

02-1453-CD
Equicredit Corp vs Donald Daisher

02

02-1453-CD
EQUITCREDIT CORP. OF AMERICA vs. DONALD S. DAISHER

FEDERMAN AND PHELAN, LLP
By: FRANK FEDERMAN, ESQ., Id. No. 12248
LAWRENCE T. PHELAN, ESQ., Id. No. 32227
FRANCIS S. HALLINAN, ESQ., Id. No. 62695
ONE PENN CENTER PLAZA, SUITE 1400
PHILADELPHIA, PA 19103
(215) 563-7000

EQUICREDIT CORPORATION OF AMERICA
338 SOUTH WARMINSTER ROAD
HATBORO, PA 19040

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS
CIVIL DIVISION

Plaintiff

v.

TERM

NO. 2002-1453-c0

CLEARFIELD COUNTY

DONALD S. DAISHER
RT 1 BOX 60
A/K/A RD 1 BOX 60
MAHAFFEY, PA 15757

Defendant(s)

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

NOTICE

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

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you. YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

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

FILED

SEP 20 2002

AM 11:45 AM

William A. Shaw

Prothonotary

PP

50

IF THIS IS THE FIRST NOTICE THAT YOU HAVE RECEIVED FROM THIS OFFICE, BE ADVISED THAT:

PURSUANT TO THE FAIR DEBT COLLECTION PRACTICES ACT, 15 U.S.C. § 1692 et seq. (1977), DEFENDANT(S) MAY DISPUTE THE VALIDITY OF THE DEBT OR ANY PORTION THEREOF. IF DEFENDANT(S) DO SO IN WRITING WITHIN THIRTY (30) DAYS OF RECEIPT OF THIS PLEADING, COUNSEL FOR PLAINTIFF WILL OBTAIN AND PROVIDE DEFENDANT(S) WITH WRITTEN VERIFICATION THEREOF; OTHERWISE, THE DEBT WILL BE ASSUMED TO BE VALID. LIKEWISE, IF REQUESTED WITHIN THIRTY (30) DAYS OF RECEIPT OF THIS PLEADING, COUNSEL FOR PLAINTIFF WILL SEND DEFENDANT(S) THE NAME AND ADDRESS OF THE ORIGINAL CREDITOR, IF DIFFERENT FROM ABOVE.

THE LAW DOES NOT REQUIRE US TO WAIT UNTIL THE END OF THE THIRTY (30) DAY PERIOD FOLLOWING FIRST CONTACT WITH YOU BEFORE SUING YOU TO COLLECT THIS DEBT. EVEN THOUGH THE LAW PROVIDES THAT YOUR ANSWER TO THIS COMPLAINT IS TO BE FILED IN THIS ACTION WITHIN TWENTY (20) DAYS, YOU MAY OBTAIN AN EXTENSION OF THAT TIME. FURTHERMORE, NO REQUEST WILL BE MADE TO THE COURT FOR A JUDGMENT UNTIL THE EXPIRATION OF THIRTY (30) DAYS AFTER YOU HAVE RECEIVED THIS COMPLAINT. HOWEVER, IF YOU REQUEST PROOF OF THE DEBT OR THE NAME AND ADDRESS OF THE ORIGINAL CREDITOR WITHIN THE THIRTY (30) DAY PERIOD THAT BEGINS UPON YOUR RECEIPT OF THIS COMPLAINT, THE LAW REQUIRES US TO CEASE OUR EFFORTS (THROUGH LITIGATION OR OTHERWISE) TO COLLECT THE DEBT UNTIL WE MAIL THE REQUESTED INFORMATION TO YOU. YOU SHOULD CONSULT AN ATTORNEY FOR ADVICE CONCERNING YOUR RIGHTS AND OBLIGATIONS IN THIS SUIT.

1. Plaintiff is

EQUICREDIT CORPORATION OF AMERICA
338 SOUTH WARMINSTER ROAD
HATBORO, PA 19040

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

DONALD S. DAISHER
RT 1 BOX 60
A/K/A RD 1 BOX 60
MAHAFFEY, PA 15757

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

3. On 12/1/98 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to PLAINTIFF which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in INSTRUMENT #199800490.
4. The premises subject to said mortgage is described as attached.
5. The mortgage is in default because monthly payments of principal and interest upon said mortgage due 6/10/01 and each month thereafter are due and unpaid, and by the terms of said mortgage, upon failure of mortgagor to make such payments after a date specified by written notice sent to Mortgagor, the entire principal balance and all interest due thereon are collectible forthwith.

