman, 3061 Markle Rd., York, PA 17408, Executor. John W. Stitt, Esquire, Attorney. 2-11-3t

GERALD E. VASELLAS late of West Manchester Twp., York Co., PA, deceased. Betty L. Hatterer, c/o 1946 Carlisle Road, York, PA 17408, Executrix. John M. Hamme, Esquire, Attorney. 2-11-3t

EDWARD B. WAGMAN late of Spring Garden Twp., York Co., PA, deceased. Edward B. Wagman, Jr. and John F. Wagman, 2400 Sutton Road, York, PA 17403, Co-Executors. STOCK AND LEADER. Thomas M. Shorb, Esquire,

Attorney. 2-11-3t

MURIEL R. WILLIAMS late of Springettsbury Twp., York Co., PA, deceased. Linda S. Lopez, c/o 117 E. Market St., York, PA 17401, Executrix. Anstine & Sparler. William B. Anstine, Jr., Esquire, Attorney. 2-11-3t

ELEANOR N. ZEIGLER late of Spring Garden Twp., York Co., PA, deceased. William S. Tokar, 1112 Shady Dell Road, Thomasville, PA 17364, Executor. Timothy W. Misner, Esquire, Attorney. 2-11-3t

CIVIL NOTICES

ACTION IN MORTGAGE FORECLOSURE

BANK OF AMERICA, N.A.

vs.

EARL A. CARTER, IN HIS CAPACITY AS
CO-ADMINISTRATOR AND HEIR OF THE
ESTATE OF WILLIAM S. CARTER,
ELIZABETH A. RITTER, IN HER CAPACITY
AS CO-ADMINISTRATRIX AND HEIR OF
THE ESTATE OF WILLIAM S. CARTER &
UNKNOWN HEIRS, SUCCESSORS,
ASSIGNS AND ALL PERSONS, FIRMS OR
ASSOCIATIONS CLAIMING RIGHT, TITLE
OR INTEREST FROM OR UNDER
WILLIAM S. CARTER, DECEASED

NO. 2009-SU-004175-06

NOTICE TO: UNKNOWN HEIRS, SUCCE-
SORS, ASSIGNS AND ALL PERSONS, FIRMS
OR ASSOCIATIONS CLAIMING RIGHT,
TITLE OR INTEREST FROM OR UNDER
WILLIAM S. CARTER, DECEASED

NOTICE OF SHERIFF'S SALE OF REAL PROPERTY

ALL THAT following described lot of ground
situate, lying and being in 10TH WARD, CITY
OF YORK, County of YORK Commonwealth of
Pennsylvania, bounded and limited as follows, to
wit:

Being Premises: 316 EAST MAPLE STREET,
YORK, PA 17403

Improvements consist of residential property.
Sold as the property of EARL A. CARTER, IN
HIS CAPACITY AS CO-ADMINISTRATOR
AND HEIR OF THE ESTATE OF WILLIAM S.
CARTER, ELIZABETH A. RITTER, IN HER
CAPACITY AS CO-ADMINISTRATRIX AND
HEIR OF THE ESTATE OF WILLIAM S.
CARTER & UNKNOWN HEIRS, SUCCE-
SORS, ASSIGNS AND ALL PERSONS, FIRMS
OR ASSOCIATIONS CLAIMING RIGHT,
TITLE OR INTEREST FROM OR UNDER
WILLIAM S. CARTER, DECEASED
Parcel # 10-260-02-0003.00-00000

Your house (real estate) at 316 EAST
MAPLE STREET, YORK, PA 17403 is sched-
uled to be sold at the Sheriff's Sale on JUNE 14,
2010 at 2:00PM., at the YORK County
Courthouse to enforce the Court Judgment of
\$57,371.11 obtained by, BANK OF AMERICA,
N.A. (the mortgagee), against your Prop. sit. in
10TH WARD, CITY OF YORK Township,

County of YORK, and State of Pennsylvania.

