

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

Commonwealth Financial Services Inc CIVIL ACTION
(Plaintiff)

120 North Keyser Avenue
(Street Address)

No. 05-1753-CD

Scranton PA 15801
(City, State ZIP)

Type of Case: civil

Type of Pleading: Appeal from MDJ

vs.

Filed on Behalf of:

Shawn Pardee
(Defendant)

Shawn Pardee
(Plaintiff/Defendant)

1047 Treasure Lake
(Street Address)

Du Bois PA 15801
(City, State ZIP)

DAND P. KING, Esq.
(Filed by)

PO Box 1016
(Address)

Du Bois PA 15801
(Phone)

(Signature)

FILED

011:24/01

NOV 09 2005

William A. Shaw
Prothonotary/Clerk of Courts

Copies to:

Att. King

Att. King

MAJ Ford

COURT OF COMMON PLEAS
Clerk Field County
 JUDICIAL DISTRICT

FROM

DISTRICT JUSTICE JUDGMENT

COMMON PLEAS No.

05-1753-CD

NOTICE OF APPEAL

Notice is given that the appellant has filed in the above Court of Common Pleas an appeal from the judgment rendered by the District Justice on the date and in the case mentioned below.

NAME OF APPELLANT <i>Shawn Pardee</i>		MAG. DIST. NO. OR NAME OF D.J. <i>46-3-01</i>	
ADDRESS OF APPELLANT <i>1047 Treasure Lake</i>		CITY <i>DuBois</i>	STATE <i>PA</i>
DATE OF JUDGMENT <i>10/31/05</i>		IN THE CASE OF (Plaintiff) <i>Commonwealth Financial Systems Inc</i>	ZIP CODE <i>15801</i>
CLAIM NO. CV <i>0000451-05</i> LT		SIGNATURE OF APPELLANT OR HIS ATTORNEY OR AGENT <i>[Signature]</i>	
This block will be signed ONLY when this notation is required under Pa. R.C.P.J.P. No. 1008B. This Notice of Appeal, when received by the District Justice, will operate as a SUPERSEDEAS to the judgment for possession in this case.		If appellant was CLAIMANT (see Pa. R.C.P.J.P. No. 1001(6) in action before District Justice, he MUST FILE A COMPLAINT within twenty (20) days after filing his NOTICE of APPEAL.	
Signature of Prothonotary or Deputy			

PRAECIPE TO ENTER RULE TO FILE COMPLAINT AND RULE TO FILE

(This section of form to be used ONLY when appellant was DEFENDANT (see Pa. R.C.P.J.P. No. 1001(7) in action before District Justice. IF NOT USED, detach from copy of notice of appeal to be served upon appellee).

PRAECIPE: To Prothonotary

Enter rule upon *Commonwealth Financial Systems, Inc.* appellee(s), to file a complaint in this appeal

(Common Pleas No. *05-1753-CD*) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

RULE: To *Commonwealth Financial Systems Inc.* appellee(s).

Signature of appellant or his attorney or agent

(1) You are notified that a rule is hereby entered upon you to file a complaint in this appeal within twenty (20) days after the date of service of this rule upon you by personal service or by certified or registered mail.

(2) If you do not file a complaint within this time, a JUDGMENT OF NON PROS WILL BE ENTERED AGAINST YOU.

(3) The date of service of this rule if service was by mail is the date of mailing.

Date: *November 9, 2005*

Signature of Prothonotary or Deputy

PROOF OF SERVICE OF NOTICE OF APPEAL AND RULE TO FILE COMPLAINT

(This proof of service MUST BE FILED WITHIN TEN (10) DAYS AFTER filing the notice of appeal. Check applicable boxes)

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF _____; SS

AFFIDAVIT: I hereby swear or affirm that I served

☐ a copy of the Notice of Appeal, Common Pleas No. _____, upon the District Justice designated therein on
(date of service) _____, ☐ by personal service ☐ by (certified) (registered) mail, sender's
receipt attached hereto, and upon the appellee, (name) _____, on

☐ by personal service ☐ by (certified) (registered) mail, sender's receipt attached hereto.
☐ and further that I served the Rule to File a Complaint accompanying the above Notice of Appeal upon the appellee(s) to whom
the Rule was addressed on _____, ☐ by personal service ☐ by (certified) (registered)
mail, sender's receipt attached hereto.

