

04-342-CD
SFJV-203-1, LLC
vs. PHILIP J. LEONE, et al.

SFJV-2003-1 vs. Philip J. Leone et al
2004-342-CD

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

SFJV-2003-1, LLC
7495 NEW HORIZON WAY
FREDERICK, MD 21703-8388

ATTORNEY FOR PLAINTIFF
COURT OF COMMON PLEAS
CIVIL DIVISION

COURT OF COMMON PLEAS
CIVIL DIVISION

Plaintiff
v.

TERM
NO. 04-342-CJ
CLEARFIELD COUNTY

PHILIP J. LEONE
APRIL R. KLEIN
35 LAKESIDE AVENUE
LAKE GROVE, NY 14530

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.

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

FILED

MAR 12 2004

William A Shaw
Prothonotary/Clerk of Courts

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.**

**IF YOU HAVE FILED BANKRUPTCY AND
RECEIVED A DISCHARGE, THIS IS NOT AN
ATTEMPT TO COLLECT A DEBT. IT IS AN
ACTION TO ENFORCE A LIEN ON REAL ESTATE.**

1. Plaintiff is

SFJV-2003-1, LLC
7495 NEW HORIZON WAY
FREDERICK, MD 21703-8388

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

PHILIP J. LEONE
APRIL R. KLEIN
35 LAKESIDE AVENUE
LAKE GROVE, NY 14530

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

3. On 07/02/2001 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to CENDANT MORTGAGE CORPORATION D/B/A COLDWELL BANKER MORTGAGE which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Instrument No. 200110084. 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 02/01/2003 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	\$112,584.21
Interest	10,205.10
01/01/2003 through 03/10/2004	
(Per Diem \$23.46)	
Attorney's Fees	1,250.00
Cumulative Late Charges	380.06
07/02/2001 to 03/10/2004	
Cost of Suit and Title Search	<u>\$ 550.00</u>
Subtotal	\$ 124,969.37
Escrow	
Credit	0.00
Deficit	1,928.44
Subtotal	<u>\$ 1,928.44</u>
TOTAL	\$ 126,897.81

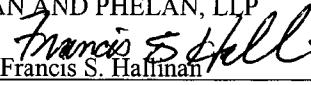
7. The attorney's fees set forth above are in conformity with the mortgage documents and Pennsylvania law, and will be collected in the event of a third party purchaser at Sheriff's Sale. If the Mortgage is reinstated prior to the Sale, reasonable attorney's fees will be charged.

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 6 of 1974 because the original mortgage amount exceeds \$50,000.

10. This action does not come under Act 91 of 1983 because the mortgage premises is not the principal residence of Defendant(s).

WHEREFORE, PLAINTIFF demands an *in rem* Judgment against the Defendant(s) in the sum of \$ 126,897.81, together with interest from 03/10/2004 at the rate of \$23.46 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 TRACT OF LAND DESIGNATED AS LOT NO. 100, SECTION 4, IN THE TREASURE LAKE SUBDIVISION IN SANDY TOWNSHIP, CLEARFIELD COUNTY, PENNSYLVANIA, RECORDED IN THE RECORDER OF DEEDS OFFICE IN MISC. DOCKET MAP FILE NO. 25, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT AN EXISTING PIN, SAID IRON PIN BEING ALONG THE NORTHERN RIGHT OF WAY FOR A ROAD KNOWN AS CAPTAIN JACK COURT (50-FOOT ROW) AND ALSO BEING THE NORTHEAST CORNER OF LOT NO. 99 AND NORTHEAST CORNER OF THE HEREIN DESCRIBED PARCEL;

THENCE, SOUTH 84 DEGREES 14 MINUTES 00 SECONDS EAST ALONG SAID 50-FOOT RIGHT OF WAY A DISTANCE OF 75 FEET TO A REBAR SET BY THE SURVEY INTENDED TO BE RECORDED HEREWITH, SAID REBAR BEING THE NORTHWEST CORNER OF SAID LOT NO. 101 AND THE NORTHEAST CORNER OF THE HEREIN DESCRIBED PARCEL;

THENCE SOUTH 5 DEGREES 46 MINUTES 00 SECONDS WEST ALONG LANDS KNOWN AS LOT NO. 101 A DISTANCE OF 222.25 FEET TO A REBAR SET BY THE SURVEY, SAID REBAR BEING SOUTHWEST CORNER OF LOT NO. 101 AND THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED PARCEL;

THENCE SOUTH 84 DEGREES 12 MINUTES 30 SECONDS WEST A DISTANCE OF 76.552 FEET TO AN EXISTING IRON PIN, SAID IRON PIN BEING THE SOUTHEAST CORNER OF LOT NO. 99 AND THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED PARCEL;

THENCE NORTH 5 DEGREES 46 MINUTES 00 SECONDS EAST ALONG LANDS KNOWN AS LOT NO 99 A DISTANCE OF 237.59 FEET TO AN EXISTING IRON PIN, SAID IRON PIN BEING THE POINT OF BEGINNING. CONTAINING .40 ACRE AND BEING KNOWN AS LOT NO 100.

PREMISES EBING: 518 TREASURE LAKE

VERIFICATION

FRANCIS S. HALLINAN, ESQUIRE hereby states that he is attorney for Plaintiff in this matter, that Plaintiff is outside the jurisdiction of the court and or the verification could not be obtained within the time allowed for the filing of the pleading, that he is authorized to make this verification pursuant to Pa. R. C. P. 1024 (c), and that the statements made in the foregoing Civil Action in Mortgage Foreclosure are based upon information supplied by Plaintiff and are true and correct to the best of its knowledge, information and belief. Furthermore, it is counsel's intention to substitute a verification from Plaintiff as soon as it is received by counsel.

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


Francis S. Hallinan, Esquire
Attorney for Plaintiff

DATE: 3/10/04

4-14-D4 Document
Reinstated/Reissued to Sheriff/Attorney
for service.
William A. Shaw
Deputy Prothonotary

FILED
MAY 12 2004
MAR 12 2004
William A. Shaw
Prothonotary/Clerk of Courts
Alky pd. \$5.00

In The Court of Common Pleas of Clearfield County, Pennsylvania

SFJV-2003-1, LLC

VS.

LEONE, PHILIP J. and APRIL R. KLEIN

Sheriff Docket # 15304

04-342-CD

COMPLAINT IN MORTGAGE FORECLOSURE

SHERIFF RETURNS

NOW APRIL 12, 2004 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURN THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE "NOT FOUND" AS TO PHILIP J. LEONE and APRIL R. KLEIN, DEFENDANTS. NO FORWARDING FROM 518 TREASURE LAKE, DUBOIS, PA. and "HOUSE EMPTY" AT 1199 TREASURE LAKE, DUBOIS, PA.

Return Costs

Cost	Description
43.25	SHERIFF HAWKINS PAID BY: ATTY CK# 338156
40.00	SURCHARGE PAID BY: ATTY CK# 338157

Sworn to Before Me This

12th Day Of April 2004
William A. Shaw

So Answers,

*Chester A. Hawkins
by Marilyn Hamps*
Chester A. Hawkins
Sheriff

FILED

APR 12 2004
01 8:45 a.m.
*6
KED*

William A. Shaw
Prothonotary

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

SFJV-2003-1, LLC
7495 NEW HORIZON WAY
FREDERICK, MD 21703-8388

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS
CIVIL DIVISION

COURT OF COMMON PLEAS
CIVIL DIVISION

Plaintiff

v.

TERM

NO. 04-342-CD

CLEARFIELD COUNTY

PHILIP J. LEONE
APRIL R. KLEIN
35 LAKESIDE AVENUE
LAKE GROVE, NY 14530

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

Defendant(s)

MAR 12 2004

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

Attest.

William L. P.
Prothonotary/
Clerk of Courts

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.

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.**

**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.**

**IF YOU HAVE FILED BANKRUPTCY AND
RECEIVED A DISCHARGE, THIS IS NOT AN
ATTEMPT TO COLLECT A DEBT. IT IS AN
ACTION TO ENFORCE A LIEN ON REAL ESTATE.**

1. Plaintiff is

SFJV-2003-1, LLC
7495 NEW HORIZON WAY
FREDERICK, MD 21703-8388

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

PHILIP J. LEONE
APRIL R. KLEIN
35 LAKESIDE AVENUE
LAKE GROVE, NY 14530

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

3. On 07/02/2001 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to CENDANT MORTGAGE CORPORATION D/B/A COLDWELL BANKER MORTGAGE which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Instrument No. 200110084. 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 02/01/2003 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	\$112,584.21
Interest	10,205.10
01/01/2003 through 03/10/2004 (Per Diem \$23.46)	
Attorney's Fees	1,250.00
Cumulative Late Charges 07/02/2001 to 03/10/2004	380.06
Cost of Suit and Title Search	<u>\$ 550.00</u>
Subtotal	\$ 124,969.37
Escrow	
Credit	0.00
Deficit	1,928.44
Subtotal	<u>\$ 1,928.44</u>
TOTAL	\$ 126,897.81

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 6 of 1974 because the original mortgage amount exceeds \$50,000.

