

01-203-CD  
BANK OF NEW YORK et al -vs- BRYON G. SHAFFER et al

Richard M. Squire, Esquire  
Richard M. Squire & Associates, LLC  
Attorney ID#04267  
7919 Washington Lane  
Wyncote, PA 19095  
(215) 886-6354  
Fax: (215) 886-1355  
Attorneys for Plaintiff

The Bank of New York, as Indenture Trustee  
for The Money Store Trust 1998-C

PLAINTIFF,

v.

Bryon G. Shaffer  
Dawn Shaffer  
140 East Long Avenue  
Du Bois, PA 15801

DEFENDANTS.

IN THE COURT OF COMMON PLEAS  
CLEARFIELD COUNTY,  
PENNSYLVANIA

NO: 01-203-CO

CIVIL ACTION

MORTGAGE FORECLOSURE

**FILED**

FEB 09 2001

**COMPLAINT - CIVIL ACTION  
NOTICE TO DEFEND**

William A. Shaw  
Prothonotary

**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 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 of 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.**

Lawyer Referral Service  
Pennsylvania Lawyer Referral Service  
Pennsylvania Bar Association  
P.O. Box 186  
Harrisburg, PA 17108  
814-765-2641

## **AVISO**

**LE HAN DEMANDADO A USTED EN LA CORTE.** Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha de la demanda y la notificacion. Hace falta asentar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objecciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademias, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus edades u otros derechos importantes para usted.

**LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFICIENTE DE PAGAR TAL SERVICIO VAYA EN PERSONA O LLAME POR TELFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTANCIA LEGAL.**

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PENNSYLVANIA

NO:

CIVIL ACTION

MORTGAGE FORECLOSURE

### COMPLAINT IN MORTGAGE FORECLOSURE

Plaintiff, The Bank of New York, as Indenture Trustee for The Money Store Trust 1998-C, through its attorney, Richard M. Squire, Esq., brings this action in mortgage foreclosure upon the following cause of action:

1. Plaintiff, The Bank of New York, as Indenture Trustee for The Money Store Trust 1998-C ("Plaintiff"), is a corporation with a principal place of business at c/o Rosicki, Rosicki & Associates, P.C. One Old Country Road, Suite 429, Carle Place, NY 11514.
2. The Name and mailing address of each Defendant is :  
  
Bryon G. Shaffer 70 ½ Spring Avenue, Du Bois, PA 18501.  
  
Dawn Shaffer 70 ½ Spring Avenue, Du Bois, PA 18501.

3. On 08/11/98 Bryon G. Shaffer and Dawn Shaffer made, executed and delivered a mortgage upon the premises hereinafter described to TMS Mortgage, Inc., d/b/a The Money Store, which Mortgage was recorded with the Recorder of Clearfield County in Mortgage Book No. 1960, Page No. 102. By Assignment of Mortgage dated 08/11/98 the mortgage was assigned to Plaintiff which Assignment is recorded in Assignment of Mortgage Instrument No. 199920691.
4. Plaintiff is, therefore, either the original Mortgagee named in the Mortgage, the legal successor in interest to the original mortgagee, or is the present holder of the Mortgage by virtue of the above-described assignments.
5. Each Mortgagor named in paragraph 3 above executed a note as evidence of the debt secured by the Mortgage (the "Note"), and is incorporated herein by reference as though fully set forth at length.
6. The real property which is subject to the Mortgage is generally known as 140 East Long Avenue, Du Bois, PA 15801, (the "Mortgaged Premises"). The legal description of the Mortgaged Premises is attached hereto and marked as Exhibit "A" and is incorporated herein by reference as though fully set forth at length.
7. The interest of each individual Defendant is as Mortgagor, Real Owner or both.
8. If any Defendant above-named is deceased, this action shall proceed against the deceased Defendant's heirs, assigns, successors, administrators, personal representatives and/or executors through his/her estate, however, the estate of said Defendant is hereby released from liability for the debt secured by the Mortgage.

9. The Mortgage is in default because the monthly payment of principal and interest and other charges stated below, all as authorized by the Mortgage, are due as of September 15, 2000 and have not been paid. Upon failure to make such payments when due, the whole of the principal, together with the charges specifically itemized below, are immediately due and payable.

The following amounts are due as of February 07, 2001:

Principal of Mortgage debt due and unpaid	\$79,752.31
Interest due and owing from 08/15/2000 to 02/07/2001 at 9.50%, \$21.05 per diem	3,052.25
Plus Late Charges of \$33.95 per month, assessed on the 11 <sup>th</sup> day after payment is due	242.48
NSF Fee	15.00
Other Fees	20.00
Corporate Advance	1,105.63
Escrow Balance	1,764.73
Attorney's Fees	3,987.61
<b>TOTAL</b>	<b><u>\$89,940.01</u></b>

10. Interest accrues at a per diem rate of \$21.05 and late charges accrue at a monthly rate of \$33.95, assessed on the 11<sup>th</sup> day payment is past due for each date after February 07, 2001, and Plaintiff may incur additional attorney's fees and costs as well as other expenses, costs and charges collectable under the Note and Mortgage.

11. Notice of intention to Foreclose pursuant to 41 P.S. § 403 and Notice pursuant to the Homeowner's Emergency Mortgage Assistance Act of 1983, 35 P.S. § 1680.402c, et seq. was mailed to each individual Defendant via regular and certified mail, return receipt requested, on 12/18/2000. A true and correct copy of said notice is attached hereto and marked as Exhibit "B" and is incorporated herein by reference as though fully set forth at length.

WHEREFORE, Plaintiff demands judgment against Defendants Bryon G. Shaffer and Dawn M. Shaffer, for foreclosure and sale of the Mortgaged Premises in the amounts due as set forth in paragraph 09, namely \$89,940.01 plus the following amounts accruing after 02/07/2001, to the date of judgment : (i) interest at a per diem rate of \$21.05; (ii) late charges of \$33.95 per month assessed on the 11<sup>th</sup> day payment is past due; and (iii) additional attorney's fees hereafter incurred and costs of suit.

**RICHARD M. SQUIRE & ASSOCIATES, LLC**

By: 

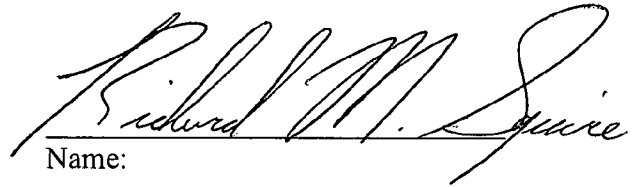
Richard M. Squire, Esquire  
7919 Washington Lane  
Wyncote, PA 19095  
215-886-6354  
Attorneys for Plaintiff

Date: February 07, 2001

**UNLESS YOU NOTIFY US IN WRITING WITHIN THIRTY (30) DAYS AFTER RECEIPT OF THIS LETTER THAT THE DEBT, OR ANY PART OF IT, IS DISPUTED, WE WILL ASSUME THAT THE DEBT IS VALID. IF YOU DO NOTIFY US OF A DISPUTE, WE WILL OBTAIN VERIFICATION OF THE DEBT AND MAIL IT TO YOU. ALSO UPON YOUR WRITTEN REQUEST WITHIN THIRTY (30) DAYS, WE WILL PROVIDE YOU WITH THE NAME AND ADDRESS OF THE ORIGINAL CREDITOR IF DIFFERENT FROM THE CURRENT CREDITOR. THIS COMMUNICATION IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.**

### VERIFICATION

I, Richard M. Squire, hereby certify that I am an attorney for Plaintiff and am authorized to make this verification on its behalf. I verify that the facts and statements set forth in the foregoing Complaint in Mortgage Foreclosure are true and correct to the best of my knowledge, information and belief. This Verification is made subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.

  
Name:

Date: February 07, 2001

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ALL THAT CERTAIN lot, piece or parcel of ground situate, lying and being in the City of DuBois, Clearfield County, Pennsylvania, bounded and described as follows, to wit:

BEING known as Lot No. 92 in the James E. Long's Addition to the City of DuBois, and being 50 feet wide on East Long Avenue and extending back 150 feet to an alley, and bounded on the North by East Long Avenue, on the South by an alley; on the East by Lot No. 93 of the same plot; and on the West by Lot No. 91 of the same plot. Said lot being 50 feet by 150 feet, and containing 7500 square feet of ground

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Exhibit "A"

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DF985



**BRYON G SHAFFER**

**140 E LONG AVE  
DU BOIS, PA 15801**

**December 18, 2000NBRC 0104005574**

# **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.

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The ~~HOMESOWNER'S 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).

**This Notice contains important legal information. If you have any questions, representatives at the Consumer Credit Counseling Agency may be able to help explain it. You may also want to contact an attorney in your area. The local bar association may be able to help you find a lawyer.**

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 NOTIFICION OBTENGA UNA TRADUCCION INMEDIATAMENTE LLAMANDO ESTA AGENCIA (PENNSYLVANIA HOUSING FINANCE AGENCY) SIN CARGOS AL NUMERO MENCIONADO ARRIBA. PUEDES SER ELEGIBLE PARA UN PRESTAMO POR EL PROGRAMA LLAMADO "HOMEOWNER'S EMERGENCY MORTGAGE ASSISTANCE PROGRAM" EL CUAL PUEDE SALVAR SU CASA DE LA PERDIDA DEL DERECHO A REDIMIR SU HIPOTECA.

