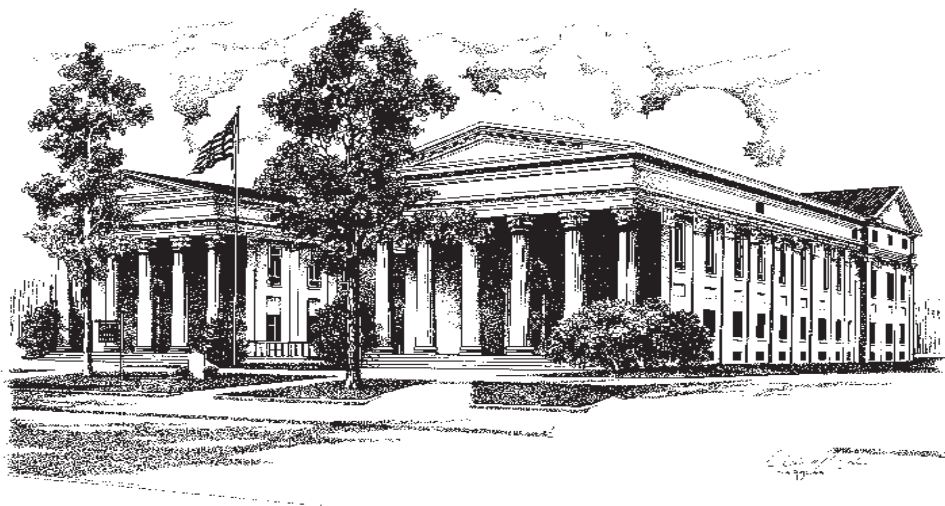


*Erie  
County  
Legal  
Journal*

July 9, 2010

Vol. 93 No. 28

USPS 178-360



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93 ERIE 133 - 140  
Warren v. Thomas

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# Erie County Legal Journal

*Reporting Decisions of the Courts of Erie County  
The Sixth Judicial District of Pennsylvania*

Managing Editor: Paula J. Gregory

Associate Editor: Heidi M. Weismiller

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# Erie County Bar Association

## Calendar of Events and Seminars

### WEDNESDAY, JULY 14, 2010

#### *Boating Law Liability*

PBI Groupcast Seminar  
Erie County Bar Association  
12:00 p.m. - 4:15 p.m. (11:30 a.m. reg.)

#### *Lunch Included*

\$244 (member) \$224 (admitted after 1/1/06)  
\$264 (nonmember)

*Early Registration - If you register more than 2 days before this presentation you will qualify for this Early Registration Fee:*  
\$219 (member) \$199 (admitted after 1/1/06) \$239 (nonmember)  
4 hours substantive

### THURSDAY, JULY 15, 2010

#### *Outsourcing*

PBI Groupcast Seminar  
Erie County Bar Association  
9:00 a.m. - 1:15 p.m. (8:30 a.m. reg.)  
\$234 (member) \$214 (admitted after 1/1/06)  
\$254 (nonmember)

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\$209 (member) \$189 (admitted after 1/1/06) \$229 (nonmember)  
4 hours substantive

### TUESDAY, JULY 20, 2010

*Common Estate Planning Blunders - How to Correct and Avoid Them*

PBI Groupcast  
Erie County Bar Association  
9:00 a.m. - 1:30 p.m. (8:30 a.m. reg.)  
\$224 (member) \$204 (admitted after 1/1/06)  
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3 hours substantive / 1 hour ethics

### WEDNESDAY, JULY 21, 2010

*Understanding Easements in Pennsylvania*

PBI Groupcast Seminar  
Erie County Bar Association  
8:30 a.m. - 12:45 p.m. (8:00 a.m. reg.)  
\$244 (member) \$224 (admitted after 1/1/06)  
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4 hours substantive

### THURSDAY, JULY 22, 2010

*Ohlbaum on Evidence Advocacy:  
Using the Rules of Evidence to Persuade*

PBI Groupcast Seminar  
Bayfront Convention Center  
8:30 a.m. - 3:30 p.m. (8:00 a.m. reg.)

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5 hours substantive / 1 hour ethics

### TUESDAY, JULY 27, 2010

#### *Guardianship 101*

PBI Video Seminar  
Erie County Bar Association  
9:00 a.m. - 1:30 p.m. (8:30 a.m. reg.)  
\$129 (member) \$109 (admitted after 1/1/06)  
\$149 (nonmember)  
3 hours substantive / 1 hour ethics

### WEDNESDAY, JULY 28, 2010

*From File to Trial: 8 Keys to Success in Court & Beyond*

PBI Groupcast Seminar  
Erie County Bar Association  
8:30 a.m. - 3:30 p.m. (8:00 a.m. reg.)  
*Lunch Included*  
\$364 (member) \$344 (admitted after 1/1/06)  
\$384 (nonmember)

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\$339 (member) \$319 (admitted after 1/1/06) \$359 (nonmember)  
5 hours substantive / 1 hour ethics

### FRIDAY, JULY 30, 2010

*Understanding Damages & Indemnities in*

*Commercial Contracts*  
PBI Groupcast Seminar  
Erie County Bar Association  
9:00 a.m. - 12:15 p.m. (8:30 a.m. reg.)  
\$224 (member) \$204 (admitted after 1/1/06)  
\$244 (nonmember)

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Jul. 2, 9, 16

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**EUGENE WARREN, Appellant,**  
**v.**  
**BARRY THOMAS, Appellee**

*CIVIL PROCEDURE / TRIAL*

The standard of review for an appellate court examining jury instructions given by a trial court is a clear abuse of discretion or an error of law controlling the outcome of the case.

*CIVIL PROCEDURE / TRIAL*

When an appellate court reviews jury instructions, an error in a charge renders the charge inadequate and therefore sufficient ground for a new trial if the charge in its entirety misleads or confuses rather than clarifies a material issue, or there is a fundamental omission in the charge and such omission proves prejudicial.

*ACTS OR OMISSIONS CONSTITUTING NEGLIGENCE /  
OPERATION OF VEHICLES*

The assured clear distance ahead rule requires a driver to control a vehicle so that it can stop within the distance of whatever may reasonably be expected to be within the driver's path.

*ACTS OR OMISSIONS CONSTITUTING NEGLIGENCE /  
OPERATION OF VEHICLES*

The sudden emergency doctrine provides a defense to a driver whom is not careless or reckless but suddenly and unexpectedly finds him or herself in a dangerous situation with little or no opportunity to gain control, and while unable to use his or her best judgment, does use an honest exercise of judgment in such circumstances.

*CIVIL PROCEDURE / POINTS FOR CHARGE*

A trial court may charge on both the assured clear distance ahead rule and the sudden emergency doctrine where the facts in a case do not render the rules mutually exclusive and where evidence could lead reasonable minds to differ as to the existence of a sudden emergency.

*CIVIL PROCEDURE / TRIAL*

When an appellate court reviews a refusal to give a specific jury instruction, the court must determine only whether the factual record supports the trial court's decision not to charge on a particular principle of law.

*CIVIL PROCEDURE / POST-TRIAL MOTIONS*

When reviewing a motion for Judgment Notwithstanding Verdict on appeal, the appellate court must consider the evidence through the sieve of the jury's deliberations and in the light most favorable to the verdict winner, affording him or her the benefit of every reasonable inference of fact, and with any conflict or doubt resolved in his or her favor.

*CIVIL PROCEDURE / POST-TRIAL MOTIONS*

A court may enter a Judgment Notwithstanding Verdict in two circumstances: one, all factual inferences decided adverse to the movant still require a verdict in his favor; and two, no two reasonable minds could disagree the outcome should have been rendered in the favor of the movant.

IN THE COURT OF COMMON PLEAS OF ERIE COUNTY,  
 PENNSYLVANIA                      CIVIL DIVISION                      NO. 10771 of 2007

Appearances:     Michael J. Koehler, Esq., Attorney for Appellant  
                              Stephen J. Magley, Esq., Attorney for Appellee

**MEMORANDUM OPINION<sup>1</sup>**

DiSantis, Ernest J., Jr., J.    Feb. 18, 2010

Appellant, Eugene Warren, appeals from the judgment entered in the Court of Common Pleas of Erie County in favor of Appellee, Barry Thomas, following the denial of Appellant's Motion for Post-Trial Relief. Based upon the following analysis, this Court respectfully requests that the judgment be affirmed.

**I.     Background of the Case<sup>2</sup>**

This matter involves a rear-end motor vehicle accident, which occurred on March 2, 2005, at the intersection of East 38th and Wallace streets, in the City of Erie. On that date, Appellee was traveling westbound on East 38th Street. Due to the snowy conditions resulting from a lake effect snowstorm, Appellee and other vehicles were traveling at a slow rate of speed and maintaining distance between each vehicle. N.T. Trial (Day Two), 10/19/09, at 8. When Appellee approached the intersection of East 38th and Wallace Streets, the traffic signal turned yellow and the Appellant, who was traveling in front of Appellee, activated his brake lights to stop his vehicle. *Id.*, at 9. In response, the Appellee, who was traveling eight or ten miles per hour, started to brake but began sliding due to the slick roads. *Id.*, at 9, 11. As he was pumping his brakes, he slid into the rear of Appellant's vehicle. *Id.* Up until that point, Appellee had no problem stopping or slowing his vehicle, in spite of the weather conditions. *Id.*<sup>3</sup>

Appellant instituted suit by filing a Writ of Summons on February 26, 2007. On July 17, 2007, Appellant filed a Complaint, alleging that while

<sup>1</sup> This Memorandum Opinion is submitted pursuant to Pa.R.A.P. 1925 (a).

<sup>2</sup> The Court's factual background is derived from the transcribed "excerpts" of the jury trial. The Appellant did not order the entire trial transcript.

<sup>3</sup> At trial, Appellant testified he was stopped at the light when he was struck by Appellee. N.T. Trial (Day Two), 10/19/09, at 15.

he was stopped in the westbound lane at a red light at the intersection of 38th and Wallace Streets, Appellee's vehicle struck him from behind. Complaint, 07/17/07, at ¶¶ 3-4. Appellant claimed Appellee was negligent, careless, and reckless in the following respects: (1) Appellee collided with the rear of Appellant's vehicle; (2) Appellee was driving at an excessive rate of speed under the circumstances; (3) Appellee did not have his vehicle under proper and reasonable control; (4) Appellee was inattentive to other vehicles when he proceeded into the intersection; (5) Appellee was incompetent to drive; (6) Appellee was inattentive and failed to keep a proper lookout; and, (7) Appellee failed to comply with the Pennsylvania Motor Vehicle Code, specifically 75 Pa.C.S.A. § 3361 (driving vehicle at safe speed). *Id.*, at 5 (a)-(g). On August 10, 2007, Appellee filed an Answer and New Matter. Appellant filed a Reply to New Matter on July 11, 2008.

On October 16, 2009, a jury trial commenced and both parties testified as to their versions of events.<sup>4</sup> On October 20, 2009, the jury found that Appellee was not negligent. On October 30, 2009, Appellant filed Motions for Post-Trial Relief, which this Court denied on November 30, 2009.

