

00-384<sup>35</sup>  
TMS MORTGAGE, INC. a/b/a -vs- ROCKLAND L. FULMER

FEDERMAJ AND PHELAN  
SUBSIDIARY  
Two Plaza Center Plaza  
Philadelphia, PA 19102  
(215) 533-7000

FILED

REC'D MAR 28 2000

3/12/00/m  
William A. Shaw Atty  
Prothonotary PD  
F.P.C.

I can't ~~to~~   
SHERIFF

FEDERMAN AND PHELAN  
By: FRANK FEDERMAN, ESQUIRE  
IDENTIFICATION NO. 12248  
TWO PENN CENTER PLAZA, SUITE 900  
PHILADELPHIA, PA 19102  
(215) 563-7000

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS  
CIVIL DIVISION

(1) TMS MORTGAGE, INC.,  
D/B/A THE MONEY STORE  
ONE OLD COUNTRY ROAD, SUITE 375  
CARLE PLACE, NY 11514

TERM

Plaintiff  
v.

NO. 00-384-C0

(2) (81) ROCKLAND L. FULMER  
RD 4 BOX 62 WALKER ROAD  
CLEARFIELD, PA 16830

CLEARFIELD COUNTY

Defendant(s)

**CIVIL ACTION - LAW**  
**MORTGAGE FORECLOSURE**  
**NOTICE**

\*\*THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. IF YOU HAVE PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY AND THIS DEBT WAS NOT REAFFIRMED, THIS CORRESPONDENCE IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY ENFORCEMENT OF A LIEN AGAINST PROPERTY. \*\*

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 this 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 or 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 TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

CLEARFIELD COUNTY  
DAVID S. MEHOLICK, COURT ADMINISTRATOR  
CLEARFIELD COUNTY COURTHOUSE  
CLEARFIELD, PA 16830  
(814) 765-2641

**FILED**

**MAR 2 8 2000**

William A. Shaw  
Prothonotary

1. Plaintiff is

TMS MORTGAGE, INC.,  
D/B/A THE MONEY STORE  
ONE OLD COUNTRY ROAD, SUITE 375  
CARLE PLACE, NY 11514

2. The name(s) and last known address (es) of the Defendant(s) are:

ROCKLAND L. FULMER  
RD 4 BOX 62 WALKER ROAD  
CLEARFIELD, PA 16830

who is/are the mortgagor(s) and real owner(s) of the property hereinafter described.

3. On 11/23/98 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to PLAINTIFF which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Book No. 1988, Page 266.
4. The premises subject to said mortgage is described as attached.
5. The mortgage is in default because monthly payments of principal and interest upon said mortgage due 11/1/99 and each month thereafter are due and unpaid, and by the terms of said mortgage, upon failure of mortgagor to make such payments after a date specified by written notice sent to Mortgagor, the entire principal balance and all interest due thereon are collectible forthwith. A copy of such notice is attached as Exhibit "A."

6. The following amounts are due on the mortgage:

Principal Balance	\$21,052.86
Interest	789.68
10/1/99 through 2/1/00	
(Per Diem \$6.44)	
Attorney's Fees	800.00
Cumulative Late Charges	26.52
11/23/98 to 2/1/00	
Cost of Suit and Title Search	<u>550.00</u>
Subtotal	23,219.06
Escrow	
Credit	0.00
Deficit	<u>0.00</u>
Subtotal	<u>0.00</u>
TOTAL	\$23,219.06

7. The attorney's fees set forth above are in conformity with the Mortgage documents and Pennsylvania Law, and will be collected in the event of a third party purchaser at Sheriff's Sale. If the Mortgage is reinstated prior to the Sale, reasonable attorney's fees will be charged.

8. The Combined Notice has been sent to the Defendant(s) by regular and certified mail as required by 35 P.S. §1680.403c on the date(s) set forth in the true and correct copy of such notice(s) attached hereto as Exhibit "A."

9. The Temporary Stay as provided by the Homeowner's Emergency Mortgage Assistance Program, Act 91 of 1983, has terminated because either:

- Defendant(s) have failed to meet with the Plaintiff or an authorized Credit Counseling Agency in accordance with Plaintiff's written Notice to Defendants, a true and correct copy of which is attached hereto as Exhibit "A"; or
- Defendant(s) application for assistance has been rejected by the Pennsylvania Housing Finance Agency.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$23,219.06, together with interest from 2/1/00 at the rate of \$6.44 per diem to the date of Judgment, and other costs and charges collectible under the mortgage and for the foreclosure and sale of the mortgaged property.

  
/s/ Frank Federman  
FRANK FEDERMAN, ESQUIRE  
Attorney for Plaintiff

**THE MONEY STORE®**

January 5, 2000

NFCL  
80858764

# ACT 91 NOTICE

## TAKE ACTION TO SAVE YOUR HOME FROM FORECLOSURE

This is an official notice that the mortgage on your home is in default, and the lender intends to foreclose. Specific information about the nature of the default is provided in the attached pages.

The HOMEOWNERS' EMERGENCY MORTGAGE ASSISTANCE PROGRAM (HEMAP) may be able to help to save your home. This notice explains how the program works.

To see if HEMAP can help you, you must MEET WITH A CONSUMER CREDIT COUNSELING AGENCY WITHIN 30 DAYS OF THE DATE OF THIS NOTICE. Take this Notice with you when you meet with the counseling agency.

The name, address, and phone number of Consumer Credit Counseling Agencies serving your county are listed at the end of this Notice. If you have any questions, you may call the Pennsylvania Housing Finance Agency toll free at 1-800-342-2397 (persons with impaired hearing can call 717-780-1869).

LA NOTIFICAION EN ADJUNTO ES DE SUMA IMPORTANCIA, PUES AFECTA SU DERECHO A CONTINUAR VIVIENDO EN SU CASA. SI NO COMPRENDE EL CONTENIDO DE ESTA NOTIFICACION OBTENGA UNA TRADUCCION IMMEDIATAMENTE LLAMANDO ESTA AGENCIA (PENNSYLVANIA HOUSING FINANCE AGENCY) SIN CARGOS AL NUMERO MENCIONADO ARRIBA. PUEDES SER ELEGIBLE PAM UN PRESTAMO POR EL PROGRAMA LLAMADO "HOMEOWNERS' EMERGENCY MORTGAGE ASSISTANCE PROGRAM" AL CUAL PUEDE SALVAR SU CASA DE LA PERDIDA DEL DERECHO A REDIMIR SU HIPOTECA.

HOMEOWNER'S NAME (S): ROCKLAND L FULMER and  
PROPERTY ADDRESS: RD4 BX62 WALKER RD  
CLEARFIELD, PA 16830-0000

LOAN ACCOUNT NUMBER: 0000080858764  
CURRENT LENDER/SERVICER: THE MONEY STORE

### HOMEOWNER'S EMERGENCY MORTGAGE ASSISTANCE PROGRAM

YOU MAY BE ELIGIBLE FOR FINANCIAL ASSISTANCE WHICH CAN SAVE YOUR HOME FROM FORECLOSURE AND HELP YOU MAKE FUTURE MORTGAGE PAYMENTS

IF YOU COMPLY WITH THE PROVISION OF THE HOMEOWNERS' EMERGENCY



DO NOT COMPLY WITH THE PROVISION OF THE HOMEOWNERS' EMERGENCY

0080858764NFCL

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**EXHIBIT A**

## **THE MONEY STORE**

MORTGAGE ASSISTANCE ACT OF 1983 (THE "ACT"). YOU MAY BE ELIGIBLE FOR  
EMERGENCY MORTGAGE ASSISTANCE:

- IF YOUR DEFAULT HAS BEEN CAUSED BY CIRCUMSTANCES BEYOND YOUR CONTROL,
- YOU HAVE A REASONABLE PROSPECT OF BEING ABLE TO PAY YOUR MORTGAGE PAYMENTS, AND
- IF YOU MEET OTHER ELIGIBILITY REQUIREMENTS ESTABLISHED BY THE PENNSYLVANIA HOUSING FINANCE AGENCY.

**TEMPORARY STAY OF FORECLOSURE**-Under the Act, you are entitled to a temporary stay of the foreclosure on your mortgage for thirty (30) days from the date of this Notice. During that time you must arrange and attend a "face-to-face" meeting with one of the designated consumer counseling agencies listed at the end of this Notice. **THIS MEETING MUST OCCUR WITHIN THE NEXT THIRTY- (30) DAYS. IF YOU DO NOT APPLY FOR EMERGENCY MORTGAGE ASSISTANCE, YOU MUST BRING YOUR MORTGAGE UP TO DATE. THE PART OF THIS NOTICE CALLED "HOW TO CURE YOUR MORTGAGE DEFAULT" EXPLAINS HOW TO BRING YOUR MORTGAGE UP TO DATE.**

**CONSUMER CREDIT COUNSELING AGENCIES**- If you attend a face-to-face meeting with one of the consumer credit counseling agencies listed at the end of this Notice, the lender may NOT take further action against you for thirty (30) days after the date of this meeting. The names, addresses and telephone numbers of designated consumer counseling agencies for the county in which your property is located are set forth at the end of this Notice. It is only necessary to schedule one face-to-face meeting. You should advise this lender immediately of your intentions.

