



PHELAN HALLINAN & SCHMIEG, LLP  
LAWRENCE T. PHELAN, ESQ., Id. No. 32227  
FRANCIS S. HALLINAN, ESQ., Id. No. 62695  
ONE PENN CENTER PLAZA, SUITE 1400  
PHILADELPHIA, PA 19103  
(215) 563-7000

ATTORNEY FOR PLAINTIFF

PHH MORTGAGE CORPORATION, F/K/A CENDANT  
MORTGAGE CORPORATION D/B/A COLDWELL  
BANKER MORTGAGE  
4001 LEADENHALL ROAD  
MOUNT LAUREL, NJ 08054

Plaintiff

v.

DAVID L. STEWART, JR.  
JULIE A. STEWART  
A/K/A JULIE A GRULKE  
1048 TREASURE LAKE  
DU BOIS, PA 15801

Defendants

COURT OF COMMON PLEAS  
CIVIL DIVISION  
TERM  
NO. 05-577-CJ  
CLEARFIELD COUNTY

**FILED** <sup>4cc</sup>  
*m/11/2005* SHFF  
*APR 21 2005* *Atty pd.*  
*85.00*  
William A. Shaw  
Prothonotary/Clerk of Courts

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

**NOTICE**

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

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

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

Lawyer Referral Service:

Pennsylvania Lawyer Referral Service  
Pennsylvania Bar Association  
100 South Street  
PO Box 186  
Harrisburg, PA 17108  
800-692-7375

Notice to Defend:

David S. Meholic, Court Administrator  
Clearfield County Courthouse  
2<sup>nd</sup> and Market Streets  
Clearfield, PA 16830  
814-765-2641 x 5982

**IF THIS IS THE FIRST NOTICE THAT YOU HAVE RECEIVED FROM THIS OFFICE, BE ADVISED THAT:**

**PURSUANT TO THE FAIR DEBT COLLECTION PRACTICES ACT, 15 U.S.C. § 1692 et seq. (1977), DEFENDANT(S) MAY DISPUTE THE VALIDITY OF THE DEBT OR ANY PORTION THEREOF. IF DEFENDANT(S) DO SO IN WRITING WITHIN THIRTY (30) DAYS OF RECEIPT OF THIS PLEADING, COUNSEL FOR PLAINTIFF WILL OBTAIN AND PROVIDE DEFENDANT(S) WITH WRITTEN VERIFICATION THEREOF; OTHERWISE, THE DEBT WILL BE ASSUMED TO BE VALID. LIKEWISE, IF REQUESTED WITHIN THIRTY (30) DAYS OF RECEIPT OF THIS PLEADING, COUNSEL FOR PLAINTIFF WILL SEND DEFENDANT(S) THE NAME AND ADDRESS OF THE ORIGINAL CREDITOR, IF DIFFERENT FROM ABOVE.**

**THE LAW DOES NOT REQUIRE US TO WAIT UNTIL THE END OF THE THIRTY (30) DAY PERIOD FOLLOWING FIRST CONTACT WITH YOU BEFORE SUING YOU TO COLLECT THIS DEBT. EVEN THOUGH THE LAW PROVIDES THAT YOUR ANSWER TO THIS COMPLAINT IS TO BE FILED IN THIS ACTION WITHIN TWENTY (20) DAYS, YOU MAY OBTAIN AN EXTENSION OF THAT TIME. FURTHERMORE, NO REQUEST WILL BE MADE TO THE COURT FOR A JUDGMENT UNTIL THE EXPIRATION OF THIRTY (30) DAYS AFTER YOU HAVE RECEIVED THIS COMPLAINT. HOWEVER, IF YOU REQUEST PROOF OF THE DEBT OR THE NAME AND ADDRESS OF THE ORIGINAL CREDITOR WITHIN THE THIRTY (30) DAY PERIOD THAT BEGINS UPON YOUR RECEIPT OF THIS COMPLAINT, THE LAW REQUIRES US TO CEASE OUR EFFORTS (THROUGH LITIGATION OR OTHERWISE) TO COLLECT THE DEBT UNTIL WE MAIL THE REQUESTED INFORMATION TO YOU. YOU SHOULD CONSULT AN ATTORNEY FOR ADVICE CONCERNING YOUR RIGHTS AND OBLIGATIONS IN THIS SUIT.**

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

1. Plaintiff is

PHH MORTGAGE CORPORATION, F/K/A CENDANT MORTGAGE  
CORPORATION D/B/A COLDWELL BANKER MORTGAGE  
4001 LEADENHALL ROAD  
MOUNT LAUREL, NJ 08054

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

DAVID L. STEWART, JR.  
JULIE A. STEWART  
A/K/A JULIE A GRULKE  
1048 TREASURE LAKE  
DU BOIS, PA 15801

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

3. On 09/18/2003 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to PLAINTIFF which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Instrument No: 200316950.
4. The premises subject to said mortgage is described as attached.
5. The mortgage is in default because monthly payments of principal and interest upon said mortgage due 11/01/2004 and each month thereafter are due and unpaid, and by the terms of said mortgage, upon failure of mortgagor to make such payments after a date specified by written notice sent to Mortgagor, the entire principal balance and all interest due thereon are collectible forthwith.

6. The following amounts are due on the mortgage:

Principal Balance	\$14,626.68
Interest	607.02
10/01/2004 through 04/19/2005	
(Per Diem \$3.02)	
Attorney's Fees	1,250.00
Cumulative Late Charges	49.14
09/18/2003 to 04/19/2005	
Cost of Suit and Title Search	<u>\$ 550.00</u>
Subtotal	\$ 17,082.84
Escrow	
Credit	0.00
Deficit	132.29
Subtotal	<u>\$ 132.29</u>
<b>TOTAL</b>	<b>\$ 17,215.13</b>

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

8. Notice of Intention to Foreclose as set forth in Act 6 of 1974, Notice of Homeowner's Emergency Assistance Program pursuant to Act 91 of 1983, as amended in 1998, and/or Notice of Default as required by the mortgage document, as applicable, have been sent to the Defendant(s) on the date(s) set forth thereon, and the temporary stay as provided by said notice has terminated because Defendant(s) has/have failed to meet with the Plaintiff or an authorized consumer credit counseling agency, or has/have been denied assistance by the Pennsylvania Housing Finance Agency.

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

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 17,215.13, together with interest from 04/19/2005 at the rate of \$3.02 per diem to the date of Judgment, and other costs and charges collectible under the mortgage and for the foreclosure and sale of the mortgaged property.

PHELAN HALLINAN & SCHMIEG, LLP

By: Francis S. Hallinan  
 LAWRENCE T. PHELAN, ESQUIRE  
 FRANCIS S. HALLINAN, ESQUIRE  
 Attorneys for Plaintiff

## LEGAL DESCRIPTION

ALL that certain lot of ground in Hoover's Addition to the City of DuBois, County of Clearfield and State of Pennsylvania, and known and numbered in the N.L. Hoover's Plan of Lots as Lot Number 6, bounded and described as follows, to wit:

North by Fir Alley; on the East by Hope Street; West by an alley; and on the South by Lot Number 5 of the same plat, formerly owned by George Lyons and being 40 feet by 100 feet in size. Having erected thereon a two-story frame dwelling house known as **No. 9 Hope Street**.

