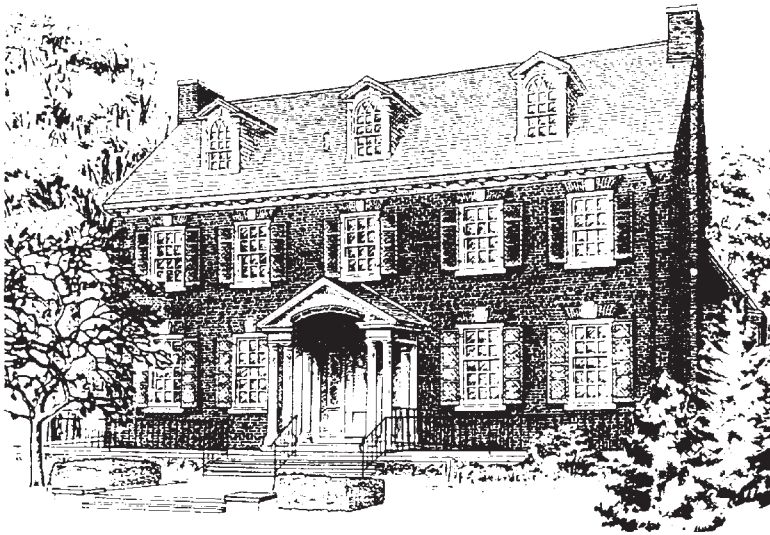


Lehigh Law Journal

(USPS 309560)

Vol. LVII Allentown, PA Friday, November 11, 2016 No. 20



Barristers' Club

The Bar Association of Lehigh County

1114 W. Walnut Street
Allentown, Pennsylvania 18102

<http://www.lehighbar.org>

THE COURT

The Hon. Edward D. Reibman, President Judge
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The Hon. Robert L. Steinberg, Judge
The Hon. J. Brian Johnson, Judge
The Hon. Kelly L. Banach, Judge
The Hon. James T. Anthony, Judge
The Hon. Maria L. Dantos, Judge
The Hon. Michele A. Varricchio, Judge
The Hon. Douglas G. Reichley, Judge
The Hon. Daniel K. McCarthy, Judge
The Hon. Alan M. Black, Senior Judge

LEHIGH LAW JOURNAL

(USPS 309560)

Owned and Published by

THE BAR ASSOCIATION OF LEHIGH COUNTY

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The Law Journal makes no representation as to the quality of services offered by any advertiser in this publication.

Legal notices must be received at 1114 W. Walnut St., Allentown, PA 18102, before 12 noon the preceding Tuesday. Telephone (610) 433-6204. Advance issues \$100.00 per year. Single copies \$2.00. Payment of annual dues to the Bar Association of Lehigh County includes year's subscription to Lehigh Law Journal.

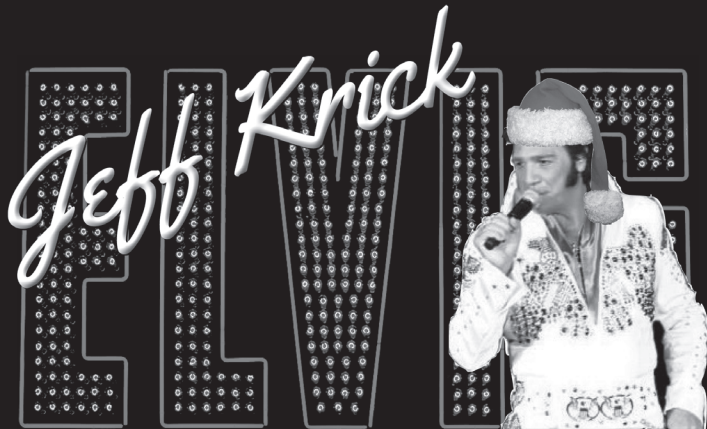
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- He began his legal career as a Judge Advocate in the United States Marine Corps
- Working as a prosecutor in addition to his time as Judge Advocate gave him invaluable trial experience
- Judge Ford has disseminated his law expertise through teaching undergraduate and graduate law courses at three colleges, as well as presenting various programs for members of the bar
- His trial opinions have been regularly covered in the Pennsylvania Law Weekly
- The Judge is an honors graduate of DeSales University and received his Juris Doctorate from The Dickinson School of Law
- Judge Ford is a partner in Ford Law Office based in Allentown

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Please e-mail your resume to: resumes@wkclaw.net or mail to: P.O. Box 258, Perkasie, PA 18944.

11-4, 11

ADVERTISEMENT FOR BIDS

The Board of School Directors seeks sealed bids for the sale of property of the School District located on the west side of 14th Street in the Borough of Catasauqua, Lehigh County, Pennsylvania 18032 and shown as Lot B on the “Preliminary/Final Lot Consolidation Plan Prepared for Catasauqua Area School District” last dated April 22, 2016, as prepared by Cowan Associates, Inc., Quakertown, PA, containing approximately 15.62 acres. Sealed bids will be received until 2:00 p.m. prevailing time on Friday, March 3, 2017, at the District Administration Office, Sheckler Elementary School, 201 North Fourteenth Street, Catasauqua, Pennsylvania 18032. Bids will be publicly opened and read at that time.

General instructions, the proposed form of deed, terms and conditions of sale, and other documents related to this bid are available at the District Administration Office at the above address.

Proposals must be submitted on regular forms provided by the School District and shall be sealed in an envelope identified with the bidder’s name and marked “BID FOR PROPERTY ON THE WEST SIDE OF 14th STREET.”

Bidders are required to provide a certified check or a bid bond with corporate surety authorized to do business in Pennsylvania, for not less than ten percent (10%) of the amount bid in the proposal, as proposal security.

The School District reserves the right to reject any or all bids and to waive irregularities in any bid.

Robert J. Spengler, Superintendent

11-4, 11, 18

**EARLY DEADLINE NOTICE FOR THE
*LEHIGH LAW JOURNAL***

Offices will be closed for Thanksgiving, November 24th.

Advertisements for the November 25th issue of the *Lehigh Law Journal* must be received **NO LATER THAN 12:00 P.M. ON Friday, November 18th.**

Notices may be faxed to the *Lehigh Law Journal* at (610) 770-9826 or e-mailed to: ehudson@lehighbar.org.

11-11, 18

COMMONWEALTH OF PENNSYLVANIA
vs. EDWARD MEDELO

*Petition for Post-Conviction Relief—Ineffectiveness of
Trial Counsel—Presumption of Competence—Communication
of Plea Offer—Burglary—Attempted Burglary—Civil
Conspiracy to Commit Burglary.*

The petitioner sought post-conviction relief because his counsel allegedly failed to communicate a plea offer extended by the Commonwealth which would have limited his minimum sentence. After a hearing, the Court found that petitioner's testimony was not credible, and that his counsel had informed him of all plea offers extended by the Commonwealth.

In the Court of Common Pleas of Lehigh County, Pennsylvania—Criminal Division. Nos. CR-3579, 5310, 5314-2012. Commonwealth of Pennsylvania vs. Edward Medelo.

JAY JENKINS, ESQUIRE, on behalf of the Commonwealth.

SEAN POLL, ESQUIRE, on behalf of the Appellant.

STEINBERG, J., September 30, 2016. The petitioner, Edward Medelo, in his "Amended Petition for Post Conviction Relief," contends that trial counsel was ineffective because he failed to communicate a plea offer extended by the Commonwealth, which would have limited his minimum sentence to seven (7) years. His requested relief is that this Court enforce that plea agreement. This Court, having reviewed the transcripts of the proceedings in this matter and the testimony of trial counsel, finds that the petitioner's allegations are unfounded and his petition is dismissed.

To establish counsel's ineffectiveness based upon the failure to communicate a plea offer the defendant must establish that "(1) an offer for a plea was made; (2) trial counsel failed to inform him of such offer; (3) trial counsel had no reasonable basis for failing to inform him of the plea offer; and (4) he was prejudiced thereby." *Commonwealth v. Copeland*, 381 Pa. Superior Ct. 382, 397, 554 A.2d 54, 61 (1988). See *Missouri v. Frye*, 132 S. Ct. 1399, 1408 (2012) (Defense counsel has the duty to communicate formal offers from the prosecution to accept a plea on terms and

conditions that may be favorable to the accused.). In this case, trial counsel explained each and every offer to the petitioner. Furthermore, even if relief was warranted, which it is not, no authority exists to “compel the Commonwealth to reinstate its plea bargain offer.” Copeland, *supra* at 396, 554 A.2d at 61 (quoting *Commonwealth v. Napper*, 254 Pa. Superior Ct. 54, 60-61, 385 A.2d 521, 524 (1978)); *cf.* *Lafler v. Cooper*, 132 S. Ct. 1376, 1389 (2012).

Here, the petitioner and his confederate burglarized or attempted to burglarize various convenience stores and/or gas stations throughout Lehigh and Northampton Counties between May 8, 2012 and June 11, 2012. The modus operandi for this burglary spree was the use of a rock or brick to break windows in order to gain entry into these businesses. Once inside, the burglars stole primarily cartons of Newport and/or Marlboro cigarettes. The spree ended on June 11, 2012, when they attempted to enter a store named the Binny Mart by smashing a front window. A passerby observed two males wearing hooded sweatshirts running from the store and called 9-1-1. The vehicle that the suspects used to depart the scene was stopped a short time later, and the petitioner’s involvement in all of these burglaries was uncovered.

