

04-349-CD
BANK OF NEW YORK, et al. vs. LINDA D. MACKEY, et al.

Bank of New York vs. Richard Mackey et al
2004-349-CD

GOLDBECK McCAFFERTY & MCKEEVER

BY: JOSEPH A. GOLDBECK, JR.

ATTORNEY I.D. #16132

SUITE 5000 – MELLON INDEPENDENCE CENTER.

701 MARKET STREET

PHILADELPHIA, PA 19106

(215) 627-1322

ATTORNEY FOR PLAINTIFF

THE BANK OF NEW YORK AS INDENTURED
TRUSTEE UNDER THE SALE AGREEMENT
DATED AS OF AUGUST 31, 1998 FOR THE MONEY
STORE TRUST 1998-C
One Old Country Road
Suite 429
Carle Place, NY 11514

Plaintiff

vs.

LINDA D. MACKEY
RICHARD W. MACKEY
Mortgagor(s) and Real Owner(s)

RD 1 Box 21 A
Penfield, PA 15849

Defendant(s)

IN THE COURT OF COMMON PLEAS

OF Clearfield COUNTY

CIVIL ACTION - LAW

ACTION OF MORTGAGE FORECLOSURE

Term

No. 2004-349-CO

**CIVIL ACTION: MORTGAGE
FORECLOSURE**

**THIS FIRM IS A DEBT COLLECTOR AND WE ARE ATTEMPTING TO COLLECT
A DEBT OWED TO OUR CLIENT. ANY INFORMATION OBTAINED FROM YOU
WILL BE USED FOR THE PURPOSE OF COLLECTING THE DEBT.**

NOTICE

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after the Complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the Court without further notice for any money claim in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

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

PENNSYLVANIA BAR ASSOCIATION
P.O. Box 186
Harrisburg, PA 17108
800-692-7375

KEYSTONE LEGAL SERVICES
211 1/2 E. Locust Street
Clearfield, PA 16830
814-765-9646
AVISO

LE HAN DEMANDADO A USTED EN LA CORTE. SI DESEA DEFENDERSE CONTRA LAS QUEJAS PERESENTADAS, ES ABSOLUTAMENTE NECESSARIO QUE USTED RESPONDA DENTRO DE 20 DIAS DESPUES DE SER SERVIDO CON ESTA DEMANDA Y AVISO. PARA DEFENDERSE ES NECESSARIO QUE USTED, O SU ABOGADO, REGISTRE CON LA CORTE EN FORMA ESCRITA, EL PUNTO DE VISTA DE USTED Y CUALQUIER OBJECCION CONTRA LAS QUEJAS EN ESTA DEMANDA. RECUERDE: SI USTED NO RESPONDE A ESTA DEMANDA, SE PUEDE PROSEGUIR CON EL PROCESO SIN SU PARTICIPACION. ENTONCES, LA CORTE PUEDE, SIN NOTIFICARIO, DECIDIR A FAVOR DEL DEMANDANTE Y REQUERIRA QUE USTED CUMPLA CON TODAS LAS PROVISIONES DE ESTA DEMANDA. POR RAZON DE ESA DECISION, ES POSSIBLE QUE USTED PUEDA PERDER DINERO, PROPIEDAD U OTROS DERECHOS IMPORTANTES.

USTED DEBE LLEVAR ESTE PAPEL A SU ABOGADO ENSEGUNDA. SI USTED NO TIENE UN ABOGADO, VAYA O LLAME POR TELFONO LA OFICINA FIJADA AQUI ABAJO. ESTA OFICINA PUEDE PROVEER CON INFORMACION DE COMO CONSEGUIR UN ABOGADO.

SI USTED NO PUEDE PAGARLE A UN ABOGADO, ESTA OFICINA PUEDE PROVEER INFORMACION ACERCA AGENCIAS QUE PUEDAN OFRECER SERVICIOS LEGAL A PERSONAS ELIGIBLES A UN HONORARIO REDUCIDO O GRATIS.

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211 1/2 E. Locust Street
Clearfield, PA 16830
814-765-9646

1 CERT TO ATR
4 CERT TO SHFC

FILED

MAR 12 2004

o/3:30/

William A. Shaw
Prothonotary

COMPLAINT IN MORTGAGE FORECLOSURE

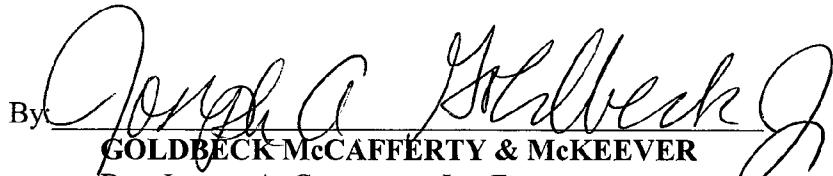
1. Plaintiff is THE BANK OF NEW YORK AS INDENTURED TRUSTEE UNDER THE SALE AGREEMENT DATED AS OF AUGUST 31, 1998 FOR THE MONEY STORE TRUST 1998-C, One Old Country Road, Suite 429 Carle Place, NY 11514.
2. The name(s) and address(es) of the Defendant(s) is/are LINDA D. MACKEY, RR 3 Box 147, DuBois, PA 15801 and RICHARD W. MACKEY, RR 3 Box 147, DuBois, PA 15801, who is/are the mortgagor(s) and real owner(s) of the mortgaged premises hereinafter described.
3. On April 24, 1998 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to TMS MORTGAGE INC. D/B/A THE MONEY STORE, which mortgage is recorded in the Office of the Recorder of Deeds of Clearfield County as Book 1928 Page 558. The mortgage has not been assigned unless said assignment to the Plaintiff is hereafter mentioned. The aforementioned mortgage was assigned to: THE BANK OF NEW YORK AS INDENTURED TRUSTEE UNDER THE SALE AGREEMENT DATED AS OF AUGUST 31, 1998 FOR THE MONEY STORE TRUST 1998-C by Assignment of Mortgage, which is lodged for recording. These documents are matters of public record and are incorporated herein by reference in accordance with Pennsylvania Rule of Civil Procedure 1019(g).
4. The premises subject to said mortgage is described as attached.
5. The mortgage is in default because monthly payment of principal and interest upon said mortgage due September 01, 2003, and each month thereafter are due and unpaid, and by the terms of said mortgage, upon default in such payments for a period of one month, the entire principal balance and all interest due thereon are collectible forthwith.
6. The following amounts are due on the mortgage:

Principal Balance	\$112,445.27
Interest from 08/01/2003	\$7,251.67
through 03/31/2004 at 9.6500%	
Per Diem interest rate at \$29.72	
Attorney's Fee at 5.0% of Principal Balance	\$5,622.26
Late Charges from 09/01/2003 to 03/31/2004	\$498.30
Monthly late charge amount at \$49.83	
Costs of suit and Title Search	<u>\$900.00</u>
Corporate Advance	<u>\$126,717.50</u>
	<u>+\$115.63</u>
	<u>\$126,833.13</u>

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 based on work actually performed.

8. Notice of Intention to Foreclose and a Notice of Homeowners' Emergency Mortgage Assistance has been sent to Defendant(s) by Certified and regular mail, as required by Act 160 of 1998 of the Commonwealth of Pennsylvania, on the date(s) set forth in the true and correct copy of such notice(s) attached hereto as Exhibit "A". The Defendant(s) has/have not had the required face-to-face meeting within the required time and Plaintiff has no knowledge of any such meeting being requested by the Defendant(s) through the Plaintiff, the Pennsylvania Housing Finance Agency, or any appropriate Consumer Credit Counseling Agency.

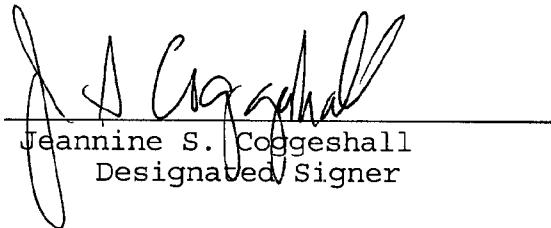
WHEREFORE, Plaintiff demands an in rem judgment in mortgage foreclosure in the sum of \$126,833.13, together with interest at the rate of \$29.72, per day and other expenses incurred by the Plaintiff which are properly chargeable in accordance with the terms of the mortgage, and for the foreclosure and sale of the mortgaged premises.

By 
GOLDBECK McCAFFERTY & MCKEEVER
BY: JOSEPH A. GOLDBECK, JR., ESQUIRE
ATTORNEY FOR PLAINTIFF

VERIFICATION

I, , as the representative of the Plaintiff corporation within named do hereby verify that I am authorized to and do make this verification on behalf of the Plaintiff corporation and the facts set forth in the foregoing Complaint are true and correct to the best of my knowledge, information and belief. I understand that false statements therein are made subject to the penalties of 18 Pa. C.S. 4904 relating to unsworn falsification to authorities.

Date: 3-9-04



Jeannine S. Coggeshall
Designated Signer

EXHIBIT A

vol 1928 PAGE 559

Legal Description

ALL that certain piece, Parcel or tract of land, situate, lying and being in the Township of Huston, Clearfield County, Pennsylvania and being bounded and described as follows, to wit:

BEGINNING at a point in the centerline of a certain public road known as the Mountain Run Road leading in a Northerly direction to Sabula, said point and place of beginning marking the Northeast corner of a certain tract of land containing 1 1/2 acres now or formerly owned by Louis I. Webb et al; thence along the centerline of the aforesaid Mountain Run Road North 38 degrees 40' West 214.5 feet, more or less, to a point in the centerline of said road, thence continuing along the centerline of the said Mountain Run Road North 32 degrees 24' West 475.2 feet, more or less, to a point, said point marking the Southwest corner of a certain triangular tract of land now or formerly owned by J. S. Stull, containing 16.433 square feet more or less; thence along the Southwest margin of the lands now or formerly of J. S. Stull, North 43 degrees 45' East 215.0 feet to a point marked by an iron pipe, said point marking the centermost corner of land now or formerly of J. S. Stull, and being in the Northerly line of a 20 acre tract of land now or formerly of Munn; thence along the Northern margin of the Munn 20 acre tract of land North 88 degrees 30' East 681.0 feet, more or less, to a point marked by an iron pipe; thence along the Eastern line of the said Munn 20 acre tract of land South 0 degrees 30' East 577.5 feet, more or less, to a point marked by an iron pipe, said point being the Southeast corner of a 20 acre tract of land now or formerly of R. F. Munn, in line of land now or formerly of John Bundy; thence along line of lands now or formerly of Bundy, South 70 degrees West 474.4 feet, more or less, passing an iron pipe in the margin of the aforesaid Mountain Run Road to the point and place of beginning. Containing 10.2 acres of land, more or less.