PHELAN HALLINAN & SCHMIEG, LLP
One Penn Center at Suburban Station
1617 John F. Kennedy Boulevard Suite 1400
Philadelphia, PA 19103-1814
Phone (215)563-7000, Ext 1533
Fax (215)563-7009

DANIEL SCHMIEG, Esquire

2-25-1t

Attorney for Plaintiff

CITIMORTGAGE, INC. S/B/M TO
CITIFINANCIAL MORTGAGE COMPANY,
INC. F/K/A ASSOCIATES CONSUMER
DISCOUNT COMPANY

vs.

HALMAN D. SMITH, BETTY J. SMITH &
UNKNOWN HEIRS, SUCCESSORS,
ASSIGNS AND ALL PERSONS, FIRMS OR
ASSOCIATIONS CLAIMING RIGHT, TITLE
OR INTEREST FROM OR UNDER
REBECCA SMITH, DECEASED

NO. 2009-SU-000824-06

NOTICE TO: UNKNOWN HEIRS, SUCCE-
SORS, ASSIGNS AND ALL PERSONS, FIRMS
OR ASSOCIATIONS CLAIMING RIGHT,
TITLE OR INTEREST FROM OR UNDER
REBECCA SMITH, DECEASED

NOTICE OF SHERIFF'S SALE OF REAL PROPERTY"

ALL THAT following described lot of ground
situate, lying and being in 10TH WARD, CITY OF
YORK, County of YORK Commonwealth of Pen-
sylvania, bounded and limited as follows, to wit:

Being Premises: 335 HARDING COURT,
YORK, PA 17403

Improvements consist of residential property.
Sold as the property of HALMAN D. SMITH,
BETTY J. SMITH & UNKNOWN HEIRS,
SUCCESSORS, ASSIGNS AND ALL PER-
SONS, FIRMS OR ASSOCIATIONS CLAIM-
ING RIGHT, TITLE OR INTEREST FROM OR
UNDER REBECCA SMITH, DECEASED
Parcel #1 10-268-03-0047.00-0000
Parcel #2 10-256-02-0040-00-00000

Your house (real estate) at 335 HARDING
COURT, YORK, PA 17403 is scheduled to be
sold at the Sheriff's Sale on JUNE 14, 2010
at 2:00PM., at the YORK County Courthouse to
enforce the Court Judgment of \$156,044.17
obtained by, CITIMORTGAGE, INC. S/B/M TO
CITIFINANCIAL MORTGAGE COMPANY,
INC. F/K/A ASSOCIATES CONSUMER DIS-
COUNT COMPANY (the mortgagee), against
your Prop. sit. in 10TH WARD, CITY OF YORK
Township, County of YORK, and State of
Pennsylvania.

PHELAN HALLINAN & SCHMIEG, LLP
One Penn Center at Suburban Station
1617 John F. Kennedy Boulevard Suite 1400
Philadelphia, PA 19103-1814
Phone (215)563-7000, Ext 1533
Fax (215)563-7009

DANIEL SCHMIEG, Esquire

2-25-1t Attorney for Plaintiff

ASSOCIATIONS CLAIMING RIGHT, TITLE
OR INTEREST FROM OR UNDER
EUNICE W. NGAREGA, DECEASED

NO. 2009-SU-004010-06

NOTICE

TO Unknown Heirs, Successors, Assigns, And
All Persons, Firms, Or Associations Claiming
Right, Title Or Interest From Or Under Eunice
W. Ngarega, Deceased:

You are hereby notified that on August 7,
2009, Plaintiff, Wells Fargo Bank, NA, 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-004010-06. Wherein
Plaintiff seeks to foreclose on the mortgage
secured on your property located at 555 Strayer
Drive, Windsor, PA 17366 whereupon your prop-
erty 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 writ-
ten 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 INFOR-
MATION 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: 215-563-3826

CITIMORTGAGE, INC.
vs.
TAMMY M. BARNHART A/K/A
TAMMY M. WEYANT

NO. 2009-SU-002833-06

NOTICE TO: TAMMY M. BARNHART A/K/A
TAMMY M. WEYANT

**NOTICE OF SHERIFF'S SALE OF
REAL PROPERTY"**

ALL THAT following described lot of ground
situate, lying and being in WINDSOR Township,
County of YORK Commonwealth of Pennsyl-
vania, bounded and limited as follows, to wit:

Being Premises: 1075 SNYDER
CORNER ROAD
A/K/A RD#5 BOX 183,
RED LION, PA 17356-8526

Improvements consist of residential property.
Sold as the property of TAMMY M. BARN-
HART A/K/A TAMMY M. WEYANT
Parcel # 53-000-HL-0093.00-00000

Your house (real estate) at 1075 SNYDER
CORNER ROAD A/K/A RD#5 BOX 183, RED
LION, PA 17356-8526 is scheduled to be sold at
the Sheriff's Sale on APRIL 12, 2010 at 2:00PM.,
at the YORK County Courthouse to enforce the
Court Judgment of \$38,129.19 obtained by,
CITIMORTGAGE, INC. (the mortgagee),
against your Prop. sit. in WINDSOR Township,
County of YORK, and State of Pennsylvania.

PHELAN HALLINAN & SCHMIEG, LLP

DANIEL SCHMIEG, Esquire
One Penn Center at Suburban Station
1617 John F. Kennedy Boulevard Suite 1400
Philadelphia, PA 19103-1814
Phone (215)563-7000, Ext 1533
Fax (215)563-7009

2-25-1t Attorney for Plaintiff

WELLS FARGO BANK, NA
Vs.

UNKNOWN HEIRS, SUCCESSORS,
ASSIGNS, AND ALL PERSONS, FIRMS, OR

2-25-1t Solicitor

**ARTICLES OF INCORPORATION –
NONPROFIT CORPORATION**

ARTICLES OF INCORPORATION

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed on February 1, 2010 with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, for the purpose of obtaining a Certificate of Incorporation of a proposed business corporation to be organized under the 1988 Pennsylvania Business Corporation Law of the Commonwealth of Pennsylvania. The name of the corporation is 2350 N. GEORGE, INC. The registered office is at 2350 N. George Street, York, York County, Pennsylvania 17402-1202. The purpose of the corporation is: To conduct a licensed restaurant business and all other lawful business in the Commonwealth of Pennsylvania and elsewhere for which corporations may be incorporated under the Pennsylvania Business Corporation Law.

NICHOLAS LAW OFFICES, P.C.

STEVE C. NICHOLAS, Esquire

2-25-1t Solicitor

NOTICE IS HEREBY GIVEN that articles of incorporation were filed with the Pennsylvania Department of State for GREEN-VIEW MEADOW FARMS LIMITED, formed pursuant to the Pennsylvania Business Corporation Law of 1988.

Gates, Halbruner, Hatch & Guise, P.C.

MARK E. HALBRUNER, Esquire

2-25-1t Solicitor

NOTICE is hereby given that a business corporation known as SCOTT CALDARELLI CONSULTING LIMITED has been incorporated under the provisions of The Pennsylvania Business Corporation Law of 1988.

CGA LAW FIRM

Peter R. Andrews, Esquire

2-25-1t Solicitor

NOTICE is hereby given that Articles of Incorporation have been filed with the Pennsylvania Department of State for the purpose of forming a nonprofit corporation under The Pennsylvania Nonprofit Corporation Law of 1988, as amended. The name of the corporation is AUTISM YORK. It has been organized to provide support to parents, family and friends of individuals on the Autism Spectrum. In addition, the corporation is organized exclusively for charitable, religious and educational purposes, including for such purposes, the making of distributions to organizations that qualify as exempt organizations under Section 501(c)(3) of the Internal Revenue Code of 1986.

CGA LAW FIRM

ANDREW M. PAXTON, Esquire

2-25-1t Solicitor

NOTICE IS HEREBY GIVEN that Nonprofit Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, on February 9, 2010, for the purpose of obtaining a Certificate of Incorporation under the provisions of the Nonprofit Corporation Law of 1988. The name of the proposed nonprofit corporation is COMMUNITY HEALTH DEVELOPMENT FUND OF PENNSYLVANIA.

