

ADVANCE SHEET

The Dauphin County Reporter (USPS 810-200)

A WEEKLY JOURNAL CONTAINING THE DECISIONS RENDERED IN THE 12TH JUDICIAL DISTRICT

No. 6430 Vol. 127

October 13, 2023

No. 174

Entered as Second-Class Matter, February 16, 1898, at the Post Office at Harrisburg, PA, under the Act of Congress of March 31, 1879.

BMM Test Labs, Travis Foley, and Peter Nikiper v. Pace-O-Matic, Inc. and POM of Pennsylvania, LLC 139

Bar Association Page

Back Pages



**THE
DAUPHIN COUNTY REPORTER**

**Edited and published by
the DAUPHIN COUNTY
BAR ASSOCIATION
213 North Front Street
Harrisburg, PA 17101
(717) 232-7536
www.dcba-pa.org**

**PATRICE MERZANIS
Executive Director
BRIDGETTE L. HILBISH
Dauphin County Reporter/ Legal
Education Coordinator
KENDRA HEINBAUGH
Administrative Assistant/Office
Manager**

**Printed by:
K-PRESS
P.O. Box 1626, York, PA 17405**

THE DAUPHIN COUNTY REPORTER (USPS 810-200) is published weekly by the Dauphin County Bar Association, 213 North Front Street, Harrisburg, PA 17101. Periodical postage paid at Harrisburg, PA. POSTMASTER: Send address changes to THE DAUPHIN COUNTY REPORTER, 213 North Front Street, Harrisburg, PA 17101.

TERMS: Advertisements must be received **before 12 o'clock noon on Tuesday** of each week at the office of the Dauphin County Reporter, 213 North Front Street, Harrisburg, PA 17101; Telephone: (717) 232-7536, Ext. #4; Email: Bridgette@dcba-pa.org. **You will want to call us or check our website to confirm deadline for Holiday weeks.**



Providing access to justice for needy families in Dauphin County since 2010.

See what inspires us, and give today!



www.dauphincountybarfoundation.org



**BMM Test Labs, Travis Foley, and Peter Nikiper v.
Pace-O-Matic, Inc. and POM of Pennsylvania, LLC****No. 2023-CV-01713****Civil Action – Dragonetti Act/Wrongful Use of Civil Proceedings**

The Court granted Defendants' Preliminary Objections to Plaintiffs' Complaint, finding that Plaintiffs failed to state a claim for Wrongful Use of Civil Proceedings under the Dragonetti Act. This Court found that the Underlying Action did not terminate in Plaintiffs' favor, and Plaintiffs were unable to show that the Defendants lacked probable cause in initiating the Underlying Action.

1. On November 8, 2022, Pace-O-Matic, Inc. and POM of Pennsylvania, LLC (the "POM Defendants") filed a Praecipe for Writ of Summons against BMM Test Labs, Travis Foley, and Peter Nikiper (the "BMM Plaintiffs") in the Dauphin County Court of Common Pleas, docketed at 2022-CV-8562 ("the Underlying Action"). The Underlying Action was ultimately discontinued without prejudice by the POM Defendants on February 6, 2023 prior to the filing of a Complaint. Thereafter, on March 9, 2023, the BMM Plaintiffs initiated the above-captioned action, alleging one cause of action for wrongful use of civil proceedings under the Dragonetti Act, 42 Pa. C.S. §8851-54 for initiating the Underlying Action.
2. In order to state a claim for violation of the Dragonetti Act, a Plaintiff must allege facts to support the following elements: "(1) The defendant has procured, initiated or continued the civil proceedings against him. (2) The proceedings were terminated in his favor. (3) The defendant did not have probable cause for his action. (4) The primary purpose for which the proceedings were brought was not that of securing the proper discovery, joinder of parties or adjudication of the claim on which the proceedings were based. (5) The plaintiff has suffered damages as set forth in section 8353 (relating to damages)." 42 Pa.C.S.A. § 8354. The Court determined that the BMM Plaintiffs were unable to support all of these elements.
3. Specifically, the Court determined that the Underlying Action was not terminated in favor of the BMM Plaintiffs because it was voluntarily discontinued without prejudice by the POM Defendants. Furthermore, since no Complaint was ever filed, it was not possible to determine if the POM Defendants had probable cause in initiating the Underlying Action. For these reasons, the Court found that the BMM Plaintiffs could not state a claim for Wrongful Use of Civil Proceedings and dismissed the Complaint with prejudice.

William p. Rubley, Esq.*(Counsel for BMM Test Labs, Travis Foley, and Peter Nikiper)***Matthew H. Haverstick, Esq.***(Counsel for Pace-O-Matic, Inc. and POM of Pennsylvania, LLC)***Joshua J. Voss, Esq.***(Counsel for Pace-O-Matic, Inc. and POM of Pennsylvania, LLC)***Shohin H. Vance, Esq.***(Counsel for Pace-O-Matic, Inc. and POM of Pennsylvania, LLC)*

Dowling, J., September 18, 2023

MEMORANDUM OPINION

Presently pending before this Court are the preliminary objections filed by Defendants to Plaintiffs' Complaint. The background of this case is as follows: BMM Test Labs, Travis Foley and Peter Nikiper (hereinafter "the BMM Plaintiffs") are in the business of

providing testing, regulatory consultancy, and field services to gaming operators regarding gaming regulatory compliance. Pace-O-Matic, Inc. and POM of Pennsylvania, LLC (hereinafter "the POM Defendants") are in the business of designing, licensing, and distributing software for the Pennsylvania Skill Amusement Devices (hereinafter "POM Machines").

The POM Machines are the subject of at least two Pennsylvania Commonwealth Court cases as well as several matters in the Dauphin County Court of Common Pleas. Specifically, the Commonwealth has seized several POM Machines from various establishments and sought to have them deemed as illegal gambling machines. The POM Defendants have filed various Petitions wherein they sought a determination that the POM Machines are not illegal gambling machines but are instead predominantly skill games. The BMM Plaintiffs were retained by the Commonwealth of Pennsylvania as expert witnesses in at least one of the POM Machine cases that was pending in the Dauphin County Court of Common Pleas.

On November 8, 2022, the POM Defendants filed a Praecipe for Writ of Summons against the BMM Plaintiffs in the Dauphin County Court of Common Pleas, docketed at 2022-CV-8562 (hereinafter "the Underlying Action"). On December 22, 2022, the BMM Plaintiffs filed a Praecipe for Rule to File Complaint. The POM Defendants filed a Praecipe to Discontinue Without Prejudice on February 6, 2023. On February 9, 2023, Defendants filed a Praecipe for Judgment *non pros* for failure to file a Complaint, but this was filed after the Underlying Action was marked as discontinued.

Thereafter, on March 9, 2023, the BMM Plaintiffs filed a Complaint against the POM Defendants alleging one cause of action for wrongful use of civil proceedings under the Dragonetti Act, 42 Pa. C.S. §8851-54 for initiating the Underlying Action. Defendants filed Preliminary Objections to Plaintiffs' Complaint, and Plaintiffs filed a response. We heard oral argument on August 21, 2023, and the matter is now ripe for decision.

The BMM Plaintiffs' only claims are that the POM Defendants violated the Dragonetti Act in initiating the Underlying Action. The Dragonetti Act states as follows:

A person who takes part in the procurement, initiation or continuation of civil proceedings against another is subject to liability to the other for

BMM Test Labs, Travis Foley, and Peter Nikiper v.
Pace-O-Matic, Inc. and POM of Pennsylvania, LLC

wrongful use of civil proceedings: (1) he acts in a grossly negligent manner or without probable cause and primarily for a purpose other than that of securing the proper discovery, joinder of parties or adjudication of the claim in which the proceedings are based; and (2) the proceedings have terminated in favor of the person against whom they are brought.

42 Pa.C.S.A. § 8351(a). Additionally, the Plaintiff has the burden of alleging and proving the following:

(1) The defendant has procured, initiated or continued the civil proceedings against him. (2) The proceedings were terminated in his favor. (3) The defendant did not have probable cause for his action. (4) The primary purpose for which the proceedings were brought was not that of securing the proper discovery, joinder of parties or adjudication of the claim on which the proceedings were based. (5) The plaintiff has suffered damages as set forth in section 8353 (relating to damages).