**HOMEOWNERS NAME(S):BRYON G SHAFFER  
PROPERTY ADDRESS:140 E LONG AVE  
DU BOIS, PA 15801**

**LOAN ACCOUNT NUMBER:0104005574**

Exhibit "B"

DF985



**BRYON G SHAFFER**

**70 1/2 SPRING AVENUE  
DU BOIS, PA 15801**

**December 18, 2000NBRC 0104005574**

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**HOMEOWNERS NAME(S): BRYON G SHAFFER  
PROPERTY ADDRESS: 140 E LONG AVE  
DU BOIS, PA 15801**

**LOAN ACCOUNT NUMBER: 0104005574**

DF985



DAWN M SHAFFER

140 E LONG AVE  
DU BOIS, PA 15801

December 18, 2000NBRC 0104005574

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HOMEOWNERS NAME(S):DAWN M SHAFFER  
PROPERTY ADDRESS:140 E LONG AVE  
DU BOIS, PA 15801

LOAN ACCOUNT NUMBER:0104005574

DF985



DAWN M SHAFFER

70 1/2 SPRING AVENUE  
DU BOIS, PA 15801

December 18, 2000NBRC 0104005574

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HOMEOWNERS NAME(S):DAWN M SHAFFER  
PROPERTY ADDRESS:140 E LONG AVE  
DU BOIS, PA 15801

LOAN ACCOUNT NUMBER:0104005574

CURRENT LENDER/SERVICER: **The Money Store**

**IMPORTANT INFORMATION ON THE BACK OF THIS PAGE**

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## **HOMEOWNERS' 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 HOMEOWNER'S EMERGENCY 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 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 Homeowner's Emergency Mortgage Assistance Fund. To do so, you must fill out, sign and file a completed Homeowner's Emergency Assistance Program Application with one of the designated consumer credit counseling agencies listed at the end of this Notice. Only consumer credit counseling agencies have 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. 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 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

140 E LONG AVE DU BOIS, PA 15801 DU BOIS PA 15801

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) Number of Payments Delinquent: 3
- b) Delinquent Amount Due: \$2,036.97
- c) Late Charges: \$ 208.53
- d) Recoverable Corporate Advances \$ 995.63
- e) Other Charges and Advances \$ 35
- f) Less funds in Suspense: \$ 0.00
- e) Total amount required as of (due date) \$ 3,276.13

- B. YOU HAVE FAILED TO TAKE THE FOLLOWING ACTION: (Do not use if not applicable)

**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 THE LENDER, WHICH IS \$ 3,276.13 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 cashier's check, certified check, or money order made payable to:

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

Overnight  
FUNB Lockbox 96053  
1525 West W.T. Harris Blvd.  
Charlotte, NC 28262-00

You can cure any other default by taking the following action within THIRTY (30) DAYS of the date of this letter: (Do not use if not applicable.)

**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 rights 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 total amount past due is not made within THIRTY (30) DAYS OF THE LETTER DATE, 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 still be required 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 all reasonable attorney's fees actually incurred even if they are over \$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 Sheriff's 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 Sheriff's 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.

**IMPORTANT INFORMATION ON THE BACK OF THIS PAGE**

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**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 Sheriff's 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 BY TELEPHONE OR MAIL:**

Name of Lender: The Money Store  
Address: FUNB Lockbox 96053,  
1525 West W.T. Harris Blvd  
Charlotte, NC 28262-0053  
Telephone Number: 800 795-5125 Ext. 10302  
Fax Number: 916-617-0655

**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 furnishings 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 who 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 BORROWER 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 DO NOT HAVE THE RIGHT TO CURE YOUR DEFAULTS ANY MORE THAN THREE TIMES IN A CALENDAR YEAR).
- TO ASSERT THE NONEXISTENCE OF A 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

Sincerely,

The Money Store

FILED

SEP 09 2001  
11:46 AM  
William A. Shaw  
Notary

Quora  
\$880.00  
2cc Sheng

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

Sheriff Docket # 10682

THE BANK OF NEW YORK

01-203-CD

VS.

SHAFFER, BRYON G. & DAWN

**COMPLAINT IN MORTGAGE FORECLOSURE**

**SHERIFF RETURNS**

NOW FEBRUARY 12, 2001 AT 12:02 PM EST SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON BRYON G. SHAFFER, DEFENDANT AT EMPLOYMENT, VFW, 114 FULLER ST., DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO BRYON G. SHAFFER A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN TO HIM THE CONTENTS THEREOF.  
SERVED BY: COUDRIET/RYEN

NOW FEBRUARY 12, 2001 AT 12:05 PM EST SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON DAWN SHAFFER, DEFENDANT AT EMPLOYMENT, SHOP & SAVE, 200 COMMONS DRIVE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO DAWN SHAFFER A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN TO HER THE CONTENTS THEREOF.  
SERVED BY: COUDRIET/RYEN

**Return Costs**

Cost	Description
33.88	SHFF. HAWKINS PAID BY: ATTY.
20.00	SURCHARGE PAID BY: ATTY.

**FILED**

FEB 20 2001  
01:34 pm  
William A. Shaw  
Prothonotary

Sworn to Before Me This

20th Day of February 2001  
*William A. Shaw*

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

So Answers,

*Chester A. Hawkins*  
Chester A. Hawkins  
Sheriff

COPY

Richard M. Squire, Esquire  
Richard M. Squire & Associates, LLC  
Attorney ID#04267  
7919 Washington Lane  
Wyncote, PA 19095  
(215) 886-6354  
Fax: (215) 886-1355  
Attorneys for Plaintiff

The Bank of New York, as Indenture Trustee  
for The Money Store Trust 1998-C

PLAINTIFF,

v.

Bryon G. Shaffer  
Dawn Shaffer  
140 East Long Avenue  
Du Bois, PA 15801

DEFENDANTS.

IN THE COURT OF COMMON PLEAS  
CLEARFIELD COUNTY,  
PENNSYLVANIA

NO: 01-203-00

CIVIL ACTION

MORTGAGE FORECLOSURE

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

**COMPLAINT - CIVIL ACTION  
NOTICE TO DEFEND**

**FEB 09 2001**

**NOTICE**

Attest.

*William L. Shaw*  
Prothonotary

**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 of 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.**

Lawyer Referral Service  
Pennsylvania Lawyer Referral Service  
Pennsylvania Bar Association  
P.O. Box 186  
Harrisburg, PA 17108  
814-765-2641

## **AVISO**

**LE HAN DEMANDADO A USTED EN LA CORTE.** Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha de la demanda y la notificacion. Hace falta asentar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademias, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus edades u otros derechos importantes para usted.

**LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFICIENTE DE PAGAR TAL SERVICIO VAYA EN PERSONA O LLAME POR TELFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTANCIA LEGAL.**

**Lawyer Referral Service  
Pennsylvania Lawyer Referral Service  
Pennsylvania Bar Association  
P.O. Box 186  
Harrisburg, PA 17108  
814-765-2641**

---

Richard M. Squire, Esquire  
Richard M. Squire & Associates, LLC  
Attorney ID#04267  
7919 Washington Lane  
Wyncote, PA 19095  
(215) 886-6354  
Fax: (215) 886-1355  
Attorney for Plaintiff

The Bank of New York, as Indenture Trustee  
for The Money Store Trust 1998-C

PLAINTIFF,

v.

Bryon G. Shaffer  
Dawn Shaffer  
140 East Long Avenue  
Du Bois, PA 15801

DEFENDANTS.

IN THE COURT OF COMMON PLEAS  
CLEARFIELD COUNTY,  
PENNSYLVANIA

NO:

CIVIL ACTION

MORTGAGE FORECLOSURE

### COMPLAINT IN MORTGAGE FORECLOSURE

Plaintiff, The Bank of New York, as Indenture Trustee for The Money Store Trust 1998-C, through its attorney, Richard M. Squire, Esq., brings this action in mortgage foreclosure upon the following cause of action:

1. Plaintiff, The Bank of New York, as Indenture Trustee for The Money Store Trust 1998-C ("Plaintiff"), is a corporation with a principal place of business at c/o Rosicki, Rosicki & Associates, P.C. One Old Country Road, Suite 429, Carle Place, NY 11514.
2. The Name and mailing address of each Defendant is :  
  
Bryon G. Shaffer 70 ½ Spring Avenue, Du Bois, PA 18501.  
  
Dawn Shaffer 70 ½ Spring Avenue, Du Bois, PA 18501.

3. On 08/11/98 Bryon G. Shaffer and Dawn Shaffer made, executed and delivered a mortgage upon the premises hereinafter described to TMS Mortgage, Inc., d/b/a The Money Store, which Mortgage was recorded with the Recorder of Clearfield County in Mortgage Book No. 1960, Page No. 102. By Assignment of Mortgage dated 08/11/98 the mortgage was assigned to Plaintiff which Assignment is recorded in Assignment of Mortgage Instrument No. 199920691.
4. Plaintiff is, therefore, either the original Mortgagee named in the Mortgage, the legal successor in interest to the original mortgagee, or is the present holder of the Mortgage by virtue of the above-described assignments.
5. Each Mortgagor named in paragraph 3 above executed a note as evidence of the debt secured by the Mortgage (the "Note"), and is incorporated herein by reference as though fully set forth at length.
6. The real property which is subject to the Mortgage is generally known as 140 East Long Avenue, Du Bois, PA 15801, (the "Mortgaged Premises"). The legal description of the Mortgaged Premises is attached hereto and marked as Exhibit "A" and is incorporated herein by reference as though fully set forth at length.
7. The interest of each individual Defendant is as Mortgagor, Real Owner or both.
8. If any Defendant above-named is deceased, this action shall proceed against the deceased Defendant's heirs, assigns, successors, administrators, personal representatives and/or executors through his/her estate, however, the estate of said Defendant is hereby released from liability for the debt secured by the Mortgage.

9. The Mortgage is in default because the monthly payment of principal and interest and other charges stated below, all as authorized by the Mortgage, are due as of September 15, 2000 and have not been paid. Upon failure to make such payments when due, the whole of the principal, together with the charges specifically itemized below, are immediately due and payable.

The following amounts are due as of February 07, 2001:

Principal of Mortgage debt due and unpaid	\$79,752.31
Interest due and owing from 08/15/2000 to 02/07/2001 at 9.50%, \$21.05 per diem	3,052.25
Plus Late Charges of \$33.95 per month, assessed on the 11 <sup>th</sup> day after payment is due	242.48
NSF Fee	15.00
Other Fees	20.00
Corporate Advance	1,105.63
Escrow Balance	1,764.73
Attorney's Fees	3,987.61
<b>TOTAL</b>	<b><u>\$89,940.01</u></b>

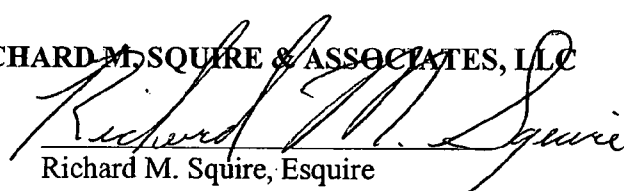
10. Interest accrues at a per diem rate of \$21.05 and late charges accrue at a monthly rate of \$33.95, assessed on the 11<sup>th</sup> day payment is past due for each date after February 07, 2001, and Plaintiff may incur additional attorney's fees and costs as well as other expenses, costs and charges collectable under the Note and Mortgage.

