

02-827-LCD
CONSECO FINANCE CONSUMER -vs- FRANK P. KUPPELWISER et al.
DISCOUNT COMPANY

Comroe Hing LLP
By: David B. Comroe
1608 Walnut Street, Suite 300
Philadelphia, PA 19103
(215) 568-0400
Attorney for Plaintiff

Identification No.: 25694

Conseco Finance Consumer
Discount Company
7360 South Kyrene Rd.
MSD Foreclosure Unit
Tempe, AZ 85282

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY
CIVIL ACTION - LAW

Plaintiff

vs.

ACTION OF MORTGAGE FORECLOSURE

Frank P. Kuppelwiser
187 Treasure Lake, Sect. 12, Lot
169
Dubois, PA 15801
and
The United States of America, c/o
the U.S. Attorney for the Western
District of Pennsylvania
633 U.S. Post Office & Courthouse
Pittsburgh, PA 15219

Term
No. 02-827-CD

Defendants

FILED

MAY 23 2002

CIVIL ACTION: FORECLOSURE - COMPLAINT 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 the Complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the Court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Pennsylvania Bar Association
100 South St., P.O. Box 186, Harrisburg, PA 17108-0186
800-932-0311

**THIS IS A PROCESS THE PURPOSE OF
WHICH IS TO COLLECT A DEBT AND ANY
INFORMATION OBTAINED FROM YOU OR
ANYONE ELSE WILL BE USED TO THAT END**

A V I S O

LE HAN DEMANDADO A USTED EN LA CORTE. SI DESEA DEFENDERSE CONTRA LAS QUEJAS PERESENTADAS, ES ABSOLUTAMENTE NECESSARIO QUE USTED RESPONDA DENTRO DE 20 DIAS DESPUES DE SER SERVIDO CON ESTA DEMANDA Y AVISO. PARA DEFENDERSE ES NECESSARIO QUE USTED, O SU ABOGADO, REGISTRE CON LA CORTE EN FORMA ESCRITA, EL PUNTO DE VISTA DE USTED Y CUALQUIER OBJECCION CONTRA LAS QUEJAS EN ESTA DEMANDA.

RECUERDE: SI USTED NO REPONDE A ESTA DEMANDA, SE PUEDE PROSEGUIR CON EL PROCESO SIN SU PARTICIPACION. ENTONCES, LA CORTE PUEDE, SIN NOTIFICARIO, DECIDIR A FAVOR DEL DEMANDANTE Y REQUERIRA QUE USTED CUMPLA CON TODAS LAS PROVISIONES DE ESTA DEMANDA. POR RAZON DE ESA DECISION, ES POSSIBLE QUE USTED PUEDA PERDER DINERO, PROPIEDAD U OTROS DERECHOS IMPORTANTES.

LLEVE ESTA DEMANDA A UN ABOGADO IMMEDIATAMENTE.

SI NO CONOCE A UN ABOGADO, LLAME AL "LAWYER REFERENCE SERVICE" (SERVICIO DE REFERENCIA DE ABOGADOS), 215-238-6300.

Pennsylvania Bar Association
100 South St., P.O. Box 186, Harrisburg, PA 17108-0186
800-932-0311

NOTICE

The amount of your debt is as stated in the attached document. The name of the creditor to whom the debt is owed is as named in the attached document. Unless you notify us within 30 days after receipt of this Notice and the attached document that the validity of the stated debt, or any portion of it, is disputed, we will assume that the debt is valid. If you do not notify us in writing of a dispute within the 30 day period, we will obtain verification of the debt or a copy of a judgment against you, and mail it to you. If you do not dispute the debt, it is not an admission of liability on your part. Also, upon your written request within the 30 day period, we will provide you with the name and address of the original creditor if different from the current creditor.

If you notify us in writing within the 30 day period as stated above, we will cease collection of your debt, or any disputed portion of it, until we obtain the information that is required and mail it to you. Once we have mailed to you the required information, we will then continue the collection of your debt.

This law firm is deemed to be a debt collector and this Notice and the attached document is an attempt to collect a debt, and any information obtained will be used for that purpose.

COMROE HING LLP
1608 WALNUT STREET, SUITE 300
PHILADELPHIA, PA 19103-5446

(215) 568-0400
(215) 568-5560 FAX
WWW.COMROEHING.COM

1. Plaintiff is Conseco Finance Consumer Discount Company, with its principal offices at 7360 South Kyrene Rd., MSD Foreclosure Unit, Tempe, AZ 85282.

2. Defendants are Frank P. Kuppelwiser and The United States of America, c/o the U.S. Attorney for the Western District of Pennsylvania, with an address as set forth above. The United States of America is a party defendant for notice purposes only, as a Federal lien/IRS tax lien has been filed against defendants, owners and mortgagors or persons of similar name. The lien information is attached hereto as exhibit "A1".

3. On July 14, 2000 Frank P. Kuppelwiser executed and delivered a Mortgage upon premises hereinafter described to Conseco Bank, Inc., which mortgage was recorded in the Department of Record at CLEARFIELD County, Pennsylvania in Mortgage Book DOC ID #200010226, on July 21, 2000.

4. The said mortgage was assigned on July 20, 2000 to Conseco Finance Consumer Discount Company, said Assignment being recorded in Assignment of Mortgage Book No. DOC ID #200015866, on October 23, 2000.

5. The premises subject to said Mortgage are known as 187 Treasure Lake, Sect. 12, Lot 169, Dubois, PA 15801 and are more particularly described in Exhibit "A" attached hereto and incorporated herein by reference.

6. The Defendants are the record and real owners of the said real estate subject to the Mortgage.

7. The said Mortgage is in default by reason of the fact that the monthly installments of principal and interest as due on October 19, 2001, and as due on the nineteenth day of each month thereafter are still due and owing and have not been paid; and by the terms of the said Mortgage, upon failure to make such payments when due, the whole of the principal balance and all interest due thereon, together with late charges and other recoverable sums and attorney's fee are now due and payable forthwith.

8. The monthly installment payment composed of principal and interest due under the terms of said Mortgage and Mortgage Note for each such month was NINE HUNDRED EIGHTY NINE DOLLARS AND 82 CENTS (\$989.82).

9. The following amounts are therefore due and owing on said Mortgage:

(a) Principal Debt	\$97,092.40
(b) Late Charges at \$98.98 per month from 10/19/2001 to 05/15/2002.	\$692.86
(c) Interest from 09/19/2001 through 05/15/2002 at \$30.85 per diem.	\$7,374.06
(d) Total Escrow Deficit to date.	\$5552.54
(e) Reasonable Attorney's fees as in the above stated amount reflect third party sale only. If the Mortgagor reinstates the account, attorney's fees will be reasonable based upon work performed.	\$4,854.62
(f) Title Report	\$335.00
(g) Court Filing Charges	\$115.50
(h) Uncollected Late Charge(s)	\$340.00
(i) Escrow Credit	\$0.00
TOTAL AMOUNT DUE	\$116,356.98

In addition, interest at the rate of \$30.85 per day on the unpaid principal balance will continue to accrue until the default is resolved. Any payments which are allowable under the mortgage document and are necessary to protect Plaintiff, relating to real estate taxes owed or which become due on the mortgaged property together with fire or homeowners insurance premiums necessary to protect the Plaintiff, or any reasonable costs necessary to protect the property from waste or vandalism shall also become due and owing by Defendants to Plaintiff when expended by Plaintiff.

10. Pursuant to the provisions of Act 91 of the Pennsylvania General Assembly the Combined Act 6/91 Notice was sent to the Defendants by Certified Mail, Return Receipt Requested and by regular First Class Mail. Attached hereto and made a part hereof as Exhibit "B" is a true and correct copy of said Notices and same are incorporated by reference herein as though fully set forth at length.

WHEREFORE, Plaintiff prays judgment against Defendants in the sum of \$116,356.98 plus interest and late charges at the contract

rate to date of Judgment as set forth above and costs, both of suit and as set forth above, and for foreclosure and sale of the mortgaged premises.

DATED: May 15, 2002

Respectfully submitted,

Comroe Hing LLP

By: 

David B. Comroe, Esquire
SupremeCourtI.D. 25694
Attorneys for Plaintiff

VERIFICATION

Ruth Hernandez for Plaintiff, having express authorization to enter into this verification verifies the foregoing Complaint in Mortgage Foreclosure and avers that the statements of fact therein contained are made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities, and that same are true upon the signer's personal knowledge or information and belief.



Ruth Hernandez, Foreclosure Manager

DESCRIPTION

ALL THAT CERTAIN lot, parcel, piece of ground, designated as Lot No. 169 Section 12 "BonAire" in the Treasure Lake Subdivision, situate in Sandy Township, Clearfield County, Pennsylvania, as recorded in Miscellaneous Map File 25.

PARCEL #C02-012-00169-00-21



CONSECO.

CONSECO FINANCE SERVICING CORP.
7360 S Kyrene Road
Tempe, Arizona 85283-4583
888-315-8733

FRANK KUPPELWISER
187 TREASURE LAKE SECTION 12 LOT 169
DU BOIS, PA 15801

ACT 91 NOTICE TAKE ACTION TO SAVE YOUR HOME FROM FORECLOSURE

January 08, 2002

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 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 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 NOTIFICACION 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 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.



CONSECO.

CONSECO FINANCE SERVICING CORP.
7360 S Kyrene Road
Tempe, Arizona 85283-4583
888-315-8733

January 08, 2002

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

IF YOU COMPLY WITH THE PROVISIONS 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,
- IF 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 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 credit counseling agencies listed at the end of this Notice. THIS MEETING MUST OCCUR WITHIN THE NEXT (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 meet with one of the consumer credit counseling agencies listed at the end of this Notice, the lender may NOT take action against you for thirty (30) days after the date of this meeting. The names, addresses and telephone numbers of designated consumer credit counseling agencies for the county in which the property is located are set forth at the end of this Notice. It is only necessary to schedule one face-to-face meeting. Advise your 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). ~~Q~~ ~~ON~~ ~~SECO~~, 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~~ ^{CONSECO FINANCE SERVICING CORP.} Emergency Mortgage Assistance Program. 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 complete 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 Pennsylvania Housing Finance 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: 187 TREASURE LAKE SECTION 12 LOT 169 , 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: 10/19/01 \$989.82, 11/19/01 \$989.82, 12/19/01 \$989.82. Other charges (explain/itemize): Late Charges \$1286.74, NSF Fee: \$0.00. TOTAL AMOUNTS PAST DUE: \$5246.02.

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

HOW TO CURE THE DEFAULT ---- You may cure the default within THIRTY (30) DAYS of the date of this notice BY PAYING THE TOTAL AMOUNT PAST DUE TO THE LENDER, WHICH IS \$5246.02, PLUS ANY MORTGAGE PAYMENTS AND LATE CHARGES WHICH BECOME DUE DURING THE THIRTY (30) DAY PERIOD. Payments must be made either by cash, cashier's check, certified check or money order made payable and sent to: Conseco Finance, 7360 So Kylene Rd, Tempe, AZ 85253 (do not send cash). 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 the date of this Notice, 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, the lender also intends to instruct its attorneys to start legal action to foreclose upon your mortgaged property.

CONSECO.

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 the lender begins 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 by the lender even if they exceed \$50.00. Any attorney's fees will be added to the amount you owe the lender, which may also include other reasonable costs. If you cure the default within the THIRTY (30) DAY period, you will not be required to pay attorney's 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 or other charges then due, reasonable attorney's 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 mortgager to the same position as if you had never defaulted.

EARLIEST POSSIBLE SHERIFF'S SALE DATE --- It is estimated that the earliest date that such a Sheriff's Sale of the mortgaged property could be held would be approximately one month 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:

Name of Lender: Conseco Finance Consumer Discount Company

Address: 7360 So Kyrene Rd, Tempe AZ 85253

Phone Number: 480/333-6000

Fax Number: 480/333-6460

Contact Person: Ruth Hernandez

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 or X may not (CHECK ONE) sell or transfer your home to a buyer or transferee who will assume the mortgage debt, provided that all the outstanding payments, charges and attorney's fees and costs are paid prior to or at the sale and that the other requirements of the mortgage are satisfied.

YOU MAY ALSO HAVE THE RIGHT:

---- TO SELL THE PROPERTY TO OBTAIN MONEY TO PAY OFF THE MORTGAGE DEBT OR
TO BORROW MONEY FROM ANOTHER LENDING INSTITUTION TO PAY OFF THIS DEBT.

---- TO HAVE THIS DEFAULT CURED BY ANY THIRD PARTY ACTING ON YOUR BEHALF.



