

# *Adams County* **Legal Journal**

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Vol. 65

November 3, 2023

No. 27

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**IN THIS ISSUE:**

**LANDON AND LATSCHAR**

**VS.**

**SOLUCIONES COSMETICAS, SA, ET ALIA**

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ADAMS COUNTY LEGAL JOURNAL (USPS 542-600)

Designated for the Publication of Court and other Legal Notices. Published weekly by Adams County Bar Association, Edward G. Puhl, Esq., Editor; Dr. B. Bohleke (since 2019), Business Manager.

Business Office – 117 BALTIMORE STREET, ROOM 305, GETTYSBURG, PA 17325-2313. Telephone: (717) 337-9812

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**QUIET TITLE ACTION – NOTICE  
TO DEFEND**

**YOU ARE HEREBY NOTIFIED** that on August 7, 2023, Plaintiff, filed a quiet title action, endorsed witha Notice to Defend, against you in the Court of Common Pleas of Adams County, Pennsylvania, docketed to No. 2023-SU-0761, wherein Plaintiff seeks legal title in fee simple and to terminate any estate, right, title or interest that you may have in the real estate located at 15 Hickory Drive, Menallen Township, Adams County Pennsylvania pursuant to the Deed recorded December 13, 2022, inBook 7046, Page 686 in the Adams County Recorder of Deeds Office.

Kurt A. Blake, Esquire  
Blake & Schanbacher Law, LLC  
29 E. Philadelphia Street  
York, PA 17401  
(717) 848-3078

11/03

Alternative Acquisitions, LLC,  
Plaintiff  
vs.  
William Edward Smith, his heirs,  
successors,  
and assigns, Laurence Brozyna, his  
heirs,  
successors, and Menallen Township  
assigns,  
and Sri Vivasvan  
Govindavanananda, his heirs,  
successors, and assigns,  
Defendants

**NOTICE**

TO: William Edward Smith, his heirs,  
successors, and assigns, Laurence  
Brozyna, his heirs, successors, and  
assigns; and Sri Vivasvan  
Govindavanananda, his heirs,  
successors, and assigns:


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JANET L. LANDON AND JOHN A. LATSCHAR,  
INDIVIDUALLY AND AS ADMINISTRATORS OF THE  
ESTATE OF AARON LANDON LATSCHAR, DECEASED v.  
SOLUCIONES COSMETICAS, SA de CV; NEW YORK  
PACKAGING II, LLC d/b/a REDIBAG USA, LLC; KENNIE'S  
MARKETS, INC.; PRIVATE D CAPITAL GROUP  
CORPORATION; BUNZL DISTRIBUTION MIDATLANTIC,  
LLC d/b/a BUNZL YORK; and ABC CORPORATIONS 1-20

1. The Pennsylvania statute of limitations for filing a tort claim such as that brought by Plaintiffs is two years. Unquestionably, the Adams County action was filed subsequent to the expiration of the statute of limitations. Nevertheless, statutory authority permits the preservation of a cause of action beyond the statutory period of limitations in instances where the suit was timely, but inadvertently, filed with a federal court which has jurisdiction within the geographical limits of Pennsylvania provided the matter is filed in a Pennsylvania Judicial District in compliance with 42 Pa. C.S.A. §5103.

2. Although Section 5103 does not specifically set forth the time period within which a party must act in the state jurisdiction in order to preserve a claim dismissed in Federal Court, our Superior Court has created a general promptness requirement to the rule.

3. In Collins, the Superior Court compared the timeliness of transfer proceedings with case law developed regarding a party's duty to serve an opposing party with a writ of summons or complaint within the 30-day time period set forth in the Pennsylvania Rules of Civil Procedure.

4. Presuming a clerical issue occurred with the Middle District's filing office, which this Court does not, it still does not excuse Plaintiffs' failure to seek extension of the deadline through the agreement of counsel or pleading before the Court.

IN THE COURT OF COMMON PLEAS OF ADAMS COUNTY,  
PENNSYLVANIA, 2023-SU-360, JANET L. LANDON AND  
JOHN A. LATSCHAR, INDIVIDUALLY AND AS  
ADMINISTRATORS OF THE ESTATE OF AARON LANDON

LATSCHAR, DECEASED v. SOLUCIONES COSMETICAS, SA de CV; NEW YORK PACKAGING II, LLC d/b/a REDIBAG USA, LLC; KENNIE’S MARKETS, INC.; PRIVATE D CAPITAL GROUP CORPORATION; BUNZL DISTRIBUTION MIDATLANTIC, LLC d/b/a BUNZL YORK; and ABC CORPORATIONS 1-20

Martin P. Schrama, Esquire and Stephanie Colella-Walsh, Esquire,  
Attorneys for Plaintiffs

Jeanne Welch Sopher, Esquire and Amy K. Pohl, Esquire,  
Attorneys for Defendant New York

Candace N. Edgar, Esquire, Attorney for Defendant Kennie’s

Anthony J. Rash, Esquire and Benjamin F. Colburn, Esquire,  
Attorneys for Defendant Bunzl

### OPINION

Before the Court are the Preliminary Objections of the several Defendants seeking to strike Plaintiffs’ Praecipe to Transfer and all pleadings attached thereto. For the reasons set forth below, the Preliminary Objections will be sustained.