42 Pa.C.S.A. § 8354.

In the instant matter, the POM Defendants argue that Plaintiffs cannot state a claim for violation of the Dragonetti Act based on the allegations in the Complaint. In ruling on a preliminary objection in the nature of a demurrer, “[a]ll material facts set forth in the complaint as well as all inferences reasonably deducible therefrom, but not conclusions of law, are deemed admitted as true.” Com. ex rel. Corbett v. Peoples Benefit Servs., Inc., 895 A.2d 683, 692 (Pa.Cmwith. 2006) (citations omitted). The Court must then determine whether, “on the facts averred, the law says with certainty that no recovery is possible.” Id. If there is any doubt as to whether a demurrer should be sustained, the doubt should be resolved in favor of denying the preliminary objection. Id.

Presently, the POM Defendants argue, among other things, that the BMM Plaintiffs cannot state a claim for a violation of the Dragonetti Act because they cannot show that the Underlying Action terminated in their favor. “Generally, when considering the question of ‘favorable termination’ in a wrongful use of civil proceedings case, whether a withdrawal or abandonment constitutes a favorable, final termination of the case against who the proceedings are brought initially depends on the circumstances under which the proceedings are withdrawn.” D’Elia v. Folino, 933 A.2d 117, 122 (Pa. Super. Ct. 2007). The Pennsylvania Superior Court has previously stated that: “[a] last-second dismissal in the face of imminent defeat is not favorable” to the party who brought the initial action. Majorsky v. Douglas, 58 A.3d 1250, 1269–70 (Pa. Super. Ct. 2012) (citations omitted). However, if the circumstances show that the voluntary withdrawal was not “tantamount to the unbidden

abandonment of a claim brought in bad faith,” then a Plaintiff cannot show that the Underlying Action was terminated in his favor. Id. at 1270. Finally:

“[A plaintiff]’s [Dragonetti] cause of action d[oes] not accrue until such time as he successfully defeat[s] the [defendant] in his attempts to have the [plaintiff] held legally liable.” This does not occur until the lawsuit is resolved in the trial court and “is final, meaning that [said resolution] has been upheld by the highest appellate court having jurisdiction over the case or that the [resolution] has not been appealed.”

Clausi v. Stuck, 74 A.3d 242, 247 (Pa. Super. Ct. 2013) (internal citations omitted).

In the instant matter, the Defendants filed a Praecipe to Discontinue the Underlying Action without prejudice before they even filed a Complaint. Initially, there is a question as to whether the Underlying Action has been terminated at all, much less in favor of the BMM Plaintiffs. Specifically, the fact that the Underlying Action was discontinued without prejudice means that the POM Defendants could reinstate the action against the BMM Plaintiffs at any time.¹ As such, the Underlying Action has not been finally terminated, and the BMM Plaintiffs cannot state a claim for violation of the Dragonetti Act.

Even if a Praecipe to Discontinue without prejudice did constitute a final termination, there is still a question of whether the action terminated in favor of the BMM Plaintiffs. The only filings in this case are the Praecipe for Writ of Summons filed by the POM Defendants, a Rule to File a Complaint filed by the BMM Plaintiffs, and a Praecipe to Discontinue Without Prejudice filed by the POM Defendants.² The POM Defendants never even filed a Complaint. With so few filings and no Complaint, the Praecipe to Discontinue that was filed by the POM Defendants cannot constitute a “last-second dismissal in the face of imminent defeat.” Therefore, under these circumstances, we do not believe that the

¹ The POM Defendants averred that they discontinued the Underlying Action in Dauphin County and then filed an action against the BMM Plaintiffs in the United States District Court for the Middle District of Pennsylvania, which is still pending. However, since these are Preliminary Objections to the Complaint, we may only examine the well-pleaded factual averments in Plaintiffs’ Complaint as to whether Plaintiffs can state a cause of action for violation of the Dragonetti Act and not at any evidence outside the Complaint. See Hess v. Fox Rothschild, LLP, 925 A.2d 798, 805 (Pa. Super. Ct. 2007) (“Preliminary objections in the nature of a demurrer require the court to resolve the issues solely on the basis of the pleadings; no testimony or other evidence outside of the complaint may be considered to dispose of the legal issues presented by the demurrer.”)

² There is also a Praecipe for Judgment *non pros* on the docket, but this was filed after the Underlying Action was marked as discontinued.

Underlying Action was terminated in the BMM Plaintiffs' favor, and they cannot state a claim for violation of the Dragonetti Act.

Regardless of the above, the POM Defendants argue that the BMM Plaintiffs cannot maintain a civil action under the Dragonetti Act because the Underlying Action did not contain any claims because no Complaint was ever filed. The BMM Plaintiffs argue that the Dragonetti Act creates a cause of action when a party initiates a lawsuit without probable cause. They reason that, since a lawsuit can be initiated by either a Writ of Summons or a Complaint, a Writ of Summons constitutes the initiation of a lawsuit under the Dragonetti Act.

In order to state a claim for violation of the Dragonetti Act, a Plaintiff must show that the Defendant took part in the procurement, initiation or continuation of civil proceedings without probable cause. Probable cause is defined as follows:

A person who takes part in the procurement, initiation or continuation of civil proceedings against another has probable cause for doing so if he reasonably believes in the existence of the facts upon which the claim is based, and either: (1) reasonably believes that under those facts the claim may be valid under the existing or developing law; (2) believes to this effect in reliance upon the advice of counsel, sought in good faith and given after full disclosure of all relevant facts within his knowledge and information; or (3) believes as an attorney of record, in good faith that his procurement, initiation or continuation of a civil cause is not intended to merely harass or maliciously injure the opposite party.

42 Pa.C.S.A. § 8352.

In the instant matter, it would be impossible to tell if the POM Defendants had probable cause for initiating the Underlying Action against the BMM Plaintiffs because no claims were ever alleged. No Complaint was ever filed, and no causes of action were ever asserted. The plain language of the statute seems to require that there be a claim before a violation of the Dragonetti Act can be maintained. Since the POM Defendants did not make any claims against the BMM Plaintiffs in the Underlying Action, the BMM Plaintiffs cannot state a claim upon which relief can be granted for violation of the Dragonetti Act.

Although they acknowledged that the POM Defendants did not assert any claims in the Underlying Action, Plaintiffs argue that no lawsuit can ever be filed against them by the POM Defendants because Plaintiffs are immune from civil liability pursuant to the witness immunity doctrine due to their status as expert witnesses retained by the

Commonwealth of Pennsylvania. However, a review of the witness immunity doctrine shows that this is incorrect.

The witness immunity doctrine essentially states as follows:

It is imperative that an expert witness not be subjected to litigation because the party who retained the expert is dissatisfied with the substance of the opinion rendered by the expert. An expert witness must be able to articulate the basis for his or her opinion without fear that a verdict unfavorable to the client will result in litigation, even where the party who has retained the expert contends that the expert's opinion was not fully explained prior to trial.

LLMD of Michigan, Inc. v. Jackson-Cross Co., 559 Pa. 297, 306, 740 A.2d 186, 191 (1999).

The two-fold policy of the witness immunity doctrine is: "to ensure that the path to the truth is left as free and unobstructed as possible and to protect the judicial process." Id. However, the Pennsylvania Supreme Court refused to extend the witness immunity doctrine to professional negligence actions against an expert witness when the allegations of negligence were not based on the substance of the expert's opinion. Id. In deciding this, the Pennsylvania Supreme Court stated:

The goal of ensuring that the path to truth is unobstructed and the judicial process is protected, by fostering an atmosphere where the expert witness will be forthright and candid in stating his or her opinion, is not advanced by immunizing an expert witness from his or her negligence in formulating that opinion. The judicial process will be enhanced only by requiring that an expert witness render services to the degree of care, skill and proficiency commonly exercised by the ordinarily skillful, careful and prudent members of their profession.

Id. at 306-07, 740 A.2d at 191.