10. This action does not come under Act 91 of 1983 because the mortgage premises is not the principal residence of Defendant(s).

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 126,897.81, together with interest from 03/10/2004 at the rate of \$23.46 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 TRACT OF LAND DESIGNATED AS LOT NO. 100, SECTION 4, IN THE TREASURE LAKE SUBDIVISION IN SANDY TOWNSHIP, CLEARFIELD COUNTY, PENNSYLVANIA, RECORDED IN THE RECORDER OF DEEDS OFFICE IN MISC. DOCKET MAP FILE NO. 25, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT AN EXISTING PIN, SAID IRON PIN BEING ALONG THE NORTHERN RIGHT OF WAY FOR A ROAD KNOWN AS CAPTAIN JACK COURT (50-FOOT ROW) AND ALSO BEING THE NORTHEAST CORNER OF LOT NO. 99 AND NORTHEAST CORNER OF THE HEREIN DESCRIBED PARCEL;

THENCE, SOUTH 84 DEGREES 14 MINUTES 00 SECONDS EAST ALONG SAID 50-FOOT RIGHT OF WAY A DISTANCE OF 75 FEET TO A REBAR SET BY THE SURVEY INTENDED TO BE RECORDED HEREWITH, SAID REBAR BEING THE NORTHWEST CORNER OF SAID LOT NO. 101 AND THE NORTHEAST CORNER OF THE HEREIN DESCRIBED PARCEL;

THENCE SOUTH 5 DEGREES 46 MINUTES 00 SECONDS WEST ALONG LANDS KNOWN AS LOT NO. 101 A DISTANCE OF 222.25 FEET TO A REBAR SET BY THE SURVEY, SAID REBAR BEING SOUTHWEST CORNER OF LOT NO. 101 AND THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED PARCEL;

THENCE SOUTH 84 DEGREES 12 MINUTES 30 SECONDS WEST A DISTANCE OF 76.552 FEET TO AN EXISTING IRON PIN, SAID IRON PIN BEING THE SOUTHEAST CORNER OF LOT NO. 99 AND THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED PARCEL;

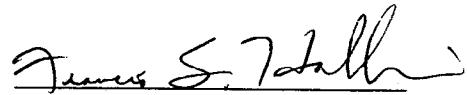
THENCE NORTH 5 DEGREES 46 MINUTES 00 SECONDS EAST ALONG LANDS KNOWN AS LOT NO 99 A DISTANCE OF 237.59 FEET TO AN EXISTING IRON PIN, SAID IRON PIN BEING THE POINT OF BEGINNING. CONTAINING .40 ACRE AND BEING KNOWN AS LOT NO 100.

PREMISES EBING: 518 TREASURE LAKE

VERIFICATION

FRANCIS S. HALLINAN, ESQUIRE hereby states that he is attorney for Plaintiff in this matter, that Plaintiff is outside the jurisdiction of the court and or the verification could not be obtained within the time allowed for the filing of the pleading, that he is authorized to make this verification pursuant to Pa. R. C. P. 1024 (c), and that the statements made in the foregoing Civil Action in Mortgage Foreclosure are based upon information supplied by Plaintiff and are true and correct to the best of its knowledge, information and belief. Furthermore, it is counsel's intention to substitute a verification from Plaintiff as soon as it is received by counsel.

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


Francis S. Hallinan, Esquire
Attorney for Plaintiff

DATE: 3/10/04

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

SFJV-2003-1, LLC
7495 NEW HORIZON WAY
FREDERICK, MD 21703-8388

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS
CIVIL DIVISION

COURT OF COMMON PLEAS
CIVIL DIVISION

Plaintiff
v.

TERM

NO. 04-342-C

PHILIP J. LEONE
APRIL R. KLEIN
35 LAKESIDE AVENUE
LAKE GROVE, NY 14530

CLEARFIELD COUNTY

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

Defendant(s)

MAR 12 2004

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

Attest.

William J. Phe
Prothonotary/
Clerk of Courts

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.

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.**

**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.**

**IF YOU HAVE FILED BANKRUPTCY AND
RECEIVED A DISCHARGE, THIS IS NOT AN
ATTEMPT TO COLLECT A DEBT. IT IS AN
ACTION TO ENFORCE A LIEN ON REAL ESTATE.**

1. Plaintiff is

SFJV-2003-1, LLC
7495 NEW HORIZON WAY
FREDERICK, MD 21703-8388

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

PHILIP J. LEONE
APRIL R. KLEIN
35 LAKESIDE AVENUE
LAKE GROVE, NY 14530

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

3. On 07/02/2001 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to CENDANT MORTGAGE CORPORATION D/B/A COLDWELL BANKER MORTGAGE which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Instrument No. 200110084. 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 02/01/2003 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	\$112,584.21
Interest	10,205.10
01/01/2003 through 03/10/2004 (Per Diem \$23.46)	
Attorney's Fees	1,250.00
Cumulative Late Charges 07/02/2001 to 03/10/2004	380.06
Cost of Suit and Title Search	<u>\$ 550.00</u>
Subtotal	\$ 124,969.37
Escrow	
Credit	0.00
Deficit	1,928.44
Subtotal	<u>\$ 1,928.44</u>
TOTAL	\$ 126,897.81

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 6 of 1974 because the original mortgage amount exceeds \$50,000.

10. This action does not come under Act 91 of 1983 because the mortgage premises is not the principal residence of Defendant(s).

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 126,897.81, together with interest from 03/10/2004 at the rate of \$23.46 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: Francis S. Hallinan
 FRANK FEDERMAN, ESQUIRE
 LAWRENCE T. PHELAN, ESQUIRE
 FRANCIS S. HALLINAN, ESQUIRE
 Attorneys for Plaintiff

ALL THAT CERTAIN TRACT OF LAND DESIGNATED AS LOT NO. 100, SECTION 4, IN THE TREASURE LAKE SUBDIVISION IN SANDY TOWNSHIP, CLEARFIELD COUNTY, PENNSYLVANIA, RECORDED IN THE RECORDER OF DEEDS OFFICE IN MISC. DOCKET MAP FILE NO. 25, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT AN EXISTING PIN, SAID IRON PIN BEING ALONG THE NORTHERN RIGHT OF WAY FOR A ROAD KNOWN AS CAPTAIN JACK COURT (50-FOOT ROW) AND ALSO BEING THE NORTHEAST CORNER OF LOT NO. 99 AND NORTHEAST CORNER OF THE HEREIN DESCRIBED PARCEL;

THENCE, SOUTH 84 DEGREES 14 MINUTES 00 SECONDS EAST ALONG SAID 50-FOOT RIGHT OF WAY A DISTANCE OF 75 FEET TO A REBAR SET BY THE SURVEY INTENDED TO BE RECORDED HEREWITHE, SAID REBAR BEING THE NORTHWEST CORNER OF SAID LOT NO. 101 AND THE NORTHEAST CORNER OF THE HEREIN DESCRIBED PARCEL;

THENCE SOUTH 5 DEGREES 46 MINUTES 00 SECONDS WEST ALONG LANDS KNOWN AS LOT NO. 101 A DISTANCE OF 222.25 FEET TO A REBAR SET BY THE SURVEY, SAID REBAR BEING SOUTHWEST CORNER OF LOT NO. 101 AND THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED PARCEL;

THENCE SOUTH 84 DEGREES 12 MINUTES 30 SECONDS WEST A DISTANCE OF 76.552 FEET TO AN EXISTING IRON PIN, SAID IRON PIN BEING THE SOUTHEAST CORNER OF LOT NO. 99 AND THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED PARCEL;

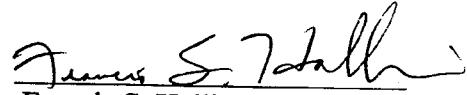
THENCE NORTH 5 DEGREES 46 MINUTES 00 SECONDS EAST ALONG LANDS KNOWN AS LOT NO 99 A DISTANCE OF 237.59 FEET TO AN EXISTING IRON PIN, SAID IRON PIN BEING THE POINT OF BEGINNING. CONTAINING .40 ACRE AND BEING KNOWN AS LOT NO 100.

