

05-1484-CD  
Discover Bank vs Gregory Bainey

Discover Bank vs Gregory A Bainey  
2005-1484-CD

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

DISCOVER BANK

Plaintiff  
vs. Civil Action No

GREGORY A BAINEY

Defendant

COMPLAINT 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.

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.

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

COMPLAINT

1. Plaintiff, is a corporation with offices at 3311 MILL MEADOW DR.  
HILLIARD , OH 43026 .

2. Defendant is adult individual(s) residing at the address listed  
below:

GREGORY A BAINY  
617 POLLES RD  
CLEARFIELD, PA 16830

3. Defendant applied for and received a credit card issued by  
Plaintiff bearing the account number 6011002890737026 . A copy of  
Plaintiff's Statement of Account s attached hereto, marked as Exhibit  
"A" and made a part hereof.

4. Defendant made use of said credit card and currently has a balance  
due and owing to Plaintiff, as of September 15, 2005 , in the amount  
of \$4738.71 .

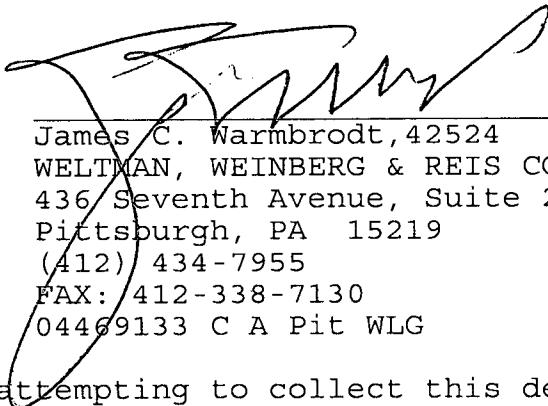
5. Defendant is in default by failing to make payments when due.

6. Plaintiff avers that the Agreement between the parties provides  
that Defendant will pay Plaintiff's attorneys' fees.

7. Plaintiff avers that such attorneys' fees will amount to \$500.00 .

8. Although repeatedly requested to do so by Plaintiff, Defendant has willfully failed and/or refused to pay the balance due to Plaintiff.

Wherefore, the Plaintiff prays for Judgment in its favor and against Defendant , GREGORY A BAINEY , INDIVIDUALLY , in the amount of \$4738.71 with interest at the legal rate of 6.000% per annum from date of judgment plus attorneys' fees of \$500.00 , and costs.



James C. Warmbrodt, 42524  
WELTMAN, WEINBERG & REIS CO., L.P.A.  
436 Seventh Avenue, Suite 2718  
Pittsburgh, PA 15219  
(412) 434-7955  
FAX: 412-338-7130  
04469133 C A Pit WLG

This law firm is a debt collector attempting to collect this debt for our client and any information obtained will be used for that purpose.

31 SDSN6A01 0009323  
**GREGORY BAINEY**  
**617 POLLES RD**  
**CLEARFIELD PA 16830-4340**

SAVE TODAY! Call 1-866-894-5727 to transfer your higher-rate balances to your Discover® Card or visit [Discovercard.com](http://Discovercard.com).

PO BOX 15251   
WILMINGTON DE 19886-5251

*Address or telephone change? Please print change in the space above, or go to Discovercard.com.*

## Discover Gold Card Account Summary

<i>account number</i>	6011 0028 9073 7026
<i>payment due date</i>	June 29, 2005
<i>minimum payment due</i>	\$846.00
<i>credit limit</i>	\$4,000.00
<i>credit available</i>	\$-738.00
<i>cash credit limit</i>	\$2,000.00
<i>cash credit available</i>	\$0.00

**Closing Date: May 31, 2005**

page 1 of 2

<i>previous balance</i>		\$4,738.71
<i>payments and credits</i>	-	4,738.71
<i>purchases</i>	+	0.00
<i>cash advances</i>	+	0.00
<i>balance transfers</i>	+	0.00
<b>FINANCE CHARGES</b>	+	0.00
<i>new balance</i>	=	\$0.00

## **EXHIBIT**

"A"

Discover®  
**Gold**  
Rewards

## **Transactions**

trans. post  
date date

**Payments and Credits**      May 31    May 31    INTERNAL CHARGE-OFF      \$ -4,738.71

<b>Gold Rewards</b>	<i>this period</i>	<i>to date</i>
<i>Qualified Purchases</i>	<b>\$0.00</b>	<b>\$0.00</b>
<i>Gold Rewards Earned</i>		<b>\$0.00</b>
<i>Gold Rewards anniversary date:</i>	September 9	

*Gold Rewards anniversary date:* September 9

<u>Average Daily Balances</u>	<u>Daily Periodic Rates</u>	<u>ANNUAL PERCENTAGE RATES</u>	<u>ANNUAL PERCENTAGE RATES</u>	<u>Periodic FINANCE CHARGES</u>	<u>Fee FINANCE CHARGES</u>
\$0	0.06847%	24.99% F	24.99%	\$0	none
\$2	0.06847%	24.99% F	24.99%	\$0	\$0

*current billing period: 22 days*

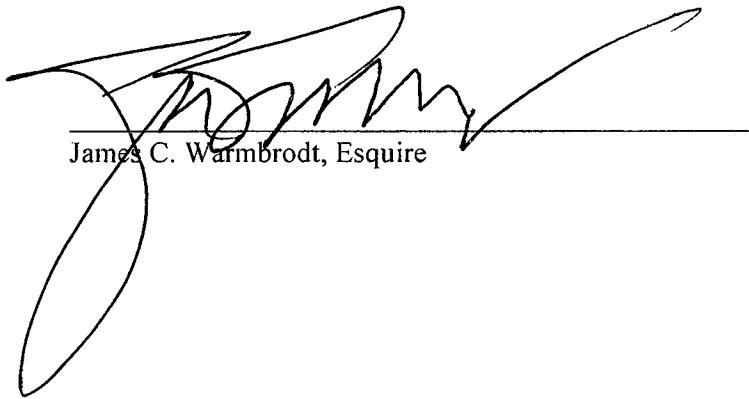
Current Billing period: 22 days

<u>Nominal, ANNUAL PERCENTAGE RATES</u>	<u>ANNUAL PERCENTAGE RATES</u>	<u>Periodic FINANCE CHARGES</u>	<u>Transaction Fee FINANCE CHARGES</u>
24.99% F 24.000% F	24.99% 24.00%	\$0 \$0	none \$0

The rates that apply to your Account are either fixed (F) or they may vary (V) as noted above.

**VERIFICATION**

The undersigned does hereby verify subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities, that he is an attorney for the Plaintiff herein and makes this Verification based upon the facts as supplied to his by the Plaintiff because the Plaintiff is outside the jurisdiction of the court and the Plaintiff's Verification cannot be obtained within the time allowed for the filing of this pleading; and that the facts and circumstances set forth in this pleading, are true and correct to the best of his knowledge, information and belief.



James C. Warmbrodt, Esquire

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 100849  
NO: 05-1484-CD  
SERVICE # 1 OF 1  
COMPLAINT

PLAINTIFF: DISCOVER BANK  
vs.  
DEFENDANT: GREGORY A. BAINEY aka GREGORY BAINEY

SHERIFF RETURN

NOW, October 12, 2005 AT 2:25 PM SERVED THE WITHIN COMPLAINT ON GREGORY A. BAINEY aka GREGORY BAINEY DEFENDANT AT 617 POLLES RD., CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO GREGORY A. BAINEY AKA, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: HUNTER / NEVLING

FILED  
01/31/2006  
FEB 03 2006

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

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	WELTMAN	2327696	10.00
SHERIFF HAWKINS	WELTMAN	2327696	20.00

Sworn to Before Me This

So Answers,

Day of 2006

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

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

DISCOVER BANK

Plaintiff No. 2005-1484-CD

vs. PRAECIPE FOR DEFAULT JUDGMENT

GREGORY A. BAINEY AKA  
GREGORY BAINEY

Defendant

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#04469133  
Judgment Amount \$ 5,238.71

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

**FILED** Atty pd.20.00  
M 12:38 PM 1cc  
MAR 06 2006 Notice to Def.  
Statement to Atty  
William A. Shaw  
Prothonotary/Clerk of Courts  
(GW)

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

DISCOVER BANK

Plaintiff

vs.