Based on the decision in LLMD, there are situations where a party can sue an expert witness who provided an expert opinion as long as the suit is not based on the substance of the expert's opinion. Therefore, in the instant matter, there are situations where the POM Defendants could allege claims against the BMM Plaintiffs without running afoul of the witness immunity doctrine. The BMM Plaintiffs do not enjoy a blanket immunity from any and all suits simply because they testified against the POM Defendants. As a result, we cannot determine that the Underlying Action was brought without probable cause simply because it was filed by the POM Defendants against the BMM Plaintiffs. Rather, we would have to examine the claims made by the POM Defendants to determine if the witness immunity doctrine would apply to bar the same. Since no claims were asserted in the

Underlying Action, we cannot do this, and the BMM Plaintiffs cannot state a claim for violation of the Dragonetti Act.

For the foregoing reasons, we enter the following Order:

ORDER

AND NOW, this 18th day of September, 2023, upon consideration of Defendants' Preliminary Objections to Plaintiffs' Complaint and Plaintiffs' response thereto, and having heard oral argument on August 21, 2023, it is hereby ORDERED as follows:

For the reasons set forth in the attached Memorandum Opinion, Defendants' Objections are hereby GRANTED. Plaintiffs' Complaint against Defendants is hereby DISMISSED in its entirety with prejudice.

ESTATE & TRUST NOTICES

FIRST PUBLICATION

ESTATE OF LORETTA R. PALM, late of Lower Paxton Township, Dauphin County, PA (died: 4/12/23)

The Register of Wills has granted Letters on the Estate of the Decedent. Notice is hereby given to request all persons having claims against the decedent to make known the same to the Executrix or attorney, and all persons indebted to the decedent to make payment to the Executrix without delay.

Executrix: Jackee Duncan, 1 Hollywood Dr., Harrisburg, PA 17109

Attorney: Brian J. Murren, Esquire, Tucker Arensberg, P.C., 300 Corporate Center Dr., Ste. 200, Camp Hill, PA 17011 o13-27

ESTATE OF EDWARD C. WILLIAMS, JR., late of Hummelstown Borough, Dauphin County, PA

The Register of Wills has granted Letters on the Estate of the Decedent. Notice is hereby given to request all persons having claims against the decedent to make known the same to the Administrator or attorney, and all persons indebted to the decedent to make payment to the Administrator without delay.

Administrator: Edward C. Williams, III, 114 N. Landis St., Hummelstown, PA 17036

Attorney: Latisha Bernard Schuenemann, Barley Snyder, LLP, 2755 Century Blvd., Wyomissing, PA 19610 o13-27

ESTATE OF JOYCE A. GEETING a/k/a JOYCE ANN GEETING, late of Canoga Park, Los Angeles County, CA

The Register of Wills has granted Letters on the Estate of the Decedent. Notice is hereby given to request all persons having claims against the decedent to make known the same to the Executor or attorney, and all persons indebted to the decedent to make payment to the Executor without delay.

Executor: Preston R. Geeting

Attorney: Ryan A. Webber, Esquire, WEBBER LAW, PLLC, 5000 Ritter Road, Suite 202, Mechanicsburg, PA 17055 o13-27

ESTATE OF JUDY A. ACRI, late of Susquehanna Township, Dauphin County, PA

The Register of Wills has granted Letters on the Estate of the Decedent. Notice is hereby given to request all persons having claims against the decedent to make known the same to the Executor or attorney, and all persons indebted to the decedent to make payment to the Executor without delay.

Executor: Kevin Fleck, c/o Hazen Law Group, 2000 Linglestown Road, Suite 202, Harrisburg, PA 17110

Attorney: Estate of Judy A. Acri, c/o Hazen Law Group, 2000 Linglestown Road, Suite 202, Harrisburg, PA 17110 o13-27

ESTATE OF MICHAEL LLOYD BRANDT, late of Middletown, Dauphin County, PA

The Register of Wills has granted Letters on the Estate of the Decedent. Notice is hereby given to request all persons having claims against the decedent to make known the same to the Executrix or attorney, and all persons indebted to the decedent to make payment to the Executrix without delay.

Executrix: Jennifer L. Brandt

Attorney: Maria K. Mondell, Esquire, Dethlefs-Pykosh Law Group, LLC, 2132 Market Street, Camp Hill, PA 17011; (717) 975-9446 o13-27

ESTATE OF JOHN M. RAMSEY a/k/a JOHN MATTHEW RAMSEY, late of Paxtang Borough, Dauphin County, PA

The Register of Wills has granted Letters on the Estate of the Decedent. Notice is hereby given to request all persons having claims against the decedent to make known the same to the Executrix or attorney, and all persons indebted to the decedent to make payment to the Executrix without delay.

Executrix: Sarah E. Dudka

Attorney: Heather D. Royer, Esquire, Johnson Duffie, 301 Market Street, Lemoyne, PA 17043 o13-27

ESTATE OF BEVERLY HOWARD, late of Harrisburg City, Dauphin County, PA (died: April 24, 2023)

The Register of Wills has granted Letters on the Estate of the Decedent. Notice is hereby given to request all persons having claims against the

decendent to make known the same to the Executor or attorney, and all persons indebted to the decedent to make payment to the Executor without delay.

Executor: Robert Howard, 1714 Boas Street, Harrisburg, PA 17103

Attorney: Gary J. Imblum, Esquire, 4615 Derry Street, Harrisburg, PA 17111
o13-27

ESTATE OF JOEL M. MYERS, late of Penbrook Borough, Dauphin County, PA (died: February 3, 2023)

The Register of Wills has granted Letters on the Estate of the Decedent. Notice is hereby given to request all persons having claims against the decedent to make known the same to the Executor or attorney, and all persons indebted to the decedent to make payment to the Executor without delay.

Executor: Joshua Michael Myers, 1 Boeing Road, Apt. 1, New Cumberland, PA 17070

Attorney: Tessa Marie Myers, Esquire, 1946 Carlisle Road, York, PA 17408
o6-20

ESTATE OF MARGARET R. KELLER a/k/a MARGARET ROSE KELLER, late of Lower Paxton Township, Dauphin County, PA (died: July 11, 2023)

The Register of Wills has granted Letters on the Estate of the Decedent. Notice is hereby given to request all persons having claims against the decedent to make known the same to the Executrix or attorney, and all persons indebted to the decedent to make payment to the Executrix without delay.

Executrix: Sherri Davis, 497 Beaver Road, Harrisburg, PA 17112

Attorney: John W. Purcell, Jr., Esquire, Purcell, Krug & Haller, 1719 North Front Street, Harrisburg, PA 17102 o13-27

ESTATE OF SUE A. PINNEY, late of Hummelstown, Dauphin County, PA (died: June 2, 2023)

The Register of Wills has granted Letters on the Estate of the Decedent. Notice is hereby given to request all persons having claims against the decedent to make known the same to the Executrix or attorney, and all persons indebted to the decedent to make payment to the Executrix without delay.

Executrix: Vicki S. Carr, 556 Eshelman Street, Highspire, PA 17034

Attorney: Anthony T. McBeth, Esquire,

4705 Duke Street, Harrisburg, PA 17109
o13-27

ESTATE OF PHYLLIS JEAN FROEHLICH, late of West Hanover Township, Dauphin County, PA

The Register of Wills has granted Letters on the Estate of the Decedent. Notice is hereby given to request all persons having claims against the decedent to make known the same to the Executrix or attorney, and all persons indebted to the decedent to make payment to the Executrix without delay.

Executrix: Mary L. Ingalsbe, 20 Oakglade Drive, Hummelstown, PA 17036

Attorney: Peter J. Russo, Esquire, Law Offices of Peter J. Russo, P.C., 245 Grandview Ave., Suite 102, Camp Hill, PA 17011 o13-27

ESTATE OF DOUGLAS JOHN MALCHENSON, late of Susquehanna Township, Dauphin County, PA

The Register of Wills has granted Letters on the Estate of the Decedent. Notice is hereby given to request all persons having claims against the decedent to make known the same to the Administratrix or attorney, and all persons indebted to the decedent to make payment to the Administratrix without delay.

