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Chester County Law Reporter

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A. The Acquisition, Tower Health and Hospital Operations

Tower Health Systems is the current name of an institution created in 1882 as Reading Hospital. Prior to 2017, it operated under some variant of the name Reading Hospital, Reading Health Systems or Tower Health. On May 30, 2017, Reading Hospital entered into an agreement with Community Health Systems, a for-profit corporation, to purchase five (5) hospitals from CHS/Community Health Systems, Inc. The hospitals acquired were Phoenixville Hospital, Brandywine Hospital, Jennersville Hospital, Pottstown Hospital and Chestnut Hill Hospital. These entities are referred to in part as “the acquired hospitals.” Three of the acquired hospitals are located in Chester County and all are the subject of tax exemption appeals before this court.

The purchase of these hospitals created Reading Health Systems, now known as Tower Health Systems (“Tower Health”); With the consummation of the transaction, Tower Health transformed itself from a single hospital institution which was active in and around one Pennsylvania city, into a much larger regional healthcare market participant. Facts developed during the trial also showed that around this time Reading Health also acquired a variety of physician groups known as Tower Health Medical Group.

Tower Health funded the purchase of the hospitals and medical groups with the proceeds of a \$590,500,000 bond issuance sponsored by the Berks County Industrial Development Authority (the “Bond”). It used the proceeds to not only fund the acquisition but as operating capital. None of the acquired hospitals received any proceeds from the bond issuance, yet each of the hospitals are referred to in the official statement for the bond issuance as an “obligated group.” Each member of the obligated group was required to and did pledge all of its revenue as collateral for payment of the principal and interest under the Bond which was purchased by institutional and individual investors.

Post-closing, Tower Health began assimilating the various hospitals and the other acquired physician practices into one large, integrated regional health system. Each of the Chester County hospitals, Phoenixville, Brandywine and Jennersville, did maintain a separate legal status as a limited liability company. Tower Health is the sole member of each LLC.

Tower Health does not generate or have revenue in its own right. Whatever money it receives is through a series of charges levied against each hospital. Tower Health realizes these funds through transfers or more likely book entries for those obligations. There are three main charges that each pays to Tower Health. They are a management fee, central business office fee, and interest payment obligation fee. Tower Health charges each of the hospitals (members of the obligated group) an interest payment obligation fee to fund the interest payments due under the Bond. One can easily surmise that Tower Health will impose an additional charge upon the hospitals when the Bond’s principal payment obligations commence next year, 2022.

The exhibits introduced at trial as PH-15, 16 and 17 for Phoenixville, BH-15,16 and 17 for Brandywine, and JH-18, 19 and 20 for Jennersville reveal that without any apparent justification, Tower Health began to draw cash from each hospital

at an alarming rate. In fiscal year 2018, Tower Health imposed upon Phoenixville Hospital a management fee of \$387,000 per month, or \$3,500,000 per year. By 2020, that management fee had increased to \$1,800,000 per month or \$21,700,000 per year. Additionally, the central business office charges increased from \$2,500,000 to \$3,800,000 over the same period. Similarly, at Brandywine, the management fees were \$2,718,000 for 2018; \$7,422,480 in 2019; and \$15,587,155 in 2020. At Jennersville, the initial 2018 management fee was \$1,080,000 per year. The fee increased to \$3,094,200 in 2019 and \$6,101,534 in 2020. A rough aggregation of the management fees charged to each Chester County hospital in FY 2020 was \$43,000,000.

Tower Health's witnesses testified that they believed the hospitals received valuable services in exchange for these ever-increasing charges. In cross-examination, none of the executives could point to any analysis or study which supported the ever-increasing charges. The central business office did provide IT services as well as billing and collection services, all of which one presumes were covered by that central business management fee. The interest charges were kept separate and apart from such charges. For example, in 2018 when Phoenixville Hospital paid \$5,000,000 to Tower Health in interest charges, we see that similar interest payments assessed and accounted for at each institution. If Tower Health was syphoning, for example, \$21,000,000 out of Phoenixville and similar figures from Brandywine and Jennersville for reasons other than executive compensation, that was never explained.

The evidence at the trial demonstrated that for a period of time following the assimilation, Tower Health executives received substantial increases in compensation and bonuses for their work associated with the expansion. Testimony revealed that Tower Health paid its executives many millions of dollars in compensation on a yearly basis. The testimony of the witnesses was that Tower Health uses approximately one-half of the management fee charged to the hospitals just to fund executive compensation.

The Tower Health executives did nothing more, according to the testimony, than facilitate the assimilation. These executives were not involved in the daily operation of the hospital. These executives did not provide medical services or care. Yet the evidence at trial also revealed that there were other executives at each hospital who were responsible for the operation of each hospital and patient care. For example, Phoenixville Hospital had a president and chief executive officer who were both responsible for the operation of the hospital. Phoenixville Hospital also had a leadership team tasked with the responsibility of overseeing the care and delivery of the services by nurses and doctors.

Tower Health executives, according to the evidence, were paid up to \$2,500,000 a year in base compensation simply for the "assimilation" of each hospital. There is no testimony in the record as to how those services helped an individual hospital deliver medical care to people in their service area.

B. Compensation Based on Financial Performance

It was very clear from the testimony of all the witnesses that the health system was set up to reward executives at all levels particularly if they showed a profit. The evidence at trial showed that the hospital had an annual incentive bonus plan for executive, director, and manager level employees. At Tower Health and each hospital, that amounts to about forty (40) or so people.

The compensation plan is weighted 70% in favor of financial performance of the hospital and its parent Tower Health. The remaining 30% is based upon each hospital's performance with regard to certain patient care or patient satisfaction and criteria. The incentive amounts tied to financial performance are substantial. For example, the top four (4) Phoenixville Hospital executives could earn annual bonuses totaling approximately \$350,000. Thus, 70% of that calculation, or \$250,000, is tied directly to the financial performance of Tower Health and the hospital. See *e.g.*, Ex. PASD 24-32, BH 24-32, and JH 27-34.