**APPLICATION FOR MORTGAGE ASSISTANCE**-Your mortgage is in default for the reasons set forth later in this Notice (see following pages for specific information about the nature of your default). If you have tried and are unable to resolve this problem with the lender, you have the right to apply for financial assistance from the Homeowners' Emergency Mortgage Assistance Fund. To do so, you must fill out, sign and file a completed Homeowners' Emergency Assistance Application with one of the designated consumer credit counseling agencies listed at the end of this Notice. Only consumer credit counseling agencies have the applications for the program and they will assist you in submitting a completed application to the Pennsylvania Housing Finance Agency. Your application MUST be filed or postmarked within thirty (30) days of your face-to-face meeting.

**YOU MUST FILE YOUR APPLICATION PROMPTLY. IF YOU FAIL TO DO SO OR IF YOU DO NOT FOLLOW THE OTHER TIME PERIODS SET FORTH IN THIS LETTER, FORECLOSURE MAY PROCEED AGAINST YOUR HOME IMMEDIATELY AND YOUR APPLICATION FOR MORTGAGE ASSISTANCE WILL BE DENIED.**

**AGENCY ACTION**- Available funds for emergency mortgage assistance are very limited.

**AGENCY ACTION**- Available funds for emergency mortgage assistance are very limited.

## THE MONEY STORE

They will be disbursed by the Agency under the eligibility criteria established by the Act. The Pennsylvania Housing finance Agency has sixty (60) days to make a decision after it receives your application. During that additional time, no foreclosure proceedings will be pursued against you if you have met the time requirements set forth above. You will be notified directly by the Agency of its decision on your application.

**NOTE: IF YOU ARE CURRENTLY PROTECTED BY THE FILING OF A PETITION IN BANKRUPTCY, THE FOLLOWING PART OF THIS NOTICE IS FOR INFORMATION PURPOSES ONLY AND SHOULD NOT BE CONSIDERED AS AN ATTEMPT TO COLLECT THE DEBT. (If you have filed bankruptcy you can still apply for Emergency Mortgage Assistance.)**

### HOW TO CURE YOUR MORTGAGE DEFAULT (Bring it up to date).

NATURE OF THE DEFAULT - The MORTGAGE debt held by the above lender on your property located at

**RD4 BX62 WALKER RD CLEARFIELD PA 16830-0000**  
IS SERIOUSLY IN DEFAULT because:

A. YOU HAVE NOT MADE MONTHLY MORTGAGE PAYMENTS for the following months and the following amounts are now past due:

a) # Months Payments	\$307.56 X 3
b) Late charge(s)	\$169.60
c) Other charge(s), NSF, corporate advance	\$120.00
d) Less: Any suspense funds	\$158.46
e) Total amount required as of (due date)	\$1078.82

B. YOU HAVE FAILED TO TAKE THE FOLLOWING ACTION

HOW TO CURE THE DEFAULT - You may cure this default within THIRTY (30) days from the date of this letter. **BY PAYING THE TOTAL AMOUNT PAST DUE TO LENDER, WHICH IS \$1078.82 PLUS ANY MORTGAGE PAYMENTS AND LATE CHARGES (and other charges) WHICH BECOME DUE DURING THE THIRTY (30) DAY PERIOD.** Payments must be made either by cash, cashier's check, certified check, or money order made payable to:

The Money Store  
P. O. Box 96053  
Charlotte, N.C. 28296-0053

# THE MONEY STORE

**IF YOU DO NOT CURE THE DEFAULT** - If you do not cure the default within THIRTY (30) days of this letter date, the lender intends to exercise its right to accelerate the mortgage debt. This means that the entire outstanding balance of this debt will be considered due immediately and you may lose the chance to pay the mortgage in monthly installments. If full payment of the amount of default is not made within THIRTY (30) DAYS, The Money Store also intends to instruct their attorneys to start a legal action to foreclose upon your mortgaged property.

**IF THE MORTGAGE IS FORECLOSED UPON**-. The mortgaged property will be sold by the Sheriff to pay off the mortgage debt. If the lender refers your case to its attorneys, but you cure the delinquency before they begin legal proceedings against you, you will have to pay the reasonable attorney's fees actually incurred, up to \$50.00. However, if legal proceedings are started against you, you will have to pay the reasonable attorney's fees actually incurred even if they exceed \$50.00. Any attorney's fees will be added to the amount you owe the lender, which may also include other reasonable costs. If you cure the default within the THIRTY (30) DAY period, you will not be required to pay attorneys' fees.

**OTHER LENDER REMEDIES**- The lender may also sue you personally for the unpaid principal balance, and all other sums due under the Mortgage.

**RIGHT TO CURE THE DEFAULT PRIOR TO SHERIFF'S SALE**- If you have not cured the default within the THIRTY (30) day period and foreclosure proceedings have begun, you still have the right to cure the default and prevent the sale at any time up to one hour before the Sheriffs Sale. You may do so by paying the total amount then past due plus any late charges, charges then due, reasonable attorneys' fees and costs connected with the foreclosure sale and any other costs connected with the Sheriffs Sale as specified in writing by the lender and by performing any other requirements under the mortgage. Curing your default in the manner set forth in this Notice will restore your mortgage to the same position as if you had never defaulted.

**EARLIEST POSSIBLE SHERIFF'S SALE DATE**-It is estimated that the earliest date that such sheriff's sale could be held is would be approximately five (5) months from the date of this Notice. A notice of the actual date of the Sheriffs Sale will be sent to you before the sale. Of course, the amount needed to cure the default will increase the longer you wait. You may find out at any time exactly what the required payment or action will be by contacting the lender.

## HOW TO CONTACT THE LENDER

Name of Lender:

The Money Store

Address:

P. O. Box 96053, Charlotte, NC 28296-0053

Telephone Number:

800 795-5125 Ext. 10301

Fax Number:

916 617-0655

## **THE MONEY STORE®**

**EFFECT OF SHERIFF'S SALE-** You should realize that a sheriff's sale will end your ownership of the mortgaged property and your right to occupy it. If you continue to live in the property after the sheriff's sale, a lawsuit to remove you and your furniture and other belongings could be started by the lender at any time.

**ASSUMPTION OF MORTGAGE-** You may not sell or transfer your home to a buyer or transferee that will assume the mortgage debt.

### **YOU MAY ALSO HAVE THE RIGHT**

- TO SELL THE PROPERTY TO OBTAIN MONEY TO PAY OFF THE MORTGAGE DEBT, OR BORROW MONEY FROM ANOTHER LENDING INSTITUTION TO PAY OFF THIS DEBT.
- TO HAVE THIS DEFAULT CURED BY ANY THIRD PARTY ACTING ON YOUR BEHALF.
- TO HAVE THE MORTGAGE RESTORED TO THE SAME POSITION AS IF NO DEFAULT HAD OCCURRED, IF YOU CURE THE DEFAULT, (HOWEVER, YOU ARE NOT ENTITLED TO THIS RIGHT MORE THAN THREE TIMES IN A CALENDAR YEAR).
- TO ASSERT THE NONEXISTENCE OF DEFAULT IN ANY FORECLOSURE PROCEEDING OR ANY OTHER LAWSUIT INSTITUTED UNDER THE MORTGAGE DOCUMENTS.
- TO ASSERT ANY OTHER DEFENSE YOU BELIEVE YOU MAY HAVE TO SUCH ACTION BY THE LENDER.
- TO SEEK PROTECTION UNDER THE FEDERAL BANKRUPTCY LAW.

THE CONSUMER CREDIT COUNSELING AGENCIES SERVING YOUR COUNTY IS ATTACHED TO THIS LETTER

**Pennsylvania Housing Finance Agency  
Homeowner's Emergency Mortgage Assistance Program  
Consumer Credit Counseling Agencies**  
(Rev. 5/99)

**CHESTER COUNTY**

Acorn Housing Corporation  
846 North Broad Street  
Philadelphia, PA 19130  
(215) 765-1221  
FAX (215) 765-1427

Budget Counseling Center  
247 North Fifth Street  
Reading, PA 19601  
(610) 375-7866  
FAX (215) 375-7830

HACE  
167 W. Allegheny Ave, 2nd fl.  
Philadelphia, PA 19140  
(215) 426-8025  
FAX (215) 426-9122

Media Fellowship House  
302 S. Jackson Street  
Media, PA 19063  
(610) 565-0846  
FAX (610) 565-8567

Tabor Community Services, Inc.  
439 E. King Street  
Lancaster, PA 17602  
(717) 397-5182 OR 1 (800) 788-5062 (H. O. only)  
FAX (717) 399-4127

American Red Cross of Chester  
1729 Edgemont Avenue  
Chester, PA 19013  
(610) 874-1484

845 Coates St  
Coatesville, PA 19320  
(888) 212-6741

Northwest Counseling Services  
5001 N Broad Street  
Philadelphia, PA 19141  
(215) 324-7500  
FAX (215) 324-8753

CCCS of Delaware Valley  
1515 Market Street, Suite 1325  
Philadelphia, PA 19107  
(215) 563-5665  
FAX (215) 563-7020