--- TO HAVE THE MORTGAGE RESTORED TO THE SAME POSITION AS IF NO DEFAULT CONSECO HAD OCCURRED. IF YOU CURE THE DEFAULT, (HOWEVER, YOU DO NOT HAVE THIS CONSECO FINANCE SERVICING CORP. RIGHT TO CURE YOUR DEFAULT MORE THAN THREE TIMES IN ANY CALENDAR 100 S Kyrene Road YEAR.) Tempe, Arizona 85283-4583 888-315-8733

--- 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 PROTECTON UNDER THE FEDERAL BANKRUPTCY LAW.

Enclosures: Pennsylvania Consumer Credit Counseling Agency List

Cc: Customer File

FILED Atty # 8000

MAY 23 2002
2002 Sheriff

WS
William A. Shaw
Prothonotary

PRAECIPE FOR WRIT OF EXECUTION
COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

Comroe Hing LLP
By: David B. Comroe
1608 Walnut Street, Suite 300
Philadelphia, PA 19103
(215) 568-0400
Attorney for Plaintiff

Identification No.: 25694

Conseco Finance Consumer
Discount Company
7360 South Kyrene Rd.
MSD Foreclosure Unit
Tempe, AZ 85282

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY
CIVIL ACTION - LAW

Plaintiff
vs.

Frank P. Kuppelwiser
187 Treasure Lake, Sect. 12,
Lot 169
Dubois, PA 15801
and
The United States of America,
c/o the U.S. Attorney for the
Western District of Pennsylvania
633 U.S. Post Office &
Courthouse
Pittsburgh, PA 15219

ACTION OF MORTGAGE FORECLOSURE

Term
No. 02-827-CD

FILED

OCT 11 2002

William A. Shaw
Prothonotary

TO THE PROTHONOTARY:

Issue Writ of Execution in the above matter:

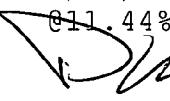
PREMISES: 187 Treasure Lake, Sect. 12, Lot 169, Dubois, PA,
15801

See Exhibit "A" attached

Prothonotary costs 120.00
(Costs to be added) AMOUNT DUE \$121,226.70

Interest from 10/7/02 to 3/19/03 \$ 6,193.25

811.44%



David B. Comroe, Esquire
Attorney for Plaintiff

DESCRIPTION

ALL THAT CERTAIN lot, parcel, piece of ground, designated as Lot No. 169 Section 12 "BonAire" in the Treasure Lake Subdivision, situate in Sandy Township, Clearfield County, Pennsylvania, as recorded in Miscellaneous Map File 25.

PARCEL #C02-012-00169-00-21

FILED

Aug 2000
2000

19-274
OCT 11 2002

4cc shg
Counts & prop. deser.

William A. Shaw
Prothonotary

COPY

Mortgage Foreclosure
Ground Rent (rem)

COMMONWEALTH OF PENNSYLVANIA

County of CLEARFIELD

Identification No.: 25694

Comroe Hing LLP
By: David B. Comroe
1608 Walnut Street, Suite 300
Philadelphia, PA 19103
(215) 568-0400
Attorney for Plaintiff

Conseco Finance Consumer Discount
Company
7360 South Kyrene Rd.
MSD Foreclosure Unit
Tempe, AZ 85282
Plaintiff

vs.

Frank P. Kuppelwiser
187 Treasure Lake, Sect. 12,
Lot 169
Dubois, PA 15801
and
The United States of America, c/o
the U.S. Attorney for the Western
District of Pennsylvania
633 U.S. Post Office &
Courthouse
Pittsburgh, PA 15219
Defendants

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY
CIVIL ACTION - LAW

ACTION OF MORTGAGE FORECLOSURE
Term
No. 02-827-CD

WRIT OF EXECUTION

TO THE SHERIFF OF CLEARFIELD COUNTY:

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

PREMISES: 187 Treasure Lake, Sect. 12, Lot 169, Dubois, PA, 15801

See Exhibit "A" attached

AMOUNT DUE	\$121,226.70
Interest from 10/7/02 to 3/19/03 @11.44%	\$6,193.25
(Costs to be added)	

BY: Willie L. Shar
Clerk

Date: 10/11/02

Prothonotary
Costs 100.00

COURT OF COMMON PLEAS
No. 02-827-CD
Term

Conseco Finance Consumer Discount
Company
7360 South Kyrene Rd.
MSD Foreclosure Unit
Tempe, AZ 85282
Plaintiff.

vs.

Frank P. Kuppelwiser
187 Treasure Lake, Sect. 12,
Lot 169
Dubois, PA 15801
and
The United States of America, c/o
the U.S. Attorney for the Western
District of Pennsylvania
633 U.S. Post Office & Courthouse
Pittsburgh, PA 15219
Defendants

WRIT OF EXECUTION

PREMISES: 187 Treasure Lake,
Sect. 12, Lot 169, Dubois, PA,
15801

Real Debt	\$121,226.70
Interest from 10/7/02 to 3/19/03 @11.44%	\$6,193.25
Costs Paid:	

Prothy. Costs *120.00*

Sheriff

Statutory

Costs Due
Prothy. *2*

David B. Comroe, Esq.
1608 Walnut Street, Suite 300
Philadelphia, PA 19103-5446
(215) 568-0400

DESCRIPTION

ALL THAT CERTAIN lot, parcel, piece of ground, designated as Lot No. 169 Section 12 "BonAire" in the Treasure Lake Subdivision, situate in Sandy Township, Clearfield County, Pennsylvania, as recorded in Miscellaneous Map File 25.

PARCEL #C02-012-00169-00-21

Certificate To The Sheriff

Conseco Finance Consumer
Discount Company
7360 South Kyrene Rd.
MSD Foreclosure Unit
Tempe, AZ 85282

M.C.

C.P. (Circle One)

Plaintiff

vs.

Term
No. 02-827-CD

Frank P. Kuppelwiser
187 Treasure Lake, Sect. 12,
Lot 169
Dubois, PA 15801
and
The United States of America,
c/o the U.S. Attorney for the
Western District of
Pennsylvania
633 U.S. Post Office &
Courthouse
Pittsburgh, PA 15219

Defendants

I HEREBY CERTIFY THAT:

I. The judgment entered in the above matter is based on an action:

- A. In Assumpsit (Contract)
- B. In Trespass (Accident)
- C. In Mortgage Foreclosure
- D. On a note accompanying a purchase money mortgage and the property being exposed to sale is the mortgaged property.

II. The Defendants own the property being exposed to sale as:

- A. An individual
- B. Tenants by Entireties
- C. Joint tenants with right of survivorship
- D. A partnership
- E. Tenants in Common
- F. A corporation

III. The Defendants are:

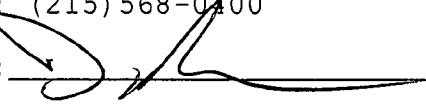
- A. Resident in the Commonwealth of Pennsylvania
- B. Not resident in the Commonwealth of Pennsylvania

— C. If more than one Defendant and either A or B above not applicable, state which Defendants are residents of the Commonwealth of Pennsylvania:

Residents: _____

This certification must be signed by the attorney of record if an appearance has been entered; otherwise certification must be signed by Plaintiff.

Name: David B. Comroe, Esquire
Phone No.: (215) 568-0400

Signature: 

Address:
1608 Walnut Street, Suite 300
Philadelphia, PA 19103-5446

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 12562

CONSECO FINANCE CONSUMER DISCOUNT CO.

02-827-CD

VS.

KUPPELWISER, FRANK P. and THE UNITED STATES OF AMERICA

COMPLAINT IN MORTGAGE FORECLOSURE

SHERIFF RETURNS

NOW JUNE 5, 2002 AT 9:36 AM DST SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON FRANK P. KUPPELWISER, DEFENDANT AT RESIDENCE, PO BOX 171, WOODLAND, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO TAMMY KUPPELWISER, WIFE A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN TO HER THE CONTENTS THEREOF.

SERVED BY: DAVIS/MORGILLO

NOW MAY 24, 2002, PETER DEFAZIO, SHERIFF OF ALLEGHENY COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON THE U.S.A., DEFENDANT.

NOW JUNE 11, 2002 SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON THE U.S.A., DEFENDANT C/O U.S. ATTORNEY FOR WESTERN DISTRICT, BY DEPUTIZING THE SHERIFF OF ALLEGHENY COUNTY. THE RETURN OF SHERIFF DEFAZIO IS HERETO ATTACHED AND MADE A PART OF THIS RETURN STATING THAT HE SERVED NICOLE LANDA, P.I.C.

Return Costs

Cost	Description
49.40	SHFF. HAWKINS PAID BY: ATTY.
28.00	SHFF. DEFAZIO PAID BY: ATTY.
3.00	NOTARY PAID BY: ATTY.
20.00	SURCHARGE PAID BY: ATTY.

FILED

AUG 07 2002
674.00 u
William A. Shaw
Prothonotary *JKS*

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 12562

CONSECO FINANCE CONSUMER DISCOUNT CO.

02-827-CD

VS.

KUPPELWISER, FRANK P. and THE UNITED STATES OF AMERICA

COMPLAINT IN MORTGAGE FORECLOSURE

SHERIFF RETURNS

Sworn to Before Me This

So Answers,

7 Day Of August 2002
Clerk


My Manly Hand
Chester A. Hawkins

Chester A. Hawkins
Sheriff

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

11/10 6/1/02

39064
12562

PETER R. DEFAZIO
Sheriff

ALLEGHENY COUNTY SHERIFF'S DEPARTMENT

436 GRANT STREET
PITTSBURGH, PA 15219-2496
PHONE (412) 350-4700

DENNIS SKOSNIK
Chief Deputy

PLAINTIFF CONSECO FINANCE CONSUMER DISC.

VS.

DEFT. FRANK P. KUPPELWISER

ADD. DEFT. SERVE: THE U.S.A.

ADD. DEFT. c/o U.S. Atty for West. Dist.

GARNIShee 633 U.S. Post Office & Courthouse

GARNIShee Pittsburgh, Pa. 15219

ADDRESS

MUNICIPALITY or CITY WARD

DATE: 19

ATTY'S Phone 215-568-0400

CASE# 02-827-CD

EXPIRES 6/22/02

SUMMONS/PRAECIPE

SEIZURE OR POSSESSION

NOTICE AND COMPLAINT

REVIVAL of SCI FA

INTERROGATORIES

EXECUTION - LEVY OR GARNIShee

OTHER

ATTY. David B Comroe

ADDRESS 1608 Walnut St. Suite 800
Philadelphia, Pa. 19103

INDICATE TYPE OF SERVICE: PERSONAL PERSON IN CHARGE DEPUTIZE CERT. MAIL POSTED OTHER LEVY SEIZED & STORE

Now. May 24, 2002 I, SHERIFF OF ALLEGHENY COUNTY, PA do hereby deputize the Sheriff of

ALLEGHENY County to execute this Writ and make return thereof according to law

NOTE: ONLY APPLICABLE ON WRIT OF EXECUTION: N.B. WAIVER OF WATCHMAN - Any deputy sheriff levying upon or attaching any property under within writ may leave same without a watchman, in custody of whomever is found in possession, after notifying person or attachment without liability on the part of such deputy herein for any loss, destruction or removal of any property before sheriff's sale thereof.

Seize, levy, advertise and sell all the personal property of the defendant on the premises located at:

MAKE	MODEL	MOTOR NUMBER	SERIAL NUMBER	LICENSE NUMBER

SHERIFF'S OFFICE USE ONLY

I hereby CERTIFY AND RETURN that on the 11 day of JUNE, 2002, at 10:42 a.m. at

I have served in the manner described below:

Defendant(s) personally served.

Adult family member with whom said Defendant(s) reside(s). Name & Relationship

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

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

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

Other *11/10/2002*

Property Posted

Defendant not found because: Moved Unknown No Answer Vacant Other

Certified Mail Receipt Envelope Returned Neither receipt or envelope returned: writ expired

Regular Mail Why

JUN 17 2002

Robert D. Bauer

You are hereby notified that on _____, 19_____, levy was made in the case of _____
Possession/Sale has been set for _____, 19_____, at _____ o'clock.

YOU MUST CALL DEPUTY ON THE MORNING OF SALE/POSSESSION BETWEEN 8:30 - 9:30 A.M.

ATTEMPTS / / / / / / / /

Additional Costs Due \$ _____, This is placed
on writ when returned to Prothonotary. Please check before
satisfying case.

