

**Merriman invest vs Garry Jozefik**  
**2004-777-CD**

04-777-CD  
CACV OF COLORADO, LLC vs. GARRY M. JOZEFIK

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

CACV OF COLORADO, LLC

Plaintiff

vs.

GARRY M. JOZEFIK

Defendant

No. 04-777-CD

COMPLAINT IN CIVIL ACTION

FILED ON BEHALF OF  
Plaintiff

COUNSEL OF RECORD OF  
THIS PARTY:

William T. Molczan, Esquire  
PA I.D. #47437  
WELTMAN, WEINBERG & REIS CO., L.P.A.  
2718 Koppers Building  
436 Seventh Avenue  
Pittsburgh, PA 15219  
(412) 434-7955

WWR#03351175

FILED

JUN 01 2004

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

CACV OF COLORADO, LLC

Plaintiff

vs.

Civil Action No.

GARRY M. JOZEFIK

Defendant

**COMPLAINT IN CIVIL ACTION AND NOTICE TO DEFEND**

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 an attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

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

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

LAWYER REFERRAL SERVICE

PA Bar Association

P.O. Box 186

Harrisburg, PA 17108

1-800-692-7375

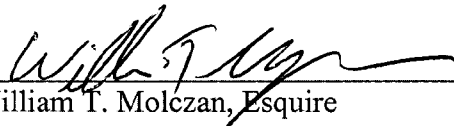
## COMPLAINT

1. Plaintiff is a corporation with offices in 370 17<sup>th</sup> Street, Suite 5000, Denver, CO 80202.
2. Defendant is an adult individual residing at 783 Main Street, P.O. Box 123, Woodland, PA 16881.
3. Defendant applied for and received a credit card issued by Plaintiff's assignor bearing the account number 5433390002652999.
4. Defendant made use of said credit card and has currently a balance due and owing to Plaintiff, as of May 22, 2002, in the amount of \$3,018.38. A true and correct copy of Plaintiff's Statement of Account is attached hereto, marked as Exhibit "1" and made a part hereof.
5. Defendant is in default of the terms of the cardholder Agreement having not made monthly payments to Plaintiff thereby rendering the entire balance immediately due and payable.
6. Plaintiff avers that the Cardholder Agreement between the parties provides that Plaintiff is entitled to the addition of finance charges at the rate of 22.24% per annum on the unpaid balance.
7. Although repeatedly requested to do so by Plaintiff, Defendant has willfully failed and/or refused to pay the principal balance, finance charges or any part thereof to Plaintiff.

WHEREFORE, Plaintiff demands Judgment in its favor and against Defendant, Garry M. Jozefik individually, in the amount of \$3,018.38 with continuing finance charges thereon at the rate of 22.24% per annum from May 22, 2002 plus costs.

**THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED  
SHALL BE USED FOR THAT PURPOSE.**

WELTMAN, WEINBERG & REIS, CO., L.P.A.

  
\_\_\_\_\_  
William T. Molczan, Esquire

PA I.D. #47437

WELTMAN, WEINBERG & REIS CO., L.P.A.

2718 Koppers Building

436 Seventh Avenue

Pittsburgh, PA 15219

(412) 434-7955

WWR#:03351175

GARRY M JOZEFIK

## At Your Service

- 24-Hour Customer Service: 1-800-477-6000 [www.hbcard.com](http://www.hbcard.com)
- TDD for hearing/speech impaired: 1-800-395-9020
- Call collect for Customer Service outside of the U.S.: 1-757-523-3880
- Mail written inquiries to: HOUSEHOLD CREDIT SERVICES, PO BOX 81622, SALINAS, CA 93912-1622
- Send payments to: HOUSEHOLD CREDIT SERVICES, P.O. BOX 17051, BALTIMORE, MD 21297-1051

## Account Summary

ACCOUNT NUMBER	TOTAL CREDIT CREDIT LINE	TOTAL CREDIT LINE AVAILABLE	CASH CREDIT CREDIT LINE	CASH LINE AVAILABLE	STATEMENT DATE	PAYMENT DUE	MINIMUM PAYMENT DUE
5433-3900-0265-2999	\$0	\$0	\$0	\$0	05/22/02	05/22/02	\$526.00

## Account Activity

PREVIOUS BALANCE	-PAYMENTS AND OTHER CREDITS	+PURCHASES, CASH ADVANCES, FEES, AND OTHER DEBITS	+FINANCE CHARGES	=NEW BALANCE	AMOUNT PAST DUE
\$2,989.38	\$0.00	\$29.00	\$0.00	\$3,018.38	\$451.00

## Transactions

Transaction Date	Posting Date	Transaction Description	Reference Number	Amount
04/23	04/23	OVERLIMIT CHARGE ASSESSMENT	10000001060000000849140	\$29.00

## Finance Charge Calculation

This is a grace account.