Administratrix: Annmarie Malchenson, 4501 Terrace Place, Harrisburg, PA 17111

Attorney: Peter J. Russo, Esquire, Law Offices of Peter J. Russo, P.C., 245 Grandview Ave., Suite 102, Camp Hill, PA 17011 o13-27

ESTATE OF JACK M. ZIMMERMAN a/k/a JACK MARTIN ZIMMERMAN, late of Susquehanna Township, Dauphin County, PA (died: July 15, 2023)

The Register of Wills has granted Letters on the Estate of the Decedent. Notice is hereby given to request all persons having claims against the decedent to make known the same to the Executrix or attorney, and all persons indebted to the decedent to make payment to the Executrix without delay.

Executrix: Ashley A. Whalen, 4 Walls Street, Harbeson, DE 19951

Attorney: Jill M. Wineka, Esquire, Purcell, Krug & Haller, 1719 North Front Street, Harrisburg, PA 17102 o13-27

ESTATE OF HAROLD J. SMITH, a/k/a HAROLD JOHN SMITH, late of Derry Township, Dauphin County, PA

The Register of Wills has granted Letters on the Estate of the Decedent. Notice is hereby given to request all persons having claims against the decedent to make known the same to the Executrix or attorney, and all persons indebted to the decedent to make payment to the Executrix without delay.

Executrix: Kelli Jo Lobo, c/o Keith D. Wagner, Esquire, P.O. Box 323, Palmyra, PA 17078 o13-27

ESTATE OF GARY T. HAWBAKER a/k/a GARY THOMAS HAWBAKER, GARY HAWBAKER, late of Conewago Township, Dauphin County, PA (died: August 15, 2023)

The Register of Wills has granted Letters on the Estate of the Decedent. Notice is hereby given to request all persons having claims against the decedent to make known the same to the Executrix or attorney, and all persons indebted to the decedent to make payment to the Executrix without delay.

Executrix: Sonja L. Grewal, 128 N. Lime Street, Lancaster PA 17602

Attorney: Pyfer, Reese, Straub, Gray & Farhat P.C., 128 N. Lime Street, Lancaster PA 17602 o13-27

ESTATE OF MARGARET E. BLANCH, late of Steelton, Dauphin County, PA

The Register of Wills has granted Letters on the Estate of the Decedent. Notice is hereby given to request all persons having claims against the decedent to make known the same to the Administratrix or attorney, and all persons indebted to the decedent to make payment to the Administratrix without delay.

Administratrix: Maria J. Salinger, 7726 Sunset Drive, Harrisburg, PA 17112

Attorney: Deborah E. Crum, Esquire, SMIGEL, ANDERSON & SACKS, LLP, 4431 North Front Street, Third Floor, Harrisburg, PA 17110 o13-27

SECOND PUBLICATION

ESTATE OF MELVIN T. JOHNSON, late of Susquehanna Township, Dauphin County, PA (died: January 29, 2020)

The Register of Wills has granted Letters on the Estate of the Decedent.

Notice is hereby given to request all persons having claims against the decedent to make known the same to the Executor or attorney, and all persons indebted to the decedent to make payment to the Executor without delay.

Executor: Kia Johnson, 1406 Emerson St., NW, Washington, DC 20011

Attorney: William L. Adler, Esquire, 112 Hillcrest Rd., Camp Hill, PA 17011 o6-20

ESTATE OF RUTH O'ROURKE, late of Middletown, Dauphin County, PA (died: July 24, 2023)

The Register of Wills has granted Letters on the Estate of the Decedent. Notice is hereby given to request all persons having claims against the decedent to make known the same to the Executrix or attorney, and all persons indebted to the decedent to make payment to the Executrix without delay.

Executrix: Kelly O. Gerhards, c/o George W. Porter, Esquire, 909 E. Chocolate Ave., Hershey, PA 17033

Attorney: George W. Porter, Esquire, 909 E. Chocolate Avenue, Hershey, PA 17033 o6-20

ESTATE OF CYNTHIA MAE MARIE McKUSIC, late of Middletown Borough, Dauphin County, PA (died: July 12, 2023)

The Register of Wills has granted Letters on the Estate of the Decedent. Notice is hereby given to request all persons having claims against the decedent to make known the same to the Executor or attorney, and all persons indebted to the decedent to make payment to the Executor without delay.

Executor: Joshua Mortiz, 238 Hamilton Street, Harrisburg, PA 17102

Attorney: Tyrone Powell, Esquire, P.O. Box 61485, Harrisburg, PA 17106 o6-20

ESTATE OF DONNIE W. MAY a/k/a DONNIE WAYNE MAY, late of Upper Paxton Township, Dauphin County, PA (died: August 3, 2023)

The Register of Wills has granted Letters on the Estate of the Decedent. Notice is hereby given to request all persons having claims against the decedent to make known the same to the Executrix or attorney, and all persons indebted to the decedent to make payment to the Executrix without delay.

Executrix: Janice Wert, 1029 North

River Road, Halifax, PA 17032

Attorney: Joseph D. Kerwin, Esquire,
Kerwin & Kerwin, LLP, 4245 State Route
209, Elizabethville, PA 17023 o6-20

ESTATE OF BEVERLY S. SPONAUGLE, late of Derry Township, Dauphin County, PA (died: September 2, 2023)

The Register of Wills has granted Letters on the Estate of the Decedent. Notice is hereby given to request all persons having claims against the decedent to make known the same to the Executors or attorney, and all persons indebted to the decedent to make payment to the Executors without delay.

Executors: Karen S. Weaver & Kirk R. Sponaugle, c/o George W. Porter, Esquire, 909 E. Chocolate Avenue, Hershey, PA 17033

Attorney: George W. Porter, Esquire,
909 E. Chocolate Avenue, Hershey, PA
17033 o6-20

ESTATE OF NINA C. GILMAN, late of Dauphin County, PA (died: July 18, 2023)

The Register of Wills has granted Letters on the Estate of the Decedent. Notice is hereby given to request all persons having claims against the decedent to make known the same to the Executrix or attorney, and all persons indebted to the decedent to make payment to the Executrix without delay.

Executrix: Alyssa Heffelfinger, 8050 Manada View Drive, Harrisburg, PA 17112 o6-20

ESTATE OF LUCILLE C. NANCARROW, late of Harrisburg, Dauphin County, PA

The Register of Wills has granted Letters on the Estate of the Decedent. Notice is hereby given to request all persons having claims against the decedent to make known the same to the Co-Executors or attorney, and all persons indebted to the decedent to make payment to the Co-Executors without delay.

Co-Executrix: Barbara N. Snyder, 4382 St. Andrews Way Harrisburg, PA 17112

Co-Executor: Gary S. Hutchinson, 601 Kane St., So. Williamsport, PA 17702

Attorney: Stephen C. Sholder, Esquire, RAUP & SHOLDER, P.C., 445 Elmira Street, Williamsport, PA 17701; (570) 321-0709 o6-20

ESTATE OF CARL C. JONES, late of Middletown Borough, Dauphin County, PA

The Register of Wills has granted Letters on the Estate of the Decedent. Notice is hereby given to request all persons having claims against the decedent to make known the same to the Administrator or attorney, and all persons indebted to the decedent to make payment to the Administrator without delay.

Administrator: Gregory Jones

Attorney: Katherine L. McDonald, Esquire, Dethlefs-Pykosh Law Group, LLC, 2132 Market Street, Camp Hill, PA 17011; (717) 975-9446 o6-20

ESTATE OF SHARON L. LISI, late of Lower Paxton Township, Dauphin County, PA (died: September 6, 2023)

The Register of Wills has granted Letters on the Estate of the Decedent. Notice is hereby given to request all persons having claims against the decedent to make known the same to the Executrix or attorney, and all persons indebted to the decedent to make payment to the Executrix without delay.