The petitioner entered open *nolo contendere* pleas to twelve (12) counts of Burglary,¹ two (2) counts of Attempted Burglary,² and one (1) count of Criminal Conspiracy to Commit Burglary.³ Following the petitioner’s plea, a presentence report was requested, which disclosed thirteen (13) prior convictions, including seven (7) prior burglary convictions. It appears that in those burglaries “rocks were used to smash doors or windows to enter the building and cigarettes were taken.”⁴ The report also disclosed that the petitioner, who has never held verifiable employment, has a history of using heroin. He indicated at the guilty plea and

¹ 18 Pa. C.S. §3502(a).

² 18 Pa. C.S. §3502(a), 901(a).

³ 18 Pa. C.S. §3502(a), 903(a).

⁴ Presentence Investigation Report (hereinafter PSI), p. 9.

sentencing that his heroin addiction was the driving force behind his crimes.

Prior to sentencing, trial counsel, David Ritter, Esquire, was permitted to withdraw from his representation of the petitioner, and new counsel, Charles Banta, Esquire, was appointed on August 5, 2013. On September 19, 2013, Attorney Banta filed a petition to withdraw petitioner's nolo contendere pleas. However, on October 28, 2013, the date of sentencing, that petition was withdrawn and the petitioner was sentenced. Following a full sentencing proceeding, a total sentence of not less than fourteen (14) years nor more than twenty-eight (28) years in a state correctional institution was imposed. The petitioner was also made eligible for the Recidivism Risk Reduction Incentive Program⁵ (hereinafter RRRRI).

On March 25, 2014, a "Petition for Post-Conviction Relief" (hereinafter PCRA) was filed on behalf of the petitioner. The petitioner alleged that counsel was ineffective for failing to file a requested appeal to the Superior Court. Robert Long, Esquire, was appointed to represent the petitioner and an "Amended Post Conviction Petition" was filed on July 3, 2014. In that petition, Attorney Long included claims of ineffectiveness due to the failure of Charles Banta, Esquire, counsel at sentencing, to file a requested appeal, as well as errors in the plea process which should permit petitioner to again withdraw his pleas.

A hearing on the amended PCRA petition was held on September 22, 2014. Once again, the petitioner decided *not* to pursue his request to withdraw his pleas. However, he was granted relief by permitting him to file a Notice of Appeal Nunc Pro Tunc within thirty (30) days. Counsel did so on October 3, 2014. Thereafter, the Superior Court affirmed the judgment of sentence on April 14, 2015.⁶

The petitioner filed this second pro se PCRA petition on January 15, 2016. Counsel was appointed and an amended PCRA

⁵ 61 Pa. C.S. §4501 *et seq.*

⁶ Commonwealth v. Edward Joseph Medelo, 2896 EDA 2014 (Pa. Super. April 14, 2015).

Planning a Holiday, Year-End, or Employee/Customer Appreciation Party?

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kmesch@thebarristersclub.com.

NewsLine 2

Members and Guests: We hope you will join us for a great evening of entertainment and saluting our veterans.

 **Fall Membership Dinner Meeting** 
Thursday, November 17th, 2016

As a way of saying thank you to all BALC Members that have served in the United States Military, this event will be free of charge to those specific members. All BALC Veterans that attend the event will be recognized. Military Uniforms are encouraged but not required.

The Fall Membership Meeting will begin at 5:00 PM and is open to all current members. Cocktails and Hors d'oeuvres will follow at 5:30 PM with dinner starting promptly at 6:15 PM in the Main Ballroom. The program featuring **Adam Keys and his Mother, Julie Keys**, will follow at 7:00 PM.

US Army SGG Adam Keys (Ret.) deployed to Afghanistan in early 2010. He was traveling in a mine resistant ambush protected (MRAP) convoy vehicle when it ran over an improvised explosive device (IED). Adam was left severely wounded, suffering a traumatic brain injury and broken bones. Due to an infection in his bloodstream, he ultimately lost both legs and his left arm. Four other soldiers were killed in the explosion, including Adam's best friend. In the time since his injury, Adam has endured over 100 surgeries and continues rehabilitation on his journey to recovery.

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\$360 for a table of 8

To RSVP Contact Karen Mesch at 610-433-6204 x 12
kmesch@thebarristersclub.com

HOLIDAY CHILDREN'S PARTY



BALC members are invited to bring their children and grandchildren to attend the BALC annual Kid's Holiday Party.

Sunday, December 4th, 2016
12pm-2pm

Entertainment will include a balloon artist, face painter, and caricature artist.

****Plus, a surprise guest!****

Come out and enjoy food, fun
&
The Traditional Ice Cream Bar!

Please RSVP to Karen by 12/2 at 610-433-6204 X 12 or
kmesch@thebarristersclub.com

There is no cost to attend this event.

The Community Service Committee is sponsoring a day of volunteering at local soup kitchen, Daybreak at the Lehigh County Conference of Churches. Lawyers may volunteer from 10 to 11:15 AM or 11:15 to 12:30 PM to serve.

You may complete one or both shifts. Volunteers from BALC are needed and appreciated.

When: Friday December 9th

Where: 534 Chew Street, Allentown

Please contact Erin at 610-433-6204 X 19

Or ehudson@lehighbar.org to sign up.

HOLIDAY HAPPY HOUR

Members and Guests are
invited to join us for the
BALC annual
Holiday Happy Hour



Thursday, December 15th, 2016
at 5:30pm

1114 West Walnut Street
Allentown, PA 18102

Help Us Say Thank You to this Year's CLE Presenters

Enjoy Delicious hors d'oeuvres & Cocktails



“Postmortem Election Discussion, Now What?”

Topic: How will the election results affect business & the economy?

Presented by:

Lehigh Valley Consortium of Professional Organizations

Tuesday November 15, 2016 4:30 PM

@ The Barristers Club, 1114 W Walnut St. Allentown, PA. 18102

Panel Discussion from Leaders throughout the Region:

Dr. Kamran Afshar, the region’s preeminent economist,
Kamran Afshar Associates.

Dr. Christopher Borick,

Prof of Political Science/ Dir of Polling Institute, Muhlenberg College

Justin R. Poremba, Chief Executive Officer,
Greater Lehigh Valley REALTORS®

Event Registration 4:00 PM

Panel Discussion 4:30 PM

Networking Mixer 5:30 PM

No Cost, but RSVP by: **11/10/16** to

kmesch@thebarristersclub.com

The Lehigh Valley Consortium of Professional Organizations is an interdisciplinary organizations that aims to serve professionals throughout the Lehigh Valley and help foster networking opportunities. Our membership consists of:

- The Bar Association of Lehigh County,
- The Estate Planning Council of the Lehigh Valley,
- The Lehigh Valley Chapter of the National Association of Insurance and Financial Advisors,
- The Pennsylvania Institute of Certified Public Accountants of the Lehigh Valley,
- The Society of Professional Engineers of the Lehigh Valley,
- Greater Lehigh Valley Realtors,
- The Risk Management Association of the Lehigh Valley and
- Pennsylvania Planning Association-Lehigh Valley Section

CLE UPDATE for the week of: November 11, 2016

PBI Group Cast Seminar "False Claims Act" Tuesday, November 15, 2016

One of the primary reasons for the rise in health care costs has been the large degree of fraud committed against government health care programs. Billions of dollars in health care fraud have already been exposed, largely through the efforts of qui tam whistleblowers acting under federal and state false claims acts. According to several studies, billions of dollars in additional fraud, however, remain undetected. The substantial level of health care fraud is one of the main reasons why the United States Government Accounting Office has labeled both the Medicare and Medicaid programs "high-risk programs." PBI's faculty will discuss the many different ways in which businesses and individuals have defrauded, and continue to defraud, federal and state government health care programs.

Registration and Breakfast: 8:30 AM

Seminar: 9:00 AM – 1:15PM

4 Substantive Credits; Tuition: \$199.00

To Register Call PBI @ 1.800.932.4637

CHANGE OF PBI POLICY

Because of low attendance at many PBI Simulcast seminars in recent months, PBI has adopted a policy to cancel programs when the registration does not justify the direct costs. PBI may cancel programs approximately ten (10) days before the scheduled date of the presentation under these circumstances.

Although PBI no longer charges extra tuition for walk-ins, to avoid cancellation of seminars which you would like to attend, please pre-register.

**Call the PBI Registration Number at:
1.800.932.4637** before the program if you plan to register "at the door".

CLE Update 2

BALC LUNCH AND LEARN SEMINAR

**“Everything Has Been Said Before,
but Since Nobody Listens, We Have to Keep
Going Back and Begin All Over Again”**

Presented by: Hon. Richard Fehling

Tuesday, November 29, 2016

Yes! I am reiterating many of the points I’ve preached before.

Yes! I am doing it because attorneys continue to violate many of the issues I mention.

Yes! I know that many of the attorneys who mess up do not come to these seminars.

Yes! There is a bunch of new stuff in here that will interest the veterans (I hope).

No! I have not yet been able to persuade Chief Judge Frank to make bankruptcy-based MCLE a requirement to practice in the E.D. Pa. Bankruptcy Courts.

Yes! I am working on it.

And Yes! Some of the cases and reviews herein might sound like something written by Lewis Carol in one of his less lucid moments. – Hon. Richard E. Fehling

Judge Richard E. Fehling was appointed as U.S. Bankruptcy Judge Eastern District of Pennsylvania on Valentine’s Day, February 14, 2006. Prior to his appointment, Judge Fehling had been an associate, shareholder, director, and General Counsel at Stevens & Lee, based in its Reading, Pennsylvania, office for nearly 25 years. He had been Co-Chair of the Stevens & Lee Bankruptcy Group for 17 of those years. He has served as the Chair of the PBA Bankruptcy Committee (1992-95), of the Berks County Bar Association Bankruptcy Committee (1993), and of the Eastern District of Pennsylvania Bankruptcy Conference (1996-97). Judge Fehling is a member of the ABI and is a life member of the American Bar Foundation. He received his B.A. from Yale University and his J.D., magna cum laude, from Dickinson School of Law, where he received the Walter Harrison Hitchler award for graduating first in his class. Judge Fehling has been a frequent lecturer in bankruptcy, financial distress, litigation, and ethics programs. He is a member of the Editorial Board and the Ethics Committee of the Pennsylvania Bar Association.