PETER R. DEFAZIO, Sheriff

By *Robert D. Bauer*
Deputy
District _____

Comroe Hing LLP
By: David B. Comroe
1608 Walnut Street, Suite 300
Philadelphia, PA 19103
(215) 568-0400
Attorney for Plaintiff

Identification No.: 25694

Conseco Finance Consumer
Discount Company
7360 South Kyrene Rd.
MSD Foreclosure Unit
Tempe, AZ 85282

IN THE COURT OF COMMON PLÉAS
OF CLEARFIELD COUNTY
CIVIL ACTION - LAW

Plaintiff

vs.

ACTION OF MORTGAGE FORECLOSURE

Frank P. Kuppelwiser
187 Treasure Lake, Sect. 12,
Lot 169
Dubois, PA 15801
and
The United States of America,
c/o the U.S. Attorney for the
Western District of
Pennsylvania
633 U.S. Post Office &
Courthouse
Pittsburgh, PA 15219

Term

No. 02-827-CD

Defendants

::

AFFIDAVIT PURSUANT TO RULE 3129.1

Conseco Finance Consumer Discount Company, Plaintiff in the
above action, sets forth as of the date the praecipe for the
Writ of Execution was filed, the following information
concerning the real property located at 187 Treasure Lake, Sect.
12, Lot 169, Dubois, PA 15801:

1. Name and address of Owner or Reputed Owner:

Frank P. Kuppelwiser
187 Treasure Lake, Sect. 12, Lot 169
DuBois, PA 15801

2. Name and address of Defendants in the judgment:

	Date	Service Code
--	------	--------------

Frank P. Kuppelwiser 187 Treasure Lake, Sect. 12 Lot 169 Dubois, PA 15801		1
The United States of America c/o the U.S. Attorney for the Western District of Pennsylvania 633 U.S. Post Office & Courthouse Pittsburgh PA 15219		1

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

	<u>Date</u>	<u>Service Code</u>
The United States of America c/o the U.S. Attorney for the Western District of Pennsylvania 633 U.S. Post Office & Courthouse Pittsburgh PA 15219	10/1/02	3

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

	<u>Date</u>	<u>Service Code</u>

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

	<u>Date</u>	<u>Service Code</u>

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

	<u>Date</u>	<u>Service Code</u>

Commonwealth of Pennsylvania Bureau of Child Support Enforcement 1 N. 2nd St. Clearfield, PA 16830	10/7/02	3
Family Court Domestic Relations Division 1 N. 2nd St. Clearfield, PA 16830	10/7/02	3
Commonwealth of Pennsylvania Department of Welfare P.O. Box 2675 Harrisburg, PA 17105	10/7/02	3
Clearfield County Tax Claim Bureau 1 N. 2nd St. Clearfield, PA 16830	10/7/02	3
Tammie Kuppelwiser 187 Treasure Lake, Sect. 12 Lot 169 Dubois, PA 15801	10/7/02	3

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.

(attach separate sheet if more space is needed)

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. Section 4904 relating to unsworn falsification to authorities.

DATED:

10/8/02



Plaintiff

Comroe Hing LLP
By: David B. Comroe
1608 Walnut Street, Suite 300
Philadelphia, PA 19103
(215) 568-0400
Attorney for Plaintiff

Identification No.: 25694

Conseco Finance Consumer
Discount Company
7360 South Kyrene Rd.
MSD Foreclosure Unit
Tempe, AZ 85282

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY
CIVIL ACTION - LAW

Plaintiff

vs.

ACTION OF MORTGAGE FORECLOSURE

Frank P. Kuppelwiser
187 Treasure Lake, Sect. 12, Term
Lot 169 No. 02-827-CD
Dubois, PA 15801
and
The United States of America,
c/o the U.S. Attorney for the
Western District of
Pennsylvania
633 U.S. Post Office &
Courthouse
Pittsburgh, PA 15219

Defendants

::

AFFIDAVIT PURSUANT TO RULE 3129.2
AND RETURN OF SERVICE PURSUANT TO
PA R.C.P. 405 OF NOTICE OF SALE

David B. Comroe, Esq., Attorney for Plaintiff, Conseco Finance Consumer Discount Company sets forth as of the date of the praecipe for the writ of execution was filed the following information concerning the real property located at 187 Treasure Lake, Sect. 12, Lot 169, Dubois, PA 15801 to be sold at Sheriff's Sale on March 19, 2003. As required by PA R.C.P.

3129.2 (a) Notice of Sale has been given in the manner required by PA R.C.P. 3129.2 (c) on each of the persons or parties named at the addresses set forth below on the date and in the manner noted in the margin by the names of each and copies of each notice together with return receipts or proof of mailing are attached as Exhibits. The manner of service, as noted in the margin, utilizes the following codes:

1. Personal Service by the Sheriff or in accordance with Pennsylvania Rule of Civil Procedure 400.1.
2. Certified mail-return receipt attached
3. First Class Mail-Certificate 3817

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. Section 4904 relating to unsworn falsification to authorities.

Date: October 7, 2002



David B. Comroe
Attorney for Plaintiff

LAW OFFICES
COMROE HING LLP
SUITE 300
1608 WALNUT STREET
PHILADELPHIA, PA 19103-5446
(215) 568-0400
FAX NUMBER (215) 568-5560
www.comroehing.com

DAVID B. COMROE
GLENN F. HING

ROBERT J. WILSON
BLAIR KALISH ADLER

The United States of America c/o the U.S.
Attorney for the Western District of Pennsylvania
633 U.S. Post Office & Courthouse
Pittsburgh PA 15219

October 7, 2002

RE: Conseco Finance Consumer Discount Company vs Frank P.
Kuppelwiser and The United States of America, c/o the
U.S. Attorney for the Western District of Pennsylvania
Docket No.: 02-827-CD Term
Property Address: 187 Treasure Lake, Sect. 12, Lot 169,
Dubois, PA 15801
NOTICE OF SALE OF REAL PROPERTY

Dear Sir/Madam:

Please be advised that the property and improvements, if any, as set forth above, will be sold by the Sheriff of CLEARFIELD County, in the County Court House, 1 North Second Street, Clearfield, PA 16830, on March 19, 2003, at 10:00 AM.

This property and improvements, if any, is being sold pursuant to a Judgment entered in favor of Plaintiff and against Defendants in the Court of Common Pleas of CLEARFIELD County.

The name of the owners, real owners and reputed owners of the aforesaid property is as set forth as the Defendants above. It has come to our attention that you might be a creditor to the Defendants named herein. Sheriff's Sale of the mortgaged property could adversely affect your interest if you are, in fact, a junior creditor herein.

A Schedule of Distribution will be filed by the sheriff on a date specified by the Sheriff no later than thirty (30) days after said sale, and a distribution will be made in accordance with the schedule unless exceptions are filed thereto within ten (10) days after the date said schedule. You should check with the Sheriff's office by calling (814) 765-2641 to determine the actual date of the filing of the said schedule.

Very truly yours



David B. Comroe, Esquire

DBC/jb

LAW OFFICES
COMROE HING LLP
SUITE 300
1608 WALNUT STREET
PHILADELPHIA, PA 19103-5446
(215) 568-0400
FAX NUMBER (215) 568-5560
www.comroehing.com

DAVID B. COMROE
GLENN F. HING

ROBERT J. WILSON
BLAIR KALISH ADLER

Commonwealth of Pennsylvania
Bureau of Child Support Enforcement
1 N. 2nd St.
Clearfield, PA 16830

October 7, 2002

RE: Conseco Finance Consumer Discount Company vs Frank P. Kuppelwiser and The United States of America, c/o the U.S. Attorney for the Western District of Pennsylvania
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David B. Comroe, Esquire

DBC/jb

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FAX NUMBER (215) 568-5560
www.comroehing.com

DAVID B. COMROE
GLENN F. HING

ROBERT J. WILSON
BLAIR KALISH ADLER

Family Court
Domestic Relations Division
1 N. 2nd St.
Clearfield, PA 16830

October 7, 2002

RE: Conseco Finance Consumer Discount Company vs Frank P. Kuppelwiser and The United States of America, c/o the U.S. Attorney for the Western District of Pennsylvania
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FAX NUMBER (215) 568-5560
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DAVID B. COMROE
GLENN F. HING

ROBERT J. WILSON
BLAIR KALISH ADLER

Commonwealth of Pennsylvania
Department of Welfare
P.O. Box 2675
Harrisburg, PA 17105

October 7, 2002

RE: Conseco Finance Consumer Discount Company vs Frank P. Kuppelwiser and The United States of America, c/o the U.S. Attorney for the Western District of Pennsylvania
Docket No.: 02-827-CD Term
Property Address: 187 Treasure Lake, Sect. 12, Lot 169, Dubois, PA 15801
NOTICE OF SALE OF REAL PROPERTY

Dear Sir/Madam:

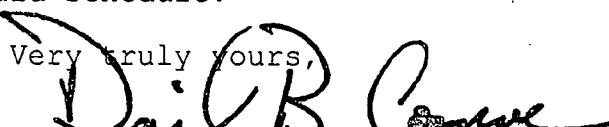
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David B. Comroe, Esquire

DBC/jb

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SUITE 300
1608 WALNUT STREET
PHILADELPHIA, PA 19103-5446
(215) 568-0400
FAX NUMBER (215) 568-5560
www.comroehing.com

DAVID B. COMROE
GLENN F. HING

ROBERT J. WILSON
BLAIR KALISH ADLER

Clearfield County Tax Claim Bureau
1 N. 2nd St.
Clearfield, PA 16830

October 7, 2002

RE: Conseco Finance Consumer Discount Company vs Frank P. Kuppelwiser and The United States of America, c/o the U.S. Attorney for the Western District of Pennsylvania
Docket No.: 02-827-CD Term
Property Address: 187 Treasure Lake, Sect. 12, Lot 169, Dubois, PA 15801
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Very truly yours

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DBC/jb

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DAVID B. COMROE
GLENN F. HING

ROBERT J. WILSON
BLAIR KALISH ADLER

Tammie Kuppelwiser
187 Treasure Lake, Sect. 12, Lot 169
Dubois, PA 15801

October 7, 2002

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Very truly yours,

David B. Comroe, Esquire

DBC/jb

Name and Address of Sender

JAMIE BRYAN (FOR)
 DAVID B. COMROE, ESQUIRE
 1608 WALNUT STREET, SUITE 300
 PHILADELPHIA, PA 19103

Check type of mail or service:
 Certified Recorded Delivery (International)
 COD Registered
 Delivery Confirmation Return Receipt for Merchandise
 Express Mail Signature Confirmation
 Insured

Affix Stamp Here

(If issued as a
certificate of mailing,
or for additional
copies of this bill)

Postmark and

Date of Receipt

Address (Name, Street, City, State, & ZIP Code)

Postage

Fee

Handling

Actual Value

Insured

Value

Due

Sender

DC

SC

SH

RD

RR

Fee

Fee

Fee

Fee

Fee

1. THE UNITED STATES OF AMERICA,
C/O THE U.S. ATTORNEY FOR

WESTERN DISTRICT OF PENNSYLVANIA

633 U.S. POST OFFICE &
COURTHOUSE
PITTSBURGH, PA 15219

2. COMMONWEALTH OF PENNSYLVANIA
BUREAU OF CHILD SUPPORT
ENFORCEMENT

1 N. 2ND STREET
CLEARFIELD, PA 16830

3. FAMILY COURT
DOMESTIC RELATIONS DIVISION

4. COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF WELFARE

P.O. BOX 2675
HARRISBURG, PA 17105

5. CLEARFIELD COUNTY TAX CLAIM
BUREAU

1 N. 2ND STREET
CLEARFIELD, PA 16830

6. TAMMIE KUPPELWISER

187 TREASURE LAKE, SECT. 12
LOT 169
DUBOIS, PA 15801

7.

8.



III 1.80 =
U.S. POSTAGE
8412627

Delivery Confirmation

Signature Confirmation

Special Handling

Restricted Delivery

Return Receipt

Delivery Confirmation

Signature Confirmation

Special Handling

Total Number of Pieces
Listed by Sender

6

Total Number of Pieces
Received at Post Office

Postmaster, Per (Name of receiving employee)

See Privacy Act Statement on Reverse

Comroe Hing LLP
By: David B. Comroe
1608 Walnut Street, Suite 300
Philadelphia, PA 19103
(215) 568-0400
Attorney for Plaintiff

Identification No.: 25694

Conseco Finance Consumer
Discount Company
7360 South Kyrene Rd.
MSD Foreclosure Unit
Tempe, AZ 85282

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY
CIVIL ACTION - LAW

Plaintiff

vs.