SWORN (AFFIRMED) AND SUBSCRIBED BEFORE ME

THIS _____ DAY OF _____, _____

Signature of affiant

Signature of official before whom affidavit was made

Title of official

My commission expires on _____

Mag. Dist. No.: 46-3-01
MDJ Name: Hon. PATRICK N. FORD
Address: 309 MAPLE AVENUE PO BOX 452 DUBOIS, PA
Telephone: (814) 371-5321 15801

**SHAWN PARDEE
1047 TREASURE LAKE
DUBOIS, PA 15801**

NOTICE OF JUDGMENT/TRANSCRIPT CIVIL CASE

PLAINTIFF: NAME and ADDRESS
**COMMONWEALTH FINANCIAL SYSTEMS, INC
120 NORTH KEYSER AVENUE
SCRANTON, PA 18504**

VS.
DEFENDANT: NAME and ADDRESS
**PARDEE, SHAWN
1047 TREASURE LAKE
DUBOIS, PA 15801**

Docket No.: **CV-0000451-05**
Date Filed: **9/20/05**



THIS IS TO NOTIFY YOU THAT:

Judgment:

DEFAULT JUDGMENT PLTF

☒ Judgment was entered for: (Name) **COMMONWEALTH FINANCIAL SYSTEMS**

☒ Judgment was entered against: (Name) **PARDEE, SHAWN**

in the amount of \$ **8,120.50** on: (Date of Judgment) **10/31/05**

☐ Defendants are jointly and severally liable. (Date & Time) _____

☐ Damages will be assessed on:

☐ This case dismissed without prejudice.

☐ Amount of Judgment Subject to
Attachment/42 Pa.C.S. § 8127 \$ _____

☐ Portion of Judgment for physical
damages arising out of residential
lease \$ _____

Amount of Judgment	\$ 8,000.00
Judgment Costs	\$ 120.50
Interest on Judgment	\$.00
Attorney Fees	\$.00
Total	\$ 8,120.50
Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____
=====	
Certified Judgment Total	\$ _____

ANY PARTY HAS THE RIGHT TO APPEAL WITHIN 30 DAYS AFTER THE ENTRY OF JUDGMENT BY FILING A NOTICE OF APPEAL WITH THE PROTHONOTARY/CLERK OF THE COURT OF COMMON PLEAS, CIVIL DIVISION. YOU MUST INCLUDE A COPY OF THIS NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH YOUR NOTICE OF APPEAL.

EXCEPT AS OTHERWISE PROVIDED IN THE RULES OF CIVIL PROCEDURE FOR MAGISTERIAL DISTRICT JUDGES, IF THE JUDGMENT HOLDER ELECTS TO ENTER THE JUDGMENT IN THE COURT OF COMMON PLEAS, ALL FURTHER PROCESS MUST COME FROM THE COURT OF COMMON PLEAS AND NO FURTHER PROCESS MAY BE ISSUED BY THE MAGISTERIAL DISTRICT JUDGE.

UNLESS THE JUDGMENT IS ENTERED IN THE COURT OF COMMON PLEAS, ANYONE INTERESTED IN THE JUDGMENT MAY FILE A REQUEST FOR ENTRY OF SATISFACTION WITH THE MAGISTERIAL DISTRICT JUDGE IF THE JUDGMENT DEBTOR PAYS IN FULL, SETTLES, OR OTHERWISE COMPLIES WITH THE JUDGMENT.

11-1-05 Date **Patrick N. Ford - PNF**, Magisterial District Judge

I certify that this is a true and correct copy of the record of the proceedings containing the judgment.

_____, Date _____, Magisterial District Judge

My commission expires first Monday of January, **2006**.

SEAL

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.: **46-3-01**
MDJ Name: Hon. **PATRICK N. FORD**
Address: **309 MAPLE AVENUE**
PO BOX 452
DUBOIS, PA
Telephone: **(814) 371-5321** **15801**

PATRICK N. FORD
309 MAPLE AVENUE
PO BOX 452
DUBOIS, PA 15801

NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE

PLAINTIFF: **COMMONWEALTH FINANCIAL SYSTEMS, INC**
NAME and ADDRESS
120 NORTH KEYSER AVENUE
SCRANTON, PA 18504

VS.
DEFENDANT: **PARDEE, SHAWN**
NAME and ADDRESS
1047 TREASURE LAKE
DUBOIS, PA 15801

Docket No.: **CV-0000451-05**
Date Filed: **9/20/05**



THIS IS TO NOTIFY YOU THAT:
Judgment:

DEFAULT JUDGMENT PLTF

☒ Judgment was entered for: (Name) **COMMONWEALTH FINANCIAL SYSTEMS**

☒ Judgment was entered against: (Name) **PARDEE, SHAWN**

in the amount of \$ **8,120.50** on: (Date of Judgment) **10/31/05**

☐ Defendants are jointly and severally liable. (Date & Time)

☐ Damages will be assessed on:

☐ This case dismissed without prejudice.