Civil Action No. 2005-1484-CD

GREGORY A. BAINY AKA  
GREGORY BAINY

Defendant

**PRAECIPE FOR DEFAULT JUDGMENT**

TO THE PROTHONOTARY:

Kindly enter Judgment against the Defendant, GREGORY A. BAINY AKA  
GREGORY BAINY above named, in the default of an Answer, in the amount of \$5,238.71 computed as  
follows:

Amount claimed in Complaint	\$4,738.71
Interest from date of judgment at the legal interest rate of 6% per annum	
Attorney's fees	\$500.00
<b>TOTAL</b>	<b>\$5,238.71</b>

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, 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#04469133

Plaintiff's address is:

c/o Weltman, Weinberg & Reis Co., L.P.A., 2718 Koppers Building, 436 7<sup>th</sup> Avenue, Pittsburgh, PA 15219  
And that the last known address of the Defendant is: 617 Polles Road, Clearfield, PA 16830

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

DISCOVER BANK

Plaintiff

Case # 2005-1484-CD

GREGORY A BAINY AKA GREGORY BAINY

Defendant(s)

IMPORTANT NOTICE

TO: GREGORY A BAINY  
617 POLLES RD  
CLEARFIELD, PA 16830

Date of Notice: 2/14/06  
WWR#: 04469133

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 FOLLOWING 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.

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

BY:   
JAMES WARMBRODT, ESQUIRE  
PA I.D. #42524  
WELTMAN, WEINBERG & REIS CO., L.P.A.  
2718 KOPPERES BLDG, 436 7TH AVE.  
PITTSBURGH, PA 15219

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

DISCOVER BANK

Case no: 2005-1484-CD

Plaintiff  
vs.

GREGORY A. BAINEY AKA  
GREGORY BAINEY

**NON-MILITARY AFFIDAVIT**

Defendant

The undersigned, who first being duly sworn, according to law, deposes and states as follows:

That he/she is the duly authorized agent of the Plaintiff in the within matter.

Affiant further states that the within Affidavit is made pursuant to and in accordance with the Servicemembers' Civil Relief Act (SCRA), 50 U.S.C. App. § 521.

Affiant further states that based upon investigation it is the affiant's belief that the Defendant, GREGORY A. BAINEY AKA  
GREGORY BAINEY is not in the military service.

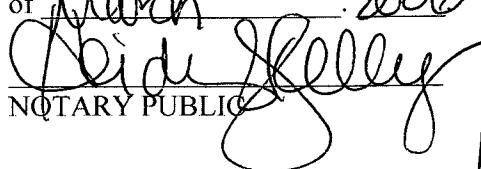
Affiant further states that this belief is supported by the attached certificate from the Defense Manpower Data Center (DMDC), which states that the Defendant, GREGORY A. BAINEY AKA  
GREGORY BAINEY is not in the military service.

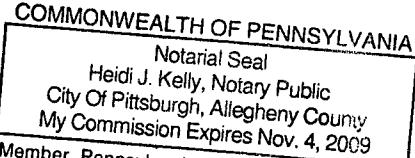
Further Affiant sayeth naught.

  
AFFIANT

SWORN TO AND SUBSCRIBED in my presence this 2 day

of March 2006

  
NOTARY PUBLIC



This law firm is a debt collector attempting to collect this debt for our client and any information obtained will be used for that purpose.

Department of Defense Manpower Data Center

MAR-01-2006 12:15:48



Military Status Report  
Pursuant to the Service Members' Civil Relief Act

Last Name	First/Middle	Begin Date	Active Duty Status	Service/Agency
BAINEY	Gregory		Based on the information you have furnished, the DMDC does not possess any information indicating that the individual is currently on active duty.	

Upon searching the information data banks of the Department of Defense Manpower Data Center, the above is the current status of the individual, per the Information provided, as to all branches of the Military.

---

Robert J. Brandewie, Director  
Department of Defense - Manpower Data Center  
1600 Wilson Blvd., Suite 400  
Arlington, VA 22209-2593

The Defense Manpower Data Center (DMDC) is an organization of the Department of Defense that maintains the Defense Enrollment and Eligibility Reporting System (DEERS) database which is the official source of data on eligibility for military medical care and other eligibility systems.

The Department of Defense strongly supports the enforcement of the Service Members Civil Relief Act [50 USCS Appx. §§ 501 et seq] (SCRA) (formerly the Soldiers' and Sailors' Civil Relief Act of 1940). DMDC has issued hundreds of thousands of "does not possess any information indicating that the individual is currently on active duty" responses, and has experienced a small error rate. In the event the individual referenced above, or any family member, friend, or representative asserts in any manner that the individual is on active duty, or is otherwise entitled to the protections of the SCRA, you are most strongly encouraged to contact us by phone at (703-696-6762). We will then conduct further research. Your failure to re-contact DMDC may cause provisions of the SCRA to be invoked against you.

This response reflects current active duty status only. For historical information, please contact the military services SCRA point of contact.

See: <http://www.defenselink.mil/faq/pis/PC09SLDR.html>.

**WARNING:** This certificate was provided based on a name and Social Security number (SSN) provided by the requester. Providing an erroneous name or SSN will cause an erroneous certificate to be provided.

Report ID: **BTEQJTOZCJJ**

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

CCPY

DISCOVER BANK

Plaintiff

vs.

Civil Action No. 2005-1484-CD

GREGORY A. BAINEY AKA  
GREGORY BAINEY

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 3/16/05

Assumpsit Judgment in the amount  
of \$5,238.71 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.

Entry of Judgment of  
 Court Order  
 Non-Pros  
 Confession  
 Default  
 Verdict  
 Arbitration  
Award

Prothonotary

By: Weltman, Weinberg & Reis Co., L.P.A.  
PROTHONOTARY (OR DEPUTY)

Gregory A. Bainey  
617 Polles Road  
Clearfield, PA 16830

Plaintiff's address is:

c/o Weltman, Weinberg & Reis Co., L.P.A., 2718 Koppers Building, 436 7<sup>th</sup> Avenue, Pittsburgh, PA 15219  
1-888-434-0085

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

Discover Bank  
Plaintiff(s)

No.: 2005-01484-CD

Real Debt: \$5,238.71

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Gregory A. Bainey  
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: March 6, 2006

Expires: March 6, 2011

Certified from the record this 6th day of March, 2006.



\_\_\_\_\_  
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

DISCOVER BANK

Plaintiff No. 2005-1484-CD

vs.

**PRAECLPICE FOR WRIT OF EXECUTION  
(BANK ATTACHMENT ONLY)**

GREGORY A BAINY  
AKA GREGORY BAINY

Defendant

CLEARFIELD BANK & TRUST CO.,  
and NORTHWEST SAVINGS BANK,

Garnishees,

FILED ON BEHALF OF  
Plaintiff

COUNSEL OF RECORD OF  
THIS PARTY:

James C. Warinbrodt, Esquire  
PA I.D. #42524  
WELTMAN, WEINBERG & REIS CO., L.P.A.  
2718 Koppers Building  
436 Seventh Avenue  
Pittsburgh, PA 15219  
(412) 434-7955

WWR#04469133

FILED Atty pd. 20.00  
AUG 13 2006 3CC-12 Writs  
AUG 21 2006 to Shff  
William A. Shaw (64)  
Prothonotary/Clerk of Courts

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

DISCOVER BANK

Plaintiff

vs.

Civil Action No. 2005-1484-CD

GREGORY A BAINY  
AKA GREGORY BAINY

Defendant

CLEARFIELD BANK & TRUST CO.,  
and NORTHWEST SAVINGS BANK,

Garnishee

**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 Gregory A. Bainy, Defendant
3. against Clearfield Bank & Trust Co., and Northwest Savings Bank, Garnishees
4. Judgment Amount

\$ 5,238.71

Interest \$ 136.06

Costs \$

**SUBTOTAL:** \$ 5,374.77

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

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

By:

James C. Warmbrodt, Esquire

PA I.D. #42524

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

2718 Koppers Building

436 Seventh Avenue

Pittsburgh, PA 15219

(412) 434-7955

WWR#04469133

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

DISCOVER BANK

Plaintiff

vs.