Grace period information on back.	Average Daily Balance	Daily Periodic Rate	Days In Cycle	FINANCE CHARGE At Periodic Rate	Cash Advance Fees	Nominal Annual Percentage Rate	ANNUAL PERCENTAGE RATE
PURCHASES	\$0.00	.06090%	8	\$0.00	\$0.00	22.24%	22.240%
CASH ADVANCES	\$0.00	.06090%	8	\$0.00	\$0.00	22.24%	22.240%

090200 Z 22

G

Page 1 of 1

## Account Information

Account Number	5433-3900-0265-2999
New Balance	\$3,018.38
Payment Due	05/22/02
Amount Past Due	\$451.00
Minimum Payment Due	\$526.00

Make checks payable to Household Credit Services, Inc. Please write your account number on your check. Do not fold, staple or clip. Do not send cash. Please send your payment 7 days prior to the payment requested by date to ensure timely delivery.

Amount  
Enclosed

**EXHIBIT**

GARRY M JOZEFIK  
PO BOX 123  
WOODLAND PA 16881-6881

HOUSEHOLD CREDIT SERVICES  
P.O. BOX 17051  
BALTIMORE MD 21297-1051

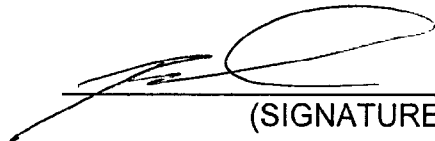
543339000265299900052600003018389

VERIFICATION

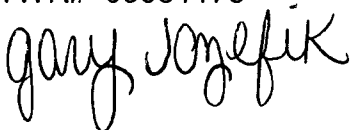
The undersigned does hereby verify subject to the penalties of 18 PA. C.S. 4904 relating to unsworn falsifications to authorities, that he/~~she~~ is PETER W. BROOK  
(NAME)

Authorized Agent of CACU of COLORADO, LLC, plaintiff herein, that  
(TITLE) (COMPANY)

he/she is duly authorized to make this verification, and that the facts set forth in the foregoing Complaint are true and correct to the best of his/her knowledge, information and belief.

  
(SIGNATURE)

WWR# 03351175



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

CAVC OF COLORADO LLC

VS.

JOZEFIK, GARRY M.

COMPLAINT

Sheriff Docket #

15693

04-777-CD

**SHERIFF RETURNS**

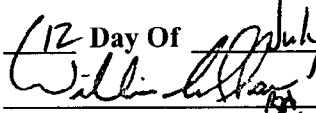
NOW JUNE 3, 2004 AT 10:38 AM SERVED THE WITHIN COMPLAINT ON GARRY M. JOZEFIK, DEFENDANT AT RESIDENCE, 783 MAIN ST., PO BOX 123, WOODLAND, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO GARRY M. JOZEFIK A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN TO HIM THE CONTENTS THEREOF.

SERVED BY: DAVIS/MORGILLO

**Return Costs**

Cost	Description
21.75	SHERIFF HAWKINS PAID BY: ATTY CK# 8132096
10.00	SURCHARGE PAID BY: ATTY CK# 8132097

Sworn to Before Me This

12 Day Of July 2004  


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

So Answers,

  
Chester A. Hawkins

Sheriff

**FILED**

*01/10/04am*  
JUL 12 2004

*AS* William A. Shaw  
Prothonotary/Clerk of Courts



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

CACV OF COLORADO, LLC

Plaintiff

No. 04-777-CD

vs.