As noted earlier, the management fees Tower Health charges directly to Phoenixville Hospital directly fund the compensation of Tower Health executives. Over time, these fees have increased from \$387,000 per month to \$1,800,000 per month. Five (5) executives received compensation at or above \$1,000,000. In the fiscal year ending June 30, 2018, the CEO of Tower Health received compensation of approximately \$2,400,000. As an aside, evidence reveals that the compensation arrangement drew the interest of the Internal Revenue Service. The IRS can impose a 21% excise tax against not-for-profit entities that pay executives more than \$1,000,000 per year. Tower Health has been notified by the IRS of its "Estimated Excise Tax Liability" for certain fiscal years.

The hospital's testimony was that it is hard to reach its financial goals in large part due to COVID-19 and other constraints in delivering medical care services. It contends its financial targets were not met in 2019 or 2020 and therefore the bonuses while large, were illusory. Interestingly, the hospital witnesses testified at great length that they could not hire anyone to be an executive if they did not offer very high compensation packages, including incentive performance bonuses based upon fees.

The picture created by the witnesses is: (1) it pays very high wages to executives; (2) it offers incentive bonuses based upon attainment of financial goals; (3) it must do so because this is the industry norm; and (4) if they did not offer this level of compensation and performance bonuses, they could not hire anyone.

C. Uncompensated Care

There was a great deal of testimony offered at trial regarding "uncompensated care." Each hospital focused the majority of its testimony on the care provided either to a Medicare or a Medicaid patient. The point the hospitals sought to address was that "undercompensated Medicare costs comprised a predominant portion of the hospital's alleged uncompensated care to patients." However, as well discussed further *infra*, the hospitals' evidence on this point was ever-shifting and always confusing. Part of the

confusion lies with how dramatically the payment for health care services in America has changed since the creation of the exemption “tests” by our courts and legislature over 30 years ago.

Despite all the accounting machinations offered at trial, which involved attempts to include various types of Medicare and Medicaid and to ignore other government programs and direct insurance reimbursement agreements with private providers, the hospitals’ evidence was almost no one received uncompensated care.

The only documentary evidence which each of the hospitals introduced as proof of free care, reduced care, or care in excess of the costs was sales tax exemption application. In Phoenixville they introduced Exhibit PH-6. The hospital filed, under oath, a sales tax exemption application with the Commonwealth in which it provided responses to the following questions:

“How many people received services from the hospital in the past year?”

Response: 199,405.

“How many people received goods or services for free?”

Response: 152.

This equates to 0.00076% of their patients. Phoenixville submitted evidence to the Commonwealth for the sales tax and to this court of the number of patients who received a reduced fee for services. Phoenixville’s evidence was 10,483 people or 0.050% of its patients received care at a reduced fee. However, the hospital did not explain how much of a reduction was provided as it does not have a standard fee for a particular service.

The percentages were similar for Brandywine and Jennersville. At Brandywine 167,235 people received services. Of that number Brandywine, under oath, stated 127 received hospital services for free. That equates to 0.00076% of patients. Further, Brandywine stated that 8,792 patients who received care paid a reduced fee. That number equals 0.052%. Ex. BH-6. At Jennersville 107,340 people received services. Of that number, Jennersville, under oath, stated 82 received hospital services for free. That equates to 0.00076% of patients. Further, Jennersville stated that 5,643 patients who received care paid a reduced fee. That number equals 0.053%. Ex. JH-6.

Perhaps recognizing these figures did not show a “substantial” donation of services, the hospitals produced testimony that it satisfies the uncompensated care requirement by providing care to those insured through government health programs. The hospitals never differentiated between un- and under- compensated care.

Without falling too far into the rabbit hole that was testimony from accountants attempting to convert dollars and patients into percentages, any analysis must start with the price of a particular service. For example, what does the hospital charge for a hip replacement. The hospital, not the doctor.

Each hospital expert testified that there was a “master charge sheet” reflecting the hospital’s gross charge for a particular medical service. The master charge sheet was never introduced into evidence. There was no oral testimony from any witness

as to the master charge sheet's content. The taxing authorities sought this evidence in discovery, and it was not provided.

The only substantive testimony about the master charge sheet came from a hospital President. In Phoenixville, for example, Stephen Tillman, testified the master charge sheet has no meaning or value. Mr. Tillman testified that the numbers, essentially, are pulled out of thin air and created only because it is required to have a charge sheet to satisfy federal regulations. As an aside, those federal regulations require hospitals to publish for consumers their charges for goods and services. Each of these hospitals objected to making their price structure public. Despite federal legislation to publish and provide the actual costs to all patients, it appears that each of the Tower Health hospitals in Chester County have not done so. See, Sarah Kliff and Josh Katz, *Why Hospitals and Health Insurers Didn't Want You to See Their Prices*, New York Times (Aug. 22, 2021).

Mr. Tillman's testimony was that the master charge sheet prices are much higher than the hospital's cost to provide the service. Each hospital uses the master charge sheet as a starting point for the hospital to negotiate with the wide variety of third-party payors. That is true whether the third-party payor is a private payor such as Blue Cross, or a public payor such as Medicare, Medicare Advantage, Medicare Plus, Medicaid, TRICARE, or any one of the varieties of direct payors through the Affordable Care Act. In other words, the hospital freely and openly negotiates with a variety of third-party payors to accept a certain amount for a certain service.

Further, the testimony was that the charge levied by each hospital was different for each payor. In an effort to meet the criteria of the *HUP* test, the Hospital argues that because these negotiations result in the acceptance of payments that are less than what is initially requested on the master charge sheet, which are inflated to begin with, it must be considered to have offered uncompensated care.