No. 2005-1484-CD

GREGORY A BAINY

AKA GREGORY BAINY

Defendant

CLEARFIELD BANK & TRUST CO.,  
And NORTHWEST SAVINGS BANK

Garnishees

**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.

**WRIT OF EXECUTION and/or ATTACHMENT  
COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD  
CIVIL ACTION – LAW**

Discover Bank

Vs.

NO.: 2005-01484-CD

Gregory A. Bainey a/k/a Gregory Bainey

Clearfield Bank & Trust Co. and Northwest Savings Bank  
Garnishees

**TO THE SHERIFF OF CLEARFIELD COUNTY:**

To satisfy the debt, interest and costs due DISCOVER BANK, Plaintiff(s) from GREGORY A. BAINEY a/k/a Gregory Bainey, Defendant(s):

- (1) You are directed to levy upon the property of the defendant(s) and to sell interest(s) therein:  
Personal Property
  - (2) You are also directed to attach the property of the defendant(s) not levied upon in the possession of: Clearfield Bank & Trust Co. and Northwest Savings Bank, Garnishee(s) as follows:  
and to notify the garnishee(s) that: (a) an attachment has been issued; (b) the garnishee(s) is/are enjoined from paying any debt to or for the account of the defendant(s) and from delivering any property of the defendant(s) or otherwise disposing thereof;
  - (3) If property of the defendant(s) not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify him/her that he/she has been added as a garnishee and is enjoined as above stated.
  - (4) **If Social Security or Supplemental Income funds are directly deposited into an account of the defendant, the levy and attachment shall not include any funds that may be traced to Social Security direct deposits. In addition, the levy and attachment shall not include \$300.00 in the account of the defendant.**

AMOUNT DUE/PRINCIPAL: \$5,238.71  
INTEREST: \$136.06  
ATTY'S COMM: \$  
DATE: 08/21/2006

PROTHONOTARY'S COSTS PAID: \$125.00  
SHERIFF: \$  
OTHER COSTS: \$

Willie L. Hause

William A. Shaw  
Prothonotary/Clerk Civil Division

Received this writ this \_\_\_\_\_ day  
of \_\_\_\_\_ A.D. \_\_\_\_\_  
At \_\_\_\_\_ A.M./P.M.

Requesting Party: James C. Warmbrodt, Esq.  
2718 Koppers Bldg., 436 7th Ave.  
Pittsburgh, PA 15219  
(412) 434-7955

Sheriff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101841  
NO: 05-1484-CD  
SERVICE # 1 OF 2  
WRIT OF EXECUTION; INTERROGATORIES TO

GARNISHEE

PLAINTIFF: DISCOVER BANK

vs.

DEFENDANT: GREGORY A. BAINEY aka GREGORY BAINEY  
TO: CLEARFIELD BANK & TRUST & NORTHWEST SAVINGS  
BANK, GARNISHEES

**SHERIFF RETURN**

---

NOW, August 28, 2006 AT 10:20 AM SERVED THE WITHIN WRIT OF EXECUTION; INTERROGATORIES TO GARNISHEE ON CLEARFIELD BANK & TRUST CO. DEFENDANT AT 1935 DAISY ST. EXT., CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO SHEILA SMOLKO, MANAGER A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION; INTERROGATORIES TO GARNISHEE AND MADE KNOWN THE CONTENTS THEREOF.

FILED  
012:35 PM  
AUG 29 2006  
WAS  
  
William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101841  
NO: 05-1484-CD  
SERVICE # 2 OF 2  
WRIT OF EXECUTION; INTERROGATORIES TO

GARNISHEE

PLAINTIFF: DISCOVER BANK

vs.

DEFENDANT: GREGORY A. BAINEY aka GREGORY BAINEY  
TO: CLEARFIELD BANK & TRUST & NORTHWEST SAVINGS  
BANK, GARNISHEES

**SHERIFF RETURN**

---

NOW, August 28, 2006 AT 10:26 AM SERVED THE WITHIN WRIT OF EXECUTION; INTERROGATORIES TO GARNISHEE ON NORTHWEST SAVINGS BANK DEFENDANT AT 1200 OLD TOWN RD., CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO GIGI GEARHART, BRANCH MANAGER A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION; INTERROGATORIES TO GARNISHEE AND MADE KNOWN THE CONTENTS THEREOF.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101841  
NO: 05-1484-CD  
SERVICES 2  
WRIT OF EXECUTION; INTERROGATORIES TO

GARNISHEE

PLAINTIFF: DISCOVER BANK

vs.

DEFENDANT: GREGORY A. BAINY aka GREGORY BAINY  
TO: CLEARFIELD BANK & TRUST & NORTHWEST SAVINGS  
BANK, GARNISHEES

**SHERIFF RETURN**

---

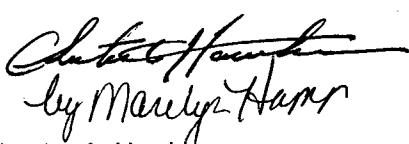
RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	WELTMAN	8336304	20.00
SHERIFF HAWKINS	WELTMAN	8336304	29.39

Sworn to Before Me This

\_\_\_\_ Day of \_\_\_\_\_ 2006

So Answers,



\_\_\_\_\_  
by Marilyn Hause

Chester A. Hawkins  
Sheriff

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

DISCOVER BANK

Plaintiff No. 2005-1484-CD

vs.

**PRAECIPE FOR WRIT OF EXECUTION  
(BANK ATTACHMENT ONLY)**

GREGORY A BAINY  
AKA GREGORY BAJNEY

Defendant

CLEARFIELD BANK & TRUST CO.,  
and NORTHWEST SAVINGS BANK,

Garnishees,

FILED ON BEHALF OF  
Plaintiff

COUNSEL OF RECORD OF  
THIS PARTY:

James C. Warinbrodt, Esquire  
PA I.D. #42524  
WELTMAN, WEINBERG & REIS CO., L.P.A.  
2718 Koppers Building  
436 Seventh Avenue  
Pittsburgh, PA 15219  
(412) 434-7955

WWR#04469133

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

AUG 21 2006

Attest.

*William L. Bane*  
Prothonotary/  
Clerk of Courts

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

DISCOVER BANK

Plaintiff

vs.

Civil Action No. 2005-1484-CD

GREGORY A BAINY  
AKA GREGORY BAINY

Defendant

CLEARFIELD BANK & TRUST CO.,  
and NORTHWEST SAVINGS BANK,

Garnishee

**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 Gregory A. Bainy, Defendant
3. against Clearfield Bank & Trust Co., and Northwest Savings Bank, Garnishees

4. Judgment Amount	\$ 5,238.71
--------------------	-------------

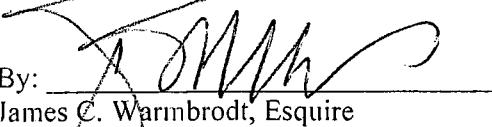
Interest	\$ 136.06
----------	-----------

Costs	\$
-------	----

<b>SUBTOTAL:</b>	\$ 5,374.77
------------------	-------------

Costs (to be added by Prothonotary):	\$ <u>125.00</u> Prothonotary costs
--------------------------------------	-------------------------------------

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

By: 

James C. Warinbrodt, Esquire

PA I.D. #42524

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

2718 Koppers Building

436 Seventh Avenue

Pittsburgh, PA 15219

(412) 434-7955

WWR#04469133

**WRIT OF EXECUTION and/or ATTACHMENT**  
**COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD**  
**CIVIL ACTION – LAW**

Discover Bank

Vs.