PREMISES EBING: 518 TREASURE LAKE

VERIFICATION

FRANCIS S. HALLINAN, ESQUIRE hereby states that he is attorney for Plaintiff in this matter, that Plaintiff is outside the jurisdiction of the court and or the verification could not be obtained within the time allowed for the filing of the pleading, that he is authorized to make this verification pursuant to Pa. R. C. P. 1024 (c), and that the statements made in the foregoing Civil Action in Mortgage Foreclosure are based upon information supplied by Plaintiff and are true and correct to the best of its knowledge, information and belief. Furthermore, it is counsel's intention to substitute a verification from Plaintiff as soon as it is received by counsel.

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


Francis S. Hallinan, Esquire
Attorney for Plaintiff

DATE: 3/10/04

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

SFJV-2003-1, LLC
7495 NEW HORIZON WAY
FREDERICK, MD 21703-8388

Plaintiff
v.

PHILIP J. LEONE
APRIL R. KLEIN
35 LAKESIDE AVENUE
LAKE GROVE, NY 14530

Defendant(s)

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE Attest.

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.

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.**

**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.**

**IF YOU HAVE FILED BANKRUPTCY AND
RECEIVED A DISCHARGE, THIS IS NOT AN
ATTEMPT TO COLLECT A DEBT. IT IS AN
ACTION TO ENFORCE A LIEN ON REAL ESTATE.**

1. Plaintiff is

SFJV-2003-1, LLC
7495 NEW HORIZON WAY
FREDERICK, MD 21703-8388

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

PHILIP J. LEONE
APRIL R. KLEIN
35 LAKESIDE AVENUE
LAKE GROVE, NY 14530

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

3. On 07/02/2001 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to CENDANT MORTGAGE CORPORATION D/B/A COLDWELL BANKER MORTGAGE which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Instrument No. 200110084. 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 02/01/2003 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	\$112,584.21
Interest	10,205.10
01/01/2003 through 03/10/2004	
(Per Diem \$23.46)	
Attorney's Fees	1,250.00
Cumulative Late Charges	380.06
07/02/2001 to 03/10/2004	
Cost of Suit and Title Search	<u>\$ 550.00</u>
Subtotal	\$ 124,969.37
Escrow	
Credit	0.00
Deficit	1,928.44
Subtotal	<u>\$ 1,928.44</u>
TOTAL	\$ 126,897.81

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 6 of 1974 because the original mortgage amount exceeds \$50,000.

10. This action does not come under Act 91 of 1983 because the mortgage premises is not the principal residence of Defendant(s).

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 126,897.81, together with interest from 03/10/2004 at the rate of \$23.46 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: Francis S. Hallinan
 FRANK FEDERMAN, ESQUIRE
 LAWRENCE T. PHELAN, ESQUIRE
 FRANCIS S. HALLINAN, ESQUIRE
 Attorneys for Plaintiff

ALL THAT CERTAIN TRACT OF LAND DESIGNATED AS LOT NO. 100, SECTION 4, IN THE TREASURE LAKE SUBDIVISION IN SANDY TOWNSHIP, CLEARFIELD COUNTY, PENNSYLVANIA, RECORDED IN THE RECORDER OF DEEDS OFFICE IN MISC. DOCKET MAP FILE NO. 25, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT AN EXISTING PIN, SAID IRON PIN BEING ALONG THE NORTHERN RIGHT OF WAY FOR A ROAD KNOWN AS CAPTAIN JACK COURT (50-FOOT ROW) AND ALSO BEING THE NORTHEAST CORNER OF LOT NO. 99 AND NORTHEAST CORNER OF THE HEREIN DESCRIBED PARCEL;

THENCE, SOUTH 84 DEGREES 14 MINUTES 00 SECONDS EAST ALONG SAID 50-FOOT RIGHT OF WAY A DISTANCE OF 75 FEET TO A REBAR SET BY THE SURVEY INTENDED TO BE RECORDED HEREWITH, SAID REBAR BEING THE NORTHWEST CORNER OF SAID LOT NO. 101 AND THE NORTHEAST CORNER OF THE HEREIN DESCRIBED PARCEL;

THENCE SOUTH 5 DEGREES 46 MINUTES 00 SECONDS WEST ALONG LANDS KNOWN AS LOT NO. 101 A DISTANCE OF 222.25 FEET TO A REBAR SET BY THE SURVEY, SAID REBAR BEING SOUTHWEST CORNER OF LOT NO. 101 AND THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED PARCEL;

THENCE SOUTH 84 DEGREES 12 MINUTES 30 SECONDS WEST A DISTANCE OF 76.552 FEET TO AN EXISTING IRON PIN, SAID IRON PIN BEING THE SOUTHEAST CORNER OF LOT NO. 99 AND THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED PARCEL;

THENCE NORTH 5 DEGREES 46 MINUTES 00 SECONDS EAST ALONG LANDS KNOWN AS LOT NO 99 A DISTANCE OF 237.59 FEET TO AN EXISTING IRON PIN, SAID IRON PIN BEING THE POINT OF BEGINNING. CONTAINING .40 ACRE AND BEING KNOWN AS LOT NO 100.

PREMISES BEING: 518 TREASURE LAKE

VERIFICATION

FRANCIS S. HALLINAN, ESQUIRE hereby states that he is attorney for Plaintiff in this matter, that Plaintiff is outside the jurisdiction of the court and or the verification could not be obtained within the time allowed for the filing of the pleading, that he is authorized to make this verification pursuant to Pa. R. C. P. 1024 (c), and that the statements made in the foregoing Civil Action in Mortgage Foreclosure are based upon information supplied by Plaintiff and are true and correct to the best of its knowledge, information and belief. Furthermore, it is counsel's intention to substitute a verification from Plaintiff as soon as it is received by counsel.

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


Francis S. Hallinan, Esquire
Attorney for Plaintiff

DATE: 3/10/04

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

SFJV-2003-1, LLC
7495 NEW HORIZON WAY
FREDERICK, MD 21703-8388

Plaintiff
v.

PHILIP J. LEONE
APRIL R. KLEIN
35 LAKESIDE AVENUE
LAKE GROVE, NY 14530

Defendant(s)

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS
CIVIL DIVISION

COURT OF COMMON PLEAS
CIVIL DIVISION

TERM

NO. 04-342-CD

CLEARFIELD COUNTY

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

MAR 12 2004

Attest.

W.E. P.
Prothonotary/
Clerk of Courts

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.

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

We hereby certify this
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.**

**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.**

**IF YOU HAVE FILED BANKRUPTCY AND
RECEIVED A DISCHARGE, THIS IS NOT AN
ATTEMPT TO COLLECT A DEBT. IT IS AN
ACTION TO ENFORCE A LIEN ON REAL ESTATE.**

1. Plaintiff is

SFJV-2003-1, LLC
7495 NEW HORIZON WAY
FREDERICK, MD 21703-8388

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

PHILIP J. LEONE
APRIL R. KLEIN
35 LAKESIDE AVENUE
LAKE GROVE, NY 14530

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

3. On 07/02/2001 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to CENDANT MORTGAGE CORPORATION D/B/A COLDWELL BANKER MORTGAGE which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Instrument No. 200110084. 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 02/01/2003 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	\$112,584.21
Interest	10,205.10
01/01/2003 through 03/10/2004	
(Per Diem \$23.46)	
Attorney's Fees	1,250.00
Cumulative Late Charges	380.06
07/02/2001 to 03/10/2004	
Cost of Suit and Title Search	<u>\$ 550.00</u>
Subtotal	\$ 124,969.37
Escrow	
Credit	0.00
Deficit	1,928.44
Subtotal	<u>\$ 1,928.44</u>
TOTAL	\$ 126,897.81

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 6 of 1974 because the original mortgage amount exceeds \$50,000.

10. This action does not come under Act 91 of 1983 because the mortgage premises is not the principal residence of Defendant(s).