It will be organized under Section 501(c)(3) of the Internal Revenue Code of 1986, as thereafter amended, for the purpose of providing financing assistance and other services to nonprofit health centers.

MCNEES WALLACE & NURICK LLC

2-25-1t Solicitor

Notice is hereby given that Articles of Incorporation were filed with the Department of State, Commonwealth of Pennsylvania, for the purpose of incorporating a non-profit corporation under the Pennsylvania Non-Profit Corporation Law of 1988. The name of the corporation is IGLESIA CRISTIANA MANANTIAL de VIDA and its initial registered address is 229 Penn Street Hanover, PA 17331. The purpose for which it has been organized exclusively for char-

itable, religious, educational and scientific purposes under §501(c)(3) of the Internal Revenue Code to provide Christian worship services, Christian education and promotion of Christian values for the Spanish speaking community.

LAW OFFICES OF DOUGLAS GENT

LINDA S. SIEGLE, Esquire

2-25-1t

Solicitor

NOTICE is hereby given that Articles of Incorporation were filed on February 4, 2010, with the Department of State of Commonwealth of Pennsylvania for JAZZY'S ANJELS pursuant to the Nonprofit Corporation Law of 1988.

The nonprofit corporation has been formed and incorporated for the following purposes: To provide help, support and assistance to children experiencing a severe and debilitating illness or similar medical condition and to operate exclusively for charitable, educational, religious or scientific purposes as an exempt organization under Section 501(3)(c) of the Internal Revenue Code as amended and any other lawful purpose.

GRIFFITH STRICKLER
LERMAN SOLYMOS & CALKINS

2-25-1t

Solicitor

NOTICE is hereby given that Articles of Incorporation have been filed with the Pennsylvania Department of State for the purpose of forming a nonprofit corporation under The Pennsylvania Nonprofit Corporation Law of 1988, as amended. The name of the corporation is URBAN IMPACT COMMUNITY FUND. It has been organized to provide support and financial assistance for educational scholarships for post-secondary urban students in and around York City, York County, Pennsylvania. In addition, the corporation is organized exclusively for charitable, religious and educational purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under Section 501(c)(3) of the Internal Revenue Code of 1986.

CGA LAW FIRM

ANDREW M. PAXTON, Esquire

2-25-1t

Solicitor

CIVIL TRIAL LIST

IN THE COURT OF COMMON PLEAS OF
YORK COUNTY, PENNSYLVANIA

CIVIL TRIAL LIST
COMMENCING MARCH 8, 2010

CALL OF THE CIVIL TRIAL LIST WILL BE
IN COURTROOM NO. 9

1. Judith K. Fry vs York Jewish Community Center; 2003-SU-4826-01; Steven D. Stambaugh for Plaintiff; Paul W. Grego for Defendant. SCHEDULED FOR THE MARCH, 2010, TERM BEFORE JUDGE THOMPSON

2. Molly E. Smith, by her parent and father, Thomas I. Smith vs Thomas M. Frisch and Steven Vasick and Eric Cook, Deceased (Additional Defendant); 2007-SU-0872-Y01; Richard Oare for Plaintiff; Gordon Einhorn and Michael Scheib for Defendants; Thomas Klosinski for Additional Defendant. SCHEDULED FOR TRIAL THE WEEK COMMENCING MARCH 15, 2010

3. Bobbi Jo Heck vs Heather Winter; 2006-SU-3158-Y01; Gregory E. Martin for Plaintiff; Joseph G. Muzic for Defendant. SCHEDULED FOR THE MARCH, 2010, TRIAL TERM

4. Maurice E. Hiller and Elizabeth Hiller vs Bailey Leasing, Inc., d/b/a Bailey Coach and John D. Harmon; 2008-SU-1662-01; Andrew H. Dowling and John Yanineck for Plaintiffs; John Pion for Defendants. SPECIALLY SCHEDULED TO BE TRIED ON MONDAY, MARCH 15, 2010