NO.: 2005-01484-CD

Gregory A. Bainey a/k/a Gregory Bainey

Clearfield Bank & Trust Co. and Northwest Savings Bank  
Garnishees

**TO THE SHERIFF OF CLEARFIELD COUNTY:**

To satisfy the debt, interest and costs due DISCOVER BANK, Plaintiff(s) from GREGORY A. BAINEY a/k/a Gregory Bainey, Defendant(s):

- (1) You are directed to levy upon the property of the defendant(s) and to sell interest(s) therein:  
Personal Property
- (2) You are also directed to attach the property of the defendant(s) not levied upon in the possession of: Clearfield Bank & Trust Co. and Northwest Savings Bank, Garnishee(s) as follows:  
and to notify the garnishee(s) that: (a) an attachment has been issued; (b) the garnishee(s) is/are enjoined from paying any debt to or for the account of the defendant(s) and from delivering any property of the defendant(s) or otherwise disposing thereof;
- (3) If property of the defendant(s) not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify him/her that he/she has been added as a garnishee and is enjoined as above stated.
- (4) **If Social Security or Supplemental Income funds are directly deposited into an account of the defendant, the levy and attachment shall not include any funds that may be traced to Social Security direct deposits. In addition, the levy and attachment shall not include \$300.00 in the account of the defendant.**

AMOUNT DUE/PRINCIPAL: \$5,238.71

INTEREST: \$136.06

ATTY'S COMM: \$

DATE: 08/21/2006

PROTHONOTARY'S COSTS PAID: \$125.00

SHERIFF: \$

OTHER COSTS: \$



\_\_\_\_\_  
William A. Shaw  
Prothonotary/Clerk Civil Division

Received this writ this 21 day  
of Aug A.D. 2006  
At 3:00 A.M./P.M.

Requesting Party: James C. Warmbrodt, Esq.  
2718 Koppers Bldg., 436 7th Ave.  
Pittsburgh, PA 15219  
(412) 434-7955

Chester A. Hawkins  
Sheriff by Marilyn Henn

**WRIT OF EXECUTION and/or ATTACHMENT  
COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD  
CIVIL ACTION – LAW**

Discover Bank

Vs.

NO.: 2005-01484-CD

Gregory A. Bainey a/k/a Gregory Bainey

Clearfield Bank & Trust Co. and Northwest Savings Bank  
Garnishees

**TO THE SHERIFF OF CLEARFIELD COUNTY:**

To satisfy the debt, interest and costs due DISCOVER BANK, Plaintiff(s) from GREGORY A. BAINEY a/k/a Gregory Bainey, Defendant(s):

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Personal Property
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INTEREST: \$136.06

ATTY'S COMM: \$

DATE: 08/21/2006

PROTHONOTARY'S COSTS PAID: \$125.00

SHERIFF: \$

OTHER COSTS: \$



William A. Shaw  
Prothonotary/Clerk Civil Division

Received this writ this 21 day  
of Aug A.D. 2006  
At 3:00 A.M. (P.M.)

Chester A. Hawley  
Sheriff  
by Marilyn Harris

Requesting Party: James C. Warmbrodt, Esq.  
2718 Koppers Bldg., 436 7th Ave.  
Pittsburgh, PA 15219  
(412) 434-7955

**WRIT OF EXECUTION and/or ATTACHMENT**  
**COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD**  
**CIVIL ACTION – LAW**

Discover Bank

Vs.

NO.: 2005-01484-CD

Gregory A. Bainey a/k/a Gregory Bainey

Clearfield Bank & Trust Co. and Northwest Savings Bank  
Garnishees

**TO THE SHERIFF OF CLEARFIELD COUNTY:**

To satisfy the debt, interest and costs due DISCOVER BANK, Plaintiff(s) from GREGORY A. BAINEY a/k/a Gregory Bainey, Defendant(s):

- (1) You are directed to levy upon the property of the defendant(s) and to sell interest(s) therein:  
Personal Property
- (2) You are also directed to attach the property of the defendant(s) not levied upon in the possession of: Clearfield Bank & Trust Co. and Northwest Savings Bank, Garnishee(s) as follows:  
and to notify the garnishee(s) that: (a) an attachment has been issued; (b) the garnishee(s) is/are enjoined from paying any debt to or for the account of the defendant(s) and from delivering any property of the defendant(s) or otherwise disposing thereof;
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AMOUNT DUE/PRINCIPAL: \$5,238.71

INTEREST: \$136.06

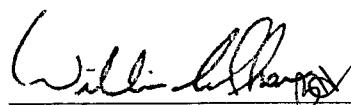
ATTY'S COMM: \$

DATE: 08/21/2006

PROTHONOTARY'S COSTS PAID: \$125.00

SHERIFF: \$

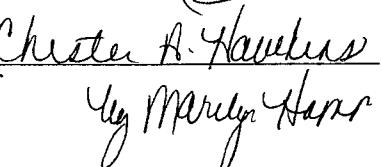
OTHER COSTS: \$



William A. Shaw  
Prothonotary/Clerk Civil Division

Received this writ this 21 day  
of Aug A.D. 2006  
At 3:00 A.M. P.M.

Sheriff


Requesting Party: James C. Warmbrodt, Esq.  
2718 Koppers Bldg., 436 7th Ave.  
Pittsburgh, PA 15219  
(412) 434-7955

**WRIT OF EXECUTION and/or ATTACHMENT  
COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD  
CIVIL ACTION – LAW**

Discover Bank

Vs.

NO.: 2005-01484-CD

Gregory A. Bainey a/k/a Gregory Bainey

Clearfield Bank & Trust Co. and Northwest Savings Bank  
Garnishees

**TO THE SHERIFF OF CLEARFIELD COUNTY:**

To satisfy the debt, interest and costs due DISCOVER BANK, Plaintiff(s) from GREGORY A. BAINEY a/k/a Gregory Bainey, Defendant(s):

- (1) You are directed to levy upon the property of the defendant(s) and to sell interest(s) therein:  
Personal Property
- (2) You are also directed to attach the property of the defendant(s) not levied upon in the possession of: Clearfield Bank & Trust Co. and Northwest Savings Bank, Garnishee(s) as follows:  
and to notify the garnishee(s) that: (a) an attachment has been issued; (b) the garnishee(s) is/are enjoined from paying any debt to or for the account of the defendant(s) and from delivering any property of the defendant(s) or otherwise disposing thereof;
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AMOUNT DUE/PRINCIPAL: \$5,238.71

INTEREST: \$136.06

ATTY'S COMM: \$

DATE: 08/21/2006

PROTHONOTARY'S COSTS PAID: \$125.00

SHERIFF: \$

OTHER COSTS: \$



William A. Shaw  
Prothonotary/Clerk Civil Division

Received this writ this 21 day  
of Aug A.D. 2006  
At 3:00 A.M./P.M.

Requesting Party: James C. Warmbrodt, Esq.  
2718 Koppers Bldg., 436 7th Ave.  
Pittsburgh, PA 15219  
(412) 434-7955

Chesler A. Shuler  
Sheriff by Marilyn Hahn

**WRIT OF EXECUTION and/or ATTACHMENT  
COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD  
CIVIL ACTION – LAW**

Discover Bank

Vs.

NO.: 2005-01484-CD

Gregory A. Bainey a/k/a Gregory Bainey

Clearfield Bank & Trust Co. and Northwest Savings Bank  
Garnishees

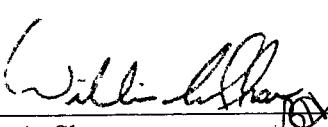
**TO THE SHERIFF OF CLEARFIELD COUNTY:**

To satisfy the debt, interest and costs due DISCOVER BANK, Plaintiff(s) from GREGORY A. BAINEY a/k/a Gregory Bainey, Defendant(s):

- (1) You are directed to levy upon the property of the defendant(s) and to sell interest(s) therein:  
Personal Property
- (2) You are also directed to attach the property of the defendant(s) not levied upon in the possession of: Clearfield Bank & Trust Co. and Northwest Savings Bank, Garnishee(s) as follows:  
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- (4) **If Social Security or Supplemental Income funds are directly deposited into an account of the defendant, the levy and attachment shall not include any funds that may be traced to Social Security direct deposits. In addition, the levy and attachment shall not include \$300.00 in the account of the defendant.**

AMOUNT DUE/PRINCIPAL: **\$5,238.71**  
INTEREST: **\$136.06**  
ATTY'S COMM: \$  
DATE: 08/21/2006

PROTHONOTARY'S COSTS PAID: **\$125.00**  
SHERIFF: \$  
OTHER COSTS: \$

  
\_\_\_\_\_  
William A. Shaw  
Prothonotary/Clerk Civil Division

Received this writ this 21 day  
of Aug A.D. 2006  
At 3:00 A.M. P.M.