Parcel 119-FO3-38

DBV 1711. Page 582



DF785

RICHARD W MACKEY

RR 3 BOX 147
DU BOIS, PA 15801

November 4, 2003
0086611167

EXHIBIT A

NBRC

ACT 91 NOTICE TAKE ACTION TO SAVE YOUR HOME FROM FORECLOSURE

This is an official notice that the mortgage on your home is in default, and the lender intends to foreclose. Specific information about the nature of the default is provided in the attached pages.

The HOMEOWNER'S EMERGENCY MORTGAGE ASSISTANCE PROGRAM (HEMAP) may be able to help to save your home. This notice explains how the program works.

To see if HEMAP can help you, you must MEET WITH A CONSUMER CREDIT COUNSELING AGENCY WITHIN 30 DAYS OF THE DATE OF THIS NOTICE. Take this Notice with you when you meet with the counseling agency.

The name, address, and phone number of Consumer Credit Counseling Agencies serving your county are listed at the end of this Notice. If you have any questions, you may call the Pennsylvania Housing Finance Agency toll free at 1-800-342-2397 (Persons with impaired hearing can call 717-780-1869).

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

LA NOTIFICACION EN ADJUNTO ES DE SUMA IMPORTANCIA, PUES AFECTA SU DERECHO A CONTINUAR VIVIENDO EN SU CASA. SI NO COMPRENDE EL CONTENIDO DE ESTA NOTIFICACION OBTENGA UNA TRADUCCION IMMEDIATAMENTE LLAMANDO ESTA AGENCIA (PENNSYLVANIA HOUSING FINANCE AGENCY) SIN CARGOS AL NUMERO MENCIONADO ARRIBA. PUEDES SER ELEGIBLE PARA UN PRESTAMO POR EL PROGRAMA LLAMADO "HOMEOWNER'S EMERGENCY MORTGAGE ASSISTANCE PROGRAM" EL CUAL PUEDE SALVAR SU CASA DE LA PERDIDA DEL DERECHO A REDIMIR SU HIPOTECA.

**HomEq Servicing Corporation is a debt collector. HomEq is attempting to collect a debt
and any information obtained will be used for that purpose.
SEE LAST PAGE FOR ADDITIONAL IMPORTANT DISCLOSURES**

THIS NOTICE CONTINUES ON THE NEXT PAGE



DF785

RICHARD W MACKEY

**R D 1 BOX 21 A
PENFIELD, PA 15849**

**November 4, 2003
0086611167**

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

IF YOU COMPLY WITH THE PROVISION OF THE HOMEOWNER'S EMERGENCY MORTGAGE ASSISTANCE ACT OF 1983 (THE "ACT") YOU MAY BE ELIGIBLE FOR EMERGENCY MORTGAGE ASSISTANCE:

- **YOUR DEFAULT HAS BEEN CAUSED BY CIRCUMSTANCES BEYOND YOUR CONTROL,**
- **YOU HAVE A REASONABLE PROSPECT OF BEING ABLE TO PAY YOUR MORTGAGE PAYMENTS, AND**
- **YOU MEET OTHER ELIGIBILITY REQUIREMENTS ESTABLISHED BY THE PENNSYLVANIA HOUSING FINANCE AGENCY.**

TEMPORARY STAY OF FORECLOSURE

Under the Act, you are entitled to a temporary stay of the foreclosure on your mortgage for thirty (30) days from the date of this notice. During that time you must arrange for and attend a "face-to-face" meeting with one of the consumer counseling agencies listed at the end of this notice. **THIS MEETING MUST OCCUR WITHIN THE NEXT THIRTY (30) DAYS. IF YOU DO NOT APPLY FOR EMERGENCY MORTGAGE ASSISTANCE, YOU MUST BRING YOUR MORTGAGE UP TO DATE. THE PART OF THIS NOTICE CALLED "HOW TO CURE YOUR MORTGAGE DEFAULT" EXPLAINS HOW TO BRING YOUR MORTGAGE UP TO DATE.**

CONSUMER CREDIT COUNSELING AGENCIES

If you attend a face-to-face meeting with one of the consumer credit counseling agencies listed at the end of this notice, the lender may NOT take further action against you for thirty (30) days after the date of this meeting. **The names, addresses and telephone numbers of designated consumer counseling agencies for the county in which your property is located are set forth at the end of this notice.** It is necessary to schedule only one face-to-face meeting. You should advise this lender/servicer **immediately** of your intentions.

APPLICATION FOR MORTGAGE ASSISTANCE

Your mortgage is in default for the reasons set forth later in this notice (see the following pages for specific information about the nature of your default). If you have tried and are unable to resolve this problem with the lender/servicer, you have the right to apply for financial assistance from the Homeowner's Emergency Mortgage Assistance Fund. To do so, you must fill out, sign and file a completed Homeowner's Emergency Assistance Program Application with one of the designated consumer credit counseling agencies listed at the end of this notice. Only consumer credit counseling agencies have applications for the program and they will assist you in submitting a completed application to the Pennsylvania Housing Finance Agency. Your application MUST be filed or postmarked within thirty (30) days of your face-to-face meeting.

YOU MUST FILE YOUR APPLICATION PROMPTLY. IF YOU FAIL TO DO SO OR IF YOU DO NOT FOLLOW THE OTHER TIME PERIODS SET FORTH IN THIS LETTER, FORECLOSURE MAY PROCEED AGAINST YOUR HOME IMMEDIATELY AND YOUR APPLICATION FOR MORTGAGE ASSISTANCE WILL BE DENIED.

AGENCY ACTION

Available funds for emergency mortgage assistance are very limited. Funds will be disbursed by the Agency under the eligibility criteria established by the Act. The Pennsylvania Housing Finance Agency has sixty (60) days to make a decision after it receives your application. During that time, no foreclosure proceedings will be pursued against you if you have met the time requirements set forth above. You will be notified directly by the Agency of its decision on your application.

THIS NOTICE CONTINUES ON THE NEXT PAGE

NOTE: IF YOU ARE CURRENTLY PROTECTED BY THE FILING OF A PETITION IN BANKRUPTCY, THE FOLLOWING PART OF THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY AND SHOULD NOT BE CONSIDERED AS AN ATTEMPT TO COLLECT THE DEBT.

If you have filed bankruptcy you can still apply for Emergency Mortgage Assistance.

NATURE OF THE DEFAULT

The MORTGAGE debt secured by your property located at:

R D 1 BOX 21 A PENFIELD, PA 15849

IS SERIOUSLY IN DEFAULT because:

1. YOU HAVE NOT MADE MONTHLY MORTGAGE PAYMENTS for the following months and the following amounts are now past due:

a) Number of Payments Delinquent:	3
b) Delinquent Amount Due:	\$2,989.89
c) Late Charges:	\$298.98
d) Recoverable Corporate Advances:	\$2.75
e) Other Charges and Advances:	\$\$0.00
f) Less funds in Suspense:	\$0.00
g) Total amount required as of (due date):	\$\$3,291.62

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

HOW TO CURE THE DEFAULT – You may cure this default within THIRTY (30) days from the date of this letter **BY PAYING THE TOTAL AMOUNT PAST DUE TO THE LENDER/SERVICER, WHICH IS \$2,989.89 PLUS ANY MORTGAGE PAYMENTS AND LATE CHARGES (and other charges) WHICH BECOME DUE DURING THE THIRTY (30) DAY PERIOD. Payments must be made either by cashier's check, certified check, or money order made payable to:**

Regular Mail
HomEq Servicing Corporation
P.O. Box 96012 Charlotte, NC 28296-0012

Overnight
Attn: Cash Central NC 4726
1100 Corporate Center Drive
Raleigh, NC 27607-5066

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

IF YOU DO NOT CURE THE DEFAULT

If you do not cure the default within THIRTY (30) days of this notice, the lender/servicer intends to exercise its rights to accelerate the mortgage debt. This means that the entire outstanding balance of this debt will be considered due immediately and you may lose the opportunity to pay the mortgage in monthly installments. If full payment of the total amount past due is not made within THIRTY (30) DAYS OF THE DATE OF THIS LETTER, HomEq Servicing Corporation also intends to instruct its attorneys to start a legal action to foreclose upon your mortgaged property.

IF THE MORTGAGE IS FORECLOSED UPON

The mortgaged property will be sold by the Sheriff to pay off the mortgage debt. If the lender/servicer refers your case to its attorneys, but you cure the delinquency before the attorney begins legal proceedings against you, you will still be required to pay the reasonable attorneys' fees actually incurred up to \$50.00. However, if legal proceedings are started against you, you will have to pay all reasonable attorneys' fees actually incurred even if they are over \$50.00. Any attorneys' fees will be added to the amount you owe the lender/servicer, which may also include other reasonable costs. If you cure the default within the THIRTY (30) DAY period, you will not be required to pay attorneys' fees.

OTHER LENDER/SERVICER REMEDIES

The lender/servicer may also sue you personally for the unpaid principal balance and all other sums due under the Mortgage.

RIGHT TO CURE THE DEFAULT PRIOR TO SHERIFF'S SALE

If you have not cured the default within the THIRTY (30) day period and foreclosure proceedings have begun, you still have the right to cure the default and prevent the sale at any time up to one hour before the Sheriff's Sale. You may do so by paying the total amount then past due plus any late charges, other charges then due, reasonable attorneys' fees and costs connected with the foreclosure sale and any other costs connected with the Sheriff's Sale as specified in writing by the lender/servicer and by performing any other requirements under the mortgage. Curing your default in the manner set forth in this Notice will restore your mortgage to the same position as if you had never defaulted.