This litigation arises from the unfortunate death of Aaron Landon Latschar (“Latschar”) in June of 2020 after drinking hand sanitizer which allegedly contained excessive levels of methanol.<sup>1</sup> On December 7, 2021, Latschar’s parents brought suit individually and as administrators of his estate in the United States District Court for the Middle District of Pennsylvania against the manufacturer and numerous parties believed to be in the distribution chain (collectively “Defendants”). After extensive pleadings, including amended pleadings, cross-claims, the removal and substitution of parties, and a case management conference, the Honorable Christopher Conner, United States District Judge, entered an Order on January 18, 2023 dismissing the federal action for lack of subject matter jurisdiction.<sup>2</sup> Following dismissal of the federal action, Plaintiffs commenced litigation in this Court by filing a Praecipe to

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<sup>1</sup> Aaron Landon Latschar was an adult at the time of his death.

<sup>2</sup> Apparently, federal jurisdiction initially based upon diversity of citizenship was defeated when the Plaintiffs joined Kennie’s Markets, Inc. as a Defendant due to the corporation’s alleged participation in the distribution chain.

Transfer pursuant to 42 Pa. C.S.A. § 5103(b) on March 23, 2023. The Praeipe, filed in the Adams County Prothonotary's Office, included six filings from the U.S. District Court for the Middle District of Pennsylvania.<sup>3</sup> Although the documents in Plaintiffs' initial filing include what appears to be the seal of the U.S. District Court for the Middle District of Pennsylvania, none of the records are otherwise certified by the District Court. On April 11, 2023, Plaintiffs filed with this Court approximately 75 additional pleadings originally filed in the docket of the federal action. The pleadings were certified and carried an exemplification certificate executed by the Clerk of the United States District Court for the Middle District of Pennsylvania.

The next docket activity occurred when this Court, sua sponte, entered an Order dated April 17, 2023 directing a scheduling conference. The Order apparently prompted the current Preliminary Objections.<sup>4</sup> In their Preliminary Objections, the Defendants challenge the timeliness of Plaintiffs' actions before this Court.

The Pennsylvania statute of limitations for filing a tort claim such as that brought by Plaintiffs is two years. *Northampton County Area Community College v. Dow Chemical, USA*, 566 A.2d 591, 599 (Pa. Super. 1989), *aff'd* 598 A.2d 1288 (Pa. 1991). Unquestionably, the Adams County action was filed subsequent to

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<sup>3</sup> The Praeipe identifies the filings as follows:

- Defendant Bunzl's Answer to Plaintiffs' Amended Complaint filed July 28, 2022;
- Defendant New York Packaging II's Answer to Defendant Bunzl's Cross Claims filed August 17, 2022;
- Plaintiffs' Second Amended Complaint filed November 3, 2022;
- Defendant New York Packaging II's Answer to Plaintiffs' Second Amended Complaint filed November 22, 2022;
- Defendant Kennie's Markets' Notice of Appearance filed December 16, 2022; and
- Defendant Bunzl's Notice of Motion to Dismiss filed December 29, 2022.

<sup>4</sup> The Defendants allege that as of the time of filing of their Preliminary Objections, they have not been served with any of the documents filed in the Adams County litigation.

the expiration of the statute of limitations.<sup>5</sup> Nevertheless, statutory authority permits the preservation of a cause of action beyond the statutory period of limitations in instances where the suit was timely, but inadvertently, filed with a federal court which has jurisdiction within the geographical limits of Pennsylvania provided the matter is filed in a Pennsylvania Judicial District in compliance with 42 Pa. C.S.A. § 5103. A Pennsylvania action will be considered filed following dismissal by a federal court pursuant to the following:

**(a) General rule.** – If an appeal or other matter is taken to or brought in a court or magisterial district of this Commonwealth which does not have jurisdiction of the appeal or other matter, the court or magisterial district judge shall not quash such appeal or dismiss the matter, but shall transfer the record thereof to the proper tribunal of this Commonwealth, where the appeal or other matter shall be treated as if originally filed in the transferee tribunal on the date when the appeal or other matter was first filed in a court or magisterial district of this Commonwealth. A matter which is within the exclusive jurisdiction of a court or magisterial district judge of this Commonwealth but which is commenced in any other tribunal of this Commonwealth shall be transferred by the other tribunal to the proper court or magisterial district of this Commonwealth where it shall be treated as if originally filed in the transferee court or magisterial district of this Commonwealth on the date when first filed in the other tribunal.