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 126,897.81, together with interest from 03/10/2004 at the rate of \$23.46 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: Francis S. Hallinan
 FRANK FEDERMAN, ESQUIRE
 LAWRENCE T. PHELAN, ESQUIRE
 FRANCIS S. HALLINAN, ESQUIRE
 Attorneys for Plaintiff

ALL THAT CERTAIN TRACT OF LAND DESIGNATED AS LOT NO. 100, SECTION 4, IN THE TREASURE LAKE SUBDIVISION IN SANDY TOWNSHIP, CLEARFIELD COUNTY, PENNSYLVANIA, RECORDED IN THE RECORDER OF DEEDS OFFICE IN MISC. DOCKET MAP FILE NO. 25, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT AN EXISTING PIN, SAID IRON PIN BEING ALONG THE NORTHERN RIGHT OF WAY FOR A ROAD KNOWN AS CAPTAIN JACK COURT (50-FOOT ROW) AND ALSO BEING THE NORTHEAST CORNER OF LOT NO. 99 AND NORTHEAST CORNER OF THE HEREIN DESCRIBED PARCEL;

THENCE, SOUTH 84 DEGREES 14 MINUTES 00 SECONDS EAST ALONG SAID 50-FOOT RIGHT OF WAY A DISTANCE OF 75 FEET TO A REBAR SET BY THE SURVEY INTENDED TO BE RECORDED HEREWITHE, SAID REBAR BEING THE NORTHWEST CORNER OF SAID LOT NO. 101 AND THE NORTHEAST CORNER OF THE HEREIN DESCRIBED PARCEL;

THENCE SOUTH 5 DEGREES 46 MINUTES 00 SECONDS WEST ALONG LANDS KNOWN AS LOT NO. 101 A DISTANCE OF 222.25 FEET TO A REBAR SET BY THE SURVEY, SAID REBAR BEING SOUTHWEST CORNER OF LOT NO. 101 AND THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED PARCEL;

THENCE SOUTH 84 DEGREES 12 MINUTES 30 SECONDS WEST A DISTANCE OF 76.552 FEET TO AN EXISTING IRON PIN, SAID IRON PIN BEING THE SOUTHEAST CORNER OF LOT NO. 99 AND THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED PARCEL;

THENCE NORTH 5 DEGREES 46 MINUTES 00 SECONDS EAST ALONG LANDS KNOWN AS LOT NO 99 A DISTANCE OF 237.59 FEET TO AN EXISTING IRON PIN, SAID IRON PIN BEING THE POINT OF BEGINNING. CONTAINING .40 ACRE AND BEING KNOWN AS LOT NO 100.

PREMISES EBING: 518 TREASURE LAKE

VERIFICATION

FRANCIS S. HALLINAN, ESQUIRE hereby states that he is attorney for Plaintiff in this matter, that Plaintiff is outside the jurisdiction of the court and or the verification could not be obtained within the time allowed for the filing of the pleading, that he is authorized to make this verification pursuant to Pa. R. C. P. 1024 (c), and that the statements made in the foregoing Civil Action in Mortgage Foreclosure are based upon information supplied by Plaintiff and are true and correct to the best of its knowledge, information and belief. Furthermore, it is counsel's intention to substitute a verification from Plaintiff as soon as it is received by counsel.

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


Francis S. Hallinan, Esquire
Attorney for Plaintiff

DATE: 3/10/04

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

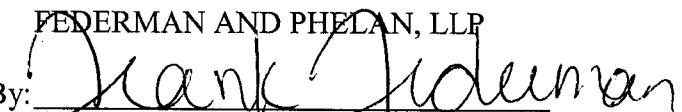
ATTORNEY FOR PLAINTIFF

SFJV-2003-1, LLC : COURT OF COMMON PLEAS
Plaintiff :
vs. : CIVIL DIVISION
: CLEARFIELD County
: No. 04-342-CD
PHILIP J. LEONE :
APRIL R. KLEIN :
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: April 12, 2004

/cdc, Svc Dept.

APR 14 2004

APR 14 2004

04-342-CD

April 23, 2004

Federman & Phelan
One Penn Center Plaza, Suite 1400
Philadelphia, PA 19103

RECEIVED
PROTHONOTARY'S OFFICE
4/29/04
WILLIAM A. SHAW
PROTHONOTARY/CLERK OF COURTS

RE: Civil Action – Law, Complaint in Mortgage Foreclosure

Philip J. Leone, Named Defendant

As per enclosed copies of Discharge of Debtor by the court on 11/04/03, signed by Bernard Markovitz, US Bankruptcy Judge, the property was filed in and granted discharged by the Bankruptcy court.

Furthermore, the property in question was my primary residence at the time. Also as you can see by the enclosed document I am in the middle of divorce proceedings. I do not live with my soon to be ex-wife. She moved in February 03, to New York, with my son, I remained in Pennsylvania, in my house trying to work things out. I could not, and eventually had to file for bankruptcy. She is not able to file for Bankruptcy, since she already did in NY before we were married.

If you require any additional information please let me know.

Sincerely,

Philip J. Leone

Philip J. Leone
1734 Treasure Lake
Dubois, PA 15801

Enc.

CC: Clearfield County
David S. Meholic, Court Administrator
Clearfield County Courthouse
Clearfield, PA 16830

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

Reinstated/Reissued to Sheriff/Attorney
for service.

William J. Shew
Deputy Prothonotary

SFJV-2003-1, LLC
7495 NEW HORIZON WAY
FREDERICK, MD 21703-8388

Plaintiff

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS
CIVIL DIVISION

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

NO. 04-342-C

CLEARFIELD COUNTY

PHILIP J. LEONE
APRIL R. KLEIN
35 LAKESIDE AVENUE
LAKE GROVE, NY 14530

Defendant(s)

FEDERMAN AND PHELAN
ATTORNEY FILE COPY
PLEASE RETURN

FILED
3/12/2004

MAR 12 2004

William A. Shew
Deputy Prothonotary, Clerk of Court

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.

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

FEDERMAN AND PHELAN
ATTORNEY FILE COPY
PLEASE RETURN

UNITED STATES BANKRUPTCY COURT
Western District of Pennsylvania

In Re:
Philip J. Leone
1199 Treasure Lake
DuBois, PA 15801

)
) Case Number: 03-25718-BM
)
)
)
)
) Chapter: 7
)
)
)
)
)
)
)
)
Debtor)
)
)
)
)
)
)
)
)
)

Social Security Number:
Debtor: 060-74-9434

DISCHARGE OF DEBTOR

It appearing that the debtor is entitled to a discharge, **IT IS ORDERED:** The debtor is granted a discharge under section 727 of title 11, United States Code, (the Bankruptcy Code).

Dated: 11/04/03

BY THE COURT

Bernard Markovitz
United States Bankruptcy Judge

SEE THE BACK OF THIS ORDER FOR IMPORTANT INFORMATION.

Eastern District of Pennsylvania

Philip J. Leone
060-74-9434

Case No. _____
Chapter 7

CHAPTER 7 INDIVIDUAL DEBTOR'S STATEMENT OF INTENTION

1. I have filed a schedule of assets and liabilities which includes consumer debts secured by property of the estate.
2. I intend to do the following with respect to the property of the estate which secures those consumer debts:
 - a. *Property To Be Surrendered.*

Description of Property Creditor's Name

1. House and lot in Treasure Lake, recorded in
vol. 1733, page 308 Coldwell Banker

b. *Property To Be Retained.* [Check any applicable statement.]

Description of Property	Creditor's Name	Property is claimed as exempt	Property will be redeemed pursuant to 11 U.S.C. § 722	Debt will be reaffirmed pursuant to 11 U.S.C. § 524(c)	Other
None					

Date:

4-30-03

Philip J. Leone
Signature of Debtor

DEFAULT O/E - BM

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:

Philip J. Leone

Debtor

Bk. No. 03-25718 BM

Cendant Mortgage Corporation as Servicer for the
Mortgagee of Record

Chapter No. 7

Movant

Docket No. 8

v.

Philip J. Leone

and

Lisa M. Swope, Esquire (Trustee)

Respondents

ORDER MODIFYING SECTION 362 AUTOMATIC STAY

10-1-03

AND NOW, this day of , 2003, at Pittsburgh, upon Motion of Cendant
Mortgage Corporation as Servicer for the Mortgagee of Record (Petitioner), it is

ORDERED THAT: The Automatic Stay of all proceedings, as provided under Section 362 of the
Bankruptcy Code 11 U.S.C. 362 is modified with respect to premises 518 Treasure Lake, Du Bois, PA
15801, as more fully set forth in the legal description attached to said mortgage, as to allow the Movant
to foreclose on its mortgage and allow the purchaser of said premises at Sheriff's Sale (or purchaser's
assignee) to take any legal or consensual action for enforcement of its right to possession of, or title to, said
premises.