5. Charles A. Schaefer Flower Shop Inc. vs Vito Spagnola; 2006-SU-1406-Y01; Glenn C. Vaughn for Plaintiff; John M. Ogden for Defendant. NON-JURY TRIAL SPECIALLY SCHEDULED FOR THURSDAY, MARCH 25, 2010, AND FRIDAY, MARCH 26, 2010

6. Kenneth Wirth vs Frank Wirth; 2008-SU-5581-07; John H. Pietrzak for Plaintiff; Ryan P. Siney for Defendant. NON-JURY TRIAL SCHEDULED FOR THE MARCH, 2010, TRIAL TERM

7. Matthew A. Miller vs Christine B. MacDonald and Garen S. MacDonald; 2007-SU-3791-Y01; Douglas G. Miller for Plaintiff; Donald R. Dorer for Defendants. SCHEDULED FOR THE MARCH, 2010, TRIAL TERM

8. Susan and Francis Lahr vs City of York, York

City Police Department and Barry L. Bloss, Jr.; 2005-SU-001388-Y01; Farley G. Holtz for Plaintiff; Thomas B. Sponaugle for Defendants. SCHEDULED FOR THE MARCH, 2010, TRIAL TERM

9. Housing Authority of City of York vs Paul J. Meadow; 2008-SU-06054-09; David B. Schaumann and Heather Z. Reynosa for Plaintiff; Sara A. Austin for Defendant. SCHEDULED FOR THE MARCH, 2010, TRIAL TERM

10. Dana E. Walker vs David F. Carr and Lindsay A. Carr and House Top Home Investment Properties, LLC; 2008-SU-4761-Y01; Benjamin L. Pratt for Plaintiff; John R. Elliott for Defendants. SCHEDULED TO BE TRIED THE WEEK BEGINNING MARCH 8, 2010

11. Daniel M. Fennick vs Lei Wei; 2008-SU-5548-Y09; Pro Se for Plaintiff; Pro Se for Defendant. NON-JURY TRIAL SPECIALLY SCHEDULED FOR THURSDAY, MARCH 4, 2010, AND FRIDAY, MARCH 5, 2010

12. Richard Weiss, Pro Se vs Matthews Brothers Concrete Construction, LLC; 2008-SU-3323-Y09; 4073 Old Orchard Rd., York, PA 17402 for Plaintiff; Carolyn Pugh for Defendant. SCHEDULED TO BE TRIED THE WEEK BEGINNING MARCH 8, 2010

13. George Grim, Jack H. Grim, Joshua A. Grim, o/b/o Claude Grim Sons, Inc. vs Roger Grim, Larry Grim, Claude Grim, Jr., Directors of Claude Grim Sons, Inc.; 2008-SU-02945-08; Kenneth Sparler for Plaintiffs; John F. Yaninek for Defendants. CONTINUED FROM THE DECEMBER, 2009, AND JANUARY, 2010, CIVIL TRIAL TERMS – SCHEDULED TO BE TRIED DURING THE MARCH, 2010, TERM

14. Deutsche Bank National Trust Company et al vs Larry Turk and Patricia Turk; 2008-SU-6282-06; Andrew Markowitz for Plaintiff; John N. Elliott for Defendants. NON-JURY TRIAL TO BE TRIED ON TUESDAY, MARCH 23, 2010, AT 1:30 P.M. BEFORE JUDGE THOMPSON

15. James Shehan, Jr. vs. Penn Township; 2008-SU-4456-01; Christopher Restak for Plaintiff and Walter Tilley for Defendant. NON-JURY TRIAL TO BE TRIED ON WEDNESDAY, MARCH 3, 2010, AT 9:30 A.M. BEFORE JUDGE THOMPSON

16. Carl C. Rutter vs Rameez Qureshi; 2007-SU-2266-Y09; Dale E. Anstine for Plaintiff; Thomas F. Klosinski for Defendant. SCHEDULED TO BE TRIED THE WEEK COMMENCING MARCH 8, 2010

17. David G. Moyer and Donna S. Moyer vs Mostafa Elbalghiti, Pro Se; 2009-SU-001204-01; Timothy P. Ruth for Plaintiffs; 37 Oswego Avenue, Silver Springs, MD for Defendant. NON-JURY TRIAL TO BE TRIED ON TUESDAY, MARCH 2, 2010, BEFORE JUDGE THOMPSON AT 9:30 A.M.