PRAECIPE FOR DEFAULT JUDGMENT

GARRY M. JOZEFIK

Defendant

FILED ON BEHALF OF  
Plaintiff

COUNSEL OF RECORD OF  
THIS PARTY:

William T. Molczan  
PA I.D. #47437  
WELTMAN, WEINBERG & REIS CO., L.P.A.  
2718 Koppers Building  
436 Seventh Avenue  
Pittsburgh, PA 15219  
(412) 434-7955

WWR#03351175  
Judgment Amount \$ 4,487.86

THIS LAW FIRM IS ATTEMPTING TO COLLECT THIS DEBT FOR ITS CLIENT AND ANY  
INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

(K)

FILED Any pd 20.00  
m/3:4287/ICC Notice to  
AUG 09 2004 Def.

William A. Shaw Statement to  
Prothonotary, Clerk of Courts Any

IN THE COURT OF COMMON PLEAS CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

CACV OF COLORADO, LLC

Plaintiff

vs.

Civil Action No. 04-777-CD

GARRY M. JOZEFIK

Defendant

**PRAECIPE FOR DEFAULT JUDGMENT**

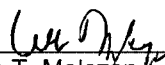
TO THE PROTHONOTARY:

Kindly enter Judgment against the Defendant, Garry M. Jozefik, above named, in the default of an Answer, in the amount of \$4,487.86 computed as follows:

Amount claimed in Complaint	\$3,018.38
Interest from May 22, 2002 to July 29, 2004 at the contract interest rate of 22.24% per annum	\$ 1,469.48
Attorneys' fees	\$
TOTAL	\$4,487.86

I hereby certify that appropriate Notices of Default, as attached have been mailed in accordance with PA R.C.P. 237.1 on the dates indicated on the Notices.

WELTMAN, WEINBERG & REIS CO., L.P.A.

By:   
William T. Molczan  
PA I.D. #47437  
WELTMAN, WEINBERG & REIS CO., L.P.A.  
2718 Koppers Building  
436 Seventh Avenue  
Pittsburgh, PA 15219  
(412) 434-7955

WWR#03351175

Plaintiff's address is: c/o Weltman, Weinberg & Reis Co., L.P.A., 2601 Koppers Building, 436 7<sup>th</sup> Avenue, Pittsburgh, PA 15219

And that the last known address of the Defendant is: 783 Main Street POB 123, Woodland, PA 16881

IN THE COURT OF COMMON PLEAS CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

CACV OF COLORADO, LLC

Plaintiff

vs.

Civil Action No. 04-777-CD

GARRY M. JOZEFIK

Defendant

**IMPORTANT NOTICE**

TO: Garry M. Jozefik  
783 Main Street (POB 123)  
Woodland, PA 16881

Date of Notice: July 14, 2004

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 NOTICE TO A LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE FOLLOWING OFFICE TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

CLEARFIELD COUNTY

COURT ADMINISTRATOR  
CLEARFIELD COUNTY COURTHOUSE  
230 EAST MARKET ST., SUITE 228  
CLEARFIELD, PA 16830  
(814) 765-2641, ext. 1300-1301

WELTMAN, WEINBERG & REIS CO., L.P.A.

By: 

William T. Molczan  
PA I.D. #47437

WELTMAN, WEINBERG & REIS CO., L.P.A.  
2718 Koppers Building  
436 Seventh Avenue  
Pittsburgh, PA 15219  
(412) 434-7955

WWR #03351175

VERIFICATION

The undersigned does hereby verify subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn falsification to authorities, that the parties against whom Judgment is to be entered according to the Praecipe attached are not members of the Armed Forces of the United States or any other military or non-military service covered by the Soldiers and Sailors Civil Relief Act of 1940. The undersigned further states that the information is true and correct to the best of the undersigned's knowledge and belief and upon information received from others.

WELTMAN, WEINBERG & REIS CO., L.P.A.

By: William T. Molczah  
William T. Molczah  
PA I.D. #47437  
WELTMAN, WEINBERG & REIS CO., L.P.A.  
2718 Koppers Building  
436 Seventh Avenue  
Pittsburgh, PA 15219  
(412) 434-7955

WWR#03351175

IN THE COURT OF COMMON PLEAS CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

CACV OF COLORADO, LLC

Plaintiff

vs.

Civil Action No. 04-777-CD

GARRY M. JOZEFIK

Defendant

NOTICE OF JUDGMENT OR ORDER

TO:    ☐ Plaintiff  
         ☒ Defendant  
         ☐ Garnishee

You are hereby notified that the following  
Order or Judgment was entered against  
you on 8/9/04

(xx)    Assumpsit Judgment in the amount  
         of \$4,487.86 plus costs.