☐ Amount of Judgment Subject to
Attachment/42 Pa.C.S. § 8127 \$

☐ Portion of Judgment for physical
damages arising out of residential
lease \$

FILED

NOV 18 2005

William A. Shaw
Prothonotary/Clerk of Courts

Amount of Judgment	\$ 8,000.00
Judgment Costs	\$ 120.50
Interest on Judgment	\$.00
Attorney Fees	\$.00
Total	\$ 8,120.50

Post Judgment Credits	\$
Post Judgment Costs	\$

Certified Judgment Total \$

ANY PARTY HAS THE RIGHT TO APPEAL WITHIN 30 DAYS AFTER THE ENTRY OF JUDGMENT BY FILING A NOTICE OF APPEAL WITH THE PROTHONOTARY/CLERK OF THE COURT OF COMMON PLEAS, CIVIL DIVISION. YOU MUST INCLUDE A COPY OF THIS NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH YOUR NOTICE OF APPEAL. EXCEPT AS OTHERWISE PROVIDED IN THE RULES OF CIVIL PROCEDURE FOR MAGISTERIAL DISTRICT JUDGES, IF THE JUDGMENT HOLDER ELECTS TO ENTER THE JUDGMENT IN THE COURT OF COMMON PLEAS, ALL FURTHER PROCESS MUST COME FROM THE COURT OF COMMON PLEAS AND NO FURTHER PROCESS MAY BE ISSUED BY THE MAGISTERIAL DISTRICT JUDGE. UNLESS THE JUDGMENT IS ENTERED IN THE COURT OF COMMON PLEAS, ANYONE INTERESTED IN THE JUDGMENT MAY FILE A REQUEST FOR ENTRY OF SATISFACTION WITH THE MAGISTERIAL DISTRICT JUDGE IF THE JUDGMENT DEBTOR PAYS IN FULL, SETTLES, OR OTHERWISE COMPLIES WITH THE JUDGMENT.

11-1-05 Date **Patrick N. Ford-PNF**, Magisterial District Judge

I certify that this is a true and correct copy of the record of the proceedings containing the judgment.
Date _____, Magisterial District Judge

My commission expires first Monday of January, **2006**.

SEAL

COMMONWEALTH OF PENNSYLVANIA

County of : Clearfield

CIVIL COMPLAINT

Mag. Dist. No.: 46-3-01

DJ Name: Hon. Patrick N Ford

Address: 309 Maple Ave
Du Bois, PA 15801

Telephone: 814-371-5321

PLAINTIFF:

NAME and ADDRESS

Commonwealth Financial Systems, Inc
120 North Keyser Avenue
Scranton, PA 18504

VS.

DEFENDANT:

NAME and ADDRESS

SHAWN PARDEE
1047 TREASURE LAKE
DUBOIS, PA 15801

	Amount	Date Paid
Filing Costs	\$ 130.50	9/30/05
Postage	\$	/ /
Service Costs	\$	/ /
Constable Ed	\$	/ /

Total \$ / /

Docket No.: CV-451-05

Date Filed: 9-30-05



Pa. R.C.P.D.J. No. 206 sets forth those costs recoverable by the prevailing party.

TO THE DEFENDANT: The above named plaintiff(s) asks judgment against you for \$8,000.00 together with Costs upon the following claim (Civil fines must include citation of the statute or ordinance Violated):

The amount of \$8,000.00 (File # 1892987) is due and owed for a revolving credit card issued by Citibank where the balance is in default since 09/18/2003. Commonwealth Financial Systems, Inc. purchased this account on or about 03/10/2005 and is entitled to all rights, assignments and judgments. The Plaintiff respectfully requests that this court grant judgment in favor of plaintiff and against defendant in the amount of \$8,000.00 plus court costs.

I, Patricia A Cobb verify that the facts set forth in this complaint are true and correct to the best of my knowledge, information and belief. This statement is made subject to the penalties of Section 4904 of the Crimes Code (18 PA. C.S. ss 4904) related to unsworn falsification to authorities.

