

2005-417-CD  
NCO Portfolio et al v. Phyllis Hertlein

05-417-CD  
NCO Portfolio vs. P. Hertlein

NCO07955

THIS IS AN ARBITRATION MATTER. ASSESSMENT OF  
DAMAGES HEARING REQUIRED.

GORDON & WEINBERG, P.C.

BY: FREDERIC I. WEINBERG, ESQUIRE

Identification No.: 41360

PAUL M. SCHOFIELD, JR., ESQUIRE

Identification No.: 81894

21 SOUTH 21ST STREET

PHILADELPHIA, PA 19103

215/988-9600

FILED *re*  
m/12/24/05 AMY  
MAR 24 2005 85.00

William A. Shaw  
Prothonotary/Clerk of Courts

NCO Portfolio Management Inc.  
Assignee of FIRST UNION  
1804 Washington Blvd.  
Baltimore, MD 21230

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

vs.

DOCKET NO. : 05-417-CD

PHYLLIS M HERTLEIN  
103 CLARK ST  
CLEARFIELD PA 16830-3120

NOTICE

YOU HAVE BEEN SUED IN COURT. IF YOU WISH TO DEFEND AGAINST THE CLAIMS SET FORTH IN THE FOLLOWING PAGES, YOU MUST TAKE ACTION WITHIN TWENTY (20) DAYS AFTER THIS COMPLAINT AND NOTICE ARE SERVED, BY ENTERING A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILING IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. YOU ARE WARNED THAT IF YOU FAIL TO DO SO THE CASE MAY PROCEED WITHOUT YOU AND A JUDGEMENT 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.

David S. Meholick, Court Admin.  
Clearfield County Courthouse  
Clearfield, PA 16830  
(814) 765-2641

COMPLAINT IN CIVIL-ACTION

1. At all times relevant hereto, the defendant(s) was the holder of a credit card, which at the request of the defendant(s) was issued to the defendant(s) by the plaintiff under the terms of which the plaintiff agreed to extend to defendant(s) the use of plaintiff's credit facilities.

2. Defendant(s) accepted and used the aforesaid credit card so issued and by so doing agreed to perform the terms and conditions prescribed by the plaintiff for the use of said credit card.

3. The defendant(s) received and accepted goods and merchandise and/or accepted services or cash advances through the use of the credit card issued by the Plaintiff.

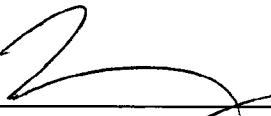
4. All the credits to which the defendant(s) is entitled have been applied and there remains a balance due in the amount of \$7,852.79.

5. Plaintiff has made demand upon the defendant(s) for payment of the balance due of \$7,852.79 but the defendant(s) has failed and refused and still refuses to pay the same or any part thereof.

WHEREFORE, plaintiff claims of the defendant(s) the sum of \$7,852.79 at the rate of 12% from the date of September 30, 2003,

together with costs and attorney fees.

GORDON & WEINBERG, P.C.

BY: 

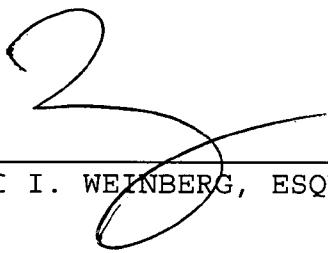
~~FREDERIC I. WEINBERG, ESQUIRE~~  
~~PAUL M. SCHOFIELD, JR., ESQUIRE~~  
Attorney for Plaintiff

P01E

VERIFICATION

FREDERIC I. WEINBERG, ESQUIRE, hereby states that he is the attorney for the Plaintiff(s) in this action and verifies that the statements made in the foregoing pleading are true and correct to the best of his knowledge, information and belief.

The undersigned understands that the statements herein are made subject to the penalties of 18 Pa.C.S.A. Section 4904 relating to unsworn falsification to authorities.