11. Notice of intention to Foreclose pursuant to 41 P.S. § 403 and Notice pursuant to the Homeowner's Emergency Mortgage Assistance Act of 1983, 35 P.S. § 1680.402c, et seq. was mailed to each individual Defendant via regular and certified mail, return receipt requested, on 12/18/2000. A true and correct copy of said notice is attached hereto and marked as Exhibit "B" and is incorporated herein by reference as though fully set forth at length.

WHEREFORE, Plaintiff demands judgment against Defendants Bryon G. Shaffer and Dawn M. Shaffer, for foreclosure and sale of the Mortgaged Premises in the amounts due as set forth in paragraph 09, namely \$89,940.01 plus the following amounts accruing after 02/07/2001, to the date of judgment : (i) interest at a per diem rate of \$21.05; (ii) late charges of \$33.95 per month assessed on the 11<sup>th</sup> day payment is past due; and (iii) additional attorney's fees hereafter incurred and costs of suit.

RICHARD M. SQUIRE & ASSOCIATES, LLC

By:

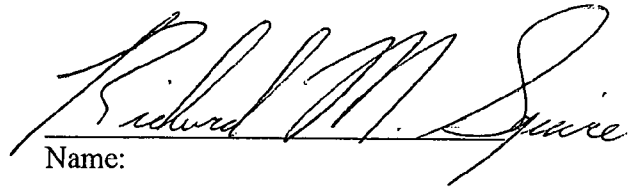
  
Richard M. Squire, Esquire  
7919 Washington Lane  
Wyncote, PA 19095  
215-886-6354  
Attorneys for Plaintiff

Date: February 07, 2001

**UNLESS YOU NOTIFY US IN WRITING WITHIN THIRTY (30) DAYS AFTER RECEIPT OF THIS LETTER THAT THE DEBT, OR ANY PART OF IT, IS DISPUTED, WE WILL ASSUME THAT THE DEBT IS VALID. IF YOU DO NOTIFY US OF A DISPUTE, WE WILL OBTAIN VERIFICATION OF THE DEBT AND MAIL IT TO YOU. ALSO UPON YOUR WRITTEN REQUEST WITHIN THIRTY (30) DAYS, WE WILL PROVIDE YOU WITH THE NAME AND ADDRESS OF THE ORIGINAL CREDITOR IF DIFFERENT FROM THE CURRENT CREDITOR. THIS COMMUNICATION IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.**

## VERIFICATION

I, Richard M. Squire, hereby certify that I am an attorney for Plaintiff and am authorized to make this verification on its behalf. I verify that the facts and statements set forth in the foregoing Complaint in Mortgage Foreclosure are true and correct to the best of my knowledge, information and belief. This Verification is made subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.

  
Name: \_\_\_\_\_

Date: February 07, 2001

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ALL THAT CERTAIN lot, piece or parcel of ground situate, lying and being in the City of DuBois, Clearfield County, Pennsylvania, bounded and described as follows, to wit:

BEING known as Lot No. 92 in the James E. Long's Addition to the City of DuBois, and being 50 feet wide on East Long Avenue and extending back 150 feet to an alley, and bounded on the North by East Long Avenue, on the South by an alley; on the East by Lot No. 93 of the same plot; and on the West by Lot No. 91 of the same plot. Said lot being 50 feet by 150 feet, and containing 7500 square feet of ground

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Exhibit "A"

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DF985



BRYON G SHAFFER

140 E LONG AVE  
DU BOIS, PA 15801

December 18, 2000NBRC 0104005574

# 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 HOMEOWNER'S-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).

**This Notice contains important legal information. If you have any questions, representatives at the Consumer Credit Counseling Agency may be able to help explain it. You may also want to contact an attorney in your area. The local bar association may be able to help you find a lawyer.**

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 PARA UN PRESTAMO POR EL PROGRAMA LLAMADO "HOMEOWNER'S EMERGENCY MORTGAGE ASSISTANCE PROGRAM" EL CUAL PUEDE SALVAR SU CASA DE LA PERDIDA DEL DERECHO A REDIMIR SU HIPOTECA.

HOMEOWNERS NAME(S):BRYON G SHAFFER  
PROPERTY ADDRESS:140 E LONG AVE  
DU BOIS, PA 15801

LOAN ACCOUNT NUMBER:0104005574

Exhibit "B"

DF985



**BRYON G SHAFFER**

**70 1/2 SPRING AVENUE  
DU BOIS, PA 15801**

**December 18, 2000NBRC 0104005574**

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**HOMEOWNERS NAME(S):BRYON G SHAFFER  
PROPERTY ADDRESS:140 E LONG AVE  
DU BOIS, PA 15801**

**LOAN ACCOUNT NUMBER:0104005574**

DF985



DAWN M SHAFFER

140 E LONG AVE  
DU BOIS, PA 15801

December 18, 2000NBRC 0104005574

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HOMEOWNERS NAME(S):DAWN M SHAFFER  
PROPERTY ADDRESS:140 E LONG AVE  
DU BOIS, PA 15801

LOAN ACCOUNT NUMBER:0104005574

DF985



DAWN M SHAFFER

70 1/2 SPRING AVENUE  
DU BOIS, PA 15801

December 18, 2000NBRC 0104005574

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HOMEOWNERS NAME(S):DAWN M SHAFFER  
PROPERTY ADDRESS:140 E LONG AVE  
DU BOIS, PA 15801

LOAN ACCOUNT NUMBER:0104005574

CURRENT LENDER/SERVICER: **The Money Store**

**IMPORTANT INFORMATION ON THE BACK OF THIS PAGE**

## **HOMEOWNERS' 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 HOMEOWNER'S EMERGENCY 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 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 Homeowner's Emergency Mortgage Assistance Fund. To do so, you must fill out, sign and file a completed Homeowner's Emergency Assistance Program Application with one of the designated consumer credit counseling agencies listed at the end of this Notice. Only consumer credit counseling agencies have 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. 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 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

140 E LONG AVE DU BOIS, PA 15801 DU BOIS PA 15801

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) Number of Payments Delinquent: 3
- b) Delinquent Amount Due: \$2,036.97
- c) Late Charges: \$ 208.53
- d) Recoverable Corporate Advances \$ 995.63
- e) Other Charges and Advances \$ 35
- f) Less funds in Suspense: \$ 0.00
- e) Total amount required as of (due date) \$ 3,276.13

- B. YOU HAVE FAILED TO TAKE THE FOLLOWING ACTION: (Do not use if not applicable)

**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 THE LENDER, WHICH IS \$ 3,276.13 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 cashier's check, certified check, or money order made payable to:

---

Regular-Mail

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

Overnight

FUNB Lockbox 96053  
1525 West W.T. Harris Blvd.  
Charlotte, NC 28262-00

You can cure any other default by taking the following action within THIRTY (30) DAYS of the date of this letter: (Do not use if not applicable.)

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**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 rights 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 total amount past due is not made within THIRTY (30) DAYS OF THE LETTER DATE, 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 still be required 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 all reasonable attorney's fees actually incurred even if they are over \$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 Sheriff's 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 Sheriff's 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.

**IMPORTANT INFORMATION ON THE BACK OF THIS PAGE**

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**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 Sheriff's 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 BY TELEPHONE OR MAIL:**

Name of Lender: The Money Store  
Address: FUNB Lockbox 96053,  
1525 West W.T. Harris Blvd  
Charlotte, NC 28262-0053  
Telephone Number: 800 795-5125 Ext. 10302  
Fax Number: 916-617-0655

**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 furnishings 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 who 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 BORROWER 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 DO NOT HAVE THE RIGHT TO CURE YOUR DEFAULTS ANY MORE THAN THREE TIMES IN A CALENDAR YEAR).
- TO ASSERT THE NONEXISTENCE OF A 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

Sincerely,

The Money Store

Richard M. Squire & Associates, LLC  
By: Richard M. Squire, Esquire  
ID No. 04267  
7919 Washington Lane  
Wyncote, PA 19095

The Bank of New York, as Indenture Trustee  
for The Money Store Trust 1998-C  
PLAINTIFF,

v.

Bryon G. Shaffer  
Dawn Shaffer

DEFENDANTS.

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY,  
PENNSYLVANIA

NO 01-203-CD

CIVIL ACTION

**FILED**

JUN 08 2001

William A. Shaw  
Prothonotary

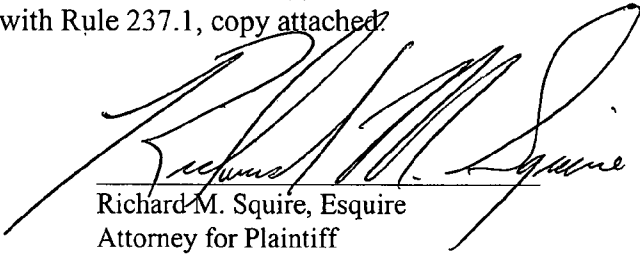
**PRAECIPE FOR JUDGMENT FOR FAILURE TO  
ANSWER AND ASSESSMENT OF DAMAGES**

TO THE PROTHONOTARY:

Kindly enter judgment in favor of the Plaintiff and against , Defendants for their 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 the Complaint	\$89,940.01
Interest from 2/09/01 to 6/04/01	<u>\$ 2,420.75</u>
TOTAL	\$92,360.76

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

  
Richard M. Squire, Esquire  
Attorney for Plaintiff

DAMAGES ARE HEREBY ASSESSED AS INDICATED

DATE: 6-8-01

  
PROTHONOTARY

Richard M. Squire, Esquire  
I.D. No. 04267  
Richard M. Squire & Associates, LLC.  
7919 Washington Lane  
Wyncote, PA 19095  
Telephone: 215-886-6354  
Fax: 215-886-1355  
Attorneys for Plaintiff

**The Bank of New York, as Indenture Trustee  
for The Money Store Trust 1998-C,**

v.

**Bryon G. Shaffer  
Dawn Shaffer  
140 East Long Avenue  
Du Bois, PA 15801**

**Court of Common Pleas**

**Civil Division**

**Clearfield County**

**No. 01-203-CD**

**To: Bryon G. Shaffer  
140 East Long Avenue  
Du Bois, PA 15801**

**DATE OF NOTICE: May 14, 2001**

**THIS NOTICE IS SENT TO YOU IN AN ATTEMPT TO COLLECT A DEBT AND ANY  
INFORMATION OBTAINED FROM YOU WILL BE USED FOR THAT PURPOSE.**

**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:

**Lawyer Referral Service  
Pennsylvania Bar Association  
P.O. Box 186  
Harrisburg, PA 186  
814-765-2641**

**Richard M. Squire, Esquire  
Attorney for Plaintiff**

Richard M. Squire, Esquire  
I.D. No. 04267  
Richard M. Squire & Associates, LLC.  
7919 Washington Lane  
Wyncote, PA 19095  
Telephone: 215-886-6354  
Fax: 215-886-1355  
Attorneys for Plaintiff

**The Bank of New York, as Indenture Trustee  
for The Money Store Trust 1998-C,**

v.

