

03-1618-CD  
U.S. BANK NATIONAL ASSOC. vs. DONALD S. DAISSHER, et al.

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

ATTORNEY FOR PLAINTIFF  
COURT OF COMMON PLEAS  
CIVIL DIVISION

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  
338 SOUTH WARMINSTER RD  
HATBORO, PA 19040

COURT OF COMMON PLEAS  
CIVIL DIVISION

TERM

NO. 03-1618-18

Plaintiff

CLEARFIELD COUNTY

v.

DONALD S. DAISHER  
MELINDA L. DAISHER  
RR 1 BOX 434 BRACKEN ROAD  
MAHAFFEY, PA 15757

Defendant(s)

**CIVIL ACTION - LAW**  
**COMPLAINT IN MORTGAGE FORECLOSURE**

**NOTICE**

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim 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, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

**FILED**

OCT 30 2003

William A. Shaw  
Prothonotary

CLEARFIELD COUNTY  
DAVID S. MEHOLICK, COURT ADMINISTRATOR  
CLEARFIELD COUNTY COURTHOUSE  
CLEARFIELD, PA 16830  
(814) 765-2641 EXT. 5982

**We hereby certify the  
within to be a true and  
correct copy of the  
original filed of record  
FEDERMAN AND PHELAN**

**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.**

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1. Plaintiff is

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

DONALD S. DAISHER  
MELINDA L. DAISHER  
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who is/are the mortgagor(s) and real owner(s) of the property hereinafter described.


3. On 12/01/1998 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to which mortgage is recorded by EQUICREDIT CORPORATION OF PA, in Mortgage instrument no.199800490. . By Assignment of Mortgage recorded 12/23/2002 the mortgage was assigned to EQUICREDIT CORPORATION OF AMERICA which Assignment is recorded in Assignment of Mortgage instrument No.200220552. PLAINTIFF is now the legal owner of the mortgage and is in the process of formalizing an assignment of same
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 06/10/2001 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  | 9,086.90            |
| 05/10/2001 through 10/16/2003<br>(Per Diem \$10.21) |                     |
| Attorney's Fees                                     | 1,250.00            |
| Cumulative Late Charges                             | 460.72              |
| 12/01/1998 to 10/16/2003                            |                     |
| Cost of Suit and Title Search                       | \$ 550.00           |
| Subtotal  | \$ 49,998.28        |
| Escrow  |                     |
| Credit  | 0.00                |
| Deficit   | 2,195.22            |
| Subtotal  | \$ 2,195.22         |
| <b>TOTAL</b>  | <b>\$ 52,193.50</b> |

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. Notice of Intention to Foreclose as set forth in Act 6 of 1974, Notice of Homeowner's Emergency Assistance Program pursuant to Act 91 of 1983, as amended in 1998, and/or Notice of Default as required by the mortgage document, as applicable, have been sent to the Defendant(s) on the date(s) set forth thereon, and the temporary stay as provided by said notice has terminated because Defendant(s) has/have failed to meet with the Plaintiff or an authorized consumer credit counseling agency, or has/have been denied assistance by the Pennsylvania Housing Finance Agency.
9. This action does not come under Act 91 of 1983 because the mortgage premises is not the principal residence of Defendant(s).
10. This action does not come under Act 91 of 1983 because the mortgage is more than twenty-four (24) months in arrears.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 52,193.50, together with interest from 10/16/2003 at the rate of \$10.21 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

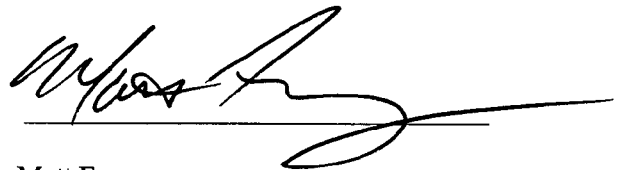
**ALL THAT CERTAIN** piece or parcel of land with all improvements thereon, situate in the Borough of Mahaffey, Clearfield County, Pennsylvania bound and described as follows:

**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 minutes East, 85 feet to Irvin Street; thence along Irvin Street about West 100 feet to a post and place of beginning. Containing 8,500 square feet.

**BEING KNOWN AS:RT 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: \_\_\_\_\_

10/16/03

5 Jan 04 Document  
Reinstated/~~Reissued~~ to Sheriff/Attorney  
for service.

William A. Shaw  
Deputy Prothonotary

11 Mar 04 Document  
Reinstated/~~Reissued~~ to Sheriff/Attorney  
for service.

William A. Shaw  
Deputy Prothonotary

7-2-04 Document  
Reinstated/~~Reissued~~ to Sheriff/Attorney  
for service.

William A. Shaw  
Deputy Prothonotary

William A. Shaw  
Prothonotary

FILED  
M 10:47 AM  
OCT 30 2003  
JL 65-03



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

U.S. BANK NATIONAL ASSOC.

Sheriff Docket # 14776

VS.

03-1618-CD

DAISHER, DONALD S. & MELINDA L.

COMPLAINT IN MORTGAGE FORECLOSURE

**SHERIFF RETURNS**

NOW DECEMBER 12, 2003 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURN THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE "NOT FOUND" AS TO MELINDA L. DAISHER, DEFENDANT. MOVED, LEFT NO FORWARDING FROM RR#1 BOX 434, BRACKEN ROAD, MAHAFFEY, PA. And Rt #1 BOX 60, MAHAFFEY, PA.

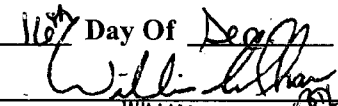
NOW DECEMBER 12, 2003 RETURN THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE "NOT SERVED, TIME EXPIRED" AS TO DONALD S. DAISHER, DEFENDANT. COULD NOT LOCATE RESIDENCE, MUST BE SERVED IN THE EVENING.


**Return Costs**

| Cost  | Description                   |
|-------|-------------------------------|
| 54.84 | SHERIFF HAWKINS PAID BY: ATTY |
| 40.00 | SURCHARGE PAID BY: ATTY       |

Sworn to Before Me This

So Answers,

16<sup>th</sup> Day Of Dec 2003  
  
WILLIAM A. SHAW  
Prothonotary  
My Commission Expires  
1st Monday in Jan. 2006  
Clearfield Co., Clearfield, PA

  
Chester A. Hawkins  
Sheriff

**FILED**  
*010:31*  
DEC 16 2003

William A. Shaw  
Prothonotary/Clerk of Courts

FEDERMAN AND PHELAN, LLP

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

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CLEARFIELD COUNTY COURTHOUSE  
CLEARFIELD, PA 16830  
(814) 765-2641 EXT. 5982

OCT 30 2003

Attest.

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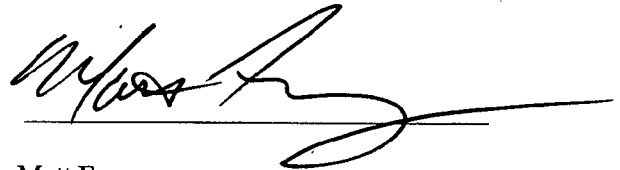
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VERIFICATION

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A handwritten signature in black ink, appearing to read 'Matt Feeny', is written over a horizontal line.

Matt Feeny

Document Control Officer

DATE: \_\_\_\_\_

10/16/03

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| Subtotal  | <u>\$ 2,195.22</u>  |
| <b>TOTAL</b>  | <b>\$ 52,193.50</b> |

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FEDERMAN AND PHELAN, LLP

By: \_\_\_\_\_

  
/s/Francis S. Hallinan

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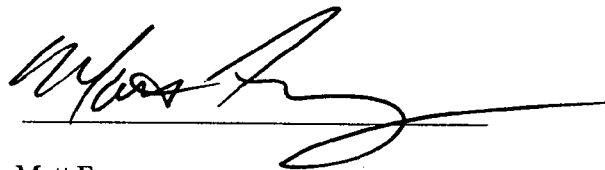
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Matt Feeney

Document Control Officer

DATE: \_\_\_\_\_

10/16/03

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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

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS  
CIVIL DIVISION

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  
338 SOUTH WARMINSTER RD  
HATBORO, PA 19040

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

NO. 03-1618-CD

Plaintiff

v.

CLEARFIELD COUNTY

DONALD S. DAISHER  
MELINDA L. DAISHER  
RR 1 BOX 434 BRACKEN ROAD  
MAHAFFEY, PA 15757

Defendant(s)

**CIVIL ACTION - LAW**  
**COMPLAINT IN MORTGAGE FORECLOSURE**

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CLEARFIELD COUNTY

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

DAVID S. MEHOLICK, COURT ADMINISTRATOR  
CLEARFIELD COUNTY COURTHOUSE  
CLEARFIELD, PA 16830  
(814) 765-2641 EXT. 5982

OCT 30 2003

Attest:

*Donna L. Pheasant*  
Honorary/  
Clerk of Courts

**We hereby certify the  
within to be a true and  
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original filed of record  
FEDERMAN AND PHELAN**

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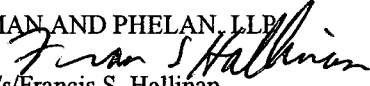
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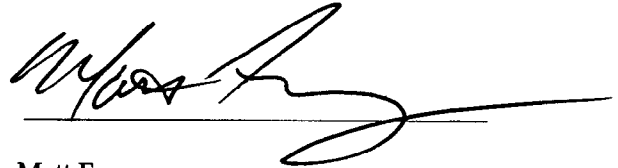
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Matt Feeny

Document Control Officer

DATE: \_\_\_\_\_

10/16/03

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ATTORNEY FOR PLAINTIFF

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CIVIL DIVISION

TERM

NO. 03-1618-LD

Plaintiff

v.

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MELINDA L. DAISHER  
RR 1 BOX 434 BRACKEN ROAD  
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By: \_\_\_\_\_

*Francis S. Hallinan*  
/s/Francis S. Hallinan

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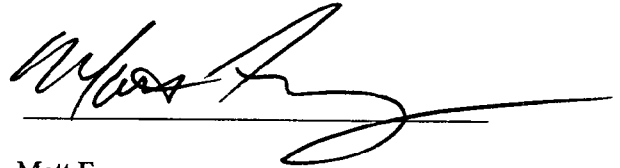
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Plaintiff

vs.

DONALD S. DAISHER  
MELINDA L. DAISHER

Defendants

: COURT OF COMMON PLEAS  
:  
: CIVIL DIVISION  
:  
: CLEARFIELD County

**FILED**

JAN 02 2004

William A. Shaw  
Prothonotary/Clerk of Courts

:  
: No. 03-1618-CD  
:  
:  
:

**PRAECIPE TO REINSTATE CIVIL ACTION/MORTGAGE FORECLOSURE**

TO THE PROTHONOTARY:

Kindly reinstate the Civil Action in Mortgage Foreclosure with reference to the above captioned matter.

FEDERMAN AND PHELAN, LLP

By: 

FRANK FEDERMAN, ESQUIRE  
LAWRENCE T. PHELAN, ESQUIRE  
FRANCIS S. HALLINAN, ESQUIRE  
Attorneys for Plaintiff

Date: December 30, 2003

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

U.S. BANK NATIONAL ASSOC.

Sheriff Docket #

14776

VS.

03-1618-CD

DAISHER, DONALD S. & MELINDA L.

**COMPLAINT IN MORTGAGE FORECLOSURE**

**SHERIFF RETURNS**

NOW JANUARY 27, 2004 AT 2:45 PM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON DONALD S. DAISHER, DEFENDANT AT MEETING PLACE, WENDELL'S RESTAURANT, MAHAFFEY, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO DONALD S. DAISHER TWO TRUE AND ATTESTED COPIES OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN TO HIM THE CONTENTS THEREOF. THE CORRECT ADDRESS FOR THE DEFENDANT IS 690 BRACKEN ROAD, MAHAFFEY, PA. ACCORDING TO THE DEPUTIES RR#1 BOX 434, BRACKEN ROAD, MAHAFFEY, PA. and RT #1 BOX 60, MAHAFFEY, PA. ARE THE SAME PLACE.

NOW FEBRUARY 9, 2004 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURN THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE "NOT FOUND" AS TO MELINDA L. DAISHER, DEFENDANT. ACCORDING TO DONALD DAISHER THEY ARE DIVORCED AND SHE LIVES NEAR STONEBORO, MERCER COUNTY, PA.

**Return Costs**

| Cost  | Description                              |
|-------|--|
| 46.50 | SHERIFF HAWKINS PAID BY: ATTY CK# 321618 |
| 40.00 | SURCHARGE PAID BY: ATTY                  |

Sworn to Before Me This

-9 Day Of February 2004  
William A. Shaw

So Answers,

Chester A. Hawkins  
Cy Marilyn Harris  
Chester A. Hawkins  
Sheriff

**FILED**

© 2-55 SA  
FEB 06 2004

William A. Shaw  
Prothonotary

FEDERMAN AND PHELAN, LLP  
By: FRANK FEDERMAN, ESQ., Id. No. 12248  
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Defendant(s)

**FEDERMAN AND PHELAN  
ATTORNEY FILE COPY  
PLEASE RETURN**

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CLEARFIELD COUNTY  
DAVID S. MEHOLICK, COURT ADMINISTRATOR  
CLEARFIELD COUNTY COURTHOUSE  
CLEARFIELD, PA 16830  
(814) 765-2641 EXT. 5982

**FILED**

OCT 30 2003

William A. Shaw  
Prothonotary

**We hereby certify the  
within to be a true and  
correct copy of the  
original filed of record  
FEDERMAN AND PHELAN**

1-2-04 Document  
Reinstated/Reinstated to Sheriff/Attorney  
for service.

*William A. Shaw*  
Prothonotary

**FEDERMAN AND PHELAN  
ATTORNEY FILE COPY  
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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

ATTORNEY FOR PLAINTIFF  
  
COURT OF COMMON PLEAS  
CIVIL DIVISION

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  
338 SOUTH WARMINSTER RD  
HATBORO, PA 19040

COURT OF COMMON PLEAS  
  
CIVIL DIVISION  
  
TERM  
  
NO.

Plaintiff

v.