On December 21, 2009, Appellant filed a Notice of Appeal. On December 22, 2009, the Court ordered Appellant to file concise statement of the matters complained of on appeal, pursuant to Pa.R.A.P. 1925. On January 8, 2010 Appellant filed his Concise Statement of Matters Complained pursuant to Pa.R.A.P. 1925 (b). In his 1925 (b) statement, Appellant claims the Court erred by: (1) instructing the jury on the sudden emergency doctrine; (2) failing to instruct the jury as to Appellant's supplemental jury instructions; and, (3) denying Appellant's Motion for Judgment Notwithstanding the Verdict. Appellant's Concise Statement of Matters Complained, 01/08/10, at 1-3.

## **II. Legal Discussion**

### **A. Whether the trial court erred in instructing the jury on the Sudden Emergency Doctrine?**

An appellate court's standard of review regarding jury instructions is as follows:

In examining these instructions, our scope of review is to determine whether the trial court committed clear abuse of discretion or error of law controlling the outcome of the case. Error in a charge is sufficient ground for a new trial, if the charge as a whole is inadequate or not clear or has a tendency to mislead or confuse rather than clarify a material issue. A charge

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<sup>4</sup> The Appellant's treating chiropractor testified by video deposition, as did the Appellee's expert physician.

will be found adequate unless the issues are not made clear to the jury or the jury was palpably misled by what the trial judge said or unless there is an omission in the charge which amounts to fundamental error. A reviewing court will not grant a new trial on the ground of inadequacy of the charge unless there is a prejudicial omission of something basic or fundamental. In reviewing a trial court's charge to the jury, we must not take the challenged words or passage out of context of the whole of the charge, but must look to the charge in its entirety.

*Stewart v. Motts*, 539 Pa. 596, 654 A.2d 535, 540 (1995) (internal citations and quotation marks omitted).

Appellant argues that Appellee failed to request the sudden emergency doctrine in writing, and made the request after final argument by the parties on their submitted points for charge. Moreover, Appellant claims that Appellee failed to argue in his closing that a sudden emergency existed.<sup>5</sup> He asserts that there was no evidence of a sudden emergency, and the Court should not have given the instruction which, he asserts, prejudiced him. Furthermore, Appellant claims that the parties indicated in their respective pre-trial narrative statements that liability was conceded and a formal stipulation would be offered at time of trial.<sup>6</sup>

One of the primary duties of a trial judge is to clarify the issues so that the jury may understand the questions to be resolved. *Smith v. Clark*, [411 Pa. 142, 147, 190 A.2d 441 (1963)]. A trial judge is charged with the responsibility of defining all pertinent questions of law. All issues which are relevant to the pleadings and proof may become the subject of a jury instruction. Although a certain burden rests on the litigants to submit written points for charge to the court requesting instructions on their theories of the case, it is the duty of the trial judge fully to instruct the jury as to the law applicable to the facts even in the absence of a request by the parties. *Perigo v. Deegan*, 431 A.2d 303, 306 (Pa. Super. 1981). While we recognize that a trial judge should not take on the responsibilities of an advocate and introduce theories not raised by the parties, *Hrivnak v. Perrone*, 472 Pa. 348, 372 A.2d 730 (1977), in certain instances it is correct for the court to charge on questions of law not specifically requested

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<sup>5</sup> The Appellant did not request that the closing arguments be transcribed.

<sup>6</sup> The transcribed excerpts from the trial do not indicate that Appellee stipulated to negligence. Appellant appears to be referring to a settlement discussion that took place at the status/settlement conference. This was not recorded and is not part of the record. Furthermore, settlement statements are not admissions. In addition, at trial, Appellee conceded only that his vehicle struck the Appellant's vehicle and Appellant was injured. However, he denied liability given the circumstances.



by the parties. *Rosato v. Nationwide Insurance Co.*, 397 A.2d 1238 (Pa. Super. 1979).

*Berry v. Friday*, 472 A.2d 191, 193-94 (Pa. Super. 1984) (internal footnotes and quotation marks omitted).

In *Lockhart v. List*, 542 Pa. 141, 665 A.2d 1176 (Pa. 1995), the Pennsylvania Supreme Court discussed the principles of both the sudden emergency doctrine and assured clear distance ahead rule. It found that:

. . . In short, the assured clear distance ahead rule simply requires a driver to control the speed of his or her vehicle so that he or she will be able to stop within the distance of whatever *may reasonably be expected* to be within the driver's path.

The sudden emergency doctrine, on the other hand, is available as a defense to a party who suddenly and unexpectedly finds him or herself confronted with a perilous situation which permits little or no opportunity to apprehend the situation and act accordingly. The sudden emergency doctrine is frequently employed in motor vehicle accident cases wherein a driver was confronted with a perilous situation requiring a quick response in order to avoid a collision. The rule provides generally, that an individual will not be held to the "usual degree of care" or be required to exercise his or her "best judgment" when confronted with a sudden and unexpected position of peril created in whole or in part by someone other than the person claiming protection under the doctrine. The rule recognizes that a driver who, although driving in a prudent manner, is confronted with a sudden or unexpected event which leaves little or no time to apprehend a situation and act accordingly should not be subject to liability simply because another perhaps more prudent course of action was available. Rather, under such circumstances, a person is required to exhibit only an honest exercise of judgment. The purpose behind the rule is clear: a person confronted with a sudden and unforeseeable occurrence, because of the shortness of time in which to react, should not be held to the same standard of care as someone confronted with a foreseeable occurrence. It is important to recognize, however, that a person cannot avail himself of the protection of this doctrine if that person was himself driving carelessly or recklessly.

*Lockhart*, 665 A.2d at 1180 (citations and footnotes omitted).

As to whether a trial court may charge on both doctrines, the *List* Court concluded that, ". . . while it may be that given the particular facts presented, the doctrine of sudden emergency and that of assured

clear distance ahead would be mutually exclusive, the facts in another case may not conclusively demonstrate that exclusivity, rendering a charge on both doctrines appropriate." *Id.*, at 1183. In addition, "where the evidence is such that reasonable minds could differ as to whether a sudden emergency existed, both charges should be given." *Id. See also, Levey v. DeNardo*, 555 Pa. 514, 725 A.2d 733 (Pa. 1999).

Here, the evidence reflected that prior to the accident, Appellee did not experience problems either stopping or driving on the roadway. Although he was aware of Appellant's vehicle and was operating his vehicle in a prudent manner, the Appellee was confronted with a situation in which he could not avoid impact with the Appellant's vehicle. Because reasonable minds could differ as to whether Appellee was negligent or if a sudden emergency was present, this Court instructed the jury on both the sudden emergency doctrine and assured clear distance ahead rule.

Although the jury asked to be re-instructed on the sudden emergency doctrine and negligence, it is not possible to divine the basis of its decision. It may have ignored the sudden emergency doctrine and based its verdict upon the theory that the incident occurred in Erie County, a snowy locale, and that the Appellee simply was, not negligent given the conditions at the time. Appellant's claim is based solely upon his supposition of the basis of the verdict.<sup>7</sup>

**B. Whether the trial court erred in refusing to instruct the jury on Appellant's proposed supplemental jury instructions?**

[I]n reviewing a claim regarding the refusal of a court to give a specific instruction, it is the function of this Court to determine whether the record supports the trial court's decision. The law is clear that a trial court is bound to charge only on that law for which there is some factual support in the record. We note further that it is not the function of the trial court in charging a jury to advocate, but rather to explain the principles of law which are fairly raised under the facts of a particular case so as to enable the jury to comprehend the questions it must decide.

*Lockhart*, 665 A.2d at 1179 (internal citations omitted).

Here, the Appellant's proposed supplemental jury instructions were as follows:

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<sup>7</sup> To the extent Appellant is asserting that this Court acted as an advocate by giving the instruction, his claim is meritless *See Rosato, supra*. at 1240-41. Moreover, by requesting that this Court charge on the assured clear distance rule, Appellant invited the sudden emergency charge.

**Negligence:**

1. Under the Assured Clear Distance rule in the Motor Vehicle Code, 75 Pa.C.S.A§ 3361 (Driving Vehicle at Safe Speed) a driver must take into account weather conditions that affect his ability to stop, such as wet, icy or slippery road surfaces. Fish v. Gosnell, 463 A.2d 1042 (Pa. Super, 1983)

Accepted: \_\_\_\_\_

Rejected: \_\_\_\_\_

2. Motorist driving on a slippery street is bound to consider the condition of the street and reduce his speed to the point where he can control his automobile. Matzasoszki v. Jacobson 186 A. 227 (Pa. Super. 1936)

Accepted: \_\_\_\_\_

Rejected: \_\_\_\_\_

3. Sudden slowing or stopping of vehicle ahead must be anticipated by driver. Bohner v. Stine, 463 A.2d 438 (Pa, Super. 1983)

Accepted: \_\_\_\_\_

Rejected: \_\_\_\_\_

Plaintiff's Proposed Supplemental Jury Instructions.

At trial, the Court instructed the jury as to Sections 3310 and 3361 of the Motor Vehicle Code (following too closely and driving vehicle at safe speed). This covered the first request. As to the remaining requests, this Court's instruction adequately covered the relevant legal principles that the jury was bound to consider.

**C. Whether the Court erred in denying Appellant's Motion for Judgment Notwithstanding Verdict?**

On appeal, the standard by which the appellate court reviews the denial of a post-trial motion for, JNOV and/or a new trial is as follows:

In reviewing a motion for [JNOV], the evidence must be considered in the light most favorable to the verdict winner, and he must be given the benefit of every reasonable inference of fact arising therefrom, and any conflict in the evidence must be resolved in his favor. Moreover, a [JNOV] should only be entered in a clear case and any doubts must be resolved in favor of the verdict winner. Further, a judge's appraisal of evidence is not to be based on how he would have voted had he been a member of the jury, but on the facts as they come through the sieve of the jury's deliberations.

There are two bases upon which a [JNOV] can be entered: one, the movant is entitled to judgment as a matter of law, and/or two, the evidence was such that no two reasonable minds could disagree that the outcome should have been rendered in favor of the movant. With the first a court reviews the record and concludes that even with all factual inferences decided adverse to the movant the law nonetheless requires a verdict in his favor, whereas with the second the court reviews the evidentiary

record and concludes that the evidence was such that a verdict for the movant was beyond peradventure.

Similarly, when reviewing the denial of a motion for new trial, we must determine if the trial court committed an abuse of discretion or error of law that controlled the outcome of the case.

*Estate of Hicks v. Dana Companies, LLC*, 984 A.2d 943,950-51 (Pa. Super. 2009)(*en banc*) (internal citations omitted).

Appellant argues the verdict was improper, against the weight of the evidence, and "no reasonable person could fail to agree that the verdict was improper and [Appellee] was negligent." Appellant's 1925 (b) statement, at 3. It was not for this court to substitute its judgment for that of the jury on questions of credibility and weight accorded evidence at trial. Therefore, reviewing the record in the light most favorable to the verdict winner, a grant of JNOV would not have been appropriate.

### III. CONCLUSION

Based upon the above, this Court respectfully requests that judgment be affirmed.