BALC Lunch & Learn Seminar

Registration & Lunch: 11:45 AM; 1 Substantive Credit

Seminar: 12:15 PM – 1:15 PM

Tuition for All Who Attend - Member Rate: \$40.00

To Register Call Nancy @ 610.433.6401 Ext: 16

E-mail: cle@lehighbar.org

CLE Update 3

**PBI Group Cast Seminar
"Labor Law Symposium - 2016"
Wednesday, November 30, 2016**

Take an In-Depth Look at labor Law Issues

Join your colleagues and PBI's experienced faculty to discuss some of the principal labor law issues today. Explore the challenges ahead as leaders in the field delve into regulatory changes, case law and employee versus management issues not only in Pennsylvania but also around the country.

Gain Insights from leaders in the Field

Explore the challenges ahead as they delve into regulatory changes, case law and employee versus management issues not only in Pennsylvania but also around the country.

Who do You Represent?

No matter how you practice Labor Law – whether you represent a union, management, a government agency, businesses or individuals – this Symposium is for you. Keep up-to-date on the latest issues in this ever-changing field.

Session topics Include:

- Keynote address by NLRB General Counsel Richard Griffin
- Joint employment
- Ask the arbitrators
- The NLRB and higher education: recent developments
- Public sector law
- Union organizing under the new rules
- Current issues with bargaining in relation to healthcare
- Ethics

Registration and Breakfast: 8:30 AM

Seminar: 9:00 AM– 4:30PM

5 Substantive & 1 Ethics Credits

Boxed lunch included with tuition

Tuition: \$199.00

To Register Call PBI @ 1.800.932.4637

**DON'T WAIT UNTIL THE LAST MINUTE!
GET YOUR CLE CREDITS WHILE THE WEATHER IS
STILL NICE!**

Compliance Period #3 Ends Saturday, 12-31-16

Earn your Continuing Legal Education Credits

Have Lunch at BALC Headquarters

Enjoy Interesting Live Speakers and PBI Experts

Last chance to acquire credits at BALC: 12-28-16

CLE Update 4

BALC LUNCH AND LEARN SEMINAR

**“Pro Bono beyond the Schoolhouse Gates –
Youth Courts and Breaking the
School to Prison Pipeline”**

Presented by: David Trevaskis, Esq.

Thursday, December 1, 2016

Youth court, teen court, and peer court are interchangeable terms for an alternative disciplinary system for youth, either in school or community settings, who have committed an act that violates the norms of a school or the community. Youth courts train teenagers to serve as jurors, judges and attorneys, handling real-life cases involving their peers. The goal of youth court is to use positive peer pressure to ensure that young people who have committed minor offenses pay back the school or larger community and receive the help they need to avoid further involvement in the school discipline or juvenile justice system. Youth courts hear a range of low-level offenses; many handle cases that would otherwise wind up in Family Court or with school suspensions.

Youth courts also provide an extension and application of learning for the students involved in the day to day operation of the courts. Youth courts appeal to students because they process real student disciplinary cases which allow them to participate and contribute to an improved climate. Youth courts not only can improve the performance of the juvenile justice system, they have enormous potential to educate youth court members about the justice system and develop academic, citizenship and socialization tools. Youth courts have been shown to be effective in reducing recidivism among respondents in both school and community justice settings and reducing delinquency among the youth court members operating the court. All young people involved learn citizenship, academic and socialization skills.

A resolution of the Child Advocate Pro Bono Committee supporting youth courts was unanimously passed by PBA Board of Governors and House Delegates in May 2011.

David Keller Trevaskis, Esq., is an attorney and former third grade teacher with a Master's Degree in Education. He is the Pro Bono Coordinator for Legal Services for the Pennsylvania Bar Association (PBA), responsible for assisting local bar associations, legal services programs and other groups who offer pro bono legal services across the Commonwealth. Trevaskis is married with two children and one grandson.

BALC Lunch & Learn Seminar

Registration & Lunch: 11:45 AM; 1 Ethics Credit

Seminar: 12:15 PM – 1:15 PM

Tuition: Members \$40.00; Non-members \$55.00

To Register Call Nancy @ 610.433.6401 Ext: 16

E-mail: cle@lehighbar.org

CLE Update 5

BALC LUNCH AND LEARN SEMINAR

“Oliver Wendell Holmes and the Birth of Modern American Law – Part II”

Presented by: Malcolm Gross, Esq.

Friday, December 2, 2016

This talk will continue to examine the “parallel lies” of perhaps America’s two most well-known Supreme Court Justices – Oliver Wendell Holmes and Louis Brandeis. It will examine their respective backgrounds, legal careers prior to going on the Bench and opinions with a look at the complex relationship between them during their decades on the nation’s highest Court. If you were not able to attend Part I of this 2 part series, you will still be able to benefit from the information at this seminar.

Attorney Malcolm J. Gross is a founding partner of Gross McGinley, LLP, headquartered in Allentown, where he has long represented media interests, including representing them in their pursuit of access to government records. Malcolm J. Gross was born in Allentown, PA. He graduated from Muhlenberg College, cum laude in 1962, with a Bachelor’s Degree in History and Political Science. He earned his J.D. from Villanova University School of Law in Philadelphia in 1965 and was admitted to the Pennsylvania Bar that year. While at Villanova, he was an editor of the Law Review. Mr. Gross also is admitted to the United States District Court for the Eastern District and Middle Districts of Pennsylvania, the United States Court of Appeals for the Third Circuit and the Supreme Court of the United States.

Attorney Gross has written on a wide range of topics, and his articles have appeared in such national publications as *Social Work, Case & Comment*, and *Communications and the Law*. He also has published work in the *Pennsylvania Bar Quarterly* and the *Pennsylvania Law Journal Reporter*. Some of his articles cover press law including defamation, subpoenas, and freedom of information issues. He also writes about general-interest issues such as custody and domestic relations.

BALC Lunch & Learn Seminar

Registration & Lunch: 11:45 AM; 1 Substantive Credit

Seminar: 12:15 PM – 1:15 PM

Tuition: Members \$40.00; Non-members \$55.00

To Register Call Nancy @ 610.433.6401 Ext: 16

E-mail: cle@lehighbar.org

CLE Update 6

**PBI Group Cast Seminar
"PA Attorney-Client Privilege and
Work Product Doctrine"
Monday, December 5, 2016**

REVIEW THE BASICS BUT ALSO COMPLEX ISSUES REGARDING
THE PRIVILEGE

- * Analyze the purpose of the privilege and its elements
- * Distinguish the privilege from the work-product doctrine
- * Understand the privilege in the corporate context and also when an insurer is involved
- * Learn about the risks of inadvertent waiver

GIVE EFFECTIVE ADVICE TO CLIENTS ON PRESERVING
THE PRIVILEGE

- * Establish, maintain, and protect the privilege
- * Understand when the privilege does not apply so you can counsel your clients accordingly
- * Avoid waiver or limit its impact
- * Protect the privilege when using e-mail

GET UP TO SPEED ON THE MOST RECENT DEVELOPMENTS

- * Analyze *Shultz* and *Spanier* and the significant impact of those decisions on corporate counsels' confidential communications with corporate officers
- * Understand privilege issues in the context of Pennsylvania's Right-to-Know law
- * Review the crime-fraud exception
- * Learn about the growing influence of the Restatement of the Law Governing Lawyers
- * Discuss whether an insured's counsel can communicate with the insurer without waiving the privilege

Registration and Breakfast: 8:30 AM

Seminar: 9:00 AM – 12:15PM

3 Ethics Credits; Tuition: \$229.00

To Register Call PBI @ 1.800.932.4637

New Jersey CLE credits may be earned by submitting to the New Jersey CLE Board upon an audit request, your Pennsylvania CLE Board report as documentation of programs attended and credits earned. You can get a copy of this report at www.pacle.org.

All courses accredited through the Bar Association of Lehigh County and courses accredited through the PBI being held at BALC qualify toward New Jersey requirements.

Unless you are audited, the NJ CLE Board does NOT want you to provide documentation of CLE programs you have attended. If you are audited, your Pennsylvania Annual CLE Report obtained from the Pennsylvania CLE Board will provide the documentation you need of courses attended and credits earned.

CLE Update 7

**PBI Group Cast Seminar
"Ultimate Motions Practice"
Monday, December 5, 2016**

The motions you win can affect the course of litigation and settlement. Sharpen your skills and get prepared for litigation with PBI's expert faculty and video vignettes.

The discussion will include a variety of motions, including:

- Motions to disqualify
- Motions to dismiss, transfer venue and quash
- Motions to compel and protect
- Motions for sanctions
- Motions for summary judgment
- Motions to disqualify the judge, opposing counsel and expert witnesses
- Motions that change the course of litigation

Learn what to do and what not to do when filing and arguing motions in civil court.

Registration and Boxed Lunch: 12:45 PM

Seminar: 1:15 PM– 4:30PM

3 Substantive Credits; Tuition: \$249.00

To Register Call PBI @ 1.800.932.4637

The CLE Department wants to continue to welcome walk-ins to the Lunch & Learn seminars but we may no longer be able to offer lunch to those who wish to attend but have not pre-registered. The department kindly requests, whenever possible to pre-register at least one or two days prior to a seminar. This is necessary in making arrangements for handouts and apprising the caterer.