Executrix: Jamie L. Byrnes, 7388 View Crest Drive, Harrisburg, PA 17112

Attorney: Terrence J. Kerwin, Esquire,
Kerwin & Kerwin, LLP, 4245 State Route
209, Elizabethville, PA 17023 o6-20

ESTATE OF JOHN J. PERRY a/k/a JOHN JOSEPH PERRY a/k/a JOHN JOSEPH GRANT PERRY, late of South Hanover Township, Dauphin County, PA (died: February 21, 2023)

The Register of Wills has granted Letters on the Estate of the Decedent. Notice is hereby given to request all persons having claims against the decedent to make known the same to the Executor or attorney, and all persons indebted to the decedent to make payment to the Executor without delay.

Executor: John Robertson Rutledge III, 232 Cooper Road, Hummelstown, PA 17036

Attorney: A. Mark Winter, Esquire,
JSDC Law Offices, 11 East Chocolate
Avenue, Suite 300, Hershey, PA 17033;
(717) 533-3280 o6-20

ESTATE OF BARBARA CLEELAND, late of Harrisburg City, Dauphin County, PA (died: August 22, 2023)

The Register of Wills has granted

Letters on the Estate of the Decedent. Notice is hereby given to request all persons having claims against the decedent to make known the same to the Administrator or attorney, and all persons indebted to the decedent to make payment to the Administrator without delay.

Administrator: John C. Willis, 154 Alwoodley, Williamsburg, VA 23188

Attorney: Ronald L. Finck, Esquire, Mette, Evans & Woodside, 3401 North Front Street, P.O. Box 5950, Harrisburg, PA 17110-0950 06-20

ESTATE OF ANNA L. YINGST, late of Harrisburg City, Dauphin County, PA (died: January 15, 2023)

The Register of Wills has granted Letters on the Estate of the Decedent. Notice is hereby given to request all persons having claims against the decedent to make known the same to the Executor or attorney, and all persons indebted to the decedent to make payment to the Executor without delay.

Executor: Jeffrey Lebo, 350 Roxberry Road, York Haven, PA 17370

Attorney: Michael C. Giordano, Esquire, 221 W. Main Street, Mechanicsburg, PA 17055 06-20

ESTATE OF RANDY L. ERDMAN, late of Washington Township, Dauphin County, PA (died: August 19, 2023)

The Register of Wills has granted Letters on the Estate of the Decedent. Notice is hereby given to request all persons having claims against the decedent to make known the same to the Executrix or attorney, and all persons indebted to the decedent to make payment to the Executrix without delay.

Executrix: Cynthia A. Miller, P.O. Box 598, Elizabethville, PA 17023

Attorney: Joseph D. Kerwin, Esquire, Kerwin & Kerwin, LLP, 4245 State Route 209, Elizabethville, PA 17023 06-20

NOTICE OF TRUST ADMINISTRATION of the Louis A. and Carolyn E. Tomes Living Trust dated 10/3/1996, as amended (the "Trust"), following the death of Louis A. Tomes, late of Lower Paxton Township, Dauphin County, PA on April 7, 2023 (the "Decedent"), is hereby given.

LETTERS TESTAMENTARY for the **ESTATE OF LOUIS A. TOMES**, late of Lower Paxton Township, Dauphin County, PA (died: April 7, 2023), were

granted to Briana L. Woodring May 8, 2023, notice is hereby given.

All persons having claims against the Decedent, Trust, or Estate are requested to present them for settlement and all persons indebted to the Decedent, Trust, or Estate are requested to make immediate payment to:

Successor Death Trustee and Executrix: Briana L. Woodring, 1131 Manada Bottom Road, Harrisburg, PA 17112

Attorney: Christa M. Aplin, Esquire, JSDC Law Offices, 11 East Chocolate Avenue, Suite 300, Hershey, PA 17033; (717) 533-3280 06-20

THIRD PUBLICATION

ESTATE OF DONALD WILLIAM MOLANDER, late of Lower Swatara Township, Dauphin County, PA (died: August 9, 2023)

The Register of Wills has granted Letters on the Estate of the Decedent. Notice is hereby given to request all persons having claims against the decedent to make known the same to the Administrator or attorney, and all persons indebted to the decedent to make payment to the Administrator without delay.

Administrator: Richard E. Molander, 7734 Fern Drive, Harrisburg, PA 17112

Attorney: Ronald L. Finck, Esquire, Mette, Evans & Woodside, 3401 North Front Street, P.O. Box 5950, Harrisburg, PA 17110-0950 s29-o13

ESTATE OF THOMAS M. EGGERT, late of Dauphin County, PA

The Register of Wills has granted Letters on the Estate of the Decedent. Notice is hereby given to request all persons having claims against the decedent to make known the same to the Executor or attorney, and all persons indebted to the decedent to make payment to the Executor without delay.

Executor: Stephen P. Eggert

Attorney: Matthew M. Karinch, Esquire, Weiss Burkett, LLC, 802 Walnut Street, Lebanon, PA 17042

s29-o13

ESTATE OF MATTHEW DAVID NAPOLEONI, late of Washington Township, Dauphin County, PA (died: March 16, 2023)

The Register of Wills has granted Letters on the Estate of the Decedent. Notice is hereby given to request all persons having claims against the decedent to make known the same to the Administratrix or attorney, and all persons indebted to the decedent to make payment to the Administratrix without delay.

Administratrix: Ariell Napoleoni

Attorney: John J. McGovern, Jr., Esquire, CPA, 321 Spruce Street, Suite 201, Scranton, PA 18503 s29-o13

ESTATE OF MARY RUTH LANDVATER a/k/a MARY R. LANDVATER, of Derry Township, Dauphin County, PA

The Register of Wills has granted Letters on the Estate of the Decedent. Notice is hereby given to request all persons having claims against the decedent to make known the same to the Executor or attorney, and all persons indebted to the decedent to make payment to the Executor without delay.

Executor: Jeremy R. Landvater, 310 Leaward Terrace, Swansboro, NC 28584

Attorney: Jennifer M. Merx, Esquire, SkarlatosZonarich, LLC, 320 Market Street, Suite 600 West, Harrisburg, PA 17101 s29-o13

ESTATE OF JULIA R. GOODMAN a/k/a JULIA HALOW GOODMAN, late of Lower Paxton Township, Dauphin County, PA

The Register of Wills has granted Letters on the Estate of the Decedent. Notice is hereby given to request all persons having claims against the decedent to make known the same to the Executrix or attorney, and all persons indebted to the decedent to make payment to the Executrix without delay.

Executrix: Kathy G. Montgomery, 913 Sycamore Lane, Hummelstown, PA 17036

Attorney: Theresa L. Shade Wix, Esquire, Wix, Wenger & Weidner, 4705 Duke Street, Harrisburg, PA 17109-3041 s29-o13

ESTATE OF GEORGE D. PLOTT, JR., late of Middletown, Dauphin County, PA (died: August 16, 2023)

The Register of Wills has granted Letters on the Estate of the Decedent. Notice is hereby given to request all persons having claims against the

decedent to make known the same to the Administratrix or attorney, and all persons indebted to the decedent to make payment to the Administratrix without delay.

Administratrix: Sandy L. Adams

Attorney: David C. Miller, Jr., Esquire, 1846 Bonnie Blue Lane, Middletown, PA 17057; (717) 939-9806; Email: davidcmillerjr@verizon.net s29-o13

ESTATE OF ANN K. MEGOULAS, late of Dauphin County, PA

The Register of Wills has granted Letters on the Estate of the Decedent. Notice is hereby given to request all persons having claims against the decedent to make known the same to the Executor or attorney, and all persons indebted to the decedent to make payment to the Executor without delay.

Executor: Christ P. Megoulas, 75 White Tail Ln., Palmyra, PA 17078

Attorney: Ann Ariano, Esquire, 6121 Chatham Court, Harrisburg, PA 17111 s29-o13

ESTATE OF ROY B. HIPPENSTEEL, late of Harrisburg City, Dauphin County, PA

The Register of Wills has granted Letters on the Estate of the Decedent. Notice is hereby given to request all persons having claims against the decedent to make known the same to the Executor or attorney, and all persons indebted to the decedent to make payment to the Executor without delay.