**Respectfully submitted,**  
**/s/ Ernest J. DiSantis, Jr., Judge**

**ARTICLES OF AMENDMENT**

Notice is hereby given of the intention to file with the Secretary of the Commonwealth of Pennsylvania, Articles of Amendment to the Amended and Restated Articles of Incorporation of the City of Erie Higher Education Building Authority. The registered office of the Authority is 150 East 8th Street, Erie, Pennsylvania 16501, Attention: Joseph T. Messina, Solicitor. The Articles of Amendment are filed pursuant to the Municipality Authorities Act, 53 Pa.C.S.A. §5601, et seq., as amended.

The nature and character of the proposed Amendment is to increase the term of existence of the City of Erie Higher Education Building Authority from December 31, 2035 to July 6, 2060.

The Articles of Amendment will be filed with the Secretary of the Commonwealth on or before July 15, 2010.

Jul. 9

**CHANGE OF NAME NOTICE  
IN THE COURT OF COMMON  
PLEAS OF ERIE COUNTY,  
PENNSYLVANIA**

DOCKET NO. 12872-10

In Re: KRISTIN ELLEN  
BRUNNER-MARTINEZ

Notice is hereby given that on June 29, 2010, a Petition was filed in the above named court requesting an order to change the name of Kristin Ellen Brunner-Martinez to Kristin Ellen Brunner.

The Court has fixed the 12th day of August, 2010, at 9:30 a.m. in Courtroom No. B of the Erie County Courthouse, 140 W. 6th Street, Erie, PA, 16501 as the time and place for the hearing on said Petition, when and where all interested parties may appear and show cause, if any, why the prayer of the Petitioner should not be granted.

Jul. 9

**INCORPORATION NOTICE**

Archival Solutions, Inc. has been incorporated under the provisions of the Business Corporation Law of 1988.

Scott L. Wallen, Esquire  
Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc.

2222 West Grandview Boulevard  
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Jul. 9

**INCORPORATION NOTICE**

Notice is hereby given that Pilewski Plumbing, Inc. has been incorporated under the provisions of the Business Corporation Law of 1988,

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Elderkin, Martin, Kelly & Messina  
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Jul. 9



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**SHERIFF SALES**

Notice is hereby given that by virtue of sundry Writs of Execution, issued out of the Courts of Common Pleas of Erie County, Pennsylvania, and to me directed, the following described property will be sold at the Erie County Courthouse, Erie, Pennsylvania on

**July 16, 2010  
at 10:00 AM**

All parties in interest and claimants are further notified that a schedule of distribution will be on file in the Sheriff's Office no later than 30 days after the date of sale of any property sold hereunder, and distribution of the proceeds made 10 days after said filing, unless exceptions are filed with the Sheriff's Office prior thereto.

All bidders are notified prior to bidding that they **MUST** possess a cashier's or certified check in the amount of their highest bid or have a letter from their lending institution guaranteeing that funds in the amount of the bid are immediately available. If the money is not paid immediately after the property is struck off, it will be put up again and sold, and the purchaser held responsible for any loss, and in no case will a deed be delivered until money is paid.

Bob Merski

Sheriff of Erie County

Jun. 25 and Jul. 2, 9

**SALE NO. 2**

**Ex. #11039 of 2010**

**Bank of America, N.A., Plaintiff**

v.

**Keith Hough, Defendant(s)**

**LEGAL DESCRIPTION**

All that certain piece or parcel of land situate in the City of Erie, County of Erie and Commonwealth of Pennsylvania, being Lot No. Fifteen (15) in Block "H" of Andrews Land Company Subdivision of Reserve Tract No. 33 as shown upon a map or plot of said subdivision recorded in the office of the Recorder of Deeds of Erie County in Map Book 1, pages 374 and 375.

Having erected thereon a dwelling house and being commonly known

as 933 East 29th Street, Erie, Pennsylvania, and being further identified as Erie County Tax Parcel Index No. (18) 5053-117.

Being the same premises as conveyed to the mortgagor(s) herein by deed recorded this date.

BEING KNOWN AS: 933 East 29th Street, Erie, PA 16504

PROPERTY ID NO.: E9NE2A-6-10  
TITLE TO SAID PREMISES IS VESTED IN Keith Hough by Deed from Stephen M. Erdos and Leann K. Edros [sic], husband and wife dated 11/30/2005 recorded 12/01/2005 in Deed Book 1290 Page 2269.

Udren Law Offices, P.C.

Mark J. Udren, Esquire

Woodcrest Corporate Center

111 Woodcrest Road, Suite 200

Cherry Hill, NJ 08003-3620

856-669-5400

Jun. 25 and Jul. 2, 9

**SALE NO. 3**

**Ex. #11038 of 2010**

**Wells Fargo Bank, N.A. successor**

**by merger to Wells Fargo Bank**

**Minnesota, N.A., as Trustee f/k/a**

**Norwest Bank Minnesota, N.A.,**

**as Trustee for the registered**

**holders of Renaissance Home**

**Equity Loan Asset-Backed**

**Certificates, Series 2002-4,**

**Plaintiff**

v.

**Cynthia D. Maines**

**Richard Pierce (Mortgagor),**

**Defendant(s)**

**LEGAL DESCRIPTION**

ALL that certain piece or parcel of land situate in Greenfield Township, County of Erie and Commonwealth of Pennsylvania, bounded and described as follows, to-wit:

BEGINNING at a point in the public road known as the Station Road at the southeast corner of land of George Evans, from thence north along said Evans' land ninety (90) rods; thence east along the lands of Mrs. Ella Orton forty-eight and five-sixths (48 5/6) rods to a point being northeast corner of land herein conveyed, from thence south by land of George B. Moore ninety (90) rods to the aforesaid public highway, from thence along the

center of this highway west forty-eight and five-sixth (48 5/6) rods to the place of beginning. This land being a part of Tract Number one hundred and fifteen (115).

SUBJECT to all restrictions, rights-of-way, building lines, leases and oil and gas leases of record and to all easements and rights-of-way visible and discoverable upon an inspection of the premises.

UNDER and subject to outsale recorded at Deed Book Volume 986, Page 439 recorded August 2, 1968.

BEING KNOWN and designated as Parcel No. (26) 8-22-15 in the Deed Registry Office of Erie County, more commonly known as 9458 Station Road.

BEING the same premises which Cynthia D. Maines and William D. Maines her husband, by Cynthia D. Maines his Attorney-in-Fact by Deed dated August 2, 2002 and recorded August 2, 2002 in Erie County Deed Book 907 Page 1150 granted and conveyed unto Cynthia D. Maines, in fee.

BEING KNOWN AS: 9458 Station Road, North East, PA 16428

PROPERTY ID NO.: E9NE2A-6-10

TITLE TO SAID PREMISES IS VESTED IN Cynthia D. Maines by Deed from Cynthia D. Maines and William D. Maines, her husband, by Cynthia D. Maines his Attorney-in-Fact dated 08/02/2002 recorded 08/02/2002 in Deed Book 907 Page 1150.

Udren Law Offices, P.C.

Mark J. Udren, Esquire

Woodcrest Corporate Center

111 Woodcrest Road, Suite 200

Cherry Hill, NJ 08003-3620

856-669-5400

Jun. 25 and Jul. 2, 9

**SALE NO. 4**

**Ex. #10411 of 2010**

**Regency Finance Company**

**t/d/b/a F.N.B. Consumer Discount Company, Plaintiff**

v.

**Dale R. Pierce, Defendant**

All that certain property situated in the City of Erie, Ward 5, in the County of Erie and Commonwealth of Pennsylvania, being described as follows: Lot 334 in Burton

Terrace Subdivision. Being more fully described in a Deed dated 05/18/1995 and recorded 05/19/1995, among the land records of the County and State set forth above, in Deed Volume 384 and Page 487.

Address: 2317 Downing Road, Erie, PA 16501

Tax Map or Parcel ID NO.: 18-5125-319

Culbertson, Weiss, Schetroma and Schug, P.C.

Dearald W. Shuffstall, II, Esquire  
Nathaniel I. Holland, Esquire  
201 Chestnut Street, Suite 200  
Meadville, PA 16335  
(814) 336-6400

Jun. 25 and Jul. 2, 9

**SALE NO. 5**

**Ex. #10412 of 2010**

**Regency Finance Company  
t/d/b/a F.N.B. Consumer Discount  
Company, Plaintiff  
v.**

**Dale R. Pierce, Defendant**

All that certain property situated in the City of Erie, Ward 2, in the County of Erie and Commonwealth of Pennsylvania, being described as follows: One parcel. Being more fully described in a Deed dated 07/31/1989 and recorded 08/02/1989, among the land records of the County and State set forth above, in Deed Volume 94 and Page 1188.

Address: 229 E. 10th St., Erie, PA 16503

Tax map or Parcel ID No.: 15-2012-244

Culbertson, Weiss, Schetroma and Schug, P.C.

Dearald W. Shuffstall, II, Esquire  
Nathaniel I. Holland, Esquire  
201 Chestnut Street, Suite 200  
Meadville, PA 16335  
(814) 336-6400

Jun. 25 and Jul. 2, 9

**SALE NO. 6**

**Ex. #10413 of 2010**

**Regency Finance Company  
t/d/b/a F.N.B. Consumer Discount  
Company, Plaintiff  
v.**

**Dale R. Pierce, Defendant**

ALL that certain piece or parcel

of land situate in the City of Erie, County of Erie and Commonwealth of Pennsylvania, being more particularly bounded and described as follows: COMMENCING at an iron pin in the north line of 21st Street where the same is intersected by the west line of Lot No. 25 in Block No. 1 in WARFEL'S SUBDIVISION of Lots of the City of Erie, as recorded in the Recorder of Deeds Office in Erie County, Pennsylvania, in Deed Book 74, page 235, said point being one hundred twenty (120) feet east of the east line of Brandes Street; thence northwardly along the west line of said Lot No. 25, one hundred five (105) feet to the center of the said block; thence North 64° East, along the center of said block, thirty-two (32) feet to a point; thence southwardly on a line parallel with the west line of Lot No. 25, one hundred five (105) feet to the north line of 21st Street; thence westwardly, along the north line of 21st Street, thirty-two (32) feet to the place of beginning. Having erected thereon a two story, frame dwelling commonly known as 1214 East 21st Street, Erie, Pennsylvania, and bearing Erie County Tax index Number (18) 5101-228. Being the same premises conveyed to first parties by Sheriff's Deed recorded November 1, 2001 in Erie County Record Book 822, page 253.

ALL that certain piece or parcel of land situate in the City of Erie, County of Erie and Commonwealth of Pennsylvania, bounded and described as follows, to-wit: BEGINNING at a point in the south line of Buffalo Road, two hundred fifty-six (256) feet westwardly from the east line of Lot No. 11 in Block No. 1 of the Warfel Addition to the City of Erie as per plot recorded in Erie County at Deed Book 74, page 235; thence southwardly, parallel with the east line of said Lot No. 11, one hundred five (105) feet to the center of said block; thence westwardly along the center of said block, parallel with the south line of the Buffalo Road, thirty-two (32) feet to a point; thence northwardly on a line parallel with the east line

of Lot No. 11, one hundred five (105) feet to the south line of the Buffalo Road; thence eastwardly along the south line of the Buffalo Road, thirty-two (32) feet to the place of beginning, having erected thereon a two-story frame dwelling house and one-car garage. Being commonly known as 1217 Buffalo Road and bearing Erie County Tax Index Number (18) 5101-219.