To Register:

Call: Nancy @ 610.433.6401 Ext: 16

Or E-mail: cle@lehighbar.org

To Register for any BALC Lunch Seminar

Call: Nancy @ 610.433.6401 Ext: 16;

E-mail to : cle@lehighbar.org or

Fax the Registration form to: 610.770.9826

To Register for any PBI Seminar being held at BALC

Call PBI @ 1.800.932.4637

CLE Update 8

**PBI Group Cast Seminar
"CLE Ethics Fun with Sean Carter"
Tuesday, December 6, 2016**

Mr. Carter is the founder of Lawpsided Seminars, a company devoted to solid legal continuing education with a healthy dose of laughter.

Morning Session: (3 Ethics credits)

Attend "The Ethy Awards"

- Hear about the worst ethics violations of the year in the legal profession
- Learn the "winners" of this year's awards for: Best Support Accomplice in Illegal Activity, Best Over-Animated Courtroom Outburst, Best Original Excuse; and so much more
- Recap instances of egregious unethical behavior and learn how you can avoid the most common ethical violations

Afternoon Sessions:

"It's Not the Fruit, It's the Root" (1 Ethics credit)

In this unique legal ethics seminar, legal humorist Sean Carter goes beyond the do's and don'ts of the Rules of Professional Conduct to get to the heart of the matter – the common mindsets that result in ethical violations in the first place. Specifically, he will cover: Conflicts of interest; Diligence; Excessive fees; Trust account violations; Competence; Confidentiality; Client communications

"Legal Ethics is No Laughing Matter" (1 Ethics credit)

Learn why lawyer bashing is quickly becoming America's favorite pastime – is it because the typical layperson is jealous of intellects, incomes and good looks? Sean Carter, Humorist at Law, suggests that while this may be true in his case, there may be other factors at work as well.

Explore the topic of lawyer jokes, whether they have any basis in fact and what they say about our adherence to the rules of professional conduct.

"Nice Lawyers Finish First" (1 Ethics credit)

In making the case for "nice," Mr. Carter will draw heavily on the Principles of Professionalism adopted by the Pennsylvania Bar Association. Specifically, he will cover: Acting civil when dealing with opposing counsel; Maintaining courtroom decorum; Keeping promises; Making reasonable accommodation; Resolving disputes efficiently; Protecting the image of the profession; Giving back to the profession; Serving the public good.

Registration and Breakfast: 8:30 AM

Seminar: 9:00 AM – 4:15 PM; 6 Ethics Credits

Boxed lunch included with tuition

Tuition: \$249.00

To Register Call PBI @ 1.800.932.4637

CLE Update 9

**PBI Group Cast Seminar
"Criminal Law Update - 2016"
Wednesday, December 7, 2016**

HEAR FROM THE JUDGES

Join judges from your region and hear their "insights from the bench" on what's happening in the criminal courts, what new specialty courts have been created in your county and get general tips on how you can improve your practice before the court.

LEARN WHAT'S NEW IN BOTH STATE AND FEDERAL LAW –
CASES, STATUTES AND RULES

Get the latest summary for both state and federal practice on recent significant cases, changes in rules impacting criminal practice, and recent and pending statutory law that will affect the criminal defendant such as:

- Sentencing
- Drug cases
- Gun cases
- Search and seizure
- DUI
- Federal criminal practice

GET AN ETHICS CREDIT

Knowing what ethical landmines to avoid is a crucial part of your practice. Learn about decisions, ethical issues and Rules of Professional Conduct that apply in your cases.

WALK AWAY WITH A USEFUL RESOURCE

A detailed summary of cases in all different categories of criminal practice will be outlined in your course manual, along with updates on state and federal legislation and rule changes. Make this your "go to" resource every time you begin your research for a pending case.

Registration and Boxed Lunch: 11:30 AM

Seminar: 12:00 PM – 4:15 PM

3 Substantive & 1 Ethics Credits

Tuition: \$249.00

To Register Call PBI @ 1.800.932.4637

Extra Ethics Credits can be used to meet an attorney's substantive law CLE requirements

CLE Update 10

**PBI Group Cast Seminar
"Dining Out: Legal Issues for
Restaurants and Their Customers"
Thursday, December 8, 2016**

GAIN INSIGHTS FOR YOUR RESTAURANT AND HOSPITALITY
INDUSTRY CLIENTS

- ×| Hear when and why food servicers can be liable to the public, their employees and held accountable to government agencies
- ×| Explore the challenges and legal requirements of starting up a food service business
- ×| Understand insurance coverage issues for the restaurant and customer
- ×| Learn the role of the PLCB
- ×| Examine how social media is changing the restaurant business

BECOME A MORE INFORMED RESTAURANT CONSUMER

- ×| Learn about BYOB restaurant issues
- ×| Hear about a restaurant's obligation to honor coupons, discounts, etc.
- ×| Discover what a food service business must disclose to the consumer
- ×| Consider the health standards and enforcement for restaurants

GET YOUR ETHICS CREDIT

Consider your ethical obligations where-

- ×| You learn your restaurant client has undocumented workers
- ×| Conflicts arise between the multiple partners you helped to open the restaurant
- ×| You learn officials are being bribed to ignore food safety issues

Registration and Boxed Lunch: 11:30 AM

Seminar: 12:00 PM – 4:15 PM

4 Substantive Credits; Tuition: \$249.00

To Register Call PBI @ 1.800.932.4637

Don't forget – if you want to see an up-to-date schedule of CLE courses being held at BALC, log on to: www.lehighbar.org
At the top of the home page point on 'CLE Seminars' and on the drop down menu click on 'CLE Seminar Listing', open the file and see what's scheduled. For more course information, go to our 'Calendar' and click on the date of the course you are interested in for full information. It's that easy!

CLE Update 11

**PBI Group Cast Seminar
"The Emerging Retiree –
Strategies for Maximizing Social Security Benefits
and Retirement Plans"
Friday, December 9, 2016**

GET ANSWERS AND PLANNING TIPS

~As an emerging retiree, should you change your investment strategies, re-allocate your assets and continue to work beyond age 65?

~Can commercial annuities and guaranteed income riders enhance your retirement plans?

~What is the impact of Social Security benefits, early retirement and delayed retirement on your retirement plan options?

~How can you coordinate Social Security benefits with existing IRA and 401(k) accounts?

~What do you need to know about qualified plan distributions, withdrawals, minimum distribution rules, deferred compounding and beneficiary designations?

~How has health care reform, with its increased Medicare tax, impacted retirement planning?

~What are the advantages of life insurance, rollover IRAs and stretch IRAs?

CRAFT A REALISTIC RETIREMENT PLAN

Social Security is a complicated program, and you cannot afford to be unclear about your benefits. Are you aware of the changes on November 2, 2015 that restricted options available to spousal benefits?

- Learn strategies available even after the spousal loophole closed for people who already have one spouse retired.
- Discover how to maximize your own Social Security benefits as well as your savings, IRAs and other retirement plans.

EXPLORE YOUR OPTIONS

You will zero in on specific options for married couples to enhance their social Security spousal benefits such as:

- Maximizing lifetime benefits
- Tapping into surviving spouse benefits
- Working while receiving benefits
- Considering divorce

You will also look at special options that may come into play if your or your clients were previously widowed or divorced.

Registration and Boxed Lunch: 11:30 AM

Seminar: 12:00 PM – 3:15PM

3 Substantive Credits; Tuition: \$229.00

To Register Call PBI @ 1.800.932.4637

CLE Update 12
BALC CLE REGISTRATION FORM

Name: _____

PA Sup.CT.ID _____

Member of the Bar Association of: [] **Lehigh** [] **Northampton**
[] **Other** _____ [] **Legal Support Staff**

Register by: **Phone** 610.433.6401, Ext. 16; **FAX** 610.770.9826;

E-Mail cle@lehighbar.org or **Mail** your registration to:

BALC, 1114 Walnut Street, Allentown PA 18102.

[] **November 29: "Everything Has Been Said Before, but Since Nobody Listens, We Have to Keep Going Back and Begin All Over Again"**

Lunch: 11:45 AM; Seminar: 12:15 PM – 1:15 PM

[] **December 1: "Pro Bono beyond the Schoolhouse Gates – Youth Courts and Breaking the School to Prison Pipeline:**

Lunch: 11:45 AM; Seminar: 12:15 PM – 1:15 PM

[] **December 2: "Oliver Wendell Holmes and the Birth of Modern American Law – Part II"**

Lunch: 11:45 AM; Seminar: 12:15 PM – 1:15 PM

[] **December 14: "Records Management"**

Lunch: 11:45 AM; Seminar: 12:15 PM – 1:15 PM

[] **December 20: "Mini Video Compliance Camp"**

Earn up to 2 Substantive and 1 Ethics Credits

[] **December 28: "Video Compliance Camp"**

Earn up to 7 Substantive and 2 Ethics Credits

TOTAL **AMOUNT ENCLOSED** \$ _____

Please make checks payable to & mail to: **BALC**, 1114 W Walnut St, Allentown PA 18102.



Sponsorship Opportunity

“Postmortem Election Discussion, Now What?”

Topic: How will the election results affect business & the economy?

Presented by: LVCPO

Tuesday November 15, 2016 4:30 PM

@ The Barristers Club, 1114 W Walnut St. Allentown, PA. 18102

Event Sponsor

Opportunity to Address the Crowd-2 to 3 minutes
Opportunity to hang your company’s banner at event
Recognition as Event Sponsor on all official marketing: Lehigh Law
Journal, various email and social media
marketing through Bar Association of Lehigh County, NAIFA and
LVCPO Website
Logo Displayed on Event Program
Investment \$1,000-1 Available

Hors d' oeuvres Sponsor

Signage displayed on hors d' oeuvres table
Opportunity to hang your company’s banner at event
Logo Displayed on Event Program
Investment \$500 -1 Available

Banner Sponsor

Opportunity to hang your company’s banner at event
Recognition on Event Program
Investment \$250

For more information about sponsorships, contact:
Ray Bridgeman rbridgeman@lehighbar.org 610-433-6204 X15

Make checks payable to:
LVCPO
1114 W Walnut St
Allentown, PA 18102

NewsLine 8

YOUNG LAWYERS DIVISION
Happy Hour



December 8, 2016

5:30 PM

P.J. Whelihan's Pub and Restaurant

4595 Broadway

Allentown, PA 18104

www.pjspub.com

Come out and enjoy the last YLD Happy Hour of the year.