EARLIEST POSSIBLE SHERIFF'S SALE DATE

It is estimated that the earliest date that such Sheriff's sale could be held would be approximately five (5) months from the date of this notice. A notice of the actual date of the Sheriff's Sale will be sent to you before the sale. The amount needed to cure the default will increase the longer you wait. You may find out at any time exactly what the required payment or action will be by contacting the lender/servicer.

HOW TO CONTACT THE LENDER/SERVICER BY TELEPHONE OR MAIL:

Name of Lender/Servicer	HomEq Servicing Corporation
Address	Attn: Account Research, Mail Code CA3345
	P.O. Box 13716
	Sacramento, CA 95853
Telephone Number:	1-800-795-5125

EFFECT OF SHERIFF'S SALE

You should realize that a Sheriff's sale will end your ownership of the mortgaged property and your right to occupy it. If you continue to live in the property after the Sheriff's sale, a lawsuit to remove you and your furnishings and other belongings could be started by the lender/servicer at any time.

ASSUMPTION OF MORTGAGE

You may not sell or transfer your home to a buyer or transferee who will assume the mortgage debt.

YOU MAY ALSO HAVE THE RIGHT

- TO SELL THE PROPERTY TO OBTAIN MONEY TO PAY OFF THE MORTGAGE DEBT, OR BORROW MONEY FROM ANOTHER LENDING INSTITUTION TO PAY OFF THIS DEBT;
- TO HAVE THIS DEFAULT CURED BY ANY THIRD PARTY ACTING ON YOUR BEHALF;
- TO HAVE THE MORTGAGE RESTORED TO THE SAME POSITION AS IF NO DEFAULT HAD OCCURRED, IF YOU CURE THE DEFAULT. HOWEVER, YOU DO NOT HAVE THE RIGHT TO CURE YOUR DEFAULTS ANY MORE THAN THREE TIMES IN A CALENDAR YEAR;
- TO ASSERT THE NON-EXISTENCE OF A DEFAULT IN ANY FORECLOSURE PROCEEDING OR ANY OTHER LAWSUIT INSTITUTED UNDER THE MORTGAGE DOCUMENTS;
- TO ASSERT ANY OTHER DEFENSE YOU BELIEVE YOU MAY HAVE TO SUCH ACTION BY THE LENDER/SERVICER; OR
- TO SEEK PROTECTION UNDER THE FEDERAL BANKRUPTCY LAW.

THE CONSUMER CREDIT COUNSELING AGENCIES SERVING YOUR COUNTY ARE
ATTACHED TO THIS LETTER

If you received a discharge of the account through the Bankruptcy Court and if your account has not been reaffirmed, the acceleration and sale will not result in your being held personally liable for the debt and this letter is not an attempt to collect a personal debt. However, failure to pay the delinquent balance is necessary to avoid foreclosure.

You are notified that this default, and any other legal action that may occur as a result thereof, may be reported by HomEq to one or more credit reporting agencies.

Please take appropriate action with respect to the important matters discussed herein.

Sincerely,

HomEq Servicing Corporation

THIS NOTICE CONTINUES ON THE NEXT PAGE

IMPORTANT DISCLOSURES

Colorado

Collection agencies are licensed by the Colorado Collection Agency Board, 1525 Sherman Street, 5th Floor, Denver, Colorado 80203. Please do not send payments to the collection agency board.

Minnesota

This collection agency is licensed by the Minnesota Department of Commerce.

Nebraska

Any credit insurance issued in connection with the loan contract may be canceled unless the borrower cures the default.

New York City

**Collection Agency License: #1099500 – North Highlands, CA (Main office)
#1099501 – Raleigh, NC (Branch)
#1099512 – Boone, NC (Branch)**

North Carolina

**North Carolina Department of Insurance Permit: #3677 – North Highlands, CA (Main office)
#3676 – Raleigh, NC (Branch)
#3675 – Boone, NC (Branch)**

Tennessee

This collection agency is licensed by the Collection Service Board, State Department of Commerce and Industry, 500 James Robertson Parkway, Nashville, Tennessee 37243

In The Court of Common Pleas of Clearfield County, Pennsylvania

THE BANK OF NEW YORK

VS.

MACKEY, LINDA D. & RICHARD W.

COMPLAINT IN MORTGAGE FORECLOSURE

Sheriff Docket # 15311

04-349-CD

SHERIFF RETURNS

NOW MARCH 17, 2004 AT 11:45 AM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON LINDA D. MACKEY, DEFENDANT AT EMPLOYMENT, RR#3 BOX 147, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO LINDA D. MACKEY (2)TWO TRUE AND ATTESTED COPIES OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN TO HER THE CONTENTS THEREOF.
SERVED BY: COUDRIET/RYEN

NOW MARCH 17, 2004 AT 11:48 AM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON RICHARD W. MACKEY, DEFENDANT AT EMPLOYMENT, RR#3 BOX 147, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO RICHARD MACKEY, (2)TWO TRUE AND ATTESTED COPIES OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN TO HIM THE CONTENTS THEREOF.
SERVED BY: COUDRIET/RYEN

Return Costs

Cost	Description
50.25	SHERIFF HAWKINS PAID BY: ATTY CK# 194933
40.00	SURCHARGE PAID BY: ATTY

Sworn to Before Me This

10th Day Of May 2004

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

So Answers,

Chester A. Hawkins
by Marley Hanes
Chester A. Hawkins
Sheriff

FILED
MAY 10 2004

William A. Shaw
Prothonotary/Clerk of Courts

GOLDBECK McCAFFERTY & McKEEVER
BY: Joseph A. Goldbeck, Jr.
Attorney I.D. #16132
Suite 500 ~ The Bourse Bldg.
111 S. Independence Mall East
Philadelphia, PA 19106
215-627-1322
Attorney for Plaintiff

THE BANK OF NEW YORK AS INDENTURED
TRUSTEE UNDER THE SALE AGREEMENT DATED
AS OF AUGUST 31, 1998 FOR THE MONEY STORE
TRUST 1998-C
One Old Country Road
Suite 429
Carle Place, NY 11514

Plaintiff
vs.

LINDA D. MACKEY
RICHARD W. MACKEY
(Mortgagor(s) and Record owner(s))
RD 1 Box 21 A
Penfield, PA 15849

Defendant(s)

IN THE COURT OF COMMON PLEAS

of Clearfield County

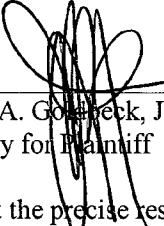
CIVIL ACTION LAW

ACTION OF MORTGAGE FORECLOSURE

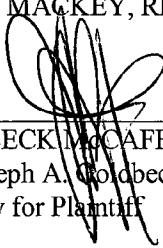
No. 2004-349-CD

ORDER FOR JUDGMENT

Please enter Judgment in favor of THE BANK OF NEW YORK AS INDENTURED TRUSTEE
UNDER THE SALE AGREEMENT DATED AS OF AUGUST 31, 1998 FOR THE MONEY STORE TRUST
1998-C, and against LINDA D. MACKEY and RICHARD W. MACKEY for failure to file an Answer in the
above action within (20) days (or sixty (60) days if defendant is the United States of America) from the date of
service of the Complaint, in the sum of \$128,210.75.


Joseph A. Goldbeck, Jr.
Attorney for Plaintiff

I hereby certify that the above names are correct and that the precise residence address of the judgment
creditor is THE BANK OF NEW YORK AS INDENTURED TRUSTEE UNDER THE SALE AGREEMENT
DATED AS OF AUGUST 31, 1998 FOR THE MONEY STORE TRUST 1998-C One Old Country Road Suite
429 Carle Place, NY 11514 and that the name(s) and last known address(es) of the Defendant(s) is/are LINDA D.
MACKEY, RR 3 Box 147 DuBois, PA 15801 and RICHARD W. MACKEY, RR 3 Box 147 DuBois, PA 15801;


GOLDBECK McCAFFERTY & McKEEVER
BY: Joseph A. Goldbeck, Jr.
Attorney for Plaintiff

FILED

MAY 14 2004

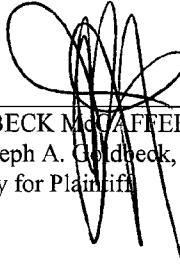
William A. Shaw
Prothonotary/Clerk of Courts

ASSESSMENT OF DAMAGES

TO THE PROTHONOTARY:

Kindly assess the damages in this case to be as follows:

Principal Balance	\$112,445.27
Interest from 08/01/2003 through 05/13/2004	\$8,529.63
Attorney's Fee at 5.0000% of principal balance	\$5,622.26
Late Charges	\$597.96
Costs of Suit and Title Search	\$900.00
Corporate Advance	\$115.63
	<hr/> \$128,210.75


GOLDBECK McCAGFERTY & McKEEVER
BY: Joseph A. Goldbeck, Jr.
Attorney for Plaintiff

AND NOW, this 14th day of May, 2004 damages are assessed as above.



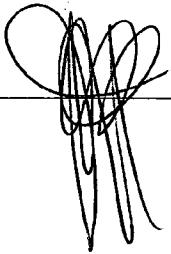
Pro Prothy

VERIFICATION OF NON-MILITARY SERVICE

The undersigned, as the representative for the Plaintiff corporation within named do hereby verify that I am authorized to make this verification on behalf of the Plaintiff corporation and that the facts set forth in the foregoing verification of Non-Military Service are true and correct to the best of my knowledge, information and belief. I understand that false statements therein are made subject to penalties of 18 Pa. C.S. 4904 relating to unsworn falsification to authorities.

1. That the above named Defendant, LINDA D. MACKEY, is about unknown years of age, that Defendant's last known residence is RR 3 Box 147, DuBois, PA 15801, and is engaged in the unknown business located at unknown address.

2. That Defendant is 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 Action of Congress of 1940 and its Amendments.

Date: 

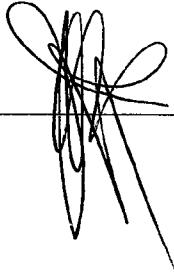
VERIFICATION OF NON-MILITARY SERVICE

The undersigned, as the representative for the Plaintiff corporation within named do hereby verify that I am authorized to make this verification on behalf of the Plaintiff corporation and that the facts set forth in the foregoing verification of Non-Military Service are true and correct to the best of my knowledge, information and belief. I understand that false statements therein are made subject to penalties of 18 Pa. C.S. 4904 relating to unsworn falsification to authorities.