(    )    Trespass Judgment in the amount  
         of \$\_\_\_\_\_ plus costs.

(    )    If not satisfied within sixty (60)  
days, your motor vehicle operator's license and/or registration will be  
suspended by the Department of Transportation, Bureau of Traffic Safety,  
Harrisburg, PA.

(xx)    Entry of Judgment of  
         ☐ Court Order  
         ☐ Non-Pros  
         ☐ Confession  
         (xx) Default  
         ☐ Verdict  
         ☐ Arbitration  
         Award

Prothonotary

Garry M. Jozefik  
783 Main Street  
POB 123  
Woodland, PA 16881

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

PROTHONOTARY (OR DEPUTY)

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

CCF

CACV of Colorado, LLC  
Plaintiff(s)

No.: 2004-00777-CD

Real Debt: \$4,487.86

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Garry M. Jozefik  
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: August 9, 2004

Expires: August 9, 2009

Certified from the record this 9th day of August, 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

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

CACV OF COLORADO, LLC

Plaintiff

vs.

GARRY M. JOZEFIK

Defendant

No. 04-777-CD

PRAECIPE FOR WRIT OF EXECUTION

FILED ON BEHALF OF  
Plaintiff

COUNSEL OF RECORD OF  
THIS PARTY:

WILLIAM T. MOLCZAN, ESQUIRE  
PA I.D.#47437  
Weltman, Weinberg & Reis Co., L.P.A.  
2718 Koppers Bldg.  
436 Seventh Avenue  
Pittsburgh, PA 15219  
(412) 434-7955

WWR#03351175

6<sup>12</sup> FILED <sup>7</sup> CC Sheriff at wants  
m/23/01 Aug pd 20.00  
FEB 24 2005

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

CACV OF COLORADO, LLC

Plaintiff

vs.

Civil Action No. 04-777-CD

GARRY M. JOZEFIK

Defendant

**PRAECIPE FOR WRIT OF EXECUTION**

TO THE PROTHONOTARY:


Kindly issue a Writ of Execution in the above matter...

1. directed to the Sheriff of CLEARFIELD County:
2. against GARRY M. JOZEFIK, Defendant

3. Judgment Amount	\$4,487.86
Less Payments Made	(-\$0.00)
Interest	\$271.75
Costs	\$
<b>SUBTOTAL:</b>	\$4,759.61

Costs (to be added by Prothonotary): **Prothonotary costs** \$125.00

WELTMAN, WEINBERG & REIS CO., L.P.A.

By:   
WILLIAM T. MOLCZAN, ESQUIRE  
PA I.D.#47437

Weltman, Weinberg & Reis Co., L.P.A.  
2718 Koppers Bldg.  
436 Seventh Avenue  
Pittsburgh, PA 15219  
(412) 434-7955

WWR#03351175



IN THE COURT OF COMMON PLEAS CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

CACV OF COLORADO, LLC  
Plaintiff

vs.

Civil Action No. 04-777-CD

GARRY M. JOZEFIK  
Defendant

**WRIT OF EXECUTION**

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against: GARRY M. JOZEFIK\_Defendant(s);

(1) You are directed to levy upon the property of the defendant(s) and to sell his, her (or their) interest therein;

(2) If property of the defendant not levied upon and subject to attachment is found in the possession of anyone other than the named garnishee(s), you are directed to notify him that he has been added as a garnishee and is enjoined as above stated.

Amount due .....\$ 4,759.61

Costs to be added..... \$ 125.00 **Prothonotary costs**

Prothonotary



Deputy

DATED: 2/24/05

WWR#03351175

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

CACV OF COLORADO, LLC  
Plaintiff

No. 04-777-CD

vs.

GARRY M. JOZEFIK

Defendant

**WRIT OF EXECUTION**  
**NOTICE**

This paper is a "Writ of Execution". It has been issued because there is a judgment against you. It may cause your property to be held or taken to pay the judgment. You may have legal rights to prevent your property from being taken. A lawyer can advise you more specifically of these rights. If you wish to exercise your rights, you must act promptly.