**(b) Federal cases.** –

(1) Subsection (a) shall also apply to any matter transferred or remanded by any United States court for a district embracing any part of this Commonwealth. In order to preserve a claim under

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<sup>5</sup> The Complaint alleges the decedent died on June 27, 2020. The current action was initiated in Adams County on March 23, 2023.

Chapter 55 (relating to limitation of time), a litigant who timely commences an action or proceeding in any United States court for a district embracing any part of this Commonwealth is not required to commence a protective action in a court or before a magisterial district judge of this Commonwealth. **Where a matter is filed in any United States court for a district embracing any part of this Commonwealth and the matter is dismissed by the United States court for lack of jurisdiction, any litigant in the matter filed may transfer the matter to a court or magisterial district of this Commonwealth by complying with the transfer provisions set forth in paragraph (2).**

(2) Except as otherwise prescribed by general rules, or by order of the United States court, **such transfer may be effected by filing a certified transcript of the final judgment of the United States court and the related pleadings in a court or magisterial district of this Commonwealth.** The pleadings shall have the same effect as under the practice in the United States court, but the transferee court or magisterial district judge may require that they be amended to conform to the practice in this Commonwealth. Section 5535(a)(2)(i) (relating to termination of prior matter) shall not be applicable to a matter transferred under this subsection.

42 Pa. C.S.A. § 5103(a)-(b) (emphasis added). “The stated policy behind this section is to preserve a claim or cause of action timely filed in federal court on the ground that the claimant should not lose her opportunity to litigate the merits of the claim simply because she erred regarding federal jurisdiction.” *Kelly v. Hazleton Gen. Hosp.*, 837 A.2d 490, 494 (Pa. Super. 2003) (citation omitted).

Although Section 5103 does not specifically set forth the time period within which a party must act in the state jurisdiction in order

to preserve a claim dismissed in Federal Court,<sup>6</sup> our Superior Court has created a general promptness requirement to the rule.

[F]or benefit of both bench and bar, we now emphasize that in order to protect the timeliness of an action under 42 Pa. C.S.A. § 5103, a litigant, upon having his case dismissed in federal court for lack of jurisdiction, must promptly file a certified transcript of the final judgment of the federal court and, at the same time, a certified transcript of the pleadings from the federal action.

***Williams v. F.L. Smithe Mach. Co., Inc.***, 577 A.2d 907, 910 (Pa. Super. 1990).

The Superior Court further explained their analysis in ***Collins v. Greene County Memorial Hosp.***, 615 A.2d 760 (Pa. Super. 1992). In ***Collins***, the Superior Court compared the timeliness of transfer proceedings with case law developed regarding a party's duty to serve an opposing party with a writ of summons or complaint within the 30-day time period set forth in the Pennsylvania Rules of Civil Procedure. ***Id.*** at 762 (citing ***Lamp v. Heyman***, 366 A.2d 882 (Pa. 1976)). The ***Collins*** Court explained the comparison as appropriate and "consistent with the policy of avoiding stale claims, making the process of justice as speedy and efficient as possible, and preventing the possibility of the plaintiff retaining exclusive control over the action for a period in excess of the statute of limitations." ***Id.***

Before applying the analogy suggested by the Superior Court currently, it is necessary to understand the case law developed by ***Lamp*** and its progeny. In ***Lamp***, the Court announced a new, prospective rule of law establishing that a writ of summons shall only remain effective to commence an action "if the plaintiff then refrains from a course of conduct which serves to stall the legal

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<sup>6</sup> Federal legislation involving the same subject matter tolls the statute of limitations in state courts for a period of 30 days following a voluntary dismissal in the federal courts. 28 U.S.C.A. § 1367(d). Unlike the federal statute, however, the Pennsylvania legislation does not set forth a specific time period for application of its provisions. The Pennsylvania legislature has failed to act in this area despite prompting by the Superior Court. See ***Williams v. F.L. Smithe Mach. Co., Inc.***, 577 A.2d 907, 909 n.1 (Pa. Super. 1990).



machinery he has just set in motion.” *Lamp*, 366 A.2d at 889 (footnote omitted). The *Lamp* Court concluded that the statute of limitations will not be tolled unless a plaintiff takes the actions required by the Rules of Civil Procedure to properly effectuate service of the original pleading. *Id.* Following the *Lamp* decision, two lines of cases interpreting *Lamp* subsequently developed. One line demanded strict compliance with the Rules of Civil Procedure while the other line of case authority allowed a more flexible approach permitting an action to continue where there was actual notice to the defendant of the pending action accompanied by an attempt at proper service. *McCreesh v. City of Phila.*, 888 A.2d 664 (Pa. 2005). *McCreesh* clarified that a failure to comply with the procedural rules of service would be excused where a plaintiff has satisfied the purpose of the statute of limitations by providing actual notice of the commencement of litigation to the defendant provided the defendant did not suffer prejudice. *Id.* at 674. However, *McCreesh* expressly noted that dismissal of a cause of action is warranted where there is either an intent on the part of the plaintiff to stall the judicial machinery or where prejudice from plaintiff’s inaction exists. *Id.*

In *Englert v. Fazio Mechanical Services, Inc.*, 932 A.2d 122, 126-27 (Pa. Super. 2007), the Superior Court interpreted *McCreesh* to conclude that inaction on the part of a plaintiff’s counsel, in and of itself, constitutes stalling the judicial machinery sufficient to dismiss the litigation. Collectively, this line of cases teaches that while a mechanical approach should not be applied in determining what constitutes a good-faith effort to effectuate service of original process, it is the plaintiff’s burden to demonstrate that the efforts undertaken were reasonable. *Id.* at 125.