(Signature of Plaintiff or Authorized Agent)

Plaintiff's

Attorney: Patricia A Cobb, EsquireAddress: 120 North Keyser AveTelephone: (570)-347-1115 Ext. 202Scranton, PA 18504

IF YOU INTEND TO ENTER A DEFENSE TO THIS COMPLAINT, NOTIFY THIS OFFICE IMMEDIATELY AT THE ABOVE TELEPHONE NUMBER. YOU MUST APPEAR AT THE HEARING AND PRESENT YOUR DEFENSE. UNLESS YOU DO JUDGMENT MAY BE ENTERED AGAINST YOU BY DEFAULT.

If you have a claim against the plaintiff which is within district justice jurisdiction and which you intend to assert at the hearing, you must file it on a complaint form at this office at least five (5) days before the date set for the hearing.

If you are disabled and require a reasonable accommodation to gain access to the Magisterial District Court and its services, please contact the Magisterial District office at the address above or telephone number. We are unable to provide transportation.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

COMMONWEALTH FINANCIAL SYSTEMS,
INC., assignee of CITIBANK

NO. 05-1753-CD
IN CIVIL ACTION

Plaintiff(s)

-vs-

SHAWN PARDEE

Defendant(s)

COMPLAINT
ON APPEAL

CODE-
FILED ON BEHALF OF
PLAINTIFF

COUNSEL OF RECORD
FOR THIS PARTY:

James R. Apple, Esq.

PA I.D. No. 37942

Charles F. Bennett, Esq.

PA I.D. No. 30541

Joel E. Hausman, Esq.

PA I.D. No. 42096

APPLE AND APPLE, P.C.

Firm No. 719

4650 Baum Boulevard

Pittsburgh, PA 15213

Telephone: 412-682-1466

Fax: 412-682-3138

FILED ^{NOCC}
m 11:05/64
NOV 28 2005 (S)

William A. Shaw
Prothonotary/Clerk of Courts

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

**COMMONWEALTH FINANCIAL SYSTEMS,
INC., assignee of CITIBANK**

**NO. 05-1753-CD
IN CIVIL ACTION**

Plaintiff(s)

-vs-

SHAWN PARDEE

Defendant(s)

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 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.

**Keystone Legal Services
211 1/2 East Locust Street
Clearfield, PA 16830
814-765-9646**

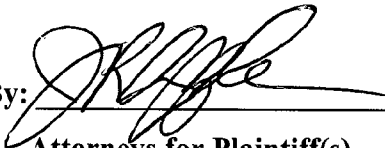
COMPLAINT ON APPEAL

1. Plaintiff is a corporation having offices at 120 North Keyser Avenue, Scranton, PA 18504, and as the assignee of Citibank, stands in its assignor's stead, and all are hereinafter referred to interchangeably as "Plaintiff".
2. Defendant is an individual whose address is 1047 Treasure Lake, Du Bois, Clearfield County, Pennsylvania 15801.
3. At a specific instance and request of the Defendant, the Defendant applied for and was granted a credit card by Plaintiff at the terms and conditions agreed upon by the parties.
4. The Plaintiff avers that the agreement between the parties was based upon a written agreement which the Defendant accepted by using credit card to make purchases and/or cash advances.
5. Thereafter, in breach of obligations under the Agreement, the Defendant failed to make payments as they became due.

6. Plaintiff avers that the terms of the Agreement provide for acceleration of the entire balance due and owing upon Defendant's breach of the Agreement.
7. Plaintiff avers that the balance due amounts to \$8,120.50, as is more specifically shown by a true and correct copy of Plaintiff's Statement of Account marked Exhibit(s) "A" and made a part hereof.
8. Plaintiff avers that the interest has accrued at the rate of 6.00% per annum on the balance due from November 1, 2005.
9. Although repeatedly requested to do so by Plaintiff, Defendant has willfully failed and refused to pay the amount due to Plaintiff or any part thereof.

WHEREFORE, Plaintiff demands Judgment against Defendant in the amount of \$8,120.50, with appropriate additional interest from November 1, 2005, and costs.

APPLE AND APPLE, P.C.

By: 
Attorneys for Plaintiff(s)

AFFIDAVIT

I, James R. Apple, Esquire, Charles F. Bennett, or Joel E. Hausman, Esquire as indicated below verify that:

- 1. I am the attorney for the Plaintiff;**
- 2. Verification by the Plaintiff or an authorized agent of Plaintiff cannot be obtained within the time allowed by law for the filing of pleading;**
- 3. That the facts set forth in the foregoing Pleading are true and correct to the best of my knowledge, information, and belief, based upon information received from the Plaintiff.**

I understand that false statements herein are made subject to the penalties of 18 Pa. C.S.A. §4904, relating to unsworn falsification to authorities.