The law provides that certain property cannot be taken and sold by the Sheriff to satisfy your debts. SUCH PROPERTY IS SAID TO BE EXEMPT. No matter what you may owe, there is a DEBTOR'S EXEMPTION established by law. This means that no matter what happens, the Sheriff must give you from the sale at least \$300.00 in cash or property. There are also other exemptions which may be applicable to you. Listed below is a summary of some of the major exemptions. You may have other exemptions or other rights. If you have an exemption, you should do the following promptly:

- (1) Complete the claim form on the opposite side and demand a prompt hearing.
- (2) Deliver the form or mail it to the Sheriff's Office at the address noted.

You should come to court when and where you are told to appear ready to explain your exemption. IF YOU DO NOT COME TO COURT AND PROVE YOUR EXEMPTION, YOU MAY LOSE SOME OF YOUR PROPERTY.

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

LAWYER REFERRAL SERVICE  
PENNSYLVANIA BAR ASSOCIATION  
P.O. BOX 186  
HARRISBURG, PA 17108  
TELEPHONE NO.: 1-800-692-7375

**MAJOR EXEMPTIONS UNDER PENNSYLVANIA AND FEDERAL LAW**

1. \$300.00 exemptions set by law.
2. All wearing apparel used by yourself and all family members.
3. Bibles, school books, sewing machines, uniforms & equipment.
4. Tools of your trade such as carpenter's tools.
5. Most wages & unemployment benefits.
6. Social Security benefits, certain retirement funds and accounts.
7. Certain veteran & armed forces benefits.
8. Certain insurance proceeds.
9. Such other exemptions as may be provided by law.

**CLAIM FOR EXEMPTION**

TO THE SHERIFF:

I, the above-named defendant, claim exemption of property from levy or attachment:

(1) FROM MY PERSONAL PROPERTY IN MY POSSESSION WHICH HAS BEEN LEVIED UPON,

(a) I desire that my statutory \$300.00 exemption be:

( ) (1) set aside in kind (specify property, to be set aside in kind:

\_\_\_\_\_

( ) (2) paid in cash following the sale of the property levied upon; or

(b) I claim the following exemption: (specify property and basis of exemption):

\_\_\_\_\_

\_\_\_\_\_

(2) FROM MY PROPERTY WHICH IS IN THE POSSESSION OF A THIRD PARTY, I CLAIM THE FOLLOWING EXEMPTIONS:

(a) my \$300.00 statutory exemption: ( ) in cash ( ) in kind  
(specify property): \_\_\_\_\_

(b) Social Security benefits on deposit in the amount of \$ \_\_\_\_\_

(c) Other (specify amount & basis for exemption): \_\_\_\_\_

\_\_\_\_\_

I request a prompt court hearing to determine the exemption.

Notice of hearing should be given me at the following:

ADDRESS: \_\_\_\_\_ TELEPHONE NUMBER: \_\_\_\_\_

I verify that the statements made in this Claim for Exemption are true and correct. I understand that false statements herein are made subject to the penalties of 18 PA. C.S. § 4904 relating to unsworn falsification to authorities:

Date: \_\_\_\_\_ Defendant: \_\_\_\_\_

**THIS CLAIM TO BE FILED WITH:**

Office of the Sheriff of Clearfield County  
1 N. Second Street, Suite 116, Clearfield County Courthouse  
Clearfield, Pennsylvania 16830  
Telephone Number: (814) 765-2641 ext. 5986

Note: Under paragraphs (1) and (2) of the Writ, a description of specific property to be levied upon or attached may be set forth in the Writ or included in a separate direction to the Sheriff.

Under paragraph (2) of the writ, if attachment of a named garnishee is desired, his name should be set forth in the space provided.

Under paragraph (3) of the writ, the Sheriff may, as under prior practice, add as a garnishee any person not named in this writ who may be found in possession of property of the defendant. See Rule 3111(a). For limitations on the power to attach tangible personal property, see Rule 3108(a) (b). Each court shall, by local rule, designate the officer, organization or person to be named in the notice.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20115  
NO: 04-777-CD

PLAINTIFF: CAVA OF COLORADO, LLC  
vs.  
DEFENDANT: GARRY M. JOZEFIK

Execution PERSONAL PROPERTY

SHERIFF RETURN

DATE RECEIVED WRIT: 2/24/2005

LEVY TAKEN 5/3/2005 @ 1:50 PM

POSTED 6/1/2005 @ 10:27 AM

SALE HELD

SOLD TO

SOLD FOR AMOUNT PLUS COSTS

WRIT RETURNED 9/27/2011

FILED  
9/10/40 Lm  
SEP 27 2011  
William A. Shaw  
Prothonotary/Clerk of Courts