Applying this reasoning instantly compels dismissal of this litigation. Plaintiffs did not file a praecipe to transfer the federal litigation to Adams County until 61 days after the federal court’s order dismissing the federal litigation. At the time of doing so, the filing was improper, as it did not include certified copies of all relevant federal pleadings. Another 19 days expired before Plaintiffs filed the certified copies of the missing pleadings. On May 5, 2023, Plaintiffs served Defendants for the first time with the pleadings

filed before the Adams County Court of Common Pleas – a period of 107 days from the date of original filing.<sup>7</sup>

Plaintiffs attempt to explain the delayed filings by claiming they had regular but unsuccessful interaction with the Federal District Court Prothonotary concerning production of the certified record. According to Plaintiffs, the delayed production of the certified record was due to untimely response by the District Court Prothonotary rather than any lack of good-faith on their part. Unfortunately for Plaintiffs, their explanation is insufficient. Although it appears there was some prompt effort on the part of Plaintiffs to obtain some pleadings from the District Court within days of the dismissal order being entered by Judge Conner, that effort was less than thorough. As early as January 20, 2023, Plaintiffs’ counsel, by their own acknowledgement, was accurately advised by the Adams County Prothonotary’s Office as to what was required in order to properly effectuate the transfer. By correspondence dated January 26, 2023, the United States District Court advised Plaintiffs’ counsel as to the “copies” of the documents to be provided pursuant to Plaintiffs’ counsel’s request. According to this correspondence, Plaintiffs requested only 108 of approximately 715 pages comprising the federal pleadings. Although this Court cannot opine as to the accuracy of Plaintiffs’ counsel’s claims regarding their interaction with the Federal Middle District Prothonotary, even under counsel’s rendition, significant gaps are apparent in their efforts.<sup>8</sup> Presuming a clerical issue occurred with the Middle District’s filing office, which this Court does not, still does not excuse Plaintiffs’ failure to seek extension of the deadline through the agreement of counsel or pleading before this Court. This lack of action is indicative of a lack of good-faith.

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<sup>7</sup> The Defendants were served with this Court’s scheduling order before receiving any filings from Plaintiffs.

<sup>8</sup> Plaintiffs’ counsel claims to have contacted the Middle District Court Clerk’s Office for an update on February 13, 2023. The next definitive date provided as to actions on their part is March 2, 2023, when they claimed to have become aware of an alleged mistake on the part of the Middle District Court’s Prothonotary’s Office. There is no credible indication of any urgency on the part of Plaintiffs’ counsel as a result of the February 13, 2023 contact despite the rapidly approaching deadline.

See *Englert*, 932 A.2d at 124 (neglect or mistake to fulfill the responsibility for timely filing and service is sufficient to bring the rule in *Lamp* to bear). Unintentional conduct can constitute a lack of good-faith. *Id.* at 124-25.

Plaintiffs also claim that dismissal of this cause of action is a harsh result where prejudice has not resulted to Defendants. This argument is meritless as the Superior Court has previously instructed that a plaintiff's noncompliance with Section 5103(b) is fatal even if the defendant has not sustained any prejudice. *Chris Falcone, Inc. v. Ins. Co. of State of Pa.*, 907 A.2d 631, 640 (Pa. Super. 2006). ("Prejudice is not the controlling concern in this circumstance. The key...is conformity with the statutory requirements, which are not onerous in light of the protection the statute affords.") As such, the existence or lack of prejudice is an immaterial consideration.

Finally, Plaintiffs seek to excuse the delay by claiming Defendants had actual knowledge of the contemplated transfer. Initially, this Court notes that should this argument have merit, it would essentially vitiate the statutory rule set forth in Section 5103, as all parties are likely aware of the dismissal of a cause of action by a federal court based upon lack of subject matter jurisdiction. Presumably, all parties are also aware of Plaintiffs' intent, as is the current case, to proceed at the state level. However, future intent and actual conduct are significantly different propositions.<sup>9</sup> Aside from the fact that representation of future actions is significantly different from actual notice of current actions, the Rules make no such exception for one's intent being sufficient to toll the statute of limitations. Just as one's intent is insufficient to preserve a claim filed beyond the statute of limitations, it is equally insufficient to preserve a claim where one has not complied with the clear procedural rule regardless of their intent. The Rule for transfer of a federal case to state jurisdiction is not onerous and is clear in its requirement.