Community Housing Counseling Inc  
P. O. Box 244  
Kennett Square, PA 19348  
(610) 444-3682  
FAX (610) 444-8243

Phila Council For Community Adv.  
100 North 17th Street Suite 600  
Philadelphia, PA 19103  
(215) 567-7803  
FAX (215) 963-9941

Community Devel. Corp of Frankford  
Group Ministry  
4620 Griscom Street  
Philadelphia, PA 19124  
(215) 744-2990  
FAX (215) 744-2012

CCCS of Delaware Valley  
Marshall Building  
790 E Market St, Suite 215  
West Chester, PA 19332  
(215) 563-5665

**American Credit Counseling Institute**

144 E Dekalb Pike  
King of Prussia, PA 19406  
(610) 971-2210  
FAX (610) 265-4814

755 York Rd, Suite 103  
Warminster, PA 18974  
(215) 444-9429  
FAX (215) 956-6344

**CLARION COUNTY**

CCCS of Western Pennsylvania, Inc.  
YMCA Building  
339 North Washington Street  
Butler, PA 16001  
(412) 282-7812

**CLEARFIELD COUNTY**

Keystone Economic Development Corporation  
1954 Mary Grace Lane  
Johnstown, PA 15901  
(814) 535-6556  
FAX (814) 539-1688

CCCS of Western Pennsylvania, Inc.  
217 E. Plank Road  
Altoona, PA 16602  
(814) 944-8100  
FAX (814) 944-5747

Indiana Co. Community Action Program  
827 Water Street, Box 187  
Indiana, PA 15701  
(724) 465-2657  
FAX (724) 465-5118

CCCS of Northeastern PA  
1631 S Atherton St  
Suite 100  
State College, PA 16801  
(814) 238-3663  
FAX (814) 238-3669

**EXHIBIT A**

ALL that certain parcel of land situate in Pike Township, Clearfield County, Pennsylvania, bounded and described as follows:

VOL 1988 PAGE 273

BEGINNING at a point in the centerline of Township Road No. T-517, said point being North 58 degrees 20 minutes 20 seconds West a distance of 443.89 feet from a nail in the centerline of said Township Road being the northeast corner of lands of which this is a part, said point being also the northeasterly corner of the land hereby conveyed and running: Thence along Ronald E. Fulmer for a new line South 32 degrees 47 minutes 20 seconds West a distance of 185.95 feet to an iron pin at the southeasterly corner of the land hereby conveyed, said line passing through an iron pin being set 18.86 feet from the centerline of said Township Road; thence along the same for a new line North 67 degrees 52 minutes 20 seconds West a distance of 213.76 feet to an iron pin at the southwesterly corner of the land hereby conveyed; thence still along the same for a new line North 32 degrees 47 minutes 20 seconds East a distance of 225.50 feet to a point on the centerline of T-517 and at the northwesterly corner of the land hereby conveyed, said line passing through an iron pine being set back 18.39 feet from the centerline of T-517; thence along the centerline of T-517 South 57 degrees 12 minutes 40 seconds East a distance of 210.07 feet to the place of beginning.

Parcel 126-108-60

Deed Book 1614 Page 304  
PREMISES: RD4 BOX 62 WALKER ROAD

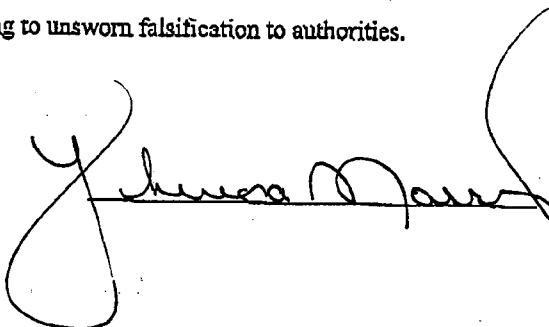
Rockland L. Fulmer  
#80858764

VERIFICATION

*Theresa Morris* hereby states that he/she is

*JR. Litigation Specialist of The Money Store*

mortgage servicing agent for Plaintiff in this matter, that he/she is authorized to take this Verification, and that the statements made in the foregoing Civil Action in Mortgage Foreclosure are true and correct to the best of his/her knowledge, information and belief. The undersigned understands that this statement is made subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.



DATE 2-25-00

FRANK FEDERMAN

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

TMS MORTGAGE, INC.  
VS  
FULMER, ROCKLAND

00-384-CD

COMPLAINT IN MORTGAGE FORECLOSURE  
SHERIFF RETURNS

NOW MARCH 30, 2000 AT 10:10 AM EST SERVED THE WITHIN  
COMPLAINT IN MORTGAGE FORECLOSURE ON ROCKLAND FULMER,  
DEFENDANT AT RESIDENCE RD 4 BOX 62, WALKER ROAD, CLEARFIELD,  
CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO ROCKLAND  
FULMER A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN  
MORTGAGE FORECLOSURE AND MADE KNOWN TO HIM THE CONTENTS  
THEREOF.

SERVED BY: DAVIS/MORGILLO

19.33 SHFF. HAWKINS PAID BY: ATTY  
10.00 SURCHARGE PAID BY: ATTY

SWORN TO BEFORE ME THIS

7th DAY OF April 2000

William A. Shaw  
WILLIAM A. SHAW  
Prothonotary

My Commission Expires  
1st Monday in Jan. 2002  
Clearfield Co., Clearfield, PA.

SO ANSWERS,

*Chester A. Hawkins*  
*by Marilyn Ham*

CHESTER A. HAWKINS  
SHERIFF

FILED

*APR 07 2000*  
*013:07*  
William A. Shaw  
Prothonotary

FEDERMAN AND PHELAN  
By: FRANK FEDERMAN  
Identification No. 12248  
Two Penn Center Plaza - Suite 900  
Philadelphia, PA 19102  
(215) 563-7000

Attorney for Plaintiff

TMS MORTGAGE, INC. D/B/A THE  
MONEY STORE  
ONE OLD COUNTRY ROAD, SUITE  
375  
CARLE PLACE, NY 11514

Plaintiff

vs.

81  
ROCKLAND L. FULMER  
RD 4 BOX 62 WALKER ROAD  
CLEARFIELD, PA 16830

Defendant(s)

: CLEEARFIELD COUNTY  
: COURT OF COMMON PLEAS  
: CIVIL DIVISION  
: NO. 00-384-CD  
: OCT 03 2000  
: William A. Shaw  
: Prothonotary

FILED

**PRAECIPE FOR JUDGMENT FOR FAILURE TO  
ANSWER AND ASSESSMENT OF DAMAGES**

TO THE PROTHONOTARY:

Kindly enter judgment in favor of the Plaintiff and against **ROCKLAND L. FULMER** Defendant(s), for failure to file an Answer to Plaintiff's Complaint within 20 days from service thereof and for foreclosure and sale of the mortgaged premises, and assess Plaintiff's damages as follows:

As set forth in Complaint Interest 2/1/00 TO 9/27/00	\$23,219.06 \$1,545.60
TOTAL	\$24,764.66

I hereby certify that (1) the addresses of the Plaintiff and Defendant(s) are as shown above, and (2) notice has been given in accordance with Rule 237.1, copy attached.

*Frank Federman*  
FRANK FEDERMAN, ESQUIRE  
Attorney for Plaintiff

**DAMAGES ARE HEREBY ASSESSED AS INDICATED.**

DATE: 10/3/00

*William A. Shaw*  
PRO PROTHY

\*\*THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. IF YOU HAVE PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY AND THIS DEBT WAS NOT REAFFIRMED, THIS CORRESPONDENCE IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY ENFORCEMENT OF A LIEN AGAINST PROPERTY.\*\*

• FEDERMAN AND PHELAN  
Frank Federman, Esquire  
Identification No. 12248  
Two Penn Center Plaza  
Suite 900  
Philadelphia, PA 19102-1799  
(215) 563-7000

ATTORNEY FOR PLAINTIFF

TMS MORTGAGE, IINC.,  
D/B/A THE MONEY STORE

: COURT OF COMMON PLEAS

Plaintiff

: CIVIL DIVISION

vs.

: CLEARFIELD COUNTY

ROCKLAND FULMER

: NO. 00-384-CD

Defendant(s)

TO: **ROCKLAND FULMER**  
**RD 4 BOX 62 WALKER ROAD**  
**CLEARFIELD, PA 16830**

FILE COPY

DATE OF NOTICE: **SEPTEMBER 13, 2000**

THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. THIS NOTICE IS SENT TO YOU IN AN ATTEMPT TO COLLECT THE INDEBTEDNESS REFERRED TO HEREIN, AND ANY INFORMATION OBTAINED FROM YOU WILL BE USED FOR THAT PURPOSE. IF YOU HAVE PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY, THIS CORRESPONDENCE IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY AS ENFORCEMENT OF LIEN AGAINST PROPERTY.