DETAILS

5/11/2005 @ SERVED GARRY M. JOZEFIK

SERVED GARRY M. JOZEFIK, DEFENDANT, AT HIS RESIDENCE 783 MAIN STREET, P. O. BOX 123, WOODLAND, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO TAMMY JOSEFIK, WIFE/AAR

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

6/1/2005 @ 10:27 AM SERVED GARRY M. JOZEFIK

SERVED GARRY M. JOZEFIK, DEFENADNT, AT HIS RESIDENCE 783 MAIN STREET, P.O. BOX 123, WOODLAND, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANIDNG TO TAMMY JOSEFKI, WIFE/AAR

A NOTICE OF SALE AND BY MAKING KOWN TO HER THE CONTENTS THEREOF.

@ SERVED

NOW, JUNE 23, 2005 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO CLOSE THE WRIT.

@ SERVED

NOW, SEPTEMBER 27, 2011 RETURN WRIT AS TIME EXPIRED.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20115  
NO: 04-777-CD

PLAINTIFF: CAVA OF COLORADO, LLC

vs.

DEFENDANT: GARRY M. JOZEFIK

Execution PERSONAL PROPERTY

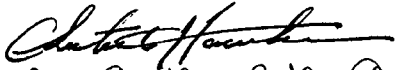
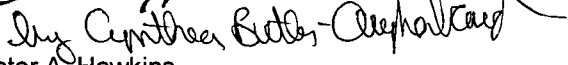
SHERIFF RETURN

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SHERIFF HAWKINS \$81.63

SURCHARGE \$20.00 PAID BY ATTORNEY

So Answers,

  
  
Chester A. Hawkins  
Sheriff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

CACV OF COLORADO, LLC

Plaintiff

vs.

GARRY M. JOZEFIK

Defendant

No. 04-777-CD

PRAECIPE FOR WRIT OF EXECUTION

FILED ON BEHALF OF  
Plaintiff

COUNSEL OF RECORD OF  
THIS PARTY:

WILLIAM T. MOLCZAN, ESQUIRE  
PA I.D.#47437  
Weltman, Weinberg & Reis Co., L.P.A.  
2718 Koppers Bldg.  
436 Seventh Avenue  
Pittsburgh, PA 15219  
(412) 434-7955

WWR#03351175

Then to be filed in the  
proper court of record  
and to be recorded

FEB 24 2005

Attest:

CLERK OF COURT

IN THE COURT OF COMMON PLEAS CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

CACV OF COLORADO, LLC

Plaintiff

vs.

Civil Action No. 04-777-CD

GARRY M. JOZEFIK

Defendant

PRAECIPE FOR WRIT OF EXECUTION

TO THE PROTHONOTARY:

Kindly issue a Writ of Execution in the above matter...

1. directed to the Sheriff of CLEARFIELD County:
2. against GARRY M. JOZEFIK, Defendant

3. Judgment Amount	\$4,487.86
Less Payments Made	(-\$0.00)
Interest	\$271.75
Costs	\$

SUBTOTAL:

\$4,759.61

Costs (to be added by Prothonotary):

**Prothonotary costs**

\$ 125.00

WELTMAN, WEINBERG & REIS CO., L.P.A.

By: 

WILLIAM T. MOLCZAN, ESQUIRE  
PA I.D.#47437

Weltman, Weinberg & Reis Co., L.P.A.  
2718 Koppers Bldg.  
436 Seventh Avenue  
Pittsburgh, PA 15219  
(412) 434-7955

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IN THE COURT OF COMMON PLEAS CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

CACV OF COLORADO, LLC  
Plaintiff

vs.

Civil Action No. 04-777-CD

GARRY M. JOZEFIK  
Defendant

**WRIT OF EXECUTION**

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against: GARRY M. JOZEFIK\_Defendant(s);

(1) You are directed to levy upon the property of the defendant(s) and to sell his, her (or their) interest therein;

(2) If property of the defendant not levied upon and subject to attachment is found in the possession of anyone other than the named garnishee(s), you are directed to notify him that he has been added as a garnishee and is enjoined as above stated.

