

APOTHAKER & ASSOCIATES, P.C.
BY: David J. Apothaker
Attorney I.D.#38423
2417 Welsh Road, Suite 21 #520
Philadelphia, PA 19114
(215) 634-8920
Attorneys for Plaintiff

1cc
Atty
FILED *dc*
M 14 2006 Shff
MAR 08 2006 Atty pd
William A. Shaw 85.00
Prothonotary/Clerk of Courts

PORFOLIO RECOVERY) COURT OF COMMON PLEAS
ASSOCIATES, LLC) CLEARFIELD COUNTY
120 CORPORATE BLVD STE100)
NORFOLK, VA 23502) NO.: 06-363-CD
Plaintiff,)
vs.)
DAVID PETERS)
500 E MARKET ST)
CLEARFIELD PA 16830-2437)
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 with 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 ONE. 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.

CLEARFIELD COUNTY BAR ASSOCIATION
Lawyer Referral and Information Service
814-765-2641

AVISO

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las páginas siguientes, usted tiene veinte (20) días de plazo al partir de la fecha de la demanda y la notificación. Hace falta asentar una comparecencia escrita o con un abogado y entregar a la corte en forma escrita sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomará medidas y puede continuar la demanda en contra suya sin previo aviso o notificación. Además, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFFICIENTE DE PAGAR TAL SERVICIO. VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL.

CLEARFIELD COUNTY BAR ASSOCIATION
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814-765-2641

APOTHAKER & ASSOCIATES, P.C.
BY: David J. Apothaker
Attorney I.D.#38423
2417 Welsh Road, Suite 21 #520
Philadelphia, PA 19114
(215) 634-8920
Attorneys for Plaintiff

| | | |
|---------------------------|---|-----------------------|
| PORFTOLIO RECOVERY |) | COURT OF COMMON PLEAS |
| ASSOCIATES, LLC |) | CLEARFIELD COUNTY |
| 120 CORPORATE BLVD STE100 |) | |
| NORFOLK, VA 23502 |) | NO.: |
| Plaintiff, |) | |
| vs. |) | |
| DAVID PETERS |) | |
| 500 E MARKET ST |) | |
| CLEARFIELD PA 16830-2437 |) | |
| Defendant. |) | |
| |) | |

**CIVIL ACTION COMPLAINT
FIRST COUNT**

1. Plaintiff, PORTFOLIO RECOVERY ASSOCIATES, LLC, is a company with its principal place of business located at 120 CORPORATE BLVD STE100 NORFOLK, VA 23502.
2. Defendant is DAVID PETERS, an adult individual residing at 500 E MARKET ST CLEARFIELD PA 16830-2437.
3. At the special instance and request of Defendant, Plaintiff sold and delivered to Defendant goods and/or services at the times, of the kinds, in the quantities, and for the prices set forth in Plaintiff's records. A true and correct copy of which is attached hereto, incorporated herein by reference and designated Exhibit "A".
4. Defendant received and accepted the goods and/or services described in Exhibit "A".
5. The prices set forth in Exhibit "A" are the fair, reasonable and market prices for said goods and/or services, and the prices which Defendant agreed to pay.
6. All credits, if any, to which Defendant is entitled, are set forth in Exhibit "A".

7. In addition, Plaintiff avers that Defendant has failed and continues to fail to make any payments, leaving a balance due and owing of \$8,335.69 together with interest from June 30, 2003 in the amount of \$1,294.89 for a total of \$9,630.58.

8. Although demand has been made, Defendant has failed to make payment of the amount due as above.

9. The original creditor is ADVANTA BANK CORP.

WHEREFORE, Plaintiff demands judgment in favor of Plaintiff and against Defendant(s) for the sum of \$8,335.69 together with interest from June 30, 2003 in the amount of \$1,294.89 for a total of \$9,630.58 plus costs, and reasonable attorney's fees.

APOTHAKER & ASSOCIATES, P.C.
Attorney for Plaintiff

BY: 

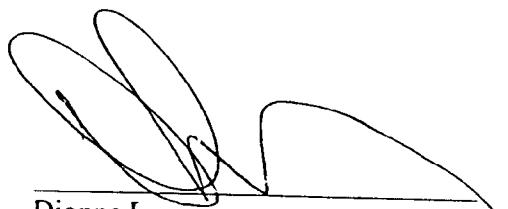
David J. Apothaker

Dated: January 30, 2006

Our File No.: P400316

VERIFICATION

Dionne Lawson, hereby states that I am legal specialist for plaintiff in this action, and that I am authorized to take this Verification, and that the statements made in the foregoing Civil Action Complaint are true and correct to the best of my knowledge, information, and belief. The undersigned understands that the statements therein are made subject to the penalties of 18 Pa.C.S.A. 4904 relating to unsworn falsification to authorities.