**IMPORTANT NOTICE**

You are in default because you have failed to enter a written appearance personally or by attorney and file in writing with the court your defenses or objections to the claims set forth against you. Unless you act within ten (10) days from the date of this notice, a Judgment may be entered against you without a hearing and you may lose your property or other important rights. You should take this notice to a lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the following office to find out where you can get legal help:

CLEARFIELD COUNTY  
DAVID S. MEHOLICK, COURT ADMINISTRATOR  
CLEARFIELD COUNTY COURTHOUSE  
CLEARFIELD, PA 16830  
(814) 765-2641

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Frank Federman, Esquire  
Attorney for Plaintiff

FEDERMAN AND PHELAN  
By: FRANK FEDERMAN  
Identification No. 12248  
Two Penn Center Plaza - Suite 900  
Philadelphia, PA 19102  
(215) 563-7000

**TMS MORTGAGE, INC. D/B/A THE  
MONEY STORE  
ONE OLD COUNTRY ROAD, SUITE  
375  
CARLE PLACE, NY 11514**

**Plaintiff**

vs.

ROCKLAND L. FULMER  
RD 4 BOX 62 WALKER ROAD  
CLEARFIELD, PA 16830

**Defendant(s)**

Attorney for Plaintiff

: CLEARFIELD COUNTY  
:  
: COURT OF COMMON PLEAS  
:  
: CIVIL DIVISION  
:  
: NO. 00-384-CD  
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## CERTIFICATION

FRANK FEDERMAN, ESQUIRE, hereby verifies that he is attorney for the Plaintiff in the above-captioned matter, and that the premises are not subject to the provisions of Act 91 because it is:

( ) an FHA mortgage  
( ) non-owner occupied  
( ) vacant  
(X) Act 91 procedures have been fulfilled

This certification is made subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn falsification to authorities.

Frank Federman  
FRANK FEDERMAN, ESQUIRE  
Attorney for Plaintiff

FEDERMAN and PHELAN  
By: FRANK FEDERMAN  
Identification No. 12248  
Suite 900  
Two Penn Center Plaza  
Philadelphia, PA 19102  
(215) 563-7000

Attorney for Plaintiff

**TMS MORTGAGE, INC. D/B/A THE  
MONEY STORE**

**Plaintiff**

**vs.**

**ROCKLAND L. FULMER**

**Defendant(s)**

**: CLEARFIELD COUNTY**

**:**

**: Court of Common Pleas**

**:**

**: CIVIL DIVISION**

**:**

**: NO. 00-384-CD**

**:**

**:**

**VERIFICATION OF NON-MILITARY SERVICE**

FRANK FEDERMAN, ESQUIRE, hereby verifies that he is attorney for the Plaintiff in the above-captioned matter, and that on information and belief, he has knowledge of the following facts, to wit:

(a) that the defendant(s) is/are not in the Military or Naval Service of the United States or its Allies, or otherwise within the provisions of the Soldiers' and Sailors' Civil Relief Act of Congress of 1940, as amended

(b) that defendant **ROCKLAND L. FULMER** is over 18 years of age and resides at **RD 4 BOX 62 WALKER ROAD, CLEARFIELD, PA 16830.**

This statement is made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

*Frank Federman*  
FRANK FEDERMAN  
Attorney for Plaintiff

COP

(Rule of Civil Procedure No. 236 – Revised)

**TMS MORTGAGE, INC. D/B/A THE  
MONEY STORE**

: **CLEARFIELD COUNTY**

: **Court of Common Pleas**

**Plaintiff**

: **CIVIL DIVISION**

**vs.**

: **NO. 00-384-CD**

**ROCKLAND L. FULMER**

:

**Defendant(s)**

:

Notice is given that a Judgment in the above captioned matter has been entered against you on  
[REDACTED] *October 3, 2000*

By *Deborah Ober* DEPUTY

If you have any questions concerning this matter, please contact:

FRANK FEDERMAN, ESQUIRE  
Attorney for Filing Party  
SUITE 900  
TWO PENN CENTER PLAZA  
PHILADELPHIA, PA 19102  
(215) 563-7000

\*\*THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. IF YOU HAVE PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY AND THIS DEBT WAS NOT REAFFIRMED, THIS IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY ENFORCEMENT OF A LIEN AGAINST PROPERTY. \*\*

FILED

APR 26 2001 10:00 AM

OCT 03 2000

McBride,athy Fulmer  
William A. Shaw  
Prothonotary

PD \$20.00

Notice to Dr. R. Fulmer  
Statement to athy Fulmer

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
STATEMENT OF JUDGMENT

TMS MORTGAGE, INC. d/b/a THE MONEY  
STORE

**COPY**

Plaintiff(s) No. 00-384-CD  
Real Debt \$24,764.66  
vs. Atty's Comm \_\_\_\_\_  
ROCKLAND L. FULMER

Defendant(s) Atty's Comm \_\_\_\_\_  
Costs \$ \_\_\_\_\_  
Int. From \_\_\_\_\_  
Entry \$20.00  
Instrument Default Judgment  
Date of Entry October 3, 2000  
Expires October 3, 2000

Certified from the record this 3rd day of October, 2000

William A. Shaw, Prothonotary

\*\*\*\*\*

SIGN BELOW FOR SATISFACTION

Received on \_\_\_\_\_, 20 \_\_\_, of defendant full  
satisfaction of this Judgment, Debt, Interest and Costs and Prothonotary  
is authorized to enter Satisfaction on the same.

\_\_\_\_\_  
Plaintiff/Attorney

PRAECIPE FOR WRIT OF EXECUTION - (MORTGAGE FORECLOSURE)  
P.R.C.P. 3180-3183

TMS MORTGAGE INC.

: CLEARFIELD

Plaintiff

: COURT OF COMMON  
PLEAS

vs.

: CIVIL DIVISION

ROCKLAND L. FULMER  
RD 4 BOX 62 WALKER ROAD  
CLEARFIELD, PA 16830

: NO. 00-384-~~GEV~~ CD

Defendant(s)

:  
:  
:  
:

TO THE DIRECTOR OF THE PROTHONOTARY:

Issue writ of execution in the above matter:

Amount Due \$ 24,764.66

Interest from \$ \_\_\_\_\_ and Costs  
OCTOBER 5, 2000 to (sale date)  
(per diem - \$4.07)

Frank Federman  
FRANK FEDERMAN, ESQUIRE  
TWO PENN CENTER PLAZA  
SUITE 900  
PHILADELPHIA, PA 19102  
Attorney for Plaintiff

Note: Please attach description of property.

**FILED**

OCT 06 2000

William A. Shaw  
Prothonotary *(initials)*

NO. 00-384-CIV Term  
IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

TMS MORTGAGE INC.

vs.

ROCKLAND L. FULMER

---

PRAECLPPE FOR WRIT OF EXECUTION  
(Mortgage Foreclosure)

---

Filed:

**FILED**

00T 06 2000  
8/3/50/Attn  
William A. Shaw *Federman*  
Prothonotary  
Pd \$20.00

*Frank Federman*  
Attorney for Plaintiff

Address: RD 4 BOX 62 WALKER ROAD, CLEARFIELD, PA 16830  
Where papers may be served.

*Lowits J.W.*

ALL THAT CERTAIN parcel of land situate in Pike Township, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at a point in the centerline of Township Road No. T-517, said point being North 58 degrees 20 minutes 20 seconds West a distance of 443.89 feet from a nail in the centerline of said Township Road being the northeast corner of lands of which this is a part, said point being also the northeasterly corner of the land hereby conveyed and running; thence along Ronald E. Fulmer for a new line South 32 degrees 47 minutes 20 seconds West a distance of 185.95 feet to an iron pin at the southeasterly corner of the land hereby conveyed, said line passing through an iron pin being set 18.86 feet from the centerline of said Township Road; thence along the same for a new line North 67 degrees 52 minutes 20 seconds West a distance of 213.76 feet to an iron pin at the southwesterly corner of the land hereby conveyed; thence still along the same for a new line North 32 degrees 47 minutes 20 seconds East a distance of 225.50 feet to a point on the centerline of T-517 and at the northwesterly corner of the land hereby conveyed, said line passing through an iron pin being set back 18.39 feet from the centerline of T-517; thence along the centerline of T-517 South 57 degrees 12 minutes 40 seconds East a distance of 210.07 feet to the place of beginning. CONTAINING 0.913 acres as surveyed by Lex W. Curry, Registered Surveyor dated July 25, 1986, a copy of said survey being attached hereto and made a part hereof.

TAX PARCEL #126-108-0-60

TITLE TO SAID PREMISES IS VESTED IN Rockland L. Fulmer, by Deed from Ronald E. Fulmer, Trustee under the Will of Dorothy H. Fulmer, dated 12/20/93, recorded 6/27/94, in Deed Book 1614, Page 304.

FEDERMAN and PHELAN  
By: FRANK FEDERMAN  
Identification No. 12248  
Suite 900  
Two Penn Center Plaza  
Philadelphia, PA 19102  
(215) 563-7000

ATTORNEY FOR PLAINTIFF

TMS MORTGAGE INC.

: CLEARFIELD COUNTY  
: COURT OF COMMON PLEAS  
: CIVIL DIVISION

vs.

: NO. 00-384-~~CV~~ CD

ROCKLAND L. FULMER

CERTIFICATION

FRANK FEDERMAN, ESQUIRE, hereby states that he is the attorney for the Plaintiff in the above captioned matter and that the premises are not subject to the provisions of Act 91 because it is:

( ) an FHA Mortgage  
( ) non-owner occupied  
( ) vacant  
(X) Act 91 procedures have been fulfilled

This certification is made subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.