**Bryon G. Shaffer  
Dawn Shaffer  
140 East Long Avenue  
Du Bois, PA 15801**

**Court of Common Pleas**

**Civil Division**

**Clearfield County**

**No. 01-203-CD**

**To: Dawn Shaffer  
140 East Long Avenue  
Du Bois, PA 15801**

**DATE OF NOTICE: May 14, 2001**

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INFORMATION OBTAINED FROM YOU WILL BE USED FOR THAT PURPOSE.**

**IMPORTANT NOTICE**

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Pennsylvania Bar Association  
P.O. Box 186  
Harrisburg, PA 186  
814-765-2641**

**Richard M. Squire, Esquire  
Attorney for Plaintiff**

Richard M. Squire & Associates, LLC  
By: Richard M. Squire, Esquire  
ID No. 04267  
7919 Washington Lane  
Wyncote, PA 19095

The Bank of New York, as Indenture Trustee  
for The Money Store Trust 1998-C  
PLAINTIFF,

v.

Bryon G. Shaffer  
Dawn Shaffer

DEFENDANTS.

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY,  
PENNSYLVANIA

NO 01-203-CD

CIVIL ACTION

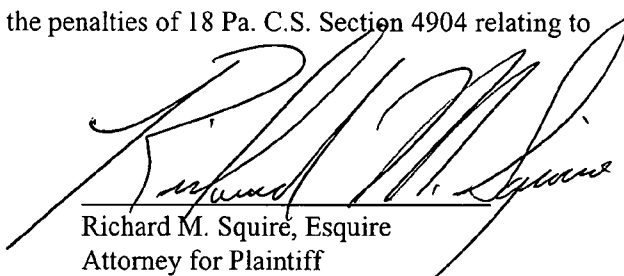
**VERIFICATION OF NON-MILITARY SERVICE**

Richard M. Squire, 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 defendants 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 Defendants are over 18 years of age and reside at 140 East Long Avenue, Du Bois, PA 15801.

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

  
Richard M. Squire, Esquire  
Attorney for Plaintiff

Office of the  
**PROTHONOTARY**  
Clearfield County  
230 E. Market Street  
Clearfield, PA 16830

COPY

Date 6.8.01

The Bank of New York, as Indenture Trustee  
for The Money Store Trust 1998-C  
PLAINTIFF,

v.

Bryon G. Shaffer  
Dawn Shaffer

DEFENDANTS.

**NOTICE**

**TO:** Bryon G. Shaffer  
140 East Long Avenue  
Du Bois, PA 15801

Pursuant to requirements of Pennsylvania Rules of Civil Procedure, Rule 236, notice is hereby given that on June 8, 2001, a judgment(degree)(order) was entered against you in this office in the proceeding as indicated above.

\_\_\_\_\_  
Prothonotary

\_\_\_\_\_  
Deputy Prothonotary

Date Mailed: 6.8.01

Office of the  
**PROTHONOTARY**  
Clearfield County  
230 E. Market Street  
Clearfield, PA 16830

CO 57V

Date 6.8.01

The Bank of New York, as Indenture Trustee  
for The Money Store Trust 1998-C  
PLAINTIFF,

v.

Bryon G. Shaffer  
Dawn Shaffer

DEFENDANTS.

**NOTICE**

**TO:** Dawn Shaffer  
140 East Long Avenue  
Du Bois, PA 15801

Pursuant to requirements of Pennsylvania Rules of Civil Procedure, Rule 236, notice is hereby given that on June 8, 2001, a judgment(degree)(order) was entered against you in this office in the proceeding as indicated above.

\_\_\_\_\_  
Prothonotary

\_\_\_\_\_  
Deputy Prothonotary

Date Mailed: 6.8.01

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

COPIES

Bank of New York, The  
Plaintiff(s)

No.: 2001-00203-CD

Real Debt: \$92,360.76

Atty's Comm:

Vs.

Costs: \$

Int. From:

Bryon G. Shaffer  
Dawn Shaffer  
Defendant(s)

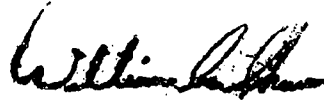
Entry: \$20.00

Instrument: Default Judgment

Date of Entry: June 8, 2001

Expires: June 8, 2006

Certified from the record this 8th of June, 2001



William A. Shaw, Prothonotary

\*\*\*\*\*

SIGN BELOW FOR SATISFACTION

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

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

FILED

JUN 08 2001

William A. Shaw  
Prothonotary

FILED

JUN 08 2001

William A. Shaw  
Prothonotary

13.501647 Square  
pd 120.00

Not to be  
Statement to city

Richard M. Squire, Esquire  
I.D. No. 04267  
Richard M. Squire & Associates, LLC  
7919 Washington Lane  
Wyncote, PA 19095  
(215) 886-6354 Fax (215) 886-1355  
Attorneys for Plaintiff

The Bank of New York, as Indenture  
Trustee for The Money Store Trust  
1998-C

PLAINTIFF,

v.

Bryon G. Shaffer  
Dawn Shaffer

DEFENDANTS.

IN THE COURT OF COMMON PLEAS  
CLEARFIELD COUNTY, PENNSYLVANIA

NO. 01-203-CD

CIVIL ACTION

MORTGAGE FORECLOSURE

**PRAECIPE FOR WRIT OF EXECUTION**

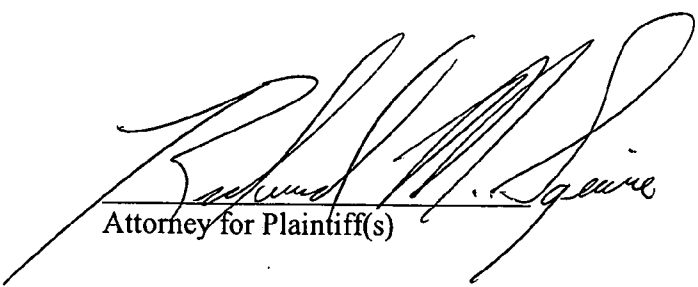
(Mortgage Foreclosure)

To the Prothonotary:

Issue Writ of Execution in the above matter.

Amount Due	\$92,360.76
Interest From 06/08/01 to Date of Sale	\$
@ \$20.76 per diem	\$
* plus fees and costs	<u>120.00</u>
Costs:	

Dated 6/29/01

  
Attorney for Plaintiff(s)

**FILED**

JUN 29 2001

William A. Shaw  
Prothonotary

No.01-203-CD

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

The Bank of New York,

v.

Bryon G. Shaffer  
Dawn Shaffer

Defendant.

PRAECIPE FOR WRIT OF EXECUTION  
(Mortgage Foreclosure)

Filed: \_\_\_\_\_

Richard M. Squire, Esquire  
Richard M. Squire & Associates, LLC  
7919 Washington Lane  
Wyncote, PA 19095  
(215) 886-6354 Fax (215) 886-1335

Attorneys for Plaintiff

  
Attorney for Plaintiff(s)

Richard M. Squire, Esquire  
I.D. No. 04267  
Richard M. Squire & Associates, LLC  
7919 Washington Lane  
Wyncote, PA 19095  
(215) 886-6354 Fax (215) 886-1355  
Attorneys for Plaintiff

COPY

The Bank of New York, as Indenture  
Trustee for The Money Store Trust  
1998-C

PLAINTIFF,

v.

Bryon G. Shaffer  
Dawn Shaffer

DEFENDANTS.

IN THE COURT OF COMMON PLEAS  
CLEARFIELD COUNTY, PENNSYLVANIA

NO 01-203-CD

CIVIL ACTION

**WRIT OF EXECUTION**  
(Mortgage Foreclosure)

COMMONWEALTH OF PENNSYLVANIA:  
COUNTY OF CLEARFIELD:

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 describe property below):

(See attached legal description)

AMOUNT DUE \$92,360.76

INTEREST FROM 06/08/01 to Date of Sale \$

@20.76 per diem, plus fees and costs

\$

Costs:

\$

120.00

\_\_\_\_\_  
PROTHONOTARY

Seal of Court

BY:

\_\_\_\_\_  
Deputy Prothonotary

Date 6/29/01

Term No. 01-203-CD

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

The Bank of New York  
Plaintiff,

v.

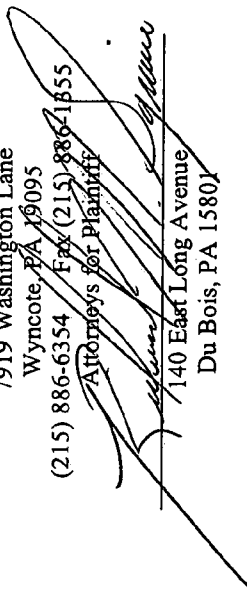
Bryon G. Shaffer  
Dawn Shaffer

Defendant.

WRIT OF EXECUTION  
(Mortgage Foreclosure)

Filed: \_\_\_\_\_

Richard M. Squire, Esquire  
Richard M. Squire & Associates, LLC  
7919 Washington Lane  
Wyncote, PA 19095  
(215) 886-6354 Fax (215) 886-1855  
*Attorneys for Plaintiff*

  
140 East Long Avenue  
Du Bois, PA 15801

Richard M. Squire, Esquire  
I.D. No. 04267  
Richard M. Squire & Associates, LLC  
7919 Washington Lane  
Wyncote, PA 19095  
(215) 886-6354 Fax (215) 886-1355  
Attorneys for Plaintiff

The Bank of New York, as Indenture  
Trustee for The Money Store Trust  
1998-C

PLAINTIFF,

v.

Bryon G. Shaffer  
Dawn Shaffer

DEFENDANTS.

IN THE COURT OF COMMON PLEAS  
CLEARFIELD COUNTY, PENNSYLVANIA

NO. 01-203-CD

a

CIVIL ACTION

MORTGAGE FORECLOSURE

**AFFIDAVIT PURSUANT TO RULE 3129.1**

The Bank of New York, as Indenture Trustee for The Money Store Trust 1998-C, Plaintiff in the above action, being authorized to do so, sets forth as of the date the Praecipe for the Writ of Execution was filed, the following information concerning the real property located at 140 East Long Avenue, Du Bois, PA 15801.