Executor: Samuel R. Hippensteel

Attorney: Aviv S. Bliwas, Esquire, Johnson, Duffie, Stewart & Weidner, P.C. 301 Market Street, P.O. Box 109, Lemoyne, PA 17043 s29-o13

ESTATE OF MICHAEL P. NAJARIAN, late of Lower Paxton Township, Dauphin County, PA

The Register of Wills has granted Letters on the Estate of the Decedent. Notice is hereby given to request all persons having claims against the decedent to make known the same to the Executrix or attorney, and all persons indebted to the decedent to make payment to the Executrix without delay.

Executrix: Liz Hutchison, Estate of Michael P. Najarian, 1877 West Union Blvd., Bethlehem, PA 18018

Attorney: Steven C. Wilds, Esquire, Wix, Wenger & Weidner, 508 North

Second Street, Harrisburg, PA 17101-1002; (717) 234-4182 s29-o13

ESTATE OF LINDA A. SNYDER, late of Lower Swatara Township, Dauphin County, PA (died: March 25, 2023)

The Register of Wills has granted Letters on the Estate of the Decedent. Notice is hereby given to request all persons having claims against the decedent to make known the same to the Executrix or attorney, and all persons indebted to the decedent to make payment to the Executrix without delay.

Executrix: Cynthia A. Yeager, 701 Logan Boulevard, Altoona, PA 16602

Attorney: Cynthia A. Yeager, Esquire, 701 Logan Boulevard, Altoona, PA 16602 s29-o13

ESTATE OF KAREN C. WOLFE, late of West Hanover Township, Dauphin County, PA (died: August 19, 2023)

The Register of Wills has granted Letters on the Estate of the Decedent. Notice is hereby given to request all persons having claims against the decedent to make known the same to the Executors or attorney, and all persons indebted to the decedent to make payment to the Executors without delay.

Executors: Michele Wolfe & Brian Wolfe, c/o George Porter, Esquire, 909 E. Chocolate Ave., Hershey, PA 17033

Attorney: George Porter, Esquire, 909 E. Chocolate Ave., Hershey, PA 17033 s29-o13

ESTATE OF JEFFREY C. CARLSON, late of Paxtang Borough, Dauphin County, PA (died: July 18, 2023)

The Register of Wills has granted Letters on the Estate of the Decedent. Notice is hereby given to request all persons having claims against the decedent to make known the same to the Executrix or attorney, and all persons indebted to the decedent to make payment to the Executrix without delay.

Executrix: Marta Benach

Attorney: Vicky Ann Trimmer, Esquire, Daley Zucker, LLC, 645 N. 12th Street, Suite 200, Lemoyne, PA 17043

s29-o13

FIRST PUBLICATION

CORPORATE NOTICES

NOTICE IS HEREBY GIVEN **BioLattice Ophthalmics, Inc.**, a foreign business corporation incorporated under the laws of Delaware, with its princ. office located at 3401 Market St., Ste. 200, Philadelphia, PA 19104, has applied for a Statement of Registration to do business in Pennsylvania under the provisions of Chapter 4 of the Association Transactions Act. The commercial registered office provider in PA is c/o: Corporation Service Company, and shall be deemed for venue and official publication purposes to be located in Dauphin County. o13

NOTICE IS HEREGY GIVEN **JBS USA Sanitation Corporation**, a foreign business corporation incorporated under the laws of Michigan, with its princ. office located at 1770 Promontory Circle, Greeley, CO 80634, has applied for a Statement of Registration to do business in Pennsylvania under the provisions of Chapter 4 of the Association Transactions Act. The street address in the association's jurisdiction of formation is 11 Eleventh St., Plainwell, MI 49080. The commercial registered office provider in PA is Corporation Service Company, and shall be deemed for venue and official publication purposes to be located in Dauphin County. o13

NOTICE IS HEREBY GIVEN that pursuant to the applicable provisions of 15 Pa.C.S. Section 415 or 417, **Securematics, Inc.**, a corporation incorporated under the laws of the State of California with its registered office in PA at c/o: Corporation Service Company, Dauphin County, intends to file a Statement of Withdrawal of Foreign Registration with the Dept. of State. o13

NOTICE IS HEREBY GIVEN **TELEVIC US, CORP.**, a foreign business corporation incorporated under the laws of Delaware, with its princ. office located at 4620 Northgate Blvd., Ste. 120, Sacramento, CA 95834, has applied for a Statement of Registration to do business in Pennsylvania under the provisions of Chapter 4 of the Association Transactions Act. The commercial registered office provider in PA is c/o: Corporation Service

Company, and shall be deemed for venue and official publication purposes to be located in Dauphin County. o13

NOTICE IS HEREBY GIVEN that, pursuant to the Business Corporation Law of 1988, **ELKHORN FIELD SERVICES COMPANY**, a corporation incorporated under the laws of the State of Oklahoma intends to withdraw from doing business in Pennsylvania. The address of its principal office in its jurisdiction of incorporation is 4613 E. 91st Street, Tulsa, OK 74137 and the name of its commercial registered office provider in Pennsylvania is CT Corporation System. o13

NOTICE IS HEREBY GIVEN that, pursuant to the Business Corporation Law of 1988, **ELKHORN RETAIL COMPANY**, a corporation incorporated under the laws of the State of Oklahoma intends to withdraw from doing business in Pennsylvania. The address of its principal office in its jurisdiction of incorporation is 4613 E. 91st Street, Tulsa, OK 74137 and the name of its commercial registered office provider in Pennsylvania is National Registered Agents, Inc. o13

NOTICE IS HEREBY GIVEN that **Anderson Chemical Company**, a foreign corporation formed under the laws of the State of Minnesota and its principal office is located at 325 S. Davis Ave., Litchfield, MN 55355, has registered to do business in Pennsylvania with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on 9/1/23, under the provisions of Chapter 4 of the Association Transactions Act. The registered office in Pennsylvania shall be deemed for venue and official publication purposes to be located in Dauphin. o13

NOTICE IS HEREBY GIVEN **Maybe Finance, Inc.** with a commercial registered office provider in care of Cogency Global Inc. in Dauphin County does hereby give notice of its intention to withdraw from doing business in this Commonwealth. The address to which any proceeding may be sent is 1900 Corporate Dr., Birmingham, AL 35238-7702. This shall serve as official notice to creditors and taxing authorities. o13

NOTICE IS HEREBY GIVEN that Articles of Incorporation have been filed with the Department of the Commonwealth of Pennsylvania on 9/21/2023 under the Domestic Business Corporation Law, for **JEWEL STAR FRANKLIN FAMILY, INC.**, and the name and county of the commercial registered office provider is Corporation Service Company, Dauphin County. o13

NOTICE IS HEREBY GIVEN that **RemeGen Biosciences, Inc.**, a foreign corporation formed under the laws of the State of Delaware and its principal office is located at 650 Gateway Blvd., Suite #110, S. San Fransico, CA 94080, has registered to do business in Pennsylvania with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on 9/12/23, under the provisions of Chapter 4 of the Association Transactions Act. The registered office in Pennsylvania shall be deemed for venue and official publication purposes to be located in Dauphin. o13

NOTICE IS HEREBY GIVEN that a Foreign Registration Statement has been filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA on or about 9/20/2023 for a foreign corporation by the name of and with a registered address in the Commonwealth of Pennsylvania as follows: **Shebarks, Inc.** c/o eResidentAgent, Inc.

This corporation is incorporated under the laws of Delaware.

The address of its principal office is 11766 Wilshire Blvd., 9th Floor, Los Angeles, CA 90025.

The corporation has been registered in Pennsylvania under the provisions of the Business Corporation Law of 1988, as amended. o13

NOTICE IS HEREBY GIVEN that **Intellia Therapeutics, Inc.**, a foreign corporation formed under the laws of the State of Delaware where its principal office is located at 40 Erie St., Cambridge, MA 02139, has registered to do business in Pennsylvania with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on 9/21/23, under the provisions of Chapter 4 of the Association Transactions Act.