  
FRANK FEDERMAN, ESQUIRE  
Attorney for Plaintiff

FEDERMAN and PHELAN  
By: FRANK FEDERMAN  
Identification No. 12248  
Suite 900  
Two Penn Center Plaza  
Philadelphia, PA 19102  
(215) 563-7000

ATTORNEY FOR PLAINTIFF

TMS MORTGAGE INC.

: CLEARFIELD COUNTY  
: COURT OF COMMON PLEAS  
: CIVIL DIVISION  
: NO. 00-384-~~EVCO~~

vs.

ROCKLAND L. FULMER

CERTIFICATION

FRANK FEDERMAN, ESQUIRE, hereby states that he is the attorney for the Plaintiff in the above captioned matter and that the premises are not subject to the provisions of Act 91 because it is:

( ) an FHA Mortgage  
( ) non-owner occupied  
( ) vacant  
(X) Act 91 procedures have been fulfilled

This certification is made subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.

  
FRANK FEDERMAN, ESQUIRE  
Attorney for Plaintiff

WRIT OF EXECUTION - (MORTGAGE FORECLOSURE)  
P.R.C.P. 3180 TO 3183 AND Rule 3257

COPY

TMS MORTGAGE INC.

Plaintiff

vs.

ROCKLAND L. FULMER  
RD 4 BOX 62 WALKER ROAD  
CLEARFIELD, PA 16830

Defendant(s)

: CLEARFIELD

: COURT OF COMMON  
PLEAS

: CIVIL DIVISION

: NO. 00-384-~~CEVCO~~

:  
:  
:  
:  
:  
:

COMMONWEALTH OF PENNSYLVANIA:

COUNTY OF WYOMING:

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA

To satisfy the judgment, interest and costs in the above matter, you are directed to levy upon and sell the following described property (specifically described property below):

Premises RD 4 BOX 62 WALKER ROAD, CLEARFIELD, PA 16830  
(see attached legal description)

Amount Due \$ 24,764.66

Interest from \$ \_\_\_\_\_  
OCTOBER 5, 2000 to (sale date)  
(per diem - \$4.07)

Total \$ 129.33 Plus Costs as endorsed.

  
\_\_\_\_\_  
Clerk  
Office of Prothonotary  
Common Pleas Court of  
CLEARFIELD County, PA

Dated: October 6, 2000  
(Seal)

**FILED**

JAN 04 2001  
77-2001-16  
William A. Shaw  
Prothonotary  
SAC

FEDERMAN AND PHELAN  
By: FRANK FEDERMAN, ESQUIRE  
IDENTIFICATION NO. 12248  
ONE PENN CENTER PLAZA, SUITE 1400  
PHILADELPHIA, PA 19103  
(215) 563-7000

TMS Mortgage Inc.

vs.

Rockland L. Fulmer

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS  
CIVIL DIVISION

Clearfield COUNTY

No.: 00-384-CIV

**ORDER**

AND NOW, this 8<sup>th</sup> day of January, 2001, upon consideration of Plaintiff's Motion and the Affidavit of Good Faith Investigation attached thereto, it is hereby ORDERED that Plaintiff may obtain service of the Notice of Sale on the above captioned Defendant(s), Rockland L. Fulmer, by mailing a true and correct copy of the Notice of Sale by certified mail and regular mail to Defendant's last known address and by posting the mortgaged premises.

Service of the aforementioned mailings is effective upon the date of mailing and is to be done by Plaintiff's attorney, who will file with the Prothonotary's Office an Affidavit of service.

BY THE COURT:

J.

**FILED**

JAN 08 2001

William A. Shaw  
Prothonotary

FILED

JAN 08 2001  
01/23/2001  
William A. Shaw  
Prothonotary

EPA

FEDERMAN AND PHELAN  
By: FRANK FEDERMAN, ESQUIRE  
IDENTIFICATION NO. 12248  
ONE PENN CENTER PLAZA, SUITE 1400  
PHILADELPHIA, PA 19103  
(215) 563-7000

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS  
CIVIL DIVISION

TMS Mortgage Inc.

Clearfield COUNTY

vs.

No.: 00-384-CIV

Rockland L. Fulmer

**MOTION FOR SERVICE PURSUANT TO  
SPECIAL ORDER OF COURT**

Plaintiff, by its counsel, Frank Federman, Esquire, moves this Honorable Court for an Order directing service of the Notice of Sale upon the above captioned Defendant(s) by certified mail and regular mail to Defendant's last known address.

1. Attempts to serve Defendant with Notice of Sale have been unsuccessful, as indicated by the Affidavit of Service attached hereto as Exhibit "A."
2. Pursuant to Pennsylvania Rule of Civil Procedure 430, Plaintiff has made a good faith effort to locate the Defendant. An Affidavit of Good Faith Investigation setting forth the specific inquiries made and the result there from is attached hereto as Exhibit "B."

**WHEREFORE**, Plaintiff respectfully requests this Honorable Court enter an Order pursuant to Pennsylvania Rule of Civil Procedure 430 directing service of the Notice of Sale by certified mail and regular mail to Defendant's last known address.

**FILED**

JAN 04 2001

William A. Shaw  
Prothonotary

  
FRANK FEDERMAN, ESQUIRE

ATTORNEY FOR PLAINTIFF

FEDERMAN AND PHELAN  
By: FRANK FEDERMAN, ESQUIRE  
IDENTIFICATION NO. 12248  
ONE PENN CENTER PLAZA, SUITE 1400  
PHILADELPHIA, PA 19103  
(215) 563-7000

TMS Mortgage Inc.

vs.

Rockland L. Fulmer

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS  
CIVIL DIVISION  
Clearfield COUNTY

No.: 00-384-CIV

### **MEMORANDUM OF LAW**

Pennsylvania Rule of Civil Procedure 430(a) specifically provides:

(a) If service cannot be made under the applicable rule, the plaintiff may move the Court for a special order directing the method of service. The Motion shall be accompanied by an Affidavit stating the nature and extent of the investigation which has been made to determine the whereabouts of the Defendant and the reasons why service cannot be made.

Note: A Sheriff's return of "Not Found" or the fact that a Defendant has moved without leaving a new forwarding address is insufficient evidence of concealment. Gonzales vs. Polis, 238 Pa. Super. 362, 357 A.2d 580 (1976). "Notice of intended adoption mailed to last known address requires a good faith effort to discover the correct address." Adoption of Walker, 468 Pa. 165, 360 A.2d 603 (1976).

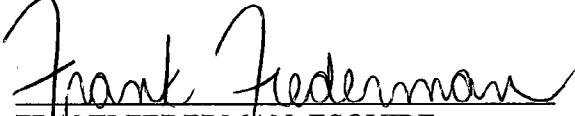
An illustration of good faith effort to locate the defendant includes (1) inquiries of postal authorities including inquiries pursuant to the Freedom of Information Act, 39 C.F.R. Part 265, (2) inquiries of relatives neighbors, friends and employers of the Defendant and (3) examinations of local telephone directories, voter registration records, local tax records, and motor vehicle records.

As indicated by the attached Affidavit of Service, marked hereto as Exhibit "A", the Sheriff has been unable to serve the Notice of Sale. A good faith effort to discover the

whereabouts of the Defendant has been made as evidenced by the attached Affidavit of Good Faith Investigation, marked Exhibit "B."

**WHEREFORE**, Plaintiff respectfully requests service of the Notice of Sale by certified mail and regular mail to Defendant's last known address.

Respectfully submitted:

  
\_\_\_\_\_  
FRANK FEDERMAN, ESQUIRE  
ATTORNEY FOR PLAINTIFF

**VERIFICATION**

**FRANK FEDERMAN, ESQUIRE**, hereby states that he is the Attorney for the Plaintiff in this action, that he is authorized to take this Affidavit, and that the statements made in the foregoing **MOTION FOR SERVICE OF THE NOTICE OF SALE PURSUANT TO SPECIAL ORDER OF COURT** are true and correct to the best of his knowledge, information and belief.

The undersigned understands that this statement herein is made subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.

  
Frank Federman  
FRANK FEDERMAN, ESQUIRE  
ATTORNEY FOR PLAINTIFF

AFFIDAVIT OF SERVICE - CLEARFIELDPLAINTIFF TMS MORTGAGE INC.COURT NO. 00-384-CIVDEFENDANT ROCKLAND L. FULMERTYPE OF ACTION

Mortgage Foreclosure  
 Eviction  
 Civil Action  
 Notice of Sheriff's  
 Sale - DATE January 19, 2001

SERVE AT RD 4 BOX 62 WALKER ROAD  
CLEARFIELD, PA 16830SERVED

Served and made known to \_\_\_\_\_, Defendant on the \_\_\_\_\_ day  
 of \_\_\_\_\_, 200\_\_\_\_, at \_\_\_\_\_ o'clock, \_\_\_\_ M., at  
 \_\_\_\_\_, County of Clearfield, Commonwealth of Pennsylvania, in the manner described below:  
 Defendant personally served.  
 Adult family member with whom Defendant(s) reside(s).  
 Relationship is \_\_\_\_\_.  
 Adult in charge of Defendant's residence who refused to give name/relationship.  
 Manager/Clerk of place of lodging in which Defendant(s) reside(s).  
 Agent or person in charge of Defendant's office or usual place of business.  
 an officer of said defendant company.  
 Other: \_\_\_\_\_

Description: \_\_\_\_\_ Age \_\_\_\_\_ Weight \_\_\_\_\_ Weight \_\_\_\_\_ Race \_\_\_\_\_ Sex \_\_\_\_\_  
 Other \_\_\_\_\_

I, \_\_\_\_\_, a competent adult, being duly sworn according to law, depose and state  
 that I personally handed to \_\_\_\_\_ a true and correct copy of the  
 \_\_\_\_\_ issued in the captioned case on the date and at the address indicated  
 above.