Culbertson, Weiss, Schetroma and Schug, P.C.  
Dearald W. Shuffstall, II, Esquire  
Nathaniel I. Holland, Esquire  
201 Chestnut Street, Suite 200  
Meadville, PA 16335  
(814) 336-6400

Jun. 25 and Jul. 2, 9

**SALE NO. 7**

**Ex. #10858 of 2010**

**Marquette Savings Bank  
v.**

**Richard A. Johannesmeyer and  
Carrie L. Johannesmeyer  
SHERIFF'S SALE**

By virtue of a Writ of Execution filed at No. 10858 - 2010, Marquette Savings Bank vs. Richard A. Johannesmeyer and Carrie L. Johannesmeyer, owner of property situate in Millcreek Township, Erie County, Pennsylvania, being: 1128 East Gore Road, Erie, Pennsylvania. 60 x 120

Assessment Map Number: (33) 105-474-49.02

Assessed Value Figure: \$81,420.00

Improvement Thereon: Residence

Donald F. Fessler, Jr., Esq.  
Marsh Spaeder Baur Spaeder & Schaaf, LLP

Suite 300, 300 State Street  
Erie, Pennsylvania 16507  
(814) 456-5301

Jun. 25 and Jul. 2, 9

**SALE NO. 8**

**Ex. #11126 of 2010**

**Northwest Savings Bank  
v.**

**Nancy Rea, Executrix of the  
Estate of Willard A. Gustafson, Jr.  
a/k/a Willard A. Gustafson,  
SHERIFF'S SALE**

By virtue of a Writ of Execution filed at No. 11126-2010, Northwest

Savings Bank vs. Nancy Rea, Executrix of the Estate of Willard A. Gustafson, Jr. a/k/a Willard A. Gustafson, owner of property situate in the Borough of Albion, Erie County, Pennsylvania being: 81 Jackson Avenue, Erie, Pennsylvania.

120' X 120' X 120' X 120'  
Assessment Map Number: (1) 5-47-11  
Assessed Value Figure: \$54,290.00  
Improvement Thereon: Residence  
Kurt L. Sundberg, Esq.  
Marsh Spaeder Baur Spaeder & Schaaf, LLP  
Suite 300, 300 State Street  
Erie, Pennsylvania 16507  
(814) 456-5301

Jun. 25 and Jul. 2, 9

**SALE NO. 9**

**Ex. #15470 of 2009**  
**Marquette Savings Bank**  
**v.**  
**Hanlon Development, LLC**  
**SHERIFF'S SALE**

By virtue of a Writ of Execution filed at No. 15470-2009, Marquette Savings Bank vs. Hanlon Development, LLC, owner of property situate in the Township of Summit, Erie County, Pennsylvania being: 2824 Sunset Trail, 2826 Sunset Trail, 2821 Sunset Trail and 2801 Sunset Trail Erie, Pennsylvania.

1. 2824 Sunset Trail - 60 x 130  
2. 2826 Sunset Trail - 98 x 130  
3. 2821 Sunset Trail - 87 x 120  
4. 2801 Sunset Trail - 115.36 x 120 irr.  
Assessment Map Number:  
1. (40) 19-82-5.15  
2. (40) 19-82-5.16  
3. (40) 19-82.1-1  
4. (40) 19-82.1-10  
Assessed Value Figure: 1. \$24,300  
2. \$29,200 3. \$26,900 4. \$25,300  
Improvement Thereon: N/A  
Kurt L. Sundberg, Esq.  
Marsh Spaeder Baur Spaeder & Schaaf, LLP  
Suite 300, 300 State Street  
Erie, Pennsylvania 16507  
(814) 456-5301

Jun. 25 and Jul. 2, 9

**SALE NO. 10**

**Ex. #15471 of 2009**  
**Marquette Savings Bank**  
**v.**  
**Hanlon Development, LLC**  
**SHERIFF'S SALE**

By virtue of a Writ of Execution filed at No. 15471-2009, Marquette Savings Bank vs. Hanlon Development, LLC, owner of property situate in the Township of Summit, Erie County, Pennsylvania being: 6.930 acres of land on Hamot Road, Erie, Pennsylvania.

6.930 acres  
Assessment Map Number:  
(40) 19-82-6  
Assessed Value Figure: \$41,400.00  
Improvement Thereon: N/A  
Kurt L. Sundberg, Esq.  
Marsh Spaeder Baur Spaeder & Schaaf, LLP  
Suite 300, 300 State Street  
Erie, Pennsylvania 16507  
(814) 456-5301

Jun. 25 and Jul. 2, 9

**SALE NO. 11**

**Ex. #10292 of 2010**  
**PNC Bank, National Association,**  
**Plaintiff**  
**v.**  
**James L. Grill, Defendant**  
**SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 10292-10, PNC Bank, National Association vs. James L. Grill, owner(s) of property situated in City of Erie, Erie County, Pennsylvania being 711 Ohio Street, Erie, PA 16505

0.0885 Acres  
Assessment Map number:  
(17) 41-23-508  
Assessed Value figure: \$76,150.00  
Improvement thereon: Residential Dwelling  
Michael C. Mazack, Esquire  
1500 One PPG Place  
Pittsburgh, PA 15222  
(412) 594-5506

Jun. 25 and Jul. 2, 9

**SALE NO. 12**

**Ex. #10284 of 2010**  
**PNC Bank, National Association,**  
**Plaintiff**  
**v.**  
**James L. Grill, Defendant**

**SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 10284-10, PNC Bank, National Association vs. James L. Grill, owner(s) of property situated in City of Erie, Erie County, Pennsylvania being 710 East 8th Street, Erie, PA 16503

0.1023 Acres  
Assessment Map number:  
(14) 10-22-121  
Assessed Value figure: \$48,270.00  
Improvement thereon: Residential Dwelling  
Michael C. Mazack, Esquire  
1500 One PPG Place  
Pittsburgh, PA 15222  
(412) 594-5506

Jun. 25 and Jul. 2, 9

**SALE NO. 13**

**Ex. #13310 of 2009**  
**SUNTRUST MORTGAGE, INC.,**  
**Plaintiff**  
**v.**

**MICHAEL O. APPLETON**  
**DARLA L. APPLETON,**  
**Defendant(s)**  
**SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 13310-2009 SUNTRUST MORTGAGE, INC. vs. MICHAEL O. APPLETON and DARLA L. APPLETON  
Amount Due: \$84,754.43

MICHAEL O. APPLETON and DARLA L. APPLETON, owner(s) of property situated in TOWNSHIP OF CONNEAUT, Erie County, Pennsylvania being 10133 BARNEY ROAD, ALBION, PA 16401-9735  
Acreage: 40.0000  
Assessment Map number:  
04-016-042.0-019.00  
Assessed Value: \$108,600.00  
Improvement thereon: Residential Phelan Hallinan & Schmieg, LLP  
One Penn Center at Suburban Station, Suite 1400  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814  
(215) 563-7000

Jun. 25 and Jul. 2, 9

**SALE NO. 14**

**Ex. #10330 of 2005**  
**WASHINGTON MUTUAL**  
**BANK, F.A., Plaintiff**



v.  
**NANCY J. BLUM, Defendant(s)**  
**SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 10330-05 WASHINGTON MUTUAL BANK, F.A. vs. NANCY J. BLUM Amount Due: \$74,625.83 NANCY J. BLUM, owner(s) of property situated in Erie County, Pennsylvania being 3750 GREENLAWN AVENUE, ERIE, PA 16510  
 Dimensions: 75 x 175  
 Acreage: 0.3013  
 Assessment Map number: (27) 55-191.00-15.07  
 Assessed Value: \$89,300.00  
 Improvement thereon: Residential Phelan Hallinan & Schmieg, LLP One Penn Center at Suburban Station, Suite 1400  
 1617 John F. Kennedy Boulevard Philadelphia, PA 19103-1814  
 (215) 563-7000

Jun. 25 and Jul. 2, 9

**SALE NO. 15**  
**Ex. #10511 of 2010**  
**WELLS FARGO BANK, N.A.,**  
**Plaintiff**  
 v.  
**TERRY J. CARROLL,**  
**Defendant(s)**  
**SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 10511-10 WELLS FARGO BANK, N.A. vs. TERRY J. CARROLL Amount Due: \$133,861.10 TERRY J. CARROLL, owner(s) of property situated in HARBORCREEK TOWNSHIP, Erie County, Pennsylvania being 8797 EAST LAKE ROAD, ERIE, PA 16511-1623  
 Dimensions: 237S x 307.56 Irr.  
 Acreage: 0.9699  
 Assessment Map number: 27-030-028.0-011.02  
 Assessed Value: \$93,600.00  
 Improvement thereon: Residential Phelan Hallinan & Schmieg, LLP One Penn Center at Suburban Station, Suite 1400  
 1617 John F. Kennedy Boulevard Philadelphia, PA 19103-1814  
 (215) 563-7000

Jun. 25 and Jul. 2, 9

**SALE NO. 16**  
**Ex. #10493 of 2010**  
**FIFTH THIRD MORTGAGE**  
**COMPANY, Plaintiff**  
 v.  
**ERIC A. HAWES**  
**VIRGINIA L. HAWES,**  
**Defendant(s)**  
**SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 10493-2010 FIFTH THIRD MORTGAGE COMPANY vs. ERIC A. HAWES and VIRGINIA L. HAWES Amount Due: \$140,159.58 ERIC A. HAWES and VIRGINIA L. HAWES, owner(s) of property situated in TOWNSHIP OF MILLCREEK, Erie County, Pennsylvania being 3114 ATLANTIC AVENUE, ERIE, PA 16506-3422  
 Dimensions: 70 x 138.6  
 Acreage: 0.2222  
 Assessment Map number: 33-073-2303.0-016.00  
 Assessed Value: \$79,930.00  
 Improvement thereon: Residential Phelan Hallinan & Schmieg, LLP One Penn Center at Suburban Station, Suite 1400  
 1617 John F. Kennedy Boulevard Philadelphia, PA 19103-1814  
 (215) 563-7000

Jun. 25 and Jul. 2, 9

**SALE NO. 17**  
**Ex. #10492 of 2010**  
**CITIMORTGAGE INC S/B/M**  
**ABN AMRO MORTGAGE**  
**GROUP INC., Plaintiff**  
 v.  
**MICHELE M. INTER**  
**Defendant(s)**  
**SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 10492-2010 CITIMORTGAGE INC S/B/M ABN AMRO MORTGAGE GROUP INC. vs. MICHELE M. INTER Amount Due: \$44,611.08 MICHELE M. INTER, owner(s) of property situated in the Fifth Ward, CITY of ERIE, Erie County, Pennsylvania being 941 EAST 35TH STREET, ERIE, PA 16504-1827  
 Dimensions: 55.13 x IRR.

