

2006-621-CD
LVNV Funding et al vs Penny Harper

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

LVNV FUNDING, LLC
ASSIGNEE OF SHERMAN ACQUISITION
ASSIGNEE OF PROVIDIAN FINANCIAL CORP
Plaintiff

No. 06-621-CD

C/O WOLPOFF & ABRAMSON, L.L.P.
4660 TRINDLE ROAD, 3rd FLOOR
CAMP HILL, PA 17011

Type of Case: Contract

VS.

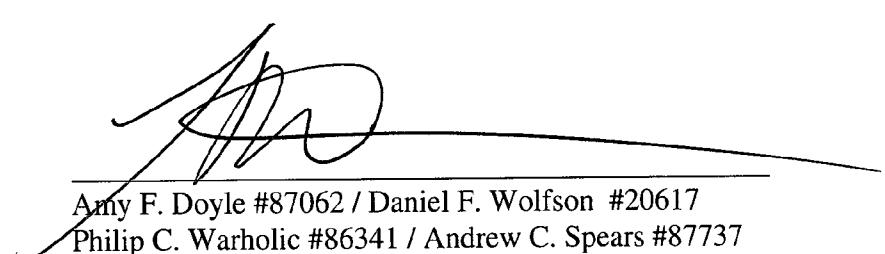
PENNY L HARPER
Defendant(s)

PENNY L HARPER
1700 PINETOP RD
WOODLAND PA 16881

Type of Pleading:

Filed on Behalf of: Plaintiff

Date: 4/13/04


Amy F. Doyle #87062 / Daniel F. Wolfson #20617
Philip C. Warholic #86341 / Andrew C. Spears #87737
David R. Galloway #87326 / Tonilyn M. Chippie #87852
Sarah E. Ehasz #86469 / Robert N. Polas, Jr. #201259
Bruce H. Cherkis #18837 / Ronald S. Canter #94000
Ronald M. Abramson #94266
WOLPOFF & ABRAMSON, L.L.P.
Attorneys in the Practice of Debt Collection
4660 Trindle Road, 3rd Floor
Camp Hill, PA 17011
Telephone: (717) 303-6700
Counsel for Plaintiff

FILED *Atty pd 85.00*
4/13/04 *cc Sheriff*
APR 20 2004 *JS*

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

LVNV FUNDING, LLC	:No.
ASSIGNEE OF SHERMAN ACQUISITION	:
ASSIGNEE OF PROVIDIAN FINANCIAL CORP	:
Plaintiff	:
VS	:CIVIL ACTION - LAW
PENNY L HARPER	:
Defendant(s)	:
	:

NOTICE

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served, by entering a written appearance personally or by 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 or any other claim or relief requested by the Plaintiff. You may lose money or property 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 HELP. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

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

Clearfield County Courthouse
David S. Meholick, Court Administrator 230 East Market Street
Clearfield, PA 16830-
814-765-2641

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

LVNV FUNDING, LLC	:No.
ASSIGNEE OF SHERMAN ACQUISITION	:
ASSIGNEE OF PROVIDIAN FINANCIAL CORP	:
Plaintiff	:
VS	:CIVIL ACTION - LAW
PENNY L HARPER	:
Defendant(s)	:
	:

AVIOS PARA DEFENDER

USTED HA SIDO DEMANDADO/A EN LA CORTE. Si usted desea defender conta la demanda puestas en las siguientes paginas, usted tienen que tomar acción dentro veinte (20) dias después que esta Demanda y Aviso es servido, con entrando por escrito una apariencia personalmente o por un abogado y archivando por escrito con la Corte sus defensas o objeciones a las demandas puestas en esta contra usted. Usted es advertido que si falla de hacerlo el caso puede proceder sin usted y un juzgamiento puede ser entrado conta usted por la Corte sin mas aviso por cualquier dinero reclamado en la Demanda o por cualquier otro reclamo o alivio solicitado por Demandante. Usted puede perder dinero o propiedad o otros derechos importante para usted.

USTED DEBE LLEVAR ESTE PAPEL A SU ABOGADO ENSEGUIDA. SI USTED NO TIENE UN ABOGADO, VAYA O LLAME POR TELEFONO LA OFICINA FIJADA AQUI ABAJO. ESTA OFICINA PUEDE PROVEERE CON INFORMACION DE COMO CONSEGUIR UN ABOGADO.

SI USTED NO PUEDE PAGARLE A UN ABOGADO, ESTA OFICINA PUEDE PROVEERE INFORMACION ACERCA AGENCIAS. QUE PUEDAN OFRECER SERVICIOS LEGAL A PERSONAS ELIGIBLE AQ UN HONORARIO REDUCIDO O GRATIS.