1. That the above named Defendant, RICHARD W. MACKEY, is about unknown years of age, that Defendant's last known residence is RR 3 Box 147, DuBois, PA 15801, and is engaged in the unknown business located at unknown address.

2. That Defendant is 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 Action of Congress of 1940 and its Amendments.

Date:

A handwritten signature in black ink, appearing to read "J. W. Mackey", is written over a horizontal line. The signature is somewhat stylized and cursive.

In the Court of Common Pleas of Clearfield County

THE BANK OF NEW YORK AS INDENTURED TRUSTEE
UNDER THE SALE AGREEMENT DATED AS OF AUGUST
31, 1998 FOR THE MONEY STORE TRUST 1998-C
One Old Country Road
Suite 429
Carle Place, NY 11514

Plaintiff

vs.

No. 2004-349-CD

LINDA D. MACKEY
RICHARD W. MACKEY
(Mortgagor(s) and Record Owner(s))
RD 1 Box 21 A
Penfield, PA 15849

Defendant(s)

PRAECIPE FOR JUDGMENT

**THIS LAW FIRM IS A DEBT COLLECTOR AND WE ARE ATTEMPTING TO COLLECT A DEBT
OWED TO OUR CLIENT. ANY INFORMATION OBTAINED FROM YOU WILL BE USED FOR THE PURPOSE
OF COLLECTING THE DEBT.**

Enter the Judgment in favor of Plaintiff and against LINDA D. MACKEY and RICHARD W. MACKEY by default
for want of an Answer.

Assess damages as follows:

\$128,210.75

Debt

Interest - 08/01/2003 to 05/13/2004

Total

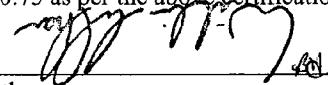
(Assessment of Damages attached)

**I CERTIFY THAT FOREGOING ASSESSMENT OF DAMAGES IS FOR SPECIFIED AMOUNTS ALLEGED TO
BE DUE IN THE COMPLAINT AND IS CALCULABLE AS A SUM CERTAIN FROM THE COMPLAINT.**

I certify that written notice of the intention to file this praecipe was mailed or delivered to the party against whom judgment is to be entered and to his attorney of record, if any, after the default occurred and at least ten days prior to the date of the filing of this praecipe. A copy of the notice is attached. R.C.P. 237.1

Joseph A. Gollieck, Jr.
Attorney for Plaintiff
I.D. #16132

AND NOW May 14, 2004 Judgment is entered in favor of THE
BANK OF NEW YORK AS INDENTURED TRUSTEE UNDER THE SALE AGREEMENT DATED AS OF AUGUST 31,
1998 FOR THE MONEY STORE TRUST 1998-C and against LINDA D. MACKEY and RICHARD W. MACKEY by
default for want of an Answer and damages assessed in the sum of \$128,210.75 as per the above certification.


Prothonotary

**THIS LAW FIRM IS A DEBT COLLECTOR AND WE ARE ATTEMPTING TO
COLLECT A DEBT OWED TO OUR CLIENT. ANY INFORMATION OBTAINED
FROM YOU WILL BE USED FOR THE PURPOSE OF COLLECTING THE DEBT.**

DATE OF THIS NOTICE: April 28, 2004

TO:

RICHARD W. MACKEY
RD 1 Box 21 A
Penfield , PA 15849

THE BANK OF NEW YORK AS INDENTURED TRUSTEE
UNDER THE SALE AGREEMENT DATED AS OF AUGUST
31, 1998 FOR THE MONEY STORE TRUST 1998-C
One Old Country Road
Suite 429
Carle Place, NY 11514

Plaintiff

vs.
LINDA D. MACKEY
RICHARD W. MACKEY
(Mortgagor(s) and Record Owner(s))
RD 1 Box 21 A
Penfield , PA 15849

In the Court of
Common Pleas
of Clearfield County

CIVIL ACTION - LAW

Action of
Mortgage Foreclosure

Term
No. 2004-349-CD

Defendant(s)

TO: **RICHARD W. MACKEY**
RD 1 Box 21 A
Penfield , PA 15849

IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN (10) DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR PROPERTY OR OTHER IMPORTANT RIGHTS. YOU SHOULD TAKE THIS 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.

PENNSYLVANIA BAR ASSOCIATION
P.O. Box 186
Harrisburg, PA 17108
800-692-7375

KEYSTONE LEGAL SERVICES
211 1/2 E. Locust Street
Clearfield, PA 16830
814-765-9646

GOLDBECK McCAFFERTY & MCKEEVER
BY: Joseph A. Goldbeck, Jr., Esq.
Attorney for Plaintiff
Suite 5000 - Mellon Independence Center
701 Market Street
Philadelphia, PA 19106 215-627-1322

**THIS LAW FIRM IS A DEBT COLLECTOR AND WE ARE ATTEMPTING TO
COLLECT A DEBT OWED TO OUR CLIENT. ANY INFORMATION OBTAINED
FROM YOU WILL BE USED FOR THE PURPOSE OF COLLECTING THE DEBT.**

DATE OF THIS NOTICE: April 28, 2004

TO:

LINDA D. MACKEY
RD 1 Box 21 A
Penfield , PA 15849

THE BANK OF NEW YORK AS INDENTURED TRUSTEE
UNDER THE SALE AGREEMENT DATED AS OF AUGUST
31, 1998 FOR THE MONEY STORE TRUST 1998-C
One Old Country Road
Suite 429
Carle Place, NY 11514

Plaintiff

vs.

LINDA D. MACKEY
RICHARD W. MACKEY
(Mortgagor(s) and Record Owner(s))
RD 1 Box 21 A
Penfield , PA 15849

In the Court of
Common Pleas
of Clearfield County

CIVIL ACTION - LAW

Action of
Mortgage Foreclosure

Term
No. 2004-349-CD

Defendant(s)

TO: LINDA D. MACKEY
RD 1 Box 21 A
Penfield , PA 15849

IMPORTANT NOTICE

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GOLDBECK McCAFFERTY & McKEEVER
BY: Joseph A. Goldbeck, Jr., Esq.
Attorney for Plaintiff
Suite 5000 - Mellon Independence Center.
701 Market Street
Philadelphia, PA 19106 215-627-1322

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DATE OF THIS NOTICE: **April 28, 2004**

TO:

RICHARD W. MACKEY
RR 3 Box 147
DuBois, PA 15801

THE BANK OF NEW YORK AS INDENTURED TRUSTEE
UNDER THE SALE AGREEMENT DATED AS OF AUGUST
31, 1998 FOR THE MONEY STORE TRUST 1998-C
One Old Country Road
Suite 429
Carle Place, NY 11514

Plaintiff

vs.
LINDA D. MACKEY
RICHARD W. MACKEY
(Mortgagor(s) and Record Owner(s))
RD 1 Box 21 A
Penfield, PA 15849

In the Court of
Common Pleas
of Clearfield County

CIVIL ACTION - LAW

Action of
Mortgage Foreclosure

Term
No. 2004-349-CD

Defendant(s)

TO: **RICHARD W. MACKEY**
RR 3 Box 147
DuBois, PA 15801

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PENNSYLVANIA BAR ASSOCIATION
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800-692-7375

KEYSTONE LEGAL SERVICES
211 1/2 E. Locust Street
Clearfield, PA 16830
814-765-9646

GOLDBECK McCAFFERTY & MCKEEVER
BY: Joseph A. Goldbeck, Jr., Esq.
Attorney for Plaintiff
Suite 5000 - Mellon Independence Center
701 Market Street
Philadelphia, PA 19106 215-627-1322

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COLLECT A DEBT OWED TO OUR CLIENT. ANY INFORMATION OBTAINED
FROM YOU WILL BE USED FOR THE PURPOSE OF COLLECTING THE DEBT.**

DATE OF THIS NOTICE: April 28, 2004

TO:

LINDA D. MACKEY
RR 3 Box 147
DuBois, PA 15801

THE BANK OF NEW YORK AS INDENTURED TRUSTEE
UNDER THE SALE AGREEMENT DATED AS OF AUGUST
31, 1998 FOR THE MONEY STORE TRUST 1998-C
One Old Country Road
Suite 429
Carle Place, NY 11514

Plaintiff

vs.

LINDA D. MACKEY
RICHARD W. MACKEY
(Mortgagor(s) and Record Owner(s))
RD 1 Box 21 A
Penfield , PA 15849

In the Court of
Common Pleas
of Clearfield County

CIVIL ACTION - LAW

Action of
Mortgage Foreclosure

Term
No. 2004-349-CD

Defendant(s)

TO: **LINDA D. MACKEY**
RR 3 Box 147
DuBois, PA 15801

IMPORTANT NOTICE

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Harrisburg, PA 17108
800-692-7375

KEYSTONE LEGAL SERVICES
211 1/2 E. Locust Street
Clearfield, PA 16830
814-765-9646

GOLDBECK McCAFFERTY & MCKEEVER
BY: Joseph A. Goldbeck, Jr., Esq.
Attorney for Plaintiff
Suite 5000 - Mellon Independence Center,
701 Market Street
Philadelphia, PA 19106 215-627-1322

Rule of Civil Procedure No. 236 – Revised

IN THE COURT OF COMMON PLEAS
OF Clearfield COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

THE BANK OF NEW YORK AS INDENTURED TRUSTEE UNDER THE SALE AGREEMENT DATED AS OF
AUGUST 31, 1998 FOR THE MONEY STORE TRUST 1998-C
One Old Country Road
Suite 429
Carle Place, NY 11514

Plaintiff

No. 2004-349-CD

vs.

LINDA D. MACKEY
RICHARD W. MACKEY
(Mortgagors and Record Owner(s))
RD 1 Box 21 A
Penfield, PA 15849

Defendant(s)

**THIS LAW FIRM IS A DEBT COLLECTOR AND WE ARE ATTEMPTING TO COLLECT A DEBT
OWED TO OUR CLIENT. ANY INFORMATION OBTAINED FROM YOU WILL BE USED FOR THE
PURPOSE OF COLLECTING THE DEBT.**

NOTICE

Notice is given that a judgment in the above-captioned matter has been entered against you.