Acreage: 0.1641  
 Assessment Map number: 18-053-095.0-108.00  
 Assessed Value: \$59,610.00  
 Improvement thereon: Residential Phelan Hallinan & Schmieg, LLP One Penn Center at Suburban Station, Suite 1400  
 1617 John F. Kennedy Boulevard Philadelphia, PA 19103-1814  
 (215) 563-7000

Jun. 25 and Jul. 2, 9

**SALE NO. 18**  
**Ex. #11515 of 2009**  
**NORTHWEST SAVINGS**  
**BANK, Plaintiff**  
 v.  
**CHARITY A. MADEWELL**  
**DANIELLE M. BRENNEN,**  
**Defendant(s)**  
**SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 11515-09 NORTHWEST SAVINGS BANK vs. CHARITY A. MADEWELL and DANIELLE M. BRENNEN Amount Due: \$91,356.61 CHARITY A. MADEWELL and DANIELLE M. BRENNEN, owner(s) of property situated in BOROUGH OF LAKE CITY, Erie County, Pennsylvania being 9990 SMITH STREET, LAKE CITY, PA 16423-1418  
 Dimensions: 58.08 X 225  
 Acreage: 0.3000  
 Assessment Map number: 28-010-004-0-047.00  
 Assessed Value: \$52,950.00  
 Improvement thereon: Residential Phelan Hallinan & Schmieg, LLP One Penn Center at Suburban Station, Suite 1400  
 1617 John F. Kennedy Boulevard Philadelphia, PA 19103-1814  
 (215) 563-7000

Jun. 25 and Jul. 2, 9

**SALE NO. 19**  
**Ex. #10084 of 2010**  
**WELLS FARGO BANK, N.A.,**  
**Plaintiff**  
 v.  
**WILLIAM MCBRIDE,**  
**Defendant(s)**  
**SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 10084-10

WELLS FARGO BANK, N.A. vs. WILLIAM MCBRIDE  
 Amount Due: \$277,994.95  
 WILLIAM MCBRIDE, owner(s) of property situated in TOWNSHIP OF FAIRVIEW, Erie County, Pennsylvania being 6686 OTTEN COURT, FAIRVIEW, PA 16415-3006  
 Dimensions: 103.28 x 300.37 Irregular  
 Acreage: 0.6354  
 Assessment Map number: 21-052-074.0-022.13  
 Assessed Value: \$201,950.00  
 Improvement thereon: Residential Phelan Hallinan & Schmieg, LLP  
 One Penn Center at Suburban Station, Suite 1400  
 1617 John F. Kennedy Boulevard Philadelphia, PA 19103-1814  
 (215) 563-7000

Jun. 25 and Jul. 2, 9

**SALE NO. 20**  
**Ex. #10911 of 2010**  
**NATIONSTAR MORTGAGE LLC, Plaintiff**  
 v.  
**BETSY H. MITCHELL**  
**KEVIN W. MITCHELL, Defendant(s)**  
**SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 10911-10  
 NATIONSTAR MORTGAGE LLC vs. BETSY H. MITCHELL and KEVIN W. MITCHELL  
 Amount Due: \$219,460.11  
 BETSY H. MITCHELL and KEVIN W. MITCHELL, owner(s) of property situated in TOWNSHIP OF MILLCREEK, Erie County, Pennsylvania being 5965 DEERFIELD DR., FAIRVIEW, PA 16415-3215  
 Dimensions: 134.8 x 113  
 Acreage: 0.3660  
 Assessment Map number: 33-133-572.3-001-00  
 Assessed Value: \$186,140.00  
 Improvement thereon: Residential Phelan Hallinan & Schmieg, LLP  
 One Penn Center at Suburban Station, Suite 1400  
 1617 John F. Kennedy Boulevard Philadelphia, PA 19103-1814  
 (215) 563-7000

Jun. 25 and Jul. 2, 9

**SALE NO. 21**  
**Ex. #10545 of 2010**  
**DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR RBSGC 2007-B, Plaintiff**  
 v.  
**STACY M. MORGAN, Defendant(s)**  
**SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 10545-10  
 DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR RBSGC 2007-B vs. STACY M. MORGAN  
 Amount Due: \$150,081.17  
 STACY M. MORGAN, owner(s) of property situated in the CITY OF ERIE, Erie County, Pennsylvania being 4603 HOMELAND BLVD., ERIE, PA 16509-2230  
 Acreage: 0.1915  
 Assessment Map number: 18-053-016.0-110.00  
 18-053-016.0-111-00  
 Assessed Value: \$159,000.00  
 Improvement thereon: Residential Phelan Hallinan & Schmieg, LLP  
 One Penn Center at Suburban Station, Suite 1400  
 1617 John F. Kennedy Boulevard Philadelphia, PA 19103-1814  
 (215) 563-7000

Jun. 25 and Jul. 2, 9

**SALE NO. 22**  
**Ex. #15111 of 2009**  
**LEHMAN BROTHERS HOLDINGS, INC., Plaintiff**  
 v.  
**PAUL A. OLSON, Defendant(s)**  
**SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 15111-09  
 LEHMAN BROTHERS HOLDINGS, INC. vs. PAUL A. OLSON  
 Amount Due: \$77,122.22  
 PAUL A. OLSON, owner(s) of property situated in TOWNSHIP OF MILLCREEK, Erie County, Pennsylvania being 726 WYOMING AVENUE, ERIE, PA 16505-3830  
 Dimensions: 45 x 136.5  
 Acreage: 0.1410  
 Assessment Map number: 33-029-067.0-005.00

Assessed Value: \$67,630.00  
 Improvement thereon: Residential Phelan Hallinan & Schmieg, LLP  
 One Penn Center at Suburban Station, Suite 1400  
 1617 John F. Kennedy Boulevard Philadelphia, PA 19103-1814  
 (215) 563-7000

Jun. 25 and Jul. 2, 9

**SALE NO. 23**  
**Ex. #15168 of 2009**  
**SUNTRUST MORTGAGE, INC., Plaintiff**  
 v.  
**ROGER W. SCALISE**  
**SHERRI A. SCALISE, Defendant(s)**  
**SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 15168-09  
 SUNTRUST MORTGAGE, INC. vs. ROGER W. SCALISE and SHERRI A. SCALISE  
 Amount Due: \$119,318.82  
 ROGER W. SCALISE and SHERRI A. SCALISE, owner(s) of property situated in LAKE CITY BOROUGH, Erie County, Pennsylvania being 572 RICHARDSON DRIVE, LAKE CITY, PA 16423-1820  
 Dimensions: 75 x 227 Irr.  
 Acreage: 0.3848  
 Assessment Map number: 28-003-00300-008.00  
 Assessed Value: \$86,260.00  
 Improvement thereon: Residential Phelan Hallinan & Schmieg, LLP  
 One Penn Center at Suburban Station, Suite 1400  
 1617 John F. Kennedy Boulevard Philadelphia, PA 19103-1814  
 (215) 563-7000

Jun. 25 and Jul. 2, 9

**SALE NO. 24**  
**Ex. #14842 of 2009**  
**U.S. BANK NATIONAL ASSOCIATION TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY, Plaintiff**  
 v.  
**KENNETH E. BARNES and TERRI L. BARNES, Defendants**  
**SHERIFF'S SALE**

By virtue of a Writ of Execution No. 14842-09 U.S. BANK NATIONAL

ASSOCIATION TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY, Plaintiff vs. KENNETH E. BARNES and TERRI L. BARNES, Defendants  
 Real Estate: 1040-1042 WEST 20TH STREET, ERIE, PA  
 Municipality: City of Erie  
 Erie County, Pennsylvania  
 Dimensions: 40' x 130'  
 See Deed Book 702, Page 226  
 Tax I.D. (19) 6029-122  
 Assessment: \$9,400. (Land)  
 \$38,810. (Bldg)

Improvement thereon: a residential dwelling house as identified above  
 Leon P. Haller, Esquire  
 Purcell, Krug & Haller  
 1719 North Front Street  
 Harrisburg, PA 17104  
 (717) 234-4178

Jun. 25 and Jul. 2, 9

**SALE NO. 25**

**Ex. #10573 of 2010**  
**U.S. BANK NATIONAL ASSOCIATION TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY, Plaintiff**

v.

**MICHAEL P. CROSBY and RANDI R. CROSBY, Defendants**  
**SHERIFF'S SALE**

By virtue of a Writ of Execution No. 10573-10 U.S. BANK NATIONAL ASSOCIATION TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY, Plaintiff vs. MICHAEL P. CROSBY and RANDI R. CROSBY, Defendants  
 Real Estate: 13270 CARTER HILL ROAD, CORRY, PA  
 Municipality: Township of Wayne  
 Erie County, Pennsylvania  
 See Deed Book 111, Page 1303  
 Tax I.D. (49) 13-20-2501  
 Assessment: \$10,000. (Land)  
 \$33,500. (Bldg)

Improvement thereon: a residential dwelling house as identified above  
 Leon P. Haller, Esquire  
 Purcell, Krug & Haller  
 1719 North Front Street  
 Harrisburg, PA 17104  
 (717) 234-4178

Jun. 25 and Jul. 2, 9

**SALE NO. 27**

**Ex. #14809 of 2009**  
**OneWest Bank, FSB successor by merger to Indymac Bank FSB, Plaintiff**

v.

**Keith A. Dumond and Joan Dumond aka Joan M. Dumond, Defendant**  
**SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 14809-09 OneWest Bank, FSB successor by merger to Indymac Bank FSB vs. Keith A. Dumond and Joan Dumond aka Joan M. Dumond, owner(s) of property situated in Fairview Township, Erie County, Pennsylvania being 1101 Lord Road, Fairview, PA 16415  
 3.87

Assessment Map number:  
 21-17-11-148

Assessed Value figure: \$257,070.00  
 Improvement thereon: a residential dwelling

Leslie J. Rase, Esquire  
 Shapiro & DeNardo, LLC  
 Attorney for Movant / Applicant  
 3600 Horizon Drive, Suite 150  
 King of Prussia, PA 19406  
 (610) 278-6800

Jun. 25 and Jul. 2, 9

**SALE NO. 28**

**Ex. #11200 of 2010**  
**Wells Fargo Bank N.A., as Trustee, for Carrington Mortgage Loan Trust, Series 2006-NC3 Asset-Backed Pass-Through Certificates, Plaintiff**

v.

**Alan L. Kiniry and Cynthia R. Bammer, Defendant**  
**SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 11200-10 Wells Fargo Bank N.A., as Trustee, for Carrington Mortgage Loan Trust, Series 2006-NC3 Asset-Backed Pass-Through Certificates vs. Alan L. Kiniry and Cynthia R. Bammer, owner(s) of property situated in Township of Conneaut and Borough of Allison [sic], Erie County, Pennsylvania being 10100 Old Albion Road, Albion, PA 16401.  
 2.041

Assessment Map number:

04007024000201 and 01-001-001.0-002.00  
 Assessed Value figure: \$79,410.00  
 Improvement thereon: a residential dwelling  
 Leslie J. Rase, Esquire  
 Shapiro & DeNardo, LLC  
 Attorney for Movant / Applicant  
 3600 Horizon Drive, Suite 150  
 King of Prussia, PA 19406  
 (610) 278-6800

Jun. 25 and Jul. 2, 9

**SALE NO. 29**

**Ex. #14987 of 2009**  
**Beneficial Consumer Discount Company D/B/A Beneficial Mortgage Co of Pennsylvania**

v.