APPLE AND APPLE, P.C.

Dated: _____

By: _____
Attorneys for Plaintiff(s)

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

**COMMONWEALTH FINANCIAL SYSTEMS,
INC., assignee of CITIBANK**

**NO. 05-1753-CD
IN CIVIL ACTION**

Plaintiff(s)

-vs-

SHAWN PARDEE

Defendant(s)

**CERTIFICATE OF
SERVICE**

**CODE –
FILED ON BEHALF OF
PLAINTIFF**

**COUNSEL OF RECORD
FOR THIS PARTY:**

**James R. Apple, Esq.
PA I.D. No. 37942
Charles F. Bennett, Esq.
PA I.D. No. 30541
Joel E. Hausman, Esq.
PA I.D. No. 42096
Apple and Apple, P.C.
Firm No. 719
4650 Baum Boulevard
Pittsburgh, PA 15213
Telephone (412) 682-1466
Fax (412) 682-3138**

FILED *NO*
m/11: 5/31/05
DEC 07 2005 *CC*

William A. Shaw
Prothonotary/Clerk of Courts

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

**COMMONWEALTH FINANCIAL SYSTEMS,
INC., assignee of CITIBANK**

**NO. 05-1753-CD
IN CIVIL ACTION**

Plaintiff(s)

-VS-

SHAWN PARDEE

Defendant(s)

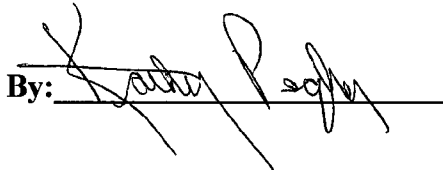
CERTIFICATION OF SERVICE

I hereby certify that I am this day serving a true and correct copy of the Complaint on Appeal upon the person(s) and in the manner indicated below:

Service by first class mail, postage prepaid and addressed as follows:

Shawn Pardee
1047 Treasure Lake
Du Bois, PA 15801

Dated: 12-5-05

By: 

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

COMMONWEALTH FINANCIAL SYSTEMS,
INC., assignee of CITIBANK,
Plaintiff

vs.

SHAWN PARDEE,
Defendant

NO. 05-1753-C.D.

Type of Case: Civil

Type of Pleading: Preliminary
Objections

Filed on behalf of: Defendant,
Shawn Pardee

Counsel of Record for this Party:
David P. King, Esquire
23 Beaver Drive
P. O. Box 1016
DuBois, PA 15801
(814) 371-3760

Supreme Court No. 22980

FILED^{2cc}
01/10/17
JAN 26 2006

Anything
@

William A. Shaw
Prothonotary/Clerk of Courts

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

COMMONWEALTH FINANCIAL SYSTEMS,	:	
INC., assignee of CITIBANK,	:	
Plaintiff	:	
	:	
vs.	:	NO. 05-1753-C.D.
	:	
SHAWN PARDEE,	:	
Defendant	:	

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 these Preliminary Objections 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 these Preliminary Objections or for any other claim or relief requested by the Defendant. 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.

Court Administrator
Clearfield County Courthouse
230 East Market Street, Suite 228
Clearfield, PA 16830
(814) 765-2641 Ext. 5982

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

COMMONWEALTH FINANCIAL SYSTEMS,	:	
INC., assignee of CITIBANK,	:	
Plaintiff	:	
	:	
vs.	:	NO. 05-1753-C.D.
	:	
SHAWN PARDEE,	:	
Defendant	:	

PRELIMINARY OBJECTIONS

AND NOW, comes the Defendant, SHAWN PARDEE, by his Attorney, David P. King, and files the following Preliminary Objections to Plaintiff's Complaint:

(DEMURRER)

1. Rule 1024 of the Pennsylvania Rules of Civil Procedure requires inter alia as follows:

Every pleading containing an averment of fact ...
shall be verified (emphasis ours)

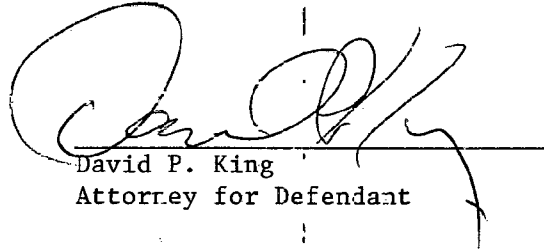
2. The Complaint filed by the Plaintiff in this matter is not properly verified. This is evident from the record as the Affidavit attached to the Plaintiff's Complaint is not signed and thus not properly verified. A copy of the Affidavit/Verification attached to the original Complaint as filed with the Prothonotary of Clearfield County is attached hereto.