Complimentary hors d'oeuvres and drink specials
courtesy of our sponsor:



610-798-2518 or 484-523-0573 or mzettlemyer@financialguide.com

Insurance Representative of MassMutual. Registered Representative of and offers securities through MML Investor Services, LLC, a member of the MassMutual Financial Group. OSJ Stabler Corporate Center 3701 Corporate Parkway Suite 320 Center Valley PA 18034 (610) 798-2500 MassMutual Financial Group is a marketing name for Massachusetts Mutual Life Insurance Company (MassMutual) and its affiliated companies and sales representatives, Springfield, MA 01111-001. Local sales agencies are not subsidiaries of MassMutual or its affiliated companies.

**YLD events are a great opportunity to meet and
network with other young attorneys.
Guest are welcome!**



**Hands-Only CPR
January 10, 2017
Free Member Benefit**

Please mark your calendar for a FREE Member Benefit that could save your life or someone you know.

On January 10th, at 4:30 PM Cardiologist Dr. Nainesh Patel and other dedicated volunteers from the Lehigh Valley Network will demonstrate Hands-Only CPR.

All Members, Family Members & Members Staff, are invited to take part in this demonstration and training.

Hands-Only CPR is CPR without mouth-to-mouth breaths. It is recommended for use by people who see a teen or adult suddenly collapse in an “out-of-hospital” setting (such as at home, at work or in a park).

According to the American Heart Association, about 90 percent of people who suffer out-of hospital cardiac arrests die. CPR, especially if performed immediately, can double or triple a cardiac arrest victim’s chance of survival.

Registration: 4:00PM
Demonstration: 4:30PM
Happy Hour Mixer Immediately After

RSVP for Demonstration Requested:
kmesch@thebarristersclub.com or 610-433-6204 X12.

The Lawyers Lunch Table

A treasured tradition is returning for all Lawyers and Judges. There is a standing reservation for Lunch at **Bell Hall**, 612 W. Hamilton St, on the 1st Thursday of the month, 12PM. Please come out enjoy some camaraderie with other colleagues.



Please RSVP to:
Robert Donatelli
610-391-1800
redonatelli@nmmlaw.com

Eastern District of Pennsylvania Bankruptcy Conference

28th Annual Forum!

Thursday, January 19-Friday, January 20th, 2017

The Borgata, Atlantic City, NJ

NEW YOUNG PROFESSIONAL REGISTRATION FOR ATTORNEYS PRACTICING 7 YEARS OR LESS \$175. You must be or become a EDPABC member and be attending the Forum for the first time. Registration includes CLE fees, cocktail reception and dinner Thursday evening as well as breakfast, lunch and forum sessions on Friday. Please note that this registration fee does not include overnight accommodations.

Early Bird REGISTRATION FOR MEDIUM TO LARGE FIRMS(11+ ATTORNEYS) \$525: Registration includes CLE fees, cocktail reception and dinner Thursday evening, breakfast, lunch and forum sessions on Friday. Please note that this registration fee does not include overnight accommodations; see below for information on accommodation.

Early Bird REGISTRATION FOR SMALL FIRMS OF 10 ATTORNEYS OR LESS \$425: Registration includes CLE fees, cocktail reception and dinner Thursday evening, breakfast, lunch and forum sessions on Friday. Please note that this registration fee does not include overnight accommodations; see below for information on accommodation.

Early Bird REGISTRATION FOR GOVERNMENT ATTORNEYS AND LAW CLERKS \$250. Registration includes CLE fees, cocktail reception and dinner Thursday evening as well as breakfast, lunch and forum sessions on Friday. Please note that this registration fee does not include overnight accommodations.

Early Bird CLS/PLA AND REGISTRATION \$200: I am an attorney employed by one of the community legal service agencies (CLS, PLA, etc.) Registration includes CLE fees, cocktail reception and dinner Thursday evening, breakfast, lunch and forum sessions on Friday. Please note that this registration fee does not include overnight accommodations; see below for information on accommodation.

Register today at <http://pabankruptcy.org/>

Discount Room Rate is available through January 6th.

Contact Jennifer Birch with questions Jennifer.r.birch@gmail.com

The Conference is considering live streaming the seminar (no the cocktails) to the Twardowski Courtroom.
Please let Judge Fehling know ASAP if you would attend such a seminar.

2016 Calendar

November

November 11: Bar Association Holiday- Office Closed

November 15: LVCPO presents Postmortem Election Discussion

November 16: Barristers Inn 5:30-7:30pm

November 17: Board Meeting 4:30pm

November 17: Membership Meeting 5pm

November 17: Fall Membership Dinner 5:30pm

November 24: Bar Association Holiday- Office Closed

November 25: Bar Association Holiday- Office Closed

November 28: Community Service Committee Meeting – 12pm

November 30: Workers Comp Committee Meeting- 12pm

December

December 1: Finance Committee Meeting 12pm

December 4: Holiday Children's Party: 12pm-2pm

December 6: Solo Practice Committee Meeting 12pm

December 8: YLD Happy Hour 5:30 pm at PJ Whelihan's

December 9: Soup Kitchen Volunteer Opportunity

December 11: The Essential Elvis Tribute Christmas Show 2pm

December 15: Board Meeting 4:30pm

December 15: Holiday Happy Hour 5:30pm

December 26: Bar Association Holiday- Office Closed

January 2017

January 2: Bar Association Holiday- Office Closed

January 12: Membership Meeting and Annual Dinner 5:30pm

January 16: Bar Association Holiday- Office Closed

January 27: Bar Admissions & New Member Reception

petition was filed on April 18, 2016. It is alleged, as previously stated, that the Commonwealth's global offer of a minimum sentence of seven years was not communicated to the petitioner by trial counsel. At the hearing held on September 7, 2016, the parties stipulated to the use of the testimony from the previous PCRA hearing held on September 22, 2014, for the resolution of the current claim.

DISCUSSION

The record demonstrates that trial counsel, David Ritter, communicated all plea offers to the petitioner, including the seven (7) year minimum sentence, which is the subject of this PCRA petition. In that regard, a hearing was held on February 19, 2013, in which the plea agreements which were extended to the petitioner, as of that date, were explained on the record to him.⁷ Specifically, a fixed sentence of five (5) to ten (10) years was offered by the Commonwealth, but the petitioner rejected that offer.⁸ Mr. Ritter, in the presence of the petitioner, and without contradiction, explained that when the Chief Deputy District Attorney extended the fixed five- to ten-year sentence, he met with the petitioner to discuss the offer at Lehigh County Jail.⁹ The petitioner requested a sentence of two to four years, and when the petitioner was told it would not be forthcoming, and the Commonwealth would not be offering anything lower than five to ten years, the petitioner requested a trial.¹⁰

The petitioner, at the PCRA hearing held on September 22, 2014, initially testified that he was told by Attorney Ritter that he was to receive a sentence of five to ten years.¹¹ This testimony is directly contradicted by the hearing held on February 19, 2013, in which the petitioner rejected the five- to ten-year agreement. The petitioner then shifted gears to contend that he never rejected a

⁷ Notes of Testimony, Hearing (hereinafter N.T.H.), at pp. 11-12.

⁸ *Id.* at p. 12.

⁹ *Id.* at p. 11.

¹⁰ *Id.* at p. 12.

¹¹ Notes of Testimony, PCRA hearing (hereinafter N.T.PCRA), at p. 16.

seven-year minimum sentence offer.¹² An offer for a minimum sentence capped at seven (7) years was extended in a letter sent by the Commonwealth on April 3, 2013. The offer indicated that the offer would expire on April 19, 2013. The petitioner contended that he only saw that letter after the offer had expired.¹³ In light of the petitioner's rejection of a five- to ten-year sentence, it is dubious that he would have accepted a more severe minimum sentence of seven (7) years. The petitioner, when confronted with the documentation that contradicted his claim, feigned memory lapses or attempted to deflect answering questions. His answers were evasive, manufactured, and his overall testimony was not credible.

Attorney Ritter's testimony was both credible and corroborated by the evidence. He testified that prior to the date of trial, the Commonwealth extended numerous plea offers to the petitioner. Each time the petitioner rejected the offers. It became apparent to Attorney Ritter that with each meeting the petitioner had "absolutely no interest in entering a guilty plea for any plea that would send him to state prison for five years. He repeated to me probably fifty to one hundred times that he would take a one to two and that was it. He made it very clear that that's what he wanted, a one to two years sentence."¹⁴

Attorney Ritter also testified that about a month before trial, the Commonwealth extended one final plea offer to the petitioner, which was detailed in correspondence from the Chief Deputy District Attorney dated April 3, 2013. A review of that letter and offer discloses that the petitioner's aggregate minimum sentence would not exceed seven (7) years and the petitioner could ask the "Court for leniency."¹⁵ This plea offer was only extended to April 19, 2013.

Attorney Ritter testified that he reviewed the offer with the petitioner, and did so prior to the deadline.¹⁶ He went to the

¹² *Id.* at p. 21.

¹³ *Id.* at pp. 27, 29.

¹⁴ *Id.* at pp. 44-46.

¹⁵ *Id.* at p. 49.