1. Name and last known address of Owner(s) or Reputed Owner(s):

Bryon G. Shaffer                      140 East Long Avenue  
Du Bois, PA 15801

Dawn Shaffer                      140 East Long Avenue  
Du Bois, PA 15801

2. Name and last known address of Defendant(s) in the judgment:

Bryon G. Shaffer                      140 East Long Avenue  
Du Bois, PA 15801

Dawn Shaffer                      140 East Long Avenue  
Du Bois, PA 15801

3. Name and last known address of every judgment creditor whose judgment is a record lien on the real property to be sold:

4. Name and address of last recorded holder of every mortgage of record:

PHFA                      2101 North Front Street  
Harrisburg, PA 17105

5. Name and address of every other person who has any record lien on the property:
6. Name and address of every other person who has any record interest in the property and whose interest may be affected by the sale:

Commonwealth of PA  
Department of Revenue  
Bureau of Compliance  
Dept. 280946

Harrisburg, PA 17128-0946

Domestic Relations

230 E. Market Street  
Clearfield, PA 16830

7. Name and address of every other person of whom the plaintiff has knowledge who has any interest in the property which may be affected by the sale:

Tenant/Occupant

140 East Long Avenue  
Du Bois, PA 15801

I verify that the statements made in this affidavit are true and correct to the best of my personal knowledge or information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities.

**Richard M. Squire & Associates, LLC**

By: 

Richard M. Squire, Esquire  
7919 Washington Lane  
Wyncote, PA 19095  
Attorneys for Plaintiff

Date: June 26, 2001

Richard M. Squire & Associates, LLC  
By: Richard M. Squire, Esquire  
ID No. 04267  
7919 Washington Lane  
Wyncote, PA 19095

The Bank of New York, as Indenture Trustee for  
The Money Store Trust 1998-C  
PLAINTIFF,

v.

Bryon G. Shaffer  
Dawn Shaffer

DEFENDANTS.

IN THE COURT OF COMMON PLEAS  
CLEARFIELD COUNTY,  
PENNSYLVANIA

NO01-203-CD

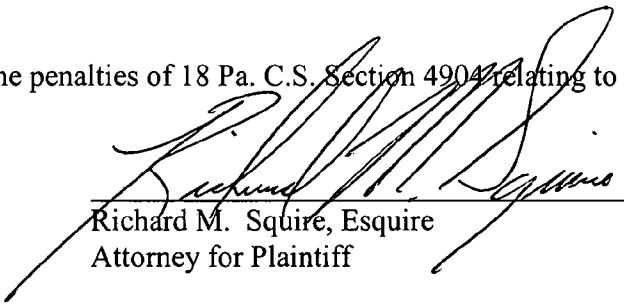
CIVIL ACTION

**CERTIFICATION**

Richard M. Squire, 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
- ☒ 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.

  
Richard M. Squire, Esquire  
Attorney for Plaintiff

Richard M. Squire, Esquire  
I.D. No. 04267  
Richard M. Squire & Associates, LLC  
7919 Washington Lane  
Wyncote, PA 19095  
(215) 886-6354 Fax (215) 886-1355  
Attorneys for Plaintiff

The Bank of New York, as Indenture  
Trustee for The Money Store Trust  
1998-C

PLAINTIFF,

v.

Bryon G. Shaffer  
Dawn Shaffer

DEFENDANTS.

IN THE COURT OF COMMON PLEAS  
CLEARFIELD COUNTY, PENNSYLVANIA

NO. 01-203-CD

CIVIL ACTION

MORTGAGE FORECLOSURE

Date: June 26, 2001

To: ALL PARTIES IN INTEREST AND CLAIMANTS

NOTICE OF SHERIFF' SALE  
OF REAL PROPERTY

OWNER(S): Bryon G. Shaffer and Dawn Shaffer

PROPERTY: 140 East Long Avenue  
Du Bois, PA 15801

Improvements: RESIDENTIAL DWELLING

The above captioned property is scheduled to be sold at the Clearfield County Sheriff Sale \_\_\_\_\_ at 10:00AM in the Clearfield County Courthouse, 230 E. Market Street, Clearfield, PA 16830. Our records indicate that you may hold a mortgage or judgment on the property which will be extinguished by the sale. You may wish to attend the sale to protect your interests. A Schedule of Distribution will be filed by the Sheriff on a date specified by the Sheriff not later than 30 days after sale. Distribution will be made in accordance with the schedule unless exceptions are filed thereto within 10 days after the filing of the schedule.

Richard M. Squire, Esquire  
I.D. No. 04267  
Richard M. Squire & Associates, LLC  
7919 Washington Lane  
Wyncote, PA 19095  
(215) 886-6354 Fax (215) 886-1355  
Attorneys for Plaintiff

The Bank of New York, as Indenture  
Trustee for The Money Store Trust  
1998-C

PLAINTIFF,

v.

Bryon G. Shaffer  
Dawn Shaffer

DEFENDANTS.

IN THE COURT OF COMMON PLEAS  
CLEARFIELD COUNTY, PENNSYLVANIA

NO. 01-203-CD

CIVIL ACTION

MORTGAGE FORECLOSURE

**NOTICE OF SHERIFF'S SALE OF REAL PROPERTY**

TO: Bryon G. Shaffer  
140 East Long Avenue  
Du Bois, PA 15801

Your house (real estate) at 140 East Long Avenue, Du Bois, PA 15801 is scheduled to be sold at Sheriff's Sale on \_\_\_\_\_ at 10:00 AM in the Clearfield County Courthouse, 230 E. Market Street, Clearfield, PA 16830 to enforce the court judgment of \$92,360.76 plus interest to the sale date obtained by The Bank of New York, as Indenture Trustee for The Money Store Trust 1998-C against you.

**NOTICE OF OWNER'S RIGHTS**  
**YOU MAY BE ABLE TO PREVENT THIS SHERIFF'S SALE**

To prevent this Sheriff's Sale you must take immediate action:

1. The sale will be canceled if you pay back to The Bank of New York, as Indenture Trustee for The Money Store Trust 1998-C, the amount of the judgment plus costs or the back payments, late charges, costs and reasonable attorneys' fees due. To find out how much you must pay, you may call: Richard M. Squire, Esquire at (215) 886-6354
2. You may be able to stop the sale by filing a petition asking the Court to strike or open the judgment, if the judgment was improperly entered. You may also ask the Court to postpone the sale for good cause.
3. You may be able to stop the sale through other legal proceedings.

You may need an attorney to assert your rights. The sooner you contact one, the more chance you will have of stopping the sale. (See notice below on how to obtain an attorney.)

**YOU MAY STILL BE ABLE TO SAVE YOUR PROPERTY AND YOU HAVE OTHER RIGHTS EVEN IF THE SHERIFF'S SALE DOES TAKE PLACE.**

1. If the Sheriff's Sale is not stopped, your property will be sold to the highest bidder. You may find out the price bid by calling the Clearfield County Sheriff's Office at .
2. You may be able to petition the Court to set aside the sale if the bid price was grossly inadequate compared to the value of your property.
3. The sale will go through only if the buyer pays the Sheriff the full amount due in the sale. To find out if this has happened you may call the Clearfield County Courthouse at .
4. If the amount due from the buyer is not paid to the Sheriff, you will, remain the owner of the property as if the sale never happened.
5. You have a right to remain in the property until the full amount due is paid to the Sheriff and the Sheriff gives a deed to the buyer. At that time, the buyer may bring legal proceedings to evict you.
6. You may be entitled to a share of the money which was paid for your house. A schedule of distribution of the money bid for your house will be filed by the Sheriff no later than 30 days after the Sheriff's Sale. This schedule will state who will be receiving the money. The money will be paid out in accordance with this schedule unless exceptions (reasons why the proposed distribution is wrong) are filed with the Sheriff within ten (10) days after the date of filing of said schedule.
7. You may also have other rights and defenses or ways of getting your house back, if you act immediately after the sale.

**Lawyer Referral Service  
Pennsylvania Lawyer Referral Service  
Pennsylvania Bar Association  
P.O. Box 186  
Harrisburg, PA 17108  
814-765-2641**

Richard M. Squire, Esquire  
I.D. No. 04267  
Richard M. Squire & Associates, LLC  
7919 Washington Lane  
Wyncote, PA 19095  
(215) 886-6354 Fax (215) 886-1355  
Attorneys for Plaintiff

The Bank of New York, as Indenture  
Trustee for The Money Store Trust  
1998-C

PLAINTIFF,

v.

Bryon G. Shaffer  
Dawn Shaffer

DEFENDANTS.

IN THE COURT OF COMMON PLEAS  
CLEARFIELD COUNTY, PENNSYLVANIA

NO. 01-203-CD

CIVIL ACTION

MORTGAGE FORECLOSURE

**NOTICE OF SHERIFF'S SALE OF REAL PROPERTY**

TO: Dawn Shaffer  
140 East Long Avenue  
Du Bois, PA 15801

Your house (real estate) at 140 East Long Avenue, Du Bois, PA 15801 is scheduled to be sold at Sheriff's Sale on \_\_\_\_\_ at 10:00 AM in the Clearfield County Courthouse, 230 E. Market Street, Clearfield, PA 16830 to enforce the court judgment of \$92,360.76 plus interest to the sale date obtained by The Bank of New York, as Indenture Trustee for The Money Store Trust 1998-C against you.

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3. You may be able to stop the sale through other legal proceedings.

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EVEN IF THE SHERIFF'S SALE DOES TAKE PLACE.**

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7. You may also have other rights and defenses or ways of getting your house back, if you act immediately after the sale.