3. The Complaint is signed or endorsed by Plaintiff's Attorney in accordance with Rule 1023.1b of the Pennsylvania Rules of Civil Procedure. A copy of that signature/endorsement as it appears on the original document filed in the office of the Prothonotary of Clearfield County, Pennsylvania, is attached hereto.

4. Notwithstanding, Rule 1023.1b states inter alia as follows:

This Rule shall not be construed to suspend or
modify Rule 1024 ...

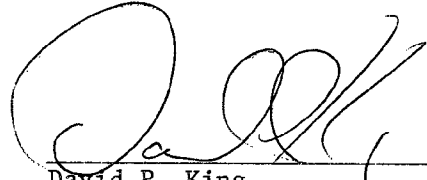
5. Plaintiff's Complaint clearly fails to conform to the Rules of
Civil Procedure and should be dismissed with prejudice.



David P. King
Attorney for Defendant

I verify that the statements made in this Preliminary Objections 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: January 25, 2006



David P. King
Attorney for Defendant

AFFIDAVIT

I, James R. Apple, Esquire, Charles F. Bennett, or Joel E. Hausman, Esquire as indicated below verify that:

1. I am the attorney for the Plaintiff;
2. Verification by the Plaintiff or an authorized agent of Plaintiff cannot be obtained within the time allowed by law for the filing of pleading;
3. That the facts set forth in the foregoing Pleading are true and correct to the best of my knowledge, information, and belief, based upon information received from the Plaintiff.

I understand that false statements herein are made subject to the penalties of 18 Pa. C.S.A. §4904, relating to unsworn falsification to authorities.

APPLE AND APPLE, P.C.

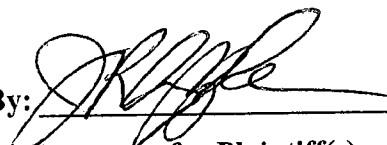
Dated: _____

By: _____
Attorneys for Plaintiff(s)

6. Plaintiff avers that the terms of the Agreement provide for acceleration of the entire balance due and owing upon Defendant's breach of the Agreement.
7. Plaintiff avers that the balance due amounts to \$8,120.50, as is more specifically shown by a true and correct copy of Plaintiff's Statement of Account marked Exhibit(s) "A" and made a part hereof.
8. Plaintiff avers that the interest has accrued at the rate of 6.00% per annum on the balance due from November 1, 2005.
9. Although repeatedly requested to do so by Plaintiff, Defendant has willfully failed and refused to pay the amount due to Plaintiff or any part thereof.

WHEREFORE, Plaintiff demands Judgment against Defendant in the amount of \$8,120.50, with appropriate additional interest from November 1, 2005, and costs.

APPLE AND APPLE, P.C.

By: 
Attorneys for Plaintiff(s)

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

COMMONWEALTH FINANCIAL :
SYSTEMS, INC., assignee of CITIBANK, :

vs. :

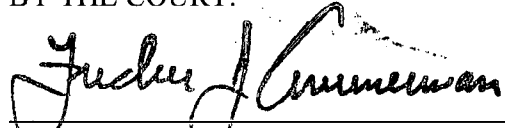
: No. 05-1753-CD

SHAWN PARDEE, :

ORDER

AND NOW, this 3rd day of February, 2006, upon
consideration of Defendant's Preliminary Objections to Plaintiff's Complaint, it is
the ORDER of the Court that argument on said Preliminary Objections has been
scheduled for the 15th day of March, 2006, at 10:00
A.M. in Courtroom No. 1, Clearfield County Courthouse, Clearfield,
PA.