Dionne Lawson
Legal Specialist for Plaintiff

DATE:

PORTFOLIO RECOVERY ASSOCIATES, LLC
120 CORPORATE BLVD STE100
NORFOLK, VA, 23502

DAVID PETERS
500 E MARKET ST
CLEARFIELD PA 16830-2437

STATEMENT OF ACCOUNT

Debtor's Name: DAVID PETERS
Account Number: 5477537585820016
Original Creditor: ADVANTA BANK CORP.
Date of Debt: June 30, 2003
Principal Balance: \$8,335.69
Balance Due: \$8,335.69

Our File No.: P400316

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101328
NO. 06-363-CD
SERVICE # 1 OF 1
COMPLAINT

PLAINTIFF: PORTFOLIO RECOVERY ASSOCIATES, LLC
vs.
DEFENDANT: DAVID PETERS

SHERIFF RETURN

NOW, March 15, 2006 AT 8:11 AM SERVED THE WITHIN COMPLAINT ON DAVID PETERS DEFENDANT AT 500 E. MARKET ST., CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO DAVID PETERS, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: NEVLING /

01246001
APR 20 2006

William A. Shaw
Prothonotary/Clerk of Courts

| PURPOSE | VENDOR | CHECK # | AMOUNT |
|-----------------|-----------|---------|--------|
| SURCHARGE | APOTHAKER | 30149 | 10.00 |
| SHERIFF HAWKINS | APOTHAKER | 30149 | 20.39 |

Sworn to Before Me This

____ Day of _____ 2006

So Answers,

*Chester A. Hawkins
Sgt. Maury L. Haskins*
Chester A. Hawkins
Sheriff

APOTHAKER & ASSOCIATES, P.C.
2417 Welsh Road, Suite 21 #520
Philadelphia, PA 19114
(215) 634-8920
Attorneys for Plaintiff
David J. Apothaker, Esquire
Attorney ID #38423

PORFOLIO RECOVERY
ASSOCIATES, LLC

Plaintiff,
vs.

DAVID PETERS

Defendant.

) COURT OF COMMON PLEAS OF
) CLEARFIELD COUNTY
)
) NO.: 06-363-CD
)
) Civil Action
)

PRAECIPE TO ENTER DEFAULT JUDGMENT

TO THE PROTHONOTARY:

Please enter a default judgment in favor of plaintiff, PORTFOLIO RECOVERY ASSOCIATES, LLC and against Defendant, DAVID PETERS, for failure to answer or otherwise respond to the Complaint - Civil Action.

The Complaint was served upon the defendants on March 15, 2006 by the CLEARFIELD Sheriff's Department. Copies of the proofs of service are attached hereto as Exhibit "A".

I certify, a copy of the Notice of Intention To Take Default was mailed on May 30, 2006, and also attached hereto.

FILED Atty pd.20.00
MAY 30 2006 ICC Notice
JUL 27 2006 to Def.
UN Statement
William A. Shaw
Prothonotary/Clerk of Courts to Atty

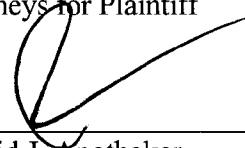
Assess damages in the amount of:

| | |
|---------------------------------|-------------------|
| (a) Balance: | \$8,335.69 |
| (b) Interest from June 30, 2003 | \$1,294.89 |
| TOTAL | \$9,630.58 |

APOTHAKER & ASSOCIATES, P.C.

Attorneys for Plaintiff

By:



David J. Apothaker

Dated: July 17, 2006

Our File No.: 67360

OFFICE OF THE PROTHONOTARY
COURT OF COMMON PLEAS

TO: DAVID PETERS
500 E MARKET ST
CLEARFIELD, PA 16830-2437

| | |
|---------------------------------------|---|
| PORTFOLIO RECOVERY ASSOCIATES, LLC |) COURT OF COMMON PLEAS OF CLEARFIELD COUNTY |
| |) |
| Plaintiff, |) |
| vs. |) NO.: 06-363-CD |
| |) |
| DAVID PETERS |) Civil Action |
| |) |
| Defendant. |) |
| |) |

NOTICE

Pursuant to Rule 236 of the Supreme Court of Pennsylvania, you are hereby notified that a Judgment has been entered against you in the above proceeding as indicated below.

XX JUDGMENT BY DEFAULT

 JUDGMENT IN REPLEVIN

 JUDGMENT BY CONFESSION

 JUDGMENT FOR POSSESSION

 JUDGMENT ON AWARD OF ARBITRATORS

 JUDGMENT ON VERDICT

 JUDGMENT ON COURT FINDINGS

 JUDGMENT ON WRIT OF REVIVAL

IF YOU HAVE ANY QUESTIONS CONCERNING THIS NOTICE, PLEASE CALL:

ATTORNEY David J. Apothaker, Esq. at this telephone number: 215-634-8920

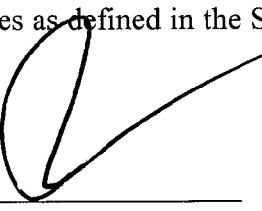
APOTHAKER & ASSOCIATES, P.C.
BY: David J. Apothaker
Attorney I.D.#38423
2417 Welsh Road, Suite 21 #520
Philadelphia, PA 19114
(215) 634-8920
Attorney for Plaintiff

| | | |
|-------------------|---|--------------------------|
| PORFOLIO RECOVERY |) | COURT OF COMMON PLEAS OF |
| ASSOCIATES, LLC |) | CLEARFIELD COUNTY |
| |) | |
| Plaintiff, |) | |
| vs. |) | NO.: 06-363-CD |
| |) | |
| DAVID PETERS |) | Civil Action |
| |) | |
| Defendant. |) | |
| |) | |

AFFIDAVIT OF NON-MILITARY SERVICE

COMMONWEALTH OF PENNSYLVANIA :
: SS.
COUNTY OF CLEARFIELD :
:

David J. Apothaker, being duly sworn according to law, deposes and says that I am the attorney for Plaintiff, and authorized to make this affidavit; that Defendant(s) resides at 500 E MARKET ST CLEARFIELD, PA 16830-2437; and that Defendant(s) is not in the Military Service of the United States, nor any State or Territory thereof or its allies as defined in the Soldiers' and Sailors' Civil Relief Act of 1940 and amendments thereto.



David J. Apothaker
Attorney for Plaintiff

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

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101328
NO: 06-363-CD
SERVICE # 1 OF 1
COMPLAINT

C *Y*

PLAINTIFF: PORTFOLIO RECOVERY ASSOCIATES, LLC
vs.
DEFENDANT: DAVID PETERS

SHERIFF RETURN

NOW, March 15, 2006 AT 8:11 AM SERVED THE WITHIN COMPLAINT ON DAVID PETERS DEFENDANT AT 500 E. MARKET ST., CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO DAVID PETERS, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: NEVLING /

| PURPOSE | VENDOR | CHECK # | AMOUNT |
|-----------------|-----------|---------|--------|
| SURCHARGE | APOTHAKER | 30149 | 10.00 |
| SHERIFF HAWKINS | APOTHAKER | 30149 | 20.39 |

Sworn to Before Me This

____ Day of _____ 2006

So Answers,

Chester A. Hawkins

Chester A. Hawkins
Sheriff

APOTHAKER & ASSOCIATES, P.C.
BY: David J. Apothaker
Attorney I.D.#38423
2417 Welsh Road, Suite 21 #520
Philadelphia, PA 19114
(215) 634-8920
Attorney for Plaintiff

| | | |
|---------------------------|---|-----------------------|
| PORTFOLIO RECOVERY |) | COURT OF COMMON PLEAS |
| ASSOCIATES, LLC |) | CLEARFIELD COUNTY |
| |) | |
| Plaintiff, |) | |
| vs. |) | |
| |) | NO. 06-363-CD |
| |) | |
| DAVID PETERS |) | |
| 500 E MARKET ST |) | |
| CLEARFIELD, PA 16830-2437 |) | |
| Defendant. |) | |

**NOTICE OF INTENTION
TO TAKE DEFAULT**

TO: DAVID PETERS

DATE OF NOTICE: May 30, 2006

IMPORTANT NOTICE

You are in default because you have failed to enter a written appearance personally or by attorney and file in writing with the court your defenses or objections to the claims set forth against you. Unless you act within ten (10) days from the date of this notice as set forth above, a judgment may be entered against you without a hearing and you may lose your property or other important rights. You should take this notice to a lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the following office to find out where you can get legal help:

CLEARFIELD COUNTY BAR ASSOCIATION
Lawyer Referral and Information Service
814-765-2641

151

DAVID J. APOTHAKER, ESQUIRE
2417 Welsh Road, Suite 21 #520
Philadelphia, PA 19114
(215) 634-8920
Attorney for Plaintiff
Attorney ID #38423

Our File No.: 67360

NOTICE OF JUDGMENT

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

CIVIL DIVISION

Portfolio Recovery Associates, LLC

Vs.

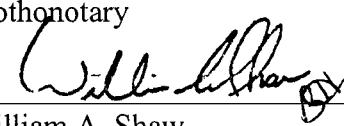
No. 2006-00363-CD

David Peters

To: DEFENDANT(S)

NOTICE is given that a JUDGMENT in the above captioned matter has been entered against you in the amount of \$9,630.58 on July 27, 2006.

William A. Shaw
Prothonotary



William A. Shaw

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

Portfolio Recovery Associates, LLC
Plaintiff(s)

No.: 2006-00363-CD

Real Debt: \$9,630.58

Atty's Comm: \$

Vs. Costs: \$

Int. From: \$

David Peters
Defendant(s)

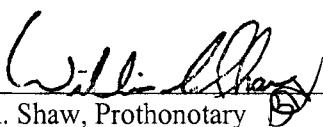
Entry: \$20.00

Instrument: Default Judgment

Date of Entry: July 27, 2006

Expires: July 27, 2011

Certified from the record this 27th day of July, 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