UNDER AND SUBJECT to any exceptions, reservations, easements or restrictions which may appear in the recorded chain of title.

BEING the same premises which was conveyed to Richard L. McNally and Prudence M. McNally, husband and wife, by Deed of Raymond T. Johnson, in his own right, and as the husband of Doris I. Johnson, and Doris I. Johnson, in her own right, and as the wife of Raymond T. Johnson, dated December 29, 1960, and recorded in Clearfield County Deed Book Vol. 487, Page 52, on December 30, 1960.

ALSO BEING THE same premises which was the subject of an Installment Sale Land Contract entered into between Richard L. McNally and Prudence M. McNally, husband and wife, as sellers, and Julie A. Stewart, one of the Grantees herein, as purchaser, dated November 1, 2002, and recorded in the Office of the Register and Recorder of Clearfield County, Pennsylvania, on November 4, 2002, as Instrument No. 200217935.

**VERIFICATION**

MARC J. HINKLE hereby states that he/she is V.P. of CENDANT MORTGAGE CORPORATION mortgage servicing agent for Plaintiff in this matter, that he/she is authorized to take this Verification, and that the statements made in the foregoing Civil Action in Mortgage Foreclosure are true and correct to the best of his/her knowledge, information and belief. The undersigned understands that this statement is made subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.



DATE: 4/15/15

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 100420  
NO: 05-577-CD  
SERVICE # 1 OF 4  
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: PHH MORTGAGE CORPORATION, FKA CENDANT MORTGAGE CORPORATION  
VS.  
DEFENDANT: DAVID L. STEWART JR. AND JULIE A. STEWART a/k/a JULIE A. GRULKE

**SHERIFF RETURN**

---

NOW, April 26, 2005 AT 3:40 PM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON DAVID L. STEWART JR. DEFENDANT AT 1048 TREASURE LAKE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO JULIE STEWART, WIFE A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: COUDRIET / DEHAVEN

FILED  
04/25/05  
MAY 06 2005

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 100420  
NO: 05-577-CD  
SERVICE # 2 OF 4  
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: PHH MORTGAGE CORPORATION, FKA CENDANT MORTGAGE CORPORATION  
VS.  
DEFENDANT: DAVID L. STEWART JR. AND JULIE A. STEWART a/k/a JULIE A. GRULKE

**SHERIFF RETURN**

---

NOW, April 26, 2005 AT 3:40 PM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON DAVID L. STEWART JR. DEFENDANT AT 1048 TREASURE LAKE., DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO JULIE STEWART, WIFE A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: COUDRIET / DEHAVEN

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 100420  
NO: 05-577-CD  
SERVICE # 3 OF 4  
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: PHH MORTGAGE CORPORATION, FKA CENDANT MORTGAGE CORPORATION  
VS.

DEFENDANT: DAVID L. STEWART JR. AND JULIE A. STEWART a/k/a JULIE A. GRULKE

**SHERIFF RETURN**

---

NOW, April 26, 2005 AT 3:40 PM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON JULIE A. STEWART aka JULIE A. GRULKE DEFENDANT AT 1048 TREASURE LAKE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO JULIE STEWART, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: COUDRIET / DEHAVEN

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 100420  
NO: 05-577-CD  
SERVICE # 4 OF 4  
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: PHH MORTGAGE CORPORATION, FKA CENDANT MORTGAGE CORPORATION  
VS.  
DEFENDANT: DAVID L. STEWART JR. AND JULIE A. STEWART a/k/a JULIE A. GRULKE

**SHERIFF RETURN**

---

NOW, April 26, 2005 AT 3:40 PM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON JULIE A. STEWART aka JULIE A. GRULKE DEFENDANT AT 1048 TREASURE LAKE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO JULIE STEWART, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: COUDRIET / DEHAVEN

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 100420  
NO: 05-577-CD  
SERVICES 4  
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: PHH MORTGAGE CORPORATION, FKA CENDANT MORTGAGE CORPORATION

vs.

DEFENDANT: DAVID L. STEWART JR. AND JULIE A. STEWART a/k/a JULIE A. GRULKE

**SHERIFF RETURN**

---

**RETURN COSTS**

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	PHELAN	422070	40.00
SHERIFF HAWKINS	PHELAN	422070	60.00
SHERIFF HAWKINS	<i>city</i>	425702	22.17

Sworn to Before Me This

So Answers,

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

*Chester A. Hawkins*  
*by: Nancy Harris*  
Chester A. Hawkins  
Sheriff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

PHH MORTGAGE CORPORATION, F/K/A  
CENDANT MORTGAGE CORPORATION  
D/B/A COLDWELL BANKER MORTGAGE  
4001 LEADENHALL ROAD  
MOUNT LAUREL, NJ 08054

No.: 05-577-CD

vs.

DAVID L. STEWART, JR.  
JULIE A. STEWART A/K/A  
JULIE A. GRULKE  
9 HOPE STREET A/K/A  
1048 TREASURE LAKE  
DU BOIS, PA 15801

FILED Atty pd 20.00  
M 11:50 AM 1/10/05 Notice to  
JUN 02 2005 Defs.  
William A. Straw Statement to  
Prothonotary, Clerk of Courts Atty  
GR

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

TO THE PROTHONOTARY:

Kindly enter an in rem judgment in favor of the Plaintiff and against DAVID L. STEWART, JR. and JULIE A. STEWART A/K/A JULIE A. GRULKE, Defendant(s) for failure to file an Answer to Plaintiff's Complaint within 20 days from service thereof and for foreclosure and sale of the mortgaged premises, and assess Plaintiff's damages as follows:

As set forth in Complaint	\$17,215.13
Interest (4/20/05 to 5/31/05)	<u>126.84</u>
<b>TOTAL</b>	<b>\$17,341.97</b>

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

*Daniel G. Schmieg*  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

Damages are hereby assessed as indicated.

DATE: June 2, 2005

*William A. Straw*  
PRO PROTHY

PMB

PHELAN, HALLINAN AND SCHMIEG  
By: Francis S. Hallinan, Esq., Id. No. 62695  
One Penn Center Plaza, Suite 1400  
Philadelphia, PA 19103  
(215) 563-7000

ATTORNEY FOR PLAINTIFF

PHH MORTGAGE CORPORATION, F/K/A CENDANT : COURT OF COMMON PLEAS  
MORTGAGE CORPORATION D/B/A COLDWELL : CIVIL DIVISION  
BANKER MORTGAGE : CLEARFIELD COUNTY  
Plaintiff : NO. 05-577-CD  
Vs.