  
FREDERIC I. WEINBERG, ESQUIRE

**FILED**

**MAR 24 2005**

William A. Shaw  
Prothonotary/Clerk of Courts

GORDON & WEINBERG, P.C.  
BY: FREDERIC I. WEINBERG, ESQUIRE  
Identification No.: 41360  
PAUL M. SCHOFIELD, JR., ESQUIRE  
Identification No.: 81894  
21 SOUTH 21ST STREET  
PHILADELPHIA, PA 19103  
215/988-9600

FILED <sup>(60)</sup>  
MAY 13 2005 Statement  
to Atty

William A. Shaw  
Prothonotary/Clerk of Courts  
Atty pd. 20.00

NCO Portfolio Management Inc.  
Assignee of FIRST UNION

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

vs.

DOCKET NO. : 05-417-CD

PHYLLIS M HERTLEIN

PRAECIPE FOR JUDGMENT

The Prothonotary will please enter Judgment in the above matter by default for want of an answer against the Defendant, PHYLLIS M HERTLEIN, and assesses the damages as per statement below.

FREDERIC I. WEINBERG, ESQUIRE  
PAUL M. SCHOFIELD, JR., ESQUIRE  
Attorney for Plaintiff

Principal	\$7,852.79
Interest from December 8, 2004	
@12%	\$3,470.18
<b>Total:</b>	<b>\$11,322.97</b>

I hereby certify that written notice of the intention to file this Praecipe was mailed or delivered to the parties against whom judgment is to be entered and to his attorney of record, if any, after the default occurred and at least ten (10) days prior to the date of the filing of this Praecipe.

FREDERIC I. WEINBERG, ESQUIRE  
PAUL M. SCHOFIELD, JR., ESQUIRE  
Attorney for Plaintiff

Filed:

By the Prothonotary:

AND NOW, this 13<sup>th</sup> day of May, 2005 Judgment is entered in favor of the plaintiff(s) and against defendant, for want of an answer and damages assessed at the sum of , \$11,322.97 as per the above certification.

  
Prothonotary

GORDON & WEINBERG, P.C.  
BY: FREDERIC I. WEINBERG, ESQUIRE  
Identification No.: 41360  
PAUL M. SCHOFIELD, JR., ESQUIRE  
Identification No.: 81894  
21 SOUTH 21ST STREET  
PHILADELPHIA, PA 19103  
215/988-9600

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NCO Portfolio Management Inc.  
Assignee of FIRST UNION

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

vs.

DOCKET NO. : 05-417-CD

PHYLLIS M HERTLEIN

CERTIFICATION OF ADDRESS

I hereby certify that the precise residence of the holder of the  
within judgment is; NCO Portfolio Management Inc. Assignee of FIRST  
UNION and that the last known address of defendant, PHYLLIS M  
HERTLEIN, 103 CLARK ST, CLEARFIELD PA 16830-3120.

GORDON & WEINBERG, P.C.

BY: 

~~FREDERIC I. WEINBERG, ESQUIRE  
PAUL M. SCHOFIELD, JR., ESQUIRE  
Attorney for Plaintiff~~

GORDON & WEINBERG, P.C.  
BY: FREDERIC I. WEINBERG, ESQUIRE  
Identification No.: 41360  
PAUL M. SCHOFIELD, JR., ESQUIRE  
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215/988-9600

NCO Portfolio Management Inc.  
Assignee of FIRST UNION

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

vs.

DOCKET NO. : 05-417-CD

PHYLLIS M HERTLEIN

AFFIDAVIT OF NON-MILITARY SERVICE

FREDERIC I. WEINBERG, ESQUIRE, being duly sworn according to law, deposes and says that he represents the plaintiff in the above-entitled case; that he is authorized to make this affidavit on behalf of the plaintiff; and that the above-named defendant is over twenty-one years of age; that the address of the defendant is, 103 CLARK ST, CLEARFIELD PA 16830-3120; that the occupation of the defendant is unknown; and that the defendant is not in the Military Service of the United States, nor any State or Territory thereof or its allies as defined in the Soldiers' and Sailors' Civil Relief Act of 1940 and the amendments thereto.

Sworn to and Subscribed

Before me this 10<sup>th</sup> Day  
of May, 2005.