The registered office in Pennsylvania

shall be deemed for venue and official publication purposes to be located in Dauphin County. o13

NOTICE IS HEREBY GIVEN that **One Life Games Inc.**, a foreign corporation formed under the laws of the State of Delaware and its principal office is located at 555 California St., San Francisco, CA 94104, has registered to do business in Pennsylvania with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on 8/8/23, under the provisions of Chapter 4 of the Association Transactions Act. The registered office in Pennsylvania shall be deemed for venue and official publication purposes to be located in Dauphin. o13

NOTICE IS HEREBY GIVEN **Radia Inc., P.S.**, a foreign corporation formed under the laws of the State of Washington and with its principal office located at 19020 33rd Ave. W., Ste. 210, Lynnwood, WA 98036, has registered to do business in Pennsylvania with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on 9/28/23, under the provisions of Chapter 4 of the Association Transactions Act.

The registered office in Pennsylvania shall be deemed for venue and official publication purposes to be located in Dauphin County. o13

NOTICE IS HEREBY GIVEN that **Giffin, Inc.**, a foreign corporation formed under the laws of the State of Michigan and its principal office is located at 1900 Brown Rd., Auburn Hills, MI 48326, has registered to do business in Pennsylvania with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on 10/2/23, under the provisions of Chapter 4 of the Association Transactions Act. The registered office in Pennsylvania shall be deemed for venue and official publication purposes to be located in Dauphin. o13

NOTICE IS HEREBY GIVEN of the filing of Articles of Incorporation as follows:

1. The name of the corporation is **Sar Shalom Fellowship**
2. The location of the registered office of the corporation is 1130 Terry Drive, Steelton, PA 17113
3. The Articles of Incorporation were

filed under the provisions of the Business Corporation Law of 1988.

4. The corporation shall have unlimited power to engage in and do any lawful act concerning any or all lawful business for which corporations may be incorporated under the Business Corporation Law.

5. The Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania and approved by said Department on the 28th day of April, 2023.

o13 Attorney: Shaun E. O'Toole, Esquire

MISCELLANEOUS **NOTICES**

NOTICE OF DISBARMENT

NOTICE IS HEREBY GIVEN that by Order of the Supreme Court of Pennsylvania dated October 2, 2023, **MEGAN ANNE KERRIGAN** has been DISBARRED from the Bar of this Commonwealth, effective November 1, 2023.

o13 Marcee D. Sloan
Board Prothonotary
The Disciplinary Board of the
Supreme Court of Pennsylvania

NOTICE

NOTICE IS HEREBY GIVEN that the Tax Claim Bureau of Dauphin County, Pennsylvania, has presented its Return to the Court of Common Pleas of Dauphin County, Pennsylvania, in regard to the tax sale held September 11, 2023, for the delinquent taxes for the year of 2021 by said Court of Common Pleas and the return has been filed in the office of the Prothonotary of Dauphin County, Pennsylvania to No. 2023 CV 6623.

OBJECTIONS or exceptions to such report may be filed by any owner or lien creditor within thirty (30) days from the signed NISI, otherwise, the return will be confirmed absolutely.

o13 Holly C. Martz, Deputy Director
Dauphin County
Tax Claim Bureau

**IN THE COURT OF COMMON PLEAS
OF DAUPHIN COUNTY,
PENNSYLVANIA**

NO: 2023-CV-7584

**IN RE: DAUPHIN COUNTY TAX
RETURN AND CLAIM POSTING**

ORDER

AND NOW, this 4TH day of October, 2023, upon consideration of the Tax Claim Bureau of Dauphin County's Petition to Waive Posting of Island Properties, it is hereby ORDERED AND DECREED that:

(1) Return/Claim posting of the Island Properties is waived; and (2) A copy of this Order shall be published in the Dauphin County Reporter, the Citizen-Standard and the Sun on or before October 15, 2023.

BY THE COURT:

o13 /s/ Hon. Andrew H. Dowling

**IN THE COURT OF COMMON PLEAS
OF DAUPHIN COUNTY,
PENNSYLVANIA**

CIVIL DIVISION

No.: 2023-CV-05670

**WINTRUST MORTGAGE, A DIVISION
OF BARRINGTON BANK & TRUST
COMPANY, N.A., PLAINTIFF
VS.**

RICHARD HECK, DEFENDANT(S)

NOTICE

NOTICE TO: Richard Heck

YOU ARE HEREBY NOTIFIED on that on July 24, 2023, Plaintiff, WINTRUST MORTGAGE, A DIVISION OF BARRINGTON BANK & TRUST COMPANY, N.A. filed a Complaint against you in the Court of Common Pleas of DAUPHIN County, Pennsylvania, Docket No. 2023-CV-05670, wherein Plaintiff seeks to enforce its rights under its loan documents.

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.

Dauphin County Lawyer Referral Service
213 North Front Street
Harrisburg, PA 17101
Telephone: 717-232-7536

BROCK & SCOTT, PLLC
Attorney for Plaintiff
(844) 856-6646

o13

**NAME CHANGE
NOTICES**

**IN THE COURT OF COMMON PLEAS
OF DAUPHIN COUNTY
PENNSYLVANIA**

DOCKET NO: 2023-CV-6209-NC

PETITION FOR CHANGE OF NAME

NOTICE

NOTICE IS HEREBY GIVEN that on September 14, 2023 the Petition of Edward Dante Pascoe was filed in the above-named court, requesting a decree to change his name from **Edward Dante Pascoe** to **Edward Dante Raineri**.

The Court has fixed Monday, November 6, 2023 at 9:00 a.m. in Courtroom No. 9, 2nd Floor, Dauphin County Courthouse, 101 Market Street, Harrisburg, PA 17101 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 Petition should not be granted. o13

**IN THE COURT OF COMMON PLEAS
OF DAUPHIN COUNTY
PENNSYLVANIA**

DOCKET NO: 2023-CV-07119-NC

**PETITION FOR MINOR
CHANGE OF NAME**

NOTICE

NOTICE IS HEREBY GIVEN that on September 18, 2023 the Petition of Jessica Crankfield on behalf of minor child RIMC, was filed in the above-named court, requesting a decree to change the minor child's name from **RIMC** to **RIMC**.

The Court has fixed Monday, November 6, 2023 at 1:30 p.m. in Courtroom No. 9, 2nd Floor, Dauphin County Courthouse, 101 Market Street, Harrisburg, PA 17101 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 Petition should not be granted. o13

***Trial Ahead?
Consider the DCBA Mediation Program***



DCBA TRAINED MEDIATORS

- Matthew Chabal, III
- Richard B. Druby
- Brooks R. Foland
- Lacy Hayes, Jr.
- Jeffrey T. McGuire
- Charles E. Wasilefski
- Sarah Yerger
- Trained, Experienced Mediators
- Local and Accessible
- Cost effective vs. non-local mediators
- Proven Results

CONTACT US TODAY!

717-232-7536 or visit us at

<https://www.dcba-pa.org/community-programs/mediation-program/>



125 Years of Service
1898-2023

BAR ASSOCIATION PAGE
Dauphin County Bar Association
213 North Front Street, Harrisburg, PA 17101-1493
www.dcba-pa.org
Phone: (717) 232-7536 Fax: (717) 234-4582

Board of Directors

Officers

Kimberly A. Selemba
President

Jonathan D. Koltash
President-elect

Fawn E. Kehler
Vice President

Jessica E. Smith
Secretary

Thomas P. Gacki
Treasurer

Scott B. Cooper
Past President

Dennis R. Kergick, Jr.
Young Lawyers Section Chair

Brian J. Murren
Young Lawyers Chair Elect

Directors

Rebecca L. Bailey
Jacqueline Lynette Carter
Melissa A. Chapaska
Michael T. Foerster
Anthony J. Gabriel
Timothy E. Gates
Jason C. Giurintano
Sarah A. Hyser-Staub
James K. Jones
Grant S. Malleus
Karen W. Miller
Judson B. Perry
Steven R. Ryan
Kevin M. Scott

The Board of Directors of the Bar Association meets on the third Thursday of the month at the Bar Association headquarters. Anyone wishing to attend or have matters brought before the Board should contact the Bar Association office in advance.