DAVID L. STEWART, JR.  
JULIE A. STEWART A/K/A JULIE A. GRULKE  
Defendants

FILE COPY  
LAW OFFICES

TO: DAVID L. STEWART, JR.  
1048 TREASURE LAKE  
DU BOIS, PA 15801

DATE OF NOTICE: MAY 17, 2005

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

#### IMPORTANT NOTICE

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

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

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

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

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

PHELAN, HALLINAN AND SCHMIEG  
By: Francis S. Hallinan, Esq., Id. No. 62695  
One Penn Center Plaza, Suite 1400  
Philadelphia, PA 19103  
(215) 563-7000

ATTORNEY FOR PLAINTIFF

PHH MORTGAGE CORPORATION, F/K/A CENDANT : COURT OF COMMON PLEAS  
MORTGAGE CORPORATION D/B/A COLDWELL : CIVIL DIVISION  
BANKER MORTGAGE  
Plaintiff : CLEARFIELD COUNTY  
Vs. : NO. 05-577-CD

DAVID L. STEWART, JR.  
JULIE A. STEWART A/K/A JULIE A. GRULKE  
Defendants

TO: JULIE A. STEWART A/K/A JULIE A. GRULKE  
1048 TREASURE LAKE  
DU BOIS, PA 15801

DATE OF NOTICE: MAY 17, 2005

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

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

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

---

FRANCIS S. HALLINAN, ESQUIRE  
Attorneys for Plaintiff

PHELAN HALLINAN & SCHMIEG  
By: DANIEL G. SCHMIEG, ESQUIRE  
IDENTIFICATION NO. 62205  
ONE PENN CENTER AT SUBURBAN STATION  
1617 JOHN F. KENNEDY BLVD., SUITE 1400  
PHILADELPHIA, PA 19103-1814  
(215) 563-7000

ATTORNEY FOR PLAINTIFF  
COURT OF COMMON PLEAS  
CIVIL DIVISION

PHH MORTGAGE CORPORATION, F/K/A  
CENDANT MORTGAGE CORPORATION  
D/B/A COLDWELL BANKER MORTGAGE

CLEARFIELD COUNTY  
No.: 05-577-CD

vs.

DAVID L. STEWART, JR.  
JULIE A. STEWART A/K/A  
JULIE A. GRULKE

**VERIFICATION OF NON-MILITARY SERVICE**

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

- (a) that the defendant(s) is/are not in the Military or Naval Service of the United States or its Allies, or otherwise within the provisions of the Soldiers' and Sailors' Civil Relief Act of Congress of 1940, as amended.
- (b) that defendant, DAVID L. STEWART, JR., is over 18 years of age, and resides at 9 HOPE STREET A/K/A 1048 TREASURE LAKE, DU BOIS, PA 15801 .
- (c) that defendant, JULIE A. STEWART A/K/A JULIE A. GRULKE, is over 18 years of age, and resides at 9 HOPE STREET A/K/A 1048 TREASURE LAKE, DU BOIS, PA 15801.

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

Daniel G. Schmieg  
DANIEL G. SCHMIEG, ESQUIRE

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION - LAW

PHH MORTGAGE CORPORATION, F/K/A  
CENDANT MORTGAGE CORPORATION  
D/B/A COLDWELL BANKER MORTGAGE

No.: 05-577-CD

Plaintiff

vs.

DAVID L. STEWART, JR.  
JULIE A. STEWART A/K/A  
JULIE A. GRULKE

Defendant(s)

Notice is given that a Judgment in the above captioned matter has been entered  
against you on June 2, 2005.

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

If you have any questions concerning this matter please contact:

Daniel G. Schmieg

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

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

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

PHH Mortgage Corporation  
Plaintiff(s)

No.: 2005-00577-CD

Real Debt: \$17,341.97

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

David L. Stewart Jr.  
Julie A. Stewart a/k/a  
Julie A. Grulke  
Defendant(s)

Entry: \$20.00

Instrument: In Rem Judgment

Date of Entry: June 2, 2005

Expires: June 2, 2010

Certified from the record this 2nd day of June, 2005.

---

William A. Shaw, Prothonotary

\*\*\*\*\*

SIGN BELOW FOR SATISFACTION

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

---

Plaintiff/Attorney

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

---

**PHH MORTGAGE CORPORATION, F/K/A  
CENDANT MORTGAGE CORPORATION  
D/B/A COLDWELL BANKER MORTGAGE**

---

**vs.**

---

**DAVID L. STEWART, JR.  
JULIE A. STEWART A/K/A JULIE A. GRULKE**

---

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

**No. 05-577-CD**

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

To the Director of the Office of the Prothonotary:

Issue writ of execution in the above matter:

Amount Due

\$17,341.97

Interest from 5/31/05 to  
Date of Sale (\$2.85 per diem)

and Costs.

125.00 **Prothonotary costs**

Daniel G. Schmieg

Daniel G. Schmieg, Esquire  
Attorney for Plaintiff  
One Penn Center at Suburban Station  
1617 John F. Kennedy Blvd., Suite 1400  
Philadelphia, PA 19103-1814

Note: Please attach description of Property.

PMB

*FILED 1CCalowans  
07/15/2004 w/prop descr.  
JUN 02 2005 to Shff*

*William A. Shaw Atty pd. 20.00  
Prothonotary Clerk of Courts (6K)*

~~Plaintiff~~  
No. 05-577-CD

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

PHH MORTGAGE CORPORATION, F/K/A  
CENDANT MORTGAGE CORPORATION D/B/A  
COLDWELL BANKER MORTGAGE

vs.

DAVID L. STEWART, JR.  
JULIE A. STEWART A/K/A JULIE A. GRULKE

JUN 02 2005

Julie A. Stewart  
Prothonotary Clerk of Courts

PRAECLPICE FOR WRIT OF EXECUTION  
(Mortgage Foreclosure)

*Daniel H. Schrey*  
Attorney for Plaintiff(s)

Address: 9 HOPE STREET A/K/A 1048 TREASURE LAKE, DU BOIS, PA 15801  
9 HOPE STREET A/K/A 1048 TREASURE LAKE, DU BOIS, PA 15801  
Where papers may be served.

PHH MORTGAGE CORPORATION, F/K/A  
CENDANT MORTGAGE CORPORATION  
D/B/A COLDWELL BANKER MORTGAGE

CLEARFIELD COUNTY

No.: 05-577-CD

vs.

DAVID L. STEWART, JR.  
JULIE A. STEWART A/K/A  
JULIE A. GRULKE

**AFFIDAVIT PURSUANT TO RULE 3129**  
**(Affidavit No. 1)**

PHH MORTGAGE CORPORATION, F/K/A CENDANT MORTGAGE CORPORATION D/B/A COLDWELL BANKER MORTGAGE, Plaintiff in the above action, by its attorney, Daniel G. Schmieg, Esquire, sets forth as of the date the Praeclipe for the Writ of Execution was filed the following information concerning the real property located at 9 HOPE STREET A/K/A 1048 TREASURE LAKE, DU BOIS, PA 15801:

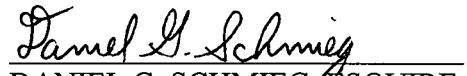
1. Name and address of Owner(s) or reputed Owner(s):

Name	Last Known Address (if address cannot be reasonably ascertained, please indicate)
DAVID L. STEWART, JR.	9 HOPE STREET A/K/A 1048 TREASURE LAKE DU BOIS, PA 15801
JULIE A. STEWART A/K/A JULIE A. GRULKE	9 HOPE STREET A/K/A 1048 TREASURE LAKE DU BOIS, PA 15801

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

SAME AS ABOVE

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

  
\_\_\_\_\_  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

May 31, 2005

PHH MORTGAGE CORPORATION, F/K/A  
CENDANT MORTGAGE CORPORATION  
D/B/A COLDWELL BANKER MORTGAGE

CLEARFIELD COUNTY

No.: 05-577-CD

vs.