**Timothy J. Weyand**  
**SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 2009-14987 Beneficial Consumer Discount Company D/B/A Beneficial Mortgage Co of Pennsylvania vs. Timothy J. Weyand, owners of property situated in Township of Millcreek, Erie County, Pennsylvania being 725 Saint Claire Avenue, Erie, PA 16505  
 Assessment Map number:  
 33-18-83-35

Assessed Value figure: \$135,500.00  
 Improvement thereon: Residential Dwelling

Mary L. Harbert-Bell, Esquire  
 220 Lake Drive East, Suite 301  
 Cherry Hill, NJ 08002  
 (856) 482-1400

Jun. 25 and Jul. 2, 9

**SALE NO. 30**

**Ex. #10730 of 2010**  
**CITIMORTGAGE INC. F/K/A CITIFINANCIAL MORTGAGE CONSUMER DISCOUNT COMPANY, Plaintiff**

v.

**MICHAEL G. AMIDON, Defendant(s)**  
**DESCRIPTION**

All that parcel of land in Borough of Edinboro, Erie County, State of Pennsylvania, as more fully described in Deed Book 281, Page 1795 date 07/23/93 and recorded 07/31/93, ID# 11-2-19-7, being known and designated as a metes and bounds property.

Known as 401 Lakeside Drive,  
Edinboro, PA 16412  
PROPERTY ADDRESS: 401  
Lakeside Drive, Edinboro, PA  
16412  
Michael T. McKeever, Esquire  
Attorney for Plaintiff  
Suite 5000 - Mellon Independence  
Center, 701 Market Street  
Philadelphia, PA 19106  
(215) 627-1322

Jun. 25 and Jul. 2, 9

**SALE NO. 31**

**Ex. #10731 of 2010**  
**CITIMORTGAGE, INC.,**  
**Plaintiff**  
**v.**

**WADE E. BURGE**  
**DEBRA L. RODGERS,**  
**Defendant(s)**

**DESCRIPTION**

ALL that certain piece or parcel of land situate in the Township of Millcreek, County of Erie and State of Pennsylvania, bounded and described as follows, to-wit: Being Lots Numbered One Hundred Sixty-three (163) and One Hundred Sixty-four (164) in LAKE SHORE ACRES NO. 2, a subdivision of parts of Tracts 282 and 314, as shown on a plot of subdivision recorded in the Office of the Recorder of Deeds of Erie County, Pennsylvania, Map Book 3, Page 282. Having a single family dwelling erected thereon and being more commonly known as 1917 Cole Drive, Erie, Pennsylvania. Bearing Erie County Assessment Index Number (33) 40-137-5. Parcel# (33) 40-137-5  
PROPERTY ADDRESS: 1917 Cole Drive, Erie, PA 16505  
Michael T. McKeever, Esquire  
Attorney for Plaintiff  
Suite 5000 - Mellon Independence  
Center, 701 Market Street  
Philadelphia, PA 19106  
(215) 627-1322

Jun. 25 and Jul. 2, 9

**SALE NO. 32**

**Ex. #10839 of 2010**  
**JPMORGAN CHASE**  
**BANK, N.A., AS ACQUIRER**  
**OF CERTAIN ASSETS**  
**AND LIABILITIES OF**

**WASHINGTON MUTUAL**  
**BANK FROM THE FEDERAL**  
**DEPOSIT INSURANCE**  
**CORPORATION ACTING**  
**AS RECEIVER F/K/A**  
**WASHINGTON MUTUAL**  
**BANK, FA, Plaintiff**

**v.**

**SAMUEL L. BUZZARD,**  
**Defendant(s)**  
**DESCRIPTION**

ALL that certain piece or parcel of land situate in the City of Erie, County of Erie and Commonwealth of Pennsylvania, bounded and described as follows, to-wit: Being Lot Twenty-one (21) of Block "B" of the ERIE MANOR SUBDIVISION as re-recorded in Erie County Map Book 4, Pages 326, 327, 330, 331, 334, 335 and 337, to which plan reference is made for a further description of said property. Subject to applicable subdivision restrictions and sanitary sewer as per City Council Resolution recorded in Erie County Contract Book 68, Page 509, and creek drainage through the southern portion of said lot. Having erected thereon a one story dwelling house. Bearing Erie County Tax Index Number (16) 3117-200 and being more commonly known as 846 Shenley Drive, Erie, Pennsylvania 16505.

Subject to all restrictions, easements, rights of way, building lines, leases and oil and gas leases of record and to all easements and rights-of-way visible and discoverable upon inspection of the premises.  
PROPERTY ADDRESS: 846 Shenley Drive, Erie, PA 16505  
Michael T. McKeever, Esquire  
Attorney for Plaintiff  
Suite 5000 - Mellon Independence  
Center, 701 Market Street  
Philadelphia, PA 19106  
(215) 627-1322

Jun. 25 and Jul. 2, 9

**SALE NO. 33**

**Ex. #11073 of 2010**  
**JPMORGAN CHASE**  
**BANK, N.A., AS ACQUIRER**  
**OF CERTAIN ASSETS**  
**AND LIABILITIES OF**  
**WASHINGTON MUTUAL**

**BANK FROM THE FEDERAL**  
**DEPOSIT INSURANCE**  
**CORPORATION ACTING**  
**AS RECEIVER F/K/A**  
**WASHINGTON MUTUAL**  
**BANK, FA, A FEDERAL**  
**ASSOCIATION, Plaintiff**

**v.**

**SAMUEL L. BUZZARD,**  
**Defendant(s)**  
**DESCRIPTION**

All that certain piece or parcel of land situate in the City of Erie, County of Erie and Commonwealth of Pennsylvania, and being known as Lot Number Twenty-three (23) in Block "P" of the Andrews Land Company Subdivision, No. 1, as recorded in Erie County Map Book No. 1, pages 374 and 375. Having erected thereon a small frame house and being commonly known as 3110 East Avenue, Erie, Pennsylvania and bearing Erie County Tax Index No. (18) 5054-103.  
PROPERTY ADDRESS: 3110 East Avenue, Erie, PA 16504  
Michael T. McKeever, Esquire  
Attorney for Plaintiff  
Suite 5000 - Mellon Independence  
Center, 701 Market Street  
Philadelphia, PA 19106  
(215) 627-1322

Jun. 25 and Jul. 2, 9

**SALE NO. 34**

**Ex. #10668 of 2010**  
**LOANCARE, A DIVISION OF**  
**FNF SERVICING, INC., Plaintiff**  
**v.**

**THOMAS D. DAVENPORT,**  
**Defendant(s)**  
**DESCRIPTION**

ALL THAT CERTAIN piece or parcel of land situate in the Township of Millcreek, County of Erie and State of Pennsylvania, and being the north seventy-seven and 20/100 (77.20) feet of Lot No. 7, the north one-half of Lot No. 9, and all of Lot No. 6, of the RICHLAND GARDENS SUBDIVISION, as shown by plat of said subdivision recorded in Erie County Map Book 2, at pages 378 and 379. Being more commonly known as 1310 Hartt Road, Erie, Pennsylvania and bearing Erie County Index No. (33) 26-154-8.

Parcel# 33-26-1548  
 PROPERTY ADDRESS: 1310  
 Hartt Road, Erie, PA 16505  
 Michael T. McKeever, Esquire  
 Attorney for Plaintiff  
 Suite 5000 - Mellon Independence  
 Center, 701 Market Street  
 Philadelphia, PA 19106  
 (215) 627-1322

Jun. 25 and Jul. 2, 9

**SALE NO. 36**

**Ex. #15629 of 2009**  
**CITIMORTGAGE INC.,**  
**Plaintiff**

v.

**EUGENE L. SCHOOLFIELD II,**  
**Defendant(s)**  
**DESCRIPTION**

ALL that certain piece or parcel of land situate in the Township of Millcreek, County of Erie and Commonwealth of Pennsylvania, being part of Track 343, more particularly described as follows, to-wit:

BEING Lot No. 26 of the GLENRIDGE HILLS SUBDIVISION, as recorded in Erie County Map Book 9 at page 23.

CONTAINING thereon a residential dwelling known as 5366 Pinehurst Drive, Erie, Pennsylvania Index No.: (33) 117-497.1-14

TAX PARCEL #: (33) 117-497.1-14  
 PROPERTY ADDRESS: 5366 Pinehurst Drive, Erie, PA 16509  
 Michael T. McKeever, Esquire  
 Attorney for Plaintiff

Suite 5000 - Mellon Independence Center, 701 Market Street Philadelphia, PA 19106  
 (215) 627-1322

Jun. 25 and Jul. 2, 9

**SALE NO. 37**

**Ex. #10806 of 2010**  
**CITIMORTGAGE, INC.,**  
**Plaintiff**

v.

**BRENDA L. WILSON**  
**JEFFRY L. WILSON,**  
**Defendant(s)**  
**DESCRIPTION**

All that certain piece or parcel of land situate in the Borough of Lake City, County of Erie and State of Pennsylvania, being Lot

No. 14 of the PLAN OF LOTS FOR RESUBDIVISION OF PARK SHORES SUBDIVISION as recorded October 22, 1992 in Erie County Map No. 1992 at page 252. Said property commonly known as 10304 North Park Drive, Lake City, Pennsylvania, and being further identified as Erie County Tax Parcel Index No. (28) 5-6.2-9.

Being the same premises as conveyed to the mortgagor(s) herein by deed recorded this date.

PROPERTY ADDRESS: 10304 North Park Drive, Lake City, PA 16423

Michael T. McKeever, Esquire  
 Attorney for Plaintiff  
 Suite 5000 - Mellon Independence Center, 701 Market Street Philadelphia, PA 19106  
 (215) 627-1322

Jun. 25 and Jul. 2, 9

**SALE NO. 38**

**Ex. #16074 of 2010**  
**Green Tree Consumer Discount Company, f/k/a Conesco Finance Consumer Discount Company**  
**v.**

**Evelyn P. Fries, Individually and as Executrix of the Estate of Mary B. Fries, deceased and Fred Fries**  
**SHORT DESCRIPTION**

All that certain piece or parcel of land situate in the City of Erie, County of Erie, and State of Pennsylvania, being Lot No. 128 of Easthome Subdivision being part of Tract No. 62 as shown upon a map of the subdivision recorded in the Office of the Recorder of Deeds for Erie County, PA, in Map Book 1, page 401.