For example, Phoenixville Hospital alleged that its uncompensated care to patients totaled \$8,531,412 and its "overall" uncompensated cost was \$12,132,632. This figure, however, bears no relationship to the those provided on Exhibit PH-6, the sales tax exemption application. If it did have a correlation that was supportable in documentation it would mean that Phoenixville's 152 people who they swore to the Commonwealth received free (uncompensated) care incurred bills of \$56,127.71 each.

Further, comparing Medicare payments with what Blue Cross pays based upon the master sheet charge process reveals that Medicare pays approximately 9% of the hospital's master charge amount whereas Blue Cross pays 5.73%. See e.g., Ex. PH-47, BH-47, JH-49. Under cross-examination, the hospital witnesses testified that they did not consider Blue Cross payments as uncompensated care. None of the witnesses knew if an individual covered by Medicare had assets to pay the "master charge rate." Nor did anyone know whether a patient who was insured with Medicare may have also had supplemental private insurance coverage.

D. Phoenixville Hospital Property Tax Parcel No. 15-13-0784.0000.

After acquisition, Phoenixville Hospital owned three parcels, only one of

which is the subject of this appeal. The current assessment of the subject tax parcel is \$32,397,090.00. Improvements on this parcel include an acute care hospital facility, paved parking lots, a medical office building referred to as “MOB I,” and two (2) elevated enclosed walkways. One of the elevated enclosed walkways connects MOB I to the acute care hospital facility. The second walkway connects MOB I to an adjacent medical office building referred to as “MOB II.” While MOB II is owned by Phoenixville Hospital, it is located on a different tax parcel. The hospital campus also includes a parking deck structure owned by the Phoenixville Hospital. It too is located on a separate tax parcel. MOB II and the parking deck are taxable and are not at issue in this case. During the course of this appeal, it became apparent to the hospital that MOB I, although located on the subject tax parcel, should not be considered for tax exemption. Physicians and physician groups that are not employed by the hospital provide services to patients in MOB I and receive payments from those patients for the services that they provide. It is, therefore, taxable and Board Exhibit 6 revealed that it was previously assessed as a separate tax parcel in the amount of \$5,489,280.00.

E. Brandywine Hospital Property

Prior to the finalization of the acquisition, Brandywine Hospital owned three parcels with addresses of 201 Reeceville Road (39-03-0018.000), 213 Reeceville Road (sold and all appeals subsequently withdrawn) and 255 Reeceville Road (29-07-0168.0100). On July 28, 2017, Brandywine Hospital LLC filed Applications of exemptions for the three properties. At the time of the filing Brandywine Hospital LLC did not fully exist nor own the properties.

The acquisition of Brandywine Hospital was part of a large transaction involving six (6) hospitals and physician groups. The agreement contained over twenty (20) conditions precedent which needed to be satisfied. After several extensions, the sale went to settlement October 17, 2017. Subsequently Brandywine LLC condominiumed the property at 213 Reeceville Road. Brandywine noted at trial that it was withdrawing the appeal concerning this property for all years. As a result of the withdrawal, it will not be discussed.

The parcel addressed as 255 Reeceville Road (29-07-168.0100-AB) had at the time of acquisition a lease agreement with another non-profit for a portion of the building. Brandywine seeks a partial exemption for this property for the applicable year. Subsequently this property was sold to a third party and there is no claim for exemption past the 2020 tax year. Whether partially or fully exempt, there was no testimony from the Appellant regarding how much of this property was used for the purported tax-exempt activities.

The main parcel located at 201 Reeceville Road (39-03-0018.000) is 171-bed acute care hospital. It is currently assessed at \$16,802,804.00 resulting in an implied fair market value of approximately \$35,000,000.00. Ex. B-1.

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CHANGE OF NAME NOTICE

**IN THE COURT OF COMMON PLEAS
CHESTER COUNTY, PENNSYLVANIA
CIVIL ACTION**

LAW NO. 2021-08515-NC

NOTICE IS HEREBY GIVEN that the name change petition of Caroline Mary Lace on behalf of minor child Amelia Lace McKee was filed in the above-named court and will be heard on Monday, January 31, 2022 at 2:00 PM, in Courtroom 3 at the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania.

Date of filing the Petition: Friday, October 29, 2021
Name to be changed from: Amelia Lace McKee to: Amelia McKee Lace

Any person interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

CORPORATION NOTICE

NOTICE IS HEREBY GIVEN that Articles of Incorporation have been filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania, for the purpose of incorporating the below named domestic business corporation pursuant to the provisions of the Business Corporation Law of 1988, as amended.

The name of the corporation is:
FIRST RESOURCE BANCORP, INC.

David W. Swartz
Stevens & Lee
111 N. Sixth Street
Reading, PA 19601

CORPORATION NOTICE

NOTICE is hereby given that the Certificate of Organization has been filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania, for the purpose of obtaining the Certificate of Organization pursuant to the provisions of the Business Corporation Law of 1988, 15 Pa. C.S. Section 8913.

The name of the corporation is: John's Rain Gutter Cleaning, LLC and the Certificate of Organization was filed on: December 3, 2021.

The purpose or purposes for which it was organized are: The limited liability company shall have unlimited power to engage in and do any lawful act concerning any or all lawful business for which corporation may be incorporated under the Pennsylvania Business Corporation Law, as amended.

CORPORATION NOTICE

NOTICE IS HEREBY GIVEN that Articles of Incorporation - Nonprofit have been filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA on or about December 27, 2021, effective January 1, 2022, for:

Team Alliance Environmental, Inc.
1769 Saint Matthews Road
Chester Springs, PA 19425

The corporation has been incorporated under the provisions of the Pennsylvania Nonprofit Corporation Law of 1988, as amended.