18. Patricia L. Wertz vs Sam Seward, Heather Seward and Kevin Seward; 2007-SU-03769-01; David M. Pollick for Plaintiff; Scott L. Grenoble for Defendants. CONTINUED FROM THE JANUARY, 2010, CIVIL TRIAL TERM SCHEDULED FOR THE MARCH, 2010, TERM

19. Regents' Glen Country Club, LLC vs Board of Assessment Appeals, County of York and York Suburban School District Intervenor; 2004-SU-3399-Y08; Paul W. Minnich and Jeremy D. Frey for Plaintiff; William T. Hast for Defendant; Philip H. Spare for Additional Defendant.

Regents' Glen Country Club, LLC vs Board of Assessment Appeals, County of York and York Suburban School District Intervenor; 2005-SU-3469-Y08; Paul W. Minnich and Jeremy D. Frey for Plaintiff; William T. Hast for Defendant; Philip H. Spare for Additional Defendant.

Regents' Glen Country Club, LLC vs Board of Assessment Appeals, County of York and York Suburban School District Intervenor; 2005-SU-3470-Y08; Paul W. Minnich and Jeremy D. Frey for Plaintiff; William T. Hast for Defendant; Philip H. Spare for Additional Defendant.

Regents' Glen Country Club, LLC vs Board of Assessment Appeals, County of York and York Suburban School District Intervenor; 2005-SU-3471-Y08; Paul W. Minnich and Jeremy D. Frey for Plaintiff; William T. Hast for Defendant; Philip H. Spare for Additional Defendant. NON-JURY TRIAL SPECIFICALLY SCHEDULED TO BEGIN ON WEDNESDAY, MARCH 24, 2010, AT 9:30 A.M.

20. 84 Lumber Company, L. P. vs Shawn W. McCourry and Kimberly A. McCourry vs Jason Mummert, Pro Se; 2008-ML-0089-Y50; Jason Schwartz for Plaintiff; Joseph E. Erb, Jr. for Defendants; D & M Pole Building, 194 Maywood Road, Thomasville, PA 17364 for Additional Defendant. NON-JURY TRIAL SPECIFICALLY SCHEDULED TO BEGIN ON WEDNESDAY, MARCH 24, 2010, BEFORE JUDGE THOMPSON

ROBERT J. CHUK

2-25-1t

District Court Administrator

BARLEY SNYDER LLC

2-25-1t

Attorneys

CHANGE OF NAME

IN THE COURT OF COMMON PLEAS OF
YORK COUNTY, PENNSYLVANIA

NOTICE is hereby given that Wayne C. Nance, father of HAILEY ALEXIS HOLLINGER, has filed a petition with the Court of Common Pleas of York County, Pennsylvania, requesting the entry of a decree changing his daughter's name to HAILEY ALEXIS NANCE.

The hearing on said petition is set for Wednesday, March 24, 2010, at 10:00 a.m. in Courtroom No. 6, Sixth Floor, York County Judicial Center, 45 N. George St., York, Pennsylvania, when and where all interested parties may appear and show cause, if any they have, why the petition should not be granted.

MORRIS & VEDDER

CLYDE W. VEDDER, ESQUIRE

2-25-1t

Attorney for Petitioner

FICTITIOUS NAME

NOTICE is hereby given an application for registration was filed under the Fictitious Name Act of 1982-295 (54 PA. C.S. Sec. 311) in the Office of the Secretary of the Commonwealth of Pennsylvania on or about January 18, 2010, setting forth that Jacqueline Sweitzer is the party interested in a business, the character of which is auctions, and that the name, style and designation under which said business is and will be conducted is HOMETOWN AUCTIONS, and the location where said business is and will be conducted is 717 East Main Street, Dallastown, PA 17313.