6. The following amounts are due on the mortgage:

Principal Balance	\$38,650.66
Interest	4,754.04
5/10/01 through 8/10/02	
(Per Diem \$10.38)	
Attorney's Fees	1,000.00
Cumulative Late Charges	426.94
12/1/98 to 8/10/02	
Cost of Suit and Title Search	<u>550.00</u>
Subtotal	\$45,381.64
Escrow	
Credit	0.00
Deficit	<u>0.00</u>
Subtotal	<u>\$ 0.00</u>
TOTAL	\$45,381.64

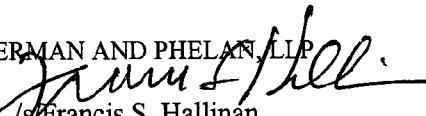
7. The attorney's fees set forth above are in conformity with the Mortgage documents and Pennsylvania Law, and will be collected in the event of a third party purchaser at Sheriff's Sale. If the Mortgage is reinstated prior to the Sale, reasonable attorney's fees will be charged.

8. The Combined Notice has been sent to the Defendant(s) by regular and certified mail as required by 35 P.S. §1680.403c.

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

- (i.) Defendant(s) have failed to meet with the Plaintiff or an authorized Credit Counseling Agency in accordance with Plaintiff's written Notice to Defendants; or
- (ii.) Defendant(s) application for assistance has been rejected by the Pennsylvania Housing Finance Agency.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$45,381.64, together with interest from 8/10/02 at the rate of \$10.38 per diem to the date of Judgment, and other costs and charges collectible under the mortgage and for the foreclosure and sale of the mortgaged property.

FEDERMAN AND PHELAN, LLP

 By: /s/ Francis S. Hallinan
 FRANK FEDERMAN, ESQUIRE
 LAWRENCE T. PHELAN, ESQUIRE
 FRANCIS S. HALLINAN, ESQUIRE
 Attorneys for Plaintiff

ALL that certain piece or parcel of land, with all improvements thereon, situate in the Borough of Mahaffey, Clearfield County, Pennsylvania, bound and described as follows:

FIRST PIECE: BEGINNING at a post on corner of Pine and Irvin Streets, east side, thence along said alley in an easterly direction, 100 feet to a post on M.P. Church lot; thence south 5 degrees 46 min. east, 85 ft. to Irvin St.; thence along Irvin St. about west 100 ft. to a post and place of beginning. Containing 8,500 sq. feet.

SECOND PIECE: ALL those two (2) certain lots or pieces of ground situate in the Borough of Mahaffey, County of Clearfield and State of Pennsylvania, known as Lots Nos. 66 and 67 in the general plan of lots in a block of lots bounded on the South by Irvin Street, on the west by Pine Street, on the North by Hickory Street, and on the East by the Curwensville Road, as shown by the general plan of said lots as revised by Mahaffey Borough, Pittsburgh & Eastern Railroad Company and the heirs of Robert Mahaffey, and being a part of purpart No. 37 of the Robert Mahaffey Estate as subdivided by his heirs; said lots Nos. 66 and 67 being bounded on the east by lands of the Methodist Protestant Church; on the West by the Lot of Georgianna Williams and Pine Street; on the South by Irvin Street, and on the North by other land of the Robert Mahaffey Estate.

BEING KNOWN AS ROUTE 1 BOX 60
A/K/A ROAD 1 BOX 60

VERIFICATION

MATT FEENEY hereby states that he is DOCUMENT CONTROL OFFICER of FAIRBANKS CAPITAL CORPORATION mortgage servicing agent for Plaintiff in this matter, that he is authorized to take this Verification, and that the statements made in the foregoing Civil Action in Mortgage Foreclosure are true and correct to the best of his knowledge, information and belief. The undersigned understands that this statement is made subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.



Matt Feeney

Document Control Officer

DATE: 9/13/02

FILED

SEP 20 2002

William A. SHAW
Prothonotary

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 13077

EQUICREDIT CORPORATION OF AMERICA

02-1453-CD

VS.

DAISHER, DONALD S.