¹⁶ *Id.* at p. 50.

prison to meet the petitioner shortly after receiving the plea offer, and reviewed it with him. Attorney Ritter provided the petitioner with a copy of the letter, and reviewed the proposal with him. “He clearly rejected the offers. He had no interest in any offers, and he again reiterated that he would take only a one to two.”¹⁷

Trial was to commence on May 14, 2013, and on that day, as the jury was on their way to the courtroom, the petitioner entered an open plea which ended the proceedings. The petitioner’s decision-making was actually gamesmanship, because he then moved to withdraw his plea, which as Attorney Ritter explained, led to his request to withdraw as counsel.¹⁸ With new counsel, the petitioner then decided *not* to withdraw his nolo contendere plea and sentence was imposed. The petitioner has now continued his revisionist history into these PCRA proceedings.

Attorney Ritter’s testimony was the credible version of the events. He reviewed all plea offers with the petitioner, including the seven (7) year minimum sentence proposal forwarded by counsel for the Commonwealth. In light of the potential sentence facing the petitioner, counsel had every reason to try to bring the petitioner to a rational resolution of the charges. However, to paraphrase a well-known proverb, you can lead a horse to water, but you can’t make him think.¹⁹ “It is well-settled that a PCRA court’s credibility determinations are binding upon an appellate court so long as they are supported by the record.” *Commonwealth v. Robinson*, 623 Pa. 345, 370, 82 A.3d 998, 1013 (2013) (citing *Commonwealth v. Philistin*, 617 Pa. 358, 53 A.3d 1, 25 n.17 (2012)); see also, *Commonwealth v. Clark*, 599 Pa. 204, 217, 961 A.2d 80, 87 (2008); *Commonwealth v. Beasley*, 544 Pa. 554, 678 A.2d 773 (1996), *cert. denied*, 520 U.S. 1121 (1997) (holding PCRA’s credibility determination will not be disturbed on appeal if it is supported by the record); *Commonwealth v. Markowitz*, 32 A.3d 706, 715, 717 (Pa. Super. 2011); *Commonwealth v. Widgins*, 29 A.3d 816, 819 (Pa. Super. 2011); *Commonwealth v. Franklin*, 990 A.2d

¹⁷ *Id.* at pp. 50-51.

¹⁸ *Id.* at pp. 56-57.

¹⁹ English aphorism dating back to 1175.

795, 797 (Pa. Super. 2010); *Commonwealth v. Maynard*, 900 A.2d 395, 397 (Pa. Super. 2006); *Commonwealth v. Knighten*, 742 A.2d 679, 682 (Pa. Super. 1999); *Commonwealth v. Harmon*, 738 A.2d 1023, 1025 (Pa. Super. 1999); *Commonwealth v. Yager*, 454 Pa. Superior Ct. 428, 434, 685 A.2d 1000, 1003 (1996).

For all the foregoing reasons, the petitioner has failed to meet his burden of proof to establish the ineffectiveness of trial counsel, and the “Amended Petition for Post Conviction Relief” is DENIED.²⁰

ORDER

AND NOW, this 30th day of September, 2016, after a hearing held in the above-captioned matter on September 7, 2016, and upon consideration of the “Amended Petition For Post Conviction Relief;”

IT IS HEREBY ORDERED that said motion is DENIED.

²⁰ Counsel is presumed to be effective and the burden to show otherwise lies with the petitioner. See *Commonwealth v. Singly*, 582 Pa. 5, 19, 868 A.2d 403, 411 (2005).

To prevail on a claim that counsel was constitutionally ineffective, the [Appellant] must overcome the presumption of competence by showing that: (1) his underlying claim is of arguable merit; (2) the particular course of conduct pursued by counsel did not have some reasonable basis designed to effectuate his interests; and (3) but for counsel’s ineffectiveness, there is a reasonable probability that the outcome of the [trial] would have been different.

Commonwealth v. Fitzgerald, 979 A.2d 908, 910 (Pa. Super. 2009). See also, *Commonwealth v. Hammond*, 953 A.2d 544, 556 (Pa. Super. 2008) (citing *Commonwealth v. Miller*, 868 A.2d 578, 581 (Pa. Super. 2005)); *Commonwealth v. Reyes*, 582 Pa. 317, 330, 870 A.2d 888, 896 (2005); *Commonwealth v. Jones*, 571 Pa. 112, 126, 811 A.2d 994, 1002 (2002); *Commonwealth v. Pierce*, 515 Pa. 153, 527 A.2d 973 (1987). Furthermore, a claim of ineffectiveness must be rejected if the petitioner fails to satisfy any of the prongs. See *Fitzgerald*, supra. If the petitioner is unable to demonstrate prejudice, the first two prongs of the ineffective examination need not be addressed. *Commonwealth v. Chmiel*, 585 Pa. 547, 614, 889 A.2d 501, 540 (2005).

ESTATE AND TRUST 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. Notice is also hereby given of the existence of the trusts of the deceased settlors set forth below for whom no personal representatives have been appointed within 90 days of death. All persons having claims or demands against said estates or trusts are requested to make known the same, and all persons indebted to said estates or trusts are requested to make payment, without delay, to the executors or administrators or trustees or to their attorneys named below.

FIRST PUBLICATION

Blose, Craig H. a/k/a Craig Harry Blose, dec'd.

Late of Upper Saucon Township, Coopersburg.

Executor: Michael Lutte c/o R. Nicholas Nanovic, Esquire, Norris, McLaughlin & Marcus, P.A., 515 W. Hamilton St., Suite 502, Allentown, PA 18101.

Attorneys: R. Nicholas Nanovic, Esquire, Norris, McLaughlin & Marcus, P.A., 515 W. Hamilton St., Suite 502, Allentown, PA 18101.

Brensinger, Keith A., dec'd.

Late of the Township of Lower Macungie.

Administratrix: Paula M. Brensinger c/o Brian M. Monahan, Esquire, 701 Washington Street, Easton, PA 18042.

Attorney: Brian M. Monahan, Esquire, 701 Washington Street, Easton, PA 18042.

Cogle, Jack a/k/a Jack G. Cogle, dec'd.

Late of Allentown.

Executrix: Susan German a/k/a Susan I. German c/o Emily A. Zettlemoyer, Esquire, Zettlemoyer Law Office, LLP, 53 North 3rd Street, Emmaus, PA 18049.

Attorneys: Emily A. Zettlemoyer, Esquire, Zettlemoyer Law Office, LLP, 53 North 3rd Street, Emmaus, PA 18049.

De La Cruz, Julian a/k/a Julian Nathan De La Cruz, dec'd.

Late of Allentown.

Administrator: Julian De La Cruz, 127 W. Franklin Street, Allentown, PA 18103.

Attorney: E. Keller Kline, III, Esquire, 731 W. Turner Street, Allentown, PA 18102.

Fry, Cathy H., dec'd.

Late of Coplay.

Executrix: Gail A. McClure c/o William W. Matz, Jr., Esq., 211 W. Broad Street, Bethlehem, PA 18018-5517.

Attorney: William W. Matz, Jr., Esquire, 211 W. Broad Street, Bethlehem, PA 18018-5517.

Grossman, Anna M. a/k/a Anna Mae Grossman, dec'd.

Late of South Whitehall Township.

Executor: Bennett Grossman c/o Law Offices of Alan Penn, P.O. Box 121, Orefield, PA 18069.

Attorneys: Law Offices of Alan Penn, P.O. Box 121, Orefield, PA 18069.

Hinkel, Holly B., dec'd.

Late of East Texas, Lower Macungie Township.

Personal Representative: Dennis J. Hinkel c/o Peter P. Perry, Esquire, 1600 Lehigh Parkway East, 1E, Allentown, PA 18103-3097.

Attorney: Peter P. Perry, Esquire, 1600 Lehigh Parkway East, 1E, Allentown, PA 18103-3097.

Jones, Alfred E., dec'd.

Late of 983 Jervin Drive, Allentown.

Executrix: JoAnn C. Carter, 4448 Stoney Brook Court, Allentown, PA 18104.

Makhoul, Samir F., dec'd.

Late of Bethlehem.

Co-Executrices: Samara Mebane f/k/a Samara Makhoul, Allana Makhoul and Rachel Walter c/o Jeffrey F. Hussar, Esquire, 946 Third Street, Whitehall, PA 18052.

Attorney: Jeffrey F. Hussar, Esq., 946 Third Street, Whitehall, PA 18052.

Matz, Glenmore M., dec'd.

Late of Allentown.

Administratrix: Kathleen S. Matz c/o William W. Matz, Jr., Esq., 211 W. Broad Street, Bethlehem, PA 18018-5517.

Attorney: William W. Matz, Jr., Esquire, 211 W. Broad Street, Bethlehem, PA 18018-5517.

Sagl, Rose V. a/k/a Rose Sagl, dec'd.

Late of Allentown.

Co-Executors: Francis William Sagl, Jr. and Dennis J. Sagl c/o Quintes D. Taglioli, Esquire, 121 N. Cedar Crest Blvd., Allentown, PA 18104.

Attorney: Quintes D. Taglioli, Esquire, 121 N. Cedar Crest Blvd., Allentown, PA 18104.

Snyder, Irvin N., dec'd.

Late of the City of Allentown.

Co-Executors: Scott Snyder and Terral Kester c/o Gail Weiner

Shearer, Esquire, 70 E. Broad Street, P.O. Box 1426, Bethlehem, PA 18016-1426.

Attorney: Gail Weiner Shearer, Esquire, 70 E. Broad Street, P.O. Box 1426, Bethlehem, PA 18016-1426.

Turner, Pauline M., dec'd.

Late of the City of Allentown.