CLEARFIELD COUNTY

DONALD S. DAISHER  
MELINDA L. DAISHER  
RR 1 BOX 434 BRACKEN ROAD  
MAHAFFEY, PA 15757

Defendant(s)

**CIVIL ACTION - LAW**  
**COMPLAINT IN MORTGAGE FORECLOSURE**

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1. Plaintiff is

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  
338 SOUTH WARMINSTER RD  
HATBORO, PA 19040

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

DONALD S. DAISHER  
MELINDA L. DAISHER  
RR 1 BOX 434 BRACKEN ROAD  
MAHAFFEY, PA 15757

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

3. On 12/01/1998 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to which mortgage is recorded by EQUICREDIT CORPORATION OF PA, in Mortgage instrument no. 199800490. . By Assignment of Mortgage recorded 12/23/2002 the mortgage was assigned to EQUICREDIT CORPORATION OF AMERICA which Assignment is recorded in Assignment of Mortgage instrument No. 200220552. PLAINTIFF is now the legal owner of the mortgage and is in the process of formalizing an assignment of same
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 06/10/2001 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  | 9,086.90            |
| 05/10/2001 through 10/16/2003<br>(Per Diem \$10.21) |                     |
| Attorney's Fees                                     | 1,250.00            |
| Cumulative Late Charges                             | 460.72              |
| 12/01/1998 to 10/16/2003                            |                     |
| Cost of Suit and Title Search                       | \$ 550.00           |
| Subtotal  | \$ 49,998.28        |
| Escrow  |                     |
| Credit  | 0.00                |
| Deficit   | 2,195.22            |
| Subtotal  | \$ 2,195.22         |
| <b>TOTAL</b>  | <b>\$ 52,193.50</b> |

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. Notice of Intention to Foreclose as set forth in Act 6 of 1974, Notice of Homeowner's Emergency Assistance Program pursuant to Act 91 of 1983, as amended in 1998, and/or Notice of Default as required by the mortgage document, as applicable, have been sent to the Defendant(s) on the date(s) set forth thereon, and the temporary stay as provided by said notice has terminated because Defendant(s) has/have failed to meet with the Plaintiff or an authorized consumer credit counseling agency, or has/have been denied assistance by the Pennsylvania Housing Finance Agency.
9. This action does not come under Act 91 of 1983 because the mortgage premises is not the principal residence of Defendant(s).
10. This action does not come under Act 91 of 1983 because the mortgage is more than twenty-four (24) months in arrears.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 52,193.50, together with interest from 10/16/2003 at the rate of \$10.21 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



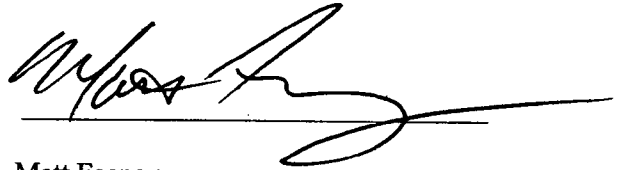
**ALL THAT CERTAIN** piece or parcel of land with all improvements thereon, situate in the Borough of Mahaffey, Clearfield County, Pennsylvania bound and described as follows:

**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 minutes East, 85 feet to Irvin Street; thence along Irvin Street about West 100 feet to a post and place of beginning. Containing 8,500 square feet.

**BEING KNOWN AS: RT 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.

A handwritten signature in black ink, appearing to read 'Matt Feeney', written over a horizontal line.

Matt Feeney

Document Control Officer

DATE: 10/16/03

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

ATTORNEY FOR PLAINTIFF  
COURT OF COMMON PLEAS  
CIVIL DIVISION

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338 SOUTH WARMINSTER RD  
HATBORO, PA 19040

COURT OF COMMON PLEAS  
CIVIL DIVISION

TERM

NO. 03-1618-CO

Plaintiff

v.

CLEARFIELD COUNTY

DONALD S. DAISHER  
MELINDA L. DAISHER  
RR 1 BOX 434 BRACKEN ROAD  
MAHAFFEY, PA 15757

Defendant(s)

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**CIVIL ACTION - LAW**  
**COMPLAINT IN MORTGAGE FORECLOSURE**

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CLEARFIELD COUNTY  
DAVID S. MEHOLICK, COURT ADMINISTRATOR  
CLEARFIELD COUNTY COURTHOUSE  
CLEARFIELD, PA 16830  
(814) 765-2641 EXT. 5982

**FILED**

OCT 30 2003

William A. Shaw  
Prothonotary

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Deputy Prothonotary

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TERM  
  
NO.

Plaintiff

v.

CLEARFIELD COUNTY

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Defendant(s)

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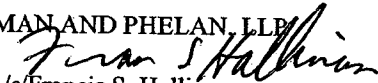
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FEDERMAN AND PHELAN, LLP  
By:   
/s/Francis S. Hallinan  
FRANK FEDERMAN, ESQUIRE  
LAWRENCE T. PHELAN, ESQUIRE  
FRANCIS S. HALLINAN, ESQUIRE  
Attorneys for Plaintiff

**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:

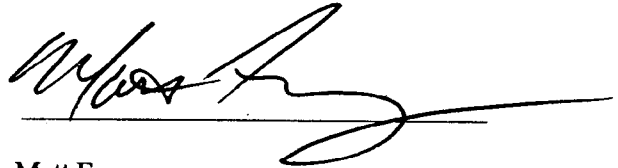
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**BEING KNOWN AS: RT 1 BOX 60**



VERIFICATION

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A handwritten signature in black ink, appearing to read 'Matt Feeny', is written over a horizontal line.

Matt Feeny

Document Control Officer

DATE: 10/16/03

FEDERMAN AND PHELAN, LLP  
FRANK FEDERMAN, ESQ., Id. No. 12248  
LAWRENCE T. PHELAN, ESQ., Id. No. 32227  
FRANCIS S. HALLINAN, ESQ., Id. No. 62695  
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ATTORNEY FOR PLAINTIFF

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

: COURT OF COMMON PLEAS  
:  
: CIVIL DIVISION  
:  
: CLEARFIELD County

Plaintiff

vs.

DONALD S. DAISHER  
MELINDA L. DAISHER

Defendants

:  
: No. 03-1618-CD  
:  
:  
:

**FILED**


**MAR 11 2004**

William A. Shaw  
Prothonotary/Clerk of Courts

**PRAECIPE TO REINSTATE CIVIL ACTION/MORTGAGE FORECLOSURE**

TO THE PROTHONOTARY:

Kindly reinstate the Civil Action in Mortgage Foreclosure with reference to the above captioned matter.

FEDERMAN AND PHELAN, LLP  
By:   
FRANK FEDERMAN, ESQUIRE  
LAWRENCE T. PHELAN, ESQUIRE  
FRANCIS S. HALLINAN, ESQUIRE  
Attorneys for Plaintiff

Date: March 4, 2004

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

U.S. BANK NATIONAL ASSOC.

VS.

DAISHER, DONALD S. & MELINDA L.

Sheriff Docket # 14776

03-1618-CD

COMPLAINT IN MORTGAGE FORECLOSURE

**SHERIFF RETURNS**

NOW MARCH 24, 2004 ATTEMPTED TO SERVE THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON MELINDA L. DAISHER, DEFENDANT AT 602 BRACKEN ROAD, MAHAFFEY, CLEARFIELD COUNTY, PENNSYLVANIA. ACCORDING TO POST OFFICE DEFENDANT RESIDES IN PLUMVILLE, PA. AREA AND WORKS AT DOLLAR TREE STORE, PUNXSUTAWNEY, PA.

NOW APRIL 5, 2004, THOMAS DEMKO, SHERIFF OF JEFFERSON COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON MELINDA L. DAISHER, DEFENDANT.

NOW APRIL 19, 2004 ATTEMPTED TO SERVE THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON MELINDA L. DAISHER, DEFENDANT BY DEPUTIZING THE SHERIFF OF JEFFERSON COUNTY. THE RETURN OF SHERIFF DEMKO IS HERETO ATTACHED AND MADE A PART OF THIS RETURN MARKED "NOT FOUND" DEFENDANT MOVED TO GROVE CITY, PA.

**Return Costs**

| Cost  | Description                              |
|-------|--|
| 30.50 | SHERIFF HAWKINS PAID BY: ATTY CK# 337461 |
| 10.00 | SURCHARGE PAID BY: ATTY CK# 336484       |
| 31.50 | JEFFERSON CO. SHFF. PAID BY: ATTY        |

Sworn to Before Me This

29<sup>th</sup> Day Of April 2004

*William A. Shaw*

**FILED**

APR 29 2004

@ 10:43 am

William A. Shaw  
Prothonotary

So Answers,

*Chester A. Hawkins*  
*My Maulyr Hawk*

Chester A. Hawkins  
Sheriff

No. 03-1618-C.D.

Now, April 19, 2004, I return the within Reinstated Notice and Civil Action  
Law Complaint in Mortgage Foreclosure for MELINDA S. DAISHER, Defendant, as  
unable to serve, Defendant, moved to Grove City.

|                         |               |
|-------------------------|---------------|
| Advance Costs Received: | \$125.00      |
| My Costs:               | \$ 29.50 Paid |
| Prothy:                 | \$ 2.00       |
| Total Costs:            | \$ 31.50      |
| Refunded:               | \$ 93.50      |

Sworn and subscribed

to before me this

day of

By

22nd

April 2004

By Raymond S. Leut

My Commission Expires The  
First Monday January 2008

So Answers,

Thomas A. Demko

Sheriff

JEFFERSON COUNTY, PENNSYLVANIA

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

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  
338 SOUTH WARMINSTER RD  
HATBORO, PA 19040

Plaintiff

v.

DONALD S. DAISHER  
MELINDA L. DAISHER  
RR 1 BOX 434 BRACKEN ROAD  
MAHAFFEY, PA 15757

Defendant(s)

**CIVIL ACTION - LAW**  
**COMPLAINT IN MORTGAGE FORECLOSURE**

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CLEARFIELD COUNTY  
DAVID S. MEHOLICK, COURT ADMINISTRATOR  
CLEARFIELD COUNTY COURTHOUSE  
CLEARFIELD, PA 16830  
(814) 765-2641 EXT. 5982

**We hereby certify the  
within to be a true and  
correct copy of the  
original filed of record  
FEDERMAN AND PHELAN**

3-11-04 Document  
Reinstated/Reinstated to Sheriff/Attorney  
for service.

Deputy Prothonotary  
WILLIAM A. SHAW  
Prothonotary  
My Commission Expires  
1st Monday in Jan. 2006  
Clearfield Co., Clearfield, PA  
ATTORNEY FOR PLAINTIFF  
COURT OF COMMON PLEAS  
CIVIL DIVISION

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

NO. 03-1618-CD

CLEARFIELD COUNTY

**FEDERMAN AND PHELAN  
ATTORNEY FILE COPY  
PLEASE RETURN**

**FILED**

OCT 30 2003

William A. Shaw  
Prothonotary

**FEDERMAN AND PHELAN  
ATTORNEY FILE COPY  
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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

---

ATTORNEY FOR PLAINTIFF  
  
COURT OF COMMON PLEAS  
CIVIL DIVISION

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COURT OF COMMON PLEAS  
  
CIVIL DIVISION  
  
TERM  
  
NO.

Plaintiff

v.

CLEARFIELD COUNTY

DONALD S. DAISHER  
MELINDA L. DAISHER  
RR 1 BOX 434 BRACKEN ROAD  
MAHAFFEY, PA 15757

Defendant(s)

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FEDERMAN AND PHELAN**

**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

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  
338 SOUTH WARMINSTER RD  
HATBORO, PA 19040

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

DONALD S. DAISHER  
MELINDA L. DAISHER  
RR 1 BOX 434 BRACKEN ROAD  
MAHAFFEY, PA 15757

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

3. On 12/01/1998 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to which mortgage is recorded by EQUICREDIT CORPORATION OF PA, in Mortgage instrument no. 199800490. . By Assignment of Mortgage recorded 12/23/2002 the mortgage was assigned to EQUICREDIT CORPORATION OF AMERICA which Assignment is recorded in Assignment of Mortgage instrument No. 200220552. PLAINTIFF is now the legal owner of the mortgage and is in the process of formalizing an assignment of same
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 06/10/2001 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  | 9,086.90            |
| 05/10/2001 through 10/16/2003<br>(Per Diem \$10.21) |                     |
| Attorney's Fees                                     | 1,250.00            |
| Cumulative Late Charges                             | 460.72              |
| 12/01/1998 to 10/16/2003                            |                     |
| Cost of Suit and Title Search                       | <u>\$ 550.00</u>    |
| Subtotal  | \$ 49,998.28        |
| Escrow  |                     |
| Credit  | 0.00                |
| Deficit   | 2,195.22            |
| Subtotal  | <u>\$ 2,195.22</u>  |
| <b>TOTAL</b>  | <b>\$ 52,193.50</b> |

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. Notice of Intention to Foreclose as set forth in Act 6 of 1974, Notice of Homeowner's Emergency Assistance Program pursuant to Act 91 of 1983, as amended in 1998, and/or Notice of Default as required by the mortgage document, as applicable, have been sent to the Defendant(s) on the date(s) set forth thereon, and the temporary stay as provided by said notice has terminated because Defendant(s) has/have failed to meet with the Plaintiff or an authorized consumer credit counseling agency, or has/have been denied assistance by the Pennsylvania Housing Finance Agency.
9. This action does not come under Act 91 of 1983 because the mortgage premises is not the principal residence of Defendant(s).
10. This action does not come under Act 91 of 1983 because the mortgage is more than twenty-four (24) months in arrears.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 52,193.50, together with interest from 10/16/2003 at the rate of \$10.21 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:   
FRANK FEDERMAN, ESQUIRE  
LAWRENCE T. PHELAN, ESQUIRE  
FRANCIS S. HALLINAN, ESQUIRE  
Attorneys for Plaintiff

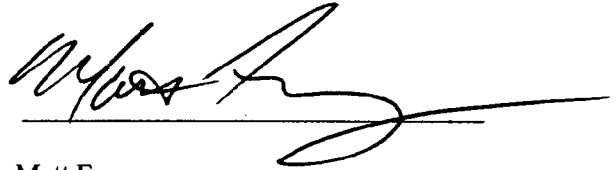
**ALL THAT CERTAIN** piece or parcel of land with all improvements thereon, situate in the Borough of Mahaffey, Clearfield County, Pennsylvania bound and described as follows:

**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 minutes East, 85 feet to Irvin Street; thence along Irvin Street about West 100 feet to a post and place of beginning. Containing 8,500 square feet.

**BEING KNOWN AS: RT 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.

A handwritten signature in black ink, appearing to read 'Matt Feeney', written over a horizontal line.

Matt Feeney

Document Control Officer

DATE: 10/16/03

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

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for service.

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

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS  
CIVIL DIVISION

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

NO. 03-1618-0

CLEARFIELD COUNTY

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Plaintiff

v.

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MELINDA L. DAISHER  
RR 1 BOX 434 BRACKEN ROAD  
MAHAFFEY, PA 15757

Defendant(s)

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CIVIL ACTION - LAW  
COMPLAINT IN MORTGAGE FORECLOSURE

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CLEARFIELD COUNTY COURTHOUSE  
CLEARFIELD, PA 16830  
(814) 765-2641 EXT. 5982

We hereby certify the  
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FEDERMAN AND PHELAN

FILED  
1047  
OCT 30 2003

William A. Shaw  
Prothonotary

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ATTORNEY FOR PLAINTIFF  
  
COURT OF COMMON PLEAS  
CIVIL DIVISION

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



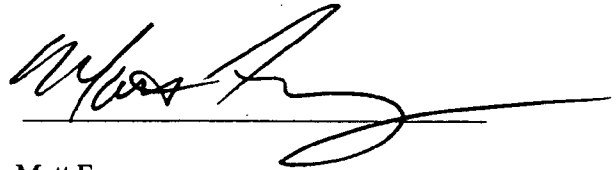
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**BEING KNOWN AS: RT 1 BOX 60**

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A handwritten signature in black ink, appearing to read 'Matt Feeney', written over a horizontal line.