COMPLAINT IN MORTGAGE FORECLOSURE

SHERIFF RETURNS

NOW OCTOBER 10, 2002 AT 10:33 AM DST SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON DONALD S. DAISHER, DEFENDANT AT THE SHERIFF'S OFFICE, MARKET ST., CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO DONALD S. DAISHER A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN TO HIM THE CONTENTS THEREOF.

SERVED BY: MORGILLO

Return Costs

Cost	Description
32.30	SHFF. HAWKINS PD. BY ATTY.
10.00	SURCHARGE PD BY ATTY.

Sworn to Before Me This

11 Day Of January 2003
William Shaw

So Answers,


Chester A. Hawkins
Sheriff

FILED
02-03 BA Doc
JAN 17 2003

William A. Shaw
Prothonotary

FEDERMAN AND PHELAN, LLP

By: Frank Federman, Esquire

Atty. I.D. No.: 12248

One Penn Center at Suburban Station

Suite 1400

Philadelphia, PA 19103-1814

(215) 563-7000

Attorney for Plaintiff

EQUICREDIT CORPORATION OF AMERICA

Plaintiff

vs.

**Court of Common Pleas
CLEARFIELD County
No. 2002-1453-CD**

DONALD S. DAISHER

Defendant(s)

**PRAECIPE TO WITHDRAW COMPLAINT,
WITHDRAW JUDGMENT AND DISCONTINUE AND
END ACTION, WITHOUT PREJUDICE**

TO THE PROTHONOTARY:

Kindly withdraw the complaint filed in the instant matter, without prejudice, withdraw the judgment entered on or around 11/14/02 in the amount of \$46,378.12 and mark this case discontinued and ended, upon payment of your costs only.

6/9/03

Date

Frank Federman

Frank Federman
Attorney for Plaintiff

FILED
1:51 BA 1cc + cut to file
JUN 12 2003

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

Equicredit Corporation of America

Vs.
Donald S. Daisher

No. 2002-01453-CD

CERTIFICATE OF DISCONTINUATION

Commonwealth of PA
County of Clearfield

I, William A. Shaw, Prothonotary of the Court of Common Pleas in and for the County and Commonwealth aforesaid do hereby certify that the above case was on June 12, 2003, marked:

Settled, Discontinued and Ended

Record costs in the sum of \$122.30 have been paid in full by Attorney.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 12th day of June A.D. 2003.

William A. Shaw, Prothonotary

LOAN OFFICER
BANKS IN BOSTON

INTEREST PAYMENT SCHEDULE

you'd have more than twice as many calendar years.
It'd be to calculate had occurred. However, you're not entitled to this right to one

year to have this demand paid by any third party.
Or to borrow money from another institution to pay off this debt, you have

have the right to sell the property to obtain money to pay off the property. You have

you have additional rights to help protect your interests in the property. You

property after the transfer's sale, a transfer could be settled to settle you.

gaged property and your right to receive it is, if you continue to live in the
you should realize the Sherriff's sale will end your ownership of the home

check, or money order and make payable to us as the addressee stated above.

After Code 16-27-461, this payment must be in cash, cashier's check, certified and
exactly what the designated payee will be by calling us at the following number:

to one the defaulter will receive the longer you wait. You may find out at any time
Sherriff's sale will be sent to you before the sale. Of course, the amount needed

appropriately April 16, 1985. A notice of the date of the

mailed that the sale and certain other requirements under the notice. It is essential
the foreclosure sale and certain other requirements under the notice. To do
classifications than due, as well as the reasonable expenses, fees and costs connected with

so by paying the cost of the unpaid monthly payments plus any late or other
sales at the time up to one hour before the Sherriff's foreclosure sale. You may do
proceedings have begun, you still have the right to cure the default and decrease the

If you have not cured the default within the thirty day period and foreclose
sums due under the mortgage.

We may also sue you personally for the unpaid principal balance and all other
within the chapter day period, you will not be entitled to any attorney's fees.

you owe us, which may also include our reasonable costs. If you cure the default

less, even if they are over \$50.00. Any attorney's fees will be added to whatever

PHELAN HALLINAN & SCHMIEG, LLP
By: DANIEL SCHMIEG, ESQUIRE
IDENTIFICATION NO. 12248
ONE PENN CENTER AT SUBURBAN STATION,
SUITE 1400
PHILADELPHIA, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS
CIVIL DIVISION

U.S. BANK NATIONAL ASSOCIATION, CLEARFIELD COUNTY
F/K/A FIRST BANK NATIONAL
ASSOCIATION TRUST, ACTING SOLELY No.: 2002-1453-CD
IN ITS CAPACITY AS TRUSTEE FOR
EQCC HOME EQUITY LOAN TRUST 1999-
1

vs.