Amount due .....\$ 4,759.61

Costs to be added.....\$ 125.00 **Prothonotary costs**

Prothonotary

Will [Signature]  
Deputy

DATED: 2/24/05

WWR#03351175

Received February 24, 2005 @ 3:00 P.M.  
Crista A. Hawkins  
By Cynthia Butler-Aughenbaugh



COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

CACV OF COLORADO, LLC  
Plaintiff

No. 04-777-CD

vs.

GARRY M. JOZEFIK

Defendant

**WRIT OF EXECUTION**  
**NOTICE**

This paper is a "Writ of Execution". It has been issued because there is a judgment against you. It may cause your property to be held or taken to pay the judgment. You may have legal rights to prevent your property from being taken. A lawyer can advise you more specifically of these rights. If you wish to exercise your rights, you must act promptly.

The law provides that certain property cannot be taken and sold by the Sheriff to satisfy your debts. SUCH PROPERTY IS SAID TO BE EXEMPT. No matter what you may owe, there is a DEBTOR'S EXEMPTION established by law. This means that no matter what happens, the Sheriff must give you from the sale at least \$300.00 in cash or property. There are also other exemptions which may be applicable to you. Listed below is a summary of some of the major exemptions. You may have other exemptions or other rights. If you have an exemption, you should do the following promptly:

- (1) Complete the claim form on the opposite side and demand a prompt hearing.
- (2) Deliver the form or mail it to the Sheriff's Office at the address noted.

You should come to court when and where you are told to appear ready to explain your exemption. IF YOU DO NOT COME TO COURT AND PROVE YOUR EXEMPTION, YOU MAY LOSE SOME OF YOUR PROPERTY.

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

LAWYER REFERRAL SERVICE  
PENNSYLVANIA BAR ASSOCIATION  
P.O. BOX 186  
HARRISBURG, PA 17108  
TELEPHONE NO.: 1-800-692-7375

**MAJOR EXEMPTIONS UNDER PENNSYLVANIA AND FEDERAL LAW**

1. \$300.00 exemptions set by law.
2. All wearing apparel used by yourself and all family members.
3. Bibles, school books, sewing machines, uniforms & equipment.
4. Tools of your trade such as carpenter's tools.
5. Most wages & unemployment benefits.
6. Social Security benefits, certain retirement funds and accounts.
7. Certain veteran & armed forces benefits.
8. Certain insurance proceeds.
9. Such other exemptions as may be provided by law.

**CLAIM FOR EXEMPTION**

TO THE SHERIFF:

I, the above-named defendant, claim exemption of property from levy or attachment:

- (1) FROM MY PERSONAL PROPERTY IN MY POSSESSION WHICH HAS BEEN LEVIED UPON,
- (a) I desire that my statutory \$300.00 exemption be:  
☐ (1) set aside in kind (specify property, to be set aside in kind: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
☐ (2) paid in cash following the sale of the property levied upon; or
- (b) I claim the following exemption: (specify property and basis of exemption): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- (2) FROM MY PROPERTY WHICH IS IN THE POSSESSION OF A THIRD PARTY, I CLAIM THE FOLLOWING EXEMPTIONS:
- (a) my \$300.00 statutory exemption: ☐ in cash ☐ in kind  
(specify property): \_\_\_\_\_
- (b) Social Security benefits on deposit in the amount of \$ \_\_\_\_\_
- (c) Other (specify amount & basis for exemption): \_\_\_\_\_  
\_\_\_\_\_

I request a prompt court hearing to determine the exemption.  
Notice of hearing should be given me at the following:

ADDRESS: \_\_\_\_\_ TELEPHONE NUMBER: \_\_\_\_\_

I verify that the statements made in this Claim for Exemption are true and correct. I understand that false statements herein are made subject to the penalties of 18 PA. C.S. § 4904 relating to unsworn falsification to authorities:

Date: \_\_\_\_\_ Defendant: \_\_\_\_\_

**THIS CLAIM TO BE FILED WITH:**

Office of the Sheriff of Clearfield County  
1 N. Second Street, Suite 116, Clearfield County Courthouse  
Clearfield, Pennsylvania 16830  
Telephone Number: (814) 765-2641 ext. 5986

Note: Under paragraphs (1) and (2) of the Writ, a description of specific property to be levied upon or attached may be set forth in the Writ or included in a separate direction to the Sheriff.