Chesler A. Hawley  
Sheriff By Maryn Ham

Requesting Party: James C. Warmbrodt, Esq.  
2718 Koppers Bldg., 436 7th Ave.  
Pittsburgh, PA 15219  
(412) 434-7955

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

DISCOVER BANK

Plaintiff No. 2005-1484-CD

vs.

**INTERROGATORIES IN ATTACHMENT  
NORTHWEST SAVINGS BANK**

GREGORY A BAINEY  
AKA GREGORY BAINEY

Defendant

and

CLEARFIELD BANK & TRUST CO.,  
and NORTHWEST SAVINGS BANK

Garnishee FILED ON BEHALF OF:  
Plaintiff

COUNSEL OF RECORD OF  
THIS PARTY:

James C. Warmbrodt, Esquire  
PA I.D. #42524  
WELTMAN, WEINBERG & REIS CO., L.P.A.  
2718 Koppers Building  
436 Seventh Avenue  
Pittsburgh, PA 15219  
(412) 434-7955  
WWR#04469133

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

DISCOVER BANK

Plaintiff

vs.

Civil Action No.: 2005-1484-CD

GREGORY A BAINEY  
AKA GREGORY BAINEY  
Defendant

and

CLEARFIELD BANK & TRUST CO.,  
and NORTHWEST SAVINGS BANK  
Garnishee

TO: NORTHWEST SAVINGS BANK Suggested Reference No.: XXX-XX-4790  
1200 OLD TOWN RD, RE: GREGORY A BAINEY - AKA  
CLEARFIELD, PA 16830 5992 MORRISDALE ALLPORT  
MORRISDALE,PA 16858

## IMPORTANT NOTICES TO GARNISHEE!

A. You are required to file answers to the following interrogatories within twenty (20) days after service upon you. Failure to do so may result in Judgment against you.

B. Herein, the word "defendant" means any one or more of the defendants against whom the writ of Execution is issued.

C. While service of Writ upon the Garnishee attaches all property of the Defendant subject to attachment which is then in the hands of the garnishee, it also attaches all property of the defendant which comes into the Garnishee's possession thereafter, until Judgment is entered against the Garnishee. For example, the resultant liability of a Garnishee-Bank would not be measured by the balance in the debtor's account, either at the time of service of the Writ or at the time of Judgment against the Garnishee, but rather by the amounts deposited and withdrawn during the intervening period.

## INTERROGATORIES IN ATTACHMENT

1. At the time you were served or at any subsequent time did you owe the defendant any money or were you liable to him on any negotiable or other written instrument, or did he claim that you owed him any money or were liable to him for any reason?

2. If the answer to Interrogatory 1 is in the affirmative, state the following: the amount of money you owe or owed to defendant, and, if such money is in the form of a fund, the present location thereof; the terms, face amount and amount you owe or owed to defendant on each of such negotiable or other written instruments and the present location of each of such instruments; the amount or amounts that defendant claims or claimed that you owe or owed to him; and the nature and amount of each of such liabilities.

3. At the time you were served or at any subsequent time was there in your possession, custody or control of yourself and one or more other persons any property of any nature owned solely or in part by the defendant.

4. If the answer to Interrogatory 3 is in the affirmative, describe the nature, fair market value, and present location of each of such properties.

5. At the time you were served or at any subsequent time did you hold legal title to any property of any nature owned solely or part by the defendant or in which defendant held or claimed any interest?

6. If the answer to Interrogatory 5 is in the affirmative, describe the nature, fair market value, and present location of each of said properties.

7. At the time you were served or at any subsequent time did you hold as fiduciary any property in which the defendant had an interest?

8. If the answer to Interrogatory 7 is in the affirmative, describe the nature, fair market value, and present location of each of such properties.

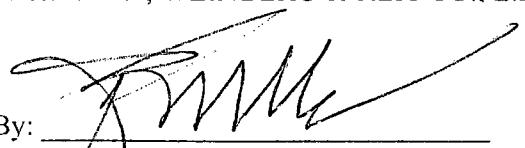
9. At any time before or after you were served, did the defendant transfer or deliver any property to you or to any person or place pursuant to your directions or consent and if so what was the consideration thereof?

10. If the answer to Interrogatory 9 is in the affirmative, describe the nature, fair market value, and present location of each of such properties.

11. At any time after you were served did you pay, transfer, or deliver any money or property to the defendant or to any person or place pursuant to his direction or otherwise discharge any claim of the defendant against you?

12. If the answer to Interrogatory 11 is in the affirmative, describe the amount or nature, fair market value and present location of each of such payments and properties.

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

By:   
James C. Warmbrodt, Esquire  
PA I.D. #42524  
WELTMAN, WEINBERG & REIS CO., L.P.A.  
2718 Koppers Building  
436 Seventh Avenue  
Pittsburgh, PA 15219  
(412) 434-7955  
WWR#04469133

RE: Dicover Bank  
Vs.  
Gregory A Bainey  
Court of Common Pleas  
Clearfield County  
Case No: 2005-1484-CD

### **VERIFICATION**

The undersigned does hereby verify under penalty of perjury, that he/she is the legal representative of Northwest Savings Bank, Garnishee herein, that he/she is duly authorized to make this Verification and that the facts set forth in the foregoing INTERROGATORIES are true and correct to the best of his/her knowledge, information and belief.

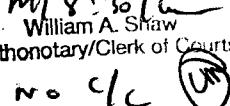
*Caroline Sorensen*

Please forward all future related documents from the above referenced case number to:

Northwest Savings Bank  
Attn: Caroline Sorensen  
100 Liberty St  
PO Box 128  
Warren PA 16365  
PH: 814-728-7353

Thank you.

**FILED**

SEP 05 2006  
M 8:30 AM  
William A. Shaw  
Prothonotary/Clerk of Courts  
no c/c 

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNSYLVANIA

Discover Bank

Plaintiff

v.

Gregory A Bainey

Defendant(s)

v.

NORTHWEST SAVINGS BANK,  
Garnishee

Case No. 2005-1484-CD

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the within Answers to Interrogatories in Attachment was mailed by first class mail, postage prepaid, or hand delivered this 7th day of August, 2006, to unrepresented parties in the above captioned matter as follows:

Gregory A Bainey  
5992 Morrisdale Allport Hwy  
Morrisdale PA 16858

Weltman, Weinberg & Reis Co LPA  
2718 Koppers Building  
436 Seventh Ave  
Pittsburgh PA 15219

By Caroline Sorensen  
Caroline Sorensen  
Northwest Savings Bank  
100 Liberty St  
PO Box 128  
Warren PA 16365  
(814) 728-7353

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

DISCOVER BANK

Plaintiff No. 2005-1484-CD

vs.

**INTERROGATORIES IN ATTACHMENT  
NORTHWEST SAVINGS BANK**

GREGORY A BAINY  
AKA GREGORY BAINY

Defendant

and

CLEARFIELD BANK & TRUST CO.,  
and NORTHWEST SAVINGS BANK

Garnishee FILED ON BEHALF OF:  
Plaintiff

COUNSEL OF RECORD OF  
THIS PARTY:

James C. Warmbrodt, Esquire  
PA I.D. #42524  
WELTMAN, WEINBERG & REIS CO., L.P.A.  
2718 Koppers Building  
436 Seventh Avenue  
Pittsburgh, PA 15219  
(412) 434-7955  
WWR#04469133

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

DISCOVER BANK

Plaintiff

vs.