Sworn to and subscribed  
 before me this \_\_\_\_\_ day  
 of \_\_\_\_\_, 200\_\_\_\_.

Notary:

By:

On the 16th day of November, 200\_\_\_\_, at \_\_\_\_\_ o'clock  
 M., Defendant NOT FOUND because: \_\_\_\_\_  
 \_\_\_\_\_, 11:00a.m.

Moved  Unknown  No Answer  Vacant

Other: Made (2) attempts. No one around. Neighbors don't  
 know his whereabouts.

Sworn to and subscribed  
 before me this 15 day  
 of November, 200\_\_\_\_.

By:

Notary: Monica Crilly

Process Server -

Jeff Dilling (IPS, Inc.)

FRANK FEDERMAN, ESQUIRE - I.D. #12248  
 Two Penn Center Plaza - Suite 900  
 Philadelphia, PA 19102  
 (215) 563-7000

NOTARIAL SEAL  
 MONICA CRILLY, Notary Public  
 Blair County, PA  
 My Commission Expires Aug. 27, 2001

EXHIBITA

EXHIBITA

EXHIBITA

**P 969 054 868**

**TO:**

**ROCKLAND L. FULMER  
RD 4 BOX 62 WALKER ROAD  
CLEARFIELD,PA 16830**

**SENDER:** GMW

**REFERENCE:** FULMER,R.

**PS FORM 3800, SEPTEMBER 1995**

<b>RETURN RECEIPT SERVICE</b>	Postage	
	Certified Fee	2.65
	Return Receipt Fee	0.00
		0.00
	Restricted Delivery	2.75
	Total Postage and Fees	5.95
<b>US Postal Service</b>		
<b>Receipt for Certified Mail</b>		
No Insurance Coverage Provided Do not use for International Mail		
POSTMARK OR DATE #12 PHILA PA 19102 NOV 10 2000		

**EXHIBIT A**

**EXHIBIT A**

**EXHIBIT A**

## PLAYERS NATIONAL LOCATOR

### AFFIDAVIT OF GOOD FAITH INVESTIGATION

Loan Number: **80858764**

Attorney Firm: **TRACK STARS**

Case Number:

Subject: **ROCKLAND L FULMER**

A.K.A.: **None**

Last Known Address: **4 RD BOX 62 WALKER ROAD  
CLEARFIELD, PA 16830**

Last Known Number: **(814) 765-7208**

Sandy Krekeler, being duly sworn according to law, deposes and says:

1. I am employed in the capacity of Operations Manager for Players National Locator.
2. On 02/17/2000, I conducted an investigation into the whereabouts of the above named defendant(s). The results of my investigation are as follows:

#### CREDIT INFORMATION -

- A. SOCIAL SECURITY NUMBER: **186-50-8841**
- B. EMPLOYMENT SEARCH:  
**Unable to locate a good employer for Rockland.**
- C. INQUIRY OF CREDITORS:  
**The creditors indicated that Rockland is living at RR 4 Box 62 Walker Road, Clearfield, Pa. 16830 with a home phone number of 814-765-7208.**

#### INQUIRY OF TELEPHONE COMPANY -

- A. DIRECTORY ASSISTANCE SEARCH:  
**The home phone number for Rockland Fulmer is 814-765-7208 registered at RR 4 Box 62 Walker Road, Clearfield, Pa. 16830. Called the home number and spoke with a woman who stated Rockland is not home but does live at this address.**

#### INQUIRY OF NEIGHBORS -

**N/A**

#### INQUIRY OF POST OFFICE -

- A. NATIONAL ADDRESS UPDATE:  
**As of February 16, 2000 the National Change of Address (NCOA) has no change for Rockland from last known address.**

#### MOTOR VEHICLE REGISTRATION -

- A. MOTOR VEHICLE & DMV OFFICE:  
**The Pennsylvania Department of Drivers Licensing has Rockland listed at last known address.**

#### OTHER INQUIRIES -

- A. DEATH RECORDS:  
**As of February 16, 2000 the Social Security Administration has no death record on file for Rockland L Fulmer under his social security number.**

**EXHIBIT B**

**EXHIBIT B**

**EXHIBIT B**

B. PUBLIC LICENSES ( PILOT, REAL ESTATE, ETC. ):  
None Found

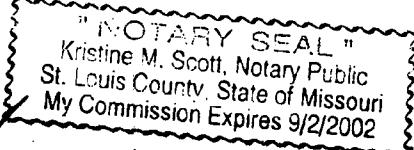
C. COUNTY VOTER REGISTRATION:  
The Cambria County Voters Registration Office has Rockland listed at last known address.

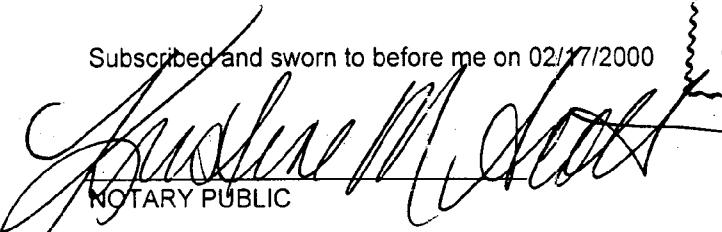
ADDITIONAL INFORMATION ON SUBJECT -

A. DATE OF BIRTH:  
07/57

  
AFFIANT Sandy Krekeler

Subscribed and sworn to before me on 02/17/2000



  
NOTARY PUBLIC

Players National Locator 16201 Westwoods Business Park Drive St. Louis, MO 63021  
Phone: (636) 230-9922 Fax: (636) 230-0558

EXHIBIT B

EXHIBIT B

EXHIBIT B

FEDERMAN AND PHELAN  
By: FRANK FEDERMAN, ESQUIRE  
IDENTIFICATION NO. 12248  
ONE PENN CENTER PLAZA, SUITE 1400  
PHILADELPHIA, PA 19103  
(215) 563-7000

TMS Mortgage Inc.

vs.

Rockland L. Fulmer

ATTORNEY FOR PLAINTIFF  
COURT OF COMMON PLEAS  
CIVIL DIVISION

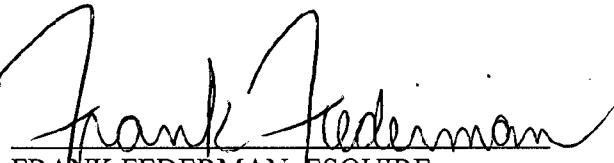
Clearfield COUNTY

No.: 00-384-CIV

**CERTIFICATION OF SERVICE**

I, FRANK FEDERMAN, ESQUIRE, hereby certify that a copy of the Motion for Service  
Pursuant to Special Order of Court has been sent to the individuals indicated below on  
December 22, 2000.

Rockland L. Fulmer  
RD Box 62 Walker Road  
Clearfield, Pa 16830

  
\_\_\_\_\_  
FRANK FEDERMAN, ESQUIRE  
Attorney for Plaintiff

Date: December 22, 2000

**FEDERMAN AND PHELAN**  
**BY: FRANK FEDERMAN**  
**IDENTIFICATION NO. 12248**  
**SUITE 1400 - ONE PENN CENTER**  
**PHILADELPHIA, PA 19103**  
**215) 563-7000**

ATTORNEY FOR PLAINTIFF

TMS Mortgage Inc.  
vs.

Clearfield COUNTY  
COURT OF COMMON PLEAS  
CIVIL DIVISION

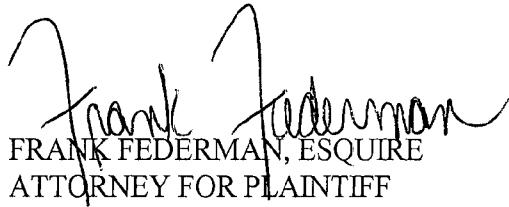
Rockland L. Fulmer

NO. 00-384-CD

VERIFICATION

I hereby certify that a true and correct copy of the Notice of Sheriff's Sale in the above captioned matter was sent by regular mail and certified mail, return receipt requested, to the following person(s) Rockland L. Fulmer on November 10, 2000 at RD 4 Box 62 Walker Road, Clearfield, Pa 16830 in accordance with the Order of Court dated, January 8, 2001.

The undersigned understands that this statement is made subject to the penalties of 18 PA. C.S. s4904 relating to unsworn falsification to authorities.