DAVID L. STEWART, JR.  
JULIE A. STEWART A/K/A JULIE A.  
GRULKE

**AFFIDAVIT PURSUANT TO RULE 3129**  
**(Affidavit No. 2)**

PHH MORTGAGE CORPORATION, F/K/A CENDANT MORTGAGE CORPORATION D/B/A  
COLDWELL BANKER MORTGAGE, Plaintiff in the above action, by its attorney, Daniel G. Schmieg,  
Esquire, sets forth as of the date the Praeclipe for the Writ of Execution was filed the following information  
concerning the real property located at 9 HOPE STREET A/K/A 1048 TREASURE LAKE, DU BOIS, PA  
15801:

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

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

None.

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

Name	Last Known Address (if address cannot be reasonable ascertained, please indicate)
------	---

None.

5. Name and address of every other person who has any record lien on the property:

Name	Last Known Address (if address cannot be reasonable ascertained, please indicate)
------	---

None.

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

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

Clearfield County Domestic Relations	Clearfield County Courthouse 230 East Market Street Clearfield, PA 16830
--------------------------------------	--

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

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

Commonwealth of Pennsylvania Department of Welfare	PO Box 2675 Harrisburg, PA 17105
---	-------------------------------------

Tenant/Occupant LAKE	9 HOPE STREET A/K/A 1048 TREASURE DU BOIS, PA 15801
-------------------------	--

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

  
\_\_\_\_\_  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

May 31, 2005

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

ATTORNEY FOR PLAINTIFF  
COURT OF COMMON PLEAS  
CIVIL DIVISION

PHH MORTGAGE CORPORATION,  
F/K/A CENDANT MORTGAGE  
CORPORATION D/B/A COLDWELL  
BANKER MORTGAGE

No.: 05-577-CD

CLEARFIELD COUNTY

vs.

DAVID L. STEWART, JR.  
JULIE A. STEWART A/K/A  
JULIE A. GRULKE

CERTIFICATION

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

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

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

  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

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

**PHH MORTGAGE CORPORATION, F/K/A  
CENDANT MORTGAGE CORPORATION  
D/B/A COLDWELL BANKER MORTGAGE**

VS.

**DAVID L. STEWART, JR.**  
**JULIE A. STEWART A/K/A JULIE A. GRULKE**

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

NO.: 05-577-CD

**WRIT OF EXECUTION  
(MORTGAGE FORECLOSURE)**

## Commonwealth of Pennsylvania:

### **County of Clearfield:**

**TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:**

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

Premises: **9 HOPE STREET A/K/A 1048 TREASURE LAKE, DU BOIS, PA 15801**

(See legal description attached.)

Amount Due	<u>\$17,341.97</u>
Interest from 5/31/05 to	\$ _____
Date of Sale (\$2.85 per diem)	
Total	\$ _____ Plus costs as aforesaid 125.00 <b>Prothonotary costs</b>

Dated June 2, 2005  
(SEAL)

Prothonotary, Common Pleas Court  
Clearfield County, Pennsylvania

By:

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

No. 05-577-CD

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

PHH MORTGAGE CORPORATION, F/K/A CENDANT MORTGAGE  
CORPORATION D/B/A COLDWELL BANKER MORTGAGE

vs.

DAVID L. STEWART, JR.  
JULIE A. STEWART A/K/A JULIE A. GRULKE

**WRIT OF EXECUTION  
(MORTGAGE FORECLOSURE)**

Real Debt \$17,341.97

Int. from 5/31/05 \_\_\_\_\_  
to Date of Sale (\$2.85 per diem)

## Costs

Prothy Pd 125,00

## Sheriff

21-09-2011 10:15:45

Daniel G. Schmieg  
Attorney for Plaintiff

Attorney for Plaintiff

Address: 9 HOPE STREET A/K/A 1048 TREASURE LAKE, DU BOIS, PA 15801  
9 HOPE STREET A/K/A 1048 TREASURE LAKE, DU BOIS, PA 15801  
Where papers may be served.

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

**DESCRIPTION**

ALL that certain lot of ground in Hoover's Addition to the City of DuBois, County of Clearfield and State of Pennsylvania, and known and numbered in the N.L. Hoover's Plan of Lots as Lot Number 6, bounded and described as follows, to wit:

North by Fir Alley; on the East by Hope Street; West by an alley; and on the South by Lot Number 5 of the same plat, formerly owned by George Lyons and being 40 feet by 100 feet in size. Having erected thereon a two-story frame dwelling house known as No. 9 Hope Street.

**RECORD OWNER**

TITLE TO SAID PREMISES IS VESTED IN Julie A. Stewart & David L. Stewart, Jr., her husband by Deed from Richard L. McNally & Prudence M. McNally, husband and wife, dated 9-15-03, recorded 9-18-03 in Deed Book 2003, page 16949.

PREMISES BEING: 9 HOPE STREET, DU BOIS, PA 15801

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

---

**PHH MORTGAGE CORPORATION, F/K/A  
CENDANT MORTGAGE CORPORATION  
D/B/A COLDWELL BANKER MORTGAGE**

---

vs.

---

**DAVID L. STEWART, JR.  
JULIE A. STEWART A/K/A JULIE A. GRULKE**

---

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

**No. 05-577-CD**

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

To the Director of the Office of the Prothonotary:

Issue writ of execution in the above matter:

Amount Due \$17,341.97

Interest from 5/31/05 to \_\_\_\_\_  
Date of Sale (\$2.85 per diem) \_\_\_\_\_

and Costs.

*Daniel G. Schmieg*  
Daniel G. Schmieg, Esquire  
Attorney for Plaintiff  
One Penn Center at Suburban Station  
1617 John F. Kennedy Blvd., Suite 1400  
Philadelphia, PA 19103-1814

Note: Please attach description of Property.

PMB

*File* *10*  
SEP 26 2005  
M 2:45 PM  
Willa A. Shaw  
Prothonotary/Clerk of Courts  
1 copy + 6 warts to  
Suzan  
copy to Atte

**No. 05-577-CD**

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

PHH MORTGAGE CORPORATION, F/K/A  
CENDANT MORTGAGE CORPORATION D/B/A  
COLDWELL BANKER MORTGAGE

vs.

DAVID L. STEWART, JR.  
JULIE A. STEWART A/K/A JULIE A. GRULKE

---

**PRAECLPICE FOR WRIT OF EXECUTION  
(Mortgage Foreclosure)**

---

*Daniel G. Schmeig*

**Attorney for Plaintiff(s)**

Address: 9 HOPE STREET, DU BOIS, PA 15801  
9 HOPE STREET, DU BOIS, PA 15801  
Where papers may be served.

**DESCRIPTION**

ALL that certain lot of ground in Hoover's Addition to the City of DuBois, County of Clearfield and State of Pennsylvania, and known and numbered in the N.L. Hoover's Plan of Lots as Lot Number 6, bounded and described as follows, to wit:

North by Fir Alley; on the East by Hope Street; West by an alley; and on the South by Lot Number 5 of the same plat, formerly owned by George Lyons and being 40 feet by 100 feet in size. Having erected thereon a two-story frame dwelling house known as No. 9 Hope Street.

**RECORD OWNER**

**TITLE TO SAID PREMISES IS VESTED IN** Julie A. Stewart & David L. Stewart, Jr., her husband by Deed from Richard L. McNally & Prudence M. McNally, husband and wife, dated 9-15-03, recorded 9-18-03 in Deed Book 2003, page 16949.