ACTION OF MORTGAGE FORECLOSURE

Frank P. Kuppelwiser
187 Treasure Lake, Sect. 12,
Lot 169
Dubois, PA 15801
and
The United States of America,
c/o the U.S. Attorney for the
Western District of
Pennsylvania
633 U.S. Post Office &
Courthouse
Pittsburgh, PA 15219

Term
No. 02-827-CD

Defendants

NOTICE OF SHERIFF'S SALE OF REAL PROPERTY

TO: Frank P. Kuppelwiser
The United States of America, c/o the U.S. Attorney for
the Western District of Pennsylvania

Your property at 187 Treasure Lake, Sect. 12, Lot 169, Dubois, PA 15801 in CLEARFIELD County, Pennsylvania is scheduled to be sold at Sheriff's Sale on March 19, 2003, at 10:00 AM, in CLEARFIELD County to enforce the Court Judgment of \$121,226.70 obtained by Conseco Finance Consumer Discount Company 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 to Comroe Hing LLP, attorneys for the Plaintiff, the back payments, late charges, costs and reasonable attorney's fees due. To find out how much you must pay call:

(215) 568-0400

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 also 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 greater chance you will have of stopping the sale. (See notice below to find out 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 bid price by calling the Clearfield Sheriff's Office at (814) 765-2641.

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 Sheriff's Office at (814) 765-2641.

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 within thirty (30) days of the Sale date. This schedule will state who will be receiving the money. The money will be paid out in accordance with this schedule unless exemptions (reasons why the proposed distribution is wrong) are filed with the Sheriff within ten (10) days after.

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

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 LISTED BELOW TO FIND OUT WHERE YOU CAN GET HELP.

Pennsylvania Bar Association
100 South St., P.O. Box 186, Harrisburg, PA 17108-0186
800-932-0311

THIS IS A PROCESS THE PURPOSE OF WHICH IS TO COLLECT A DEBT AND ANY INFORMATION OBTAINED FROM YOU OR ANYONE ELSE WILL BE USED TO THAT END.

DESCRIPTION

ALL THAT CERTAIN lot, parcel, piece of ground, designated as Lot No. 169 Section 12 "BonAire" in the Treasure Lake Subdivision, situate in Sandy Township, Clearfield County, Pennsylvania, as recorded in Miscellaneous Map File 25.

PARCEL #C02-012-00169-00-21

Comroe Hing LLP
By: David B. Comroe
1608 Walnut Street, Suite 300
Philadelphia, PA 19103
(215) 568-0400
Attorney for Plaintiff

Identification No.: 25694

Conseco Finance Consumer
Discount Company
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Tempe, AZ 85282

IN THE COURT OF COMMON PLEAS
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CIVIL ACTION - LAW

Plaintiff

vs.

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and
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c/o the U.S. Attorney for the
Western District of
Pennsylvania
633 U.S. Post Office &
Courthouse
Pittsburgh, PA 15219

Term
No. 02-827-CD

Defendants

FILED Atty pd
m/9/05 by 200
OCT 11 2002 Notice &
copy of pr.
to each def
William A. Shaw
Prothonotary

::

PRAECIPE FOR ENTRY OF JUDGMENT
AND ASSESSMENT OF DAMAGES

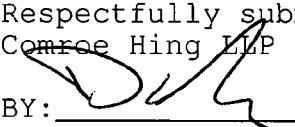
TO THE PROTHONOTARY:

Enter Judgment in the amount of \$121,226.70 in favor of the Plaintiff and against the Defendants for failure to file an Answer in the above action within twenty (20) days from the date of service of the Complaint and assess Plaintiff's damages as follows:

(a) Principal Debt	\$97,092.40
(b) Late Charges at \$98.98 per month from 10/19/2001 to 10/07/2002.	\$1,088.78
(c) Interest from 09/19/2001 through 10/07/2002 at \$30.85	\$11,847.86
(d) Total Escrow Deficit to date	\$5,552.54
(e) Reasonable Attorney's fees as in the above stated amount reflect third party sale only.	\$4,854.62
If the Mortgagor reinstates the account, attorney's fees will be reasonable based upon work performed.	
(f) Title Report	\$335.00
(g) Court Filing Charges	\$115.50
(h) Uncollected Late Charge(s)	\$340.00
(i) Escrow Credit	\$0.00
TOTAL AMOUNT DUE	
	\$121,226.70

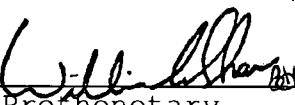
DATED: October 7, 2002

Respectfully submitted,
Comroe Hing LLP

BY: 

David B. Comroe, Esquire
Attorney for Plaintiff

Damages assessed as above
this 11th day of October, 2002, 2002.



Pro Prothonotary

Comroe Hing LLP
By: David B. Comroe
1700 Market Street, Suite 1400
Philadelphia, PA 19103
(215) 568-0400
Attorney for Plaintiff

Identification No.: 25694

Conseco Finance Consumer Discount
Company
7360 South Kyrene Rd.
MSD Foreclosure Unit
Tempe, AZ 85282

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY
CIVIL ACTION - LAW

Plaintiff
vs.

ACTION OF FORECLOSURE

Frank P. Kuppelwiser
187 Treasure Lake, Sect. 12, Lot
169
Dubois, PA 15801
The United States of America, c/o
the U.S. Attorney for the Western
District of Pennsylvania
633 U.S. Post Office & Courthouse
Pittsburgh, PA 15219

Term
No. 02-827-cs

Defendants
:::::::::::::::::::::::::::::::::::::
IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO TAKE ACTION REQUIRED OF YOU IN THIS CASE. 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:

Pennsylvania Bar Association
100 South St., P.O. Box 186, Harrisburg, PA 17108-0186
800-932-0311

AVISO IMPORTANTE

USTED ESTA EN REBELDIA PORQUE HA FALLADO EN TOMAR LA ACCION EXIGIDA DE SU PARTE EN ESTE CASO. A MENOS DE QUE USTED ACTUE DENTRO DE DIEZ DIAS DE LA PECHA DE ESTE AVISO. SE PUEDE REGISTRAR UNA SEN-TENCIA CONTRA USTED. SIN EL BENEFICIO DE UNA AUDIENCIA Y PUEDE PERDER SU PROPIEQAD O OSTROS DERECHOS IMPORTANTES. USTED DEBE LLEVAR ESTE AVISO A UN ABOGADO ENSEGUITA. SI USTED NO TIENE UN ABOGADO Y NO PUEDE PAGAR POR LOS SERVICIOS DE UN ABOGADO. DEBE COMUNICARSE CON LA SIGUIENTE OFICINA PARA AVERIGUAR DONDE PUEDE OBTENER AYUDA LEGAL:

Pennsylvania Bar Association
100 South St., P.O. Box 186, Harrisburg, PA 17108-0186
800-932-0311

DATE OF SERVICE: July 31, 2002

THIS IS A PROCESS THE PURPOSE OF WHICH IS TO COLLECT A DEBT AND ANY INFORMATION OBTAINED FROM YOU OR ANYONE ELSE WILL BE USED TO THAT END

NON-MILITARY AFFIDAVIT

COMMONWEALTH OF

Pennsylvania :

: SS

COUNTY OF

Philadelphia :

RE:

DAVID B. COMROE, ESQUIRE, being first duly sworn on oath deposes and says:

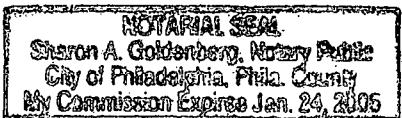
1. That I am the attorney for the Plaintiff here as servicer of the mortgage.

2. That the captioned individuals are the owners of the premises described in the mortgage or deed of trust.

3. That the collection procedures of the Plaintiff are designed to discover the facts concerning the titleholder's occupations and military status.

4. That said procedures were followed in connection with the current delinquency.

5. That, on information and belief, that captioned titleholders are not incompetent or in any branch of the military service.



Sworn to and subscribed before me
this 1st day of October, 2002


DAVID B. COMROE, ESQUIRE


NOTARY PUBLIC

Comroe Hing LLP
By: David B. Comroe
1608 Walnut Street, Suite 300
Philadelphia, PA 19103
(215) 568-0400
Attorney for Plaintiff

Identification No.: 25694

Conseco Finance Consumer
Discount Company
7360 South Kyrene Rd.
MSD Foreclosure Unit
Tempe, AZ 85282

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY
CIVIL ACTION - LAW

Plaintiff

vs.

ACTION OF MORTGAGE FORECLOSURE

Frank P. Kuppelwiser
187 Treasure Lake, Sect. 12,
Lot 169
Dubois, PA 15801
and
The United States of America,
c/o the U.S. Attorney for the
Western District of
Pennsylvania
633 U.S. Post Office &
Courthouse
Pittsburgh, PA 15219

Term
No. 02-827-CD

Defendants

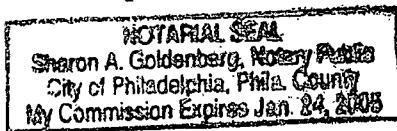
::::::::::: CERTIFICATION ::::::::::::

David B. Comroe, Esq., Attorney for Plaintiff in the above
captioned matter, hereby certifies that the provisions of the
Emergency Mortgage Relief Act, P.L. 1688 No. 621, as amended,
December 23, 1983 have been met.


David B. Comroe, Esquire
Attorney for Plaintiff

Sworn to and subscribed before me
this 8th day of October, 2002.

Sharon A. Goldenberg
Notary Public



Comroe Hing LLP
By: David B. Comroe
1608 Walnut Street, Suite 300
Philadelphia, PA 19103
(215) 568-0400
Attorney for Plaintiff

Identification No.: 25694

Conseco Finance Consumer Discount
Company
7360 South Kyrene Rd.
MSD Foreclosure Unit
Tempe, AZ 85282

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY
CIVIL ACTION - LAW

Plaintiff
vs.

Frank P. Kuppelwiser
187 Treasure Lake, Sect. 12,
Lot 169
Dubois, PA 15801
and
The United States of America, c/o
the U.S. Attorney for the Western
District of Pennsylvania
633 U.S. Post Office &
Courthouse
Pittsburgh, PA 15219

ACTION OF MORTGAGE FORECLOSURE

Term
No. 02-827-CD

Defendants

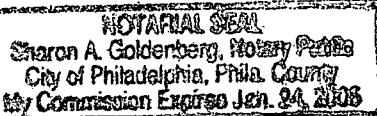
:::
Certification of Service

David B. Comroe, Esquire, Attorney for Plaintiff in the above
captioned matter, being duly sworn according to law certifies that
Notices of Intention to Take Judgement, as set forth in PA R.C.P.,
237.1 copies of the Complaint in Mortgage Foreclosure were served upon
the Defendants by Certified Mail and Regular, First-class Mail on July
31, 2002.


David B. Comroe, Esquire
Attorney for Plaintiff

SWORN TO AND SUBSCRIBED before me
this 8th day of October , 2002.

Sharon A. Goldenberg
Notary Public



OFFICE OF THE PROTHONOTARY
Court of Common Pleas

COPY

TO: Frank P. Kuppelwiser
187 Treasure Lake, Sect. 12, Lot 169
Dubois, PA 15801

Comroe Hing LLP Identification No.: 25694
By: David B. Comroe
1608 Walnut Street, Suite 300
Philadelphia, PA 19103
(215) 568-0400
Attorney for Plaintiff

Conseco Finance Consumer Discount Company
7360 South Kyrene Rd.
MSD Foreclosure Unit
Tempe, AZ 85282
Plaintiff

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY
CIVIL ACTION - LAW

vs.

Frank P. Kuppelwiser
187 Treasure Lake, Sect. 12,
Lot 169
Dubois, PA 15801
and
The United States of America, c/o
the U.S. Attorney for the Western
District of Pennsylvania
633 U.S. Post Office &
Courthouse
Pittsburgh, PA 15219
Defendants

ACTION OF MORTGAGE FORECLOSURE
Term
No. 02-827-CD

N O T I C E

Pursuant to Rule 236 of the Supreme Court of Pennsylvania, you are hereby notified that a Judgment has been entered against you in the above proceeding as indicated below.

Prothonotary

- Judgment by Default
- Money Judgment
- Judgment in Replevin
- Judgment for Possession
- Judgment on Award of Arbitration
- Judgment on Verdict
- Judgment on Court Findings

IF YOU HAVE ANY QUESTIONS CONCERNING THIS NOTICE, PLEASE CALL:
ATTORNEY David B. Comroe at this telephone number:
(215) 568-0400.

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

Conseco Finance Consumer Discount Company
Plaintiff(s)

COPY

No.: 2002-00827-CD

Real Debt: \$121,226.70

Atty's Comm:

Vs.