Matt Feeney

Document Control Officer

DATE: 10/16/03

FILED

JUL 02 2004

FEDERMAN AND PHELAN, LLP  
FRANK FEDERMAN, ESQ., Id. No. 12248  
LAWRENCE T. PHELAN, ESQ., Id. No. 32227  
FRANCIS S. HALLINAN, ESQ., Id. No. 62695  
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(215) 563-7000

William A. Shaw  
ATTORNEY FOR PLAINTIFF  
Prothonotary Clerk of Courts

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

: COURT OF COMMON PLEAS  
:  
: CIVIL DIVISION  
:  
: CLEARFIELD County

Plaintiff

vs.

DONALD S. DAISHER  
MELINDA L. DAISHER

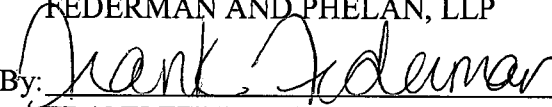
:  
: No. 03-1618-CD  
:  
:  
:

Defendants

**PRAECIPE TO REINSTATE CIVIL ACTION/MORTGAGE FORECLOSURE**

TO THE PROTHONOTARY:

Kindly reinstate the Civil Action in Mortgage Foreclosure with reference to the above captioned matter.

FEDERMAN AND PHELAN, LLP  
By:   
FRANK FEDERMAN, ESQUIRE  
LAWRENCE T. PHELAN, ESQUIRE  
FRANCIS S. HALLINAN, ESQUIRE  
Attorneys for Plaintiff

Date: June 30, 2004

Federman and Phelan, LLP  
By: Lawrence T. Phelan, Esq., Id. No. 32227  
Francis S. Hallinan, Esq., Id. No. 62695  
Daniel G. Schmieg, Esq., Id. No. 62205  
Thomas M. Federman, Esq., Id. No. 64068  
One Penn Center at Suburban Station  
1617 John F. Kennedy Boulevard  
Suite 1400  
Philadelphia, PA 19103-1814  
(215) 563-7000

Attorney for Plaintiff

U.S. Bank National Association,  
f/k/a First Bank National  
Association Trust, Acting Soley  
In Its Capacity As Trustee For  
EQCC Home Equity Loan  
Trust 1999-1

COURT OF COMMON PLEAS

Vs.

CIVIL DIVISION

Clearfield COUNTY

Donald S. Daisher  
Melinda L. Daisher

NO. 03-1618-CD

**CERTIFICATION OF SERVICE**

I, Francis S. Hallinan, Esquire, hereby certify that a copy of the foregoing Motion for Service Pursuant to Special Order of Court has been sent to the individual(s) as indicated below by first class mail, postage prepaid, on the date listed below.

Melinda L. Daisher at:  
RT 1 Box 60, a/k/a RR1 Box 434, Bracken Road  
Mahaffey, PA 15757

602 Bracken Road  
Mahaffey, PA 15757

21866 State Route 119  
Punxsutawney, PA 15767

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

Date: June 30, 2004

Respectfully submitted,  
Federman and Phelan, LLP  
Attorney for Plaintiff

By: FS Hall  
Francis S. Hallinan, Esquire

**FILED**  
m/4:00B/ cc  
JUL 02 2004

WAS  
William A. Shaw  
Prothonotary/Clerk of Courts

**FILED**

JUL 02 2004

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

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-

No.: 03-1618-CD

1  
338 SOUTH WARMINSTER ROAD  
HATBORO, PA 19040

vs.

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

EGK  
**FILED** ICC Notice  
m/1:46:37 to Defs.  
SEP 08 2004 Statement  
to Atty  
William A. Shaw  
Prothonotary/Clerk of Courts  
Atty pd.  
20.00

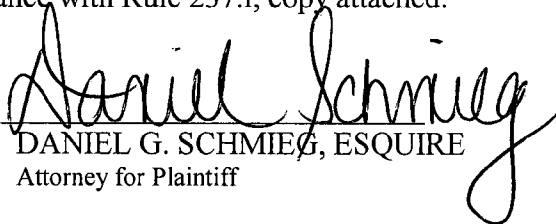
**PRAECIPE FOR IN REM JUDGMENT FOR FAILURE TO  
ANSWER AND ASSESSMENT OF DAMAGES**

TO THE PROTHONOTARY:

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

|                                |                    |
|--------------------------------|--------------------|
| As set forth in Complaint      | \$52,193.50        |
| Interest (10/17/03 to 8/18/04) | <u>3,134.47</u>    |
| <b>TOTAL</b>                   | <b>\$55,327.97</b> |

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

  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

Damages are hereby assessed as indicated.

DATE: 9/8/04

  
PRO PROTHY

JLP

FEDERMAN AND PHELAN, LLP  
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

ATTORNEY FOR PLAINTIFF

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

Plaintiff

: CLEARFIELD COUNTY

Vs.

: NO. 03-1618-CD

DONALD S. DAISHER  
MELINDA L. DAISHER  
Defendants

TO: DONALD S. DAISHER  
690 BRACKEN ROAD  
MAHAFFEY, PA 15757

DATE OF NOTICE: AUGUST 4, 2004

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

#### IMPORTANT NOTICE

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IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

CLEARFIELD COUNTY  
DAVID S. MEHOLICK, COURT  
ADMINISTRATOR  
CLEARFIELD COUNTY COURTHOUSE  
CLEARFIELD, PA 16830  
(814) 765-2641 x 5982

PENNSYLVANIA LAWYER REFERRAL  
SERVICE  
PENNSYLVANIA BAR ASSOCIATION  
100 SOUTH STREET  
P.O. BOX 186  
HARRISBURG, PA 17108  
800-692-7375

FRANK FEDERMAN, ESQUIRE  
LAWRENCE T. PHELAN, ESQUIRE  
FRANCIS S. HALLINAN, ESQUIRE  
Attorneys for Plaintiff

FEDERMAN AND PHELAN, LLP  
FRANK FEDERMAN, ESQ., Id. No. 12248  
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FRANCIS S. HALLINAN, ESQ., Id. No. 62695  
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ATTORNEY FOR PLAINTIFF

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EQUITY LOAN TRUST 1999-1  
Plaintiff : CLEARFIELD COUNTY

Vs. : NO. 03-1618-CD

DONALD S. DAISHER  
MELINDA L. DAISHER  
Defendants

TO: DONALD S. DAISHER  
RT 1 BOX 60  
MAHAFFEY, PA 15757

FILE COPY

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FRANK FEDERMAN, ESQUIRE  
LAWRENCE T. PHELAN, ESQUIRE  
FRANCIS S. HALLINAN, ESQUIRE  
Attorneys for Plaintiff



FEDERMAN AND PHELAN, LLP  
FRANK FEDERMAN, ESQ., Id. No. 12248  
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FRANCIS S. HALLINAN, ESQ., Id. No. 62695  
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(215) 563-7000

ATTORNEY FOR PLAINTIFF

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EQUITY LOAN TRUST 1999-1  
Plaintiff : CLEARFIELD COUNTY

Vs. : NO. 03-1618-CD

DONALD S. DAISHER  
MELINDA L. DAISHER  
Defendants

TO: DONALD S. DAISHER  
RR1 BOX 434 BRACKEN ROAD  
MAHAFFEY, PA 15757

FILE COPY

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FRANCIS S. HALLINAN, ESQUIRE  
Attorneys for Plaintiff

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FRANCIS S. HALLINAN, ESQ., Id. No. 62695  
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(215) 563-7000

ATTORNEY FOR PLAINTIFF

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ITS CAPACITY AS TRUSTEE FOR EQCC HOME : CIVIL DIVISION  
EQUITY LOAN TRUST 1999-1  
Plaintiff : CLEARFIELD COUNTY

Vs. : NO. 03-1618-CD

DONALD S. DAISHER  
MELINDA L. DAISHER  
Defendants

FILE COPY

TO: MELINDA L. DAISHER  
RT 1 BOX 60  
MAHAFFEY, PA 15757

DATE OF NOTICE: AUGUST 4, 2004

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Attorneys for Plaintiff

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(215) 563-7000

ATTORNEY FOR PLAINTIFF

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BANK ASSOCIATION TRUST, ACTING SOLELY IN  
ITS CAPACITY AS TRUSTEE FOR EQCC HOME : CIVIL DIVISION.  
EQUITY LOAN TRUST 1999-1  
Plaintiff : CLEARFIELD COUNTY

Vs. : NO. 03-1618-CD

DONALD S. DAISHER  
MELINDA L. DAISHER  
Defendants

TO: MELINDA L. DAISHER  
RR 1 BOX 434 BRACKEN ROAD  
MAHAFFEY, PA 15757

FILE COPY

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DAVID S. MEHOLICK, COURT  
ADMINISTRATOR

PENNSYLVANIA LAWYER REFERRAL  
SERVICE  
PENNSYLVANIA BAR ASSOCIATION

~~CLEARFIELD COUNTY COURTHOUSE~~

CLEARFIELD, PA 16830  
(814) 765-2641 x 5982

~~100 SOUTH STREET~~

P.O. BOX 186  
HARRISBURG, PA 17108  
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FRANK FEDERMAN, ESQUIRE  
LAWRENCE T. PHELAN, ESQUIRE  
FRANCIS S. HALLINAN, ESQUIRE  
Attorneys for Plaintiff

FEDERMAN AND PHELAN, LLP  
FRANK FEDERMAN, ESQ., Id. No. 12248  
LAWRENCE T. PHELAN, ESQ., Id. No. 32227  
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ATTORNEY FOR PLAINTIFF

U.S. BANK NATIONAL ASSOCIATION, F/K/A FIRST : COURT OF COMMON PLEAS  
BANK ASSOCIATION TRUST, ACTING SOLELY IN  
ITS CAPACITY AS TRUSTEE FOR EQCC HOME : CIVIL DIVISION  
EQUITY LOAN TRUST 1999-1  
Plaintiff : CLEARFIELD COUNTY

Vs. : NO. 03-1618-CD

DONALD S. DAISHER  
MELINDA L. DAISHER  
Defendants

TO: MELINDA L. DAISHER  
602 BRACKEN ROAD  
MAHAFFEY, PA 15757

FILE COPY

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ADMINISTRATOR

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PENNSYLVANIA BAR ASSOCIATION

~~CLEARFIELD COUNTY COURTHOUSE~~ 100 SOUTH STREET  
CLEARFIELD, PA 16830  
(814) 765-2641 x 5982

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800-692-7375

FRANK FEDERMAN, ESQUIRE  
LAWRENCE T. PHELAN, ESQUIRE  
FRANCIS S. HALLINAN, ESQUIRE  
Attorneys for Plaintiff

FEDERMAN AND PHELAN, LLP

By: DANIEL G. SCHMIEG, ESQUIRE

IDENTIFICATION NO. 62205

ONE PENN CENTER AT SUBURBAN STATION

1617 JOHN F. KENNEDY BLVD., SUITE 1400

PHILADELPHIA, PA 19103-1814

(215) 563-7000

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS

CIVIL DIVISION

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

**VERIFICATION OF NON-MILITARY SERVICE**

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

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

(b) that defendant, DONALD S. DAISHER, is over 18 years of age, and resides at RT 1 BOX 60 A/K/A RD 1 BOX 60, MAHAFFEY, PA 15757 .

(c) that defendant, MELINDA L. DAISHER, is over 18 years of age, and resides at RRI BOX 434 BRACKEN ROAD, MAHAFFEY, PA 15757.

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

  
DANIEL G. SCHMIEG, ESQUIRE

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-

No.: 03-1618-CD

1

Plaintiff

vs.

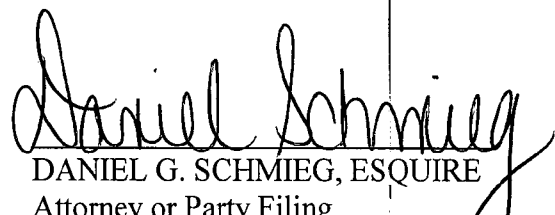
DONALD S. DAISHER  
MELINDA L. DAISHER

Defendant(s)

Notice is given that a Judgment in the above captioned matter has been entered  
against you on September 8, 2004.

By: \_\_\_\_\_ DEPUTY

If you have any questions concerning this matter please contact:

  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney or Party Filing  
One Penn Center at Suburban Station  
1617 John F. Kennedy Blvd., Suite 1400  
Philadelphia, PA 19103-1814  
(215) 563-7000

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ENFORCEMENT OF A LIEN AGAINST PROPERTY.\*\***

Federman and Phelan, LLP  
By: Lawrence T. Phelan, Esq., Id. No. 32227  
Francis S. Hallinan, Esq., Id. No. 62695  
Daniel G. Schmieg, Esq., Id. No. 62205  
Thomas M. Federman, Esq., Id. No. 64068  
One Penn Center at Suburban Station  
1617 John F. Kennedy Boulevard  
Suite 1400  
Philadelphia, PA 19103-1814  
(215) 563-7000

Attorney for Plaintiff

U.S. Bank National Association, f/k/a  
First Bank Association Trust, Acting  
Solely In Its Capacity As Trustee For  
EQCC Home Equity Loan Trust  
1999-1

COURT OF COMMON PLEAS

vs.

CIVIL DIVISION

Clearfield COUNTY

Donald S. Daisher  
Melinda L. Daisher

NO. 03-1618-CD

**ORDER**

AND NOW, this 6 day of July, 2004, upon

consideration of Plaintiff's Motion for Service Pursuant to Special Order of Court, it is hereby

**ORDERED** and **DECREED** that said Motion is **GRANTED**.

It is further **ORDERED** and **DECREED** that Plaintiff may obtain service of the  
Complaint, and all future pleadings, on the above captioned Defendant(s) Melinda L. Daisher, by:

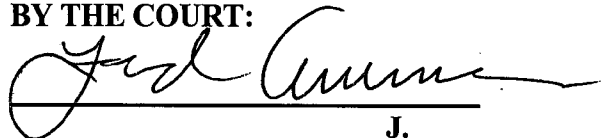
1. First class mail to Melinda L. Daisher at the last known address, 602 Bracken Road, Mahaffey, PA 15757, 21866 State Route 119, Punxsutawney, PA 15767 and the mortgaged premises located at RT 1 Box 60, Mahaffey, PA 15757 a/k/a RR1 Box 434 Bracken Road, Mahaffey, PA 15757; and
2. Certified mail to Melinda L. Daisher at the last known address of 602 Bracken Road, Mahaffey, PA 15757, 21866 State Route 119, Punxsutawney, PA 15767 and the mortgaged premises located at RT 1 Box 60, Mahaffey, PA 15757 a/k/a RR1 Box 434 Bracken Road, Mahaffey, PA 15757.