**Lawyer Referral Service  
Pennsylvania Lawyer Referral Service  
Pennsylvania Bar Association  
P.O. Box 186  
Harrisburg, PA 17108  
814-765-2641**

---

**LEGAL DESCRIPTION**

---

ALL THAT CERTAIN lot, piece or parcel of ground situate, lying and being in the City of DuBois, Clearfield County, Pennsylvania, bounded and described as follows, to wit:

BEING known as Lot No. 92 in the James E. Long's Addition to the City of DuBois, and being 50 feet wide on East Long Avenue and extending back 150 feet to an alley, and bounded on the North by East Long Avenue, on the South by an alley; on the East by Lot No. 93 of the same plot; and on the West by Lot No. 91 of the same plot. Said lot being 50 feet by 150 feet, and containing 7500 square feet of ground

---

---

**LEGAL DESCRIPTION**

---

ALL THAT CERTAIN lot, piece or parcel of ground situate, lying and being in the City of DuBois, Clearfield County, Pennsylvania, bounded and described as follows, to wit:

BEING known as Lot No. 92 in the James E. Long's Addition to the City of DuBois, and being 50 feet wide on East Long Avenue and extending back 150 feet to an alley, and bounded on the North by East Long Avenue, on the South by an alley; on the East by Lot No. 93 of the same plot; and on the West by Lot No. 91 of the same plot. Said lot being 50 feet by 150 feet, and containing 7500 square feet of ground

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**LEGAL DESCRIPTION**

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ALL THAT CERTAIN lot, piece or parcel of ground situate, lying and being in the City of DuBois, Clearfield County, Pennsylvania, bounded and described as follows, to wit:

BEING known as Lot No. 92 in the James E. Long's Addition to the City of DuBois, and being 50 feet wide on East Long Avenue and extending back 150 feet to an alley, and bounded on the North by East Long Avenue, on the South by an alley; on the East by Lot No. 93 of the same plot; and on the West by Lot No. 91 of the same plot. Said lot being 50 feet by 150 feet, and containing 7500 square feet of ground

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**LEGAL DESCRIPTION**

---

ALL THAT CERTAIN lot, piece or parcel of ground situate, lying and being in the City of DuBois, Clearfield County, Pennsylvania, bounded and described as follows, to wit:

BEING known as Lot No. 92 in the James E. Long's Addition to the City of DuBois, and being 50 feet wide on East Long Avenue and extending back 150 feet to an alley, and bounded on the North by East Long Avenue, on the South by an alley; on the East by Lot No. 93 of the same plot; and on the West by Lot No. 91 of the same plot. Said lot being 50 feet by 150 feet, and containing 7500 square feet of ground

---

FILED

JUN 29 2001

M\303\6 WrttsSheng  
William A. Shaw  
Prothonotary

City Square pd \$20.00  
221

Richard M. Squire, Esquire  
Richard M. Squire & Associates, LLC  
Attorney ID#04267  
One Jenkintown Station, Suite 104  
115 West Avenue  
Jenkintown, Pa 19046  
Telephone: 215-886-8790  
Fax: 215-886-8791  
Attorneys for Plaintiff

The Bank of New York, as Indenture Trustee  
for The Money Store Trust 1998-C  
PLAINTIFF,

v.

Bryon G. Shaffer  
Dawn Shaffer

DEFENDANTS.

IN THE COURT OF COMMON PLEAS  
CLEARFIELD COUNTY,  
PENNSYLVANIA

NO. 01-203-CD

CIVIL ACTION

MORTGAGE FORECLOSURE

**AFFIDAVIT OF SERVICE PURSUANT TO Pa.R.C.P. RULE 3129.1**

Plaintiff, by its/his/her Attorney, Richard M. Squire, Esquire, hereby verifies that:

1. A copy of the Notice of Sheriff's Sale, a true and correct copy of which is attached hereto as Exhibit "A", was sent to every recorded lienholder and every other interested party known as of the date of the filing of the Praecipe for Writ of Execution on the date(s) appearing on the attached Certificates of Mailing.
2. A Notice of Sheriff's Sale was sent to the Defendant(s) by regular mail and certified mail on the date appearing on the attached Return Receipt, which was signed for by Defendant(s) on the date specified on the said Return Receipt. Copies of the said Notice and Return Receipt are attached hereto as Exhibit "B".
3. If a Return Receipt is not attached hereto, then service was by personal service on the date specified on the attached Return of Service, attached hereto as Exhibit "B".
4. If service was by Order of Court, then proof of compliance with said Order is attached hereto as Exhibit "B".

All Notices were served within the time limits set forth by Pa Rule C.P. 3129.

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

**FILED**

OCT 01 2001

William A. Shaw  
Prothonotary

Dated: September 26, 2001

RICHARD M. SQUIRE & ASSOCIATES



Richard M. Squire, Esquire  
Attorney for Plaintiff

Richard M. Squire, Esquire  
I.D. No. 04267  
Richard M. Squire & Associates, LLC  
7919 Washington Lane  
Wyncote, PA 19095  
(215) 886-6354 Fax (215) 886-1355  
Attorneys for Plaintiff

The Bank of New York, as Indenture  
Trustee for The Money Store Trust  
1998-C

PLAINTIFF,

v.

Bryon G. Shaffer  
Dawn Shaffer

DEFENDANTS.

IN THE COURT OF COMMON PLEAS  
CLEARFIELD COUNTY, PENNSYLVANIA

NO. 01-203-CD

CIVIL ACTION

MORTGAGE FORECLOSURE

Date: August 31, 2001

To: ALL PARTIES IN INTEREST AND CLAIMANTS

NOTICE OF SHERIFF' SALE  
OF REAL PROPERTY

OWNER(S): Bryon G. Shaffer and Dawn Shaffer

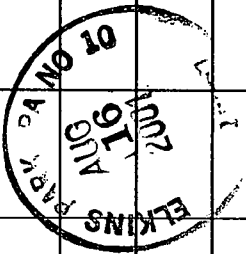
PROPERTY: 140 East Long Avenue  
Du Bois, PA 15801

Improvements: RESIDENTIAL DWELLING

The above captioned property is scheduled to be sold at the Clearfield County Sheriff Sale on October 19, 2001 at 10:00AM in the Clearfield County Courthouse, 230 E. Market Street, Clearfield, PA 16830. Our records indicate that you may hold a mortgage or judgment on the property which will be extinguished by the sale. You may wish to attend the sale to protect your interests.

A Schedule of Distribution will be filed by the Sheriff on a date specified by the Sheriff not later than 30 days after sale. Distribution will be made in accordance with the schedule unless exceptions are filed thereto within 10 days after the filing of the schedule.

NAME AND ADDRESS OF SENDER		INDICATE TYPE OF MAIL			CHECK APPROPRIATE BLOCK FOR			POSTMARK AND DATE OF RECEIPT					
Richard M. Squire and Associates, LLC 7919 Washington Lane Wyncote, PA 19095		<input type="checkbox"/> Registered Mail <input type="checkbox"/> Insured <input type="checkbox"/> COD <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail			Registered Mail: <input type="checkbox"/> With Postal Insurance <input type="checkbox"/> Without Postal Insurance			Affix stamp here if issued as certificate of mailing or for additional copies of this bill.					
		Line	Number of Article	Name of Addressee, Street, and Post-Office Address	Postage	Handling Charge	Act. Value (If Regis.)	Insured Value	Due Sender If C.O.D.	R.R. Fee	S.D. Fee	S.H. Fee	Rest. Del. Fee
1	Shaffer Lien Holder	PHFA 2101 North Front Street Harrisburg, PA 17105											
2		Commonwealth of PA Department of Revenue Bureau of Compliance Dept. 280946 Harrisburg, PA 17128-0946											
3		Domestic Relations 230 E. Market Street Clearfield, PA 16830											
4		Tenant/ Occupant 140 East Long Avenue Du Bois, PA 15801											
5													
6													
7													
8													
9													
10													
11													
12													
13													
Total Number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office		POSTMASTER, PER (Name of receiving employee)		The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$50,000 per occurrence. The maximum indemnity payable on Express Mail merchandise insurance is \$500. The maximum indemnity payable is \$25,000 for Registered Mail, \$500 for COD and \$500 for Insured Mail. Special handling charges apply only to Third- and Fourth-Class parcels. Special delivery service also includes special handling service.							



U.S. POSTAGE  
PAID  
ELKINS PARK, PA  
19027  
AUG 16, 01  
AMOUNT  
\$1.00  
00017977-10

**Premier Process Services, LLC**  
**66 Wildcat Branch Drive**  
**Sicklerville, NJ 08081**  
**Phone (856) 262-0474 Fax (856) 740-3651**

Plaintiff(s):

The Bank of New York, as Trustee

Court Term &amp; No.

No. 01-203-CD

Vs.

County

Bryon G. Shaffer

Clearfield

Dawn Shaffer

Name of Defendant(s) to Serve:

Dawn Shaffer

☐ Civil Action Complaint in Mortgage Foreclosure☒ Notice of Sheriff Sale☒ Ejectment☐ Writ of Execution

Serve at:

140 E. Long Avenue

DuBois, PA 15801

Special Instructions \*\*\*\*\*PLEASE COMPLETE SERVICE ASAP\*\*\*\*\*

FAX COPY OF SERVICE RETURN BEFORE MAILING THE ORIGINAL

Served & Made Known To Dawn ShafferOn the 12 day of September, 2001, at 7:08 O'clock PmAt 140 E LONG AVENUE DuBois PA 15801 County of \_\_\_\_\_

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 of relationship.☐ Other \_\_\_\_\_

Description	Age	Height	Weight	Race	Sex
*****					

On the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M,

Defendant Not Found Because: Moved \_\_\_\_\_ Unknown \_\_\_\_\_ No Answer \_\_\_\_\_ Vacant \_\_\_\_\_ Other \_\_\_\_\_

Attempts Made &amp; Comments:

\*\*\*\*\*

The undersigned understands that the statements herein set forth above are made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.



Process server/Competent Adult

Date 9/12/01

\*\*\*\*\*

**Premier Process Services, LLC**  
**66 Wildcat Branch Drive**  
**Sicklerville, NJ 08081**  
**Phone (856) 262-0474 Fax (856) 740-3651**

Plaintiff(s):  
 The Bank of New York, as Trustee

Court Term & No.  
 No. 01-203-CD

Vs.  
 Bryon G. Shaffer  
 Dawn Shaffer

County  
 Clearfield

Name of Defendant(s) to Serve:  
 Bryon G. Shaffer

☐ Civil Action Complaint in Mortgage Foreclosure  
☒ Notice of Sheriff Sale  
☒ Ejectment  
☐ Writ of Execution

Serve at:  
 140 E. Long Avenue  
 DuBois, PA 15801

\*\*\*\*\*  
 Special Instructions \*\*\*\*\*PLEASE COMPLETE SERVICE ASAP\*\*\*\*\*

FAX COPY OF SERVICE RETURN BEFORE MAILING THE ORIGINAL

Served & Made Known To

Bryon Shaffer

On the 12 day of September, 2001, at 7:08 O'clock P m,

At 140 E. Long Avenue DuBois PA 15801 County of \_\_\_\_\_

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 of relationship.