PREMISES BEING: 9 HOPE STREET, DU BOIS, PA 15801

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

---

**PHH MORTGAGE CORPORATION, F/K/A  
CENDANT MORTGAGE CORPORATION  
D/B/A COLDWELL BANKER MORTGAGE**

---

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

**NO.: 05-577-CD**

**vs.**

---

**DAVID L. STEWART, JR.  
JULIE A. STEWART A/K/A JULIE A. GRULKE**

---

**WRIT OF EXECUTION  
(MORTGAGE FORECLOSURE)**

**Commonwealth of Pennsylvania:**

**County of Clearfield:**

**TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:**

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

Premises: **9 HOPE STREET , DU BOIS, PA 15801**

(See legal description attached.)

Amount Due	<u>\$17,341.97</u>
Interest from 5/31/05 to Date of Sale (\$2 . 85 per diem)	\$ _____
Total	\$ _____ Plus costs as endorsed.

**Prothonotary costs** *145. -* **SHERIFF** *8122.17*

*W.L.O.*  
\_\_\_\_\_  
**Prothonotary, Common Pleas Court of  
Clearfield County, Pennsylvania**

Dated 9-26-05  
(SEAL)

By:

*Deputy*

No. 05-577-CD

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

PHH MORTGAGE CORPORATION, F/K/A CENDANT MORTGAGE  
CORPORATION D/B/A COLDWELL BANKER MORTGAGE

VS.

DAVID L. STEWART, JR.  
JULIE A. STEWART A/K/A JULIE A. GRULKE

---

**WRIT OF EXECUTION  
(MORTGAGE FORECLOSURE)**

---

Real Debt \$17,341.97

Int. from 5/31/05 \_\_\_\_\_  
to Date of Sale (\$2.85 per diem)

Costs \_\_\_\_\_

Prothy. Pd. \_\_\_\_\_

Sheriff \_\_\_\_\_

Daniel G. Schmieg  
Attorney for Plaintiff

Address: 9 HOPE STREET , DU BOIS, PA 15801  
9 HOPE STREET , DU BOIS, PA 15801  
Where papers may be served.

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

**DESCRIPTION**

ALL that certain lot of ground in Hoover's Addition to the City of DuBois, County of Clearfield and State of Pennsylvania, and known and numbered in the N.L. Hoover's Plan of Lots as Lot Number 6, bounded and described as follows, to wit:

North by Fir Alley; on the East by Hope Street; West by an alley; and on the South by Lot Number 5 of the same plat, formerly owned by George Lyons and being 40 feet by 100 feet in size. Having erected thereon a two-story frame dwelling house known as No. 9 Hope Street.

**RECORD OWNER**

**TITLE TO SAID PREMISES IS VESTED IN** Julie A. Stewart & David L. Stewart, Jr., her husband by Deed from Richard L. McNally & Prudence M. McNally, husband and wife, dated 9-15-03, recorded 9-18-03 in Deed Book 2003, page 16949.

PREMISES BEING: 9 HOPE STREET, DU BOIS, PA 15801

SALE DATE: 12/2/05

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION – LAW

PHH MORTGAGE CORPORATION, F/K/A  
CENDANT MORTGAGE CORPORATION      No.: 05-577-CD  
D/B/A COLDWELL BANKER MORTGAGE

VS.

DAVID L. STEWART, JR.  
JULIE A. STEWART A/K/A JULIE A.  
GRULKE

**FILED** No. *cc*  
01043.31  
OCT 26 2005

William A. Shaw  
Prothonotary-Clerk of Courts

**AFFIDAVIT PURSUANT TO RULE 3129.1  
AND RETURN OF SERVICE PURSUANT TO  
Pa. R.C.P. 405 OF NOTICE OF SALE**

Plaintiff in the above action sets forth as of the date the Praecept for the Writ of Execution was filed the following information concerning the real property located at:

9 HOPE STREET, DU BOIS, PA 15801.

As required by Pa. R.C.P. 3129.2(a) Notice of Sale has been given in the manner required by Pa. R.C.P. 3129.2(c) on each of the persons or parties named, at that address set forth on the attached Affidavit No. 2 (previously filed) and Supplemental Affidavit No. 2 on the date indicated, and a copy of the notice is attached as an Exhibit. A copy of the Certificate of Mailing (Form 3817) and/or Certified Mail Return Receipt stamped by the U.S. Postal Service is attached for each notice.

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

  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

CLEARFIELD COUNTY

PHH MORTGAGE CORPORATION, F/K/A  
CENDANT MORTGAGE CORPORATION  
D/B/A COLDWELL BANKER MORTGAGE

No.: 05-577-CD

vs.

DAVID L. STEWART, JR.  
JULIE A. STEWART A/K/A  
JULIE A. GRULKE

**AFFIDAVIT PURSUANT TO RULE 3129**  
**(Affidavit No. 1)**

PHH MORTGAGE CORPORATION, F/K/A CENDANT MORTGAGE CORPORATION D/B/A COLDWELL BANKER MORTGAGE, Plaintiff in the above action, by its attorney, Daniel G. Schmieg, Esquire, sets forth as of the date the Praeclipe for the Writ of Execution was filed the following information concerning the real property located at 9 HOPE STREET, DU BOIS, PA 15801:

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

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

DAVID L. STEWART, JR.	9 HOPE STREET DU BOIS, PA 15801
-----------------------	------------------------------------

JULIE A. STEWART A/K/A JULIE A. GRULKE	9 HOPE STREET DU BOIS, PA 15801
---	------------------------------------

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

SAME AS ABOVE

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

*Daniel G. Schmieg*  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

September 22, 2005

CLEARFIELD COUNTY

PHH MORTGAGE CORPORATION, F/K/A  
CENDANT MORTGAGE CORPORATION  
D/B/A COLDWELL BANKER MORTGAGE

No.: 05-577-CD

vs.

DAVID L. STEWART, JR.  
JULIE A. STEWART A/K/A  
JULIE A. GRULKE

**AFFIDAVIT PURSUANT TO RULE 3129**  
**(Affidavit No. 2)**

PHH MORTGAGE CORPORATION, F/K/A CENDANT MORTGAGE CORPORATION D/B/A  
COLDWELL BANKER MORTGAGE, Plaintiff in the above action, by its attorney, Daniel G. Schmieg,  
Esquire, sets forth as of the date the Praeclipe for the Writ of Execution was filed the following information  
concerning the real property located at 9 HOPE STREET, DU BOIS, PA 15801:

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

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

None.

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

Name	Last Known Address (if address cannot be reasonable ascertained, please indicate)
------	---

None.

5. Name and address of every other person who has any record lien on the property:

Name	Last Known Address (if address cannot be reasonable ascertained, please indicate)
------	---

None.