**FILED**

JUL 06 2004

William A  
Prothonotary/Clerk of Court

BY THE COURT:

  
J.

Federman and Phelan, LLP  
By: Lawrence T. Phelan, Esq., Id. No. 32227  
Francis S. Hallinan, Esq., Id. No. 62695  
Daniel G. Schmieg, Esq., Id. No. 62205  
Thomas M. Federman, Esq., Id. No. 64068  
One Penn Center at Suburban Station  
1617 John F. Kennedy Boulevard  
Suite 1400  
Philadelphia, PA 19103-1814  
(215) 563-7000

Attorney for Plaintiff

U.S. Bank National Association,  
f/k/a First Bank National  
Association Trust, Acitng Soley In  
Its Capacity As Trustee For  
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1999-1

COURT OF COMMON PLEAS

vs.

CIVIL DIVISION

Clearfield COUNTY

Donald S. Daisher  
Melinda L. Daisher

NO. 03-1618-CD

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

Plaintiff, by its counsel, Federman and Phelan, L.L.P., moves this Honorable Court for an Order directing service of the Complaint upon the above-captioned Defendant(s) by first class mail and certified mail to the Defendant at the last known address and mortgaged premises, located at RT 1 Box 60, Mahaffey, PA 15757 a/k/a RR1 Box 434 Bracken Road, mahaffey, PA 15757, and in support thereof avers the following:

FILED No CC  
m/4:00 PM  
JUL 02 2004

William A. Shaw  
Prothonotary/Clerk of Courts



1. Attempts to serve Defendant(s) with the Complaint have been unsuccessful. The Sheriff attempted to serve the defendant at the mortgaged premises located at RT 1 Box 60, Mahaffey, PA 15757 a/k/a RR1 Box 434, Bracken Road, Mahaffey, PA 15757. As indicated by the Sheriff's Return of Service attached hereto as Exhibit "A", the defendant no longer resides at the mortgaged premises. The Sheriff then attempted to serve the defendant at the mailing address of 602 Bracken Road, Mahaffey, PA 15757. As indicated by the Sheriff's Return of Service also attached hereto as Exhibit "A", the defendant moved from this address and works at a Dollar Tree Store in Punxsutawney, PA. The Sheriff lastly attempted to serve the defendant at the second mailing address of The Dollar Tree Store, 21866 State Route 119, Puxsutawney, PA 15767. As indicated by the Sherriff's Return of Service also attached hereto as Exhibit "A", the defendant was not found at this address. The Sheriff's Return of Service indicated that the defendant, Melinda L. Daisher, may reside in Grove City or Stoneboro, PA. However, a subsequent investigation did not provide a valid address.

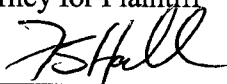
2. Pursuant to Pa.R.C.P. 430, Plaintiff has made a good faith effort to locate the Defendant(s). An Affidavit of Reasonable Investigation setting forth the specific inquiries made and the results is attached hereto as Exhibit "B".

3. Plaintiff has reviewed its internal records and has not been contacted by defendant as of June 30, 2004 to bring loan current.

4. Plaintiff submits that it has made a good faith effort to locate the defendants, but has been unable to do so.

**WHEREFORE**, Plaintiff respectfully requests this Honorable Court enter an Order pursuant to Pa.R.C.P. 430 directing service of the Complaint by first class mail and certified mail.

Respectfully submitted,  
Federman and Phelan, LLP  
Attorney for Plaintiff

By: 

Lawrence T. Phelan, Esquire  
Francis S. Hallinan, Esquire  
Daniel G. Schmieg, Esquire  
Thomas M. Federman, Esquire

Federman and Phelan, LLP  
By: Lawrence T. Phelan, Esq., Id. No. 32227  
Francis S. Hallinan, Esq., Id. No. 62695  
Daniel G. Schmieg, Esq., Id. No. 62205  
Thomas M. Federman, Esq., Id. No. 64068  
One Penn Center at Suburban Station  
1617 John F. Kennedy Boulevard  
Suite 1400  
Philadelphia, PA 19103-1814  
(215) 563-7000

Attorney for Plaintiff

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

COURT OF COMMON PLEAS  
CIVIL DIVISION  
Clearfield COUNTY  
NO. 03-1618-CD

vs.

Donald S. Daisher  
Melinda L. Daisher

#### **MEMORANDUM OF LAW**

Pa. R.C.P. 430(a) specifically provides:

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

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

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

As indicated by the attached Sheriff's Return of Service, attached hereto and marked as Exhibit "A", the Sheriff has been unable to serve the Complaint. A good faith effort to discover the whereabouts of the Defendant(s) has been made as evidenced by the attached Affidavit of Reasonable Investigation, marked Exhibit "B".

**WHEREFORE**, Plaintiff respectfully requests this Honorable Court enter an Order pursuant to Pa.R.C.P. 430 directing service of the Complaint by first class mail and certified mail.

Respectfully submitted,  
Federman and Phelan, LLP  
Attorney for Plaintiff

By: 

---

Lawrence T. Phelan, Esquire  
Francis S. Hallinan, Esquire  
Daniel G. Schmieg, Esquire  
Thomas M. Federman, Esquire

Date: June 30, 2004



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

U.S. BANK NATIONAL ASSOC.

VS.

DAISHER, DONALD S. & MELINDA L.

COMPLAINT IN MORTGAGE FORECLOSURE

Sheriff Docket #

14776

03-1618-CD

COPY

**SHERIFF RETURNS**

NOW JANUARY 27, 2004 AT 2:45 PM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON DONALD S. DAISHER, DEFENDANT AT MEETING PLACE, WENDELL'S RESTAURANT, MAHAFFEY, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO DONALD S. DAISHER TWO TRUE AND ATTESTED COPIES OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN TO HIM THE CONTENTS THEREOF. THE CORRECT ADDRESS FOR THE DEFENDANT IS 690 BRACKEN ROAD, MAHAFFEY, PA. ACCORDING TO THE DEPUTIES RR#1 BOX 434, BRACKEN ROAD, MAHAFFEY, PA. and RT #1 BOX 60, MAHAFFEY, PA. ARE THE SAME PLACE.

NOW FEBRUARY 9, 2004 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURN THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE "NOT FOUND" AS TO MELINDA L. DAISHER, DEFENDANT. ACCORDING TO DONALD DAISHER THEY ARE DIVORCED AND SHE LIVES NEAR STONEBORO, MERCER COUNTY, PA.

**Return Costs**

| Cost  | Description                              |
|-------|--|
| 46.50 | SHERIFF HAWKINS PAID BY: ATTY CK# 321618 |
| 40.00 | SURCHARGE PAID BY: ATTY                  |

Sworn to Before Me This

\_\_\_\_ Day Of \_\_\_\_\_ 2004

So Answers,



**Chester A. Hawkins**  
Sheriff

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

U.S. BANK NATIONAL ASSOC.

VS.

DAISHER, DONALD S. & MELINDA L.

Sheriff Docket # 14776

03-1618-CD

COMPLAINT IN MORTGAGE FORECLOSURE

OPY

**SHERIFF RETURNS**

NOW MARCH 24, 2004 ATTEMPTED TO SERVE THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON MELINDA L. DAISHER, DEFENDANT AT 602 BRACKEN ROAD, MAHAFFEY, CLEARFIELD COUNTY, PENNSYLVANIA. ACCORDING TO POST OFFICE DEFENDANT RESIDES IN PLUMVILLE, PA. AREA AND WORKS AT DOLLAR TREE STORE, PUNXSUTAWNEY, PA.

NOW APRIL 5, 2004, THOMAS DEMKO, SHERIFF OF JEFFERSON COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON MELINDA L. DAISHER, DEFENDANT.

NOW APRIL 19, 2004 ATTEMPTED TO SERVE THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON MELINDA L. DAISHER, DEFENDANT BY DEPUTIZING THE SHERIFF OF JEFFERSON COUNTY. THE RETURN OF SHERIFF DEMKO IS HERETO ATTACHED AND MADE A PART OF THIS RETURN MARKED "NOT FOUND" DEFENDANT MOVED TO GROVE CITY, PA.

**Return Costs**

| Cost  | Description                              |
|-------|--|
| 30.50 | SHERIFF HAWKINS PAID BY: ATTY CK# 337461 |
| 10.00 | SURCHARGE PAID BY: ATTY CK# 336484       |
| 31.50 | JEFFERSON CO. SHFF. PAID BY: ATTY        |

Sworn to Before Me This

\_\_\_\_\_ Day Of \_\_\_\_\_ 2004

So Answers,



**Chester A. Hawkins**  
Sheriff

COPY

No. 03-1618-C.D.

Now, April 19, 2004, I return the within Reinstated Notice and Civil Action  
Law Complaint in Mortgage Foreclosure for MELINDA S. DAISHER, Defendant, as  
unable to serve, Defendant, moved to Grove City.

|                         |               |
|-------------------------|---------------|
| Advance Costs Received: | \$125.00      |
| My Costs:               | \$ 29.50 Paid |
| Prothy:                 | \$ 2.00       |
| Total Costs:            | \$ 31.50      |
| Refunded:               | \$ 93.50      |

Sworn and subscribed 22<sup>nd</sup>  
to before me this April 19, 2004  
day of April  
By David S. Leist

My Commission Expires The  
First Monday January 2008

So Answers,

Thomas A. Demko  
JEFFERSON COUNTY, PENNSYLVANIA

Sheriff







Default Express Services, Inc.  
13000 Route 73 Suite 107  
Four Greentree Center  
Marlton, NJ 08053  
Phone: 856-985-3340  
Fax: 856-985-3342  
info@defaultexpress.com

File # : 03-11809  
Firm : FEDERMAN & PHELAN  
Subject : Donald Daisher & Melinda Daisher

Current address : 602 Bracken Rd. Mahaffrey, PA 15757  
Property address : RT1 Box 60 Mahaffrey, PA 15757  
Mailing address : 602 Bracken Rd. Mahaffrey, PA 15757

I Steven M. Ruffo, being duly sworn according to law, do hereby depose and state as follows, I have conducted an investigation into the whereabouts of the above noted individual(s) on 6/28/04 and have discovered the following

**I. CREDIT INFORMATION**

**A. SOCIAL SECURITY NUMBER**

Our search verified the following to be true and correct  
Donald Daisher - 209-56-1440 Melinda Daisher - 171-60-6228

**B. EMPLOYMENT SEARCH**

Donald Daisher - Our Office was unable to verify the employment information on the credit report.  
Melinda Daisher - A review of the credit report provided no employment information.

**C. INQUIRY OF CREDITORS**

On 6/28/04 our inquiry with the creditors indicate that Donald Daisher & Melinda Daisher reside(s) at 602 Bracken Rd. Mahaffrey, PA 15757

**II. INQUIRY OF TELEPHONE COMPANY**

**A. DIRECTORY ASSISTANCE SEARCH**

On 6/28/04 our inquiry with the Directory Assistance indicated that Donald Daisher & Melinda Daisher reside(s) at 602 Bracken Rd. Mahaffrey, PA 15757 814-277-6011. Our Office made a telephone call to the mortgagors phone number and reached the voicemail.

**III. INQUIRY OF NEIGHBORS**

Using our Whitepages database on 6/28/04 we were unable to verify the current address with any of the Neighbors within ten houses of the above referenced subject.

**IV. INQUIRY OF POSTOFFICE**

**A. NATIONAL ADDRESS UPDATE**

Our inquiry with National Address database on 6/28/04 indicates the following is correct Donald Daisher & Melinda Daisher - 602 Bracken Rd. Mahaffrey, PA 15757

**B. ADDITIONAL ACTIVE MAILING ADDRESS**

Per our inquiry with creditors on 6/28/04 the following is an active mailing address : no addresses on file.

**V. MOTOR VEHICLE REGISTRATION**

**A. MOTOR VEHICLE & DMV OFFICE**

Per the Pennsylvania Department of motor vehicle Donald Daisher & Melinda Daisher has a valid identification registered with the state.

**VI. OTHER INQUIRIES**

**A. DEATH RECORDS**

As of 6/28/04 Vital records has no death records on file for Donald Daisher & Melinda Daisher

**B. PUBLIC LICENSES (PILOT, REAL ESTATE ETC.)**

Our office conducted a check on 6/28/04 for public licenses/records and found the following : none

**C. COUNTY VOTER REGISTRATION**

The Clearfield Cnty voter registration would only indicate a registration for Donald Daisher & Melinda Daisher

**D. INTERNET**

All accessible public databases have been checked and cross-referenced for the above named individual(s).

**E. TAX ASSESSMENT OFFICE**

On 6/28/04 our office conducted a search of the following tax records which showed the following : Not applicable

**VII. ADDITIONAL INFORMATION OF SUBJECT**

**A. DATE OF BIRTH**

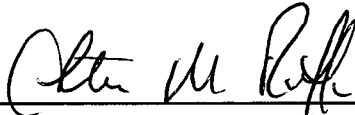
Donald Daisher - 10/27/65      Melinda Daisher - 11/3/68

**B. A.K.A**

Donald Daisher - none      Melinda Daisher - none

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

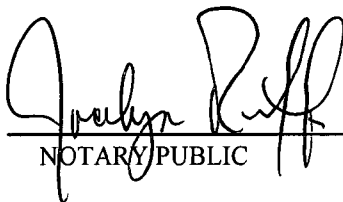
I hereby verify that the statements made herein are true and correct to the best of my knowledge, information and belief and that this affidavit of investigation is made subject to the penalties of 18 Pa.C.S. Sec 4904 relating to unsworn falsification to authorities.



AFFIANT Steven M. Ruffo  
Default Express Services, INC. President

Sworn to and subscribed before me this 28 day of June 2004

NOTARIAL SEAL  
Jocelyn Ruffo  
Notary Public State of New Jersey  
My Commission Expires Mar.21, 2007

  
NOTARY PUBLIC

Default Express Services, Inc.  
13000 Route 73 Suite 107  
Four Greentree Center  
Marlton, NJ 08053  
Phone: 856-985-3340  
Fax: 856-985-3342  
info@defaultexpress.com


ABOVE INFORMATION IS OBTAINED FROM AVAILABLE PUBLIC RECORDS AND WE ARE ONLY LIABLE FOR THE COST OF THE AFFIDAVIT.