Civil Action No.: 2005-1484-CD

GREGORY A BAINEY  
AKA GREGORY BAINEY  
Defendant

and

CLEARFIELD BANK & TRUST CO.,  
and NORTHWEST SAVINGS BANK  
Garnishee

TO: NORTHWEST SAVINGS BANK Suggested Reference No.: XXX-XX-4790  
1200 OLD TOWN RD, RE: GREGORY A BAINEY - AKA  
CLEARFIELD, PA 16830 5992 MORRISDALE ALLPORT  
MORRISDALE,PA 16858

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C. While service of Writ upon the Garnishee attaches all property of the Defendant subject to attachment which is then in the hands of the garnishee, it also attaches all property of the defendant which comes into the Garnishee's possession thereafter, until Judgment is entered against the Garnishee. For example, the resultant liability of a Garnishee-Bank would not be measured by the balance in the debtor's account, either at the time of service of the Writ or at the time of Judgment against the Garnishee, but rather by the amounts deposited and withdrawn during the intervening period.

## INTERROGATORIES IN ATTACHMENT

1. At the time you were served or at any subsequent time did you owe the defendant any money or were you liable to him on any negotiable or other written instrument, or did he claim that you owed him any money or were liable to him for any reason?

yes

2. If the answer to Interrogatory 1 is in the affirmative, state the following: the amount of money you owe or owed to defendant, and, if such money is in the form of a fund, the present location thereof; the terms, face amount and amount you owe or owed to defendant on each of such negotiable or other written instruments and the present location of each of such instruments; the amount or amounts that defendant claims or claimed that you owe or owed to him; and the nature and amount of each of such liabilities.

MR Bainey has a Saving acct. # 551001065 with the amount of \$7.24. He jointly owns it with Tina Marie Barney (His mother).  
MR Bainey has a Checking acct. # 554011098 with the amount of \$4.51. He jointly owns it with Alyssa A Vandyke (His girlfriend).  
Please note that Northwest Saving Bank charges a disclosed processing fee of \$5.00. Leaving The total amount of \$00.00 available for garnishment.

3. At the time you were served or at any subsequent time was there in your possession, custody or control of yourself and one or more other persons any property of any nature owned solely or in part by the defendant.

no

4. If the answer to Interrogatory 3 is in the affirmative, describe the nature, fair market value, and present location of each of such properties.

not applicable

5. At the time you were served or at any subsequent time did you hold legal title to any property of any nature owned solely or part by the defendant or in which defendant held or claimed any interest?

no

6. If the answer to Interrogatory 5 is in the affirmative, describe the nature, fair market value, and present location of each of said properties.

not applicable

7. At the time you were served or at any subsequent time did you hold as fiduciary any property in which the defendant had an interest?

no

8. If the answer to Interrogatory 7 is in the affirmative, describe the nature, fair market value, and present location of each of such properties.

not applicable

9. At any time before or after you were served, did the defendant transfer or deliver any property to you or to any person or place pursuant to your directions or consent and if so what was the consideration thereof?

no

10. If the answer to Interrogatory 9 is in the affirmative, describe the nature, fair market value, and present location of each of such properties.

not applicable

11. At any time after you were served did you pay, transfer, or deliver any money or property to the defendant or to any person or place pursuant to his direction or otherwise discharge any claim of the defendant against you?

no

12. If the answer to Interrogatory 11 is in the affirmative, describe the amount or nature, fair market value and present location of each of such payments and properties.

not applicable

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



By:

James C. Warmbrodt, Esquire  
PA I.D. #42524  
WELTMAN, WEINBERG & REIS CO., L.P.A.  
2718 Koppers Building  
436 Seventh Avenue  
Pittsburgh, PA 15219  
(412) 434-7955  
WWR#04469133

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

DISCOVER BANK

Plaintiff

No. 2005-1484-CD

vs.

**PRAECIPE TO SETTLE, DISCONTINUE  
& END AS TO THE GARNISHEE  
NORTHWEST SAVINGS BANK ONLY**

GREGORY A BAINEY  
AKA GREGORY BAINEY

Defendant

NORTHWEST SAVINGS BANK

Garnishee

FILED ON BEHALF OF  
Plaintiff

COUNSEL OF RECORD OF  
THIS PARTY:

James C. Warmbrodt  
PA I.D #42524  
WELTMAN, WEINBERG & REIS CO., L.P.A.  
2718 Koppers Building  
436 Seventh Avenue  
Pittsburgh, PA 15219  
(412) 434-7955

FILED  
SEP 14 2006  
m/11/06  
William A. Shaw  
Prothonotary/Clerk of Courts  
1 Court to Attm

WWR No. 04469133

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

DISCOVER BANK

Plaintiff

vs.

Civil Action No. 2005-1484-CD

GREGORY A BAINY  
AKA GREGORY BAINY

Defendant

NORTHWEST SAVINGS BANK

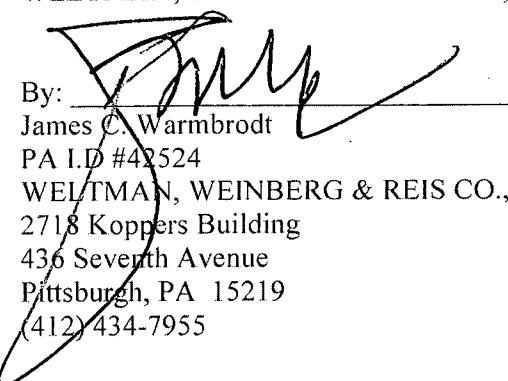
Garnishee

**PRAECIPE TO SETTLE DISCONTINUE AND END  
AS TO THE GARNISHEE , NORTHWEST SAVINGS BANK, ONLY**

TO THE PROTHONOTARY OF COUNTY:

Please kindly Settle Discontinue and End the above captioned matter as to Garnishee, NORTHWEST SAVINGS BANK, only, upon the records of the Court and mark the cost paid.

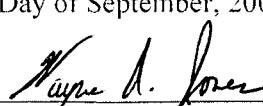
WELTMAN, WEINBERG & REIS CO., L.P.A.

By:   
James C. Warmbrodt  
PA I.D #42524  
WELTMAN, WEINBERG & REIS CO., L.P.A.  
2718 Koppers Building  
436 Seventh Avenue  
Pittsburgh, PA 15219  
(412) 434-7955

Sworn to and subscribed

Before me the 06

Day of September, 2006



\_\_\_\_\_  
NOTARY PUBLIC  
COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Wayne A. Jones, Notary Public  
City Of Pittsburgh, Allegheny County  
My Commission Expires June 29, 2010  
Member, Pennsylvania Association of Notaries

WWR No. 04469133

**COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA**

DISCOVER BANK  
(Plaintiff)

C/O James C. Warmbrodt, Esquire  
(Street Address)  
2718 Koppers Bldg., 436 7<sup>th</sup> Ave.  
Pittsburgh, PA 15219  
(City, State Zip)

**CIVIL ACTION**

No. 2005-1484-CD

Type Case: CIVIL

Type of Pleading: Answers to  
Interrogatories

VS.

Filed on Behalf of:  
Clearfield Bank & Trust Company

(Garnishee)

GREGORY A. BAINEY a/k/a Gregory Bainey  
(Defendant)  
5992 Morrisdale-Allport  
Morrisdale, PA 16858

Lori A. Kurtz  
(Filed by)  
11 N. 2<sup>nd</sup> St., P.O. Box 171  
Clearfield, PA 16830  
(Address)  
814-765-7551 or 814-762-8825  
(Phone)

  
(Signature)

**FILED**  
01/25/2006 2CC  
SEP 18 2006 CBoT

William A. Shaw  
Prothonotary/Clerk of Courts

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

DISCOVER BANK	PLAINTIFF	:	
VS.		:	No.: 2005-1484-CD
GREGORY A. BAINEY		:	
AKA GREGORY BAINEY		:	
	DEFENDANT(s)	:	
AND		:	
CLEARFIELD BANK & TRUST COMPANY and		:	
NORTHWEST SAVINGS BANK		:	
	GARNISHEE	:	

To: The Prothonotary of Clearfield County  
The Clearfield Bank & Trust Company, Garnishee, files answers to plaintiff's interrogatories as follows:

The answer to the Plaintiff's interrogatories to #1 is No.

The answer to the Plaintiff's interrogatories to #2 is N/A

The answer to the Plaintiff's interrogatories to #3 is No.

The answer to the Plaintiff's interrogatories to #4 is N/A.