Costs: \$

Int. From:

Frank P. Kuppelwiser
United States of America
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: October 11, 2002

Expires: October 11, 2007

Certified from the record this 11th day of October, 2002.

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

Comroe Hing LLP
By: David B. Comroe
1608 Walnut Street, Suite 300
Philadelphia, PA 19103
(215) 568-0400
Attorney for Plaintiff

Identification No.: 25694

Conseco Finance Consumer
Discount Company
7360 South Kyrene Rd.
MSD Foreclosure Unit
Tempe, AZ 85282

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY
CIVIL ACTION - LAW

Plaintiff

vs.

ACTION OF MORTGAGE FORECLOSURE

Frank P. Kuppelwiser
187 Treasure Lake, Sect. 12,
Lot 169

Term
No. 02-827-CD

Dubois, PA 15801

and

The United States of America,
c/o the U.S. Attorney for the
Western District of
Pennsylvania
633 U.S. Post Office &
Courthouse
Pittsburgh, PA 15219

FILED

JAN 06 2003

Defendants

AMENDED

AFFIDAVIT PURSUANT TO RULE 3129.1

Conseco Finance Consumer Discount Company, Plaintiff in the
above action, sets forth as of the date the praecipe for the
Writ of Execution was filed, the following information
concerning the real property located at 187 Treasure Lake, Sect.
12, Lot 169, Dubois, PA 15801:

1. Name and address of Owner or Reputed Owner:

Frank P. Kuppelwiser
187 Treasure Lake, Sect. 12, Lot 169
DuBois, PA 15801

2. Name and address of Defendants in the judgment:

	<u>Date</u>	<u>Service Code</u>

Frank P. Kuppelwiser 187 Treasure Lake, Sect. 12 Lot 169 Dubois, PA 15801		1
The United States of America c/o the U.S. Attorney for the Western District of Pennsylvania 633 U.S. Post Office & Courthouse Pittsburgh, PA 15219		1

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

	<u>Date</u>	<u>Service Code</u>
The United States of America c/o the U.S. Attorney for the Western District of Pennsylvania 633 U.S. Post Office & Courthouse Pittsburgh, PA 15219	12/31/02	3

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

	<u>Date</u>	<u>Service Code</u>

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

	<u>Date</u>	<u>Service Code</u>

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

	<u>Date</u>	<u>Service Code</u>

Commonwealth of Pennsylvania Bureau of Child Support Enforcement 1 N. 2nd St. Clearfield PA 16830	12/31/02	3
Family Court Domestic Relations Division 1 N. 2nd St. Clearfield PA 16830	12/31/02	3
Commonwealth of Pennsylvania Department of Welfare P.O. Box 2675 Harrisburg PA 17105	12/31/02	3
Clearfield County Tax Claim Bureau 1 N. 2nd St. Clearfield PA 16830	12/31/02	3
Tammie Kuppelwiser 187 Treasure Lake Sect. 12 Lot 169 Dubois PA 15801	12/31/02	3

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.

(attach separate sheet if more space is needed)

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. Section 4904 relating to unsworn falsification to authorities.

DATED:



Plaintiff

Comroe Hing LLP
By: David B. Comroe
1608 Walnut Street, Suite 300
Philadelphia, PA 19103
(215) 568-0400
Attorney for Plaintiff

Identification No.: 25694

Conseco Finance Consumer
Discount Company
7360 South Kyrene Rd.
MSD Foreclosure Unit
Tempe, AZ 85282

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY
CIVIL ACTION - LAW

Plaintiff

vs.

ACTION OF MORTGAGE FORECLOSURE

Frank P. Kuppelwiser
187 Treasure Lake, Sect. 12,
Lot 169
Dubois, PA 15801
and
The United States of America,
c/o the U.S. Attorney for the
Western District of
Pennsylvania
633 U.S. Post Office &
Courthouse
Pittsburgh, PA 15219

Term
No. 02-827-CD

Defendants

::

AFFIDAVIT PURSUANT TO RULE 3129.2
AND RETURN OF SERVICE PURSUANT TO
PA R.C.P. 405 OF NOTICE OF SALE

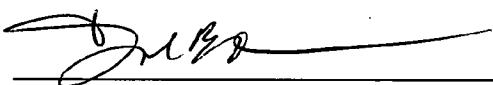
David B. Comroe, Esq., Attorney for Plaintiff, Conseco Finance Consumer Discount Company sets forth as of the date of the praecipe for the writ of execution was filed the following information concerning the real property located at 187 Treasure Lake, Sect. 12, Lot 169, Dubois, PA 15801 to be sold at Sheriff's Sale on February 7, 2003. As required by PA R.C.P.

3129.2 (a) Notice of Sale has been given in the manner required by PA R.C.P. 3129.2 (c) on each of the persons or parties named at the addresses set forth below on the date and in the manner noted in the margin by the names of each and copies of each notice together with return receipts or proof of mailing are attached as Exhibits. The manner of service, as noted in the margin, utilizes the following codes:

1. Personal Service by the Sheriff or in accordance with Pennsylvania Rule of Civil Procedure 400.1.
2. Certified mail-return receipt attached
3. First Class Mail-Certificate 3817

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. Section 4904 relating to unsworn falsification to authorities.

Date: December 31, 2002



David B. Comroe
Attorney for Plaintiff

LAW OFFICES
COMROE HING LLP
SUITE 300
1608 WALNUT STREET
PHILADELPHIA, PA 19103-5446
(215) 568-0400
FAX NUMBER (215) 568-5560
www.comroehing.com

DAVID B. COMROE
GLENN F. HING

ROBERT J. WILSON
BLAIR KALISH ADLER

The United States of America
c/o the U.S. Attorney for the Western
District of Pennsylvania
633 U.S. Post Office & Courthouse
Pittsburgh, PA 15219

December 31, 2002

RE: Conseco Finance Consumer Discount Company vs Frank P.
Kuppelwiser and The United States of America, c/o the
U.S. Attorney for the Western District of Pennsylvania
Docket No.: 02-827-CD Term
Property Address: 187 Treasure Lake, Sect. 12, Lot 169,
Dubois, PA 15801
NOTICE OF SALE OF REAL PROPERTY

Dear Sir/Madam:

Please be advised that the property and improvements, if any, as set forth above, will be sold by the Sheriff of CLEARFIELD County, in the County Court House, 1 North Second Street, Clearfield, PA 16830, on February 7, 2003, at 10:00 AM.

This property and improvements, if any, is being sold pursuant to a Judgment entered in favor of Plaintiff and against Defendants in the Court of Common Pleas of CLEARFIELD County.

The name of the owners, real owners and reputed owners of the aforesaid property is as set forth as the Defendants above. It has come to our attention that you might be a creditor to the Defendants named herein. Sheriff's Sale of the mortgaged property could adversely affect your interest if you are, in fact, a junior creditor herein.

A Schedule of Distribution will be filed by the sheriff on a date specified by the Sheriff no later than thirty (30) days after said sale, and a distribution will be made in accordance with the schedule unless exceptions are filed thereto within ten (10) days after the date said schedule. You should check with the Sheriff's office by calling (814) 765-2641 to determine the actual date of the filing of the said schedule.

Very truly yours



David B. Comroe, Esquire

DBC/jb

LAW OFFICES
COMROE HING LLP
SUITE 300
1608 WALNUT STREET
PHILADELPHIA, PA 19103-5446

(215) 568-0400
FAX NUMBER (215) 568-5560
www.comroehing.com

DAVID B. COMROE
GLENN F. HING

ROBERT J. WILSON
BLAIR KALISH ADLER

Commonwealth of Pennsylvania
Bureau of Child Support Enforcement
1 N. 2nd St.
Clearfield PA 16830

December 31, 2002

RE: Conseco Finance Consumer Discount Company vs Frank P. Kuppelwiser and The United States of America, c/o the U.S. Attorney for the Western District of Pennsylvania
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Very truly yours,



David B. Comroe, Esquire

DBC/jb

LAW OFFICES
COMROE HING LLP
SUITE 300
1608 WALNUT STREET
PHILADELPHIA, PA 19103-5446
(215) 568-0400
FAX NUMBER (215) 568-5560
www.comroehing.com

DAVID B. COMROE
GLENN F. HING

ROBERT J. WILSON
BLAIR KALISH ADLER

Family Court
Domestic Relations Division
1 N. 2nd St.
Clearfield, PA 16830

December 31, 2002

RE: Conseco Finance Consumer Discount Company vs Frank P. Kuppelwiser and The United States of America, c/o the U.S. Attorney for the Western District of Pennsylvania
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David B. Comroe, Esquire

DBC/jb

LAW OFFICES
COMROE HING LLP
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FAX NUMBER (215) 568-5560
www.comroehing.com

DAVID B. COMROE
GLENN F. HING

ROBERT J. WILSON
BLAIR KALISH ADLER

Commonwealth of Pennsylvania
Department of Welfare
P.O. Box 2675
Harrisburg, PA 17105

December 31, 2002

RE: Conseco Finance Consumer Discount Company vs Frank P. Kuppelwiser and The United States of America, c/o the U.S. Attorney for the Western District of Pennsylvania
Docket No.: 02-827-CD Term
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Very truly yours



David B. Comroe, Esquire

DBC/jb

LAW OFFICES
COMROE HING LLP
SUITE 300
1608 WALNUT STREET
PHILADELPHIA, PA 19103-5446

(215) 568-0400
FAX NUMBER (215) 568-5560
www.comroehing.com

DAVID B. COMROE
GLENN F. HING

ROBERT J. WILSON
BLAIR KALISH ADLER

Clearfield County Tax Claim Bureau
1 N. 2nd St.
Clearfield, PA 16830

December 31, 2002

RE: Conseco Finance Consumer Discount Company vs Frank P. Kuppelwiser and The United States of America, c/o the U.S. Attorney for the Western District of Pennsylvania
Docket No.: 02-827-CD Term
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Very truly yours



David B. Comroe, Esquire

DBC/jb

LAW OFFICES
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SUITE 300
1608 WALNUT STREET
PHILADELPHIA, PA 19103-5446

(215) 568-0400
FAX NUMBER (215) 568-5560
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DAVID B. COMROE
GLENN F. HING

ROBERT J. WILSON
BLAIR KALISH ADLER

Tammie Kuppelwiser
187 Treasure Lake, Sect. 12, Lot 169
Dubois, PA 15801

December 31, 2002

RE: Conseco Finance Consumer Discount Company vs Frank P. Kuppelwiser and The United States of America, c/o the U.S. Attorney for the Western District of Pennsylvania
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Very truly yours,



David B. Comroe, Esquire

DBC/jb

FILED No. 03
1:44 PM
JAN 6 2003

W^{illiam A. Shaw}
Prothonotary

COMROE HING LLP

LAW OFFICES

CA

MOTION FOR ALTERNATIVE SERVICE

CONSECO FINANCE CONSUMER DISCOUNT
COMPANY

VS

FRANK P. KUPPELMISER ET ALs

DOCKET # 02-827-CD

FILED NO CC
1/30/03
JAN 30 2003
FEB 5
William A. Shaw
Prothonotary

David B. Comroe Esquire
#255694

LAW OFFICES

COMROE HING LLP

SUITE 300

1608 WALNUT STREET

PHILADELPHIA, PENNSYLVANIA 19103-5446

(215) 568-0400

TELECOPIER (215) 568-5560

Comroe Hing LLP
By: David B. Comroe
1608 Walnut Street, Suite 300
Philadelphia, PA 19103
(215) 568-0400
Attorney for Plaintiff

Identification No.: 25694

Conseco Finance Consumer
Discount Company
7360 South Kyrene Rd.
MSD Foreclosure Unit
Tempe, AZ 85282

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY
CIVIL ACTION - LAW

Plaintiff

vs.

ACTION OF MORTGAGE FORECLOSURE

Frank P. Kuppelwiser
187 Treasure Lake, Sect. 12, Lot
169 Dubois, PA 15801
The United States of America, c/o
the U.S. Attorney for the Western
District of Pennsylvania
633 U.S. Post Office & Courthouse
Pittsburgh, PA 15219

Term
No. 02-827-CD

FILED

JAN 31 2003

Defendants

:: William A. Shaw
OR D E R Prothonotary

AND NOW this 31st day of January,
2003, as a good faith reasonable investigation was performed to
ascertain Defendants whereabouts in accordance with Pennsylvania
Rule of Civil Procedure 430, it is hereby ORDERED AND DECREED that
service of Plaintiff's Notice under Pennsylvania Rules of Civil
Procedure 3129 and any other Notices related thereto in connection
with this action is to be made in the following manner:

1. By posting a copy of the 3129 Notice on the most public
part of the property as well as any other Notices related thereto
on the most public part of the property;
2. By certified mail to the Defendants' last known address;

3. By regular, first-class mail to the Defendants' last known address.

4. Plaintiff is to file a Certification of Service showing that above mailings were sent by certified mail and regular, first-class mail. Plaintiff is not required to provide a Certification that those mailings were received by Defendant(s).