### VERIFICATION

Francis S. Hallinan, Esquire, hereby states that he is the Attorney for the Plaintiff in this action, that he is authorized to make this Affidavit, and that the statements made in the foregoing MOTION FOR SERVICE PURSUANT TO SPECIAL ORDER OF COURT are true and correct to the best of his knowledge, information and belief.

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

Respectfully submitted,  
Federman and Phelan, LLP  
Attorney for Plaintiff

By: 

Francis S. Hallinan, Esquire

Date: June 30, 2004

FILED

JUL 02 2004

William A. Shaw  
Prothonotary/Clerk of Courts

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

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

vs.

DONALD S. DAISHER  
MELINDA L. DAISHER

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

No. 03-1618-CD

PRAECIPE FOR WRIT OF EXECUTION  
(MORTGAGE FORECLOSURE)

To the Director of the Office of the Prothonotary:

Issue writ of execution in the above matter:

Amount Due

\$55,327.97

Interest from 8/18/04 to

Date of Sale (\$9.10 per diem)

and Costs.

<sup>146.00</sup>  
**Prothonotary costs**

  
Daniel G. Schmieg, Esquire

Attorney for Plaintiff

One Penn Center at Suburban Station

1617 John F. Kennedy Blvd., Suite 1400

Philadelphia, PA 19103-1814

Note: Please attach description of Property.

JLP

<sup>ELK</sup>  
**FILED** <sup>Att'y pd. 20.00</sup>

<sup>no 1:50 PM</sup> <sup>1009 Lew nts</sup>

SEP 08 2004 <sup>w/prop descr.</sup>

<sup>to Shff</sup>

William A. Shaw  
Prothonotary/Clerk of Courts

No. 03-1618-CD

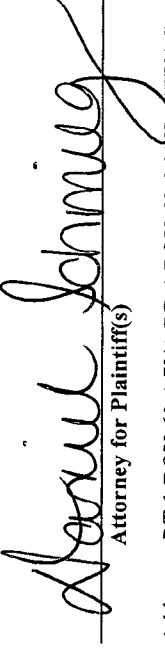
IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

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

vs.

DONALD S. DAISHER  
MELINDA L. DAISHER

PRAECIPE FOR WRIT OF EXECUTION  
(Mortgage Foreclosure)

  
Attorney for Plaintiff(s)

Address: RT 1 BOX 60 A/K/A RD 1 BOX 60, MAHAFFEY, PA 15757  
RRI BOX 434 BRACKEN ROAD, MAHAFFEY, PA 15757  
Where papers may be served.

William A. Shaw  
Prothonotary/Clerk of Courts

SEP 08 2004

FILED

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. 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 Praecipe 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:

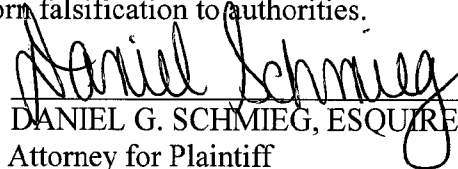
1. Name and address of Owner(s) or reputed Owner(s):

| 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<br>MAHAFFEY, PA 15757                               |
| MELINDA L. DAISHER | RRI BOX 434 BRACKEN ROAD<br>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

September 3, 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 Praecipe 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:

Name

Last Known Address (if address cannot be  
reasonable 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)

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:

Name

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

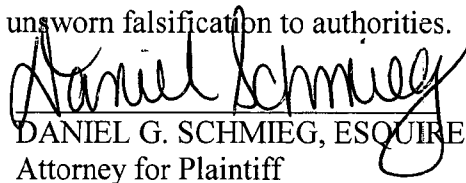
Commonwealth of Pennsylvania  
Department of Welfare

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, ESQUIRE  
Attorney for Plaintiff

September 3, 2004

FEDERMAN AND PHELAN, LLP  
By: DANIEL G. SCHMIEG, ESQUIRE  
ONE PENN CENTER AT  
SUBURBAN STATION  
1617 JOHN F. KENNEDY BOULEVARD  
SUITE 1400  
PHILADELPHIA, PA 19103-1814  
(215) 563-7000

ATTORNEY FOR PLAINTIFF  
COURT OF COMMON PLEAS  
CIVIL DIVISION

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

CLEARFIELD COUNTY

vs.

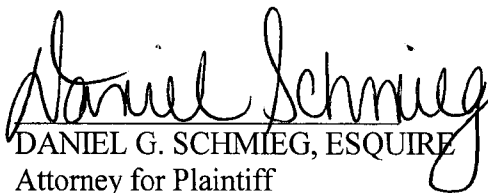
DONALD S. DAISHER  
MELINDA L. DAISHER

CERTIFICATION

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

- ☐ an FHA Mortgage
- ☐ non-owner occupied
- ☐ vacant
- ☒ Act 91 procedures have been fulfilled

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

  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

WRIT OF EXECUTION -- (MORTGAGE FORECLOSURE)  
Pa.R.C.P. 3180 to 3183 and Rule 3257

COPY

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

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

NO.: 03-1618-CD

vs.

WRIT OF EXECUTION  
(MORTGAGE FORECLOSURE)

DONALD S. DAISHER  
MELINDA L. DAISHER

Commonwealth of Pennsylvania:

County of Clearfield:

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

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

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

(See legal description attached.)

|  |  |
|--|--|
| Amount Due   | \$55,327.97                                |
| Interest from 8/18/04 to<br>Date of Sale (\$9.10 per diem) | \$ <u>146.00</u> <b>Prothonotary costs</b> |
| Total  | \$ _____ Plus costs as endorsed.           |

Dated 9/18/04  
(SEAL)

Prothonotary, Common Pleas Court of  
Clearfield County, Pennsylvania

By: William L. Lister Deputy

JLP

**IMPORTANT NOTICE:** This property is sold at the direction of the plaintiff. It may not be sold in the absence of a representative of the plaintiff at the Sheriff's Sale. The sale must be postponed or stayed in the event that a representative of the plaintiff is not present at the sale.

No. 03-1618-CD

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

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

vs.

DONALD S. DAISHER  
MELINDA L. DAISHER

---

**WRIT OF EXECUTION  
(MORTGAGE FORECLOSURE)**

---

Real Debt \$55,327.97

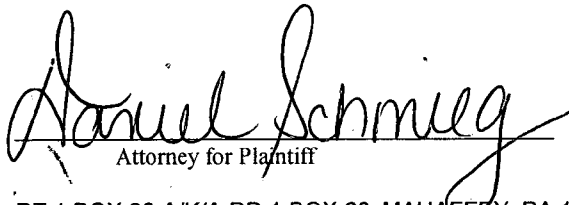
Int. from 8/18/04  
to Date of Sale (\$9.10 per diem) \_\_\_\_\_

Costs \_\_\_\_\_

Prothy. Pd. 146.00

Sheriff \_\_\_\_\_

Additional costs

  
Attorney for Plaintiff

Address: RT-1 BOX 60 A/K/A RD 1 BOX 60, MAHAFFEY, PA 15757  
RRI BOX 434 BRACKEN ROAD, MAHAFFEY, PA 15757  
Where papers may be served.

Daniel G. Schmieg, Esquire  
One Penn Center at Suburban Station  
1617 John F. Kennedy Blvd., Suite 1400  
Philadelphia, PA 19103-1814  
(215) 563-7000

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 minutes East, 85 feet to Irvin Street; thence along Irvin Street about West 100 feet to a post and place of beginning. Containing 8,500 square 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 Hicory Street and on the East by the Curwensville Road, as shown by the general plan of said lots as revised by Mahaffey Borough, Pittsburgh and 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 Robert Mahaffey Estate.

Tax Parcel #13-C11-303-30

TITLE TO SAID PREMISES IS VESTED IN Donald S. Daisher and Melinda L. Daisher, husband and wife by Deed from Irene F. Kurtz, an unmarried individual dated 10/11/1995 and recorded 10/30/1995 in Deed Book Volume 1714, Page 223.

OFFICE OF THE PROTHONOTARY  
CLEARFIELD COUNTY COURTHOUSE  
CLEARFIELD, PA 16830

FILED

SEP 15 2004

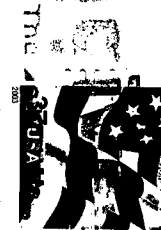
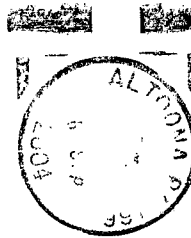
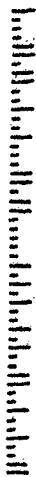
William A. Shaw  
Prothonotary/Clerk of Courts

UTF

MELINDA DAISHER  
RT 1 BOX 60 AKA  
RD 1 BOX 60  
MAHAFFY

☐ A ☐ INSUFFICIENT ADDRESS  
☐ C ☐ ATTEMPTED NOT KNOWN  
☒ S ☐ NO SUCH NUMBER/STREET  
☒ NOT DELIVERABLE AS ADDRESSED  
- UNABLE TO FORWARD

16830/244B



**RTS**  
RETURN TO SENDER

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

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-

No.: 03-1618-CD

1  
338 SOUTH WARMINSTER ROAD  
HATBORO, PA 19040

vs.

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

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

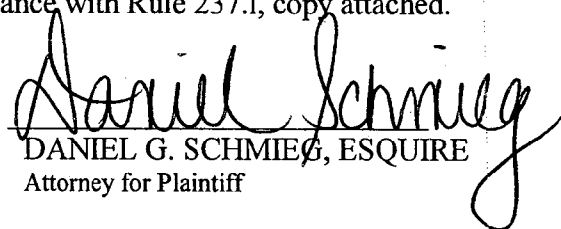
TO THE PROTHONOTARY:

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

|                                |                 |
|--------------------------------|-----------------|
| As set forth in Complaint      | \$52,193.50     |
| Interest (10/17/03 to 8/18/04) | <u>3,134.47</u> |

|              |                    |
|--------------|--------------------|
| <b>TOTAL</b> | <b>\$55,327.97</b> |
|--------------|--------------------|

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

  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

Damages are hereby assessed as indicated.

DATE: 9/8/04

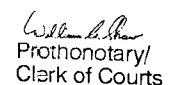
  
PRO PROTHY

JLP

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

SEP 08 2004

Attest.

  
Prothonotary/  
Clerk of Courts

FEDERMAN AND PHELAN, LLP  
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

ATTORNEY FOR PLAINTIFF

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

Plaintiff : CLEARFIELD COUNTY

Vs. : NO. 03-1618-CD

DONALD S. DAISHER  
MELINDA L. DAISHER  
Defendants

FILE COPY

TO: DONALD S. DAISHER  
690 BRACKEN ROAD  
MAHAFFEY, PA 15757

DATE OF NOTICE: AUGUST 4, 2004

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

#### IMPORTANT NOTICE

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YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

CLEARFIELD COUNTY  
DAVID S. MEHOLICK, COURT  
ADMINISTRATOR

CLEARFIELD COUNTY COURTHOUSE  
CLEARFIELD, PA 16830  
(814) 765-2641 x 5982

PENNSYLVANIA LAWYER REFERRAL  
SERVICE

PENNSYLVANIA BAR ASSOCIATION  
100 SOUTH STREET  
P.O. BOX 186  
HARRISBURG, PA 17108  
800-692-7375

FRANK FEDERMAN, ESQUIRE  
LAWRENCE T. PHELAN, ESQUIRE  
FRANCIS S. HALLINAN, ESQUIRE  
Attorneys for Plaintiff



FEDERMAN AND PHELAN, LLP  
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

ATTORNEY FOR PLAINTIFF

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

Plaintiff : CLEARFIELD COUNTY

Vs. : NO. 03-1618-CD

DONALD S. DAISHER  
MELINDA L. DAISHER  
Defendants

TO: DONALD S. DAISHER  
RT 1 BOX 60  
MAHAFFEY, PA 15757

FILE COPY

DATE OF NOTICE: AUGUST 4, 2004

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CLEARFIELD COUNTY  
DAVID S. MEHOLICK, COURT

ADMINISTRATOR  
CLEARFIELD COUNTY COURTHOUSE

CLEARFIELD, PA 16830

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HARRISBURG, PA 17108

800-692-7375

FRANK FEDERMAN, ESQUIRE  
LAWRENCE T. PHELAN, ESQUIRE  
FRANCIS S. HALLINAN, ESQUIRE  
Attorneys for Plaintiff

FEDERMAN AND PHELAN, LLP  
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

ATTORNEY FOR PLAINTIFF

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

Plaintiff : CLEARFIELD COUNTY

Vs. : NO. 03-1618-CD

DONALD S. DAISHER  
MELINDA L. DAISHER  
Defendants

TO: DONALD S. DAISHER  
RR1 BOX 434 BRACKEN ROAD  
MAHAFFEY, PA 15757

FILE COPY

DATE OF NOTICE: AUGUST 4, 2004

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CLEARFIELD COUNTY  
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FRANK FEDERMAN, ESQUIRE  
LAWRENCE T. PHELAN, ESQUIRE  
FRANCIS S. HALLINAN, ESQUIRE  
Attorneys for Plaintiff

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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

ATTORNEY FOR PLAINTIFF

U.S. BANK NATIONAL ASSOCIATION, F/K/A FIRST : COURT OF COMMON PLEAS  
BANK ASSOCIATION TRUST, ACTING SOLELY IN  
ITS CAPACITY AS TRUSTEE FOR EQCC HOME : CIVIL DIVISION  
EQUITY LOAN TRUST 1999-1  
Plaintiff : CLEARFIELD COUNTY

Vs. : NO. 03-1618-CD

DONALD S. DAISHER  
MELINDA L. DAISHER  
Defendants

FILE COPY

TO: MELINDA L. DAISHER  
RT 1 BOX 60  
MAHAFFEY, PA 15757

DATE OF NOTICE: AUGUST 4, 2004

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CLEARFIELD COUNTY  
DAVID S. MEHOLICK, COURT  
ADMINISTRATOR

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CLEARFIELD, PA 16830  
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FRANK FEDERMAN, ESQUIRE  
LAWRENCE T. PHELAN, ESQUIRE  
FRANCIS S. HALLINAN, ESQUIRE  
Attorneys for Plaintiff

FEDERMAN AND PHELAN, LLP  
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

ATTORNEY FOR PLAINTIFF

U.S. BANK NATIONAL ASSOCIATION, F/K/A FIRST : COURT OF COMMON PLEAS  
BANK ASSOCIATION TRUST, ACTING SOLELY IN  
~~ITS CAPACITY AS TRUSTEE FOR EQCC HOME~~ : CIVIL DIVISION  
EQUITY LOAN TRUST 1999-1

Plaintiff

: CLEARFIELD COUNTY

Vs.