DONALD S. DAISHER
MELINDA L. DAISHER

AFFIDAVIT

I hereby certify that a true and correct copy of the Notice of Sheriff Sale in the above captioned matter was sent by regular mail and certified mail, return receipt requested, to **MELINDA L. DAISHER, on 2/28/05 at RT 1 BOX 60 A/K/A RD 1 BOX 60, MAHAFFEY, PA 15757, 602 BRACKEN ROAD, MAHAFFEY, PA 15757 and 21866 STATE ROUTE 119, PUNXSUTAWNEY, PA 15767** in accordance with the Order of Court dated **7/6/04**.

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

Daniel G. Schmieg
DANIEL G. SCHMIEG, ESQUIRE

Date: March 1, 2005

FILED

MAR 02 2005

W/ 3:30/c
William A. Shaw
Prothonotary

SALE DATE: APRIL 1, 2005

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION – LAW

**U.S. BANK NATIONAL ASSOCIATION,
F/K/A FIRST BANK NATIONAL
ASSOCIATION TRUST, ACTING
SOLELY IN ITS CAPACITY AS
TRUSTEE FOR EQCC HOME EQUITY
LOAN TRUST 1999-1**

No.: 2002-1453-CD

vs.

**DONALD S. DAISHER
MELINDA L. DAISHER**

MAR 07 2005
M. W. Shaw
Prothonotary Clerk of Court
No C/C

**AFFIDAVIT PURSUANT TO RULE 3129.1
AND RETURN OF SERVICE PURSUANT TO
Pa. R.C.P. 405 OF NOTICE OF SALE**

Plaintiff in the above action sets forth as of the date the Praeclipe for the Writ of Execution was filed the following information concerning the real property located at:

RT 1 BOX 60 A/K/A RD 1 BOX 60, MAHAFFEY, PA 15757.

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 that address set forth on the attached Affidavit No. 2 (previously filed) and Amended Affidavit No. 2 on the date indicated, and a copy of the notice is attached as an Exhibit. A copy of the Certificate of Mailing (Form 3817) and/or Certified Mail Return Receipt stamped by the U.S. Postal Service is attached for each notice.


DANIEL SCHMIEG, ESQUIRE
Attorney for Plaintiff

March 2, 2005

CLEARFIELD COUNTY

**U.S. BANK NATIONAL ASSOCIATION,
F/K/A FIRST BANK NATIONAL
ASSOCIATION TRUST, ACTING
SOLELY IN ITS CAPACITY AS
TRUSTEE FOR EQCC HOME EQUITY
LOAN TRUST 1999-1**

No.: 2002-1453-CD

vs.

**DONALD S. DAISHER
MELINDA L. DAISHER**

**AMENDED AFFIDAVIT PURSUANT TO RULE 3129
(Affidavit No. 2)**

Plaintiff in the above action, by its attorney, Frank Federman, Esquire, sets forth as of the date the Praeclipe for the Writ of Execution was filed the following information concerning the real property located at **RT 1 BOX 60 A/K/A RD 1 BOX 60, MAHAFFEY, PA 15757:**

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

Name	Last Known Address (if address cannot be reasonably ascertained, please indicate)
COMMONWEALTH OF PENNSYLVANIA BUREAU OF INDIVIDUAL TAX INHERITANCE TAX DIVISION ATTENTION: JOHN MURPHY	6 TH FLOOR, STRAWBERRY SQUARE DEPT. 280601 HARRISBURG, PA 17128
DEPARTMENT OF PUBLIC WELFARE TPL CASUALTY UNIT ESTATE RECOVERY PROGRAM	P.O. BOX 8486 WILLOW OAK BUILDING HARRISBURG, PA 17105-8486
INTERNAL REVENUE SERVICE FEDERATED INVESTORS TOWER	13 TH FLOOR, SUITE 1300 1001 LIBERTY AVENUE PITTSBURGH, PA 15222

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

Name	Last Known Address (if address cannot be reasonably ascertained, please indicate)
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5. Name and address of every other person who has any record lien on the property:

Name	Last Known Address (if address cannot be reasonably ascertained, please indicate)
------	---

None.