William Shaw
Prothonotary

By: _____

Deputy

If you have any questions concerning the above, please contact:

Joseph A. Goldbeck, Jr.
Goldbeck McCafferty & McKeever
Suite 500 – The Bourse Bldg.
111 S. Independence Mall East
Philadelphia, PA 19106
215-627-1322

FILED May 14 2004
1 copy of the Order
for Judgment or issued
William A. Shaw
Prothonotary/Clerk of Courts
notice to each Def.

142

COPY

NOTICE OF JUDGMENT

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

CIVIL DIVISION

Bank of New York as Indentured Trustee

Vs.

No. 2004-00349-CD

Richard W. Mackey and Linda D. Mackey

To: DEFENDANT(S)

NOTICE is given that a JUDGMENT in the above captioned matter has been entered
against you in the amount of \$128,210.75 on May 14, 2004.

William A. Shaw
Prothonotary

William A. Shaw

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

COPY

Bank of New York as Indentured Trustee
Plaintiff(s)

No.: 2004-00349-CD

Real Debt: \$128,210.75

Atty's Comm: \$

Vs. Costs: \$

Int. From: \$

Richard W. Mackey
Linda D. Mackey
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: May 14, 2004

Expires: May 14, 2009

Certified from the record this 14th 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

WRIT OF EXECUTION – (MORTGAGE FORECLOSURE)
P.R.C.P. 3180-3183 AND Rule 3257

COPY

THE BANK OF NEW YORK AS INDENTURED
TRUSTEE UNDER THE SALE AGREEMENT
DATED AS OF AUGUST 31, 1998 FOR THE
MONEY STORE TRUST 1998-C
One Old Country Road
Suite 429
Carle Place, NY 11514

In the Court of Common Pleas of
Clearfield County

No. 2004-349-CD

vs.

LINDA D. MACKEY
RICHARD W. MACKEY
RD 1 Box 21 A
Penfield, PA 15849

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:

PREMISES: RD 1 Box 21 A Penfield, PA 15849

See Exhibit "A" attached

AMOUNT DUE	\$128,210.75
Interest From 08/01/2003 Through 05/13/2004	
(Costs to be added)	
	125.00



Prothonotary, Common Pleas Court
of Clearfield County, Pennsylvania

Dated: May 14, 2004

Deputy _____

ALL that certain piece, parcel or tract of land, situate, lying and being in the Township of Huston, Clearfield County, Pennsylvania and being bounded and described as follows, to wit;

BEGINNING at a point in the centerline of a certain public road known as the Mountain Run Road leading in a Northerly direction to Sabula, said point and place of beginning marking the Northeast corner of a certain tract of land containing 1 1/2 acres now or formerly owned by Louis I. Webb et al; thence along the centerline of the aforesaid Mountain Run Road North 38 degrees 40' West 214.5 feet, more or less, to a point in the centerline of said road, thence continuing along the centerline of the said Mountain Run Road North 32 degrees 24' West 475.2 feet, more or less, to a point, said point marking the Southwest corner of a certain triangular tract of land now or formerly owned by J. S. Stull, containing 18.433 square feet more or less; thence along the Southwest margin of the lands now or formerly of J. S. Stull, North 43 degrees 45' East 215.0 feet to a point marked by an iron pipe, said point marking the centermost corner of land now or formerly of J. S. Stull, and being in the Northerly line of a 20 acre tract of land now or formerly of Munn; thence along the Northern margin of the Munn 20 acre tract of land North 68 degrees 30' East 681.0 feet, more or less, to a point marked by an iron pipe; thence along the Eastern line of the said Munn 20 acre tract of land South 0 degrees 30' East 577.5 feet, more or less, to a point marked by an iron pipe, said point being the Southeast corner of a 20 acre tract of land now or formerly of R. P. Munn, in line of land now or formerly of John Bundy; more or less, passing an iron pipe in the margin of the aforesaid Mountain Run Road to the point and place of beginning. Containing 10.2 acres of land, more or less.

Parcel 119-F03-38

Goldbeck McCafferty & McKeever
BY: Joseph A. Goldbeck, Jr.
Attorney I.D. #16132
Suite 500 – The Bourse Bldg.
111 S. Independence Mall East
Philadelphia, PA 19106
215-627-1322
Attorney for Plaintiff

THE BANK OF NEW YORK AS INDENTURED
TRUSTEE UNDER THE SALE AGREEMENT
DATED AS OF AUGUST 31, 1998 FOR THE
MONEY STORE TRUST 1998-C
One Old Country Road
Suite 429
Carle Place, NY 11514

Plaintiff

vs.

LINDA D. MACKEY
RICHARD W. MACKEY
(Mortgagor(s) and Record Owner(s))
RD 1 Box 21 A
Penfield, PA 15849

Defendant(s)

IN THE COURT OF COMMON PLEAS

of Clearfield County

CIVIL ACTION - LAW

ACTION OF MORTGAGE FORECLOSURE

No. 2004-349-CD

AFFIDAVIT PURSUANT TO RULE 3129

THE BANK OF NEW YORK AS INDENTURED TRUSTEE UNDER THE SALE AGREEMENT DATED AS OF AUGUST 31, 1998 FOR THE MONEY STORE TRUST 1998-C, Plaintiff in the above action, by its attorney, Joseph A. Goldbeck, Jr., Esquire, sets forth as of the date the praecipe for the writ of execution was filed the following information concerning the real property located at:

RD 1 Box 21 A
Penfield, PA 15849

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

LINDA D. MACKEY
RR 3 Box 147
DuBois, PA 15801

RICHARD W. MACKEY
RR 3 Box 147
DuBois, PA 15801

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

LINDA D. MACKEY
RR 3 Box 147
DuBois, PA 15801

RICHARD W. MACKEY
RR 3 Box 147
DuBois, PA 15801

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

COMMONWEALTH OF PA
Dept of Revenue Bureau of Commerce
Dept 280946
Harrisburg, PA 17128-0946

COMMONWEALTH OF PA.
Dept of Revenue Bureau of Accts Settlement
P.O. Box 8901
Harrisburg, PA 17128-0946

American Veterinary Supply Corporation
155 Knickerbocker Ave
Bohemia, NY 11716

County National Bank
*****AWAITING LIENHOLDER ADDRESS*****
Clearfield, PA

Pfizer, Inc.-Animal Health Division
812 Springdale Drive
Exton, PA 19341

Merial Limited
*****AWAITING LIENHOLDER ADDRESS*****
London, Sw

PA DEPARTMENT OF PUBLIC WELFARE - Bureau of Child Support Enforcement
Health and Welfare Bldg. - Room 432
P.O. Box 2675
Harrisburg, PA 17105-2675

DOMESTIC RELATIONS OF CLEARFIELD COUNTY
230 E. Market Street
Clearfield, PA 16830

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

TMS Mortgage, Inc. d/b/a The Money Store
1625 N. Market Blvd., Ste 320
Sacramento, CA 95834

Firstplus Financial, Inc
1600 Viceroy Drive
Dallas, TX 75235

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

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

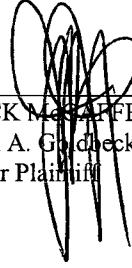
7. Name and address of every other person of whom the plaintiff has knowledge who has any interest in the property which may be affected by the sale.

TENANTS/OCCUPANTS
RD 1 Box 21 A
Penfield, PA 15849

(attach separate sheet if more space is needed)

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

DATED: May 13, 2004


GOLDBECK MCFARFERTY & McKEEVER
BY: Joseph A. Goldbeck, Jr., Esq.
Attorney for Plaintiff

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

Joseph A. Goldbeck, Jr.
Attorney I.D.#16132
Suite 500 - The Bourse Bldg.
111 S. Independence Mall East
Philadelphia, PA 19106
215-627-1322
Attorney for Plaintiff

FILED
MAY 14 2004
m/230
AY

William A. Shaw
Prothonotary/Clerk of Courts

THE BANK OF NEW YORK AS INDENTURED
TRUSTEE UNDER THE SALE AGREEMENT DATED
AS OF AUGUST 31, 1998 FOR THE MONEY STORE
TRUST 1998-C
One Old Country Road
Suite 429
Carle Place, NY 11514

Plaintiff
vs.

LINDA D. MACKEY
RICHARD W. MACKEY
Mortgagor(s) and Record Owner(s)
RD 1 Box 21 A
Penfield, PA 15849

Defendant(s)

1CC & (writs w/ prop desc.
to Shff)

IN THE COURT OF COMMON PLEAS

of Clearfield County

CIVIL ACTION - LAW

ACTION OF MORTGAGE FORECLOSURE

No. 2004-349-CD

PRAECIPE FOR WRIT OF EXECUTION

TO THE PROTHONOTARY:

Issue Writ of Execution in the above matter:

Amount Due

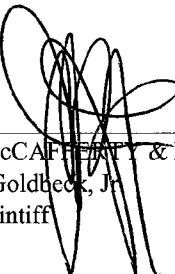
\$128,210.75

Interest from
08/01/2003 to
05/13/2004 at
9.6500%

(Costs to be added)

125.00 Prothonotary costs

GOLDBECK McCAFFERTY & MCKEEVER
BY: Joseph A. Goldbeck, Jr.
Attorney for Plaintiff



Term
No. 2004-349-CD
IN THE COURT OF COMMON PLEAS

THE BANK OF NEW YORK AS INDENTURED TRUSTEE
UNDER THE SALE AGREEMENT DATED AS OF
AUGUST 31, 1998 FOR THE MONEY STORE TRUST
1998-C

vs.