Bernard Markovitz, Bankruptcy Judge

FILED

OCT 1 2003

CLERK, U.S. BANKRUPTCY COURT
WEST. DIST. OF PENNSYLVANIA

IN THE COURT OF COMMON PLEAS OF
JEFFERSON COUNTY, PENNSYLVANIA

FILED

MAR 19 2003

PHILIP J. LEONE,
Plaintiff

vs.

APRIL R. LEONE,
Defendant

No. 203-2003-CV ^{TONYAS. BEIST}
^{CO. & CLERK OF COURTS}

Type of Pleading:

COMPLAINT IN DIVORCE

Filed on Behalf of:
PLAINTIFF

Counsel of Record for this Party:

Jeffrey S. DuBois, Esquire
Supreme Court No. 62074
Hanak, Guido and Taladay
498 Jeffers Street
P. O. Box 487
DuBois, PA 15801
(814) 371-7768

CLERK
JEFFERSON COUNTY, PENNSYLVANIA

AFFIDAVIT OF SERVICE – CLEARFIELD COUNTY

PLAINTIFF **SFJV-2003-1, LLC**

NO. 04-342-CD

DEFENDANT **PHILIP J. LEONE**
APRIL R. LEONE

TYPE OF ACTION
XX Mortgage Foreclosure
XX Civil Action

SERVE AT: **35 LAKESIDE AVENUE**
LAKE GROVE, NY 11530

SERVED

Served and made known to April Leone, Defendant on the
10 day of April, 2004 at 9:09
o'clock, A.M., at 35 Lakeside Ave, Lake Grove, NY, City in the manner described below:

FILED

MAY 10 2004

William A. Shaw
Prothonotary/Clerk of Courts

Defendant personally served.
 Adult family member with whom Defendant(s) reside(s).
Relationship is _____.
 Adult in charge of Defendant's residence who refused to give name/relationship.
Manager/Clerk of place of lodging in which Defendant(s) reside(s)
 Agent or person in charge of Defendant's office or usual place of business.
and officer of said defendant company.
 Other: _____.

Christina Lorusso, a competent adult, being duly sworn according to law, depose and state that I personally handed to April Leone Mortgage Foreclosure - Civil Action a true and correct copy of the _____ issued in the captioned case on the date and at the address indicated above.

Sworn to and subscribed
Before me this 10 day

Of April, 2004

Notary: Ruth A. Famulari
Notary Public

State of New Jersey

My commission Expires Nov 25, 2008

On the _____ day of _____, 20____, at _____ o'clock

_____.M., Defendant NOT FOUND because:

_____ Moved _____ Unknown _____ No Answer _____ Vacant

Other: _____

Sworn to and subscribed

Before me the _____ day
Of _____, 20____.

Notary:

NOT SERVED

Not Served By: _____

FEDERMAN AND PHELAN, LLP

Attorneys For Plaintiff

Frank Federman, Esquire – I.D.#12248

Suite 1400- One Penn Center Plaza at Suburban Station

Philadelphia, PA 19103-1799

(215)563-7000

PAFS
3-17

35²

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

SFJV-2003-1, LLC

VS.

LEONE, PHILIP J. and APRIL R. KLEIN

COMPLAINT IN MORTGAGE FORECLOSURE

Sheriff Docket # 15304

04-342-CD

SHERIFF RETURNS

NOW APRIL 16, 2004 AT 2:15 PM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON PHILIP J. LEONE, DEFENDANT AT RESIDENCE, 1734 TREASURE LAKE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO PAT LEONE, MOTHER A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN TO HER THE CONTENTS THEREOF.

SERVED BY: COUDRIET

Return Costs

Cost	Description
23.25	SHERIFF HAWKINS PAID BY: ATTY CK# 345839
10.00	SURCHARGE PAID BY: ATTY CK# 345797

Sworn to Before Me This

11 Day Of MAY 2004


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

So Answers,


Chester A. Hawkins
Sheriff

FILED

MAY 11 2004
5/11/04
William A. Shaw
Prothonotary/Clerk of Courts

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

SFJV-2003-1, LLC
7495 NEW HORIZON WAY
FREDERICK, MD 21703-8388

Plaintiff

v.

PHILIP J. LEONE
APRIL R. KLEIN
35 LAKESIDE AVENUE
LAKE GROVE, NY 14530

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.

CLEARFIELD COUNTY

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

4-14-04 Document
Reinstated/Reissued to Sheriff/Attorney
for service.
Willie Shaw
Deputy Prothonotary

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS
CIVIL DIVISION

COURT OF COMMON PLEAS
CIVIL DIVISION

TERM

NO. 04-342-CJ

CLEARFIELD COUNTY

*FEDERMAN AND PHELAN
ATTORNEY FILE COPY
PLEASE RETURN*

FILED
APR 15 2004

2004 MAR 12 2004
William A. Shaw
Prothonotary Clerk of Co.

*FEDERMAN AND PHELAN
ATTORNEY FILE COPY
PLEASE RETURN*

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

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

SFJV-2003-1, LLC
7495 NEW HORIZON WAY
FREDERICK, MD 21703-8388

COURT OF COMMON PLEAS
CIVIL DIVISION

Plaintiff

TERM

v.

NO.

PHILIP J. LEONE
APRIL R. KLEIN
35 LAKESIDE AVENUE
LAKE GROVE, NY 14530

CLEARFIELD COUNTY

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.

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

We hereby certify that
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.

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.

IF YOU HAVE FILED BANKRUPTCY AND
RECEIVED A DISCHARGE, THIS IS NOT AN
ATTEMPT TO COLLECT A DEBT. IT IS AN
ACTION TO ENFORCE A LIEN ON REAL ESTATE.

1. Plaintiff is

SFJV-2003-1, LLC
7495 NEW HORIZON WAY
FREDERICK, MD 21703-8388

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

PHILIP J. LEONE
APRIL R. KLEIN
35 LAKESIDE AVENUE
LAKE GROVE, NY 14530

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

3. On 07/02/2001 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to CENDANT MORTGAGE CORPORATION D/B/A COLDWELL BANKER MORTGAGE which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Instrument No. 200110084. 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 02/01/2003 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	\$112,584.21
Interest	10,205.10
01/01/2003 through 03/10/2004 (Per Diem \$23.46)	
Attorney's Fees	1,250.00
Cumulative Late Charges 07/02/2001 to 03/10/2004	380.06
Cost of Suit and Title Search	<u>\$ 550.00</u>
Subtotal	\$ 124,969.37
Escrow	
Credit	0.00
Deficit	1,928.44
Subtotal	<u>\$ 1,928.44</u>
TOTAL	\$ 126,897.81

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 6 of 1974 because the original mortgage amount exceeds \$50,000.

10. This action does not come under Act 91 of 1983 because the mortgage premises is not the principal residence of Defendant(s).

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 126,897.81, together with interest from 03/10/2004 at the rate of \$23.46 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: Francis S. Hallinan
 FRANK FEDERMAN, ESQUIRE
 LAWRENCE T. PHELAN, ESQUIRE
 FRANCIS S. HALLINAN, ESQUIRE
 Attorneys for Plaintiff

ALL THAT CERTAIN TRACT OF LAND DESIGNATED AS LOT NO. 100, SECTION 4, IN THE TREASURE LAKE SUBDIVISION IN SANDY TOWNSHIP, CLEARFIELD COUNTY, PENNSYLVANIA, RECORDED IN THE RECORDER OF DEEDS OFFICE IN MISC. DOCKET MAP FILE NO. 25, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT AN EXISTING PIN, SAID IRON PIN BEING ALONG THE NORTHERN RIGHT OF WAY FOR A ROAD KNOWN AS CAPTAIN JACK COURT (50-FOOT ROW) AND ALSO BEING THE NORTHEAST CORNER OF LOT NO. 99 AND NORTHEAST CORNER OF THE HEREIN DESCRIBED PARCEL;

THENCE, SOUTH 84 DEGREES 14 MINUTES 00 SECONDS EAST ALONG SAID 50-FOOT RIGHT OF WAY A DISTANCE OF 75 FEET TO A REBAR SET BY THE SURVEY INTENDED TO BE RECORDED HEREWITHE, SAID REBAR BEING THE NORTHWEST CORNER OF SAID LOT NO. 101 AND THE NORTHEAST CORNER OF THE HEREIN DESCRIBED PARCEL;

THENCE SOUTH 5 DEGREES 46 MINUTES 00 SECONDS WEST ALONG LANDS KNOWN AS LOT NO. 101 A DISTANCE OF 222.25 FEET TO A REBAR SET BY THE SURVEY, SAID REBAR BEING SOUTHWEST CORNER OF LOT NO. 101 AND THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED PARCEL;

THENCE SOUTH 84 DEGREES 12 MINUTES 30 SECONDS WEST A DISTANCE OF 76.552 FEET TO AN EXISTING IRON PIN, SAID IRON PIN BEING THE SOUTHEAST CORNER OF LOT NO. 99 AND THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED PARCEL;

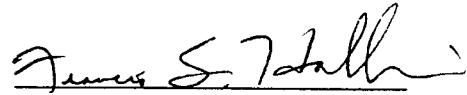
THENCE NORTH 5 DEGREES 46 MINUTES 00 SECONDS EAST ALONG LANDS KNOWN AS LOT NO 99 A DISTANCE OF 237.59 FEET TO AN EXISTING IRON PIN, SAID IRON PIN BEING THE POINT OF BEGINNING. CONTAINING .40 ACRE AND BEING KNOWN AS LOT NO 100.