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<sup>9</sup> Unquestionably, an experienced practitioner in the law would be significantly benefited if they had a dollar for every time one has threatened to sue their client but did not follow through.

For the foregoing reasons, the Preliminary Objections of the several Defendants will be sustained.<sup>10</sup>

### ORDER OF COURT

AND NOW, this 16<sup>th</sup> day of October, 2023, it is hereby Ordered that the Preliminary Objections of the several Defendants are sustained. The Complaint filed in this matter is dismissed with prejudice. The Adams County Prothonotary's Office is directed to mark this matter closed.

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<sup>10</sup> In *Quiah v. Devereux Foundation, Inc.*, No. 408 C.D. 2021, 2023 WL 6051290, at \*3-4 (Pa. Cmwlth. Sept. 18, 2023), a panel of the Commonwealth Court instructed that a transfer under Section 5103(b) does not preserve a cause of action filed after expiration of the statute of limitations unless the same is filed in compliance with the tolling provisions of 28 U.S.C. § 1367(d) which requires that a transfer action be filed in the state jurisdiction within 30 days of dismissal by a Federal Court. The Commonwealth Court's decision is binding on this Court. See *Commonwealth v. Naugle*, 64 Pa. D.&C. 2d 282, 286 (Pa. Com. Pl. 1973) (noting trial courts "are bound to abide by [appellate court] decisions"). As the procedural status of *Quiah* may very well remain fluid, the Order attached hereto is entered under the controlling authority of *Quiah* as well as the analysis contained hereinabove.

SHERIFF SALES

IN PURSUANCE of writs of execution issuing out of the Court of Common Pleas of Adams County, Pennsylvania, and to me directed, will be exposed to Public Sale online auction conducted by Bid4Assets, 8757 Georgia Ave., Suite 520, Silver Spring, MD 20910, on November 17<sup>th</sup>, 2023, at 10:00 a.m.

No. 22-SU-1117  
Crosscountry Mortgage, LLC  
vs.

Kayla Barnes, Unknown Heirs, Successors, Assigns, And All Person Firms or Associations Claiming Right, Title or Interest from or Under John M. Sheets, Sr. a/k/a John Sheets, Sr., Teresa Keyes, James Sheets, In His Capacity as Heir of John M. Sheets, Sr. a/k/a John Sheets, Sr., Deceased, Julie Habecker  
Property Address: 640 Ledge Drive, Hanover, PA 17331  
UPI/Tax Parcel Number: 04L12-0157A---000  
Owner(s) of Property Situate in Berwick Township, Adams County, Pennsylvania  
Improvements Thereon: Residential Dwelling  
Judgment Amount: \$381,655.72  
Attorneys For Plaintiff: Brock & Scott, PLLC

No. 22-SU-776  
Specialized Loan Servicing, LLC  
vs.

Benjamin Lee Becker  
Property Address: 60 Corsa Lane, Fairfield, PA 17320  
UPI/Tax Parcel Number: 18B13-0058B-000  
Owner(s) of Property Situate in Hamiltonban Township, Adams County, Pennsylvania  
Improvements thereon: Residential Property  
Judgment Amount: \$180,366.69  
Attorneys for Plaintiff: Robertson, Anschutz, Schneid, Crane & Partners, PLLC, 133 Gaither Drive, Suite F Mt. Laurel, NJ 08054

No. 22-SU-594  
Freedom Mortgage Corporation  
vs.  
Kimberly A. Egerton

Property Address: 67 Hemlock Drive, Hanover, PA 17331  
UPI/Tax Parcel Number: 08021-0059----000  
Owner(s) of Property Situate in Conewago Township, Adams County, Pennsylvania  
Improvements Thereon: Residential Dwelling  
Judgment Amount: \$173,882.63  
Attorneys for Plaintiff: Brock & Scott, PLLC

No. 23-SU-458  
Pennymac Loan Services, LLC  
vs.  
Martin Eichelberger

Property Address: 206 Jacobs St, East Berlin, PA 17316  
UPI/Tax Parcel Number: 10006-053-000  
Owner(s)of Property Situate in East Berlin Borough, Adams County, Pennsylvania  
Improvements Thereon: Residential Dwelling  
Judgment Amount: \$160,534.50  
Attorneys for Plaintiff: Powers Kirn, LLC

No. 22-SU-1168  
Freedom Mortgage Corporation  
vs.  
Allan W. Graupner, Mary Catherine Graupner

Property Address: 8 View Trail, Fairfield, PA 17320  
UPI/Tax Parcel Number: 43-046-0068-000  
Owner(s) of Property Situate in Carroll Valley Borough, Adams County, Pennsylvania  
Improvements Thereon: Residential Dwelling  
Judgment Amount: \$265,421.99  
Attorneys for Plaintiff: KML Law Group

No. 23-SU-520  
U.S. Bank Trust National Association, et al.  
vs.