: NO. 03-1618-CD

DONALD S. DAISHER  
MELINDA L. DAISHER

Defendants

TO: MELINDA L. DAISHER  
RR 1 BOX 434 BRACKEN ROAD  
MAHAFFEY, PA 15757

FILE COPY

**DATE OF NOTICE: AUGUST 4, 2004**

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CLEARFIELD COUNTY  
DAVID S. MEHOLICK, COURT  
ADMINISTRATOR

PENNSYLVANIA LAWYER REFERRAL  
SERVICE  
PENNSYLVANIA BAR ASSOCIATION

~~CLEARFIELD COUNTY COURTHOUSE 100 SOUTH STREET~~

CLEARFIELD, PA 16830  
(814) 765-2641 x 5982

P.O. BOX 186  
HARRISBURG, PA 17108  
800-692-7375

FRANK FEDERMAN, ESQUIRE  
LAWRENCE T. PHELAN, ESQUIRE  
FRANCIS S. HALLINAN, ESQUIRE  
Attorneys for Plaintiff

7  
FEDERMAN AND PHELAN, LLP  
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

ATTORNEY FOR PLAINTIFF

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

Plaintiff

: CLEARFIELD COUNTY

Vs.

: NO. 03-1618-CD

DONALD S. DAISHER  
MELINDA L. DAISHER

Defendants

TO: MELINDA L. DAISHER  
602 BRACKEN ROAD  
MAHAFFEY, PA 15757

DATE OF NOTICE: AUGUST 4, 2004

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CLEARFIELD COUNTY  
DAVID S. MEHOLICK, COURT  
ADMINISTRATOR

PENNSYLVANIA LAWYER REFERRAL  
SERVICE  
PENNSYLVANIA BAR ASSOCIATION

CLEARFIELD COUNTY COURTHOUSE

100 SOUTH STREET

CLEARFIELD, PA 16830  
(814) 765-2641 x 5982

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800-692-7375

FRANK FEDERMAN, ESQUIRE  
LAWRENCE T. PHELAN, ESQUIRE  
FRANCIS S. HALLINAN, ESQUIRE  
Attorneys for Plaintiff

FEDERMAN AND PHELAN, LLP

By: DANIEL G. SCHMIEG, ESQUIRE

IDENTIFICATION NO. 62205

ONE PENN CENTER AT SUBURBAN STATION

1617 JOHN F. KENNEDY BLVD., SUITE 1400

PHILADELPHIA, PA 19103-1814

(215) 563-7000

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS

CIVIL DIVISION

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

**VERIFICATION OF NON-MILITARY SERVICE**

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

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

(b) that defendant, DONALD S. DAISHER, is over 18 years of age, and resides at RT 1 BOX 60 A/K/A RD 1 BOX 60, MAHAFFEY, PA 15757.

(c) that defendant, MELINDA L. DAISHER, is over 18 years of age, and resides at RRI BOX 434 BRACKEN ROAD, MAHAFFEY, PA 15757.

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

  
DANIEL G. SCHMIEG, ESQUIRE

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-

No.: 03-1618-CD

1

Plaintiff

vs.

DONALD S. DAISHER  
MELINDA L. DAISHER

Defendant(s)

Notice is given that a Judgment in the above captioned matter has been entered  
against you on September 8, 2004.

By: William L. Schmieg DEPUTY

If you have any questions concerning this matter please contact:

Daniel G. Schmieg  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney or Party Filing  
One Penn Center at Suburban Station  
1617 John F. Kennedy Blvd., Suite 1400  
Philadelphia, PA 19103-1814  
(215) 563-7000

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

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

**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**

**IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY,  
PENNSYLVANIA**

**No. 03-1618-CD**

**vs.**

**PRAECIPE FOR WRIT OF EXECUTION  
(MORTGAGE FORECLOSURE)**

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

To the Director of the Office of the Prothonotary:

Issue writ of execution in the above matter:

Amount Due

\$55,327.97

Interest from 8/18/04 to  
Date of Sale (\$9.10 per diem)

and Costs.

*PROTHONOTARY COSTS 166.00*

*Daniel G. Schmieg*  
Daniel G. Schmieg, Esquire  
Attorney for Plaintiff

One Penn Center at Suburban Station  
1617 John F. Kennedy Blvd., Suite 1400  
Philadelphia, PA 19103-1814

Note: Please attach description of Property.

**FILED**

DEC 14 2004

*12/23/04*  
**William A. Shaw**  
Prothonotary

*6 units to SHAW*



No. 03-1618-CD

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

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

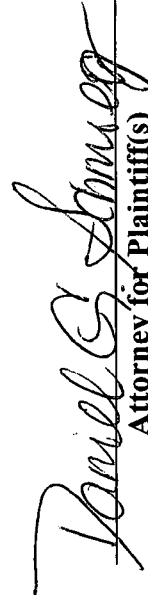
vs.

DONALD S. DAISHER  
MELINDA L. DAISHER

---

PRAECIPE FOR WRIT OF EXECUTION  
(Mortgage Foreclosure)

---

  
Attorney for Plaintiff(s)

Address: RT 1 BOX 60 A/K/A RD 1 BOX 60, MAHAFFEY, PA 15757  
RRI BOX 434 BRACKEN ROAD, MAHAFFEY, PA 15757  
Where papers may be served.

**FILED**

DEC 14 2004

William A. Shaw  
Prothonotary

FEDERMAN PHELAN, LLP

By: DANIEL G. SCHMIEG, ESQUIRE

IDENTIFICATION NO. 62205

ONE PENN CENTER AT SUBURBAN STATION

1617 JOHN F. KENNEDY BLVD., SUITE 1400

PHILADELPHIA, PA 19103-1814

(215) 563-7000

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS  
CIVIL DIVISION

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-

CLEARFIELD COUNTY

No.: 03-1618-CD

1

vs.

DONALD S. DAISHER  
MELINDA L. DAISHER

**VERIFICATION OF NON-MILITARY SERVICE**

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

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

(b) that defendant, DONALD S. DAISHER, is over 18 years of age, and resides at RT 1 BOX 60 A/K/A RD 1 BOX 60, MAHAFFEY, PA 15757.

(c) that defendant, MELINDA L. DAISHER, is over 18 years of age, and resides at RRI BOX 434 BRACKEN ROAD, MAHAFFEY, PA 15757.

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

  
DANIEL G. SCHMIEG, ESQUIRE

FEDERMAN PHELAN, LLP

By: DANIEL G. SCHMIEG, ESQUIRE  
ONE PENN CENTER AT  
SUBURBAN STATION  
1617 JOHN F. KENNEDY BOULEVARD  
SUITE 1400  
PHILADELPHIA, PA 19103-1814  
(215) 563-7000

ATTORNEY FOR PLAINTIFF  
COURT OF COMMON PLEAS  
CIVIL DIVISION

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

CLEARFIELD COUNTY

vs.

DONALD S. DAISHER  
MELINDA L. DAISHER

CERTIFICATION

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

- ☐ an FHA Mortgage
- ☐ non-owner occupied
- ☐ vacant
- ☒ Act 91 procedures have been fulfilled

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

  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

WRIT OF EXECUTION -- (MORTGAGE FORECLOSURE)  
Pa.R.C.P. 3180 to 3183 and Rule 3257

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

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

NO.: 03-1618-CD

vs.

WRIT OF EXECUTION  
(MORTGAGE FORECLOSURE)

DONALD S. DAISHER  
MELINDA L. DAISHER

Commonwealth of Pennsylvania:

County of Clearfield:

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

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

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

(See legal description attached.)

Amount Due

\$55,327.97

Interest from 8/18/04 to  
Date of Sale (\$9.10 per diem)

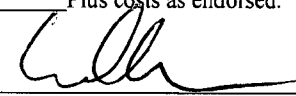
\$ \_\_\_\_\_

Total

\$ \_\_\_\_\_ Plus costs as endorsed.

PROTHONOTARY COSTS

166.00

  
Prothonotary, Common Pleas Court of  
Clearfield County, Pennsylvania

Dated Dec 14, 2004  
(SEAL)

By:

Deputy

KIO

**IMPORTANT NOTICE:** This property is sold at the direction of the plaintiff. It may not be sold in the absence of a representative of the plaintiff at the Sheriff's Sale. The sale must be postponed or stayed in the event that a representative of the plaintiff is not present at the sale.

No. 03-1618-CD

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

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

vs.


DONALD S. DAISHER  
MELINDA L. DAISHER

---

**WRIT OF EXECUTION  
(MORTGAGE FORECLOSURE)**

---

|  |                    |
|--|--------------------|
| Real Debt  | <u>\$55,327.97</u> |
| Int. from 8/18/04<br>to Date of Sale (\$9.10 per diem) | _____              |
| Costs  | _____              |
| Prothy. Pd.  | <u>166.00</u>      |
| Sheriff  | _____              |

  
Attorney for Plaintiff

Address: RT 1 BOX 60 A/K/A RD 1 BOX 60, MAHAFFEY, PA 15757  
RRI BOX 434 BRACKEN ROAD, MAHAFFEY, PA 15757  
Where papers may be served.

Daniel G. Schmieg, Esquire  
One Penn Center at Suburban Station  
1617 John F. Kennedy Blvd., Suite 1400  
Philadelphia, PA 19103-1814  
(215) 563-7000

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 minutes East, 85 feet to Irvin Street; thence along Irvin Street about West 100 feet to a post and place of beginning. Containing 8,500 square 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 Hicory Street and on the East by the Curwensville Road, as shown by the general plan of said lots as revised by Mahaffey Borough, Pittsburgh and 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 Robert Mahaffey Estate.

Tax Parcel #13-C11-303-30

TITLE TO SAID PREMISES IS VESTED IN Donald S. Daisher and Melinda L. Daisher, husband and wife by Deed from Irene F. Kurtz, an unmarried individual dated 10/11/1995 and recorded 10/30/1995 in Deed Book Volume 1714, Page 223.

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

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20011

NO: 03-1618-CD

PLAINTIFF: 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

vs.

DEFENDANT: DONALD S. DAISHER AND MELINDA L. DAISHER

Execution REAL ESTATE

SHERIFF RETURN

DATE RECEIVED WRIT: 09/08/2004

LEVY TAKEN @

POSTED @

SALE HELD

SOLD TO

SOLD FOR AMOUNT PLUS COSTS

WRIT RETURNED

DATE DEED FILED NOT SOLD

DETAILS

@

SERVED DONALD S. DAISHER

@

SERVED MELINDA L. DAISHER

@

SERVED

NOW, FEBRUARY 2, 2005 RETURN WRIT AS TIME EXPRIED.

FILED  
01/31/05  
FEB 02 2005

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20011

NO: 03-1618-CD

PLAINTIFF: 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

vs.

DEFENDANT: DONALD S. DAISHER AND MELINDA L. DAISHER

Execution REAL ESTATE

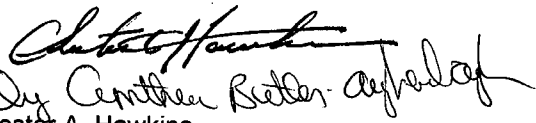
SHERIFF RETURN

---

SHERIFF HAWKINS \$35.60

SURCHARGE \$40.00 PAID BY ATTORNEY

So Answers,

  
Chester A. Hawkins  
Sheriff



WRIT OF EXECUTION -- (MORTGAGE FORECLOSURE)  
Pa.R.C.P. 3180 to 3183 and Rule 3257

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

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

NO.: 03-1618-CD

vs.

WRIT OF EXECUTION  
(MORTGAGE FORECLOSURE)

DONALD S. DAISHER  
MELINDA L. DAISHER

Commonwealth of Pennsylvania:

County of Clearfield:

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

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

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

(See legal description attached.)

Amount Due

\$55,327.97

Interest from 8/18/04 to  
Date of Sale (\$9.10 per diem)

\$ 146.00 Prothonotary costs

Total

\$ \_\_\_\_\_ Plus costs as endorsed.

Dated

9/18/04

(SEAL)

Prothonotary, Common Pleas Court of  
Clearfield County, Pennsylvania

By:

*William L. Hays*

Deputy

JLP

**IMPORTANT NOTICE:** This property is sold at the direction of the plaintiff. It may not be sold in the absence of a representative of the plaintiff at the Sheriff's Sale. The sale must be postponed or stayed in the event that a representative of the plaintiff is not present at the sale.

Received September 8, 2004 @ 3:30 PM.  
Christina Hays  
By Cynthia Butler-Aighenbaugh

No. 03-1618-CD

In the Court of Common Pleas of  
Clearfield County, Pennsylvania

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

vs.

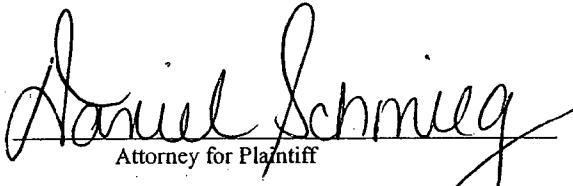
DONALD S. DAISHER  
MELINDA L. DAISHER

---

WRIT OF EXECUTION  
(MORTGAGE FORECLOSURE)

---

|  |                             |
|--|-----------------------------|
| Real Debt  | <u>\$55,327.97</u>          |
| Int. from 8/18/04<br>to Date of Sale (\$9.10 per diem) | <u>                    </u> |
| Costs  | <u>                    </u> |
| Prothy. Pd.  | <u>146.00</u>               |
| Sheriff  | <u>                    </u> |

  
Attorney for Plaintiff

Address: RT 1 BOX 60 A/K/A RD 1 BOX 60, MAHAFFEY, PA 15757  
RRI BOX 434 BRACKEN ROAD, MAHAFFEY, PA 15757  
Where papers may be served.

Daniel G. Schmieg, Esquire  
One Penn Center at Suburban Station  
1617 John F. Kennedy Blvd., Suite 1400  
Philadelphia, PA 19103-1814  
(215) 563-7000

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Tax Parcel #13-C11-303-30

TITLE TO SAID PREMISES IS VESTED IN Donald S. Daisher and Melinda L. Daisher, husband and wife by Deed from Irene F. Kurtz, an unmarried individual dated 10/11/1995 and recorded 10/30/1995 in Deed Book Volume 1714, Page 223.