ESTATE NOTICES

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

1st Publication

BLACKMORE, Joan F., late of East Goshen Township. Barbara S. Rodenberger & Sharon S. Yates, care of ANDREW H. DOHAN, Esquire, 460 E. King Road, Malvern, PA 19355-3049, Executors. ANDREW H. DOHAN, Esquire, Lentz, Cantor & Massey, LTD., 460 E. King Road, Malvern, PA 19355-3049, atty.

CACCIAVILLANO, Joseph J., late of West Chester Borough. Lisa Raup, 149 Wiltshire Rd., Claymont, DE 19703, Executrix. PAUL GORDON HUGHES, Esquire, Pierce & Hughes, P.C., P.O. Box

604, Media, PA 19063, atty.

CHYTLA, Barbara J., late of East Bradford Township. Frank Chytla, care of TOM MOHR, Esquire, 301 W. Market Street, West Chester, PA 19382, Administrator. TOM MOHR, Esquire, 301 W. Market Street, West Chester, PA 19382, atty.

CIFALDI, Carola E., late of East Goshen Township. Stephen R. Cifaldi, care of WILLIAM B. COOPER, III, Esquire, P.O. Box 673, Exton, PA 19341, Executor. WILLIAM B. COOPER, III, Esquire, Fox Rothschild LLP, P.O. Box 673, Exton, PA 19341, atty.

CLANTON, Gary L., late of New London Township. Lois J. Clanton, care of WILLIAM J. GALLAGHER, Esquire, 17 W. Miner St., West Chester, PA 19382, Executrix. WILLIAM J. GALLAGHER, Esquire, MacElree Harvey, LTD., 17 W. Miner St., West Chester, PA 19382, atty.

COTNER, William A., late of East Goshen. Diana Levins, care of LISA COMBER HALL, Esquire, 27 S Darlington St, West Chester, PA 19382, Administratrix. LISA COMBER HALL, Esquire, Hall Law Offices, PC, 27 S Darlington St, West Chester, PA 19382, atty.

COZZONE, JR., Ernest Charles, late of E. Brandywine Twp. Glenn Cozzone, care of HUDSON L. VOLTZ, Esquire, 110 Hopewell Rd., Downingtown, PA 19335, Administrator. HUDSON L. VOLTZ, Esquire, Hudson L. Voltz, P.C., 110 Hopewell Rd., Downingtown, PA 19335, atty.

DANIEL, Helen, a/k/a Helen G. Daniel, late of Honey Brook Township. Jane D. Griffith, care of APRIL L. CHARLESTON, Esquire, 60 W. Boot Rd., Ste. 201, West Chester, PA 19380, Administratrix. APRIL L. CHARLESTON, Esquire, The Charleston Firm, 60 W. Boot Rd., Ste. 201, West Chester, PA 19380, atty.

DAPRILE, Mary Louise, late of Elverson Borough. Catherine Marie Daprile, care of STACEY WILLITS McCONNELL, Esquire, 24 E. Market St., P.O. Box 565, West Chester, PA 19381-0565, Executrix. STACEY WILLITS McCONNELL, Esquire, Lamb McErlane, PC, 24 E. Market St., P.O. Box 565, West Chester, PA 19381-0565, atty.

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DeRITIS, Antoinette, a/k/a Antoinette A. DeRitis, late of East Goshen Township. Nicholas J. DeRitis, care of STEPHEN D. POTTS, Esquire, Charleston

Office Bldg. #2, Ste. 106, 200 Eagle Rd., Wayne, PA 19087-3115, Executor. STEPHEN D. POTTS, Esquire, Herr, Potts & Potts, LLC, Strafford Office Bldg. #2, Ste. 106, 200 Eagle Rd., Wayne, PA 19087-3115, atty.

DIBBLE, Doris K., late of Charlestown Township. Elizabeth Dibble Andersen, 2432 Charlestown Rd., Phoenixville, PA 19460, Executrix. MATTHEW D. GILBERT, Esquire, Gadsden Schneider & Woodward LLP, 1275 Drummers Ln., Ste. 210, Wayne, PA 19087-1571, atty.

ERVIN, Grant Alfred, late of Phoenixville. Tina Hallidy, 232 Morgan St., Phoenixville, PA 19460, Executor.

FISCHER, JR., Charles S., a/k/a Charles Stanley Fischer, Jr., late of Caln Township. Abigail L. May, 1956 Alexander Dr., Macungie, PA 18062, Executor. GORDON W. GOOD, Esquire, Keen Keen & Good, LLC, 3460 Lincoln Highway, Thorndale, PA 19372, atty.

FRESA, Patricia L., late of Paoli. R. Gregg Fresa, 7965 Leeds Manor Rd., Marshall, VA 20115 & Kerin L. Fresa, 280 Lapp Rd., Malvern, PA 19335, Executors. RICHARD L. SWITZER, Esquire, R.L.Switzer, Esquire, Ltd., 73 Chestnut Rd., Paoli, PA 19301, atty.

GALLEN, Nancy S., a/k/a Nancy Jane Stellwag-gon Gallen, late of West Whiteland Township. Patricia A. Gallen, care of FOX ROTHSCHILD LLP, P.O. Box 673, Exton, PA 19341, Executrix. FOX ROTHSCHILD LLP, P.O. Box 673, Exton, PA 19341, atty.

GOLDSTEIN, Raymond, late of Schuylkill Township. Joyce B. Dexter, care of ANTHONY MORRIS, Esquire, 118 W. Market Street, Suite 300, West Chester, PA 19382-2928, Executrix. ANTHONY MORRIS, Esquire, Buckley Brion McGuire & Morris LLP, 118 W. Market Street, Suite 300, West Chester, PA 19382-2928, atty.