The answer to the Plaintiff's interrogatories to #5 is No.

The answer to the Plaintiff's interrogatories to #6 is N/A.

The answer to the Plaintiff's interrogatories to #7 is No.

The answer to the Plaintiff's interrogatories to #8 is N/A.

The answer to the Plaintiff's interrogatories to #9 is No.

The answer to Plaintiff's interrogatories to #10 is N/A.

The answer to Plaintiff's interrogatories to #11 is No.

The answer to Plaintiff's interrogatories to #12 is N/A.

Date September 18, 2006



Lori A. Kurtz  
Collection Manager  
Clearfield Bank & Trust Company

FILED

AUG 19 2011

William A. Shaw  
Prothonotary/Clerk of Courts

6 Wm. W. Wm.  
to S.H.C.

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

DISCOVER BANK

Plaintiff

No. 2005-1484-CD

vs.

GREGORY A BAINY

Defendant(s)

NORTHWEST SAVINGS BANK

Garnishee(s)

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.  
1400 Koppers Building  
436 Seventh Avenue  
Pittsburgh, PA 15219  
(412) 434-7955

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

DISCOVER BANK  
Plaintiff

vs.

Civil Action No. 2005-1484-CD

GREGORY A BAINEY  
Defendant(s)

NORTHWEST SAVINGS BANK  
Garnishee(s)

**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 GREGORY A BAINEY , Defendant
3.	against NORTHWEST SAVINGS BANK, , , Garnishee
4.	Judgment Amount \$ 5238.71
	Less payments/credits received \$ 0
	Interest \$ 1703.36
	Costs \$
	<b>SUBTOTAL:</b> \$ 6942.07
	Costs (to be added by Prothonotary): \$ _____

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

By: William T. Molczan  
William T. Molczan, Esquire  
PA I.D. #47437  
WELTMAN, WEINBERG & REIS CO., L.P.A.  
1400 Koppers Building  
436 Seventh Avenue  
Pittsburgh, PA 15219  
(412) 434-7955

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

DISCOVER BANK

Plaintiff

vs.

Civil Action No. 2005-1484-CD

GREGORY A BAINEY

Defendant(s)

NORTHWEST SAVINGS BANK

Garnishee(s)

**WRIT OF EXECUTION**

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against: GREGORY A BAINEY Defendant(s); You are also directed to attach the property of the defendant not levied upon in the possession of NORTHWEST SAVINGS BANK; ; AS GARNISHEE, 1900 RIVER RD CLEARFIELD, PA 16830; ; and to notify the garnishee that:

- a. An attachment has been issued;
- b. Except as provided in paragraph (c), the garnishee is enjoined from paying any debt to or for the account of the defendant and from delivering any property of the defendant or otherwise disposing thereof;
- c. The attachment shall not include any funds in an account of the defendant with a bank or other financial institution
  - i. In which funds are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law, or (i) the first \$10,000.00 of each of the account of the defendant (s) with a bank or other financial institution containing any funds which are deposited electronically on a recurring basis and are indentified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law
  - ii. Each account of the defendant(s) with a bank or other financial institution in which funds on deposit exceed \$10,000.00 at any time if all funds are deposited electronically on a recurring basis and are indentified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law
  - iii. Any funds in an account of the defendant (s) with a bank or other financial institution in which funds on deposit exceed \$10,000.00 at any time if all funds are deposited electronically on a recurring basis and are indentified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law
- (2) If property of the defendant not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify [him] such other person that he or she has been added as a garnishee and is enjoined as above stated  
Amount due ..... \$ 6942.07

Costs to be added..... \$ 145.

Prothonotary

  
Deputy

DATED: Dec 19, 2011

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

DISCOVER BANK  
Plaintiff

vs.

Civil Action No. 2005-1484-CD

GREGORY A BAINY  
Defendant(s)

NORTHWEST SAVINGS BANK  
Garnishee(s)

**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.**

COURT ADMINISTRATOR  
CLEARFIELD COUNTY COURTHOUSE  
SECOND & MARKET STREETS  
CLEARFIELD, PA 16830  
(814) 765-2641, ext. 50-51

**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  
Courthouse  
1 N Second Street  
Clearfield, PA 16830  
Telephone Number: (814) 765-2641 ext

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  
CIVIL DIVISION

DISCOVER BANK

Plaintiff

vs.

Civil Action No. 2005-1484-CD

GREGORY A BAINEY

Defendant(s)

NORTHWEST SAVINGS BANK

Garnishee(s)

**INTERROGATORIES IN ATTACHMENT**

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.  
1400 Koppers Building  
436 Seventh Avenue  
Pittsburgh, PA 15219  
(412) 434-7955

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

DISCOV/ER BANK  
Plaintiff

vs.

Civil Action No. 2005-1484-CD

GREGORY A BAINEY  
Defendant(s)

NORTHWEST SAVINGS BANK  
Garnishee(s)

TO: NORTHWEST SAVINGS BANK, 1900 RIVER RD, CLEARFIELD, PA 16830

RE: GREGORY A BAINEY , 5992 MORRISDALE ALLPORT, MORRISDALE, PA 16858

Suggested Reference No.: XXX-XX-4790  
XXX-XX-

**IMPORTANT NOTICES TO GARNISHEE!**

A. You are required to file answers to the following interrogatories within twenty (20) days after service upon you. Failure to do so may result in Judgment against you.

B. Herein, the word "defendant" means any one or more of the defendants against whom the writ of Execution is issued.

C. While service of Writ upon the Garnishee attaches all property of the Defendant subject to attachment which is then in the hands of the garnishee, it also attaches all property of the defendant which comes into the Garnishee's possession thereafter, until Judgment is entered against the Garnishee. For example, the resultant liability of a Garnishee-Bank would not be measured by the balance in the debtor's account, either at the time of service of the Writ or at the time of Judgment against the Garnishee, but rather by the amounts deposited and withdrawn during the intervening period.

## INTERROGATORIES IN ATTACHMENT

1. At the time you were served or at any subsequent time did you owe the defendant any money or were you liable to him on any negotiable or other written instrument, or did he claim that you owed him any money or were liable to him for any reason (including funds on deposit for checking or savings accounts and certificates of deposit)?

1a. If the answer to Interrogatory 1 is in the affirmative, state the following: the amount of money you owe or owed to defendant, and, if such money is in the form of a fund, the present location thereof; the terms, face amount and amount you owe or owed to defendant on each of such negotiable or other written instruments and the present location of each of such instruments; the amount or amounts that defendant claims or claimed that you owe or owed to him; and the nature and amount of each of such liabilities.

2. At the time you were served or at any subsequent time was there in your possession, custody or control of yourself and one or more other persons any property of any nature owned solely or in part by the defendant.

3. At the time you were served or at any subsequent time did you hold legal title to any property of any nature owned solely or part by the defendant or in which defendant held or claimed any interest?

4. At the time you were served or at any subsequent time did you hold as fiduciary any property in which the defendant had an interest?

5. At any time before or after you were served, did the defendant transfer or deliver any property to you or to any person or place pursuant to your directions or consent and if so what was the consideration thereof?

6. At any time after you were served did you pay, transfer, or deliver any money or property to the defendant or to any person or place pursuant to his direction or otherwise discharge any claim of the defendant against you?

7. If you are a bank or other financial institution, at the time you were served or at any subsequent time did the defendant have funds on deposit in an account in which funds are deposited electronically on a recurring basis and which are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law? If so, Identify each account and state the reason for the exemption, the amount being withheld under each exemption and the amount of funds in each account, and the entity electronically depositing those funds on a recurring basis.

8. If you are a bank or other financial institution, at the time you were served or at any subsequent time did the defendant have funds on deposit in an account in which the funds on deposit, not including any otherwise exempt funds, did not exceed the amount of the general monetary exemption under 42 Pa.C.S. § 8123? If so, identify each account.

9. If the answer to Interrogatory 1 is in the affirmative, state the date the sheriff served these interrogatories on this institution.

10. If the answer to Interrogatory 1 is in the affirmative, state the date the written instrument, checking or savings account, certificate of deposit, or other funds were frozen, restricted, or otherwise put on hold by this institution.