PREMISES BEING: 518 TREASURE LAKE

VERIFICATION

FRANCIS S. HALLINAN, ESQUIRE hereby states that he is attorney for Plaintiff in this matter, that Plaintiff is outside the jurisdiction of the court and or the verification could not be obtained within the time allowed for the filing of the pleading, that he is authorized to make this verification pursuant to Pa. R. C. P. 1024 (c), and that the statements made in the foregoing Civil Action in Mortgage Foreclosure are based upon information supplied by Plaintiff and are true and correct to the best of its knowledge, information and belief. Furthermore, it is counsel's intention to substitute a verification from Plaintiff as soon as it is received by counsel.

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


Francis S. Hallinan, Esquire
Attorney for Plaintiff

DATE: 3/10/04

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

SFJV-2003-1, LLC
7495 NEW HORIZON WAY
FREDERICK, MD 21703-8388

No.: 04-342-CD

vs.

PHILIP J. LEONE
APRIL R. KLEIN
518 TREASURE LAKE
DU BOIS, PA 15801

**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 PHILIP J. LEONE and APRIL R. KLEIN, 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	\$126,897.81
Interest (3/10/04 to 5/19/04)	<u>1,665.66</u>
TOTAL	\$128,563.47

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.


FRANK FEDERMAN, ESQUIRE
Attorney for Plaintiff

Damages are hereby assessed as indicated.

DATE: May 19, 2004


PRO PROTHY

JLP

FILED

MAY 19 2004

William A. Shaw
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

SFJV-2003-1,LLC : COURT OF COMMON PLEAS
Plaintiff : CIVIL DIVISION
Vs. : CLEARFIELD COUNTY
PHILIP J. LEONE : NO. 04-342-CD
APRIL R. LEONE
Defendants

TO: PHILIP J. LEONE
1734 TREASURE LAKE
DUBOIS, PA 15801

FILE COPY

DATE OF NOTICE: MAY 7, 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

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR PROPERTY OR OTHER IMPORTANT RIGHTS.

YOU SHOULD TAKE THIS 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

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

SFJV-2003-1,LLC : COURT OF COMMON PLEAS
Plaintiff : CIVIL DIVISION
Vs. : CLEARFIELD COUNTY
PHILIP J. LEONE : NO. 04-342-CD
APRIL R. LEONE
Defendants

FILE COPY

TO: APRIL R. LEONE
35 LAKESIDE AVENUE
LAKE GROVE, NY 14530

DATE OF NOTICE: MAY 7, 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

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR PROPERTY OR OTHER IMPORTANT RIGHTS.

YOU SHOULD TAKE THIS 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

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

SFJV-2003-1,LLC : COURT OF COMMON PLEAS
Plaintiff : CIVIL DIVISION
Vs. : CLEARFIELD COUNTY
PHILIP J. LEONE : NO. 04-342-CD
APRIL R. LEONE
Defendants

FILE COPY

TO: PHILIP J. LEONE
1199 TREASURE LAKE
DUBOIS, PA 15801

DATE OF NOTICE: MAY 7, 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

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR PROPERTY OR OTHER IMPORTANT RIGHTS.

YOU SHOULD TAKE THIS 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

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

SFJV-2003-1,LLC : COURT OF COMMON PLEAS
Plaintiff : CIVIL DIVISION
Vs. : CLEARFIELD COUNTY
PHILIP J. LEONE : NO. 04-342-CD
APRIL R. LEONE
Defendants

TO: PHILIP J. LEONE
35 LAKESIDE AVENUE
LAKE GROVE, NY 14530

DATE OF NOTICE: MAY 7, 2004

FILE COPY

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

IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR PROPERTY OR OTHER IMPORTANT RIGHTS.

YOU SHOULD TAKE THIS 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

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

SFJV-2003-1,LLC : COURT OF COMMON PLEAS
Plaintiff : CIVIL DIVISION
Vs. : CLEARFIELD COUNTY
PHILIP J. LEONE : NO. 04-342-CD
APRIL R. LEONE
Defendants

TO: PHILIP J. LEONE
518 TREASURE LAKE
DU BOIS, PA 15801

FILE COPY

DATE OF NOTICE: MAY 7, 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

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR PROPERTY OR OTHER IMPORTANT RIGHTS.

YOU SHOULD TAKE THIS 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

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

FEDERMAN AND PHELAN, LLP
By: FRANK FEDERMAN, ESQUIRE
IDENTIFICATION NO. 12248
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

SFJV-2003-1, LLC

CLEARFIELD COUNTY

vs.

No.: 04-342-CD

PHILIP J. LEONE
APRIL R. KLEIN

VERIFICATION OF NON-MILITARY SERVICE

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

- (a) that the defendant(s) is/are not in the Military or Naval Service of the United States or its Allies, or otherwise within the provisions of the Soldiers' and Sailors' Civil Relief Act of Congress of 1940, as amended.
- (b) that defendant, PHILIP J. LEONE, is over 18 years of age, and resides at 1199 TREASURE LAKE, DU BOIS, PA 15801 .
- (c) that defendant, APRIL R. KLEIN, is over 18 years of age, and resides at 35 LAKESIDE AVENUE, LAKE GROVE, NY 14530.

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


FRANK FEDERMAN, ESQUIRE

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION - LAW

SFJV-2003-1, LLC

Plaintiff

vs.

No.: 04-342-CD

PHILIP J. LEONE
APRIL R. KLEIN

Defendant(s)

Notice is given that a Judgment in the above captioned matter has been entered
against you on May 19, 2004.

By: _____ DEPUTY

If you have any questions concerning this matter please contact:

Frank Federman
FRANK FEDERMAN, 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.

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



SFJV-2003-1, LLC
Plaintiff(s)

No.: 2004-00342-CD

Real Debt: \$128,563.47

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Philip J. Leone
April R. Klein
Defendant(s)

Entry: \$20.00

Instrument: In Rem Judgment

Date of Entry: May 19, 2004

Expires: May 19, 2009

Certified from the record this 19th day of May, 2004.

William A. Shaw, Prothonotary

SIGN BELOW FOR SATISFACTION

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

Plaintiff/Attorney

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

SFJV-2003-1, LLC

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

vs.

No. 04-342-CD

**PHILIP J. LEONE
APRIL R. KLEIN**

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

To the Director of the Office of the Prothonotary:

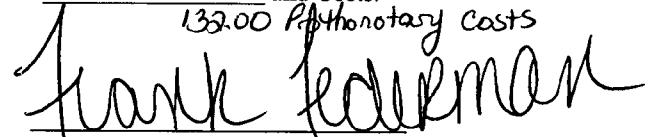
Issue writ of execution in the above matter:

Amount Due	<u>\$128,563.47</u>
------------	---------------------

Interest from 5/19/04 to	
Date of Sale (\$21.13 per diem)	

and Costs.

132.00 Prothonotary Costs



Frank Federman, 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

FILED

MAY 19 2004

William A. Shaw
Prothonotary/Clerk of Courts

No. 04-342-CD

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

SFJV-2003-1, LLC

vs.

PHILIP J. LEONE
APRIL R. KLEIN

PRAECEIPE FOR WRIT OF EXECUTION
(Mortgage Foreclosure)

Prothonotary/Clerk of Courts
William A. Shaw
May 19, 2004
135784 to Shaff
FILED
1cc-alec/tdp/dcc
23


Hank Hoffman

Attorney for Plaintiff(s)

Address: 1199 TREASURE LAKE, DU BOIS, PA 15801
35 LAKESIDE AVENUE, LAKE GROVE, NY 14530
Where papers may be served.