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HARTMAN, Helen W., late of Pocopson Township. David H. Hartman, care of THOMAS A. PITT,

III, Esquire, 214 S. New Street, West Chester, PA 19382, Executor. THOMAS A. PITT, III, Esquire, 214 S. New Street, West Chester, PA 19382, atty.

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KASHATUS, Balbina Ann, a/k/a Balbina Kashatus, late of Tredyffrin Township. William C. Kashatus, III, care of J. WILLIAM WIDING, III, Esquire, 2460 Westview Drive, Wyomissing, PA 19610, Executor. J. WILLIAM WIDING, III, Esquire, Kozloff Stoudt Attorneys, 2460 Westview Drive, Wyomissing, PA 19610, atty.

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LIGGET, Frances, late of Charlestown Township. Robert Ligget, care of DENISE M. ANTONELLI, Esquire, 17 E. Gay Street, Suite 100, P.O. Box 562, West Chester, PA 19381-0562, Executor. DENISE M. ANTONELLI, Esquire, Gawthrop Greenwood, PC, 17 E. Gay Street, Suite 100, P.O. Box 562, West Chester, PA 19381-0562, atty.

MERSON, Anita C., late of Kennett Township. Anita Reilly, care of DAVID B. MYERS, Esquire, 148 W State St Ste 102, Kennett Square, PA 19348, Executrix. DAVID B. MYERS, Esquire, The Law Office of David B. Myers, LLC, 148 W State St Ste 102, Kennett Square, PA 19348, atty.

NEY, Michael J., late of Westtown Township. Christine Ney, care of STEPHEN J. OLSEN, Esquire, 17 E. Gay Street, Suite 100, P.O. Box 562, West Chester, PA 19381-0562, Executor. STEPHEN J. OLSEN, Esquire, Gawthrop Greenwood, PC, 17 E. Gay Street, Suite 100, P.O. Box 562, West Chester, PA 19381-0562, atty.

OKIE, Katharine Z., late of West Chester. Edward S. Okie, care of W. PETER BARNES, Esquire, 218 West Miner Street, West Chester, PA 19382, Executor. W. PETER BARNES, Esquire, Klein, Head, Barnes & Wood, LLP, 218 West Miner Street, West Chester, PA 19382, atty.

PALITA, Donna M., late of Cochranville. Alana Siegfried, care of IRA D. BINDER, Esquire, 227 Cullen Rd., Oxford, PA 19363, Executor. IRA D. BINDER, Esquire, 227 Cullen Rd., Oxford, PA 19363, atty.

PILLAGALLI, Julia M., a/k/a Julia Pillagalli, late of West Goshen Township. Michael Pillagalli, 924 North Hill Drive, West Chester, PA 19380, Executor. COURTNEY A. WIGGINS, Esquire, Clarion Law, LLC, PO Box 3169, West Chester, PA 19381, atty.

POLTRONE, Seria C., late of East Goshen Township. Judith Poltrone Barthel, care of JAY G. FISCHER, Esquire, 342 East Lancaster Avenue, Downingtown, PA 19335, Executor. Y G. FISCHER, Esquire, 342 East Lancaster Avenue, Downingtown, PA 19335, atty.

REED, Virginia Reda, late of Tredyffrin Township. Frances DiMarco, care of PHILIP G. CURTIN, Esquire, 1231 Lancaster Ave., Berwyn, PA 19312-1244, Executrix. PHILIP G. CURTIN, Esquire, Philips, Curtin & Di Giacomo, 1231 Lancaster Ave., Berwyn, PA 19312-1244, atty.

RHOADS, Darlene J., late of New London Township. Kimberly Ellsworth, care of MEREDITH L. LAMBERT, Esquire, 610 Millers Hill, P.O. Box 96, Kennett Square, PA 19348, Executrix. MEREDITH L. LAMBERT, Esquire, Perna & Abracht, LLC, 610 Millers Hill, P.O. Box 96, Kennett Square, PA 19348, atty.

RUGGLERI, Mary Louise, late of Avondale. Rebecca Ann Miles, 106 Tomahawk Dr., Conestoga, PA 17516, Executor.

SAKIADIS, Alice, late of Kennett Township. Lana J. Glass, care of L. PETER TEMPLE, Esquire, P.O. Box 384, Kennett Square, PA 19348, Executrix. L. PETER TEMPLE, Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

SELIG, Pam, late of Easttown Township. Robert M. Selig, care of JODI L. GRIFFIS, Esquire, 1495 Alan Wood Road, Suite 7, Conshohocken, PA 19428, Administrator. JODI L. GRIFFIS, Esquire, 1495 Alan Wood Road, Suite 7, Conshohocken, PA 19428, atty.

SHEEHAN, JR., Howard I., late of Londonderry Township. Princessita D. Sheehan, care of DONALD B. LYNN, JR., Esquire, P.O. Box 384, Kennett

Square, PA 19348, Executrix. DONALD B. LYNN, JR., Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

TEEL, Thelma P., late of Oxford. C. Randy Teel, Jr., care of IRA D. BINDER, Esquire, 227 Cullen Rd, Oxford, PA 19363, Executor. IRA D. BINDER, Esquire, 227 Cullen Rd, Oxford, PA 19363, atty.

THOMPSON, Grace Margaret Morton, late of City of Coatesville. Sharon E. Thompson, care of JAY G. FISCHER, Esquire, 342 East Lancaster Avenue, Downingtown, PA 19335, Administrator. JAY G. FISCHER, Esquire, 342 East Lancaster Avenue, Downingtown, PA 19335, atty.

TREGO, Shirley, late of West Chester. LuAnn Wynn, care of DOUGLAS W. OLSHIN, Esquire, 442 North High Street, West Chester, PA 19380, Executrix. DOUGLAS W. OLSHIN, Esquire, 442 North High Street, West Chester, PA 19380, atty.