**REAL ESTATE SALE  
SCHEDULE OF DISTRIBUTION**

NAME DONALD S. DAISHER

NO. 03-1618-CD

NOW, February 02, 2005, 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 February 04, 2005, I exposed the within described real estate of Donald S. Daisher And Melinda L. Daisher to public venue or outcry at which time and place I sold the same to he/she being the highest bidder, for the sum of and made the following appropriations, viz:

**SHERIFF COSTS:**

|                            |                |
|----------------------------|----------------|
| RDR SERVICE                | 15.00          |
| MILEAGE LEVY               |                |
| MILEAGE POSTING            |                |
| CSDS                       |                |
| COMMISSION                 | 0.00           |
| POSTAGE                    | 0.60           |
| HANDBILLS DISTRIBUTION     |                |
| ADVERTISING                |                |
| ADD'L SERVICE DEED         |                |
| ADD'L POSTING              |                |
| ADD'L MILEAGE              |                |
| ADD'L LEVY                 |                |
| BID AMOUNT                 |                |
| RETURNS/DEPUTIZE COPIES    | 15.00          |
| BILLING/PHONE/FAX          | 5.00           |
| CONTINUED SALES            |                |
| MISCELLANEOUS              |                |
| <b>TOTAL SHERIFF COSTS</b> | <b>\$35.60</b> |

**DEED COSTS:**

|                         |               |
|-------------------------|---------------|
| ACKNOWLEDGEMENT         |               |
| REGISTER & RECORDER     |               |
| TRANSFER TAX 2%         | 0.00          |
| <b>TOTAL DEED COSTS</b> | <b>\$0.00</b> |

**PLAINTIFF COSTS, DEBT AND INTEREST:**

|                               |           |
|-------------------------------|-----------|
| DEBT-AMOUNT DUE               | 55,327.97 |
| INTEREST @ 9.1000             | 1,547.00  |
| FROM 08/18/2004 TO 02/04/2005 |           |

|                                |                    |
|--------------------------------|--------------------|
| PROTH SATISFACTION             |                    |
| LATE CHARGES AND FEES          |                    |
| COST OF SUIT-TO BE ADDED       |                    |
| FORECLOSURE FEES               |                    |
| ATTORNEY COMMISSION            |                    |
| REFUND OF ADVANCE              |                    |
| REFUND OF SURCHARGE            | 40.00              |
| SATISFACTION FEE               |                    |
| ESCROW DEFICIENCY              |                    |
| PROPERTY INSPECTIONS           |                    |
| INTEREST                       |                    |
| MISCELLANEOUS                  |                    |
| <b>TOTAL DEBT AND INTEREST</b> | <b>\$56,914.97</b> |

**COSTS:**

|                     |                 |
|---------------------|-----------------|
| ADVERTISING         | 0.00            |
| TAXES - COLLECTOR   |                 |
| TAXES - TAX CLAIM   |                 |
| DUE                 |                 |
| LIEN SEARCH         |                 |
| ACKNOWLEDGEMENT     |                 |
| DEED COSTS          | 0.00            |
| SHERIFF COSTS       | 35.60           |
| LEGAL JOURNAL COSTS | 0.00            |
| PROTHONOTARY        | 146.00          |
| MORTGAGE SEARCH     |                 |
| MUNICIPAL LIEN      |                 |
| <b>TOTAL COSTS</b>  | <b>\$181.60</b> |

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

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20060

NO: 03-1618-CD

PLAINTIFF: 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

vs.

DEFENDANT: DONALD S. DAISHER AND MELINDA L. DAISHER

Execution REAL ESTATE

SHERIFF RETURN

DATE RECEIVED WRIT: 12/14/2004

LEVY TAKEN 02/15/2005 @ 10:30 AM

POSTED 02/15/2005 @ 10:30 AM

SALE HELD

SOLD TO

SOLD FOR AMOUNT PLUS COSTS

WRIT RETURNED 01/23/2006

DATE DEED FILED NOT SOLD

FILED  
01/10/24/06  
JAN 23 2006

William A. Shaw  
Prothonotary/Clerk of Courts

DETAILS

02/18/2005 @ 1:09 PM SERVED DONALD S. DAISHER

SERVED DONALD S. DAISHER, DEFENDANT, AT THE SHERIFF'S OFFICE, 1 NORTH SECOND STREET, CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO DONALD S. DAISHER A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE AND COPY OF THE LEVY AND BY MAKING KNOWN TO HIM/HER THE CONTENTS THEREOF.

02/24/2005 @ SERVED MELINDA L. DAISHER

SERVED MELINDA L. DAISHER, DEFENDANT, BY CERT MAIL #70033110000193800497 PER COURT ORDER TO RD 1, BOX 60 A/K/A 151 IRVIN ST. MAHAFFEY, PA, WAS RETURNED TO THE SHERIFF'S OFFICE ON 3/4/05. THE REGULAR MAIL WAS RETURNED TO THE WITH A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE AND COPY OF THE LEVY.

02/24/2005 @ SERVED MELINDA L. DAISHER

SERVED MELINDA L. DAISHER, DEFENDANT, BY CERT MAIL #70033110000193800473 PER COURT ORDER TO 502 BRACKEN ROAD, PUNXSUTAWNEY, PA. THAT WAS RETURNED TO THE SHERIFF'S OFFICE UNCLAIMED ON 2/28/05. THE REG. MAIL WAS RETURNED ON WITH A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE AND COPY OF THE LEVY.

02/24/2005 @ SERVED MELINDA L. DAISHER

SERVED MELINDA L. DAISHER, DEFENDANT, BY CERT MAIL #70033110000193800480 PER COURT ORDER TO 21866 STATE RT 119, PUNXSUTAWNEY, PA. THAT WAS RETURNED TO THE SHERIFF'S OFFICE UNCLAIMED ON 2/28/05. THE REG. MAIL WAS RETURNED ON WITH A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE AND COPY OF THE LEVY.

@ SERVED

NOW, MARCH 31, 2005 RECEIVED A FAX LETTER FROM PLAINTIFF'S ATTORNEY TO CONTINUE THE SHERIFF'S SALE SCHEDULED FOR APRIL 1, 2005 TO JULY 1, 2005.

@ SERVED

NOW, JUNE 30, 2005 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO CONTINUE THE SHERIFF'S SALE SCHEDULED FOR JULY 1, 2005 TO OCTOBER 7, 2005.

@ SERVED

NOW, OCTOBER 6, 2005 RECEIVED A FAX LETTER FROM PLAINTIFF'S ATTORNEY TO STAY THE SHERIFF SALE SCHEDULED FOR OCT. 7, 2005 AND RETURN THE WRIT TO THE PROTHONOTARY'S OFFICE. NOW, JAN. 23, 2006 RETURN WRIT NO SALE HELD TIME EXPIRED.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20060

NO: 03-1618-CD

PLAINTIFF: 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

vs.

DEFENDANT: DONALD S. DAISHER AND MEILINDA L. DAISHER

Execution REAL ESTATE


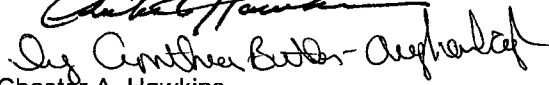
SHERIFF RETURN

---

SHERIFF HAWKINS \$280.13

SURCHARGE \$40.00 PAID BY ATTORNEY

So Answers,

  
  
Chester A. Hawkins  
Sheriff

WRIT OF EXECUTION -- (MORTGAGE FORECLOSURE)  
Pa.R.C.P. 3180 to 3183 and Rule 3257

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

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

NO.: 03-1618-CD

vs.

WRIT OF EXECUTION  
(MORTGAGE FORECLOSURE)

DONALD S. DAISHER  
MELINDA L. DAISHER

Commonwealth of Pennsylvania:

County of Clearfield:

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

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

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

(See legal description attached.)

Amount Due

\$55,327.97

Interest from 8/18/04 to  
Date of Sale (\$9.10 per diem)

\$ \_\_\_\_\_

Total

\$ \_\_\_\_\_ Plus costs as endorsed.

Prothonotary Court 166/a

[Signature]  
Prothonotary, Common Pleas Court of  
Clearfield County, Pennsylvania

Dated Dec. 14, 2004  
(SEAL)

By:

Deputy

KIO

Received December 14, 2004 @ 3:00 P.M.  
Charles A. Hauleris  
Jury Committee Butler-Clearfield

**IMPORTANT NOTICE:** This property is sold at the direction of the plaintiff. It may not be sold in the absence of a representative of the plaintiff at the Sheriff's Sale. The sale must be postponed or stayed in the event that a representative of the plaintiff is not present at the sale.

No. 03-1618-CD

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

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

vs.

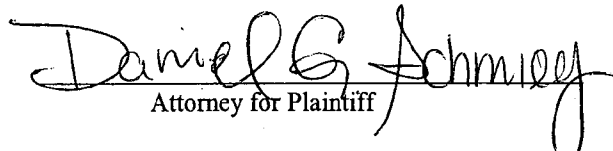
DONALD S. DAISHER  
MELINDA L. DAISHER

---

**WRIT OF EXECUTION  
(MORTGAGE FORECLOSURE)**

---

|  |                             |
|--|-----------------------------|
| Real Debt  | <u>\$55,327.97</u>          |
| Int. from 8/18/04<br>to Date of Sale (\$9.10 per diem) | <u>                    </u> |
| Costs  | <u>                    </u> |
| Prothy. Pd.  | <u>166.00</u>               |
| Sheriff  | <u>                    </u> |

  
Attorney for Plaintiff

Address: RT 1 BOX 60 A/K/A RD 1 BOX 60, MAHAFFEY, PA 15757  
RRI BOX 434 BRACKEN ROAD, MAHAFFEY, PA 15757  
Where papers may be served.

Daniel G. Schmieg, Esquire  
One Penn Center at Suburban Station  
1617 John F. Kennedy Blvd., Suite 1400  
Philadelphia, PA 19103-1814  
(215) 563-7000



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 minutes East, 85 feet to Irvin Street; thence along Irvin Street about West 100 feet to a post and place of beginning. Containing 8,500 square 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 Hicory Street and on the East by the Curwensville Road, as shown by the general plan of said lots as revised by Mahaffey Borough, Pittsburgh and 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 Robert Mahaffey Estate.

Tax Parcel #13-C11-303-30

TITLE TO SAID PREMISES IS VESTED IN Donald S. Daisher and Melinda L. Daisher, husband and wife by Deed from Irene F. Kurtz, an unmarried individual dated 10/11/1995 and recorded 10/30/1995 in Deed Book Volume 1714, Page 223.

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

**REAL ESTATE SALE  
SCHEDULE OF DISTRIBUTION**

NAME DONALD S. DAISHER

NO. 03-1618-CD

NOW, January 21, 2006, 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 , I exposed the within described real estate of Donald S. Daisher And Meilinda L. Daisher to public venue or outcry at which time and place I sold the same to he/she being the highest bidder, for the sum of and made the following appropriations, viz:

**SHERIFF COSTS:**

|                            |                 |
|----------------------------|-----------------|
| RDR                        | 15.00           |
| SERVICE                    | 15.00           |
| MILEAGE                    | 17.82           |
| LEVY                       | 15.00           |
| MILEAGE                    | 17.82           |
| POSTING                    | 15.00           |
| CSDS                       | 10.00           |
| COMMISSION                 | 0.00            |
| POSTAGE                    | 21.67           |
| HANDBILLS                  | 15.00           |
| DISTRIBUTION               | 25.00           |
| ADVERTISING                | 15.00           |
| ADD'L SERVICE              | 15.00           |
| DEED                       |                 |
| ADD'L POSTING              |                 |
| ADD'L MILEAGE              | 17.82           |
| ADD'L LEVY                 |                 |
| BID/SETTLEMENT AMOUNT      |                 |
| RETURNS/DEPUTIZE           |                 |
| COPIES                     | 15.00           |
|                            | 5.00            |
| BILLING/PHONE/FAX          | 5.00            |
| CONTINUED SALES            | 40.00           |
| MISCELLANEOUS              |                 |
| <b>TOTAL SHERIFF COSTS</b> | <b>\$280.13</b> |

**DEED COSTS:**

|                         |               |
|-------------------------|---------------|
| ACKNOWLEDGEMENT         |               |
| REGISTER & RECORDER     |               |
| TRANSFER TAX 2%         | 0.00          |
| <b>TOTAL DEED COSTS</b> | <b>\$0.00</b> |

**PLAINTIFF COSTS, DEBT AND INTEREST:**

|                   |           |
|-------------------|-----------|
| DEBT-AMOUNT DUE   | 55,327.97 |
| INTEREST @ 9.1000 | 0.00      |
| FROM TO           |           |

|                          |       |
|--------------------------|-------|
| PROTH SATISFACTION       |       |
| LATE CHARGES AND FEES    |       |
| COST OF SUIT-TO BE ADDED |       |
| FORECLOSURE FEES         |       |
| ATTORNEY COMMISSION      |       |
| REFUND OF ADVANCE        |       |
| REFUND OF SURCHARGE      | 40.00 |
| SATISFACTION FEE         |       |
| ESCROW DEFICIENCY        |       |
| PROPERTY INSPECTIONS     |       |
| INTEREST                 |       |
| MISCELLANEOUS            |       |

|                                |                    |
|--------------------------------|--------------------|
| <b>TOTAL DEBT AND INTEREST</b> | <b>\$55,367.97</b> |
|--------------------------------|--------------------|

**COSTS:**

|                     |                   |
|---------------------|-------------------|
| ADVERTISING         | 798.62            |
| TAXES - COLLECTOR   |                   |
| TAXES - TAX CLAIM   |                   |
| DUE                 |                   |
| LIEN SEARCH         | 300.00            |
| ACKNOWLEDGEMENT     |                   |
| DEED COSTS          | 0.00              |
| SHERIFF COSTS       | 280.13            |
| LEGAL JOURNAL COSTS | 439.00            |
| PROTHONOTARY        | 166.00            |
| MORTGAGE SEARCH     | 120.00            |
| MUNICIPAL LIEN      |                   |
| <b>TOTAL COSTS</b>  | <b>\$2,103.75</b> |

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

Federman and Phelan, LLP  
By: Lawrence T. Phelan, Esq., Id. No. 32227  
Francis S. Hallinan, Esq., Id. No. 62695  
Daniel G. Schmieg, Esq., Id. No. 62205  
Thomas M. Federman, Esq., Id. No. 64068  
One Penn Center at Suburban Station  
1617 John F. Kennedy Boulevard  
Suite 1400  
Philadelphia, PA 19103-1814  
(215) 563-7000

Attorney for Plaintiff

U.S. Bank National Association, f/k/a  
First Bank Association Trust, Acting  
Solely In Its Capacity As Trustee For  
EQCC Home Equity Loan Trust  
1999-1

COURT OF COMMON PLEAS

vs.

CIVIL DIVISION

Donald S. Daisher  
Melinda L. Daisher

Clearfield COUNTY

NO. 03-1618-CD

**ORDER**

AND NOW, this 6 day of July, 2004, upon

consideration of Plaintiff's Motion for Service Pursuant to Special Order of Court, it is hereby

**ORDERED** and **DECREED** that said Motion is **GRANTED**.

It is further **ORDERED** and **DECREED** that Plaintiff may obtain service of the  
Complaint, and all future pleadings, on the above captioned Defendant(s) Melinda L. Daisher, by:

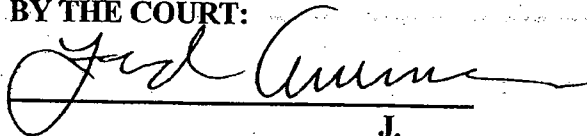
1. First class mail to Melinda L. Daisher at the last known address, 602 Bracken Road, Mahaffey, PA 15757, 21866 State Route 119, Punxsutawney, PA 15767 and the mortgaged premises located at RT 1 Box 60, Mahaffey, PA 15757 a/k/a RR1 Box 434 Bracken Road, Mahaffey, PA 15757; and
2. Certified mail to Melinda L. Daisher at the last known address of 602 Bracken

Road, Mahaffey, PA 15757, 21866 State Route 119, Punxsutawney, PA

15767 and the mortgaged premises located at RT 1 Box 60, Mahaffey, PA

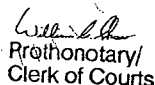
I hereby certify this to be a true and correct copy of the original statement filed in this case.