Herbert M. Bedford a/k/a Herbert Mark Bedford, Jane C. Bedford  
Property Address: 419 North Street, McSherrystown, PA 17344  
UPI/Tax Parcel Number: 28005-0085-000  
Owner(s) of Property Situate in the Borough of McSherrystown, Adams County, Pennsylvania  
Improvements Thereon consist of: Residential Real Estate  
Judgment Amount: \$156,906.31  
Attorneys for Plaintiff: Stern & Eisenberg, 1581 Main Street, Suite 200, The Shops at Valley Square, Warrington, PA 18976

NOTICE directed to all parties in interest and claimants that a schedule of distribution will be filed by the Sheriff in his office no later than (30) thirty days after the date of sale and that distribution will be made in accordance with that schedule unless exceptions are filed thereto within (10) ten days thereafter.  
Purchaser must settle for property on or before filing date. ALL claims to property must be filed with Sheriff before sale date.

AS SOON AS THE PROPERTY IS DECLARED SOLD TO THE HIGHEST BIDDER 20% OF THE PURCHASE PRICE OR ALL OF THE COST, WHICHEVER MAY BE THE HIGHER, SHALL BE PAID FORTHWITH TO THE SHERIFF.

James W. Muller  
Sheriff of Adams County  
www.adamscounty.us  
10/20, 10/27, & 11/03

SHERIFF SALES

IN PURSUANCE of writs of execution issuing out of the Court of Common Pleas of Adams County, Pennsylvania, and to me directed, will be exposed to Public Sale online auction conducted by Bid4Assets, 8757 Georgia Ave., Suite 520, Silver Spring, MD 20910, on November 17<sup>th</sup>, 2023, at 10:00 a.m.

**No. 17-SU-311**  
**Quicken Loans, Inc.**  
**vs.**  
**Jay Prise**

Property Address: 217 Center Street, McSherrystown, PA 17344  
UPI/Tax Parcel Number:  
28006-0107---000  
Owner(s) of Property Situate in the Borough of McSherrystown, Adams County, Pennsylvania  
Improvements Thereon consist of:  
Residential Real Estate  
Judgment Amount: \$149,660.88  
Attorneys for Plaintiff:  
Stern & Eisenberg, PC, 1581 Main Street, Suite 200, The Shops at Valley Square, Warrington, PA 18976

**No. 22-SU-60**  
**Rocket Mortgage, LLC f/k/a Quicken Loans, LLC f/k/a Quicken Loans, Inc.**  
**vs.**  
**David R. Sanders, Jr.**  
Property Address: 241 Pecher Road, Fairfield, PA 17320  
UPI/Tax Parcel Number:  
25C16-0074---000  
Owner(s) of Property Situate in Liberty Township, Adams County, Pennsylvania  
Improvements Thereon:  
Residential Dwelling  
Judgment Amount: \$144,211.26  
Attorneys for Plaintiff:  
KML Law Group, P.C.

**No. 22-SU-351**  
**Wilmington Savings Fund Society, FSB, Not in Its Individual Capacity, But Solely as Trustee of NRPL Trust 2019-1**  
**vs.**  
**Unknown Heirs, Personal Representatives, And Devisee of Theodore L. Robinson, Deceased, Ct Corporation System, Ditech Financial LLC, Charles Lamont Robinson**  
Property Address: 71 E York Street, Biglerville, PA 17307  
UPI/Tax Parcel Number:  
05003-0114---000  
Owner(s) of Property Situate in Biglerville Borough, Adams County, Pennsylvania  
Improvements Thereon:  
Residential Dwelling  
Judgment Amount: \$115,359.38  
Attorneys for Plaintiff:  
Richard M. Squire & Associates, LLC, 115 West Avenue, Suite 104, Jenkintown, PA 19046  
Phone: (215) 886-8790

**No. 21-SU-462**  
**Carrington Mortgage Services, LLC vs.**  
**Melissa Walker, In Her Capacity as Heir of Michael W. Smith, Unknown Heirs, Successors, Assigns, And All Persons, Firms or Associations Claiming Right, Title or Interest From or Under Michael W. Smith, Jessica Smith, In Her Capacity as Heir of Michael W. Smith**  
Property Address: 51 Shirley Trail, Fairfield, PA 17320  
UPI/Tax Parcel Number:  
43028-0037---000  
Owner(s) of Property Situate in Liberty Township, Adams County, Pennsylvania  
Improvements Thereon:  
A Residential Dwelling  
Judgment Amount: \$181,523.47  
Attorneys For Plaintiff:  
LOGS Legal Group, LLP, Christopher A. DeNardo, 3600 Horizon Drive, Suite 150, King of Prussia, PA 19406

NOTICE directed to all parties in interest and claimants that a schedule of distribution will be filed by the Sheriff in his office no later than (30) thirty days after the date of sale and that distribution will be made in accordance with that schedule unless exceptions are filed thereto within (10) ten days thereafter.