BY THE COURT:

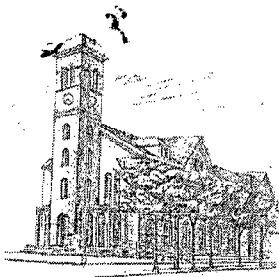

FREDRIC J. AMMERMAN
President Judge

FILED
01/24/06
FEB 06 2006

William A. Shaw
Prothonotary/Clerk of Courts

2 cc Atty's:
Apple
King

GR



Clearfield County Office of the Prothonotary and Clerk of Courts

William A. Shaw
Prothonotary/Clerk of Courts

David S. Ammerman
Solicitor

Jacki Kendrick
Deputy Prothonotary

Bonnie Hudson
Administrative Assistant

To: All Concerned Parties

From: William A. Shaw, Prothonotary

It has come to my attention that there is some confusion on court orders over the issue of service. To attempt to clear up this question, from this date forward until further notice, this or a similar memo will be attached to each order, indicating responsibility for service on each order or rule. If you have any questions, please contact me at (814) 765-2641, ext. 1331. Thank you.

Sincerely,

William A. Shaw
Prothonotary

DATE: 2/6/06

_____ You are responsible for serving all appropriate parties.

X _____ The Prothonotary's office has provided service to the following parties:

X _____ Plaintiff(s)/Attorney(s)

X _____ Defendant(s)/Attorney(s)

_____ Other

_____ Special Instructions:

CA

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

COMMONWEALTH FINANCIAL SYSTEMS,
INC., assignee of CITIBANK,
Plaintiff

vs.

SHAWN PARDEE,
Defendant

NO. 05-1753-C.D.

Type of Case: Civil

Type of Pleading: Praeipie to
Withdraw Preliminary Objections

Filed on behalf of: Defendant

Counsel of Record for this Party:

David P. King, Esquire

23 Beaver Drive

P. O. Box 1016

DuBois, PA 15801

(814) 371-3760

Supreme Court No. 22980

FILED NO. 05-1753-C.D.
MAR 10 2006
mho:3760
cc
GR

William A. Shaw
Prothonotary/Clerk of Courts

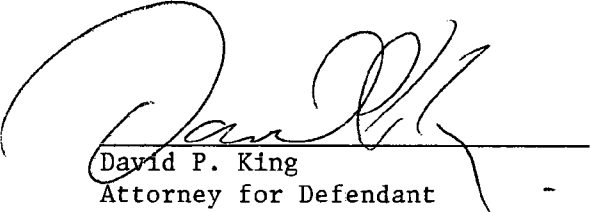
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

COMMONWEALTH FINANCIAL SYSTEMS,	:
INC., assignee of CITIBANK,	:
Plaintiff	:
	:
vs.	: NO. 05-1753-C.D.
	:
SHAWN PARDEE,	:
Defendant	:

PRAECIPE

TO THE PROTHONOTARY:

The Defendant, SHAWN PARDEE, through his Attorney, David P. King,
hereby withdraws the Preliminary Objections filed in the above matter.
Please mark the docket accordingly.



David P. King
Attorney for Defendant

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

**COMMONWEALTH FINANCIAL SYSTEMS,
INC., assignee of CITIBANK**

**NO. 05-1753-CD
IN CIVIL ACTION**

Plaintiff(s)

-vs-

SHAWN PARDEE

Defendant(s)

**AMENDED COMPLAINT
ON APPEAL WITH
VERIFICATION**

**CODE-
FILED ON BEHALF OF
PLAINTIFF**

**COUNSEL OF RECORD
FOR THIS PARTY:**

James R. Apple, Esq.

PA I.D. No. 37942

Charles F. Bennett, Esq.

PA I.D. No. 30541

Joel E. Hausman, Esq.

PA I.D. No. 42096

APPLE AND APPLE, P.C.

Firm No. 719

4650 Baum Boulevard

Pittsburgh, PA 15213

Telephone: 412-682-1466

Fax: 412-682-3138

FILED *NO CC*
1215/BA
MAR 10 2006 *(M)*

William A. Shaw
Prothonotary/Clerk of Courts

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

**COMMONWEALTH FINANCIAL SYSTEMS,
INC., assignee of CITIBANK**

**NO. 05-1753-CD
IN CIVIL ACTION**

Plaintiff(s)

-vs-

SHAWN PARDEE

Defendant(s)

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 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.