☐ Other \_\_\_\_\_

Description	Age	Height	Weight	Race	Sex
*****					

On the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M,

Defendant Not Found Because: Moved \_\_\_\_\_ Unknown \_\_\_\_\_ No Answer \_\_\_\_\_ Vacant \_\_\_\_\_ Other \_\_\_\_\_

Attempts Made & Comments:

\*\*\*\*\*  
 The undersigned understands that the statements herein set forth above are made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

Math Burns

Date 9/12/01

Process server/Competent Adult

\*\*\*\*\*

FILED

OCT 01 2001

Michael A. Shaw  
Notary Public  
Cathy Spivey  
R20

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

Sheriff Docket # 11197

THE BANK OF NEW YORK

01-203-CD

VS.

SHAFFER, BRYON G.

WRIT OF EXECUTION REAL ESTATE

**SHERIFF RETURNS**

---

NOW, AUGUST 24, 2001, AT 1:15 PM O'CLOCK A LEVY WAS TAKEN ON THE PROPERTY OF THE DEFENDANTS. PROPERTY WAS POSTED THIS DATE.

A SALE IS SET FOR FRIDAY, OCTOBER 19, 2001, AT 10:00 AM O'CLOCK.

NOW, AUGUST 24, 2001, AT 2:30 PM O'CLOCK SERVED WRIT OF EXECUTION, NOTICE OF SALE AND COPY OF LEVY ON BRYON G. SHAFFER, DEFENDANT, AT HIS PLACE OF RESIDENCE, 70 1/2 SPRING STREET, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, 15801, BY HANDING TO BRYON G. SHAFFER, DEFENDANT, A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE AND MADE KNOWN TO HIM THE CONTENTS THEREOF.

NOW, AUGUST 29, 2001, AT 10:16 AM O'CLOCK SERVED WRIT OF EXECUTION, NOTICE OF SALE AND COPY OF LEVY ON DAWN SHAFFER, DEFENDANT, AT MAGISTRATE FORDS OFFICE, MAPLE AVENUE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, 15801, BY HANDING TO DAWN SHAFFER, DEFENDANT, A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE AND COPY OF LEVY AND MADE KNOWN TO HER THE CONTENTS THEREOF.

NOW, OCTOBER 19, 2001, A SALE WAS HELD ON THE PROPERTY OF THE DEFENDANT. PROPERTY WAS PURCHASED BY THE PLAINTIFF FOR ONE (\$1.00) DOLLAR PLUS COSTS.

NOW, OCTOBER 19, 2001, SENT BILL TO ATTORNEY FOR COSTS ON SALE.

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

Sheriff Docket # 11197

THE BANK OF NEW YORK

01-203-CD

VS.

SHAFFER, BRYON G.

WRIT OF EXECUTION REAL ESTATE

**SHERIFF RETURNS**

---

NOW, NOVEMBER 19, 2001, SENT SECOND BILL TO ATTORNEY FOR COSTS DUE ON SALE.

NOW, JANUARY 23, 2002, SENT THIRD BILL TO ATTORNEY FOR COSTS DUE ON SALE.

NOW, JANUARY 29, 2002, PETER SMITH, SOLICITOR FOR THIS OFFICE SENT A BILL REQUESTING PAYMENT BE MADE FOR COSTS DUE ON SALE.

NOW, FEBRUARY 4, 2002, FAXED COPY OF BILL TO ATTORNEY SQUIRE'S OFFICE.

NOW, MARCH 5, 2002, SHERIFF HAWKINS SENT LETTER TO ATTORNEY SQUIRE'S OFFICE INFORMING THAT UNTIL BILL IS PAID ON THIS SALE THERE WILL BE NO PROCESSES FOR HIS OFFICE DONE.

NOW, MARCH 12, 2002, RECEIVED ATTORNEY CHECK #1804 IN THE AMOUNT OF THREE THOUSAN ONE HUNDRED TWENTY-SEVEN DOLLARS AND FORTY-TWO CENTS (\$3,127.42).

NOW, MARCH 12, 2002, RETURNED ATTORNEY CHECK #1804 AND INFORMED HIM THAT HE MUST CONTACT THIS OFFICE FOR UPDATED AMOUNT DUE ON SALE.

NOW, MARCH 14, 2002, JAMES GRIFFITHS, FROM ATTORNEY SQUIRE'S OFFICE CALLED FOR CORRECT AMOUNT DUE ON SALE.

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

Sheriff Docket # 11197

THE BANK OF NEW YORK

01-203-CD

VS.

SHAFFER, BRYON G.

WRIT OF EXECUTION REAL ESTATE

**SHERIFF RETURNS**

---

NOW, MARCH 18, 2002, RECEIVED ATTORNEY CHECK #1804 IN THE AMOUNT OF THREE THOUSAND ONE HUNDRED TWENTY-SEVEN DOLLARS AND FORTY-TWO CENTS (\$3,127.42) AND CHECK #1889 IN THE AMOUNT OF FOUR HUNDRED NINETY THREE DOLLARS AND NINETY-EIGHT CENTS (\$493.98) FOR TOTAL AMOUNT DUE ON SALE.

NOW, MARCH 18, 2002, PAID COSTS DUE USING ADVANCE WITH ATTORNEY PAYING REMAINING COSTS. SENT LETTER INFORMING ATTORNEY AGAIN THAT A SMOKE TEST NEEDS DONE ON THE PROPERTY BY THE CITY OF DUBOIS BEFORE DEED CAN BE FILED.

NOW, JULY 2, RECEIVED CALL FROM DUBOIS CITY THAT PROPERTY PASSED SMOKE TEST.

NOW, JULY 17, 2002 DEED TAKEN TO REGISTER AND RECORDER NOT ENOUGH MONEY TO RECORD DEED, CHECK MADE PRIOR TO INCREASE DEED COSTS.

NOW, JULY 18, 2002 DONALD K. SMITH FROM CALDWELL BANKER CAME TO COURTHOUSE AND PAID THE \$3.50 DIFFERENCE IN COSTS TO REGISTER AND RECORDER. DEED WAS FILED JULY 18, 2002

NOW, JULY 18, 2002 RETURN WRIT AS A SALE BEING HELD, PLAINTIFF PURCHASED THE PROPERTY FOR ONE DOLLAR(\$1.00) PLUS COSTS, PAID COSTS FROM MONEY RECEIVED FROM PLAINTIFF, MADE REFUND OF ADVANCE, DEED WAS FILED THIS DATE

SHERIFF HAWKINS \$258.13

SHURCHARGE \$40.00

PAID BY PLAINTIFF

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 11197

THE BANK OF NEW YORK

01-203-CD

VS.

SHAFFER, BRYON G.

WRIT OF EXECUTION REAL ESTATE

SHERIFF RETURNS

FILED

JUL 18 2002

0111551

William A. Shaw  
Prothonotary

Sworn to Before Me This

18th Day of July 2002

WILLIAM A. SHAW  
Prothonotary  
My Commission Expires  
1st Monday in Jan. 2006  
Clearfield Co., Clearfield, PA

So Answers,

*Chester A. Hawkins*  
by Cynthia Butler-Aughenbaugh  
Chester A. Hawkins  
Sheriff

PETER F. SMITH  
ATTORNEY  
30 SOUTH SECOND STREET  
P.O. BOX 130  
CLEARFIELD, PENNSYLVANIA 16830

(814) 765-5595  
FAX (814) 765-6662

E-mail  
pfsatty@clearfield.uplink.net

January 29, 2002

Richard M. Squire, Esquire  
Richard M. Squire & Associates, LLC  
7919 Washington Lane  
Wyncote, PA 19095

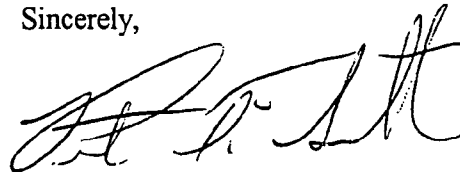
RE: Bank of New York vs. Shaffer  
Clearfield County No. 01-203-CD

Dear Mr. Squire:

I am the Solicitor for the Clearfield County Sheriff. My client contacted me because you have failed to pay \$3,127.42 of costs that were incurred in the sale of the defendants' real estate in the case identified above.

I write to advise that unless a check is tendered to me made payable to the "Clearfield County Sheriff" in the full amount owed in cashiers check or other certified fund within 10 days of the date of this letter, I will file a petition to recover these costs and impose appropriate sanctions against you.

Sincerely,

A handwritten signature in black ink, appearing to be "P. F. Smith", written in a cursive style.

Peter F. Smith

cc: Chester A. Hawkins,  
Clearfield County Sheriff



Sheriff's Office  
Clearfield County

CLEARFIELD COUNTY FAX  
(814) 765-5915

CHESTER A. HAWKINS  
SHERIFF

1 NORTH SECOND STREET - COURTHOUSE  
CLEARFIELD, PENNSYLVANIA 16830

DARLENE SHULTZ  
CHIEF DEPUTY

MARGARET PUTT  
OFFICE MANAGER

MARILYN HAMM  
DEPT. CLERK

PETER F. SMITH  
SOLICITOR



**YOU CAN WUN. BUT YOU CAN'T HIDE!**

DATE FAXED: FEBRUARY 4, 2002

TO: JAMES GRIFFITHS, ESQ.

FAX #: 215-886-8791

PHONE #:

FROM: PEGGY

NO. OF PAGES, INCLUDING COVER: 2

MESSAGE: MR. GRAFFITHS,

PLEASE NOTE THAT YOU NEED TO CONTACT THE CITY OF  
DuBOIS TO ARRANGE FOR A SMOKE TEST TO BE DONE ON THE  
PROPERTY BEFORE A DEED CAN BE FILED. 814-371-2000 EXT 131 ESSIE QUINN  
PEGGY

# SHERIFF OF CLEARFIELD COUNTY

Market Street  
CLEARFIELD, PA. 16830

THE BANK OF NEW YORK, AS INDENTURE  
TRUSTEE FOR THE MONEY STORE TRUST 1998-C

VS

BYRON G. SHAFFER

DAWN SHAFFER

JANUARY 23, 2002

49

RICHARD M. SQUIRE, ESQ.