LINDA D. MACKEY and
RICHARD W. MACKEY
(Mortgagor(s) and Record Owner(s))
RD 1 Box 21 A
Penfield, PA 15849

PRAECIPE FOR WRIT OF EXECUTION
(Mortgage Foreclosure)

Joseph A. Goldbeck, Jr.
Attorney for Plaintiff

Goldbeck McCafferty & McKeever
Suite 500 - The Bourse Bldg.
111 S. Independence Mall East
Philadelphia, PA 19106
215-627-1322

ALL that certain piece, parcel or tract of land, situate, lying and being in the Township of Huston, Clearfield County, Pennsylvania and being bounded and described as follows, to wit:

BEGINNING at a point in the centerline of a certain public road known as the Mountain Run Road leading in a Northerly direction to Sabula, said point and place of beginning marking the Northeast corner of a certain tract of land containing 1 1/2 acres now or formerly owned by Louis I. Webb et al; thence along the centerline of the aforesaid Mountain Run Road North 38 degrees 40' West 214.5 feet, more or less, to a point in the centerline of said road, thence continuing along the centerline of the said Mountain Run Road North 32 degrees 24' West 475.2 feet, more or less, to a point, said point marking the Southwest corner of a certain triangular tract of land now or formerly owned by J. S. Stull, containing 16.433 square feet more or less; thence along the Southwest margin of the lands now or formerly of J. S. Stull, North 43 degrees 45' East 215.0 feet to a point marked by an iron pipe, said point marking the centermost corner of land now or formerly of J. S. Stull, and being in the Northerly margin of the Munn 20 acre tract of land now or formerly of Munn; thence along the Northern line of a 20 acre tract of land now or formerly of Munn, in line of land North 88 degrees 30' East 681.0 feet, more or less, to a point marked by an iron pipe; thence along the Eastern line of the said Munn 20 acre tract of land South 0 degrees 30' East 577.5 feet, more or less, to a point marked by an iron pipe, said point being the Southeast corner of a 20 acre tract of land now or formerly of R. F. Munn, in line of land now or formerly of John Bundy, thence along line of lands now or formerly of Bundy, South 70 degrees West 474.4 feet, more or less, passing an iron pipe in the margin of the aforesaid Mountain Run Road to the point and place of beginning. Containing 10.2 acres of land, more or less.

Parcel 119-FO3-38

GOLDBECK McCAFFERTY & MCKEEVER

BY: Joseph A. Goldbeck, Jr.

Attorney I.D.#16132

Suite 500 - The Bourse Bldg.

111 S. Independence Mall East

Philadelphia, PA 19106

215-627-1322

Attorney for Plaintiff

THE BANK OF NEW YORK AS INDENTURED
TRUSTEE UNDER THE SALE AGREEMENT DATED
AS OF AUGUST 31, 1998 FOR THE MONEY STORE
TRUST 1998-C
One Old Country Road
Suite 429
Carle Place, NY 11514

Plaintiff

vs.

LINDA D. MACKEY
RICHARD W. MACKEY
Mortgagor(s) and Record Owner(s)

RD 1 Box 21 A
Penfield, PA 15849

Defendant(s)

IN THE COURT OF COMMON PLEAS

of Clearfield County

CIVIL ACTION - LAW

ACTION OF MORTGAGE FORECLOSURE

No. 2004-349-CD

CERTIFICATE OF SERVICE
PURSUANT TO Pa.R.C.P. 3129.2 (c) (2)

Joseph A. Goldbeck, Jr., Esquire, Attorney for Plaintiff, hereby certifies that service on the Defendants of the Notice of Sheriff Sale was made by:

Personal Service by the Sheriff's Office/competent adult (copy of return attached).
 Certified mail by Joseph A. Goldbeck, Jr. (original green Postal return receipt attached).
 Certified mail by Sheriff's Office.
 Ordinary mail by Joseph A. Goldbeck, Jr., Esquire to Attorney for Defendant(s) of record (proof of mailing attached).
 Acknowledgment of Sheriff's Sale by Attorney for Defendant(s) (proof of acknowledgment attached).
 Ordinary mail by Sheriff's Office to Attorney for Defendant(s) of record.

IF SERVICE WAS ACCOMPLISHED BY COURT ORDER.

Premises was posted by Sheriff's Office/competent adult (copy of return attached).
 Certified Mail & ordinary mail by Sheriff's Office (copy of return attached).
 Certified Mail & ordinary mail by Joseph A. Goldbeck, Jr. (original receipt(s) for Certified Mail attached).

Pursuant to the Affidavit under Rule 3129 (copy attached), service on all lienholders (if any) has been made by ordinary mail by Joseph A. Goldbeck, Jr., Esquire (copies of proofs of mailing attached).

The undersigned understands that the statements herein are subject to the penalties provided by 18 P.S. Section 4904.

Respectfully submitted,

Joseph Goldbeck, Jr.
BY: Joseph A. Goldbeck, Jr.
Attorney for Plaintiff

7160 3901 9848 3829 0479

TO: MACKEY, LINDA D.
LINDA D. MACKEY
RR 3 Box 147
DuBois, PA 15801

SENDER: GOLDBECK MCCAFFERTY & MCKEEVER
May 13, 2004

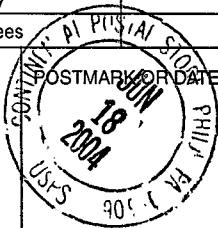
REFERENCE: MACKEY, LINDA D. / MS-1372
8/6/04
- Clearfield

PS Form 3800, June 2000

RETURN RECEIPT SERVICE	Postage
	Certified Fee
	Return Receipt Fee
	Restricted Delivery
	Total Postage & Fees

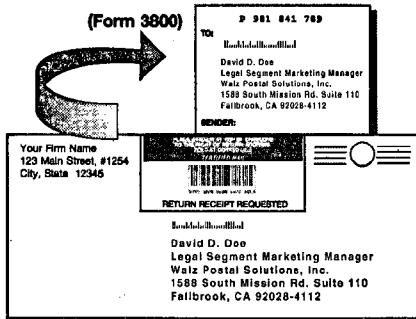
US Postal Service
**Receipt for
Certified Mail**

No Insurance Coverage Provided
Do Not Use for International Mail



AFFIX POSTAGE TO MAIL PIECE TO COVER FIRST CLASS POSTAGE, CERTIFIED FEE, RETURN RECEIPT FEE AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES.

1. Detach the form 3811, Domestic return receipt by tearing left to right across perf. Attach to mailpiece by peeling back the adhesive strips and affixing to front of mailpiece if space permits. Otherwise affix to back of mailpiece.
2. If you do not want the receipt postmarked, stick the article # label to the right of the return address, date receipt and retain the receipt.
3. If you want this receipt postmarked, slip the 3800 receipt between the return receipt, and the mailpiece, and slide the edge of the receipt to the gummed edge of adhesive. This will hold the receipt in place to present to your mailcenter, or post office service window. (SEE ILLUSTRATION)



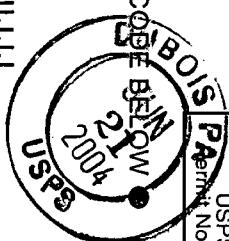
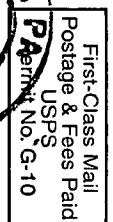
4. Enter fees for the services requested in the appropriate spaces on the front of this receipt.
5. Save this receipt and present it if you make an inquiry.

COMPLETE THIS SECTION ON DELIVERY	
A. Received by (Please Print Clearly)	B. Date of Delivery
07/18/01	
C. Signature	X
	
<input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
D. Is delivery address different from item 1? If YES, enter delivery address below:	
<input type="checkbox"/> Yes <input type="checkbox"/> No	
2140 3701 9848 3827 0479	
3. Service Type CERTIFIED MAIL	
4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
1. Article Addressed to:	
MACKEY, LINDA D. LINDA D. MACKEY RR 3 Box 147 DuBois, PA 15801	
<small>GOLDBECK MCCAFFERTY & MCKEEVER MACKEY, LINDA D. / MS-1372 - Clearfield</small>	
<small>PS Form 3811, July 2001</small>	
<small>Domestic Return Receipt</small>	

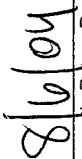
UNITED STATES POSTAL SERVICE



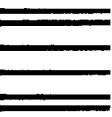
• PRINT YOUR NAME, ADDRESS AND ZIP CODE BELOW



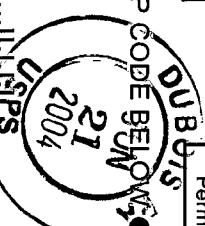
||||||||||||||||||||||||
GOLDBECK MCCAFFERTY & MCKEEVER
STE 5000 - MELLON INDEPENDENCE CENTER
701 MARKET STREET
PHILADELPHIA PA 19106-1538

COMPLETE THIS SECTION ON DELIVERY	
A. Received by (Please Print Clearly)	B. Date of Delivery
	
C. Signature	<input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee
X	
D. Is delivery address different from item 1? If YES, enter delivery address below:	
<input type="checkbox"/> Yes <input type="checkbox"/> No	
710 301 9448 3829 0486	
2. Article Number	
	
3. Service Type CERTIFIED MAIL	
4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
1. Article Addressed to:	
MACKEY, RICHARD W. RICHARD W. MACKEY RR 3 Box 147 DuBois, PA 15801	
<small>GOLDBECK MCCAFFERTY & MCKEEVER MACKEY, LINDA D. / MS-1372 - Clearfield</small>	
<small>PS Form 3811, July 2001</small>	
<small>Domestic Return Receipt</small>	
	

UNITED STATES POSTAL SERVICE



● PRINT YOUR NAME, ADDRESS AND ZIP CODE BELOW ●



|||||
GOLDBECK MCCAFFERTY & MCKEEVER
STE 5000 - MELLON INDEPENDENCE CENTER
701 MARKET STREET
PHILADELPHIA PA 19106-1538

7160 3901 9848 3829 0486

TO: MACKEY, RICHARD W.
RICHARD W. MACKEY
RR 3 Box 147
DuBois, PA 15801

ALONG THIS LINE
SENDER: GOLDBECK MCCAFFERTY & MCKEEVER
May 13, 2004

REFERENCE: MACKEY, LINDA D. / MS-1372
816104 - Clearfield

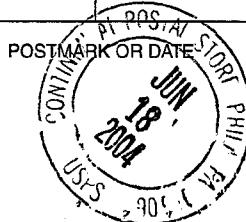
PS Form 3800, June 2000

RETURN RECEIPT SERVICE	Postage
	Certified Fee
	Return Receipt Fee
	Restricted Delivery
	Total Postage & Fees