Notary Public

COMMONWEALTH OF PENNSYLVANIA

NOTARIAL SEAL

JOHN V. McBRIDE III, Notary Public  
City of Philadelphia, Phila. County  
My Commission Expires August 4, 2008

FREDERIC I. WEINBERG ESQUIRE  
PAUL M. SCHOFIELD JR. ESQUIRE  
Attorney for Plaintiff

GORDON & WEINBERG, P.C.  
BY: FREDERIC I. WEINBERG, ESQUIRE  
Identification No.: 41360  
PAUL M. SCHOFIELD, JR., ESQUIRE  
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PHILADELPHIA, PA 19103  
215/988-9600

NCO Portfolio Management Inc.  
Assignee of FIRST UNION

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

vs.

DOCKET NO. : 05-417-CD

PHYLLIS M HERTLEIN

NOTICE OF INTENTION TO TAKE DEFAULT

TO/ PARA :  
PHYLLIS M HERTLEIN  
103 CLARK ST  
CLEARFIELD PA 16830-3120

DATE OF NOTICE/FECHA DEL AVISO: April 26, 2005

IMPORTANT NOTICE

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

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

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

David S. Meholic, Court Admin.  
Clearfield County Courthouse  
Clearfield, PA 16830  
(814) 765-2641

GORDON & WEINBERG, P.C.

BY: \_\_\_\_\_

FREDERIC I. WEINBERG, ESQUIRE  
PAUL M. SCHOFIELD, JR., ESQUIRE

GORDON & WEINBERG, P.C.  
BY: FREDERIC I. WEINBERG, ESQUIRE  
Identification No.: 41360  
PAUL M. SCHOFIELD, JR., ESQUIRE  
Identification No.: 81894  
21 SOUTH 21ST STREET  
PHILADELPHIA, PA 19103  
215/988-9600

*COPY*

NCO Portfolio Management Inc.  
Assignee of FIRST UNION

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

vs.

DOCKET NO. : 05-417-CD

PHYLLIS M HERTLEIN

NOTICE

PURSUANT TO RULE 236 OF THE SUPREME COURT OF PENNSYLVANIA, YOU ARE  
HEREBY NOTIFIED THAT A JUDGMENT BY DEFAULT HAS BEEN ENTERED AGAINST  
YOU IN THE ABOVE PROCEEDING IN THE AMOUNT OF \$11,322.97. IF YOU HAVE  
ANY QUESTIONS CONCERNING THIS NOTICE, PLEASE CALL GORDON & WEINBERG,  
P.C. AT 215/988-9600.

GORDON & WEINBERG, P.C.

BY: \_\_\_\_\_

*[Signature]*  
FREDERIC I. WEINBERG, ESQUIRE  
PAUL M. SCHOFIELD, JR., ESQUIRE  
Attorney for Plaintiff

Dated: May 10, 2005

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

NCO Portfolio Management, Inc.

First Union

Plaintiff(s)

No.: 2005-00417-CD

Real Debt: \$11,322.97

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Phyllis M. Hertlein

Entry: \$20.00

Defendant(s)

Instrument: Default Judgment

Date of Entry: May 13, 2005

Expires: May 13, 2010

Certified from the record this 13th day of May, 2005.

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William A. Shaw, Prothonotary

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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.

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Plaintiff/Attorney

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 100342  
NO: 05-417-CD  
SERVICE # 1 OF 1  
COMPLAINT

PLAINTIFF: NCO PORTFOLIO MANAGEMENT INC.

vs.

DEFENDANT: PHYLLIS M. HERTLEIN

**SHERIFF RETURN**

NOW, March 30, 2005 AT 1:12 PM SERVED THE WITHIN COMPLAINT ON PHYLLIS M. HERTLEIN DEFENDANT AT 103 CLARK ST., CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO PHYLLIS M. HERTLEIN, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: NEVLING / HUNTER

FILED  
d/11/2005  
APR 20 2005

William A. Shaw  
Prothonotary/Clerk of Courts

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	GORDON	8357	10.00
SHERIFF HAWKINS	GORDON	8357	20.00

Sworn to Before Me This

\_\_\_\_ Day of \_\_\_\_\_ 2005

So Answers,

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