VAN, Win Ding, late of West Chester. In Van, care of ANDREW FABIAN, Esquire, 255 W. Uwchlan Ave., Downingtown, PA 19335, Administratrix. ANDREW FABIAN, Esquire, Fabian Law, 255 W. Uwchlan Ave., Downingtown, PA 19335, atty.

WADDINGTON, M. Paige, a/k/a Margaret Paige Waddington, late of Springfield Township. Julie Stolinis, care of CHRISTINA B. ROBERTS, Esquire, 3305 Edgmont Avenue, Brookhaven, PA 19015, Administrator. CHRISTINA B. ROBERTS, Esquire, 3305 Edgmont Avenue, Brookhaven, PA 19015, atty.

WEBER, Jacqueline K., a/k/a Jacqueline Katona Weber, late of Caln Township. Rita K. Borzillo, care of STEPHEN D. POTTS, Esquire, Strafford Office Bldg. #2, 200 Eagle Rd., Ste. 106, Wayne, PA 19087-3115, Executrix. STEPHEN D. POTTS, Esquire, Herr, Potts & Potts, LLC, Strafford Office Bldg. #2, 200 Eagle Rd., Ste. 106, Wayne, PA 19087-3115, atty.

WHITAKER, Jeanne T., late of Kennett Township. Mark Whitaker, care of L. PETER TEMPLE, Esquire, P.O. Box 384, Kennett Square, PA 19348, Executor. L. PETER TEMPLE, Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

ZOLOVICH, Mildred Irene, a/k/a Mildred I. Zolovich and Mildred Zolovich, late of West Caln Township. Millyann Davis, care of JOHN S. CUSTER, III, Esquire, 7 Saint Albans Circle, Newtown Square, PA 19073, Executrix. JOHN S. CUSTER, III, Esquire, Custer & Custer, 7 Saint Albans Circle, Newtown Square, PA 19073, atty.

2nd Publication

ADAMCZYK, SR., Henry R., a/k/a Henry R. Adamczyk, late of Tredyffrin Township. Henry R. Adamczyk, Jr., care of LISA A. SHEARMAN, Esquire, 375 Morris Rd., P.O. Box 1479, Lansdale, PA 19446-0773, Executor. LISA A. SHEARMAN, Esquire, Hamburg, Rubin, Mullin, Maxwell & Lupin, PC, 375 Morris Rd., P.O. Box 1479, Lansdale, PA 19446-0773, atty.

AVERY, Richard Garth, a/k/a R. Garth Avery and Garth Avery, late of West Vincent Township. Blake A. Avery, care of JAMES J. RUGGIERO, JR., Esquire, 16 Industrial Blvd., Ste. 211, Paoli, PA 19301, Executor. JAMES J. RUGGIERO, JR., Esquire, Ruggiero Law Offices, LLC, 16 Industrial Blvd., Ste. 211, Paoli, PA 19301, atty.

BALDERSTON, Doris Fischer, late of Tredyffrin Township. Richard Balderston, 500 Walnut Street, #701, Philadelphia, PA 19103, Administrator. JOSEPH PECORA, Esquire, Commons & Commons LLP, 6377 Germantown Avenue, Philadelphia, PA 19144, atty.

BEAM, Robin A., a/k/a Robin Amy Beam, late of West Nantmeal Township. William L. Beam, care of LINDA KLING, Esquire, 131 W. Main Street, New Holland, PA 17557, Executor. LINDA KLING, Esquire, Kling & Deibler, LLP, 131 W. Main Street, New Holland, PA 17557, atty.

BODDY, Helen Frances Bessie McKim, a/k/a Bessie H. Boddy, late of Oxford Borough. Esther Curry, care of WINIFRED MORAN SEBASTIAN, Esquire, P.O. Box 381, 208 E. Locust Street, Oxford, PA 19363, Executor. WINIFRED MORAN SEBASTIAN, Esquire, P.O. Box 381, 208 E. Locust Street, Oxford, PA 19363, atty.

CAMPBELL, Joseph Benson, a/k/a Ben Campbell and J. Benson Campbell, late of East Pikeland Township. Francis J. Lutz, 633 Swedesford Rd., Malvern, PA 19355, Executor. EMORY A. WYANT, JR., Esquire, Strong Stevens & Wyant, PC, 650 Sentry Pkwy., Ste. One, Blue Bell, PA 19422, atty.

COLLINS, Carole M., late of Willistown Township. John J. Collins, 131 Chapel Hill Circle, Paoli, PA 19301, Executor. JENNIFER H. STOUTD, Esquire, Gadsden Schneider & Woodward LLP, 1275 Drummers Ln., Ste. 210, Wayne, PA 19087-1571, atty.

DeSHONG, Scott L., late of West Pikeland Township. Jennifer DeShong, 4601 Adams Court, Chester Springs, PA 19425, Executrix. ELIZABETH D. LUBKER, Esquire, Lubker Ostien Law, LLC, 390

Waterloo Blvd., Ste. 210, Exton, PA 19341, atty.

DOWNING, JR., Thomas Lewis, late of Penn Township. Donna L. Downing-Seiter, 202 Heritage Lane, Exton, PA 19341, Executrix. KEVIN T. VITELLI, Esquire, 813 S New Street, West Chester, PA 19382, atty.

HEVNER, Richard W., late of Charleston Township. Kristin Wyatt and Robert Schena, care of RICHARD T. FRAZIER, Esquire, 1200 Liberty Ridge Dr., Ste. 200, Wayne, PA 19087, Executrix. RICHARD T. FRAZIER, Esquire, Saul Ewing Arnstein & Lehr LLP, 1200 Liberty Ridge Dr., Ste. 200, Wayne, PA 19087, atty.