County of Erie Index No. 18-52-1-222 BEING known and numbered as 1014 E. 34th Street, Erie, PA 16504  
 Pamela L. Brickner, Esq.  
 Voelker & Associates, P.C.  
 3960 Route 8, Suite 200  
 Allison Park, PA 15101-3603  
 412-486-8800

Jun. 25 and Jul. 2, 9

**SALE NO. 39**

**Ex. #10619 of 2010**  
**PNC BANK, National Association, s/b/m/t NATIONAL**

**CITY BANK, Plaintiff,**  
**v.**  
**KENNETH DORNHOEFER, JR., Executor of the Estate of John Joseph Livoti, Defendant**  
**SHORT FORM DESCRIPTION**

ALL the right, title, interest and claim of the Estate of John Joseph Livoti and Kenneth Dornhoefer, Jr., Executor for the Estate of John Joseph Livoti of, in and to the following described real property: ALL the following described real estate situated in the Borough of Wesleyville, County of Erie, Commonwealth of Pennsylvania. Having erected thereon a dwelling known as 2041 Riverside Drive, Erie, PA 16510. Deed Book Volume 875, Page 851, Parcel No. 50-2-16-9  
 Jun. 25 and Jul. 2, 9

**SALE NO. 40**

**Ex. #10515 of 2010**  
**PNC BANK, N.A., Plaintiff,**  
**v.**

**RICHARD L. GLOVER,**  
**Defendant**  
**SHORT FORM DESCRIPTION**

ALL the right, title, interest and claim of Richard L. Glover of, in and to the following described real property: ALL the following described real estate situated in the City of Erie, County of Erie, Commonwealth of Pennsylvania. Having erected thereon a dwelling known as 724 Ash Street, Erie, PA 16503. Deed Book 410, Page 133, Parcel No. (14) 1016-143.

Jun. 25 and Jul. 2, 9

**SALE NO. 41**

**Ex. #13118 of 2009**  
**National City Bank, Plaintiff**  
**v.**

**Barry Kinnan, a/k/a Barry J. Kinnan, Defendant**  
**SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 13118-09 National City Bank vs. Barry Kinnan, a/k/a Barry J. Kinnan, owner(s) of property situated in Borough of Platea, Erie County, Pennsylvania being 8527 Maiden Lane, Girard, PA 16417  
 Approximately 3/4 of an acre.  
 Assessment Map number:

(38) 15-11-26  
 Assessed Value figure: \$65,670,00  
 Improvement thereon: A dwelling  
 Patrick Thomas Woodman, Esq.  
 436 Seventh Ave.  
 1400 Koppers Bldg.  
 Pittsburgh, PA 15219  
 (412) 434-7955

Jun. 25 and Jul. 2, 9

**SALE NO. 42**

**Ex. #11049 of 2010**  
**Bac Home Loans Servicing, L.P.**  
**fka Countrywide Home Loans**  
**Servicing, L.P.**

v.

**Tammy J. Baker and**  
**Timothy A. Baker**

**SHORT DESCRIPTION**

By virtue of a Writ of Execution filed to No. 11049-2010 Bac Home Loans Servicing, L.P. Fka Countrywide Home Loans Servicing, L.P. v. Tammy J. Baker and Timothy A. Baker, owners of property situated in the Township of North East, Erie County, Pennsylvania being 22 Eagle Street, Northeast, Pennsylvania 16428.  
 Tax I.D. No. 35-006-026.0-011.00  
 Assessment: \$102,440.96  
 Improvements: Residential Dwelling McCabe, Weisberg and Conway, P.C. 123 South Broad Street, Suite 2080 Philadelphia, PA 19109

Jun. 25 and Jul. 2, 9

**SALE NO. 43**

**Ex. #11002 of 2010**  
**Bank of America, N.A.**

v.

**Robert P. Chamberlain a/k/a**  
**Robert P. Chamberlain, III**

**SHORT DESCRIPTION**

By virtue of a Writ of Execution filed to No. 11002-10 Bank Of America, N.A. v. Robert P. Chamberlain a/k/a Robert P. Chamberlain, III, owners of property situated in the Township of City of Erie, Erie County, Pennsylvania being 2105 North Manor Drive, Erie, Pennsylvania 16505.  
 Tax I.D. No. 16031038011300  
 Assessment: \$106,346.00  
 Improvements: Residential Dwelling McCabe, Weisberg and Conway, P.C. 123 South Broad Street, Suite 2080 Philadelphia, PA 19109

Jun. 25 and Jul. 2, 9

**SALE NO. 44**

**Ex. #10280 of 2010**  
**Deutsche Bank National Trust**  
**Company, As Trustee Of The**  
**Residential Asset Securitization**  
**Trust 2006-A5CB, Mortgage**  
**Pass-Through Certificates, Series**  
**2006-E under the Pooling and**  
**Servicing Agreement**

v.

**Christopher M. Davison**  
**SHORT DESCRIPTION**

By virtue of a Writ of Execution filed to No. 10280-2010 Deutsche Bank National Trust Company, As Trustee Of The Residential Asset Securitization Trust 2006-A5CB, Mortgage Pass-Through Certificates, Series 2006-E under the Pooling and Servicing Agreement v. Christopher M.

Davison, owners of property situated in the Township of Sixth Ward of the City of Erie, Erie County, Pennsylvania being 3511 Melrose Street, Erie, Pennsylvania 16508.

Tax I.D. No. (19) 61-32-314  
 Assessment: \$95,657.86  
 Improvements: Residential Dwelling McCabe, Weisberg and Conway, P.C. 123 South Broad Street, Suite 2080 Philadelphia, PA 19109

Jun. 25 and Jul. 2, 9

**SALE NO. 45**

**Ex. #14898 of 2009**  
**Deutsche Bank National Trust**  
**Company on Behalf of Vendee**  
**Mortgage Trust 2008-1**

v.

**Charles Hayes**  
**SHORT DESCRIPTION**

By virtue of a Writ of Execution filed to No. 14898-09 Deutsche Bank National Trust Company On Behalf Of Vendee Mortgage Trust 2008-1 v. Charles Hayes, owner of property situated in the City of Erie, Erie County, Pennsylvania being 510 E. 21st Street, Erie, Pennsylvania 16503.

Tax I.D. No. 18-050-021-0-316.00  
 Assessment: \$23,925.09  
 Improvements: Residential Dwelling McCabe, Weisberg and Conway, P.C. 123 South Broad Street, Suite 2080 Philadelphia, PA 19109

Jun. 25 and Jul. 2, 9

**SALE NO. 46**

**Ex. #10161 of 2010**  
**Beneficial Consumer Discount**  
**Company dba Beneficial**  
**Mortgage Company of**  
**Pennsylvania**

v.

**Irene L. Johnson**

**SHORT DESCRIPTION**

By virtue of a Writ of Execution filed to No. 10161-10 Beneficial Consumer Discount Company dba Beneficial Mortgage Company of Pennsylvania v. Irene L. Johnson, owners of property situated in the City of Erie, Erie County, Pennsylvania being 815 West 27th Street, Erie, Pennsylvania 16508.  
 Tax I.D. No. 19-6041-320  
 Assessment: \$80,805.78  
 Improvements: Residential Dwelling McCabe, Weisberg and Conway, P.C. 123 South Broad Street, Suite 2080 Philadelphia, PA 19109

Jun. 25 and Jul. 2, 9

**SALE NO. 47**

**Ex. #10959 of 2010**  
**Wells Fargo Bank, N.A. as**  
**Trustee for Option One Mortgage**  
**Loan Trust 2007-1 Asset-backed**  
**Certificates**

v.

**Martin Klaus and Tina Klaus**  
**SHORT DESCRIPTION**

By virtue of a Writ of Execution filed to No. 10959-10 Wells Fargo Bank, N.A. As Trustee For Option One Mortgage Loan Trust 2007-1 Asset-backed Certificate v. Martin Klaus and Tina Klaus, owners of property situated in the Township of Springfield, Erie County, Pennsylvania being 4538 Crayton Road, West Springfield, Pennsylvania 16443.  
 Tax I.D. No. 39-014-04100-120 01  
 Assessment: \$54,701.67  
 Improvements: Residential Dwelling McCabe, Weisberg and Conway, P.C. 123 South Broad Street, Suite 2080 Philadelphia, PA 19109

Jun. 25 and Jul. 2, 9

**SALE NO. 48**

**Ex. #15206 of 2009**  
**BAC Home Loans Servicing, LP**  
**fka Countrywide Home Loans**  
**Servicing LP**

v.

**Barbara J. Odom**

**SHORT DESCRIPTION**

By virtue of a Writ of Execution filed to No. 15206-09 BAC Home Loans Servicing, LP fka Countrywide Home Loans Servicing LP v. Barbara J. Odom, owners of property situated in the Township of City of Erie, Erie County, Pennsylvania being 1422 East 32nd Street, Erie, Pennsylvania 16504.

Tax I.D. No. 18-5153.0-114.00

Assessment: \$69,750.87

Improvements: Residential Dwelling McCabe, Weisberg and Conway, P.C. 123 South Broad Street, Suite 2080 Philadelphia, PA 19109

Jun. 25 and Jul. 2, 9

**SALE NO. 49**

**Ex. #10574 of 2010**

**Deutsche Bank National Trust Company, As Trustee for, Argent Securities Inc. Asset-Backed Pass-Through Certificates, Series 2006-W3, Under the Pooling and**

**Servicing Agreement Dated March 1, 2006**

v.

**Gilbert N. Vasile and Elena Raucci**

**SHORT DESCRIPTION**

By virtue of a Writ of Execution filed to No. 10574-10 Deutsche Bank National Trust Company, As Trustee for, Argent Securities Inc. Asset-Backed Pass-Through Certificates, Series 2006-W3, Under the Pooling and Servicing Agreement Dated March 1, 2006 v. Gilbert N. Vasile and Elena Raucci, owners of property situated in the Fifth Ward of the City of Erie, Erie County, Pennsylvania being 4329 Pine Avenue, Erie, Pennsylvania 16504.

Tax I.D. No. 18-5208-200

Assessment: \$143,026.91

Improvements: Residential Dwelling McCabe, Weisberg and Conway, P.C. 123 South Broad Street, Suite 2080 Philadelphia, PA 19109

Jun. 25 and Jul. 2, 9

**SALE NO. 50**

**Ex. #12289 of 2009**

**Edward J. Sharisky and Rose Marie Sharisky, Plaintiff**

v.

**James A. Thayer and Joseph A. Thayer, t/d/b/a The Jamie-Joe Group, Defendant**

**SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 12289 of 2009 Edward J. Sharisky and Rose Marie Sharisky vs. James A. Thayer and Joseph A. Thayer, t/d/b/a The Jamie-Joe Group, owner(s) of property situated in City of Erie, Erie County, Pennsylvania being 2005 West 8th Street, Unit 102 of 2000 West Condominium.

Condominium Unit 102

Assessment Map number: 16-031-013.1-102.00

Assessed Value figure: 52,210

Improvement thereon: Condominium Unit #102


Emil M. Spadafore, Jr., Esq.