It is further ORDERED AND DECREED that the posting and Certified and first-class mail of the Notices under Pennsylvania Rules of Civil Procedure 3129 and any other Notices related thereto pertaining to this case shall constitute good service.

BY THE COURT:

J.

FILED

1cc

01/11/03

Attn: Comroe

JAN 3 1 2003

CW
442

William A. Shaw
Prothonotary

Comroe Hing LLP
By: David B. Comroe
1608 Walnut Street, Suite 300
Philadelphia, PA 19103
(215) 568-0400
Attorney for Plaintiff

Identification No.: 25694

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Plaintiff

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JAN 30 2003

William A. Shaw
Prothonotary

Defendants

PETITION FOR SERVICE PURSUANT TO SPECIAL ORDER
OF COURT UNDER PENNSYLVANIA RULE OF CIVIL PROCEDURE 430

1. Plaintiff filed a Complaint in Mortgage Foreclosure against
Defendants on May 23, 2002.

2. Service upon Defendant was not made as per the Sheriff of
Clearfield Count. The property is "vacant" Attached hereto and
made part hereof as Exhibit "A" is a true and correct copy of the
Return of Service form.

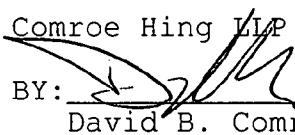
3. In accordance with Pennsylvania Rule of Civil Procedure
430, Plaintiff commenced a reasonable investigation to determine
Defendants' whereabouts by the following action:

- a. inquiry of postal authority;
- b. inquiries of neighbors;
- c. examination of local telephone directories;
- d. examination of voter registration records;
- e. examination of local tax records.

Attached hereto and made part hereof, collectively, as Plaintiff's Exhibit "B" are the Affidavit of Good Faith Report to locate the Defendants with fact sheet on inquiries of Postal Authority; inquiries of neighbors; examination of local telephone directories; examination of local tax records, and examination of voter's registration records. Based upon this reasonable investigation, no new address of Defendants has been determined.

4. In accordance with Pennsylvania Rule of Civil Procedure 410 and Pennsylvania Rule of Civil Procedure 430, alternate service is requested by posting a copy of the Notices under Pennsylvania Rule of Civil Procedure 3129 as well as any other Notices related thereto on the most public part of the property and by first-class and certified mail service to Defendants' last known address.

WHEREFORE, Plaintiff respectfully requests that Your Honorable Court order service of the Notices under Pennsylvania Rule of Civil Procedure 3129 as well as any other Notices related thereto in the manner set forth and requested hereinabove.

Comroe Hing LLP
BY: 
David B. Comroe, Esquire

CONSECO FINANCE SERVICING CORP.

- against -

, Plaintiff(s)

FRANK P. KUPPELWISER, ET AL

, Defendant(s)

AFFIDAVIT OF DUE AND DILIGENT SKIP TRACE REPORT

I, THE UNDERSIGNED AM AND WAS ON THE DATES HEREIN MENTIONED, OVER THE AGE OF EIGHTEEN YEARS AND NOT A PARTY TO THE ACTION, ATTEMPTED TO LOCATE THE FOLLOWING INDIVIDUAL FOR SERVICE OF PROCESS:

FRANK P. KUPPELWISER

AND THAT AFTER DUE SEARCH, CAREFUL INQUIRY AND DILIGENT ATTEMPTS AT THE

RESIDENCE: 187 TREASURE LAKE
SEC 12 LOT 169
DUBOIS PA 05801

ALTERNATE: UNKNOWN

THE FOLLOWING INFORMATION IS CURRENTLY AVAILABLE ON SEARCH FILES:

11/28/02 SKIP TRACE RECORDS INDICATE A CURRENT ADDRESS
AT:

FRANK P. KUPPELWISER
CAPTAIN KIDD LANE
DUBOIS, PA 15801

TEL. # 814-371-6156

I CALLED TO SPEAK TO THE ABOVE SUBJECT ON
SEVERAL OCASSIONS BUT NEVER RECEIVED ANY
ANSWER OR MACHINE.

SS# 188-62-7954
D.O.B. 9/1/1970

APPARENTLY THERE ARE NO NUMBERS ON THIS LANE
AS I LOCATED SEVERAL NEIGHBORS LISTED ON OUR
RECORDS WHO HAD NO TELEPHONE LISTINGS AND NO
NUMBERED ADDRESS ON THAT LANE.

SKIP TRACES INDICATE NO OTHER FORWARDING OR
CHANGES OF ADDRESSES ON FILES AT THIS TIME.

ALL RECORDS INDICATE THIS ADDRESS AS CURRENT
ON ALL FILES AT THIS TIME.

I CERTIFY THAT TO THE BEST OF MY KNOWLEDGE THAT THE ABOVE INFORMATION IS TRUE
AND IS PROVIDED BASED UPON DUE DILIGENCE AND CAREFUL INQUIRY.

SEARCHER: JERRY COLASURDO

SWORN AND SUBSCRIBED TO BEFORE ME THIS

28th DAY OF November

2002

JOSEPH L. DESCARFANO
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Mar. 17, 2004

Joseph L. DesCarfano

* CONTINUED ON NEXT PAGE *

DGR - THE SOURCE FOR LEGAL SUPPORT
47 Bloomfield Avenue, Caldwell, NJ 07006
(973) 403-1700 FAX (973) 403-9222

File No.02-0082

WORK ORDER NO. 204088

THE COURT OF COMMON PLEAS OF
BLOOMFIELD COUNTY CIVIL ACTION - LAW

Docket No.

CONSECO FINANCE SERVICING CORP.

- against -

FRANK P. KUPPELWISER, ET AL.

, Plaintiff(s)

, Defendant(s)

Joseph Descafano 11-28-02

JOSEPH L. DESCASFANO
NOTARY PUBLIC OF NEW JERSEY
Commission Expires Mar. 17, 2004

DGR - THE SOURCE FOR LEGAL SUPPORT
47 Bloomfield Avenue, Caldwell, NJ 07006
(973) 403-1700 FAX (973) 403-9222

File No.02-0082

WORK ORDER No. 204088

Comroe Hing LLP
By: David B. Comroe
1608 Walnut Street, Suite 300
Philadelphia, PA 19103
(215) 568-0400
Attorney for Plaintiff

Identification No.: 25694

Conseco Finance Consumer
Discount Company
7360 South Kyrene Rd.
MSD Foreclosure Unit
Tempe, AZ 85282

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY
CIVIL ACTION - LAW

Plaintiff

vs.

ACTION OF MORTGAGE FORECLOSURE

Frank P. Kuppelwiser
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169 Dubois, PA 15801
The United States of America, c/o
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Pittsburgh, PA 15219

Term
No. 02-827-CD

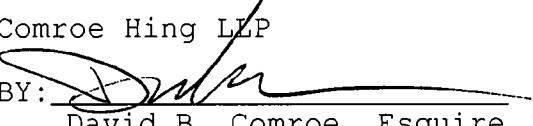
Defendants

::

MEMORANDUM OF LAW

The Pennsylvania Rules of Civil Procedure require that when service of the Notices under Pennsylvania Rule of Civil Procedure 3129 as well as any other Notices related thereto cannot be made by the Sheriff by personal service, a reasonable investigation must take place to determine the Defendants' whereabouts. Pennsylvania Rules of Civil Procedure 410 and 430. As a reasonable investigation has taken place, a special Order of Service should be entered to allow service by posting the property and by certified and regular mail service.

Comroe Hing LLP

BY: 

David B. Comroe, Esquire
Attorney for Plaintiff

VERIFICATION

David B. Comroe, Esquire, Attorney for Plaintiff, Conseco Finance Consumer Discount Company, having express authorization to enter into this Verification verifies the foregoing Petition for Alternate Service and avers that the statements of fact therein contained are made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities, and that same are true upon the signer's personal knowledge or information and belief.



David B. Comroe, Esquire

UTION SERVICE SHEET

DKT: EX PAGE: 13272

ATE RECEIVED: OCTOBER 11, 2002

DEPUTY RECEIVED: 11-07-02

DEFENDANT(S): FRANK P. KUPPELWISERADDRESS: 187 TREASURE LAKE, SECT. 12, LOT 168
DUBOIS, PA 15801

LEVY & POST AT: SAME AS ABOVE

SERVE AND LEAVE WITH: DEFENDANT POST GARNISHEEWRIT OF EXECUTION NOTICE OF SALE TO POST / SERVE WRIT LEVYINTERROGATORIES TO GARNISHEE WRIT OF POSSESSION

MUST BE SERVED, POSTED OR LEVIED BY: DECEMBER 6, 2002

DATE SERVED, POSTED OR LEVIED: _____ TIME: _____

NAME OF PERSON SERVED: _____

TITLE: _____

WHERE SERVED / POSTED (ADDRESS): _____

DEFENDANT(S): RESIDENCE EMPLOYMENT

SIGNATURE OF PERSON SERVED: _____

DATE: _____

ATTEMPTS: 11/13/02 - House Empty - Post Office has no information

_____PERSONAL PROPERTY: AMOUNT DUE AT PRESENT.

SPECIAL DIRECTIONS:

02-827-CD KUPPELWISER

SERVED, POSTED OR LEVIED ON BY: _____

EXECUTION SERVICE SHEET

DKT: EX PAGE: 13272

DATE RECEIVED: OCTOBER 11, 2002

DEPUTY RECEIVED: 11-07-02

DEFENDANT(S): FRANK P. KUPPELWISER

ADDRESS:

~~187 TREASURE LAKE, SECT. 12, LOT 168 169
DUBOIS, PA 15801~~Captain Kidd Lane
DuBois, PA 15801
(Treasure Lake)*Hastings
3rd on left -
Capt Kidd
6 TN to right*

LEVY & POST AT: SAME AS ABOVE

SERVE AND LEAVE WITH: DEFENDANT POST GARNISHEE

WRIT OF EXECUTION NOTICE OF SALE TO POST / SERVE WRIT LEVY

INTERROGATORIES TO GARNISHEE

WRIT OF POSSESSION

MUST BE SERVED, POSTED OR LEVIED BY: DECEMBER 6, 2002

DATE SERVED, POSTED OR LEVIED: _____ TIME: _____

NAME OF PERSON SERVED: _____

TITLE: _____

WHERE SERVED / POSTED (ADDRESS): _____

DEFENDANT(S): RESIDENCE EMPLOYMENT

SIGNATURE OF PERSON SERVED: _____

DATE: _____

ATTEMPTS: 11/13/02 - House Empty

_____PERSONAL PROPERTY: AMOUNT DUE AT PRESENT -

SPECIAL DIRECTIONS:

*Retain - Forwarded Not AVAILABLE
AS per P.O.*

NO 02-827-CD KUPPELWISER

SERVED, POSTED OR LEVIED ON BY: 1703-1703

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 13272

CONSECO FINANCE CONSUMER DISCOUNT COMPANY

02-827-CD

VS.

KUPPELWISER, FRANK P.

WRIT OF EXECUTION REAL ESTATE

FILED *No cc*
01/10/11 8:41 AM
SEP 02 2003
E. J. H.

SHERIFF RETURNS

William A. Shaw
Prothonotary/Clerk of Courts

NOW, NOVEMBER 11, 2003 @ 12:45 P.M. O'CLOCK A LEVY WAS TAKEN ON THE PROPERTY OF THE DEFENDANT. THE PROPERTY WAS ALSO POSTED THIS DATE AND TIME.

A SALE DATE OF FEBRUARY 7, 2003 WAS SET.

NOVEMBER 13, 2003 DEPUTIZED ALLEGHENY COUNTY TO SERVE THE UNITED STATES OF AMERICA.

NOW, NOVEMBER 18, 2003 @ 12:05 P.M. O'CLOCK THE ALLEGHENY COUNTY SHERIFF'S DEPARTMENT SERVED THE UNITED STATES OF AMERICA, DEFENDANT, AT THEIR PLACE OF EMPLOYMENT 633 U. S. POST OFFICE & COURTHOUSE, PITTSBURGH, ALLEGHENY COUNTY, PENNSYLVANIA BY HANDING TO MARLA MARSHALL, PERSON IN CHARGE, A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE AND COPY OF THE LEVY AND BY MAKING KNOWN TO HER THE CONTENTS THEREOF.