Executrix: Suzanne T. Lyons c/o Norris, McLaughlin & Marcus, P.A., 515 West Hamilton Street, Suite 502, Allentown, PA 18101.

Attorneys: Dolores A. Laputka, Esquire, Norris, McLaughlin & Marcus, P.A., 515 West Hamilton Street, Suite 502, Allentown, PA 18101.

Vogel, Grace M., dec'd.

Late of Allentown.

Executor: Bruce C. Vogel c/o Fitzpatrick Lentz & Bubba, P.C., 4001 Schoolhouse Lane, P.O. Box 219, Center Valley, PA 18034-0219.

Attorneys: Fitzpatrick Lentz & Bubba, P.C., 4001 Schoolhouse Lane, P.O. Box 219, Center Valley, PA 18034-0219.

Yost, Alfred Charles, dec'd.

Late of Allentown.

Executor: Michael Joseph Yost c/o Fitzpatrick Lentz & Bubba, P.C., 4001 Schoolhouse Lane, P.O. Box 219, Center Valley, PA 18034-0219.

Attorneys: Fitzpatrick Lentz & Bubba, P.C., 4001 Schoolhouse Lane, P.O. Box 219, Center Valley, PA 18034-0219.

SECOND PUBLICATION

Barker, Martha O., dec'd.

Late of Emmaus.

Administrator C.T.A.: Charles A. Barker a/k/a Charles Armand Barker.

Attorneys: Raymond C. Rinaldi, II, Esquire, Rinaldi & Poveromo, P.C., P.O. Box 826, Scranton, PA 18501.

Steckel and Stopp LLC, 125 S. Walnut Street, Suite 210, Slatington, PA 18080.

Attorneys: Charles W. Stopp, Esquire, Steckel and Stopp LLC, 125 S. Walnut Street, Suite 210, Slatington, PA 18080.

Blose, Mae H., dec'd.

Late of Lehigh County.

Co-Executors: Robert B. Heintzelman, P.O. Box 196, Schnecks-ville, PA 18078 and Marilyn R. Cerrone, 322 Kuehner Ave., Slatington, PA 18080.

Attorney: William G. Malkames, Esquire, 509 Linden Street, Allentown, PA 18101, (610) 821-8327.

Dzury, Daniel S. a/k/a Daniel Dzury, dec'd.

Late of the Township of Lower Macungie.

Executrix: Donna D. Dzury c/o Dionysios C. Pappas, Esquire, Vasiliadis & Associates, 2551 Baglyos Circle, Suite A-14, Bethlehem, PA 18020.

Attorneys: Dionysios C. Pappas, Esquire, Vasiliadis & Associates, 2551 Baglyos Circle, Suite A-14, Bethlehem, PA 18020.

Campbell, Luther R., Jr., dec'd.

Late of Emmaus.

Co-Executors: Richard C. Pearce, II, Karen Pearce Sonier and Michael J. Sonier c/o Barry N. Mosebach, Esquire, P.O. Box 20770, Lehigh Valley, PA 18002-0770.

Attorneys: Barry N. Mosebach, Esquire, Mosebach, Funt, Dayton & Duckworth, P.C., P.O. Box 20770, Lehigh Valley, PA 18002-0770.

Fagan, Dorothy J. a/k/a Dorothy June Fagan, dec'd.

Late of South Whitehall Township.

Executrix: Judith Lynn Arangio c/o Fitzpatrick Lentz & Bubba, P.C., 4001 Schoolhouse Lane, P.O. Box 219, Center Valley, PA 18034-0219.

Attorneys: Fitzpatrick Lentz & Bubba, P.C., 4001 Schoolhouse Lane, P.O. Box 219, Center Valley, PA 18034-0219.

Cziraky, Julia P., dec'd.

Late of Bethlehem.

Trustees: David Cziraky and Mark Cziraky c/o Noonan Law Office, 526 Walnut Street, Allentown, PA 18101-2394.

Attorneys: Noonan Law Office, 526 Walnut Street, Allentown, PA 18101-2394.

Fischl, Frank R., Jr., dec'd.

Late of Lehigh County.

Executrix: Anne L. Fischl, 119 S. 21st Street, Allentown, PA 18104.

Attorney: William G. Malkames, Esquire, 509 Linden Street, Allentown, PA 18101, (610) 821-8327.

DiMaggio, Joseph E., dec'd.

Late of Slatington.

Executor: Bruce H. Stettler c/o Charles W. Stopp, Esquire,

Infurna, Antoinette J., dec'd.

Late of Upper Saucon Township.

Co-Executors: Carol A. Husser and Stephen A. Infurna c/o Michael D. Recchiuti, Esquire, 1502 Center St., Suite 202, Bethlehem, PA 18018.

Attorney: Michael D. Recchiuti, Esquire, 1502 Center St., Suite 202, Bethlehem, PA 18018.

Administrator: David C. Collier c/o Rebecca M. Young, Esq. and Lia K. Snyder, Esq., Young & Young, 119 E. Main Street, Macungie, PA 18062.

Attorneys: Rebecca M. Young, Esq. and Lia K. Snyder, Esq., Young & Young, 119 E. Main Street, Macungie, PA 18062.

Leeser, Miriam S. a/k/a Miriam Leeser, dec'd.

Late of Macungie.

Co-Executors: John H. Leeser, Barrie L. Leeser and Phillip N. Leeser c/o Rebecca M. Young, Esq. and Lia K. Snyder, Esq., Young & Young, 119 E. Main Street, Macungie, PA 18062.

Attorneys: Rebecca M. Young, Esq. and Lia K. Snyder, Esq., Young & Young, 119 E. Main Street, Macungie, PA 18062.

Richards, Edward D., dec'd.

Late of Coplay.

Executrix: Betty Jo Richards c/o Fitzpatrick Lentz & Bubba, P.C., 4001 Schoolhouse Lane, P.O. Box 219, Center Valley, PA 18034-0219.

Attorneys: Fitzpatrick Lentz & Bubba, P.C., 4001 Schoolhouse Lane, P.O. Box 219, Center Valley, PA 18034-0219.

Marakovits, Charles J. a/k/a Charles John Marakovits, dec'd.

Late of Lower Macungie Township.

Executor: Thomas Doherty, 1017 Bryant St., Allentown, PA 18104.

Attorney: Barbara O'Neill Reinhart, Esquire, 529 Sarah Street, Stroudsburg, PA 18360.

Shearer, Kathryn J., dec'd.

Late of the City of Allentown.

Executor: Christopher R. Shearer c/o Mark S. Sigmon, Esquire, 146 East Broad Street, P.O. Box 1365, Bethlehem, PA 18016-1365.

Attorneys: Mark S. Sigmon, Esquire, Sigmon and Sigmon, P.C., 146 East Broad Street, P.O. Box 1365, Bethlehem, PA 18016-1365.

Martisofski, Lois M., dec'd.

Late of Bethlehem.

Executrix: Debra A. Pavlov c/o Nicholas E. Englesson, Esquire, 740 Main Street, Bethlehem, PA 18018.

Attorney: Nicholas E. Englesson, Esquire, 740 Main Street, Bethlehem, PA 18018.

Stephens, John H. a/k/a John Howard Stephens, dec'd.

Late of Lower Macungie Township.

Executrix: Vanessa S. Costantini c/o Timothy J. Duckworth, Esquire, P.O. Box 20770, Lehigh Valley, PA 18002-0770.

Attorneys: Timothy J. Duckworth, Esquire, Mosebach, Funt, Dayton & Duckworth, P.C., P.O. Box 20770, Lehigh Valley, PA 18002-0770.

Patton, Donald M. a/k/a Donald Michael Patton, dec'd.

Late of Alburdis.

Waschitsch, Christina C., dec'd.

Late of Allentown.

Co-Executrices: Loralie Kozuch and Wendie Waschitsch c/o Law Office of Michael Prokup, 2030 West Tilghman Street, Suite 201, Allentown, PA 18104. Attorney: Michael Prokup, Esquire, 2030 West Tilghman Street, Suite 201, Allentown, PA 18104.

THIRD PUBLICATION

Bennett, Norbert E. a/k/a Norbert Bennett, dec'd.

Late of Macungie.

Executor: David L. Bennett c/o Rebecca M. Young, Esq. and Lia K. Snyder, Esq., Young & Young, 119 E. Main Street, Macungie, PA 18062.

Attorneys: Rebecca M. Young, Esq. and Lia K. Snyder, Esq., Young & Young, 119 E. Main Street, Macungie, PA 18062.

Blank, Donald K., dec'd.

Late of the Township of Whitehall.

Executrix: Carole Stammherr c/o Richard Eugene Santee, Esquire, Shay, Santee & Kelhart, 44 E. Broad Street, Suite 210, Bethlehem, PA 18018.

Attorneys: Richard Eugene Santee, Esquire, Shay, Santee & Kelhart, 44 E. Broad Street, Suite 210, Bethlehem, PA 18018.

Bucklin, Evelyn K. a/k/a Evelyn Bucklin, dec'd.

Late of Whitehall.

Executor: James E. Bucklin, Jr. c/o Jeffrey F. Hussar, Esquire, 946 Third Street, Whitehall, PA 18052.

Attorney: Jeffrey F. Hussar, Esq., 946 Third Street, Whitehall, PA 18052.

Fenstermaker, Mary Ann a/k/a Maryann Fenstermaker a/k/a Mary Fenstermaker a/k/a Mary Ann E. Fenstermaker a/k/a Maryann E. Fenstermaker, dec'd.

Late of the Township of South Whitehall.

Executor: John M. Ashcraft, III, Esquire, 20 North 5th Street, Suite #1, Emmaus, PA 18049-2406.

Attorney: John M. Ashcraft, III, Esquire, 20 North 5th Street, Suite #1, Emmaus, PA 18049-2406.