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

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

Clearfield County Domestic Relations	Clearfield County Courthouse 230 East Market Street Clearfield, PA 16830
--------------------------------------	--

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

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

Commonwealth of Pennsylvania Department of Welfare	PO Box 2675 Harrisburg, PA 17105
---	-------------------------------------

Tenant/Occupant	9 HOPE STREET DU BOIS, PA 15801
-----------------	------------------------------------

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

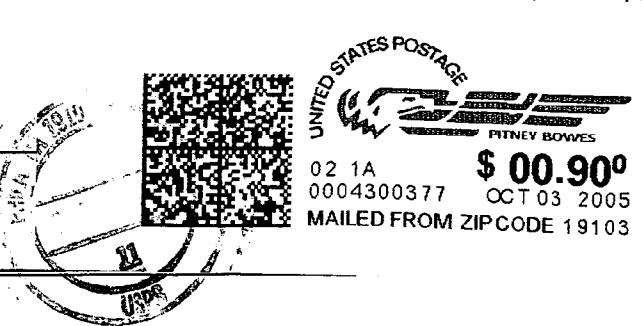
Daniel G. Schmieg  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

September 22, 2005

Name and  
Address  
Of Sender

PHELAN HALLINAN & SCHMIEG  
One Penn Center at Suburban Station Suite 1400  
Philadelphia, PA 19103-1814 SANDRA COOPER/PMB

Line	Article Number	Name of Addressee, Street, and Post Office Address	Po
1	DAVID L. STEWART, JR.	Tenant/Occupant, 9 HOPE STREET DUBOIS, PA 15801	
2	0025878976	Clearfield County Domestic Relations Clearfield County Courthouse 230 East Market Street Clearfield, PA 16830	
3		Commonwealth of Pennsylvania Department of Welfare PO Box 2675 Harrisburg, PA 17105	
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 Of 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 \$50,000.00 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 is \$25,000 for registered mail, sent with optional insurance. See Domestic Mail Manual R900, S913 and S921 for limitations of coverage.



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20215  
NO: 05-577-CD

PLAINTIFF: PHH MORTGAGE CORPORATION, F/K/A CENDANT MORTGAGE CORPORATION D/B/A COLDWELL  
BANKER MORTGAGE  
vs.  
DEFENDANT: DAVID L. STEWART, JR., JULIE A. STEWART A/K/A JULIE A. GRULKE

Execution REAL ESTATE

**SHERIFF RETURN**

---

DATE RECEIVED WRIT: 06/02/2005

LEVY TAKEN @

POSTED @

SALE HELD

SOLD TO

SOLD FOR AMOUNT PLUS COSTS

WRIT RETURNED 02/13/2006

DATE DEED FILED **NOT SOLD**

**FILED**  
0185261  
FEB 14 2006  
*WAS*  
William A. Shaw  
Prothonotary/Clerk of Courts

**DETAILS**

@ SERVED DAVID L. STEWART, JR.

NOW, AUGUST 18, 2005 INFORMED ATTORNEY OFFICE WRONG ADDRESS WAS ON WRIT. INSTEAD OF THE ATTORNEY'S OFFICE  
REISSUING OR AMENDING THE WRIT THEY ISSUED A NEW WRIT. BILLED THE ATTORNEY FOR DOCKETING ONLY.

@ SERVED JULIE A. STEWART A/K/A JULIE A. GRULKE

NOW FEBRUARY 13, 2005 RETURN WRIT AS UNEXECUTED. TIME EXPIRED.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20215  
NO: 05-577-CD

PLAINTIFF: PHH MORTGAGE CORPORATION, F/K/A CENDANT MORTGAGE CORPORATION D/B/A COLDWELL  
BANKER MORTGAGE

vs.

DEFENDANT: DAVID L. STEWART, JR., JULIE A. STEWART A/K/A JULIE A. GRULKE

Execution REAL ESTATE

**SHERIFF RETURN**

---

SHERIFF HAWKINS \$15.00

SURCHARGE \$40.00 PAID BY ATTORNEY

So Answers,

  
Chester A. Hawkins  
Sheriff

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

---

**PHH MORTGAGE CORPORATION, F/K/A  
CENDANT MORTGAGE CORPORATION  
D/B/A COLDWELL BANKER MORTGAGE**

---

vs.

---

**DAVID L. STEWART, JR.  
JULIE A. STEWART A/K/A JULIE A. GRULKE**

---

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY,  
PENNSYLVANIA

NO.: 05-577-CD

**WRIT OF EXECUTION  
(MORTGAGE FORECLOSURE)**

Commonwealth of Pennsylvania:

County of Clearfield:

**TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:**

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

Premises: **9 HOPE STREET A/K/A 1048 TREASURE LAKE, DU BOIS, PA 15801**

(See legal description attached.)

Amount Due

\$17,341.97

Interest from 5/31/05 to  
Date of Sale (\$2.85 per diem)

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

Total

\$ \_\_\_\_\_ Plus costs as endorsed.  
*125.00* **Prothonotary costs**

*Willie A. Shand*  
Prothonotary, Common Pleas Court of  
Clearfield County, Pennsylvania

By:

Deputy

PMB

Received June 2, 2005 @ 2:30 P.M.

Chesler A. Stuehns

*By Catherine Sutton-Deppert*

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

No. 05-577-CD

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

PHH MORTGAGE CORPORATION, F/K/A CENDANT MORTGAGE  
CORPORATION D/B/A COLDWELL BANKER MORTGAGE

vs.

DAVID L. STEWART, JR.  
JULIE A. STEWART A/K/A JULIE A. GRULKE

---

**WRIT OF EXECUTION  
(MORTGAGE FORECLOSURE)**

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Real Debt \$17,341.97

Int. from 5/31/05 \_\_\_\_\_  
to Date of Sale (\$2.85 per diem)

Costs \_\_\_\_\_

Prothy. Pd. 125.00

Sheriff \_\_\_\_\_

  
\_\_\_\_\_  
Attorney for Plaintiff

Address: 9 HOPE STREET A/K/A 1048 TREASURE LAKE, DU BOIS, PA 15801  
9 HOPE STREET A/K/A 1048 TREASURE LAKE, DU BOIS, PA 15801  
Where papers may be served.

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

**DESCRIPTION**

ALL that certain lot of ground in Hoover's Addition to the City of DuBois, County of Clearfield and State of Pennsylvania, and known and numbered in the N.L. Hoover's Plan of Lots as Lot Number 6, bounded and described as follows, to wit:

North by Fir Alley; on the East by Hope Street; West by an alley; and on the South by Lot Number 5 of the same plat, formerly owned by George Lyons and being 40 feet by 100 feet in size. Having erected thereon a two-story frame dwelling house known as No. 9 Hope Street.

**RECORD OWNER**

**TITLE TO SAID PREMISES IS VESTED IN** Julie A. Stewart & David L. Stewart, Jr., her husband by Deed from Richard L. McNally & Prudence M. McNally, husband and wife, dated 9-15-03, recorded 9-18-03 in Deed Book 2003, page 16949.

PREMISES BEING: 9 HOPE STREET, DU BOIS, PA 15801

**REAL ESTATE SALE  
SCHEDULE OF DISTRIBUTION**

NAME DAVID L. STEWART, JR.