Purchaser must settle for property on or before filing date. ALL claims to property must be filed with Sheriff before sale date.

AS SOON AS THE PROPERTY IS DECLARED SOLD TO THE HIGHEST BIDDER 20% OF THE PURCHASE PRICE OR ALL OF THE COST, WHICHEVER MAY BE THE HIGHER, SHALL BE PAID FORTHWITH TO THE SHERIFF.

James W. Muller  
Sheriff of Adams County  
www.adamscounty.us

10/20, 10/27, & 11/03

**ESTATE NOTICES**

**NOTICE IS HEREBY GIVEN** that in the estates of the decedents set forth below, the Register of Wills has granted letters, testamentary or of administration to the persons named. All persons having claims or demands against said estates are requested to make known the same, and all persons indebted to said estates are requested to make payment without delay to the executors or administrators or their attorneys named below.

**FIRST PUBLICATION****ESTATE OF GARETT LEE ANDERSON**

a/k/a GARETT L. ANDERSON, DEC'D

Late of Gettysburg Borough, Adams County, Pennsylvania

Executor: Tonya G. Robinson, c/o Aevitas Law, PLLC, 275 Hess Blvd., Suite 101, Lancaster, PA 17601  
 Attorney: Santo G. Spataro, Esq., Aevitas Law, PLLC, 275 Hess Blvd., Suite 101, Lancaster, PA 17601

**ESTATE OF HAROLD JACOB**

HOLLABAUGH, DEC'D

Late of Butler Township, Biglerville, Adams County, Pennsylvania

Executrix: Aurora Bayles, P.O. Box 255, Biglerville, PA 17313

**ESTATE OF KENNETH IVAN JONES,**

DEC'D

Late of Berwick Township, Adams County, Pennsylvania

Co-Administrators: Connie L. Pell & Verner F. Jones, c/o Strausbaugh Law, PLLC, 1201 West Elm Avenue, Suite #2, Hanover, PA 17331

Attorney: Scott J. Strausbaugh, Esq., Strausbaugh Law, PLLC, 1201 West Elm Avenue, Suite #2, Hanover, PA 17331

**SECOND PUBLICATION****ESTATE OF MARY ELLEN BAIR a/k/a**

MARY E. BAIR, DEC'D

Late of Reading Township, Adams County, Pennsylvania

Executor: Ralph L. Bair, Jr. c/o Aevitas Law, PLLC, 275 Hess Blvd., Suite 101, Lancaster, PA 17601

Attorney: Santo G. Spataro, Esq., Aevitas Law, PLLC, 275 Hess Blvd., Suite 101, Lancaster, PA 17601

**ESTATE OF RICHARD C.**

CRUTCHFIELD, DEC'D

Late of Straban Township, Adams County, Pennsylvania

Co-Executrices: Barbara L. Raggo, 7037 Panorama Court, Warrenton, VA 20187; Leslie Ann Fowler, 17 Washington Lane, Apt. L, Westminster, MD 21157

Attorney: Bernard A. Yannetti, Esq., Hartman & Yannetti, Inc., Law Office, 126 Baltimore Street, Gettysburg, PA 17325

**ESTATE OF CHARLES KENNETH**

FLUKE, SR., DEC'D

Late of Hamiltonban Township, Fairfield, Adams County, Pennsylvania

Executrix: 4948 Brower Tree Lane, Kent, OH 44240

Attorney: John A. Wolfe, Esq., Wolfe, Rice, & Quinn, LLC, 47 West High Street, Gettysburg, PA 17325

**ESTATE OF CARL H. GREENAWALD**

a/k/a CARL HEIM GREENAWALD, DEC'D

Late of Straban Township, Adams County, Pennsylvania

Executrix: Margaret Shamer, 2733 Kildaire Drive, Baltimore, MD 21234

Attorney: Adam D. Boyer, Barley Snyder, Suite 101, 123 Baltimore Street, Gettysburg, PA 17325

**ESTATE OF JEAN E. GUISE, DEC'D**

Late of Butler Township, Adams County, Pennsylvania

Co-Executors: Robert E. Guise, 169 North Main St., Biglerville, PA 17307; Gary L. Guise, P.O. Box 16, Biglerville, PA 17307; Marsha Ann Tuckey, 1322 Gablers Rd., Gardners, PA 17324

Attorney: Bernard A. Yannetti, Esq., Hartman & Yannetti, Inc., Law Office, 126 Baltimore Street, Gettysburg, PA 17325

**ESTATE OF JEAN MARIE HEUER,**

DEC'D

Late of Mount Joy Township, Adams County, Pennsylvania

Executrix: Debbie Ann Kennedy, 1025 Waynesboro Pike, Fairfield, PA 17320

Attorney: Bernard A. Yannetti, Esq., Hartman & Yannetti, Inc., Law Office, 126 Baltimore Street, Gettysburg, PA 17325