KROGER, Joseph J., a/k/a Joe Kroger, late of East Goshen Township. Mary Katherine Kroger, care of JONATHAN H. ELLIS, Esquire, 100 Front St, Ste. 100, Conshohocken, PA 19428, Executrix. JONATHAN H. ELLIS, Esquire, Flaster Greenberg, P.C., 100 Front St, Ste. 100, Conshohocken, PA 19428, atty.

KUCH, Frank D., late of Tredyffrin Township. Susan C. Kuch, 356 Friendship Dr., Paoli, PA 19301, Executrix. MAUREEN A. OSTIEN, Esquire, Lubker Ostien Law LLC, 390 Waterloo Blvd., Ste. 210, Exton, PA 19341, atty.

McKEE, IV, John Joseph, a/k/a John J. McKee, IV, late of East Bradford Township. Veronica A. McKee, 408 General Washington Rd., Wayne, PA 19087, Executrix. GARTH G. HOYT, Esquire, McCausland, Keen + Buckman, 426 W. Lancaster Ave., Ste. 110, Devon, PA 19333, atty.

SHAFER, Samuel Glenn, late of West Grove. Alexis Shafer, care of CHRISTOPHER M. MURPHY, Esquire, 3305 Edgmont Avenue, Brookhaven, PA 19015, Administrator. CHRISTOPHER M. MURPHY, Esquire, Breslin Murphy & Roberts, P.C., 3305 Edgmont Avenue, Brookhaven, PA 19015, atty.

VAUGHN, Erik A., late of Landenberg. Susan S. Vaughn, 1026 St. Georges Lane, Landenberg, PA 19350, Executrix. MARK M. DALLE PAZZE, Esquire, Herdeg, du Pont & Dalle Pазze, 15 Center Meeting Road, Wilmington, DE 19807, atty.

VOGT, Myrtle Marie, a/k/a Myrtle M. Vogt, late of North Coventry Township. Bonnie M. Mosteller, 750 River Rd., Pottstown, PA 19465, Executrix. CAROLYN M. MARCHESANI, Esquire, Wolf, Baldwin & Associates, 800 E. High Street, Pottstown, PA 19464, atty.

ZEPP, Elizabeth, late of West Chester. Kevin Zepp, 3253 Charles Griffin Drive, Garnet Valley, PA 19060, Executor.

3rd Publication

ARTERS, SR., Howard E., late of West Nantmeal Township. Howard E. Arters, Jr., 380 Briarwood Drive, Elverson, PA 19520 and Debra A. Kaiser, 433 Yoder Road, Elverson, PA 19520, Executor. LAWRENCE J. VALERIANO JR., Esquire, Hartman, Valeriano, Magovern & Lutz PC, 1025 Berkshire Blvd., Suite 700, Wyomissing, PA 19610, atty.

BYRD, Janice, a/k/a Satchell, late of West Chester. Robert M. Byrd, 272 Walnut Springs Court, West Chester, PA 19380, Administrator. MARTIN S. KARDON, Esquire, Kanter, Bernstein & Kardon, 1617 JFK Blvd., Suite 1150, Philadelphia, PA 19103, atty.

KALISPERIS, Stavros, late of Easttown Township. Maria Kalisperis, care of KEVIN D. BIRKHEAD, Esquire, 400 Maryland Dr., P.O. Box 7544, Ft. Washington, PA 19034-7544, Executrix. KEVIN D. BIRKHEAD, Esquire, Timoney Knox, LLP, 400 Maryland Dr., P.O. Box 7544, Ft. Washington, PA 19034-7544, atty.

LOPP, Wendy, a/k/a Wendy Ann Norwood Lopp, late of Coatesville. Ashley Harris, care of JENNIFER H. WALKER, Esquire, 31 S. High Street, Suite 200, West Chester, PA 19382, Administratrix. JENNIFER H. WALKER, Esquire, Peak Legal Group, Ltd., 31 S. High Street, Suite 200, West Chester, PA 19382, atty.

LYNCH, Rhoda, late of Phoenixville. Sharon Folger, care of 4073 Tinker Hill Drive, Phoenixville, PA 19460, Executor. MARTIN S. KARDON, Esquire, Kanter, Bernstein & Kardon, 1617 JFK Blvd., Suite 1150, Philadelphia, PA 19103, atty.

NEILER, Patricia Lynn, late of Valley Township. Carol A. Friel, 50 Lamberts Lane, Coatesville, PA 19320 & Kelley A. Lindsay, 15 White Birch Lane, Dalton, PA 18414, Administratrix. JONATHAN C. STAFFORD, Esquire, 1341 E Strasburg Rd, West Chester, PA 19380, atty.

NORRIS, Georgette, late of Wallace Township. Tara Peterson, 1540 Creek Road, Glenmoore, PA 19343, Executrix. NICHOLAS F. METER, Esquire, Meter Law Offices, LLC, 1401 East High Street, Pottstown, PA 19464, atty.

PANETTI, Ernest, late of West Bradford Township. Thomas J. Panetti and Mary M. DiStefano, care of RYAN J. GRIFFIN, CPA, Esquire, 623 N. Pottstown Pike, Exton, PA 19341, Executors. RYAN J. GRIFFIN, CPA, Esquire, James B. Griffin, P.C., 623 N. Pottstown Pike, Exton, PA 19341, atty.

PENNISTON, Jean C., late of Valley Township. David R. Penniston, care of W. MARSHALL PEAR-

SON, Esquire, 311 Exton Commons, Exton, PA 19341-2450, Executor. W. MARSHALL PEARSON, Esquire, 311 Exton Commons, Exton, PA 19341-2450, atty.