Richard M. Squire & Associates, LLC  
7919 Washington Lane

Wyncote, PA 19095

No. 01-203-CD

( ) SERVICE WILL BE MADE UPON RECEIPT OF COSTS

XXXXXX RETURN WILL BE FILED UPON RECEIPT OF PAYMENT

~~PLEASE MAKE SEPARATE CHECKS PAYABLE TO~~

## SHERIFF OF CLEARFIELD COUNTY

### ADVERTISING

TAX CLAIM - 2000 Taxes \$1,526.76  
2001 Taxes 1,477.85

### LIEN AND MORTGAGE SEARCH

### ACKNOWLEDGMENT

### DEED COSTS

### LEGAL JOURNAL

### PROTHONOTARY

A SMOKE TEST NEEDS DONE ON THIS PROPERTY

REMARKS: SALE WAS HELD OCTOBER 19, 2002  
PREVIOUS BILLS SENT: OCTOBER 22, 2001  
NOVEMBER 19, 2001

TOTAL COSTS  
LESS ADVANCE  
AMOUNT DUE

\$ 248	13
535	68
3,004	61
140	00
5	00
15	50
58	50
120	00
\$ 4,127	42
- 1,000	00
\$ 3,127	42

March 5, 2002

Richard M. Squire, Esquire  
7919 Washington Lane  
Wyncote, Pa. 19095

RE: Real Estate Executions

Dear Mr. Squire:

My office is in receipt of a Writ of Execution concerning the matter of HomeEq Servicing Corp VS Helen & Scott Koenig NO. 01-1358-CD for real estate of the defendants located in Clearfield County.

This is to inform you that my office will not proceed with this matter until all costs are paid in a prior Sheriff's Sale held on October 19, 2001, in which you represented the Plaintiff, The Bank of New York - VS - Byron G. and Dawn Shaffer, No. 01-203-CD. Your office has been billed numerous times for these costs, but to no avail.

My office will not file a deed for the prior sale nor serve any processes for your firm until these costs are paid.

Call our office for the present amount due on the Shaffer execution, at this time there are more taxes due on the property and upon receipt of these and the completion of that execution we will proceed with the Koenig property.

COPY Sincerely,

Chester A. Hawkins, Sheriff

CAH/mhp

# OFFICE OF THE SHERIFF

1 NORTH SECOND STREET, SUITE 116  
CLEARFIELD COUNTY, PENNSYLVANIA  
CLEARFIELD, PA. 16830



CHESTER A. HAWKINS  
SHERIFF

(814) 765-2641

MARCH 12, 2002

ATTACHED IS YOUR CHECK #1804 IN THE AMOUNT OF  
THREE THOUSAND ONE HUNDRED TWENTY-SEVEN DOLLARS  
AND FORTY-TWO CENTS (\$3,127.42).

PLEASE REFER TO A COPY OF THE LETTER THAT WAS SENT  
TO YOUR OFFICE ON MARCH 5, 2002, WHICH IS ALSO  
ATTACHED.

THE NUMBER TO CALL IS 814-765-2641 EXT 1361

*Copy*  
THE BANK OF NEW YORK, AS INDENTURE TRUSTEE FOR THE  
MONEY STORE TRUST 1998-C VS BRYON G. SHAFFER  
AND DAWN SHAFFER 01-203-CD.

*Reggy*

# RICHARD M. SQUIRE AND ASSOCIATES, LLC

ATTORNEYS AT LAW

Offices In Pennsylvania And New Jersey

Richard M. Squire \*  
John M. Crockett \*\*  
Stephen V. Yarnell

\* Also Admitted In MD  
\*\* Admitted In NJ

Pamela S. Fouch,  
Firm Administrator

**VIA U.S. MAIL**

Clearfield County Sheriff  
Courthouse; 1 N. 2<sup>nd</sup> St., Suite 116  
Clearfield, PA 16830

One Jenkintown Station  
115 West Avenue, Suite 104  
Jenkintown, PA 19046

Tel (215) 886-8790 Fax (215) 886-8791

Email: [squirelaw@aol.com](mailto:squirelaw@aol.com)

New Jersey Office  
66 Wildcat Branch Drive  
Sicklerville, NJ 08081  
Tel (610) 766-0296  
Fax (856) 740-3651

John M. Crockett,  
Resident Managing Attorney

March 15, 2002

RE: **THE BANK OF NEW YORK V. BYRON G. & DAWN SHAFFER; CASE  
NO. 01-203-CD; SALE DATE 10/19/01.**

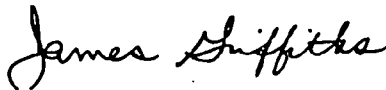
Dear Sir/ Madam:

Enclosed are two checks totalling \$3,621.40 check in payment of the outstanding costs pertaining to the above-referenced matter. Please prepare the Deed to convey title to The Bank Of New York As Indenture Trustee For The Money Store Trust 1998-C whose principal address is c/o HomEq/ First Union, 1100 Corporate Center Drive, Raleigh, NC 27607. Please forward the Deed in the self-addressed and stamped envelope provided.

Thank you for your assistance in this matter. If there are any questions or concerns, please feel free to contact me.

Very truly Yours,

Richard M. Squire & Assoc., LLC



James Griffiths, paralegal

Enclosure



ORIGINAL DOCUMENT PRINTED ON CHEMICAL REACTIVE PAPER WITH MICROPRINTED BORDER - SEE REVERSE SIDE FOR COMPLETE SECURITY FEATURES

**RICHARD M. SQUIRE & ASSOCIATES, LLC**  
PA ESCROW ACCOUNT  
ONE JENKINTOWN STATION - SUITE 104  
115 WEST AVENUE  
JENKINTOWN, PA 19046



1804  
NUMBER

**\*\*Three Thousand One hundred Twenty Seven dollars and Forty Two cents\*\***

DATE 03/08/2002 AMOUNT \$3,127.42

PAY  
TO THE  
ORDER  
OF

Sheriff of Clearfield County  
230 E. Market St.  
Clearfield, PA 16830

For RRA-119/Shaffer/Outstanding Sheriff Cost

THIS DOCUMENT CONTAINS HEAT SENSITIVE INK. TOUCH OR PRESS HERE - RED IMAGE DISAPPEARS WITH HEAT.

VOID AFTER 90 DAYS

EX-11197 001804 036001808 36 195273 2

ORIGINAL DOCUMENT PRINTED ON CHEMICAL REACTIVE PAPER WITH MICROPRINTED BORDER - SEE REVERSE SIDE FOR COMPLETE SECURITY FEATURES

**RICHARD M. SQUIRE & ASSOCIATES, LLC**  
PA ESCROW ACCOUNT  
ONE JENKINTOWN STATION - SUITE 104  
115 WEST AVENUE  
JENKINTOWN, PA 19046



1889  
NUMBER

**\*\*Four hundred Ninety Three dollars and Ninety Eight cents\*\***

DATE 03/15/2002 AMOUNT \$493.98

PAY  
TO THE  
ORDER  
OF

Sheriff of Clearfield County  
230 E. Market St.  
Clearfield, PA 16830

For Outstanding Sheriff's Sale Costs

THIS DOCUMENT CONTAINS HEAT SENSITIVE INK. TOUCH OR PRESS HERE - RED IMAGE DISAPPEARS WITH HEAT.

VOID AFTER 90 DAYS

EX-11197 001889 036001808 36 195273 2

REAL ESTATE SALE

# REAL ESTATE SALE SCHEDULE OF DISTRIBUTION

REAL ESTATE SALE

NOW, OCTOBER 22, 2001, by virtue of the Writ of Execution hereunto attached, after having given due and legal notice of time and place of sale by publication in a newspaper published in this County and by handbills posted on the premises setting forth the date, time and place of sale at the Court House in Clearfield on the 19th day of OCTOBER 2001, I exposed the within described real estate of BRYON G. SHAFFER AND DAWN SHAFFER

to public venue or outcry at which time and place I sold the same to THE BANK OF NEW YORK, AS INDENTURE TRUSTEE FOR THE MONEY STORE TRUST 1998-C he/she 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		12.35
LEVY		15.00
MILEAGE		12.35
POSTING		15.00
CSDS		10.00
COMMISSION 2%		
POSTAGE		4.08
HANDBILLS		15.00
DISTRIBUTION		25.00
ADVERTISING		15.00
ADD'L SERVICE		15.00
DEED		30.00
ADD'L POSTING		
ADD'L MILEAGE		12.35
ADD'L LEVY		
BID AMOUNT		1.00
RETURNS/DEPUTIZE		9.00
COPIES / BILLING		15.00
BILLING - PHONE - FAX		22.00
<b>TOTAL SHERIFF COSTS</b>	<b>\$</b>	<b>258.13</b>

**DEED COSTS:**

REGISTER & RECORDER	\$	15.50
ACKNOWLEDGEMENT	****	5.00
TRANSFER TAX 2%		
<b>TOTAL DEED COSTS</b>	<b>\$</b>	<b>20.50</b>

**DEBT & INTEREST:**

DEBT-AMOUNT DUE	92,360.76
INTEREST FROM 6-8-01 TO DATE OF SALE	
@\$20.76 PER DIEM, PLUS FEES AND COSTS	
TO BE ADDED	

<b>TOTAL DEBT &amp; INTEREST</b>	<b>\$ 92,360.76</b>
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**COSTS:**

ATTORNEY FEES	
PROTH. SATISFACTION	
ADVERTISING	\$ 535.68
LATE CHARGES & FEES	
TAXES-Collector	\$ 441.30
TAXES-Tax Claim	\$ 3,047.29
COSTS OF SUIT-To Be Added	
LIST OF LIENS AND MORTGAGE SEARCH	\$ 140.00
FORCLOSURE FEES	
ACKNOWLEDGEMENT	\$ 5.00
DEED COSTS	\$ 15.50
ATTORNEY COMMISSION	
SHERIFF COSTS	\$ 258.13
LEGAL JOURNAL AD	\$ 58.50
REFUND OF ADVANCE	
REFUND OF SURCHARGE	
PROTHONOTARY	\$ 120.00

<b>TOTAL COSTS</b>	<b>\$</b>	<b>4,621.40</b>
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DISTRIBUTION WILL BE MADE IN ACCORDANCE WITH THE ABOVE SCHEDULE UNLESS EXCEPTIONS ARE FILED WITH THIS OFF WITHIN TEN (10) DAYS FROM THIS DATE.

Chester A. Hawkins, Sheriff

7-18-2002

To Sheriff's Of Fire:

I Donald K. Smith is  
paying <sup>a</sup>3.50 Toward the  
recording cost for the deed  
To The Bank of New York  
for the home at 140 E. Long Ave  
DuBois, PA.

Realtor for  
Coldwell Banker

Donald K. Smith