

05-1753-CD  
Comm Financial Syst. vs Shawn Pardee

05-1753-CD  
Comm Fin. Serv. Vs Shawn Pardee

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA

Commonwealth Financial Services Inc CIVIL ACTION  
(Plaintiff)

120 North Keyser Avenue No. 05-1753-CJ  
(Street Address)

Scranton PA 15801  
(City, State ZIP) Type of Case: civil

Type of Pleading: Appeal from MDJ

vs.

Shawn Pardee  
(Defendant)

Filed on Behalf of:

Shawn Pardee  
(Plaintiff/Defendant)

1047 Treasure Lake  
(Street Address)

DuBois PA 15801  
(City, State ZIP)

David P. King, Esq.  
(Filed by)

PO Box 1016  
(Address)

DuBois PA 15801  
(Phone)

D. P. King  
(Signature)

FILED Atty pd.  
01/24/01 85-00  
NOV 09 2005 Copes to:  
Atty King

William A. Shaw  
Prothonotary/Clerk of Courts  
Piff  
MDJ Ford

COURT OF COMMON PLEAS  
Clearfield County  
JUDICIAL DISTRICT

## NOTICE OF APPEAL

FROM

## DISTRICT JUSTICE JUDGMENT

COMMON PLEAS No.

05-1753-CJ

## 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	Shawn Pardee			MAG. DIST. NO. OR NAME OF D.J.	46-3-01
ADDRESS OF APPELLANT	1047 Treasure Lake DuBois			CITY	PA
DATE OF JUDGMENT	10/31/05 Commonwealth Financial Systems Inc			STATE	15801
CLAIM NO.	IN THE CASE OF (Plaintiff) vs (Defendant)			SIGNATURE OF APPELLANT OR HIS ATTORNEY OR AGENT	Shawn Pardee
CV	0000451-05	LT	John O'Brien		
<p>This block will be signed ONLY when this notation is required under Pa. R.C.P.J.P. No. 1008B.</p> <p>This Notice of Appeal, when received by the District Justice, will operate as a SUPERSEDEAS to the judgment for possession in this case.</p> <p>Signature of Prothonotary or Deputy</p>					
<p>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.</p>					

## 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-CJ ) 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.

SIGNED (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 \_\_\_\_\_

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**

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

**NOTICE OF JUDGMENT/TRANSCRIPT  
CIVIL CASE**

PLAINTIFF:

**COMMONWEALTH FINANCIAL SYSTEMS, INC**  
**120 NORTH KEYSER AVENUE**  
**SCRANTON, PA 18504**

NAME and ADDRESS

DEFENDANT:

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

NAME and ADDRESS

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) **10/31/05**

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	\$ <b>8,000.00</b>
Judgment Costs	\$ <b>120.50</b>
Interest on Judgment	\$ <b>.00</b>
Attorney Fees	\$ <b>.00</b>
<b>Total</b>	\$ <b>8,120.50</b>
Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____
<b>Certified Judgment Total</b> \$ _____	

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 JUDGEMENT 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**  
**120 NORTH KEYSER AVENUE**  
**SCRANTON, PA 18504**

NAME and ADDRESS

DEFENDANT:

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

NAME and ADDRESS

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



*DS-1753-CD*

**THIS IS TO NOTIFY YOU THAT:**

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**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.

**FILED**  
*m18.30/05*  
**NOV 18 2005**

William A. Shaw  
Prothonotary/Clerk of Courts

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	\$ <b>8,000.00</b>
Judgment Costs	\$ <b>120.50</b>
Interest on Judgment	\$ <b>.00</b>
Attorney Fees	\$ <b>.00</b>
<b>Total</b>	\$ <b>8,120.50</b>
Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____
<b>Certified Judgment Total</b> \$ _____	

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EXCEPT AS OTHERWISE PROVIDED IN THE RULES OF CIVIL PROCEDURE FOR MAGISTERIAL DISTRICT JUDGES, IF THE JUDGEMENT 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 SETTLES, OR OTHERWISE COMPLIES WITH THE JUDGMENT.

*11-1-05* Date *Patrick N. Ford-pwf*, 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

AOPC 315-05

DATE PRINTED: **10/31/05 8:26:48 AM**

## COMMONWEALTH OF PENNSYLVANIA

County of : Clearfield

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

DJ Name: Hon. Patrick N Ford

Address: 309 Maple Ave  
Du Bois, PA 15801

Telephone: 814-371-5321

## CIVIL COMPLAINT

## 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

Docket No.: CV-451-05

Date Filed: 9-20-05



	Amount	Date Paid
Filing Costs	\$ 130.50	9/10/05
Postage	\$ _____	_____ / _____
Service Costs	\$ _____	_____ / _____
Constable Ed	\$ _____	_____ / _____

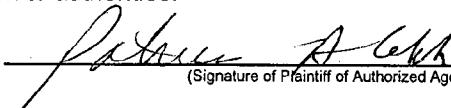
Total	\$ _____	_____ / _____
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Pa. R.C.P.D.J. No. 206 sets forth those costs recoverable by the prevailing party.