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

Name	Last Known Address (if address cannot be reasonably ascertained, please indicate)
------	---

None.

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:

Name	Last Known Address (if address cannot be reasonably ascertained, please indicate)
------	---

None.

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. Sec. 4904 relating to unsworn falsification to authorities.



DANIEL SCHMIEG, ESQUIRE
Attorney for Plaintiff

March 2, 2005

U.S. BANK NATIONAL ASSOCIATION,
F/K/A FIRST BANK NATIONAL
ASSOCIATION TRUST, ACTING SOLELY
IN ITS CAPACITY AS TRUSTEE FOR
EQCC HOME EQUITY LOAN TRUST
1999-1

CLEARFIELD COUNTY

No.: 03-1618-CD

vs.

DONALD S. DAISHER
MELINDA L. DAISHER

AFFIDAVIT PURSUANT TO RULE 3129
(Affidavit No. 1)

U.S. BANK NATIONAL ASSOCIATION, F/K/A FIRST BANK NATIONAL ASSOCIATION TRUST, ACTING SOLELY IN ITS CAPACITY AS TRUSTEE FOR EQCC HOME EQUITY LOAN TRUST 1999-1, Plaintiff in the above action, by its attorney, Daniel G. Schmieg, Esquire, sets forth as of the date the Praeclipe for the Writ of Execution was filed the following information concerning the real property located at RT 1 BOX 60 A/K/A RD 1 BOX 60, MAHAFFEY, PA 15757:

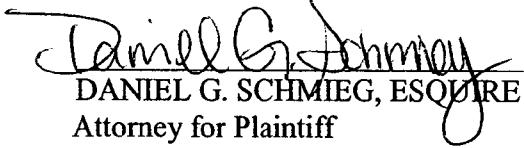
1. Name and address of Owner(s) or reputed Owner(s):

Name	Last Known Address (if address cannot be reasonably ascertained, please indicate)
DONALD S. DAISHER	RT 1 BOX 60 A/K/A RD 1 BOX 60 MAHAFFEY, PA 15757
MELINDA L. DAISHER	RRI BOX 434 BRACKEN ROAD MAHAFFEY, PA 15757

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

SAME AS ABOVE

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. Sec. 4904 relating to unsworn falsification to authorities.


DANIEL G. SCHMIEG, ESQUIRE

Attorney for Plaintiff

December 7, 2004

CLEARFIELD COUNTY

U.S. BANK NATIONAL ASSOCIATION,
F/K/A FIRST BANK NATIONAL
ASSOCIATION TRUST, ACTING SOLELY
IN ITS CAPACITY AS TRUSTEE FOR
EQCC HOME EQUITY LOAN TRUST 1999-
1

No.: 03-1618-CD

vs.

DONALD S. DAISHER
MELINDA L. DAISHER

AFFIDAVIT PURSUANT TO RULE 3129
(Affidavit No. 2)

U.S. BANK NATIONAL ASSOCIATION, F/K/A FIRST BANK NATIONAL ASSOCIATION
TRUST, ACTING SOLELY IN ITS CAPACITY AS TRUSTEE FOR EQCC HOME EQUITY LOAN TRUST
1999-1, Plaintiff in the above action, by its attorney, Daniel G. Schmieg, Esquire, sets forth as of the date the Praeclipe for the Writ of Execution was filed the following information concerning the real property located at
RT 1 BOX 60 A/K/A RD 1 BOX 60, MAHAFFEY, PA 15757:

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

Name	Last Known Address (if address cannot be reasonably ascertained, please indicate)
------	---

None.

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

Name	Last Known Address (if address cannot be reasonable ascertained, please indicate)
------	---

None.

5. Name and address of every other person who has any record lien on the property:

None.

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

Clearfield County Domestic Relations Clearfield County Courthouse
230 East Market Street
Clearfield, PA 16830

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

Commonwealth of Pennsylvania
Department of Welfare

PO Box 2675
Harrisburg, PA 17105

Tenant/Occupant RT 1 BOX 60 A/K/A RD 1 BOX 60
MAHAFFEY, PA 15757

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. Sec. 4904 relating to unsworn falsification to authorities.