  
FRANK FEDERMAN, ESQUIRE  
ATTORNEY FOR PLAINTIFF

DATE: January 18, 2001

**FILED**

JAN 22 2001

William A. Shaw  
Prothonotary

# COPY

FEDERMAN AND PHELAN  
By: FRANK FEDERMAN, ESQUIRE  
IDENTIFICATION NO. 12248  
ONE PENN CENTER PLAZA, SUITE 1400  
PHILADELPHIA, PA 19103  
(215) 563-7000

ATTORNEY FOR PLAINTIFF  
COURT OF COMMON PLEAS  
CIVIL DIVISION

TMS Mortgage Inc.

Clearfield COUNTY

-vs.

No.: 00-384-~~57~~ CO

Rockland L. Fulmer

## ORDER

AND NOW, this 8th day of January, 2001, upon consideration of Plaintiff's Motion and the Affidavit of Good Faith Investigation attached thereto, it is hereby **ORDERED** that Plaintiff may obtain service of the Notice of Sale on the above captioned Defendant(s), Rockland L. Fulmer, by mailing a true and correct copy of the Notice of Sale by certified mail and regular mail to Defendant's last known address and by posting the mortgaged premises.

Service of the aforementioned mailings is effective upon the date of mailing and is to be done by Plaintiff's attorney, who will file with the Prothonotary's Office an Affidavit of service.

BY THE COURT:

/s/JOHN K. REILLY, JR.

\_\_\_\_\_  
J.

I hereby certify this to be a true  
and attested copy of the original  
statement filed in this case.

JAN 08 2001

Attest.

*William J. O'Brien*  
Prothonotary

P 969 054 868

**TO:**  
ROCKLAND L. FULMER  
RD 4 BOX 62 WALKER ROAD  
CLEARFIELD,PA 16830

**SENDER:** GMW  
**REFERENCE:** FULMER.R.

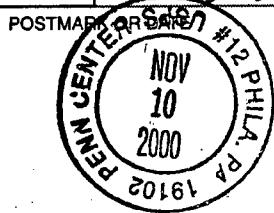
PS FORM 3800, SEPTEMBER 1995

Postage	
Certified Fee	2.65
Return Receipt Fee	0.00
	0.00
Restricted Delivery	2.75
Total Postage and Fees	5.95

US Postal Service

**Receipt for  
Certified Mail**

No Insurance Coverage Provided  
Do not use for International Mail



FILED

JAN 22 2001  
17130510  
William A. Shaw  
Prothonotary  
628

### AFFIDAVIT OF SERVICE

Plaintiff: TMS Mortgage Inc.

Clearfield County  
No.: 00-384-CD

Defendant(s): Rockland L. Fulmer

Type of Action  
- Notice of Sheriff's Sale

Address: RD 4 Box 62 Walker Road  
Clearfield, Pa 16830

Sale Date: March 2, 2001

Please Post Premises w/ Notice of Sale

#### SERVED

Served and made known to Rockland L. Fulmer, Defendant, on the 27<sup>th</sup> day of

JAN, 2001, at 1 PM, o'clock m., at RD 4 Box 62 Walker Road  
Clearfield, PA. 16830

Commonwealth of Pennsylvania, in the manner described below:

Defendant personally served.

Adult family member with whom Defendant(s) reside(s). Relationship is \_\_\_\_\_.

Adult in charge of Defendant(s)'s residence who refused to give name or relationship.

Manager/Clerk of place of lodging in which Defendant(s) reside(s).

Agent or person in charge of Defendant(s)'s office or usual place of business.

an officer of said Defendant(s)'s company.

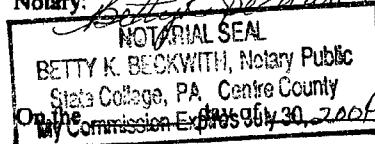
Other: By posting the notice pursuant to Rule 3129  
in a clear manner on property

Description: Age \_\_\_\_\_ Height \_\_\_\_\_ Weight \_\_\_\_\_ Race \_\_\_\_\_ Sex \_\_\_\_\_ Other \_\_\_\_\_

Clinton C. Eberhart, a competent adult, being duly sworn according to law, depose and state that I personally handed a true and correct copy of the Notice of Sheriff's Sale in the manner as set forth herein, issued in the captioned case on the date and at the address indicated above.

Sworn to and subscribed  
before me this 29<sup>th</sup> day  
of January, 2001.

Notary:



By:

NOT SERVED

, 2001, at \_\_\_\_\_ o'clock m., Defendant NOT FOUND because:

Moved  Unknown  No Answer  Vacant

Other:

Sworn to and subscribed  
before me this \_\_\_\_\_ day  
of \_\_\_\_\_, 2001.

By:

Attorney for Plaintiff  
Frank Federman, Esquire - I.D. No. 12248  
One Penn Center Plaza, Suite 1400  
Philadelphia, PA 19103  
(215) 563-7000

FILED

FEB 12 2001  
M 1130/no cc  
William A. Shaw  
Prothonotary

14

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY PENNSYLVANIA

RE: TMS MORTGAGE INC.

) CIVIL ACTION

)

vs.

ROCKLAND L. FULMER

) CIVIL DIVISION

)

NO. 00-384-CIV

**AFFIDAVIT OF SERVICE PURSUANT TO RULE 3129**

COMMONWEALTH OF PENNSYLVANIA )  
COUNTY OF CLEARFIELD )

SS:

I, FRANK FEDERMAN, ESQUIRE attorney for TMS MORTGAGE INC.

hereby verify that on NOVEMBER 10, 2001 true and correct copies of the Notice of Sheriff's sale were served by certificate of mailing to the recorded lienholders, and any known interested party see Exhibit "A" attached hereto. Notice of Sale was sent to the Defendant(s) on NOVEMBER 10, 2001 by certified mail return receipt requested see Exhibit "B" attached hereto.

DATE: February 9, 2001

  
FRANK FEDERMAN, ESQUIRE  
Attorney for Plaintiff

**FILED**

FER 15 2001

11/10/00cc

William A. Shaw  
Prothonotary



FEDERMAN AND PHELAN  
BY: FRANK FEDERMAN, ESQUIRE  
ATTORNEY I.D. NO. 12248  
ONE PENN CENTER AT SUBURBAN  
STATION, SUITE 1400  
PHILADELPHIA, PA 19103-1814  
(215) 563-7000

ATTORNEY FOR PLAINTIFF

TMS MORTGAGE, INC.,  
D/B/A THE MONEY STORE

COURT OF COMMON PLEAS  
CIVIL DIVISION  
NO: 00-384-CD

v.

ROCKLAND L. FULMER

CLEARFIELD COUNTY

**PRAECIPE TO MARK JUDGMENT TO USE OF PLAINTIFF**

TO THE PROTHONOTARY:

Please mark the judgment in the amount of \$24,764.66 in the above captioned matter to the use of HOMECOMINGS FINANCIAL NETWORK, INC., 9275 SKY PARK COURT, STE. 300, SAN DIEGO, CA 92123.

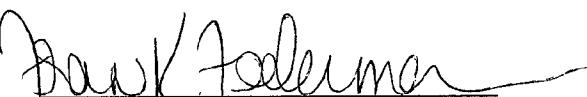
  
FRANK FEDERMAN, ESQUIRE  
Attorney for Plaintiff

DATE: March 14, 2001

**ENTRY OF APPEARANCE**

TO THE PROTHONOTARY:

Kindly enter my appearance on behalf of HOMECOMINGS FINANCIAL NETWORK, INC., 9275 SKY PARK COURT, STE. 300, SAN DIEGO, CA 92123.

  
FRANK FEDERMAN, ESQUIRE  
Attorney for Plaintiff  
**FILED**

DATE: March 14, 2001

MAR 20 2001

William A. Shaw  
Prothonotary

FILED

MAR 20 2001

MAR 13 2001 NOCC  
William A. Shaw  
Prothonotary

*Ernest*

WRIT OF EXECUTION - (MORTGAGE FORECLOSURE)  
P.R.C.P. 3180 TO 3183 AND Rule 3257

TMS MORTGAGE INC.

Plaintiff

vs.

ROCKLAND L. FULMER  
RD 4 BOX 62 WALKER ROAD  
CLEARFIELD, PA 16830

Defendant(s)

: CLEARFIELD

: COURT OF COMMON  
PLEAS

: CIVIL DIVISION

: NO. 00-384-~~EX~~ C.D

:  
:  
:  
:  
:  
:

COMMONWEALTH OF PENNSYLVANIA:

COUNTY OF WYOMING:

**TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA**

To satisfy the judgment, interest and costs in the above matter, you are directed to levy upon and sell the following described property (specifically described property below):

Premises RD 4 BOX 62 WALKER ROAD, CLEARFIELD, PA 16830  
(see attached legal description)

Amount Due	\$ 24,764.66
Interest from OCTOBER 5, 2000 to (sale date) (per diem - \$4.07)	\$ _____
Total	\$ 129.33 Plus Costs as endorsed.