KATHERMAN, HEIM & PERRY

J. ROBERT KATHERMAN, Esquire

2-25-1t

Solicitor

DISSOLUTION NOTICE

NOTICE is hereby given that MONTGOMERY MILL SUPPLIES, INC., a Pennsylvania Corporation, whose registered address is RFD 2, Delta, PA 17314, has filed Articles of Dissolution with the Department of State, Commonwealth of Pennsylvania, and is winding up business.

STOCK AND LEADER

WILLIAM C. GIERASCH, Esquire

2-25-1t

Solicitor

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 Robert M. Mumma, II, 242 Lewisberry Rd., Bowmansdale, PA 17008 is the only person owning or interested in a business, the character of which is real estate management and related services and that the name, style and designation under which said business is and will be conducted is MUMMA REALTY ASSOCIATES and the location where said business is and will be located is 242 Lewisberry Rd., Bowmansdale, PA 17008.

ROBERT M. MUMMA, II

2-25-1t

Solicitor

Notice is hereby given to all persons interested or who may be affected by KINSLEY DESIGN, INC., a Pennsylvania business corporation, that the Board of Directors is now engaged in winding up and settling the affairs of said Corporation so that its corporate existence shall be ended by the filing of Articles of Dissolution with the Department of State of the Commonwealth of Pennsylvania pursuant to the provisions of the Pennsylvania Business Corporation Law of 1988.

MARTIN MILLER, Esquire

2-11-3t

Solicitor for York County
Children and Youth Services

NOTICE

TO ALL CLIENTS OF ROBERT N. TARMAN,
Esquire

Due to Attorney Tarman's untimely death,
your file is available for return to you. Please
contact Cheryl Baker, CP, of James, Smith,
Dietterick & Connelly, LLP at 717-298-2094 to
make arrangements for the return of your file.

JAMES, SMITH, DIETTERICK
& CONNELLY, LLP

2-25-1t

Solicitor

**PUBLIC NOTICE TO
CHARLES CARTER**

**IN RE: ADOPTION OF TAMMY SUE
CARTER, A MINOR**

A petition has been filed asking the Court to
put an end to all rights you have as a parent to
your child, TAMMY SUE CARTER. An
Involuntary Termination of Parental Rights
Hearing has been scheduled for March 30, 2010,
at 9:30 a.m., in Court Room No. 12, of the York
County Judicial Center, 45 North George Street,
York, Pennsylvania, to terminate your parental
rights to TAMMY SUE CARTER (DOB
09/23/03), whose putative Father is Charles
Carter and whose Mother is Jennifer Lynn
Stough. You are warned that even if you fail to
appear at the scheduled hearing, the hearing will
go on without you and your rights to your child
may be ended by the Court without your being
present. You have a right to be represented at the
hearing by a lawyer. You should take this paper to
your lawyer at once. if you do not have a lawyer
or cannot afford one, go to or telephone the office
set forth below to find out where you can get
legal help.

TERRY R. BAKER
Family Court Administrator
York County Court of Common Pleas
York County Judicial Center
45 North George Street
York, Pennsylvania 17401
Telephone No. (717) 771-9360

LEGAL SECRETARY/ PARALEGAL:

Local law firm has immediate opening for an experienced legal secretary/paralegal with a minimum of 3 to 5 years experience working in family law. Applicants must have strong communication skills, be extremely organized and have the ability to multi-task. Legal experience is required. Excellent benefits package to include medical, dental and vision coverage, 401(k), Paid Time Off (PTO) and paid holidays. Salary will be commensurate with experience. Please email resume to info@cmlaw1.com for immediate consideration.

A large multi-state insurance defense firm is seeking to expand its commercial and transactional business department in its Harrisburg office. The firm is looking for a highly motivated attorney and/or a corporate law group with a portable book of business that will create cross marketing opportunities. Attorneys or legal business departments with experience in healthcare law, professional licensure, PUC, taxation, corporate transactions, and creditor bankruptcy or similar practice groups are preferred.

**Please send inquires to
hbgfirm@gmail.com**

*All communications
will remain confidential.*



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