PETERSEN, Brian A., a/k/a Brian Andrew Petersen, late of West Whiteland Township. Virginia Petersen, 1317 Amstel Way, West Chester, PA 19380 and Bradford W. Petersen, 1317 Hendrickson Lane, West Grove, PA 19390, Administrators. JOSEPH K. KOURY, Esquire, O'Donnell, Weiss & Mattei, P.C., 41 E. High St., Pottstown, PA 19464, atty.

ROCCA, Stella Theresa, late of Exton. Katherine Mallek, 213 Warren Court, Exton, PA 19341, Executrix. EDWARD F. TWOMEY, Esquire, Fiffik Law Group, P.C., 661 Andersen Drive, Suite 315, Pittsborough, PA 15220, atty.

SANGERMAN, Norma Jean, late of Parkesburg Borough. Michael J. Sangerman, care of JOSEPH A. BELLINGHERI, Esquire, 17 W. Miner St., West Chester, PA 19382, Executor. JOSEPH A. BELLINGHERI, Esquire, MacElree Harvey, LTD., 17 W. Miner St., West Chester, PA 19382, atty.

SARUKHANYAN, Nelly S., a/k/a Nellie S. Sarukhanyan, Nelly Sarukhanyan, late of West Whiteland Township. Scott M. Watanyar, care of JAMES B. GRIFFIN, CPA, Esquire, 623 N. Pottstown Pike, Exton, PA 19341, Executor. JAMES B. GRIFFIN, CPA, Esquire, James B. Griffin, P.C., 623 N. Pottstown Pike, Exton, PA 19341, atty.

SELTZER, Joseph L., late of East Goshen Township. Gwendolyn Seltzer Weller, care of BRIAN R. GILBOY, Esquire, 100 N. 18th St., Ste. 1825, Philadelphia, PA 19103, Executrix. BRIAN R. GILBOY, Esquire, Gilboy & Gilboy LLP, 100 N. 18th St., Ste. 1825, Philadelphia, PA 19103, atty.

SHADEL, Robert D., late of West Nottingham Township. Ruth A. Shadel, 59 Sand Hill Rd., Nottingham, PA 19362, Executrix. ANITA M. D'AMICO, Esquire, D'Amico Law, P.C., 65 S. Third St., Oxford, PA 19363, atty.

TROMBETTI, John J., late of Tredyffrin Township. James J. Trombetti, care of STEPHEN D. POTTS, Esquire, Strafford Office Bldg. #2, 200 Eagle Rd., Ste. 106, Wayne, PA 19087-3115, Administrator. STEPHEN D. POTTS, Esquire, Herr, Potts & Potts, LLC, Strafford Office Bldg. #2, 200 Eagle Rd., Ste. 106, Wayne, PA 19087-3115, atty.

FICTITIOUS NAME

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

Great Valley Holiday Lights and Decor, with its principal place of business at 446 Lancaster Avenue, Frazer, PA 19355. The application has been (or will be) filed on: Friday, January 7, 2022. The name(s) and address(es) of the individual(s) or entity(ies) owning or interested in said business: Tracy Bond, 36 Sheffield Drive, Columbus, NJ 08022.

Jennings Mobile Notary, with its principal place of business at 101 Fellowship Road, Uwchlan, PA 19480. The application has been (or will be) filed on: Friday, January 7, 2022. The name(s) and address(es) of the individual(s) or entity(ies) owning or interested in said business: Vaughn I. Jennings.

Oxhaven Communities, with its principal place of business at 408 Conowingo Circle, Oxford, PA 19363. The application has been (or will be) filed on: Friday, December 17, 2021. The name(s) and address(es) of the individual(s) or entity(ies) owning or interested in said business: Minoan Management LLC.

NONPROFIT CORPORATION NOTICE

NOTICE IS HEREBY GIVEN that an application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, for the purpose of obtaining a charter of a Nonprofit Corporation which was organized under the provisions of the Pennsylvania Nonprofit Corporation Law of 1988.

The name of the corporation is Boot Road Owners' Association.

Articles of Incorporation were filed on Tuesday, January 11, 2022

The purpose or purposes for which it was organized are: Boot Road Owners Association has been incorporated under the provisions of the Pennsylvania

nia Business Corporations Law of 1988.
Marshal Granor, Esq., Solicitor
Granor and Granor, PC
721 Dresher Road Suite 1000
Horsham, PA 19044

1st Publication of 1

NOTICE OF SUSPENSION

Notice is hereby given that by Order of the Supreme Court of Pennsylvania issued January 6, 2022, William H. Lynch, Jr. (#39874) of Chester County, PA, is suspended from the practice of law for a period of three years, effective February 5, 2022.

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

MEETING SPACE?

Looking for just the right meeting space? The Chester County Bar Association facilities are utilized on a regular basis for depositions, client meetings and seminars. We have rooms available for rental by the half-day or full day – a conference room, a board room and seminar rooms. We are located just one block from the Courthouse and convenient parking is available. For more information, visit us at www.chescobar.org. To reserve your room, please call 610-692-1889.

SAMPLE AD

Classified Ads for the Chester County Law Reporter ONLY \$.20 per space/character

ESTATES/TRUSTS ATTORNEY

Estates/Trusts Attorney sought for growing, collegial Main Line firm. Send resume with cover letter and salary requirements, in confidence to responses10@gmail.com

ASSOCIATE ATTORNEY

LaMonaca Law is seeking associate attorneys to join our expanding main line law firm. Required: minimum of 2 years family law experience, transportation, career oriented, ability to multi-task in a fast paced environment. Send resume and salary requirements to Kristy@LaMonacaLaw.com.

Venzie Construction Law, LLC: located in Exton, PA, is a growing, team-oriented boutique construction law and litigation firm with a sophisticated practice offering an extraordinary opportunity for challenging, interesting and rewarding work. We are seeking an attorney with 5+ years of experience in construction law and litigation. For more information about this posting, click [here](#).