UNABLE TO SERVE DEFENDANT FAXED INFO TO ATTORNEY OFFICE GIVEN A NEW ADDRESS FOR SERVICE. ATTEMPTED NEW ADDRESS UNABLE TO SERVE.

NOW, JANUARY 28, 2003 RECEIVED FAX FROM PLAINTIFF ATTORNEY TO CONTINUE THE SHERIFF SALE TO MAY 2, 2003.

NOW, FEBRUARY 25, 2003 RECEIVED A COUT ORDER FROM THE ATTORNEY FOR SERVICE OF FRANK P. KUPPELWISER.

NOW, MARCH 3, 2003 SERVED FRANK P. KUPPELWISER BY REGULAR AND CERTIFIED MAIL PER COURT ORDER.

NOW, MARCH 8, 2003 FRANK P. KUPPELWISER SIGNED FOR CERTIFIED MAIL. CERTIFIED #70011940000194061744.

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 13272

CONSECO FINANCE CONSUMER DISCOUNT COMPANY

02-827-CD

VS.

KUPPELWISER, FRANK P.

WRIT OF EXECUTION REAL ESTATE

SHERIFF RETURNS

NOW, MARCH 11, 2003 THE REGULAR MAIL RETURNED TO SHERIFF'S OFFICE.

NOW, APRIL 1, 2003 PROPERTY REPOSTED PER COURT ORDER.

NOW, MAY 2, 2003 A SALE WAS HELD ON THE PROPERTY OF THE DEFENDANT.

THE PROPERTY WAS PURCHASED BY THE PLAINTIFF FOR \$1.00 + COSTS.

NOW, MAY 12, 2003 BILLED THE ATTORNEY FOR COSTS DUE.

NOW, AUGUST 28, 2003 RECEIVED CHECK FOR COSTS DUE.

NOW, AUGUST 29, 2003 PAID COSTS FROM THE ADVANCE AND ATTORNEY CHECK.

**NOW, SEPTEMBER 2, 2003 RETURN WRIT AS SALE BEING HELD ON THE PROPERTY
OF THE DEFENDANTS. THE PROPERTY PURCHASED BY THE PLAINTIFF FOR
\$1.00 + COSTS.**

NOW, SEPTEMBER 2, 2003 A DEED WAS FILED.

**SHERIFF HAWKINS \$270.37
SURCHARGE \$40.00
PAID BY ATTORNEY**

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 13272

CONSECO FINANCE CONSUMER DISCOUNT COMPANY

02-827-CD

VS.

KUPPELWISER, FRANK P.

WRIT OF EXECUTION REAL ESTATE

SHERIFF RETURNS

Sworn to Before Me This

2nd Day Of September 2003
William A. Shaw

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

So Answers,

Chester Hawkins
By Cynthia Bitten - Deputy Sheriff
Chester A. Hawkins
Sheriff

Mortgage Foreclosure
Ground Rent (rem)

COMMONWEALTH OF PENNSYLVANIA
County of CLEARFIELD

Comroe Hing LLP
By: David B. Comroe
1608 Walnut Street, Suite 300
Philadelphia, PA 19103
(215) 568-0400
Attorney for Plaintiff

Identification No.: 25694

Conseco Finance Consumer Discount
Company
7360 South Kyrene Rd.
MSD Foreclosure Unit
Tempe, AZ 85282

Plaintiff

vs.

Frank P. Kuppelwiser
187 Treasure Lake, Sect. 12,
Lot 169
Dubois, PA 15801

and
The United States of America, c/o
the U.S. Attorney for the Western
District of Pennsylvania
633 U.S. Post Office &
Courthouse
Pittsburgh, PA 15219
Defendants

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY
CIVIL ACTION - LAW

ACTION OF MORTGAGE FORECLOSURE
Term
No. 02-827-CD

WRIT OF EXECUTION

TO THE SHERIFF OF CLEARFIELD COUNTY:

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

PREMISES: 187 Treasure Lake, Sect. 12, Lot 169, Dubois, PA, 15801

See Exhibit "A" attached

AMOUNT DUE	\$121,226.70
Interest from 10/7/02 to 3/19/03 @11.44% (Costs to be added)	\$6,193.25

BY: William L. Shan
Clerk

Date: 10/11/02

Prothonotary
Costs 120.00

Received October 11, 2002 @ 2:30 P.M.
Chester C. Fawcett
by Cynthia Butler - Aughlaugh

COURT OF COMMON PLEAS
No. 02-827-CD
Term

Conseco Finance Consumer Discount
Company
7360 South Kyrene Rd.
MSD Foreclosure Unit
Tempe, AZ 85282
Plaintiff.

vs.

Frank P. Kuppelwiser
187 Treasure Lake, Sect. 12,
Lot 169
Dubois, PA 15801
and
The United States of America, c/o
the U.S. Attorney for the Western
District of Pennsylvania
633 U.S. Post Office & Courthouse
Pittsburgh, PA 15219
Defendants

WRIT OF EXECUTION

PREMISES: 187 Treasure Lake,
Sect. 12, Lot 169, Dubois, PA,
15801

Real Debt \$121,226.70

Interest from \$6,193.25
10/7/02 to
3/19/03 @11.44%

Costs Paid:

Prothy. Costs 1200

Sheriff

Statutory

Costs Due

Prothy.

David B. Comroe, Esq.
1608 Walnut Street, Suite 300
Philadelphia, PA 19103-5446
(215) 568-0400

DESCRIPTION

ALL THAT CERTAIN lot, parcel, piece of ground, designated as Lot No. 169 Section 12 "BonAire" in the Treasure Lake Subdivision, situate in Sandy Township, Clearfield County, Pennsylvania, as recorded in Miscellaneous Map File 25.

PARCEL #C02-012-00169-00-21

**REAL ESTATE SALE
SCHEDULE OF DISTRIBUTION**

NAME KUPPELWISER NO. 02-827-CD

NOW, May 2, 2003 , 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 for the date, time and place of sale at the Court House in Clearfield on the 2ND day of MAY 2003, I exposed the within described real estate of FRANK P. KUPPELWISER AND THE UNITED STATES OF AMERICA to public venue or outcry at which time and place I sold the same to CONSECO FINANCE CONSUMER DISCOUNT 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	13.68
LEVY	15.00
MILEAGE	13.68
POSTING	15.00
CSDS	10.00
COMMISSION 2%	
POSTAGE	9.83
HANDBILLS	15.00
DISTRIBUTION	25.00
ADVERTISING	15.00
ADD'L SERVICE	
DEED	30.00
ADD'L POSTING	15.00
ADD'L MILEAGE	13.68
ADD'L LEVY	
BID AMOUNT	1.00
RETURNS/DEPUTIZE	9.00
COPIES/BILLING	15.00
	5.00
BILLING/PHONE/FAX	19.50
	ADJ. FOR DEED
	COSTS
TOTAL SHERIFF COSTS	270.37

DEED COSTS:

ACKNOWLEDGEMENT5.	5.00
REGISTER & RECORDER	29.00
TRANSFER TAX 2%	
TOTAL DEED COSTS	29.00

DEBIT & INTEREST:

DEBT-AMOUNT DUE	121,226.70
INTEREST FROM 10/7/02	9,385.25
TO BE ADDED TO SALE DATE	
TOTAL DEBT & INTEREST	130,611.95
COSTS:	
ATTORNEY FEES	
PROTH. SATISFACTION	
ADVERTISING	238.14
LATE CHARGES & FEES	
TAXES - collector to 1/03	520.41
TAXES - tax claim to 8/03	5,520.01
DUE	
COST OF SUIT -TO BE ADDED	
LIEN SEARCH	100.00
FORCLOSURE FEES/ESCROW DEFICIT	
ACKNOWLEDGEMENT	5.00
DEED COSTS	29.00
ATTORNEY COMMISSION	
SHERIFF COSTS	270.37
LEGAL JOURNAL AD	162.00
REFUND OF ADVANCE	
REFUND OF SURCHARGE	
PROTHONOTARY	120.00
MORTGAGE SEARCH	40.00
SATISFACTION FEE	
ESCROW DEFICIENCY	
MUNICIPAL LIEN	
TOTAL COSTS	7,004.93

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

CHESTER A. HAWKINS, Sheriff

Comroe Hing LLP
By: David B. Comroe
1608 Walnut Street, Suite 300
Philadelphia, PA 19103
(215) 568-0400
Attorney for Plaintiff

Identification No.: 25694

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Plaintiff

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The United States of America, c/o
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Pittsburgh, PA 15219

Term
No. 02-827-CD

Defendants

O R D E R

AND NOW this 31st day of January, 2003, as a good faith reasonable investigation was performed to ascertain Defendants whereabouts in accordance with Pennsylvania Rule of Civil Procedure 430, it is hereby ORDERED AND DECREED that service of Plaintiff's Notice under Pennsylvania Rules of Civil Procedure 3129 and any other Notices related thereto in connection with this action is to be made in the following manner:

1. By posting a copy of the 3129 Notice on the most public part of the property as well as any other Notices related thereto on the most public part of the property;
2. By certified mail to the Defendants' last known address;

3. By regular, first-class mail to the Defendants' last known address.

4. Plaintiff is to file a Certification of Service showing that above mailings were sent by certified mail and regular, first-class mail. Plaintiff is not required to provide a Certification that those mailings were received by Defendant(s).

It is further ORDERED AND DECREED that the posting and Certified and first-class mail of the Notices under Pennsylvania Rules of Civil Procedure 3129 and any other Notices related thereto pertaining to this case shall constitute good service.

BY THE COURT:

/s/ JOHN K. REILLY, JR.

J.

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

JAN 31 2003

Attest.

2 *William J. Reilly*
Prothonotary/
Clerk of Courts

Comroe Hing LLP
By: David B. Comroe
1608 Walnut Street, Suite 300
Philadelphia, PA 19103
(215) 568-0400
Attorney for Plaintiff

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633 U.S. Post Office & Courthouse
Pittsburgh, PA 15219

Term
No. 02-827-CD

FILED
m113781
MAR 03 2003
8:29 AM
No CC
829

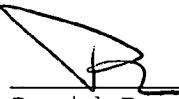
Defendants

William A. Shaw
Prothonotary

::

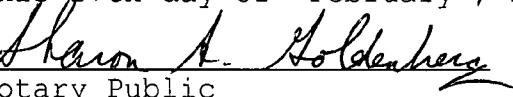
Certification of Service

David B. Comroe, Esquire, Attorney for Plaintiff in the above captioned matter, hereby certifies that in accordance with the Order of Court dated January 31, 2003, copies of the Notice of Sheriff's Sale in Mortgage Foreclosure were served upon the Defendants by Certified Mail and Regular, First-class Mail on February 26, 2003.

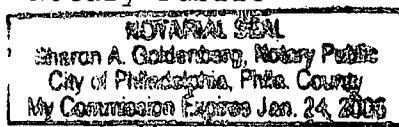


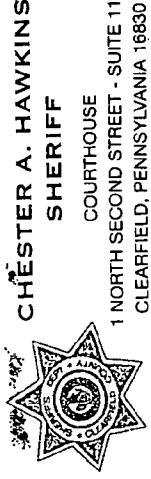
David B. Comroe, Esquire
Attorney for Plaintiff

SWORN TO AND SUBSCRIBED before me
this 27th day of February, 2003.



Notary Public





CHESTER A. HAWKINS
SHERIFF
COURTHOUSE
1 NORTH SECOND STREET - SUITE 116
CLEARFIELD, PENNSYLVANIA 16830



FRANK P. KUPPELWISER
187 TREASURE LAKE
SECT. 12, LOT 169
DUBOIS, PA 15801
INSUFFICIENT ADDRESS OTHER
A ATTEMPTED NOT KNOWN
C NO SUCH NUMBER/STREET
S NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

RTS
RETURN TO SENDER

U.S. Postal Service CERTIFIED MAIL RECEIPT (Domestic Mail Only) No Insurance/Coverage Provided)	
OFFICIAL USE	
Postage	\$ 4.65
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.65
Postmark MAR 30 1980 CLEARFIELD, PA	
Sent To Frank P. Kuppelwiser Street, Apt. No. or PO Box 187 City, State, Zip 18801 See Reverse for Instructions	

COMPLETE THIS SECTION ON DELIVERY	
A. Signature <i>Frank P. Kuppelwiser</i> <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee	
B. Received by (Printed Name) <i>Frank P. Kuppelwiser</i> <input type="checkbox"/> Date of Delivery 3/30/80	
C. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/>	
1. Article Addressed to: Frank P. Kuppelwiser 187 Treasure Lake Sect. 12, Lot 169 DuBois, PA 15801	
2. Article Number <i>7001 1940 0001 9406 1744</i> (Transfer from serv.)	
3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input checked="" type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	

PS Form 3811, August 2001
Domestic Return Receipt
102595-02-M-1035

(4)
PETER R. DEFAZIO
Sheriff

29064
ALLEGHENY COUNTY SHERIFF'S DEPARTMENT
436 GRANT STREET
PITTSBURGH, PA 15219-2496
PHONE (412) 350-4700

DENNIS SKOSNIK
Chief Deputy

PLAINTIFF Conseco Finance Consumer Discount Company

VS.