**Keystone Legal Services
211 1/2 East Locust Street
Clearfield, PA 16830
814-765-9646**

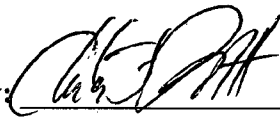
AMENDED COMPLAINT ON APPEAL WITH VERIFICATION

1. Plaintiff is a corporation having offices at 120 North Keyser Avenue, Scranton, PA 18504, and as the assignee of Citibank, stands in its assignor's stead, and all are hereinafter referred to interchangeably as "Plaintiff".
2. Defendant is an individual whose address is 1047 Treasure Lake, Du Bois, Clearfield County, Pennsylvania 15801.
3. At a specific instance and request of the Defendant, the Defendant applied for and was granted a credit card by Plaintiff at the terms and conditions agreed upon by the parties.
4. The Plaintiff avers that the agreement between the parties was based upon a written agreement which the Defendant accepted by using credit card to make purchases and/or cash advances.
5. Thereafter, in breach of obligations under the Agreement, the Defendant failed to make payments as they became due.

6. Plaintiff avers that the terms of the Agreement provide for acceleration of the entire balance due and owing upon Defendant's breach of the Agreement.
7. Plaintiff avers that the balance due amounts to \$8,120.50, as is more specifically shown by a true and correct copy of Plaintiff's Statement of Account marked Exhibit(s) "A" and made a part hereof.
8. Plaintiff avers that the interest has accrued at the rate of 6.00% per annum on the balance due from November 1, 2005.
9. Although repeatedly requested to do so by Plaintiff, Defendant has willfully failed and refused to pay the amount due to Plaintiff or any part thereof.

WHEREFORE, Plaintiff demands Judgment against Defendant in the amount of \$8,120.50, with appropriate additional interest from November 1, 2005, and costs.

APPLE AND APPLE, P.C.

By: 
Attorneys for Plaintiff(s)

AFFIDAVIT

I, Patricia Cobb, Esquire, of Commonwealth Financial Systems, Inc.,
Plaintiff herein, verify that the statements of fact contained in the foregoing
Complaint are true and correct. I understand that false statements herein are
made subject to the penalties of 18 Pa. C.S.A. §4904 relating to unsworn
falsification to authorities.

2-27-06
Date:


PATRICIA COBB

Executive Vice President

120 North Keyser Avenue

Scranton, PA 18504

Apple & Apple File No. 105150

CFSI File No. 1882987
Shawn Pardee

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

**COMMONWEALTH FINANCIAL SYSTEMS,
INC., assignee of CITIBANK**

**NO. 05-1753-CD
IN CIVIL ACTION**

Plaintiff(s)

-vs-

SHAWN PARDEE

Defendant(s)

CERTIFICATION OF SERVICE

I hereby certify that I am this day serving a true and correct copy of the attached or foregoing document upon the person(s) and in the manner indicated below:

Service by first class mail, postage prepaid and addressed as follows:

David P. King, Esquire
P.O. Box 1016
23 Beaver Drive
DuBios, PA 15801

Dated: March 7, 2006

By: 

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

COMMONWEALTH FINANCIAL SYSTEMS,
INC., assignee of CITIBANK,
Plaintiff

vs.

SHAWN FARDEE,
Defendant

NO. 05-1753-C.D.

Type of Pleading: Praecipe to
Settle and Discontinue

Filed on behalf of: Plaintiff

Counsel of Record for this Party:
Charles F. Bennett, Esquire
Apple and Apple, P.C.
4650 Baum Boulevard
Pittsburgh, PA 15213
(412) 682-1456

Supreme Court No. 30541

FILED

OCT 03 2006
12:15 PM

William A. Shaw
Prothonotary/Clerk of Courts

no 9c

COPY OF DISC TO
ATTY KINC &

4A

DEL. BY ATTY KINC

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

COMMONWEALTH FINANCIAL SYSTEMS,
INC., assignee of CITIBANK,
Plaintiff

vs.

SHAWN PARDEE,
Defendant

:
:
:
:
:
:
:
:
:

NO. 05-1753-C.D.

PRAECIPE

TO THE PROTHONOTARY:

Please mark the above case settled and discontinued.



Charles F. Bennett, Esquire
PA I.D. No. 30541
Apple and Apple, P.C.
4650 Baum Boulevard
Pittsburgh, PA 15213

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

CIVIL DIVISION

Commonwealth Financial Systems, Inc.

Vs.

No. 2005-01753-CD

Shawn David Pardee

CERTIFICATE OF DISCONTINUATION

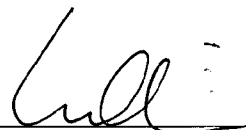
Commonwealth of PA
County of Clearfield

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 October 3, 2006, marked:

Settled and Discontinued

Record costs in the sum of \$85.00 have been paid in full by David King, Esq..

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 3rd day of October A.D. 2006.



William A. Shaw, Prothonotary