SFJV-2003-1, LLC

CLEARFIELD COUNTY

No.: 04-342-CD

vs.

PHILIP J. LEONE
APRIL R. KLEIN

AFFIDAVIT PURSUANT TO RULE 3129
(Affidavit No. 1)

SFJV-2003-1, LLC, Plaintiff in the above action, by its attorney, Frank Federman, Esquire, sets forth as of the date the Praeclipe for the Writ of Execution was filed the following information concerning the real property located at 518 TREASURE LAKE, DU BOIS, PA 15801:

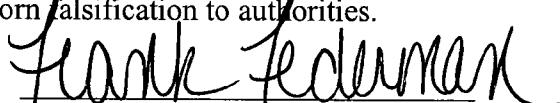
1. Name and address of Owner(s) or reputed Owner(s):

Name	Last Known Address (if address cannot be reasonably ascertained, please indicate)
PHILIP J. LEONE	1199 TREASURE LAKE DU BOIS, PA 15801
APRIL R. KLEIN	35 LAKESIDE AVENUE LAKE GROVE, NY 14530

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.


FRANK FEDERMAN, ESQUIRE
Attorney for Plaintiff

May 18, 2004

SFJV-2003-1, LLC

CLEARFIELD COUNTY

No.: 04-342-CD

VS.

PHILIP J. LEONE
APRIL R. KLEIN

AFFIDAVIT PURSUANT TO RULE 3129
(Affidavit No. 2)

SFJV-2003-1, LLC, Plaintiff in the above action, by its attorney, Frank Federman, Esquire, sets forth as of the date the Praeclipe for the Writ of Execution was filed the following information concerning the real property located at 518 TREASURE LAKE, DU BOIS, PA 15801:

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

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	518 TREASURE LAKE DU BOIS, PA 15801
-----------------	--

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


FRANK FEDERMAN, ESQUIRE
Attorney for Plaintiff

May 18, 2004

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

SFJV-2003-1, LLC

ATTORNEY FOR PLAINTIFF
COURT OF COMMON PLEAS
CIVIL DIVISION

vs.

PHILIP J. LEONE
APRIL R. KLEIN

No.: 04-342-CD

CLEARFIELD COUNTY

CERTIFICATION

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

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

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


FRANK FEDERMAN, ESQUIRE
Attorney for Plaintiff

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

SFJV-2003-1, LLC

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

vs.

NO.: 04-342-CD

**PHILIP J. LEONE
APRIL R. KLEIN**

**WRIT OF EXECUTION
(MORTGAGE FORECLOSURE)**

Commonwealth of Pennsylvania:

County of Clearfield:

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

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

Premises: **518 TREASURE LAKE , DU BOIS, PA 15801**

(See legal description attached.)

Amount Due	<u>\$128,563.47</u>
Interest from 5/19/04 to Date of Sale (\$21.13 per diem)	<u>\$ _____</u>
Total	<u>\$ _____</u> Plus costs as endorsed. <i>132.00 Prothonotary costs</i>

Dated 5/19/04
(SEAL)

**Prothonotary, Common Pleas Court of
Clearfield County, Pennsylvania**

By:

Deputy

JLP

No. 04-342-CD

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

SFJV-2003-1, LLC

VS.

PHILIP J. LEONE
APRIL R. KLEIN

**WRIT OF EXECUTION
(MORTGAGE FORECLOSURE)**

Real Debt \$128,563.47

Int. from 5/19/04 _____
to Date of Sale (\$21.13 per diem)

Costs

Prothy. Pd. 132.00

Sheriff


Frank Rauhala
Attorney for Plaintiff

Address: 1199 TREASURE LAKE, DU BOIS, PA 15801
35 LAKESIDE AVENUE, LAKE GROVE, NY 14530
Where papers may be served.

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

ALL THAT CERTAIN tract of land designated as Lot No. 100, Section 4, in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania, recorded in the Recorder of Deeds Office in Misc. Docket Map File No. 25, bounded and described as follows:

BEGINNING at an existing iron pin, said iron pin being along the northern right of way for a road known as Captain Jack Court (50-foot ROW) and also being the Northeast corner of Lot No. 99 and the Northwest corner of the herein described parcel; Thence, South 84 degrees 14 minutes 00 seconds East (S 84° 14' 00" E) along said 50-foot right of way a distance of 75 feet to a rebar set by the survey intended to be recorded herewith, said rebar being the Northwest corner of Lot No. 101 and the Northeast corner of the herein described parcel; Thence, South degrees 46 minutes 00 seconds West (S 5° 46' 00" W) along lands known as Lot No. 101 a distance of 222.25 feet to a rebar set by the survey, said rebar being the Southwest corner of Lot No. 101 and the Southeast corner of the herein described parcel; Thence, South 84 degrees 12 minutes 30 seconds West (S 84° 12' 30" W) a distance of 76.552 feet to an existing iron pin, said iron pin being the Southeast corner of Lot No. 99 and the Southwest corner of the herein described parcel; Thence, North 5 degrees 46 minutes 00 seconds East (N 5° 46' 00" E) along lands known as Lot No. 99 a distance of 237.59 feet to an existing iron pin, said iron pin being the point of beginning. Containing .40 acre and being known as Lot No. 100.

BEING the same premises depicted as Lot 100 as surveyed and drawn by Thomas C. Wingert, PLS 0027932E, under date of May 10, 2001, recorded in the Clearfield County Courthouse for a more particular description on June 26, 2001, to instrument No. 200109757.

Tax ID# 128-C2-4-100-21

TITLE TO SAID PREMISES IS VESTED IN Philip J. Leone, a single individual and April R. Klein, a single individual, as Joint Tenants with right of survivorship by Deed from Michael R. Mayers and Lisa A. Mayers, husband and wife dated 6/29/2001 and recorded 7/2/2001 in Instrument# 200110083.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 15807
NO: 04-342-CD

PLAINTIFF: SFJV-2003-1, LLC
vs.
DEFENDANT: PHILIP J. LEONE AND APRIL R. KLEIN

WRIT OF EXECUTION REAL ESTATE

SHERIFF RETURN

DATE RECEIVED WRIT: 05/19/2004

LEVY TAKEN 07/22/2004 @ 3:00 PM

POSTED 07/22/2004 @ 3:00 AM

SALE HELD 12/03/2004

SOLD TO SFJV-2003-1, LLC

SOLD FOR AMOUNT \$1.00 PLUS COSTS

WRIT RETURNED 03/11/2005

DATE DEED FILED 03/11/2005

PROPERTY ADDRESS 518 TREASURE LAKE SECTION 4, LOT 100 DUBOIS , PA 15801

SERVICES

10/21/2004 @ SERVED PHILIP J. LEONE

THE ATTORNEY'S OFFICE SERVED PHILIP J. LEONE, DEFENDANT, AT HIS RESIDENCE, P. O. BOX 1734 PIECES OF EIGHT ROAD, TREASURE LAKE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO HIS MOTHER A NOTICE OF SALE.

07/03/2004 @ SERVED APIRL R. KLEIN

SERVED APRIL R. KLEIN BY CERTIFIED MAIL #70033110000193809919 AT 35 LAKESIDE AVENUE, LAKE GROVE, NY 14530 SIGNED FOR ON JULY 30, 2004 BY APRIL R. KLEIN.

01/24/05
MAR 11 2005

THOMAS A. SAWYER
Prothonotary Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 15807
NO: 04-342-CD

PLAINTIFF: SFJV-2003-1, LLC

vs.

DEFENDANT: PHILIP J. LEONE AND APRIL R. KLEIN

WRIT OF EXECUTION REAL ESTATE

SHERIFF RETURN

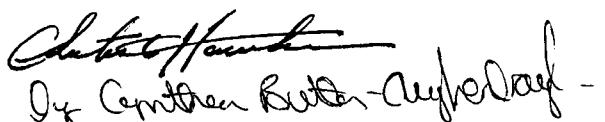
SHERIFF HAWKINS \$270.55

SURCHARGE \$40.00 PAID BY

Sworn to Before Me This

____ Day of _____ 2005

So Answers,


By: *Cynthia Butterfield* -

Chester A. Hawkins
Sheriff

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

SEJV-2003-1, LLC

vs.