935 Market Street

Meadville, PA 16335

(814) 332-6000

Jun. 25 and Jul. 2, 9



# DENNIS & ASSOCIATES, INC

## LAGAN

INVESTIGATORS AND CONSULTANTS

- ◆ DOMESTIC, CIVIL, CRIMINAL
- ◆ WRITTEN STATEMENTS
- ◆ SURVEILLANCE
- ◆ WIRETAP/"BUG" DETECTION
- ◆ POLYGRAPH

814-455-7007

ERIE, PENNSYLVANIA

877-99-LAGAN

(TOLL-FREE)

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Dennis Lagan 27 Years- PSP	Gerald Nichols 30 Years - FBI	Benjamin Suchocki 30 Years - FBI/IRS	Jennifer Mazur Investigator
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NORTHWEST PENNSYLVANIA'S PREMIER INVESTIGATIVE TEAM

**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 their attorneys named below.

**FIRST PUBLICATION****AMY, ROBERT J.,  
deceased**

Late of the County of Erie, and Commonwealth of Pennsylvania  
*Executor:* Michael J. Amy, c/o 900 State Street, Suite 104, Erie, PA 16501  
*Attorney:* Sumner E. Nichols, II, Esquire, Nichols & Myers, P.C., 900 State Street, Suite 104, Erie, PA 16501

**GEORGE, MICHAEL IVAN,  
deceased**

Late of the City of Erie, County of Erie, Commonwealth of Pennsylvania  
*Executor:* Owen George, c/o Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506-4508  
*Attorneys:* Scott L. Wallen, Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc. 2222 West Grandview Blvd., Erie, PA 16506-4508

**JOHNSON, FRANK H.,  
deceased**

Late of the Township of Millcreek, City of Erie, Pennsylvania  
*Executor:* Beverly Johnson, McCarthy, Martone & Peasley, c/o 150 West Fifth Street, Erie, Pennsylvania 16507  
*Attorney:* Joseph P. Martone, Esq., McCarthy, Martone & Peasley, 150 West Fifth Street, Erie, Pennsylvania 16507

**KINNEY, MARY FRANCES,  
deceased**

Late of the Township of Harborcreek, County of Erie and Commonwealth of Pennsylvania  
*Executrix:* Maryanne B. Szymanowski, c/o 3305 Pittsburgh Avenue, Erie, Pennsylvania 16508  
*Attorney:* Darlene M. Vlahos, Esquire, 3305 Pittsburgh Avenue, Erie, Pennsylvania 16508

**KURPIEWSKI, HELEN,  
deceased**

Late of the City of Erie, County of Erie, and Commonwealth of Pennsylvania  
*Executor:* Thomas Kurpiewski, 231 Wallace Street, Erie, PA 16507  
*Attorney:* Thomas S. Kubinski, Esquire, The Gideon Ball House, 135 East 6th Street, Erie, PA 16501

**KWIATKOWSKI, CASIMER W.,  
a/k/a CASIMIR W.****KWIATKOWSKI, a/k/a  
CASIMIR W. FLOWERS, a/k/a  
CASIMIR W. FLOWERS,  
deceased**

Late of the City of Erie  
*Executor:* Gary A. Flowers, 3148 Lake Front Drive, Erie, PA 16505  
*Attorney:* None

**MOORE, MARY A.,  
deceased**

Late of the City of Erie, County of Erie, and Commonwealth of Pennsylvania  
*Executrix:* Deborah Sinnott-Steves, 140 East 29th Street, Erie, PA 16504  
*Attorney:* Gregory P. Sesler, Esquire, Sesler and Sesler, 109 East Tenth Street, Erie, PA 16501

**MORGAN, AUDREY L.,  
deceased**

Late of the City of Erie, County of Erie and Commonwealth of Pennsylvania  
*Administratrix:* Linda S. Post, c/o 3305 Pittsburgh Avenue, Erie, Pennsylvania 16508  
*Attorney:* Darlene M. Vlahos, Esquire, 3305 Pittsburgh Avenue, Erie, Pennsylvania 16508

**RAMBISH, MARTHA GRACE,  
deceased**

Late of the City of Erie, County of Erie  
*Executor:* Gary Walter Rambish, c/o Thomas A. Testi, Esq., P.O. Box 413, Fairview, PA 16415  
*Attorney:* Thomas A. Testi, Esq., 3952 Avonia Road, P.O. Box 413, Fairview, PA 16415

**ZONNA, DARRELL S.,  
deceased**

Late of the City of Erie, County of Erie and Commonwealth of Pennsylvania  
*Executrix:* Koreen P. Zonna  
*Attorney:* Craig A. Zonna, Esquire, Elderkin, Martin, Kelly & Messina, 150 East 8th Street, Erie, PA 16501

**SECOND PUBLICATION****ALBERT, JASON DAMIAN,  
a/k/a JASON D. ALBERT,  
deceased**

Late of Millcreek Township, Erie County, Pennsylvania  
*Administrator:* John David Albert, II, 5600 Swanville Road, Erie, PA 16506  
*Attorney:* Randy L. Shapira, Esq., 305 West Sixth Street, Erie, PA 16507



**BOOKS, J. WESLEY,  
deceased**

Late of North East Township, Erie County, North East, Pennsylvania  
*Executor:* David McCune, III, c/o Edward Orton, 33 East Main Street, North East, Pennsylvania 16428

*Attorney:* Edward Orton, Esq., Orton & Jeffery, P.C., 33 East Main Street, North East, Pennsylvania 16428

**CARLSON, MARGARET  
LOUISE ROBERTS, a/k/a  
MARGARET L. ROBERTS  
CARLSON,  
deceased**

Late of the Borough of Girard, County of Erie and Commonwealth of Pennsylvania  
*Executor:* Robin Roberts, 6 State Route 2044, Bentleyville, PA 15314

*Attorney:* None

**CARNES, MARY E., a/k/a  
MARY B. CARNES, a/k/a  
MARY ELIZABETH CARNES,  
deceased**

Late of Harborcreek Township, County of Erie, Pennsylvania  
*Executor:* Elaine Bollinger, 13012 Macedonia Rd., Wattsburg, PA 16442

*Attorney:* None

**CROSS, MILDRED W.,  
deceased**

Late of Erie, Pennsylvania (Erie County)

*Administrator:* BNY Mellon, N.A., Attention: Joseph M. Gray, Jr., One Mellon Center, Suite 3815, Pittsburgh PA 15258-0001  
*Attorney:* Lisa M. Lassoff, Esquire, Dilworth Paxson LLP, 1500 Market Street, Suite 3500E, Philadelphia, PA 19102-2102

**MOUNTAIN, JAMES ROBERT,  
a/k/a JAMES R. MOUNTAIN,  
a/k/a JAMES R. MOUNTAIN, SR.,  
deceased**

Late of the Township of Summit, County of Erie, Commonwealth of Pennsylvania

*Executrix:* Penny L. Conboy, 4702 Foxboro Ct., Erie, PA 16510

*Attorney:* Jeffrey G. Herman, Esq., Herman & Herman, 412 High Street, Waterford, PA 16441

**PETERSON, JEFFREY L., a/k/a  
JEFFREY LEVI PETERSON,  
deceased**

Late of McKean Township

*Administratrix:* Rebecca M. Peterson

*Attorney:* Norman A. Stark, Esquire, The Stark Law Firm, 100 State Street, Suite 210, Erie, PA 16507

**PIETSCH, ROBERT E., JR.,  
deceased**

Late of the City of Erie, County of Erie and State of Pennsylvania

*Executor:* Karen E. Pietsch, c/o Denis W. Krill, P.C., 309 French Street, Erie, Pennsylvania 16507

*Attorney:* Denis W. Krill, Esquire, 309 French Street, Erie, Pennsylvania 16507

**SERAFIN, LAWRENCE J.,  
deceased**

Late of the Township of Millcreek, County of Erie and Commonwealth of Pennsylvania

*Executrix:* Anita K. Serafin, c/o 3305 Pittsburgh Avenue, Erie, Pennsylvania 16508

*Attorney:* Darlene M. Vlahos, Esquire, 3305 Pittsburgh Avenue, Erie, Pennsylvania 16508

**SIMONSEN, GAY L., a/k/a  
GAY L. WEBER,  
deceased**

Late of Millcreek Township, Erie County, Pennsylvania

*Executors:* Sara M. Simmons and John T. Simmons, c/o 2580 West 8th Street, Erie, Pennsylvania 16505

*Attorney:* Ralph R. Riehl, III, Esq., 2580 West 8th Street, Erie, Pennsylvania 16505

**TARBOSSO, ANTOINETTE O.,  
deceased**

Late of the County of Erie and State of Pennsylvania

*Executor:* Fred A. Tarbosso, Jr., c/o Edward J. Niebauer, Esquire, 558 West 6th Street, Erie, Pennsylvania 16507

*Attorney:* Edward J. Niebauer, Esquire, Talarico & Niebauer, 558 West 6th Street, Erie, Pennsylvania 16507

**THIRD PUBLICATION****FIELDS, BENJAMIN R.,  
deceased**

Late of the City of Erie, Erie County

*Executor:* Scott B. Fields

*Attorney:* Stanley G. Berlin, Esq., Shapira, Hutzelman, Berlin, Ely, Smith and Walsh, 305 West 6th Street, Erie, PA 16507

**FROMNECHT, MARCELLA, a/k/a  
MARCELLA FROMKNECHT,  
deceased**

Late of the City of Erie, County of Erie and State of Pennsylvania

*Executor:* Norbert Fromknecht, 4439 South Colonial Parkway, Erie, PA 16509

*Attorney:* Edwin W. Smith, Esq., Shapira, Hutzelman, Berlin, Ely, Smith & Walsh, 305 West Sixth Street, Erie, PA 16507

**GUSKEA, ANDREW E., JR.,  
deceased**

Late of the City of Corry, County of Erie, Commonwealth of Pennsylvania

*Executrix:* Andrea E. Stile, c/o Paul J. Carney, Jr., Esq., 224 Maple Avenue, Corry, PA 16407

*Attorney:* Paul J. Carney, Jr., Esq., 224 Maple Avenue, Corry, PA 16407

**JOHNSON, HOWARD C.,  
deceased**

Late of the City of Erie,  
Pennsylvania  
*Executor:* Mary Joan Wagner, c/o  
Jerome C. Wegley, Esq., 120 West  
10th Street, Erie, PA 16501  
*Attorney:* Jerome C. Wegley,  
Esq., Knox McLaughlin Gornall  
& Sennett, P.C., 120 West Tenth  
Street, Erie, PA 16501

**MUNSON, DORIS J., a/k/a  
DORIS JEAN MUNSON, a/k/a  
DORIS JEAN EATON MUNSON,  
deceased**

Late of Millcreek Township,  
County of Erie and  
Commonwealth of Pennsylvania  
*Executrix:* Mary E. Baggao  
*Attorney:* David J. Rhodes,  
Esquire, Elderkin, Martin, Kelly  
& Messina, 150 East 8th Street,  
Erie, PA 16501

**SNELL, NAOMI L.,  
deceased**

Late of the City of Corry, Erie  
County, Pennsylvania  
*Executor:* Gary W. Snell, 16425  
Route 89, Corry, PA 16407  
*Attorney:* William E. Barney,  
Esq., 200 North Center Street,  
Corry, Pennsylvania 16407

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**CHANGES IN CONTACT INFORMATION OF ECBA MEMBERS**

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Erie, PA 16507 ----- *JOwen@Yochim.com*

**New Law Firm**

**Purchase & George, P.C.**

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*tim@purchasegeorge.com*

**Eric J. Purchase** ----- (814) 833-7100  
*eric.purchasegeorge.com*

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**William F. Scarpitti, Jr.** ----- *wscarpitti@gmail.com*

**New Firm Address**

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