US Postal Service

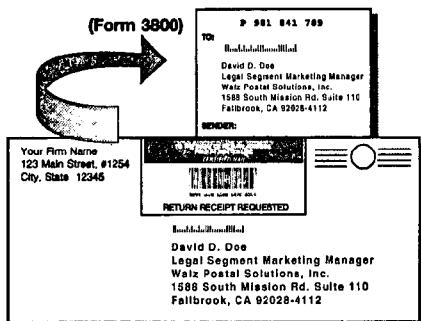
**Receipt for
Certified Mail**

No Insurance Coverage Provided
Do Not Use for International Mail



**AFFIX POSTAGE TO MAIL PIECE TO COVER FIRST CLASS
POSTAGE, CERTIFIED FEE, RETURN RECEIPT FEE AND
CHARGES FOR ANY SELECTED OPTIONAL SERVICES.**

1. Detach the form 3811, Domestic return receipt by tearing left to right across perf. Attach to mailpiece by peeling back the adhesive strips and affixing to front of mailpiece if space permits. Otherwise affix to back of mailpiece.
2. If you do not want the receipt postmarked, stick the article # label to the right of the return address, date receipt and retain the receipt.
3. If you want this receipt postmarked, slip the 3800 receipt between the return receipt, and the mailpiece, and slide the edge of the receipt to the gummed edge of adhesive. This will hold the receipt in place to present to your mailcenter, or post office service window. (SEE ILLUSTRATION)



4. Enter fees for the services requested in the appropriate spaces on the front of this receipt.
5. Save this receipt and present it if you make an inquiry.

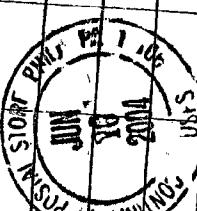
GOLDBECK McCAFFERTY & MCKEEVER
Mellon Independence Center, Suite 5000
701 Market Street
Philadelphia, PA 19106-1532

Line	Article Number	Addressee Name, Street, and PO Address	Postage	Fee	Handling Charge	Actual Value (if Reg'd.)	Insured	Due Sender if COD	RR Fee	DC Fee	SC Fee	SH Fee	SD Fee	RD Fee	Remarks	If Registered Mail	
																Check type of mail:	check below:
1	COMMONWEALTH OF PA Dept of Revenue Bureau of Commerce	153 Kuckerbucker Ave Bohemia, NY 11716														Return Receipt (R/C) or 'Handmande' or 'Certified Mail' Int'l Rec. Des.	
2	COMMONWEALTH OF PA Dept of Revenue Bureau of Commerce	153 Kuckerbucker Ave Bohemia, NY 11716														Insured	
3	P.O. Box 8901 Harrisburg, PA	17128-0946 Harrisburg, PA 17128-0946														Not Insured	
4	American Veterinary Supply Corporation	153 Kuckerbucker Ave Bohemia, NY 11716															
5	Pizer, Inc.-Animal Health Division	812 Springdale Drive Eaton, PA 19341															
6	PA DEPARTMENT OF PUBLIC WELFARE - Bureau of Child Support Enforcement	1625 N. Market Blvd., Ste 320 Sacramento, CA 95834															
7	Firstplus Financial, Inc.	1600 Victory Drive Dallas, TX 75235															
8	TENANTS/OCUPANTS	RD 1 Box 21A Penfield, PA 15849															
9	TMS Mortgage, Inc. dba The Money Store	230 E. Market Street Clearfield, PA 16830															
10																	
11																	
12																	
13																	
14																	
15																	
Total Number of Pieces		Total Number of Pieces Received at Post Office	Postmaster, P.O. (Name of receiving post office)														

The full denomination of value is required on all domestic and international registered mail. The maximum indemnity per piece subject to a limit of \$500.00 per occurrence. The maximum indemnity payable on Express Mail document insurance is \$20,000 per insuree. The maximum indemnity payable on Domestic Mail is \$25,000 for registered mail, sent with optional postal insurance. See Domestic Mail Manual 8000, 3013, and 3021 for limitations of coverage on insured and COD mail. See International Mail Manual for limitations of coverage on International mail. Special handling charges apply only to Standard Mail (a) and Standard Mail (B) parcels.

Complete by Typewriter, Ink, or Ball Point Pen.

PS Form 3877, April 1999

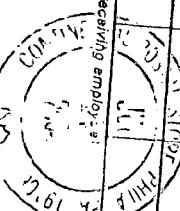


UNITED STATES POSTAL SERVICE
CLEARFIELD, PA 15830
APR 10 1999
POSTED
MAILED FROM ZIP CODE 19106

Clayfield

MS-1372

OLD BECK McCAFFERTY & MCKEEVER
Bellon Independence Center, Suite 5000
31 Market Street
Philadelphia, PA 19106-1532

Line Number	Address, Name, Street, and PO Address	Postage	Fee	Handling Charge	Actual Value If Registered Mail	Insured	If Registered Mail, affix stamp here if issued check below, as certificate of mailing, Certified Intl. P. C. Del. Del. Confirmation (DC)								
							<input type="checkbox"/> Express	<input type="checkbox"/> Registered	<input type="checkbox"/> Insured	<input type="checkbox"/> COD	<input type="checkbox"/> Return Receipt (R.R.) for Mairandise	<input type="checkbox"/> Insured	<input type="checkbox"/> Not Insured	Postmark and Date of Receipt	Date of Receipt
1	COUNTY NATIONAL BANK 1 S. 2nd Street Cleved, PA 16830						Due Sender If COD	RR Fee	DC Fee	SC Fee	SH Fee	SD Fee	RD Fee		
2															
3															
4															
5															
6															
7															
8															
9															
10															
11															
12															
13															
14															
15															
Total Number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office	Postmaster, Per Name or receiving employee	 The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise insurance is \$500. The maximum indemnity payable on Express Mail merchandise insurance is \$500 per domestic mail matter R900, S913, and S921 for limitations of coverage on registered mail, sent with optional postal insurance. See Standard Mail (B) parcels. Complete by Typewriter, Ink, or Ball Point Pen.											
S Form 3877, April 1989															

U.S. - 1372
Mackay

Clearfield

GOLDBECK McCAFFERTY & MCKEEVER

BY: Joseph A. Goldbeck, Jr.

Attorney I.D.#16132

Suite 5000 - Mellon Independence Center
701 Market Street

Philadelphia, PA 19106-1532
215-627-1322

Attorney for Plaintiff

THE BANK OF NEW YORK AS INDENTURED
TRUSTEE UNDER THE SALE AGREEMENT
DATED AS OF AUGUST 31, 1998 FOR THE
MONEY STORE TRUST 1998-C
One Old Country Road
Suite 429
Carle Place, NY 11514

Plaintiff

vs.

LINDA D. MACKEY
RICHARD W. MACKEY
Mortgagor(s) and Record Owner(s)

RD 1 Box 21 A
Penfield, PA 15849

Defendant(s)

IN THE COURT OF COMMON PLEAS

of Clearfield County

CIVIL ACTION - LAW

ACTION OF MORTGAGE FORECLOSURE

Term
No. 2004-349-CD

SUPPLEMENTAL AFFIDAVIT PURSUANT TO RULE 3129

THE BANK OF NEW YORK AS INDENTURED TRUSTEE UNDER THE SALE AGREEMENT DATED AS OF AUGUST 31, 1998 FOR THE MONEY STORE TRUST 1998-C, Plaintiff in the above action, by its attorney, Joseph A. Goldbeck, Jr., Esquire, sets forth as of the date the praecipe for the writ of execution was filed the following information concerning the real property located at:

RD 1 Box 21 A
Penfield, PA 15849

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

LINDA D. MACKEY
RR 3 Box 147
DuBois, PA 15801

RICHARD W. MACKEY
RR 3 Box 147
DuBois, PA 15801

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

LINDA D. MACKEY
RR 3 Box 147
DuBois, PA 15801

RICHARD W. MACKEY
RR 3 Box 147
DuBois, PA 15801

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

COMMONWEALTH OF PA
Dept of Revenue Bureau of Commerce
Dept 280946
Harrisburg, PA 17128-0946

COMMONWEALTH OF PA.
Dept of Revenue Bureau of Accts Settlement
P.O. Box 8901
Harrisburg, PA 17128-0946

AMERICAN VETERINARY SUPPLY CORPORATION
155 Knickerbocker Ave
Bohemia, NY 11716

COUNTY NATIONAL BANK
1 S. 2nd Street
Clearfield, PA 16830

PFIZER, INC.-ANIMAL HEALTH DIVISION
812 Springdale Drive
Exton, PA 19341

MERIAL LIMITED
27 Knightsbridge
London, SW1ZQT

PA DEPARTMENT OF PUBLIC WELFARE - Bureau of Child Support Enforcement
Health and Welfare Bldg. - Room 432
P.O. Box 2675
Harrisburg, PA 17105-2675

DOMESTIC RELATIONS OF CLEARFIELD COUNTY
230 E. Market Street
Clearfield, PA 16830

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

TMS Mortgage, Inc. d/b/a The Money Store
1625 N. Market Blvd., Ste 320
Sacramento, CA 95834

FIRSTPLUS FINANCIAL, INC
1600 Viceroy Drive
Dallas, TX 75235

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

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

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.

TENANTS/OCCUPANTS
RD 1 Box 21 A
Penfield, PA 15849

(attach separate sheet if more space is needed)

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

DATED: July 15, 2004

Joseph Goldbeck, Jr.
GOLDBECK McCAFFERTY & McKEEVER
BY: Joseph A. Goldbeck, Jr., Esq.
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 15741
NO: 04-349-CD

PLAINTIFF: THE BANK OF NEW YORK AS INDENTURED TRUSTEE UNDER THE SALE AGREEMENT DATED ET AL
VS.

DEFENDANT: LINDA D. MACKEY AND RICHARD W. MACKEY.