BY THE COURT:

  
J.

JUL 06 2004

Attest.

  
Prothonotary/  
Clerk of Courts



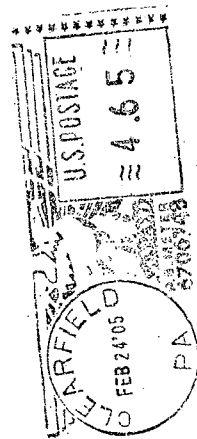
CHESTER A. HAWKINS  
SHERIFF

COURTHOUSE

1 NORTH SECOND STREET - SUITE 116  
CLEARFIELD, PENNSYLVANIA 16830



7003 3110 0001 9380 0480



ANK 2-25-05  
vjm

MELINDA L. DAISHER

218

PU

A

C

S

☐ INSUFFICIENT ADDRESS

☒ ATTEMPTED NOT KNOWN

☐ NO SUCH NUMBER/STREET

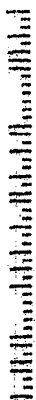
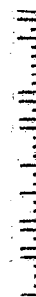
☐ NOT DELIVERABLE AS ADDRESSED

☐ UNABLE TO FORWARD

☐ OTHER

**RTS**  
RETURN TO SENDER

16530/2432



**U.S. Postal Service™ CERTIFIED MAIL™ RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

| Postage | Certified Fee | Return Receipt Fee (Endorsement Required) | Restricted Delivery Fee (Endorsement Required) | Total Postage & Fees |
|---------|---------------|---|--|----------------------|
| \$      |               |   |  | \$ 4.65              |

**Postmark:** CLEARFIELD PA 25 FEB 2005

**Sent To:** MELINDA L. DAISHER  
21866 STATE ROUTE 119  
PUNXSUTAWNEY, PA 16767  
City, State, ZIP+4

PS Form 3800, June 2002 See Reverse for Instructions

PLACE STICKER AT TOP OF ENVELOPE TO THE FRONT  
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE  
TO RETURN TO SENDER.

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

MEENDA L. KAISER  
24866 STATE ROUTE 119  
PUNXSUTAWNEY, PA 15667

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

☐ Agent  
☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type

- ☐ Certified Mail
- ☐ Registered
- ☐ Insured Mail
- ☐ Express Mail
- ☐ Return Receipt for Merchandise
- ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number

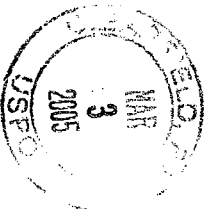
(Transfer from service label)

7003 3110 0001 9380 0480

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540





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

ANK

2/28/05

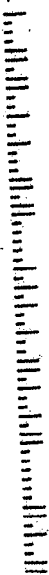
MELINDA L. DAISHER  
21866 STATE ROUTE 119  
PUNXSUTAWNEY, PA 15767

☐ A ☐ INSUFFICIENT ADDRESS  
☐ C ☒ ATTEMPTED NOT KNOWN  
☐ S ☐ NO SUCH NUMBER/STREET  
☐ NOT DELIVERABLE AS ADDRESSED  
- UNABLE TO FORWARD

☐ OTHER

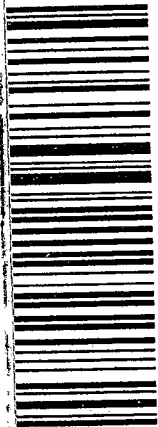
**RTS**  
RETURN TO SENDER

1 2 3 4 5 6 7 8 9 0 2





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



7003 3110 0001 9380 0473



MELINDA L. DAISHER  
602 BRACKEN ROAD  
MAHAFFEY, PA 15757

A ☐ C ☐ S  
INSUFFICIENT ADDRESS  
☐ ATTEMPTED NOT KNOWN  
☐ NO SUCH NUMBER/ STREET  
☐ NOT DELIVERABLE AS ADDRESSED  
- UNABLE TO FORWARD

☒ OTHER  
AMIC

**RTS**  
RETURN TO SENDER

16830/2434

3/4/05 lca

**POSTAL SERVICE™ RTIFIED MAIL™ RECEIPT**  
Nestic Mail Only: No Insurance Coverage Provided  
Delivery Information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

| Postage & Fees | Postage | Certified Fee | Return Receipt Fee | Registered Delivery Fee |
|----------------|---------|---------------|--------------------|-------------------------|
| \$ 4.65        |         |               |                    |                         |

Postmark: CLEARFIELD PA FEB 25 2005

See Reverse for Instructions

3800, June 2002

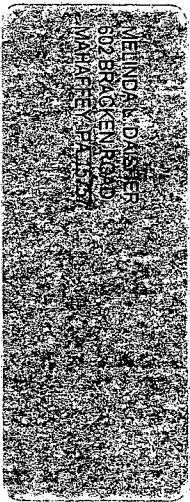
Appt. No.:  
Box No.:  
MahaFFEY, PA 15757

**CERTIFIED MAIL**

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:



**COMPLETE THIS SECTION ON DELIVERY**

A. Signature ☒ Agent ☐ Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes ☐ No  
If YES, enter delivery address below:

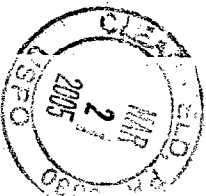
3. Service Type
- ☐ Certified Mail ☐ Express Mail
  - ☐ Registered ☐ Return Receipt for Merchandise
  - ☐ Insured Mail ☐ C.O.D.
4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Transfer from service label) **7003 3110 0001 9380 0473**

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540







CHESTER A. HAWKINS  
SHERIFF

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

2/24/05  
120

WTF

MELINDA L. DAISHER  
602 BRACKEN ROAD

CLEARFIELD, PA 16830

A ☐ INSUFFICIENT ADDRESS  
C ☐ ATTEMPTED NOT KNOWN  
S ☐ NO SUCH NUMBER/ STREET  
☒ NOT DELIVERABLE AS ADDRESSED  
- UNABLE TO FORWARD

☐ OTHER

**RTS**  
RETURN TO SENDER



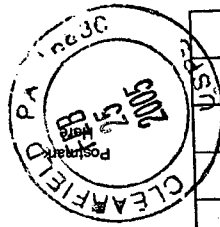
1575777 16830/2438

PS Form 3800, June 2002 See Reverse for Instructions

Sent To  
 MELINDA L. DAISHER  
 RT 1 BOX 60 A/K/A 151 IRVIN STREET  
 MAHAFFEY, PA 15757  
 City, State, ZIP+4

Postage \$  
 Certified Fee  
 Return Receipt Fee (Endorsement Required)  
 Restricted Delivery Fee (Endorsement Required)  
 Total Postage & Fees \$ 4.65

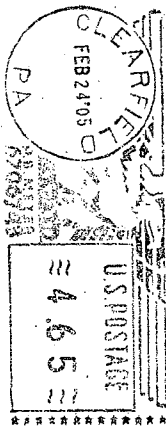
**OFFICIAL USE**  
 For delivery information visit our website at www.usps.com®  
**U.S. Postal Service™ RECEIPT**  
 (Domestic Mail Only: No Insurance Coverage Provided)



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

03/04/05  
 rec

7003 3110 0001 9360 0497



MELINDA L. DAISHER  
 RT 1 BOX 60 A/K/A 151 IRVIN STREET  
 MAHAFFEY, PA 15757

☐ A ☐ INSUFFICIENT ADDRESS  
☐ C ☐ ATTEMPTED NOT KNOWN  
☐ S ☐ NO SUCH NUMBER/STREET  
☐ NOT DELIVERABLE AS ADDRESSED  
 - UNABLE TO FORWARD

**RTS**  
 RETURN TO SENDER

1-800-243-7834

**CERTIFIED MAIL™**

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE.

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

MELINDA DAISHER  
RT 1 BOX 60 AKA 151 IRVIN STREET  
MAHAFFEY PA 15757

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature ☒ Agent  
☒ Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type  
☐ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

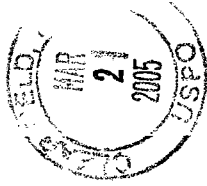
2. Article Number 7003 3110 0001 9380 0497

(Transfer from service label)

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540





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

2/26/85

AC

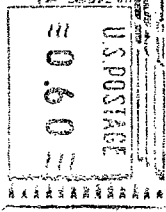
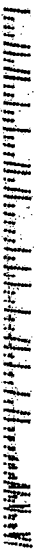
MTF

MELINDA L. DAISHER  
RT 1, BOX 60 A/K/A 151 IRVIN STREET  
MAHARREY PA 15767  
A ☐ INSUFFICIENT ADDRESS  
C ☐ ATTEMPTED NOT KNOWN  
S ☒ NO SUCH NUMBER/ STREET  
UNABLE TO DELIVERABLE AS ADDRESSED  
OTHER ☐

**RTS**  
RETURN TO SENDER

15757

16830/2438



Federman and Phelan is now  
Law Offices  
**PHELAN HALLINAN & SCHMIEG, LLP**  
One Penn Center at Suburban Station  
1617 John F. Kennedy Boulevard  
Suite 1400  
Philadelphia, PA 19103-1814  
[Sandra.Cooper@fedphe.com](mailto:Sandra.Cooper@fedphe.com)

Sandra Cooper  
Judgment Department, Ext. 1258

Representing Lenders in  
Pennsylvania and New Jersey

March 31, 2005

Office of the Sheriff  
Clearfield County Courthouse  
230 East Market Street  
Clearfield, PA 16830

ATTENTION: CINDY (814) 765-5915

Re: 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 v. DONALD  
S. DAISHER MELINDA L. DAISHER

No. 2002-1453-CD

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

Dear Cindy:

Please postpone the Sheriff's Sale of the above referenced property which  
is scheduled for April 1, 2005.

The property is to be relisted for the 7/1/05Cindy Sheriff's Sale.

Very truly yours,  
SMC  
Sandra Coouer

Federman and Phelan is now

Law Offices

**PHELAN HALLINAN & SCHMIEG, LLP**

One Penn Center at Suburban Station

1617 John F. Kennedy Boulevard

Suite 1400

Philadelphia, PA 19103-1814

[Sandra.Cooper@fedphe.com](mailto:Sandra.Cooper@fedphe.com)

Sandra Cooper  
Judgment Department, Ext. 1258

Representing Lenders in  
Pennsylvania and New Jersey

June 30, 2005

Office of the Sheriff  
Clearfield County Courthouse  
230 East Market Street  
Clearfield, PA 16830

ATTENTION: CINDY (814) 765-5915

**Re: 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 v. DONALD  
S. DAISHER MELINDA L. DAISHER**

**No. 2002-1453-CD**

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

Dear Cindy:

Please postpone the Sheriff's Sale of the above referenced property which  
is scheduled for JULY 1, 2005.

The property is to be relisted for the 10/7/05 Sheriff's Sale.

Very truly yours,

SMC

Sandra Cooper

Federman and Phelan is now  
Law Offices

**PHELAN HALLINAN & SCHMIEG, LLP**

One Penn Center at Suburban Station  
1617 John F. Kennedy Boulevard  
Suite 1400  
Philadelphia, PA 19103-1814  
[Sandra.Cooper@fedphe.com](mailto:Sandra.Cooper@fedphe.com)

SANDRA COOPER  
Judgment Department, Ext. 1258

Representing Lenders in  
Pennsylvania and New Jersey

October 6, 2005

Office of the Sheriff  
Clearfield County Courthouse  
230 East Market Street  
Clearfield, PA 16830

ATTENTION: CINDY (814) 765-5915

Re: 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 v. DONALD S. DAISHER MELINDA L. DAISHER  
No. 2002-1453-CD  
RT 1 BOX 60 A/K/A RD 1 BOX 60, MAHAFFEY, PA 15757

Dear Cindy:

Please stay the Sheriff's Sale of the above referenced property, which is scheduled for ,  
return the original writ of execution to the Prothonotary's office and refund any unused money to our  
office.

Please be further advised that no consideration was reported to have been  
received by our office.

Very truly yours,

Sandra Cooper

PHELAN HALLINAN & SCHMIEG, LLP  
BY: FRANCIS S. HALLINAN, ESQUIRE  
Identification No. 62695  
One Penn Center at Suburban Station  
1617 John F. Kennedy Boulevard, Suite 1400  
Philadelphia, PA 19103-1814  
(215) 563-7000

ATTORNEY FOR PLAINTIFF

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

vs.

Donald S. Daisher  
Melinda L. Daisher

Defendant(s)

Court of Common Pleas

Civil Division

Clearfield County

No. 03-1618-CD

**PRAECIPE**

TO THE PROTHONOTARY:

\_\_\_\_ Please mark the above referenced case Discontinued and Ended without prejudice.

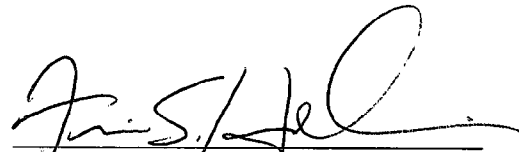
\_\_\_\_ Please mark the above referenced case Settled, Discontinued and Ended.

X  Please mark Judgments satisfied and the Action settled, discontinued and ended.


\_\_\_\_ Please Vacate the judgment entered and mark the action discontinued and ended without prejudice.

\_\_\_\_ Please withdraw the complaint and mark the action discontinued and ended without prejudice.

Date: 8/6/07

  
Francis S. Hallinan, Esquire  
Attorney for Plaintiff

PHS # 62629

**FILED** *pd \$7.00 Atty*  
*m/12.05 cm of set issued*  
**AUG 09 2007** *to Asst Hallinan*  
  
William A. Shaw  
Prothonotary/Clerk of Courts



IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

COPY

CERTIFICATE OF SATISFACTION OF JUDGMENT

U.S. Bank National Association

No.: 2003-01618-CD

Vs.

Debt: \$55,327.97

Donald S. Daisher  
Melinda L. Daisher

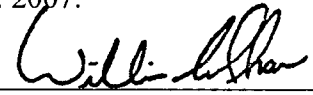
Atty's Comm.:

Interest From:

Cost: \$7.00

NOW, Thursday, August 09, 2007 , directions for satisfaction having been received, and all costs having been paid, SATISFACTION was entered of record.

Certified from the record this 9th day of August, A.D. 2007.

  
Prothonotary