NO. 05-577-CD

NOW, February 11, 2006, by virtue of the Writ of Execution hereunto attached, after having given due and legal notice of time and place of sale by publication in a newspaper published in this County and by handbills posted on the premises setting for the date, time and place of sale at the Court House in Clearfield on , I exposed the within described real estate of David L. Stewart, Jr., Julie A. Stewart A/K/A Julie A. Grulke to public venue or outcry at which time and place I sold the same to PHELAN HALLINAN & SCHMIEG, LLP  
ONE PENN CENTER AT SUBURBAN STATION he/she being the highest bidder, for the sum of and made the following appropriations, viz:

**SHERIFF COSTS:**

RDR SERVICE	15.00
MILEAGE	
LEVY	
MILEAGE POSTING	
CSDS	
COMMISSION	0.00
POSTAGE	
HANDBILLS	
DISTRIBUTION	
ADVERTISING	
ADD'L SERVICE	
DEED	
ADD'L POSTING	
ADD'L MILEAGE	
ADD'L LEVY	
BID/SETTLEMENT AMOUNT	
RETURNS/DEPUTIZE	
COPIES	
BILLING/PHONE/FAX	
CONTINUED SALES	
MISCELLANEOUS	40.00
<b>TOTAL SHERIFF COSTS</b>	<b>\$55.00</b>

**DEED COSTS:**

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

**PLAINTIFF COSTS, DEBT AND INTEREST:**

	DEBT-AMOUNT DUE INTEREST @ FROM TO	0.00
PROTH SATISFACTION		
LATE CHARGES AND FEES		
COST OF SUIT-TO BE ADDED		
FORECLOSURE FEES		
ATTORNEY COMMISSION		
REFUND OF ADVANCE		
REFUND OF SURCHARGE		40.00
SATISFACTION FEE		
ESCROW DEFICIENCY		
PROPERTY INSPECTIONS		
INTEREST		
MISCELLANEOUS		
<b>TOTAL DEBT AND INTEREST</b>		<b>\$40.00</b>
<b>COSTS:</b>		
ADVERTISING		0.00
TAXES - COLLECTOR		
TAXES - TAX CLAIM		
DUE		
LIEN SEARCH		
ACKNOWLEDGEMENT		
DEED COSTS		0.00
SHERIFF COSTS		55.00
LEGAL JOURNAL COSTS		0.00
PROTHONOTARY		
MORTGAGE SEARCH		
MUNICIPAL LIEN		
<b>TOTAL COSTS</b>		<b>\$55.00</b>

DISTRIBUTION WILL BE MADE IN ACCORDANCE WITH THE ABOVE SCHEDULE UNLESS EXCEPTIONS ARE FILED WITH THIS OFFICE **WITHIN TEN (10) DAYS FROM THIS DATE.**

CHESTER A. HAWKINS, Sheriff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20216

NO: 05-577-CD

PLAINTIFF: PHH MORTGAGE CORPORATION, F/K/A CENDANT MORTGAGE CORPORATION, D/B/A COLDWELL BANKER MORTGAGE

vs.

DEFENDANT: DAVID L. STEWART, JR. AND JULIE A. STEWART A/K/A JULIE A. GRULKE

Execution REAL ESTATE

**SHERIFF RETURN**

DATE RECEIVED WRIT: 09/27/2005

LEVY TAKEN 09/30/2005 @ 11:42 AM

POSTED 09/30/2005 @ 11:42 AM

SALE HELD

SOLD TO

SOLD FOR AMOUNT PLUS COSTS

**FILED**  
09/30/2005  
MAY 01 2006

William A. Shaw  
Prothonotary/Clerk of Courts

WRIT RETURNED 05/01/2006

DATE DEED FILED **NOT SOLD**

**DETAILS**

10/05/2005 @ 12:15 PM SERVED DAVID L. STEWART, JR.

SERVED DAVID L. STEWART, JR. DEFENDNT, AT HIS RESIDENCE ADMIRAL DUNBAR ROAD SECTION 5, LOT 78 TREASURE LAKE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO JULIE STEWART WIFE/DEFENDANT

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

10/05/2005 @ 12:15 PM SERVED JULIE A. STEWART A/K/A JULIE A. GRULKE

SERVED JULIE A. STEWART A/K/A JULIE A. GRULKE, DEFENDANT, AT HER RESIDENCE ADMIRAL DUNBAR ROAD, SECTION 5, LOT 78, TREASURE LAKE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO JULIE A. STEWART

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

@ SERVED

NOW, DECEMBER 1, 2005 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO CONTINUE THE SHERIFF SALE SCHEDULED FOR DECEMBER 2, 2005 TO MARCH 3, 2006.

@ SERVED

NOW, MARCH 1, 2006 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO STAY THE SHERIFF'S SALE SCHEDULED FOR MARCH 3, 2006.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20216

NO: 05-577-CD

PLAINTIFF: PHH MORTGAGE CORPORATION, F/K/A CENDANT MORTGAGE CORPORATION, D/B/A COLDWELL  
BANKER MORTGAGE

vs.

DEFENDANT: DAVID L. STEWART, JR. AND JULIE A. STEWART A/K/A JULIE A. GRULKE

Execution REAL ESTATE

**SHERIFF RETURN**

---

SHERIFF HAWKINS \$264.27

SURCHARGE \$40.00 PAID BY ATTORNEY

So Answers,

*Chester Hawkins*  
By Cynthia Butler, Clerk/Deputy  
Chester A. Hawkins  
Sheriff

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

---

PHH MORTGAGE CORPORATION, F/K/A  
CENDANT MORTGAGE CORPORATION  
D/B/A COLDWELL BANKER MORTGAGE

---

vs.

---

DAVID L. STEWART, JR.  
JULIE A. STEWART A/K/A JULIE A. GRULKE

---

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY,  
PENNSYLVANIA

NO.: 05-577-CD

WRIT OF EXECUTION  
(MORTGAGE FORECLOSURE)

Commonwealth of Pennsylvania:

County of Clearfield:

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

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

Premises: **9 HOPE STREET , DU BOIS, PA 15801**

(See legal description attached.)

Amount Due	<u>\$17,341.97</u>
Interest from 5/31/05 to Date of Sale (\$2 . 85 per diem)	\$ _____
Total	\$ _____ Plus costs as endorsed.

**Prothonotary costs** 145.- **Sheriff** 122.17

Will  
Prothonotary, Common Pleas Court of  
Clearfield County, Pennsylvania

Dated 9-26-05

(SEAL)

By:

Received September 27, 2005 @ 3:00PM.  
Chester A. Hendren  
By Jennifer Butler-Alexander

Deputy

PMB

**DESCRIPTION**

ALL that certain lot of ground in Hoover's Addition to the City of DuBois, County of Clearfield and State of Pennsylvania, and known and numbered in the N.L. Hoover's Plan of Lots as Lot Number 6, bounded and described as follows, to wit:

North by Fir Alley; on the East by Hope Street; West by an alley; and on the South by Lot Number 5 of the same plat, formerly owned by George Lyons and being 40 feet by 100 feet in size. Having erected thereon a two-story frame dwelling house known as No. 9 Hope Street.

**RECORD OWNER**

**TITLE TO SAID PREMISES IS VESTED IN** Julie A. Stewart & David L. Stewart, Jr., her husband by Deed from Richard L. McNally & Prudence M. McNally, husband and wife, dated 9-15-03, recorded 9-18-03 in Deed Book 2003, page 16949.

PREMISES BEING: 9 HOPE STREET, DU BOIS, PA 15801

**REAL ESTATE SALE  
SCHEDULE OF DISTRIBUTION**

NAME DAVID L. STEWART, JR.