Under paragraph (2) of the writ, if attachment of a named garnishee is desired, his name should be set forth in the space provided.

Under paragraph (3) of the writ, the Sheriff may, as under prior practice, add as a garnishee any person not named in this writ who may be found in possession of property of the defendant. See Rule 3111(a). For limitations on the power to attach tangible personal property, see Rule 3108(a) (b). Each court shall, by local rule, designate the officer, organization or person to be named in the notice.

**PERSONAL PROPERTY SALE  
SCHEDULE OF DISTRIBUTION**

NAME GARRY M. JOZEFIK

NO. 04-777-CD

NOW, September 27, 2011, by virtue of the Writ hereunto attached, after having given due and legal notice of time and place of sale by handbills posted on the premises setting forth the date, time and place of sale, I exposed the within described real estate of Garry M. Jozefik to public venue or outcry at which time and place I sold the same to he/she being the highest bidder, for the sum of and made the following appropriations, viz:

**SHERIFF COSTS:**

**PLAINTIFF COSTS, DEBT AND INTEREST:**

RDR	9.00
SERVICE	9.00
MILEAGE	4.05
LEVY	20.00
MILEAGE	4.05
POSTING	
HANDBILLS	
COMMISSION	0.00
POSTAGE	1.48
HANDBILLS	10.00
DISTRIBUTION	
ADVERTISING	
ADD'L SERVICE	
ADD'L POSTING	
ADD'L MILEAGE	4.05
ADD'L LEVY	
BID/ SETTLEMENT AMOUNT	
RETURNS/DEPUTIZE	
COPIES	15.00
BILLING/PHONE/FAX	5.00
CONTINUED SALES	
MISCELLANEOUS	
<b>TOTAL SHERIFF COSTS</b>	<b>\$81.63</b>

DEBT-AMOUNT DUE	4,487.86
INTEREST @ %	0.00
FROM TO	
PROTH SATISFACTION	
LATE CHARGES AND FEES	
COST OF SUIT-TO BE ADDED	
FORECLOSURE FEES	
ATTORNEY COMMISSION	
REFUND OF ADVANCE	
REFUND OF SURCHARGE	20.00
SATISFACTION FEE	
ESCROW DEFICIENCY	
PROPERTY INSPECTIONS	
INTEREST	271.75
MISCELLANEOUS	
<b>TOTAL DEBT AND INTEREST</b>	<b>\$4,986.24</b>

**COSTS:**

ADVERTISING	0.00
TAXES - COLLECTOR	
TAXES - TAX CLAIM	
DUE	
LIEN SEARCH	
ACKNOWLEDGEMENT	
SHERIFF COSTS	81.63
LEGAL JOURNAL COSTS	0.00
PROTHONOTARY	125.00
MORTGAGE SEARCH	
MUNICIPAL LIEN	

<b>TOTAL COSTS</b>	<b>\$206.63</b>
<b>TOTAL COSTS</b>	<b>\$4,986.24</b>

COMMISSION 2% ON THE FIRST \$ 100,000 AND 1/2% ON ALL OVER THAT. 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

**WELTMAN, WEINBERG & REIS CO., L.P.A.**

ATTORNEYS AT LAW  
 2718 Koppers Bldg., 436 7<sup>th</sup> Ave.  
 Pittsburgh, PA 15219  
 Main Phone: 412 434-7955  
 Fax Number: 412 434-7959  
 www.weltman.com

**Fax Transmittal**

Date: 6/23/2005 No. of Pages: 1  
 To: Clearfield Sheriff Fax Number: (814) 765-5915  
 From: Kimberly Coyne Direct Line: 412.434.7955

**Comments**

Re: CACV v. Jozefik, no. 04-777-CD

Please close the Writ of Execution in the above-referenced case and return the papers to this office; the Defendant has filed Bankruptcy. Should you have any questions, or require anything additional from me, please do not hesitate to contact me. Thanks.

**CONFIDENTIALITY NOTICE**

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 The documents accompanying this telecopy transmission contain confidential information belonging to the sender which is legally privileged. This information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that disclosure, copying, distribution or the taking of any action in reliance on the contents of this telecopied information is strictly prohibited. If you have received this telecopy in error, please immediately notify us by telephone to arrange for return of the original documents to us.