PHILIP J. LEONE
APRIL R. KLEIN

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY,
PENNSYLVANIA

NO.: 04-342-CD

WRIT OF EXECUTION
(MORTGAGE FORECLOSURE)

Commonwealth of Pennsylvania:

County of Clearfield:

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

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

Premises: **518 TREASURE LAKE , DU BOIS, PA 15801**

(See legal description attached.)

Amount Due	<u>\$128,563.47</u>
Interest from 5/19/04 to	<u>\$ _____</u>
Date of Sale (\$21.13 per diem)	
Total	<u>\$ _____</u> Plus costs as endorsed. <i>132.00 Prothonotary costs</i>

W. W. Blawie
Prothonotary, Common Pleas Court of
Clearfield County, Pennsylvania

Dated 5/19/04
(SEAL)

By:

Deputy

JLP

Received May 19, 2004 @ 3:00 P.M.
Chester A. McLaughlin
by Cynthia Butler Aughenbaugh

No. 04-342-CD

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

SFJV-2003-1, LLC

VS.

PHILIP J. LEONE
APRIL R. KLEIN

**WRIT OF EXECUTION
(MORTGAGE FORECLOSURE)**

Real Debt \$128,563.47

Int. from 5/19/04 _____
to Date of Sale (\$21.13 per diem)

Costs

Prothy. Pd. 132.00

Sheriff

1 1

1 1 1 1

John Brown

Attn: Attorneys for Plaintiff

Attorney for Plaintiff

1199 TREASURE LAKE, DU BOIS, PA 15801

35 LAKESIDE AVENUE, LAKE GROVE, NY 14530

Where papers may be served.

Frank Federman, Esquire

Frank Pederman, Esquire
One Penn Center at Suburban Station

One Penn Center at Suburban Station
1617 John F. Kennedy Blvd. Suite 1400

1017 John F. Kennedy Blvd.,
Philadelphia, PA 19103-1814

Philadelphia, PA
(215) 563-7000

ALL THAT CERTAIN tract of land designated as Lot No. 100, Section 4, in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania, recorded in the Recorder of Deeds Office in Misc. Docket Map File No. 25, bounded and described as follows:

BEGINNING at an existing iron pin, said iron pin being along the northern right of way for a road known as Captain Jack Court (50-foot ROW) and also being the Northeast corner of Lot No. 99 and the Northwest corner of the herein described parcel; Thence, South 84 degrees 14 minutes 00 seconds East (S 84° 14' 00" E) along said 50-foot right of way a distance of 75 feet to a rebar set by the survey intended to be recorded herewith, said rebar being the Northwest corner of Lot No. 101 and the Northeast corner of the herein described parcel; Thence, South degrees 46 minutes 00 seconds West (S 5° 46' 00" W) along lands known as Lot No. 101 a distance of 222.25 feet to a rebar set by the survey, said rebar being the Southwest corner of Lot No. 101 and the Southeast corner of the herein described parcel; Thence, South 84 degrees 12 minutes 30 seconds West (S 84° 12' 30" W) a distance of 76.552 feet to an existing iron pin, said iron pin being the Southeast corner of Lot No. 99 and the Southwest corner of the herein described parcel; Thence, North 5 degrees 46 minutes 00 seconds East (N 5° 46' 00" E) along lands known as Lot No. 99 a distance of 237.59 feet to an existing iron pin, said iron pin being the point of beginning. Containing .40 acre and being known as Lot No. 100.

BEING the same premises depicted as Lot 100 as surveyed and drawn by Thomas C. Wingert, PLS 0027932E, under date of May 10, 2001, recorded in the Clearfield County Courthouse for a more particular description on June 26, 2001, to instrument No. 200109757.

Tax ID# 128-C2-4-100-21

TITLE TO SAID PREMISES IS VESTED IN Philip J. Leone, a single individual and April R. Klein, a single individual, as Joint Tenants with right of survivorship by Deed from Michael R. Mayers and Lisa A. Mayers, husband and wife dated 6/29/2001 and recorded 7/2/2001 in Instrument# 200110083.

**REAL ESTATE SALE
SCHEDULE OF DISTRIBUTION**

NAME PHILIP J. LEONE

NO. 04-342-CD

NOW, March 10, 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 December 03, 2004, I exposed the within described real estate of Philip J. Leone And April R. Klein to public venue or outcry at which time and place I sold the same to SFJV-2003-1, LLC he/she being the highest bidder, for the sum of \$1.00 plus costs and made the following appropriations, viz:

SHERIFF COSTS:

RDR SERVICE	15.00
MILEAGE	15.00
LEVY	14.25
MILEAGE POSTING	15.00
CSDS COMMISSION	10.00
POSTAGE	0.00
HANDBILLS	16.05
DISTRIBUTION	15.00
ADVERTISING	25.00
ADD'L SERVICE	15.00
DEED	30.00
ADD'L POSTING	
ADD'L MILEAGE	
ADD'L LEVY	
BID AMOUNT	1.00
RETURNS/DEPUTIZE COPIES	15.00
	5.00
BILLING/PHONE/FAX	15.00
CONTINUED SALES	20.00
MISCELLANEOUS	
TOTAL SHERIFF COSTS	\$270.55

DEED COSTS:

ACKNOWLEDGEMENT	5.00
REGISTER & RECORDER	28.50
TRANSFER TAX 2%	0.00
TOTAL DEED COSTS	\$28.50

PLAINTIFF COSTS, DEBT AND INTEREST:

DEBT-AMOUNT DUE	128,563.47
INTEREST @ 21.1300 %	4,183.74
FROM 05/19/2004 TO 12/03/2004	
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	
TOTAL DEBT AND INTEREST	\$132,787.21
COSTS:	
ADVERTISING	443.52
TAXES - COLLECTOR	
TAXES - TAX CLAIM	
DUE	
LIEN SEARCH	100.00
ACKNOWLEDGEMENT	5.00
DEED COSTS	28.50
SHERIFF COSTS	270.55
LEGAL JOURNAL COSTS	198.00
PROTHONOTARY	132.00
MORTGAGE SEARCH	40.00
MUNICIPAL LIEN	
TOTAL COSTS	\$1,217.57

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

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:

April R. Klein
35 Lakeside Avenue
Lake Grove, NY 14530

2. Article Number*(Transfer from service label)*

7003 3110 0001 9380 9919

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY**A. Signature****X**

Agent
 Addressee

B. Received by (Printed Name)G. Date of Delivery
220**D. Is delivery address different from item 1? Yes****If YES, enter delivery address below:****3. Service Type**

<input type="checkbox"/> Certified Mail	<input type="checkbox"/> Express Mail
<input type="checkbox"/> Registered	<input type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Insured Mail	<input type="checkbox"/> C.O.D.

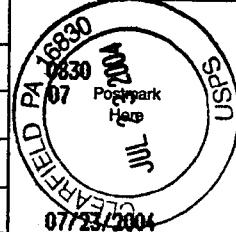
4. Restricted Delivery? (Extra Fee) Yes

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

For delivery information visit our website at www.usps.com**OFFICIAL USE**

PEPPER NY 14530

Postage	\$ 10.60
Certified Fee	\$ 2.30
Return Receipt Fee (Endorsement Required)	\$ 1.75
Restricted Delivery Fee (Endorsement Required)	\$ 0.00
Total Postage & Fees	\$ 14.65



Sent To
April R. Klein
Street, Apt. No. 35 Lakeside Avenue
or PO Box No.
City, State, ZIP 4
Lake Grove, NY 14530

PS Form 3800, June 2002

See Reverse for Instructions

Law Offices
FEDERMAN AND PHELAN, LLP
One Penn Center at Suburban Station
1617 John F. Kennedy Boulevard
Suite 1400
Philadelphia, PA 19103-1814

Sandra Cooper
Judgment Department, Ext. 1258

Representing Lenders in
Pennsylvania and New Jersey

September 21, 2004

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

ATTENTION: CINDY (814) 765-5915

Re: SFJV-2003-1, LC v. PHILIP J. LEONE APRIL R. KLEIN
No. 04-342-CD
518 TREASURE LAKE, DUBOIS, PA 15801

Dear Cindy:

Please postpone the Sheriff's Sale of the above referenced property, which is scheduled for
OCTOBER 1, 2004.

The property is to be relisted for the December 3, 2004 Sheriff's Sale.

Very truly yours,



Sandra Cooper

VIA TELECOPY (814) 765-5915

CC: PHILIP J. LEONE 1199 TREASURE LAKE DU BOIS, PA 15801	APRIL R. KLEIN 35 LAKESIDE AVENUE LAKE GROVE, NY 14530	Attn: Loan No:
--	--	-------------------