NO. 05-577-CD

NOW, April 29, 2006, by virtue of the Writ of Execution hereunto attached, after having given due and legal notice of time and place of sale by publication in a newspaper published in this County and by handbills posted on the premises setting for the date, time and place of sale at the Court House in Clearfield on March 03, 2006, I exposed the within described real estate of David L. Stewart, Jr. And Julie A. Stewart A/K/A Julie A. Grulke 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:

<b>SHERIFF COSTS:</b>		<b>PLAINTIFF COSTS, DEBT AND INTEREST:</b>	
RDR	15.00	DEBT-AMOUNT DUE	17,341.97
SERVICE	15.00	INTEREST @ 2.8500	786.60
MILEAGE	18.43	FROM 05/31/2005 TO 03/03/2006	
LEVY	15.00		
MILEAGE	18.43	PROTH SATISFACTION	
POSTING	15.00	LATE CHARGES AND FEES	
CSDS	10.00	COST OF SUIT-TO BE ADDED	
COMMISSION	0.00	FORECLOSURE FEES	
POSTAGE	5.55	ATTORNEY COMMISSION	
HANDBILLS	15.00	REFUND OF ADVANCE	
DISTRIBUTION	25.00	REFUND OF SURCHARGE	40.00
ADVERTISING	15.00	SATISFACTION FEE	
ADD'L SERVICE	15.00	ESCROW DEFICIENCY	
DEED		PROPERTY INSPECTIONS	
ADD'L POSTING		INTEREST	
ADD'L MILEAGE	36.86	MISCELLANEOUS	
ADD'L LEVY			
BID/SETTLEMENT AMOUNT		<b>TOTAL DEBT AND INTEREST</b>	<b>\$18,168.57</b>
RETURNS/DEPUTIZE			
COPIES	15.00	<b>COSTS:</b>	
	5.00	ADVERTISING	286.96
BILLING/PHONE/FAX	5.00	TAXES - COLLECTOR	
CONTINUED SALES	20.00	TAXES - TAX CLAIM	
MISCELLANEOUS		DUE	
TOTAL SHERIFF COSTS	<b>\$264.27</b>	LIEN SEARCH	200.00
		ACKNOWLEDGEMENT	
		DEED COSTS	0.00
		SHERIFF COSTS	264.27
DEED COSTS:		LEGAL JOURNAL COSTS	180.00
ACKNOWLEDGEMENT		PROTHONOTARY	267.17
REGISTER & RECORDER		MORTGAGE SEARCH	80.00
TRANSFER TAX 2%	0.00	MUNICIPAL LIEN	
TOTAL DEED COSTS	<b>\$0.00</b>	<b>TOTAL COSTS</b>	<b>\$1,278.40</b>

DISTRIBUTION WILL BE MADE IN ACCORDANCE WITH THE ABOVE SCHEDULE UNLESS EXCEPTIONS ARE FILED WITH THIS OFFICE **WITHIN TEN (10) DAYS FROM THIS DATE.**

CHESTER A. HAWKINS, Sheriff

Federman and Phelan is now

Law Offices

**PHELAN HALLINAN & SCHMIEG, LLP**

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

Sandra Cooper  
Judgment Department, Ext. 1258

Representing Lenders in  
Pennsylvania and New Jersey

December 1, 2005

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

**ATTENTION: CINDY (814) 765-5915**

**Re: PHH MORTGAGE CORPORATION, F/K/A CENDANT MORTGAGE  
CORPORATION D/B/A COLDWELL BANKER MORTGAGE v. DAVID L.  
STEWART, JR. JULIE A. STEWART A/K/A JULIE A. GRULKE**

**No. 05-577-CD  
9 HOPE STREET, DU BOIS, PA 15801**

Dear Cindy:

Please postpone the Sheriff's Sale of the above referenced property which  
is scheduled for December 2, 2005.

The property is to be relisted for the 3/3/06 Sheriff's Sale.

Very truly yours,  
SMC  
Sandra Cooer

VIA TELECOPY (814) 765-5915

Law Offices  
**PHELAN HALLINAN & SCHMIEG**  
One Penn Center at Suburban Station  
1617 John F. Kennedy Boulevard  
Suite 1400  
Philadelphia, PA 19103-1814

Sandra Cooper  
Judgment Department, Ext. 1258

Representing Lenders in  
Pennsylvania and New Jersey

March 1, 2006

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

ATTENTION: CINDY (814) 765-5915

Re: **PHH MORTGAGE CORPORATION, F/K/A CENDANT MORTGAGE CORPORATION**  
**D/B/A COLDWELL BANKER MORTGAGE v. DAVID L STEWART, JR. JULIE A. STEWART**  
**A/K/A JULIE A. GRULKE**  
**No. 05-577-CD**  
**9 HOPE STREET, DU BOIS, PA 15801**

Dear Cindy:

Please stay the Sheriff's Sale of the above referenced property, which is scheduled for March 3, 2006, return the original writ of execution to the Prothonotary's office and refund any unused money to our office.

No funds were reported to have been received in consideration for the stay.

Very truly yours,

Sandra Cooper

VIA TELECOPY (814) 765-5915

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

PHH Mortgage Corporation, f/k/a  
Cendant Mortgage Corporation, d/b/a  
Coldwell Banker Mortgage

ATTORNEY FOR PLAINTIFF

: Court of Common Pleas

Plaintiff

: Civil Division

vs.

: Clearfield County

David L. Stewart, Jr.  
Julie A. Stewart, a/k/a Julie A. Grulke  
Defendant(s)

: No. 05-577-CD

**PRAECIPE**

TO THE PROTHONOTARY:

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

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

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

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

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

Date: 07/16/08

*Francis S. Hallinan*

Francis S. Hallinan, Esquire  
Attorney for Plaintiff

PHS # 115091

pd \$7.00 Atty  
FILED 3/11/35pm 1cc, 1cert of  
JUL 18 2008 sat & 1cert of disc &  
William A. Shaw Atty Hallinan  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

*Copy*  
CIVIL DIVISION

**CERTIFICATE OF SATISFACTION OF JUDGMENT**

No.: 2005-00577-CD

PHH Mortgage Corporation

Debt: \$17,341.97

Vs.

Atty's Comm.:

David L. Stewart Jr.  
Julie A. Stewart a/k/a  
Julie A. Grulke

Interest From:

Cost: \$7.00

NOW, Friday, July 18, 2008 , directions for satisfaction having been received, and all costs having been paid, SATISFACTION was entered of record.

Certified from the record this 18th day of July, A.D. 2008.

*William H. Shan* *lm*  
\_\_\_\_\_  
Prothonotary

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

**PHH Mortgage Corporation**

**Vs.**

**No. 2005-00577-CD**

**David L. Stewart Jr.**

**Julie A. Stewart a/k/a**

**Julie A. Grulke**

**CERTIFICATE OF DISCONTINUATION**

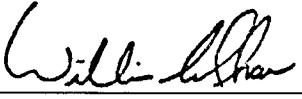
Commonwealth of PA  
County of Clearfield

I, William A. Shaw, Prothonotary of the Court of Common Pleas in and for the County and Commonwealth aforesaid do hereby certify that the above case was on July 18, 2008, marked:

Discontinued and ended with prejudice

Record costs in the sum of \$152.00 have been paid in full by Francis S. Hallinan Esq.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 18th day of July A.D. 2008.

  
\_\_\_\_\_  
William A. Shaw, Prothonotary