DEFT. Frank P. Kuppelwiser

ADD. DEFT. The United States of America

ADD. DEFT. DEPUTY

GARNIShee The United States of America

ADDRESS c/o The U.S. Attorney for the Western District
of PA, 633 U.S. Post Office & Courthouse, Pittsburgh, PA

MUNICIPALITY or CITY WARD 15219

ATTY. David B. Comroe

DATE: 19

ADDRESS Comroe Hine PLLC, 1608 Walnut Street,
Suite 300, Philadelphia, PA 19109

ATTY'S Phone (215) 568-0400

INDICATE TYPE OF SERVICE: PERSONAL PERSON IN CHARGE DEPUTIZE CERT. MAIL POSTED OTHER LEVY SEIZED & STORE

Now November 13 18 2002, SHERIFF OF ALLEGHENY COUNTY, PA do hereby depose the Sheriff of CLEARFIELD County to execute this Writ and make return thereof according to law

NOTE: ONLY APPLICABLE ON WRIT OF EXECUTION: N.B. WAIVER OF WATCHMAN - Any deputy sheriff levying upon or attaching any property under within writ may leave same without a watchman, in custody of whomever is found in possession, after notifying person or attachment without liability on the part of such deputy herein for any loss, destruction or removal of any property before sheriff's sale thereof.

Seize, levy, advertise and sell all the personal property of the defendant on the premises located at: _____

MAKE	MODEL	MOTOR NUMBER	SERIAL NUMBER	LICENSE NUMBER
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

SHERIFF'S OFFICE USE ONLY

I hereby CERTIFY AND RETURN that on the 18 day of NOV, at 10:00 AM, Address Above/Address Below. County of Allegheny, Pennsylvania 25 NOV 2002

I have served in the manner described below:

Defendant(s) personally served.
 Adult family member with whom said Defendant(s) reside(s). Name & Relationship _____
 Adult in charge of Defendant's residence who refused to give name or relationship.
 Manager/Clerk of place of lodging in which Defendant(s) reside(s).
 Agent or person in charge of Defendant(s) office or usual place of business.
 Other _____ MARSHALL
 Property Posted _____

Defendant not found because: Moved Unknown No Answer Vacant Other _____
 Certified Mail Receipt _____ Envelope Returned _____ Neither receipt or envelope returned: writ expired _____
 Regular Mail Why _____

Stamp/Signature _____
Sheila R. O'Brien, Notary Public
City of Pittsburgh, Allegheny County
My Commission Expires June 19, 2004

Member, Pennsylvania Association of Notaries

You are hereby notified that on _____, 19 _____, levy was made in the case of _____
Possession/Sale has been set for _____, 19 _____ at _____ o'clock.

YOU MUST CALL DEPUTY ON THE MORNING OF SALE/POSSESSION BETWEEN 8:30 - 9:30 A.M.

ATTEMPTS _____ / _____ / _____ / _____ / _____

PETER R. DEFAZIO, Sheriff

By _____

Deputy _____

District _____

Additional Costs Due \$ _____, This is placed
on writ when returned to Prothonotary. Please check before
satisfying case.



Sheriff's Office Clearfield County

OFFICE (814) 765-2641
AFTER 4:00 P.M. (814) 765-1533
CLEARFIELD COUNTY FAX
(814) 765-5689
S915

CHESTER A. HAWKINS
SHERIFF

COURTHOUSE
1 NORTH SECOND STREET, SUITE 116
CLEARFIELD, PENNSYLVANIA 16830

DARLENE SHULTZ
CHIEF DEPUTY

MARGARET PUTT
OFFICE MANAGER

MARILYN HAMM
DEPT. CLERK
PETER F. SMITH
SOLICITOR

DEPUTATION

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CONSECO FINANCE CONSUMER
DISCOUNT COMPANY
vs

TERM & NO. 02-827-CD

FRANK P. KUPPELWISER
AND THE UNITED STATES OF AMERICA

DOCUMENT TO BE SERVED:
WRIT OF EXECUTION
NOTICE OF SALE
COPY OF LEVY

SERVE BY:

DECEMBER 16, 2002

MAKE REFUND PAYABLE TO: ATTORNEY – RETURN TO BE SENT TO THIS OFFICE

SERVE: THE UNITED STATES OF AMERICA

ADDRESS: C/O THE U.S. ATTORNEY FOR THE WESTERN DISTRICT OF PENNSYLVANIA
633 U. S. POST OFFICE & COURTHOUSE, PITTSBURGH, PA 15219

Know all men by these presents, that I, CHESTER A. HAWKINS, HIGH SHERIFF of CLEARFIELD COUNTY, State of Pennsylvania, do hereby depelize the SHERIFF OF ALLEGHENY COUNTY Pennsylvania to execute this writ. This Deputation being made at the request and risk of the Plaintiff this 13TH Day of NOVEMBER 2002.

Respectfully,

CHESTER A. HAWKINS,
SHERIFF OF CLEARFIELD COUNTY

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY CIVIL ACTION - LAW

Docket No.

CONSECO FINANCE SERVICING CORP.

- against -

FRANK P. KUPPELWISER, ET AL

Plaintiff(s)

Defendant(s)

AFFIDAVIT OF DUE AND DILIGENT SKIP TRACE REPORT

I, THE UNDERSIGNED AM AND WAS ON THE DATES HEREIN MENTIONED, OVER THE AGE OF EIGHTEEN YEARS AND NOT A PARTY TO THE ACTION, ATTEMPTED TO LOCATE THE FOLLOWING INDIVIDUAL FOR SERVICE OF PROCESS:

FRANK P. KUPPELWISER

AND THAT AFTER DUE SEARCH, CAREFUL INQUIRY AND DILIGENT ATTEMPTS AT THE RESIDENCE:

187 TREASURE LAKE
SEC 12 LOT 169
DUBOIS PA 05801

ALTERNATE: UNKNOWN

THE FOLLOWING INFORMATION IS CURRENTLY AVAILABLE ON SEARCH FILES:

11/28/02

SKIP TRACE RECORDS INDICATE A CURRENT ADDRESS AT:

FRANK P. KUPPELWISER
CAPTAIN KIDD LANE
DUBOIS PA 15801

TEL. # 814-371-6156

I CALLED TO SPEAK TO THE ABOVE SUBJECT ON SEVERAL OCASSIONS BUT NEVER RECEIVED ANY ANSWER OR MACHINE.

SS# 188-62-7954
D.O.B. 9/1/1970

APPARENTLY THERE ARE NO NUMBERS ON THIS LANE AS I LOCATED SEVERAL NEIGHBORS LISTED ON OUR RECORDS WHO HAD NO TELEPHONE LISTINGS AND NO NUMBERED ADDRESS ON THAT LANE. SKIP TRACES INDICATE NO OTHER FORWARDING OR CHANGES OF ADDRESSES ON FILES AT THIS TIME. ALL RECORDS INDICATE THIS ADDRESS AS CURRENT ON ALL FILES AT THIS TIME.

I CERTIFY THAT TO THE BEST OF MY KNOWLEDGE THAT THE ABOVE INFORMATION IS TRUE AND IS PROVIDED BASED UPON DUE DILIGENCE AND CAREFUL INQUIRY

SEARCHER: JERRY COLASURDO

SWORN AND SUBSCRIBED TO BEFORE ME THIS

28th DAY OF November

2002

JOSEPH L. DESCARFANO
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Mar. 17, 2004

Joseph L. DesCarfano
File No. 02-0082

* CONTINUED ON NEXT PAGE *

DGR - THE SOURCE FOR LEGAL SUPPORT
47 Bloomfield Avenue, Caldwell, NJ 07006
(973) 403-1700 FAX (973) 403-9222

WORK ORDER No. 204088

LAW OFFICES
COMROE, HING LLP
SUITE 300
1608 WALNUT STREET
PHILADELPHIA, PA 19103

(215) 568-0400
FAX NUMBER (215) 568-5560
www.comroehing.com

DAVID B. COMROE
GLENN F. HING
ROBERT J. WILSON
BLAIR KALISH ADLBR

January 28, 2003

Office of the Sheriff
Clearfield County
1 North Second Street Ste 116
Clearfield PA 16830

RE: Conseco Finance CDC et als vs. Frank Kuppelwiser et
asl
Docket # 02-827 CD
SALE DATE February 7, 2003

Dear Sir/Madam:

Please continue the above sheriff's to the May 2, 2003
sale as we do not have service on the mortgagor. I have
calculated the additional interest to the new sale date in
the amount of \$3,192.00

Thank you for your assistance in this matter. If you
have any questions, please do not hesitate to call.

Sincerely yours,

Megan L. O'Brien

Megan L. O'Brien (paralegal for)
DAVID B. COMROE, ESQUIRE

fax # 814-765-5915

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 13272

CONSECO FINANCE CONSUMER DISCOUNT COMPANY

02-827-CD

VS.

KUPPELWISER, FRANK P.

WRIT OF EXECUTION REAL ESTATE

AMENDED

SHERIFF RETURNS

SHERIFF HAWINS \$.50

PAID BY ATTORNY

Sworn to Before Me This

26th Day Of September 2003
William A. Shaw

So Answers,



Chester A. Hawkins
Sheriff

FILED

SEP 26 2003

William A. Shaw
Prothonotary

**REAL ESTATE SALE
SCHEDULE OF DISTRIBUTION**

NAME KUPPELWISER NO. 02-827-CD

NOW, May 2, 2003 , 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 for the date, time and place of sale at the Court House in Clearfield on the 2ND day of MAY 2003, I exposed the within described real estate of FRANK P. KUPPELWISER AND THE UNITED STATES OF AMERICA to public venue or outcry at which time and place I sold the same to CONSECO FINANCE CONSUMER DISCOUNT 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	13.68
LEVY	15.00
MILEAGE	13.68
POSTING	15.00
CSDS	10.00
COMMISSION 2%	
POSTAGE	9.83
HANDBILLS	15.00
DISTRIBUTION	25.00
ADVERTISING	15.00
ADD'L SERVICE	
DEED	30.00
ADD'L POSTING	15.00
ADD'L MILEAGE	13.68
ADD'L LEVY	
BID AMOUNT	1.00
RETURNS/DEPUTIZE	9.00
COPIES/BILLING	15.00
	5.00
BILLING/PHONE/FAX	20.00
TOTAL SHERIFF COSTS	270.87

DEED COSTS:

ACKNOWLEDGEMENT	5.00
REGISTER & RECORDER	29.00
TRANSFER TAX 2%	
TOTAL DEED COSTS	29.00

DEBIT & INTEREST:

DEBT-AMOUNT DUE	121,226.70
INTEREST FROM 10/7/02	9,385.25
TO BE ADDED TO SALE DATE	
TOTAL DEBT & INTEREST	130,611.95
COSTS:	
ATTORNEY FEES	
PROTH. SATISFACTION	
ADVERTISING	238.14
LATE CHARGES & FEES	
TAXES - collector to 1/03	520.41
TAXES - tax claim to 8/03	5,520.01
DUE	
COST OF SUIT -TO BE ADDED	
LIEN SEARCH	100.00
FORCLOSURE FEES/ESCROW DEFICIT	
ACKNOWLEDGEMENT	5.00
DEED COSTS	29.00
ATTORNEY COMMISSION	
SHERIFF COSTS	270.87
LEGAL JOURNAL AD	162.00
REFUND OF ADVANCE	
REFUND OF SURCHARGE	
PROTHONOTARY	120.00
MORTGAGE SEARCH	40.00
SATISFACTION FEE	
ESCROW DEFICIENCY	
MUNICIPAL LIEN	
TOTAL COSTS	7,005.43

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

CHESTER A. HAWKINS, Sheriff

FILED

SEP 26 2003
12:01 PM

William A. Shaw
Prothonotary

*8/26/03
GAS*