**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, Esquire  
Telephone: (570)-347-1115 Ext. 202

Address: 120 North Keyser Ave  
Scranton, 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 <sup>NOCC</sup>  
m 11/05/05  
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

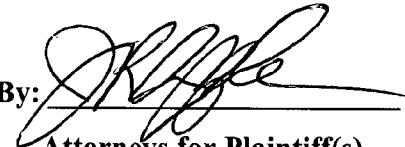
## **COMPLAINT ON APPEAL**

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 o 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  
M.J. SIGN NO  
DEC 07 2005  
CC  
WM  
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)**

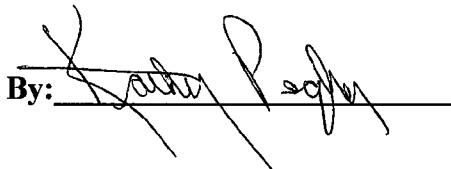
**CERTIFICATION OF SERVICE**

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

NO. 05-1753-C.D.

SHAWN PARDEE,

Defendant

vs.

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 <sup>cc</sup>  
01/01/2006 Atty King  
JAN 26 2006  
⑥

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)

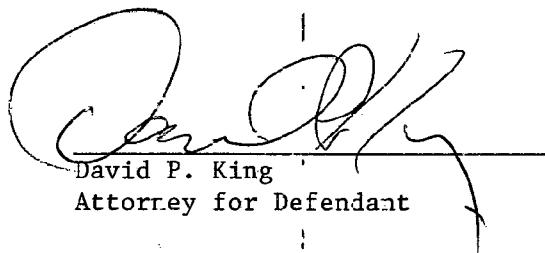
2. The Complaint filed by the Plaintiff in this matter is not properly verified. This is evident from the record as the Affidavit attached to the Plaintiff's Complaint is not signed and thus not properly verified. A copy of the Affidavit/Verification attached to the original Complaint as filed with the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

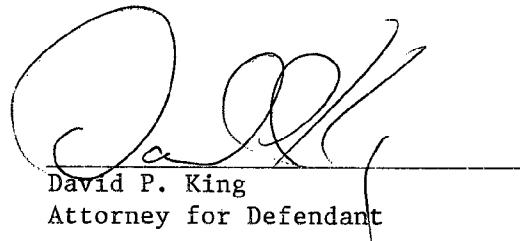
5. Plaintiff's Complaint clearly fails to conform to the Rules of  
Civil Procedure and should be dismissed with prejudice.



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 o 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.
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**APPLE AND APPLE, P.C.**

By: 

Attorneys for Plaintiff(s)

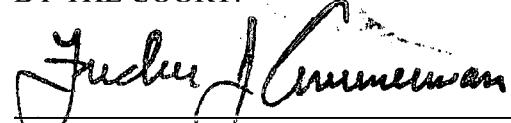
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA  
CIVIL DIVISION

COMMONWEALTH FINANCIAL :  
SYSTEMS, INC., assignee of CITIBANK, :  
vs. : No. 05-1753-CD  
SHAWN PARDEE, :

**ORDER**

AND NOW, this 3<sup>rd</sup> 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 15<sup>th</sup> day of March, 2006, at 10:00  
A.M. in Courtroom No. 1, Clearfield County Courthouse, Clearfield,  
PA.

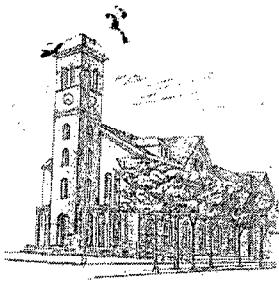
BY THE COURT:

  
\_\_\_\_\_  
FRÉDRIC J. AMMERMAN  
President Judge

FILED  
02/06/2006  
FEB 06 2006

200 Attns:  
Apple  
King  
GR

William A. Shaw  
Prothonotary/Clerk of Courts



## 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: 2/10/04

You are responsible for serving all appropriate parties.

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

Plaintiff(s)/Attorney(s)

Defendant(s)/Attorney(s)

Other

Special Instructions:

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

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

NO. 05-1753-C.D.

vs.  
SHAWN PARDEE,  
Defendant

Type of Case: Civil

Type of Pleading: Praeclipe 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.  
M10 31261 CC  
MAR 10 2006  
6K

William A. Shaw  
Prothonotary/Clerk of Courts

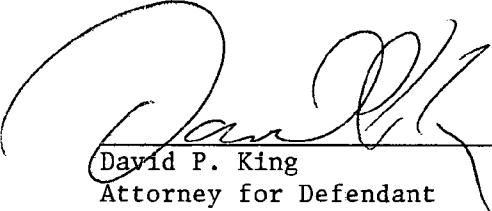
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

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  
M 10/15/06  
MAR 10 2006  
WAS

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)**

# DebtMaster Professional

File Edit Tasks Task Options Windows Help



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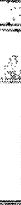






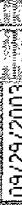








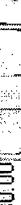
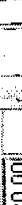
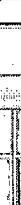






















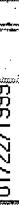






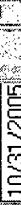












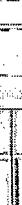
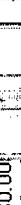










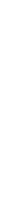
















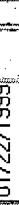






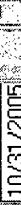






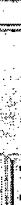




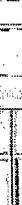
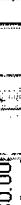




















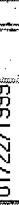






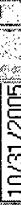






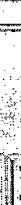




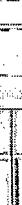
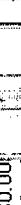




















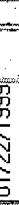






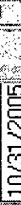






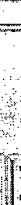




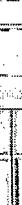
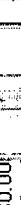




















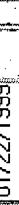






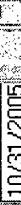










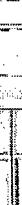
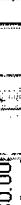



















# AFFIDAVIT

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  
PATRICIA COBB

Executive Vice President

120 North Keyser Avenue

Scranton, PA 18504

Apple & Apple File No. 105150

CFSI File No. 1892987  
Shawn Pardue

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

NO. 05-1753-C.D.

vs.

SHAWN PARDEE,

Defendant

Type of Pleading: Praeclipe 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

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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