

# MARKS & WEINBERG, P.C.

## **Finova Capital Corp. v. Nicolette**

Nos. 129, 729, 1997 WL 33126 (Pa. Super. Ct. Jan. 14, 1997)

After lessees defaulted, lessor obtained a judgment in California providing that lessor was to sell the leased equipment in a commercially reasonable manner as provided by section 9504 of California's Commercial Code. After the sale, lessor obtained a second judgment against the lessees for the deficiency and tried to enforce this judgment in Pennsylvania. Applying California law, the Pennsylvania court found that lessor was barred from enforcing the deficiency judgment because it had failed to give lessees notice of the time and place of the sale as required under California's Commercial Code.

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