**ESTATE OF MARLENE G. LIGHT a/k/a**

MARLENE GRACE LIGHT, DEC'D

Late of Union Township, Adams County, Pennsylvania

Executor: Shawn A. Light, 180 Study Road, Littlestown, PA 17340

Attorney: Thomas E. Miller, Esq., Law Office of Thomas E. Miller, Esquire, LLC, 249 York Street, Hanover, PA 17331

**ESTATE OF ROY F. MYERS a/k/a ROY**

FRANCIS MYERS, DEC'D

Late of Straban Township, Adams County, Pennsylvania

Co-Executors: Terri Ann DeShong, 1274 Hunterstown-Hampton Road, New Oxford, PA 17350; Ricky R. Myers, 2415 Hunterstown-Hampton Road, New Oxford, PA 17350

Attorney: Clayton A. Lingg, Esq., Mooney Law, 230 York Street, Hanover, PA 17331

**THIRD PUBLICATION****ESTATE OF VICTORIA SUZANNE**

BOSLEY, DEC'D

Late of Conewago Township, Adams County, Pennsylvania

Co-Administrators: Mark D. Bosley, Jr., 1076 Bon Ox Road, Gettysburg, PA 17325; Brandi L. Bosley, 65 Conewago Drive, Hanover, PA 17331

Attorney: Arthur J. Becker, Jr., Esq., Becker Law Group, P.C., 529 Carlisle Street, Hanover, PA 17331

**ESTATE OF TERRY E. FREED, DEC'D**

Late of Butler Township, Adams County, Pennsylvania

Co-Executors: Dennis L. Freed, 254 Beecherstown Road, Biglerville, PA 17307; Stephanie M. Welper, 1691 Buchanan Valley Road, Orrtanna, PA 17353

Attorney: John A. Wolfe, Esq., Wolfe, Rice, & Quinn, LLC, 47 West High Street, Gettysburg, PA 17325

Continued on page 16

**(THIRD PUBLICATION CONTINUED)**

ESTATE OF HARRY A. HUGHES a/k/a  
HARRY ADAM HUGHES, DEC'D  
Late of Menallen Township, Adams  
County, Pennsylvania  
Executrices: Catherine M. Kemper a/k/a  
Catherine M. Flickinger, 124 W. Point  
Road, Aspers, PA 17304; Margaret  
Ann Soper a/k/a Margaret Ann Moltz,  
414 Hobbitts Lane, Westminster, MD  
21158  
Attorney: Puhl & Thrasher, 220 Baltimore  
Street, Gettysburg, PA 17325

ESTATE OF VANESSA LEE HULL a/k/a  
VANESSA L. HULL, DEC'D  
Late of Franklin Township, Adams  
County, Pennsylvania  
Executrix: Heidi E. Hull, c/o R. Thomas  
Murphy & Associates, P.C., 237 East  
Queen Street, Chambersburg, PA  
17201  
Attorney: R. Thomas Murphy, Esq., R.  
Thomas Murphy & Associates, P.C.,  
237 East Queen Street,  
Chambersburg, PA 17201

ESTATE OF BARRY D. MESSINGER,  
DEC'D  
Late of Germany Township, Adams  
County, Pennsylvania  
Executrix: Mary McDannell, 1974  
Hanover Road, Hanover, PA 17331  
Attorney: Matthew L. Guthrie, Esq.,  
Barley Snyder, LLP, 14 Center Square,  
Hanover, PA 17331

ESTATE OF BRIAN L. RICE, DEC'D  
Late of Mt. Pleasant Township, Adams  
County, Pennsylvania  
Co-Executors: Matthew Jeremy Rice,  
David Lee Rice, and Christina May  
Rice Reese, c/o Strausbaugh Law,  
PLLC, 1201 West Elm Avenue, Suite  
#2, Hanover, PA 17331  
Attorney: Scott J. Strausbaugh, Esq.,  
Strausbaugh Law, PLLC, 1201 West  
Elm Avenue, Suite #2, Hanover, PA  
17331

ESTATE OF JILL MARIE STAUB, DEC'D  
Late of Straban Township, Adams  
County, Pennsylvania  
Administrator: James P. Staub, c/o  
Edward P. Seeber, Esq., JSDC Law  
Offices, Suite C-400, 555 Gettysburg  
Pike, Mechanicsburg, PA 17055  
Attorney: James P. Staub, c/o Edward P.  
Seeber, Esq., JSDC Law Offices, Suite  
C-400, 555 Gettysburg Pike,  
Mechanicsburg, PA 17055  
(717)-533-3280

ESTATE OF LARRY G. WEIKERT, DEC'D  
Late of Gettysburg Borough, Adams  
County, Pennsylvania  
Executrix: Lori W. Ackors, c/o CGA Law  
Firm, P.C., P.O. Box 606, East Berlin,  
PA 17316  
Attorney: Sharon E. Myers, Esq., CGA  
Law Firm, P.C., P.O. Box 606, East  
Berlin, PA 17316



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