11. If the response to Interrogatory 7 is in the affirmative, are other funds comingled in the account which are not deposited electronically on a recurring basis and which are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law?

12. If the response to Interrogatory 11 is in the affirmative, state the amount of non-exempt funds on deposit in the account.

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

By: William T. Molczan  
William T. Molczan, Esquire  
PA I.D. #47437  
WELTMAN, WEINBERG & REIS CO., L.P.A.  
1400 Koppers Building  
436 Seventh Avenue  
Pittsburgh, PA 15219  
(412) 434-7955

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 \_\_\_\_\_  
(Name)

\_\_\_\_\_ of \_\_\_\_\_, garnishee herein,  
(Title) (Company)

that he/she is duly authorized to make this verification, and that the facts set forth in the foregoing

Answers to Interrogatories are true and correct to the best of his/her knowledge, information and belief.

\_\_\_\_\_ (SIGNATURE)

To Deputy 8/23/11

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
NO: 05-1484-CD

DISCOVER BANK

vs

GREGORY A. BAINY

TO: NORTHWEST SAVINGS BANK

WRIT OF EXECUTION, INTERROGATORIES TO GARNISHEE

**RUSH**

SERVE BY: 11/17/2011

HEARING:

PAGE: 108786

SERVICE # 1 OF 2

DEFENDANT: NORTHWEST SAVINGS BANK, Garnishee  
ADDRESS: 1900 RIVER RD  
CLEARFIELD, PA 16830

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: GARNISHEE

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT  
Date    Time    Results   

OCCUPIED  
Date    Time    Results   

ATTEMPTS:    /    /   

   /    /   

**FILED**  
01/14/2011  
SEP 01 2011  
William A. Shat  
Prothonotary/Clerk Ct. of Common Pleas

**SHERIFF'S RETURN**

NOW, August 31 2011 AT 10<sup>40</sup> AM PM SERVED THE WITHIN

WRIT OF EXECUTION, INTERROGATORIES TO GARNISHEE ON NORTHWEST SAVINGS BANK, Garnishee,  
DEFENDANT

BY HANDING TO Michael Ryan

Office Manager

A TRUE AND ATTESTED COPY OF THE ORIGINAL DOCUMENT AND MADE KNOW TO HIM / HER THE CONTENTS  
THEREOF.

ADDRESS SERVED 1900 River Road Clearfield PA 16830  
( Residence)  Employment ( Sheriff's Office) ( Other)

NOW \_\_\_\_\_ AT \_\_\_\_\_ AM / PM POSTED THE WITHIN

WRIT OF EXECUTION, INTERROGATORIES TO GARNISHEE FOR NORTHWEST SAVINGS BANK, Garnishee

AT (ADDRESS) \_\_\_\_\_

NOW \_\_\_\_\_ AT \_\_\_\_\_ AM / PM AFTER DILIGENT SEARCH IN MY BAILIWICK,

I MAKE RETURN OF **NOT FOUND** AS TO NORTHWEST SAVINGS BANK, Garnishee

REASON UNABLE TO LOCATE \_\_\_\_\_

So Answers: CHESTER A. HAWKINS, SHERIFF

BY:

Jeffrey L. Rhone  
Deputy Signature  
Jeffrey L. Rhone  
Print Deputy Name

SWORN TO BEFORE ME THIS

DAY OF    2011

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

Dkt Pg. 108786

2 of 2

DISCOVER BANK  
-VS-  
GREGORY A. BAINEY  
TO: NORTHWEST SAVINGS BANK, Garnishee

NO. 05-1484-CD  
WRIT OF EXECUTION/  
INTERROGATORIES TO  
GARNISHEE

## SHERIFF'S RETURN

NOW SEPTEMBER 1, 2011 MAILED THE WITHIN:  
PRAECIPE, WRIT, WRIT NOTICE, CLAIM FOR EXEMPTION & INTERROGATORIE  
TO: GREGORY A. BAINY, DEFENDANT  
AT: 5992 MORRISDALE ALLPORT, MORRISDALE, PA. 16858  
IN S.A.S.E.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 108786  
NO: 05-1484-CD  
SERVICES 2

WRIT OF EXECUTION, INTERROGATORIES TO GARNISHEE

PLAINTIFF: DISCOVER BANK  
vs.  
DEFENDANT: GREGORY A. BAINEY  
TO: NORTHWEST SAVINGS BANK

**SHERIFF RETURN**

---

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	WELTMAN	10071068	20.00
SHERIFF HAWKINS	WELTMAN	10071068	28.50

Sworn to Before Me This

So Answers,

\_\_\_\_ Day of \_\_\_\_\_ 2011

---



Chester A. Hawkins  
Sheriff

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

BY: James C Warmbrodt, Esquire  
I.D. No.42524  
436 Seventh Avenue, Suite 1400  
Pittsburgh, PA 15219  
Phone: 412.434.7955  
Fax: 412.434.7959  
File # 4469133

**Attorney for Plaintiff(s)**

**DISCOVER BANK**

Clearfield County  
Court of Common Pleas

vs.

**GREGORY A BAINY**

NO. 2005-1484-CD

and

**NORTHWEST SAVINGS BANK**

Garnishee(s)

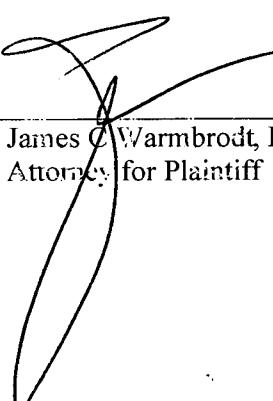
**PRAECIPE TO DISCONTINUE ATTACHMENT EXECUTION**

**TO THE PROTHONOTARY:**

Kindly mark the above matter discontinued and ended as to Garnishee(s), NORTHWEST SAVINGS BANK, only.

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

By \_\_\_\_\_

  
James C. Warmbrodt, Esquire  
Attorney for Plaintiff

Sworn to and subscribed

Before me the 30 day of September, 2011

  
NOTARY PUBLIC

**FILED**  
OCT 11 2011  
William A. Shaw  
Prothonotary/Clerk of Courts

**COMMONWEALTH OF PENNSYLVANIA**

**Notarial Seal**

Sheila G. Bevan, Notary Public  
Ross Twp., Allegheny County

My Commission Expires Nov. 15, 2014

MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

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

BY: Sarah E. Ehasz, Esquire

I.D. No. 86469

436 Seventh Avenue, Suite 1400

Pittsburgh, PA 15219

Phone: 412.434.7955

Fax: 412.434.7959

File # 4469133

Attorney for Plaintiff(s)

FILED

141 LM  
OCT 17 2011

00 \$7.00 Atty

ICC Atty

Ehasz

William A. Sha  
Prothonotary/Clerk of Courts

DISCOVER BANK

Plaintiff

CLEARFIELD County  
Court of Common Pleas

vs.

NO. 2005-1484-CD

GREGORY A BAINY

Defendant(s)

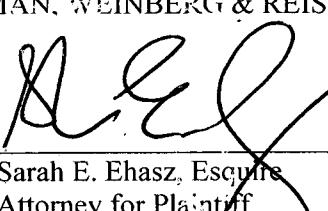
**PRAEICE FOR SATISFACTION OF JUDGMENT**

TO THE PROTHONOTARY:

Please kindly Satisfy the Judgment of the above-captioned matter upon the records of the Court and mark the cost paid.

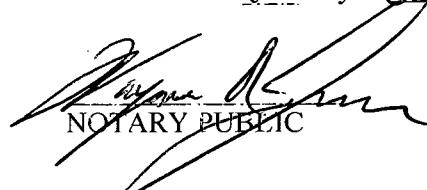
WELTMAN, WEINBERG & REIS CO., L.P.A.

By \_\_\_\_\_

  
Sarah E. Ehasz, Esquire  
Attorney for Plaintiff

Sworn to and subscribed

Before me the 18 day of October, 2011

  
NOTARY PUBLIC

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal

Wayne A. Jones, Notary Public

City of Pittsburgh, Allegheny County

My Commission Expires June 29, 2014

Member, Pennsylvania Association of Notaries