Gabel, Russell R., dec'd.

Late of Coopersburg.

Executor: Gerald F. Schoch c/o Timothy J. Duckworth, Esquire, Mosebach, Funt, Dayton & Duckworth, P.C., P.O. Box 20770, Lehigh Valley, PA 18002-0770.

Attorneys: Timothy J. Duckworth, Esquire, Mosebach, Funt, Dayton & Duckworth, P.C., P.O. Box 20770, Lehigh Valley, PA 18002-0770.

Hunsicker, Emma, dec'd.

Late of 750 Lawrence Drive, Emmaus.

Executrix: Marilyn E. Hunsicker c/o Linda S. Luther-Veno, Esquire, 1605 N. Cedar Crest Blvd., Suite 106, Allentown, PA 18104.

Attorney: Linda S. Luther-Veno, Esquire, 1605 N. Cedar Crest Blvd., Suite 106, Allentown, PA 18104.

Kenna, Edward F., Jr., dec'd.

Late of South Whitehall Township.

Co-Executrices: Patricia McAnally, 1407 Three Mile Run Road, Perkasio, PA 18944 and

Susan Kenna Farkas, 2060 Wooded Ridge Circle, Fogelsville, PA 18051.
Attorney: Charles R. Moyer, Esq., 1027 Keystone Drive, Sellersville, PA 18960.

Apartment 1207, Allentown, PA 18104.
Attorneys: Karen Byrnes-Noon, Esquire, Michael J. O'Connor & Associates, 608 W. Oak St., P.O. Box 201, Frackville, PA 17931.

Mahalick, Tammy L. a/k/a Tammy Mahalick, dec'd.

Late of the City of Allentown.
Administratrix: Sheila Marie Mahalick c/o Jane K. Anastasia, Esq., P.O. Box 600, Jamison, PA 18929.
Attorney: Jane K. Anastasia, Esquire, P.O. Box 600, Jamison, PA 18929.

Morrow, June P., dec'd.

Late of Macungie.
Settlor of the George L. Morrow and June P. Morrow Irrevocable Trust Agreement.
Co-Trustees: Jan Jackson and Jennifer Desisto.
Attorneys: Charles W. Stopp, Esquire, Steckel and Stopp, 125 South Walnut Street, Suite 210, Slatington, PA 18080.

Maloney, Mark D., dec'd.

Late of the Borough of Fountain Hill.
Executrix: Marie D. Maloney c/o Dionysios C. Pappas, Esquire, Vasiliadis & Associates, 2551 Baglyos Circle, Suite A-14, Bethlehem, PA 18020.
Attorneys: Dionysios C. Pappas, Esquire, Vasiliadis & Associates, 2551 Baglyos Circle, Suite A-14, Bethlehem, PA 18020.

Patterson, Jennifer I. a/k/a Jennifer Ivora Patterson, dec'd.

Late of Macungie.
Executor: Matthew J. Patterson c/o Rebecca M. Young, Esq. and Lia K. Snyder, Esq., Young & Young, 119 E. Main Street, Macungie, PA 18062.
Attorneys: Rebecca M. Young, Esq. and Lia K. Snyder, Esq., Young & Young, 119 E. Main Street, Macungie, PA 18062.

McFadden, John C. a/k/a John McFadden, dec'd.

Late of Allentown.
Executor: Corey Scott McFadden a/k/a Corey S. McFadden c/o Michael Ira Stump, Esquire, 207 E. Main Street, Suite 100, Macungie, PA 18062.
Attorney: Michael Ira Stump, Esquire, 207 E. Main Street, Suite 100, Macungie, PA 18062.

Plana, Arturo, dec'd.

Late of Emmaus.
Administratrix: Jean F. Harakal a/k/a Jean F. Plana c/o Eric R. Strauss, Esquire, Worth, Magee & Fisher, P.C., 2610 Walbert Avenue, Allentown, PA 18104.
Attorneys: Eric R. Strauss, Esquire, Worth, Magee & Fisher, P.C., 2610 Walbert Avenue, Allentown, PA 18104.

Miller, Betty J. a/k/a Betty Miller a/k/a Betty Jane Miller, dec'd.

Late of Salisbury Township.
Administratrix: Susan I. Tacker, 1827 West Walnut Street,

Rossowski, Ella J., dec'd.

Late of Allentown.
Executrix: Cheryl Newton c/o Law Office of Michael Prokup, 2030 West Tilghman Street, Suite 201, Allentown, PA 18104.

Attorney: Michael Prokup, Esquire, 2030 West Tilghman Street, Suite 201, Allentown, PA 18104.

Trexler, Ruth A., dec'd.

Late of Lower Macungie Township.

Executor: William Trexler c/o Amanda Racines Lovett, Esquire, Gardner, Racines & Sheetz, 3968 Maulfair Place, Allentown, PA 18103.

Attorneys: Amanda Racines Lovett, Esquire, Gardner, Racines & Sheetz, 3968 Maulfair Place, Allentown, PA 18103.

Werre, Rae M. a/k/a Rae Werre, dec'd.

Late of Allentown.

Executrix: Dena Ali Sherer c/o Eric R. Strauss, Esquire, Worth, Magee & Fisher, P.C., 2610 Walbert Avenue, Allentown, PA 18104.

Attorneys: Eric R. Strauss, Esquire, Worth, Magee & Fisher, P.C., 2610 Walbert Avenue, Allentown, PA 18104.

NOTICE OF INCORPORATION

NOTICE IS HEREBY GIVEN that Articles of Incorporation have been (are to be) filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania, for the purpose of obtaining a Certificate of Incorporation pursuant to the provisions of the Business Corporation Law of the Commonwealth of Pennsylvania, Act of December 21, 1988 (P.L. 1444, No. 177), by the following corporation:

The name of the corporation is:

LEHIGH VALLEY LEARNING CENTER, INC.

**THOMAS A. CAPEHART, ESQ.
GROSS MCGINLEY, LLP**

33 S. 7th Street

P.O. Box 4060

Allentown, PA 18105

N-11

**INDIVIDUAL FICTITIOUS
NAME NOTICE**

NOTICE IS HEREBY GIVEN, pursuant to the provisions of Act 295 of 1982, as amended, of intention to file, or the filing of, in the Office of the Secretary of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania, a certificate for the conduct of a business in Pennsylvania, under the assumed or fictitious name, style or designation of

Name: **WILLIAM J SIGNORELLI JR** with its principal place of business at: Lehigh County, PA.

The name and address of the person owning or interested in said business are: William J. Signorelli, Jr., 332 N. 13th St., Allentown PA 18103.

N-11

CHANGE OF NAME NOTICE

In the Court of Common Pleas of
Lehigh County
Civil Action—Law

NO. 2016-C-3123

NOTICE IS HEREBY GIVEN that on November 3, 2016, the Petition of Lenette Taylor for a Change of Name has been filed in the above named Court, praying for a Decree to change the name of Petitioner from Lenette Taylor to Lynnette Moore.

The Court has fixed January 4, 2017 at 9:30 A.M. in Courtroom No. 5A, Lehigh County Courthouse, Allentown, Pennsylvania, as the date and place for the hearing of said Petition. All persons interested in the proposed change of name may appear and show cause, if any they have, why the prayer of said Petitioner should not be granted.

N-11

NOTICE

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of Section 4129 of the PA Business Corporation Law of 1988, CBR Cement Canada

Limited, a corporation with its jurisdiction of formation in Canada and registered office address in PA at 7660 Imperial Way, Allentown, PA 18195 in Lehigh County, has, on October 27, 2016 filed a Statement of Withdrawal of Foreign Registration with the Department of State.

N-11

NOTICE OF ACTION IN
MORTGAGE FORECLOSURE

In the Court of Common Pleas
Lehigh County
Civil Action—Law

No. 2016-C-1743

Nationstar Mortgage LLC
d/b/a Champion
Mortgage Company,
Plaintiff

vs.

The Unknown Heirs of
Barbara J. Cole, Deceased,
Mortgagor and Real Owner,
Defendant(s)

To: The Unknown Heirs of Barbara J. Cole Deceased, Mortgagor and Real Owner, Defendant(s), whose last known address is 802 Lawrence Drive, Emmaus, PA 18049

This firm is a debt collector and we are attempting to collect a debt owed to our client. Any information obtained from you will be used for the purpose of collecting the debt. You are hereby notified that Plaintiff, Nationstar Mortgage LLC d/b/a Champion Mortgage Company, has filed a Mortgage Foreclosure Complaint endorsed with a notice to defend against you in the Court of Common Pleas of Lehigh County, Pennsylvania, docketed to No. 2016-C-1743, wherein Plaintiff seeks to foreclose on the mortgage secured on your property located, 802 Lawrence Drive, Emmaus, PA 18049, where-

upon your property will be sold by the Sheriff of Lehigh County.

NOTICE

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after the Complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the Complaint for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you. You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below. This office can provide you with information about hiring a lawyer. If you cannot afford to hire a lawyer, this office may be able to provide you with information about agencies that may offer legal services to eligible persons at a reduced fee or no fee.

Lehigh Valley Legal Services
65 E. Elizabeth Ave.
Suite 903
Bethlehem, PA 18018
(610) 317-8757

MICHAEL T. McKEEVER, ESQ.
KML LAW GROUP, P.C.
Attys. for Plaintiff
Mellon Independence Center
701 Market St.
Ste. 5000
Philadelphia, PA 19106-1532
(215) 627-1322

N-11



REANICH©

***“Your honor, I’d like to point out that
my client isn’t wanted in 26 states.”***



PERIODICAL PUBLICATION

*** Dated Material. Do Not Delay. Please Deliver Before Monday, November 14, 2016**