WRIT OF EXECUTION REAL ESTATE

SHERIFF RETURN

DATE RECEIVED WRIT: 05/14/2004

LEVY TAKEN 07/22/2004 @ 10:50 AM

POSTED 07/22/2004 @ 10:50 AM

SALE HELD 10/01/2004

SOLD TO THE BANK OF NEW YORK AS INDENTURED TRUSTEE UNDER THE SALE AGREEMENT
DATED AS OF AUGUST 31, 1998 FOR THE MONEY STORE TRUST 1998-C

SOLD FOR AMOUNT \$1.00 PLUS COSTS

WRIT RETURNED 01/19/2005

DATE DEED FILED 01/19/2005

SERVICES

07/26/2004 @ 11:25 AM SERVED LINDA D. MACKEY

SERVED RICHARD W. MACKEY, HUSBAND/DEFENDANT FOR LINDA D. MACKEY, DEFENDANT AT THE
RESIDENCE RR#3, BOX 147, DUBOIS, CLEARFIELD COUNTY, PA BY HANDING TO RICHARD

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE, AND COPY OF THE
LEVY AND BY MAKING KNOWN TO HIM / HER THE CONTENTS THEREOF.

@ SERVED RICHARD W. MACKEY

SERVED RICHARD W. MACKEY, DEFENDANT, AT THE RESIDENCE RR#3, BOX 147, DUBOIS, CLEARFIELD
COUNTY, PENNSYLVANIA BY HANDING TO RICHARD W. MACKEY

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE, AND COPY OF THE
LEVY AND BY MAKING KNOWN TO HIM / HER THE CONTENTS THEREOF.

FILED
01/19/2005
JAN 19 2005

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 15741

NO: 04-349-CD

PLAINTIFF: THE BANK OF NEW YORK AS INDENTURED TRUSTEE UNDER THE SALE AGREEMENT DATED ET
AL
vs.
DEFENDANT: LINDA D. MACKEY AND RICHARD W. MACKEY.

WRIT OF EXECUTION REAL ESTATE

SHERIFF RETURN

SHERIFF HAWKINS \$255.19

SURCHARGE \$40.00 PAID BY ATTORNEY

Sworn to Before Me This

So Answers,

____ Day of _____ 2005

Charles Hawkins
by Cynthia Bitter-Alphen-DeJong
Chester A. Hawkins
Sheriff

WRIT OF EXECUTION – (MORTGAGE FORECLOSURE)
P.R.C.P. 3180-3183 AND Rule 3257

THE BANK OF NEW YORK AS INDENTURED
TRUSTEE UNDER THE SALE AGREEMENT
DATED AS OF AUGUST 31, 1998 FOR THE
MONEY STORE TRUST 1998-C
One Old Country Road
Suite 429
Carle Place, NY 11514

vs.

LINDA D. MACKEY
RICHARD W. MACKEY
RD 1 Box 21 A
Penfield, PA 15849

In the Court of Common Pleas of
Clearfield County

No. 2004-349-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:

PREMISES: RD 1 Box 21 A Penfield, PA 15849

See Exhibit "A" attached

AMOUNT DUE	\$128,210.75
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Interest From 08/01/2003
Through 05/13/2004

(Costs to be added)

125.00



Prothonotary, Common Pleas Court

of Clearfield County, Pennsylvania

Dated: May 14, 2004

Received May 14, 2004 @ 3:00 P.M. Deputy _____

Chester A. Hawkins
by Cynthia Butter-Aughenbaugh

Term
No. 2004-349-CD

IN THE COURT OF COMMON PLEAS

THE BANK OF NEW YORK AS INDENTURED TRUSTEE
UNDER THE SALE AGREEMENT DATED AS OF AUGUST 31,
1998 FOR THE MONEY STORE TRUST 1998-C

vs.

LINDA D MACKEY and
RICHARD W. MACKEY
Mortagor(s)
RD 1 Box 21 A Penfield, PA 15849

WRIT OF EXECUTION
(Mortgage Foreclosure)

REAL DEBT	\$128,210.75
INTEREST from	\$ _____
COSTS PAID:	\$ _____
PROTHY	\$ 125.00
SHERIFF	\$ _____
STATUTORY	\$ _____
COSTS DUE PROTHY	
Office of Judicial Support	
Judg. Fee	
Cr.	
Sat.	

Joseph A. Goldbeck, Jr.
Attorney for Plaintiff

Goldbeck McCafferty & McKeever
Suite 500 - The Bourse Bldg.
111 S. Independence Mall East
Philadelphia, PA 19106
(215) 627-1322

ALL that certain piece, parcel or tract of land, situate, lying and being in the Township of Huston, Clearfield County, Pennsylvania and being bounded and described as follows, to wit:

BEGINNING at a point in the centerline of a certain public road known as the Mountain Run Road leading in a Northerly direction to Sabula, said point and place of beginning marking the Northeast corner of a certain tract of land containing 1 1/2 acres now or formerly owned by Louis I. Webb et al; thence along the centerline of the aforesaid Mountain Run Road North 38 degrees 40' West 214.5 feet, more or less, to a point in the centerline of said road; thence continuing along the centerline of the said Mountain Run Road North 32 degrees 24' West 475.2 feet, more or less, to a point, said point marking the Southwest corner of a certain triangular tract of land now or formerly owned by J. S. Stull, containing 10.433 square feet more or less; thence along the Southwest margin of the lands now or formerly of J. S. Stull, North 43 degrees 45' East 215.0 feet to a point marked by an iron pipe, said point marking the centermost corner of land now or formerly of J. S. Stull, and being in the Northerly line of a 20 acre tract of land now or formerly of Munn; thence along the Northern margin of the Munn 20 acre tract of land North 68 degrees 30' East 681.0 feet, more or less, to a point marked by an iron pipe; thence along the Eastern line of the said Munn 20 acre tract of land South 0 degrees 30' East 577.5 feet, more or less, to a point marked by an iron pipe, said point being the Southeast corner of a 20 acre tract of land now or formerly of R. F. Munn, in line of land now or formerly of John Bundy; thence along line of lands now or formerly of Bundy, South 70 degrees West 474.4 feet, more or less, passing an iron pipe in the margin of the aforesaid Mountain Run Road to the point and place of beginning. Containing 10.2 acres of land, more or less.

Parcel 119-FO3-38

**REAL ESTATE SALE
SCHEDULE OF DISTRIBUTION**

NAME LINDA D. MACKEY

NO. 04-349-CD

NOW, January 19, 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 May 13, 2004, I exposed the within described real estate of Linda D. Mackey And Richard W. Mackey, to public venue or outcry at which time and place I sold the same to THE BANK OF NEW YORK AS INDENTURED TRUSTEE UNDER THE SALE AGREEMENT DATED AS OF AUGUST 31, 1998 FOR THE MONEY STORE TRUST 1998-C he/she being the highest bidder, for the sum of \$1.00 plus costs and made the following appropriations, viz:

SHERIFF COSTS:

RDR	15.00
SERVICE	15.00
MILEAGE	14.25
LEVY	15.00
MILEAGE	12.00
POSTING	15.00
CSDS	10.00
COMMISSION	0.00
POSTAGE	4.44
HANDBILLS	15.00
DISTRIBUTION	25.00
ADVERTISING	15.00
ADD'L SERVICE	15.00
DEED	30.00
ADD'L POSTING	
ADD'L MILEAGE	28.50
ADD'L LEVY	
BID AMOUNT	\$1.00
RETURNS/DEPUTIZE	
COPIES	15.00
	5.00
BILLING/PHONE/FAX	5.00
CONTINUED SALES	
MISCELLANEOUS	
TOTAL SHERIFF COSTS	\$255.19

DEED COSTS:

ACKNOWLEDGEMENT	5.00
REGISTER & RECORDER	29.00
TRANSFER TAX 2%	0.00
TOTAL DEED COSTS	\$29.00

PLAINTIFF COSTS, DEBT AND INTEREST:

DEBT-AMOUNT DUE	128,210.75
INTEREST @ 33.9000 %	9,695.40
FROM 08/01/2003 TO 05/13/2004	
PROTH SATISFACTION	
LATE CHARGES AND FEES	
COST OF SUIT-TO BE ADDED	
FORECLOSURE FEES	
ATTORNEY COMMISSION	
REFUND OF ADVANCE	
REFUND OF SURCHARGE	
SATISFACTION FEE	
ESCROW DEFICIENCY	
PROPERTY INSPECTIONS	
INTEREST	
MISCELLANEOUS	
TOTAL DEBT AND INTEREST	\$137,906.15

COSTS:

ADVERTISING	486.42
TAXES - COLLECTOR	1,805.97
TAXES - TAX CLAIM	
DUE	
LIEN SEARCH	100.00
ACKNOWLEDGEMENT	5.00
DEED COSTS	29.00
SHERIFF COSTS	255.19
LEGAL JOURNAL COSTS	189.00
PROTHONOTARY	125.00
MORTGAGE SEARCH	40.00
MUNICIPAL LIEN	
TOTAL COSTS	\$3,035.58

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

GOLDBECK McCAFFERTY & McKEEVER
A PROFESSIONAL CORPORATION
SUITE 5000 - MELLON INDEPENDENCE CENTER
701 MARKET STREET
PHILADELPHIA, PA 19106-1532
(215) 627-1322
FAX (215) 627-7734

July 26, 2004

Chester A. Hawkins
SHERIFF OF CLEARFIELD COUNTY
Sheriff's Office
230 E. Market Street
Clearfield, PA 16830
FAX 1-814-765-5915

Clearfield

RE: THE BANK OF NEW YORK AS INDENTURED TRUSTEE UNDER THE SALE
AGREEMENT DATED AS OF AUGUST 31, 1998 FOR THE MONEY STORE TRUST
1998-C
vs.
LINDA D. MACKEY and RICHARD W. MACKEY
Term No. 2004-349-CD

Property address:

RD 1 Box 21 A
Penfield, PA 15849

Sheriff's Sale Date: August 06, 2004

Dear Sir/Madam:

Kindly postpone the above-captioned Sheriff's Sale scheduled for August 06, 2004 to October 01, 2004.

Thank you for your cooperation.

Very truly yours,

Joseph A. Goldbeck, Jr.
JOSEPH A. GOLDBECK, JR.

JAG/ad

cc: Gay Pike
ROSICKI ROSICKI & ASSOCIATES P.C.
Acct. #86611167