**RECEIVED OCT 9 2000**

⑥ 10:02 AM

Wesler A. Hawkins  
by Margaret W. Dot

*Wesler A. Hawkins*  
\_\_\_\_\_  
Clerk  
Office of Prothonotary  
Common Pleas Court of  
CLEARFIELD County, PA

Dated: October 6, 2000  
(Seal)

ALL THAT CERTAIN parcel of land situate in Pike Township, Clearfield County, Pennsylvania, bounded and described as follows:

BEGINNING at a point in the centerline of Township Road No. T-517, said point being North 58 degrees 20 minutes 20 seconds West a distance of 443.89 feet from a nail in the centerline of said Township Road being the northeast corner of lands of which this is a part, said point being also the northeasterly corner of the land hereby conveyed and running; thence along Ronald E. Fulmer for a new line South 32 degrees 47 minutes 20 seconds West a distance of 185.95 feet to an iron pin at the southeasterly corner of the land hereby conveyed, said line passing through an iron pin being set 18.86 feet from the centerline of said Township Road; thence along the same for a new line North 67 degrees 52 minutes 20 seconds West a distance of 213.76 feet to an iron pin at the southwesterly corner of the land hereby conveyed; thence still along the same for a new line North 32 degrees 47 minutes 20 seconds East a distance of 225.50 feet to a point on the centerline of T-517 and at the northwesterly corner of the land hereby conveyed, said line passing through an iron pin being set back 18.39 feet from the centerline of T-517; thence along the centerline of %-517 South 57 degrees 12 minutes 40 seconds East a distance of 210.07 feet to the place of beginning. CONTAINING 0.913 acres as surveyed by Lex W. Curry, Registered Surveyor dated July 25, 1986, a copy of said survey being attached hereto and made a part hereof.

TAX PARCEL #126-108-0-60

TITLE TO SAID PREMISES IS VESTED IN Rockland L. Fulmer, by Deed from Ronald E. Fulmer, Trustee under the Will of Dorothy H. Fulmer, dated 12/20/93, recorded 6/27/94, in Deed Book 1614, Page 304.

**In The Court of Common Pleas of Clearfield County, Pennsylvania**

**TMS MORTGAGE INC.**

**Sheriff Docket # 10298**

**00-384-CD**

**VS.**

**FULMER, ROCKLAND L.**

**WRIT OF EXECUTION REAL ESTATE**

**SHERIFF RETURNS**

**NOW, NOVEMBER 7, 2000, AT 11:17 AM O'CLOCK A LEVY WAS TAKEN ON THE PROPERTY OF THE DEFENDANT. PROPERTY WAS POSTED THIS DATE.**

**A SALE IS SET FOR FRIDAY, JANUARY 19, 2001, AT 10:00AM.**

**NOW, JANUARY 17, 2001, RECEIVED PHONE CALL FROM PLAINTIFF ATTORNEY TO CONTINUE SALE FOR FORTY-FIVE (45) DAYS. FAX TO FOLLOW.**

**NOW, JANUARY 18, 2001, RECEIVED FAX TO CONTINUE SALE FOR FORTY-FIVE (45) DAYS.**

**SALE IS RESCHEDULED FOR FRIDAY, MARCH 2, 2001, AT 10:00AM.**

**NOW, JANUARY 18, 2001, AT 4:00 PM O'CLOCK SERVED WRIT OF EXECUTION, NOTICE OF SALE AND COPY OF LEVY ON ROCKLAND FULMER, DEFENDANT, AT HIS PLACE OF RESIDENCE, RD #4, BOX 62, CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, 16830, BY HANDING TO ROCKLAND FULMER, DEFENDANT, A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE AND COPY OF LEVY AND MADE KNOWN TO HIM THE CONTENTS THEREOF.**

**NOW, MARCH 2, 2001, A SALE WAS HELD ON THE PROPERTY OF THE DEFENDANT. PROPERTY WAS PURCHASED BY THE PLAINTIFF FOR ONE DOLLAR (\$1.00) PLUS COSTS.**

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 10298

TMS MORTGAGE INC.

00-384-CD

VS.

FULMER, ROCKLAND L.

WRIT OF EXECUTION REAL ESTATE

SHERIFF RETURNS

NOW, MARCH 30, 2001, RETURN WRIT AS A SALE BEING HELD WITH THE PLAINTIFF PURCHASING THE PROPERTY FOR ONE DOLLAR (\$1.00) PLUS COSTS. PAID COSTS FROM ADVANCE WITH ATTORNEY PAYING REMAINING COSTS, DEED WAS FILED THIS DATE.

SHERIFF HAWKINS \$187.36  
SURCHARGE 20.00  
PAID BY ATTORNEY

FILED

MAR 30 2001  
3/31/15cm  
William A. Shaw  
Prothonotary

Sworn to Before Me This

30th Day Of March 2001  
3/31/01

WILLIAM A. SHAW  
Prothonotary  
My Commission Expires  
1st Monday in Jan. 2002  
Clearfield Co. Clearfield, PA.

So Answers,

Chester A. Hawkins  
by Margaret M. Purt  
Chester A. Hawkins  
Sheriff

REAL ESTATE SALE

REAL ESTATE SALE  
SCHEDULE OF DISTRIBUTION

REAL ESTATE SALE

NOW, MARCH 5, 2001, by virtue of the writ of execution hereunto attached, after having given due and legal notice of the time and place of sale, by publication in a newspaper published in this County, and by hand-bills posted on the premises, setting forth the time and place of sale, at the Court House, in Clearfield on the 2nd day of MARCH 2000, I exposed the within described real estate of ROCKLAND L. FULMER

to public venue or outcry at which time and place I sold the same to TMS MORTGAGE INC he being the highest bidder, for the sum of \$ 1.00 + COSTS and made the following appropriations, viz:

SHERIFF COSTS:

	\$
RDR	15.00
SERVICE	15.00
MILEAGE	1.00
LEVY	15.00
MILEAGE	1.00
POSTING	15.00
CSDS	10.00
COMMISSION 2%	
POSTAGE	.40 3.96
HANDBILLS	15.00
DISTRIBUTION	25.00
ADVERTISING	15.00
ADD'L SERVICE	
DEED	30.00
ADD'L POSTING	
ADD'L MILEAGE	10.00
ADD'L LEVY <i>Calls</i>	10.00
RETURNS/DEPUTIZE <i>D.D.</i>	1.00
COPIES	5.00

TOTAL SHERIFF COSTS \$ 187.36

DEED COSTS:

REG & REC	15.50
ACKNOWLEDGEMENT	5.00
TRANSFER TAX 2%	

TOTAL DEED COSTS \$ 20.50

DEBT & INTEREST:

AMOUNT DUE	\$ 24,764.66
INTEREST from 10-5-00 to (sale date) (per diem \$4.07)	TO BE ADDED
	TOTAL \$ 24,764.66

COSTS:

ATTORNEY FEES	
PRO SATISFACTION	
ADVERTISING	\$ 282.03
LATE CHARGE & FEES	
TAXES-Collector	71.98
TAXES-Tax Claim	754.78
COSTS OF SUIT-TO BE ADDED	
LIST OF LIENS	\$ 100.00
MORTGAGE SEARCH	\$ 35.00
COST	\$ 129.33
ATTORNEY COMMISSION	
SHERIFF COSTS	\$ 187.36
LEGAL JOURNAL	\$ 94.50
REFUND OF ADVANCE	
REFUND OF SURCHARGE	
Deed Costs	20.50

TOTAL COSTS \$ 1,675.48

DISTRIBUTION WILL BE MADE IN ACCORDANCE WITH THE ABOVE SCHEDULE  
UNLESS EXCEPTIONS ARE FILED WITH THIS OFFICE WITHIN (10) TEN DAYS FROM THIS DATE.

CHESTER A. HAWKINS, SHERIFF

COP

ENTITY  
FAP

VENDOR  
Sheriff of Clearfield County [SCLEA]

CHECK DATE  
3/12/2001

CHECK NO.  
124885

DOC NO	APPLY TO	DATE	INVOICE	APPLY TO INVOICE	DOC AMOUNT	DISCOUNT	PAYMENT AMOUNT
124885 104729	FALMER, R	03/12/01	0001745785		675.48	0.00	675.48

FEDERMAN & PHELAN  
ATTORNEY ESCROW ACCOUNT  
ONE PENN CENTER, SUITE 1400  
Philadelphia, PA 19103-1814

675.48

ORIGINAL DOCUMENT IS PRINTED ON CHEMICAL REACTIVE PAPER & HAS A MICROPRINTED BORDER

FEDERMAN & PHELAN  
ATTORNEY ESCROW ACCOUNT  
ONE PENN CENTER, SUITE 1400  
PHILADELPHIA, PA 19103-1814

COMMERCE BANK  
PHILADELPHIA, PA 19148

3-180/360

CHECK NO  
124885

DRM 03-12-2001

DATE	AMOUNT
3/12/2001	*****675.48

Void after 90 days

Pay SIX HUNDRED SEVENTY FIVE AND 48/100 DOLLARS

To The  
Order  
Of

Sheriff of Clearfield County  
1 North Second Street  
Clearfield, PA 16830

Frank Federman

124885 03600180836 065738

THE REVERSE SIDE OF THIS DOCUMENT INCLUDES AN ARTIFICIAL WATERMARK. HOLD AT AN ANGLE TO VIEW.