Daniel G. Schmieg
DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

December 7, 2004

PHELAN HALLINAN & SCHMIEG, LLP
By: DANIEL SCHMIEG, ESQUIRE
IDENTIFICATION NO. 12248
ONE PENN CENTER AT SUBURBAN STATION,
SUITE 1400
PHILADELPHIA, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF
COURT OF COMMON PLEAS
CIVIL DIVISION

U.S. BANK NATIONAL ASSOCIATION, CLEARFIELD COUNTY
F/K/A FIRST BANK NATIONAL
ASSOCIATION TRUST, ACTING SOLELY No.: 2002-1453-CD
IN ITS CAPACITY AS TRUSTEE FOR
EQCC HOME EQUITY LOAN TRUST 1999-
1

vs.

DONALD S. DAISHER
MELINDA L. DAISHER

FILE COPY

AFFIDAVIT

I hereby certify that a true and correct copy of the Notice of Sheriff Sale in the above captioned matter was sent by regular mail and certified mail, return receipt requested, to **MELINDA L. DAISHER, on 2/28/05 at RT 1 BOX 60 A/K/A RD 1 BOX 60, MAHAFFEY, PA 15757, 602 BRACKEN ROAD, MAHAFFEY, PA 15757 and 21866 STATE ROUTE 119, PUNXSUTAWNEY, PA 15767** in accordance with the Order of Court dated **7/6/04**.

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

Daniel G. Schmieg
DANIEL G. SCHMIEG, ESQUIRE

Date: March 1, 2005

Name and
Address
Of Sender

FEDERMAN PHELAN, LLP
One Penn Center at Suburban Station
Philadelphia, PA 19103-1814

SANDRA COOPER ~~RE~~ SB TMS

Line Article Number Name of Addressee, Street, and Post Office Address

1 DONALD S. DAISHER COMMONWEALTH OF PENNSYLVANIA
BUREAU OF INDIVIDUAL TAX
INHERITANCE TAX DIVISION
ATTENTION: JOHN MURPHY
6TH FLOOR, STRAWBERRY SQUARE
DEPT. 280601
HARRISBURG, PA 17128

2 8387001244 DEPARTMENT OF PUBLIC WELFARE
TPL CASUALTY UNIT
ESTATE RECOVERY PROGRAM
P.O. BOX 8486
WILLOW OAK BUILDING
HARRISBURG, PA 17105-8486

3 INTERNAL REVENUE SERVICE
FEDERATED INVESTORS TOWER
13TH FLOOR, SUITE 1300
1001 LIBERTY AVENUE
PITTSBURGH, PA 15222

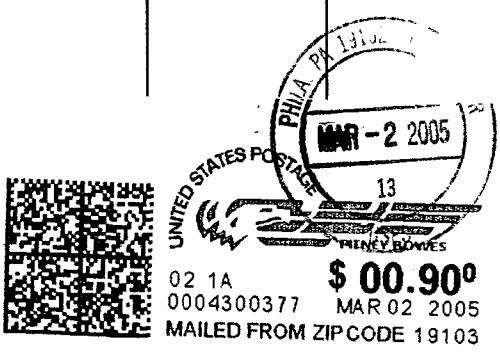
4
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12
13
14
15

Total Number of
Pieces Listed By Sender

Total Number of Pieces
Received at Post Office

Postmaster, Per (Name Of Receiving
Employee)

Postage Fee



The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000.00 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise insurance is \$500. The maximum indemnity payable is \$25,000 for registered mail, sent with optional insurance. See Domestic Mail Manual R200, S913 and S921 for limitations of coverage.

Name and
Address
Of Sender

FEDERMAN PHELAN, LLP
One Penn Center at Suburban Station Suite 1400
Philadelphia, PA 19103-1814 SANDRA COOPER/KIO

Line	Article Number	Name of Addressee, Street, and Post Office Address	Postage	Fee
1	DONALD S. DAISHER	Tenant/Occupant, RT 1 BOX 60 A/K/A RD 1 BOX 60, MAHAFFEY, PA 15757		
2	8387001244	Clearfield County Domestic Relations Clearfield County Courthouse 230 East Market Street Clearfield, PA 16830		
3		Commonwealth of Pennsylvania Department of Welfare PO Box 2675 Harrisburg, PA 17105		
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				
Total Number of Pieces Listed By Sender		Total Number of Pieces Received at Post Office	Postmaster, Per (Name Of Receiving Employee)	The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000.00 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise insurance is \$500. The maximum indemnity payable is \$25,000 for registered mail, sent with optional insurance. See Domestic Mail Manual R900, S913 and S921 for limitations of coverage.



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