REPORTING OF ERRORS IN ADVANCE SHEET

The Bench and Bar will contribute to the accuracy in matters of detail of the permanent edition of the Dauphin County Reporter by sending to the editor promptly, notice of all errors appearing in this advance sheet. Inasmuch as corrections are made on a continuous basis, there can be no assurance that corrections can be made later than thirty (30) days from the date of this issue but this should not discourage the submission of notice of errors after thirty (30) days since they will be handled in some way if at all possible. Please send such notice of errors to: Dauphin County Reporter, Dauphin County Bar Association, 213 North Front Street, Harrisburg, PA 17101-1493.

DAUPHIN COUNTY COURT SECTION

Opinions Not Yet Reported

September 18, 2023 - Dowling, J., BMM Test Labs, Travis Foley, and Peter Nikiper v. Pace-O-Matic, Inc. and POM of Pennsylvania, LLC, Civil Action, Dau. Co., No. 2023-CV-01713

BAR ASSOCIATION PAGE
Dauphin County Bar Association
213 North Front Street, Harrisburg, PA 17101-1493
www.dcba-pa.org
Phone: (717) 232-7536 Fax: (717) 234-4582

ASSOCIATE: Established and successful Central Pennsylvania Law Firm seeks 1 or 2 experienced Associates for a partner track/succession relationship. Litigation, Transactions, Corporate, Collections, Estate Planning and Administration, Bankruptcy, Landlord/Tenant (Landlord), Personal Injury, Municipal and Real Estate are the primary practice areas of the firm at present. A book of business is not required but, if consistent with the firm's practice, is preferred. Position is based in Central Pennsylvania, but the practice is statewide (primarily to the East), so (partial) remote work is anticipated, and some travel may be required. Expressions of interest may be made as follows: Dauphin County Reporter, 213 North Front Street, Harrisburg, PA 17101. s29-013

ASSOCIATE: Caldwell & Kearns seeks to hire an Associate admitted to the Pennsylvania Bar with 2 to 5 years of general experience. Litigation or Corporate Law experience preferred but not required. We offer a competitive salary as well as medical, vision, dental benefits and matching 401k. Please submit resume and cover letter to msimpson@cklegal.net. o6-20

ATTORNEY: MidPenn Legal Services, York, PA, Full Time: The Staff Attorney position is funded by the York County Bar Foundation. The attorney would provide legal advice and representation to income-eligible individuals in custody and protection from abuse cases in York, Pennsylvania. For full job description including benefits and how to apply, please click [here](#). o13-27

ELDER STAFF ATTORNEY: MidPenn Legal Services, Harrisburg, PA, Full Time: The Staff Attorney position is full-time and will work on a pilot project to represent alleged incapacitated persons aged 60 and over in all guardianship proceedings. The position requires the attorney to provide community education and outreach about Elder Law issues and MidPenn services. For full job description including benefits and how to apply, please click [here](#). o13-27

INDEX

Atlantic States v. Green 49

BMARKO STRUCTURES, WEBPAGEFX, INC. v. 99

BMM Test Labs; Foley, Travis; and Nikiper, Peter v. Pace-O-Matic, Inc. and POM of
 Pennsylvania, LLC..... 139

Box, Commonwealth v. 41

Castaneda and Castaneda, Nationwide Property and Casualty Insurance Company v. ... 107

Commonwealth v. Box..... 41

Commonwealth v. Dayd..... 37

Commonwealth v. O’Brian..... 6

Commonwealth v. Weathers 1

Commonwealth v. Williams 27

Dayd, Commonwealth v. 37

Dealer Resources, LLC, Western Funding, Inc. v. 51

Erie Insurance Exchange, Stoner v. 21

Erie Insurance Exchange, Turnpaugh Chiropractic Health and Wellness Center, P.C.
 (Zimmerman) v. 54

Foley, Travis; and Nikiper, Peter v. Pace-O-Matic, Inc. and POM of Pennsylvania, LLC, BMM
 Test Labs; 139

Green, Atlantic States v. 49

HPT TA Properties Trust v. Township of West Hanover 14

Janoski, Paul, Long Home Products of Pennsylvania, LLC and Long Fence and Home, LLLP,
 West Shore Home, LLLC and West Shore Home Holdings, LLC, v. 63

Ronald W. Lippe, M.D., Swart and Heyns v. UPMC Pinnacle Hospitals, Orthopedic Institute
 Of Pennsylvania and 123

Nationwide Property and Casualty Insurance Company v. Castaneda and Castaneda 107

Nikiper, Peter v. Pace-O-Matic, Inc. and POM of Pennsylvania, LLC, BMM Test Labs; Foley,
 Travis; and 139

O’Brian, Commonwealth v. 6

Orthopedic Institute of Pennsylvania and Ronald W. Lippe, M.D., Swart and Heyns v.
 UPMC Pinnacle Hospitals, 123

Pace-O-Matic, Inc. and POM of Pennsylvania, LLC, BMM Test Labs; Foley, Travis; and
 Nikiper, Peter v. 139

Stoner v. Erie Insurance Exchange 21

Swart and Heyns v. UPMC Pinnacle Hospitals, Orthopedic Institute of Pennsylvania and
 Ronald W. Lippe, M.D. 123

Three Pennsylvania Skill Amusement Devices, One Green Bag Containing \$525.00 in U.S.
 Currency and Seven Receipts. 115

Township of West Hanover, HPT TA Properties Trust v. 14

Turnpaugh Chiropractic Health and Wellness Center, P.C. (Zimmerman) v. Erie Insurance
 Exchange 54

UPMC Pinnacle Hospitals, Orthopedic Institute of Pennsylvania and Ronald W. Lippe, M.D.,
 Swart and Heyns v. 123

Weathers, Commonwealth v. 1

INDEX

WEBPAGEFX, INC. v. BMARKO STRUCTURES 99
West Shore Home, LLLC and West Shore Home Holdings, LLC, v. Paul Janoski, Long Home
Products of Pennsylvania, LLC And Long Fence and Home, LLLP 63
Western Funding, Inc. v. Dealer Resources, LLC 51
Williams, Commonwealth v. 27

LOOKING FOR ESTATE NOTICES

OR OTHER LEGAL NOTICES
REQUIRING PUBLICATION
IN A PA LEGAL JOURNAL?

Go to www.palegalads.org

This FREE site allows you to
search statewide to determine
whether a specific legal notice
has been published.



Dauphin County Bar Association
213 North Front Street
Harrisburg, PA 17101
717-232-7536

www.dcba-pa.org | info@dcba-pa.org

Rental Space
Available

CONTACT US TODAY!

Features:

- Front Room River with view
- Dining Room
- Small Conference Room
- Inhouse bar with bartender

Uses:

- Depositions
- Arbitrations
- Business Meeting
- CLEs
- Parties
- Fundraisers

Fees:

- Rates starting at \$325
- Member Discounts Available
- \$35/hour Bartender fee with 3 hour minimum

Catering:

- Renters must retain their own caterer.



ATTORNEY DISCIPLINARY / ETHICS MATTERS

Representation, consultation and expert testimony in disciplinary matters and matters involving ethical issues, bar admissions and the Rules of Professional Conduct

James C. Schwartzman, Esq.

Judge, Court of Judicial Discipline • Former Chairman, Judicial Conduct Board of Pennsylvania • Former Chairman, Disciplinary Board of the Supreme Court of PA • Former Chairman, Continuing Legal Education Board of the Supreme Court of PA • Former Chairman, Supreme Court of PA Interest on Lawyers Trust Account Board • Former Federal Prosecutor • Named by his peers as *Best Lawyers in America* 2022 and 2015 Philadelphia "Lawyer of the Year" Ethics and Professional Responsibility Law and Legal Malpractice Law

17 North Second Street, 16th Fl., Harrisburg, PA 17101 • (717) 255-7388





PATENTS, TRADEMARKS, COPYRIGHTS
AND UNFAIR COMPETITION

205 Grandview Ave Suite 403
Camp Hill, PA 17011
717-232-8771
hhpc@ptd.net
www.h-hpc.com

*Protecting the Value of Innovation
in Central Pennsylvania for over 50 years*