Clearfield County Courthouse
David S. Meholick, Court Administrator 230 East Market Street
Clearfield, PA 16830-
814-765-2641

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

LVNV FUNDING, LLC	:	
ASSIGNEE OF SHERMAN ACQUISITION	:	No.
ASSIGNEE OF PROVIDIAN FINANCIAL CORP	:	
Plaintiff	:	
VS	:	
PENNY L HARPER	:	CIVIL ACTION - LAW
Defendant(s)	:	
	:	

COMPLAINT

AND NOW, comes the Plaintiff, by and through its attorneys and the law firm of Wolpoff & Abramson, LLP, and files this Complaint and in support avers as follows:

1. Plaintiff, LVNV FUNDING, LLC ASSIGNEE OF SHERMAN ACQUISITION

ASSIGNEE OF PROVIDIAN FINANCIAL CORP , 15 South Main Street Greenville, SC 29601- is a business entity doing business within the Commonwealth of Pennsylvania and the other states of the United States.

2. Defendant, PENNY L HARPER, is an adult individual with a last known address of 1700 Pinetop Rd Woodland, Clearfield County, PA 16881.

3. It is averred that Defendant was issued an open end credit account (hereinafter "Account").

4. At all relevant times material hereto, Defendant has been regular users of said Account for the purchase of products, goods and/or for obtaining services.

5. Defendant was provided with copies of the Statement of Accounts showing all debits and credits for transactions on the aforementioned credit card account to which there was no bona fide objection by Defendant. A true and correct copy of the Statement of Account is attached hereto, incorporated herein and marked as Exhibit "A".

6. Defendant did not object to the above-mentioned statement submitted by Plaintiff and/or its assignors to Defendant.

7. As of the date of this Complaint, the remaining balance due, owing and unpaid on Defendant's credit card account as a result of the charges made by said Defendant and/or any authorized users is the sum of \$6,061.46.

8. Interest has accrued from the charge off date at a rate of 18 %.

9. As of the date of the filing of this Complaint, the amount of interest which has accrued is the sum of \$2,340.55.

10. As of the filing of this Complaint, Plaintiff has incurred reasonable attorney's fees from the law office of Wolpoff & Abramson, LLP in the collection of the amounts due from Defendant incident to the within action based upon 20% of the principal amount due and owing, and Plaintiff shall continue to incur such attorney's fees through the conclusion of the proceedings.

11. The amount of attorney's fees which has accrued is the sum of \$1,212.29.

12. Despite reasonable and repeated demands for payment, Defendant has refused and continues to refuse to pay all sums due and owing on the aforementioned account balance, all to the damage and detriment of the Plaintiff.

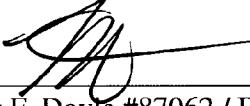
13. Plaintiff performed any and all conditions precedent to the bringing of this action.

14. The amount in controversy is within the jurisdictional amount requiring compulsory arbitration.

WHEREFORE, Plaintiff respectfully requests this Honorable Court enter Judgment in favor of the Plaintiff and against Defendant in the amount of \$6,061.46, plus interest in the amount of \$2,340.55, plus attorney's fees in the amount of \$1,212.29, plus costs of this action and any other relief as this Court deems just and reasonable.

Respectfully Submitted,

Date: 4/13/04


Amy F. Doyle #87062 / Daniel F. Wolfson #20617
Philip C. Warholic #86341 / Andrew C. Spears #87737
David R. Galloway #87326 / Tonilyn M. Chippie #87852
Sarah E. Ehasz #86469 / Robert N. Polas, Jr. #201259
Bruce H. Cherkis #18837 / Ronald S. Canter #94000
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WOLPOFF & ABRAMSON, L.L.P.
Attorneys in the Practice of Debt Collection
4660 Trindle Road, 3rd Floor
Camp Hill, PA 17011
Telephone: (717) 303-6700
Counsel for Plaintiff

VERIFICATION

The undersigned hereby states that they are the attorney for the Plaintiff who is located outside of this jurisdiction and in order to file the within document in an expedient and timely manner, they are authorized to take this verification on behalf of said Plaintiff in the within action and verifies that the statements made in the foregoing Pleading are true and correct to the best of their knowledge, information, and belief, based upon information provided by the Plaintiff.

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

Date: 4/13/09



Amy F. Doyle #87062 / Daniel F. Wolfson #20617
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Attorneys in the Practice of Debt Collection
4660 Trindle Road, 3rd Floor
Camp Hill, PA 17011
Telephone: (717) 303-6700
Counsel for Plaintiff

Exhibit "A"

ACCT#4031180423016208 BAL 6061.46 C/O DT 05/31/04 LPYMT DT 12/31/03
NAME PENNY L HARPER
ADDR 1700 PINETOP RD
CITY ST ZIP WOODLAND PA 16881
HMPH 8148572958 WKPH SSN XXX-XX-9508
*SFG-ACCTID *SFG-PORTF-ID*SFG-BATCH-ID*SFG-POOL *SFG-CARD-TYPE
91430674 3906 60306
*SFG-MERCHANT *SFG-ACCT-NO
PROVIDIAN FINANCIAL CORP 4031180423016208
*SFG-SSN *SFG-DOB *SFG-PREFIX*SFG-F-NAME
XXX-XX-9508 PENNY L
*SFG-L-NAME *SFG-SUFFIX
HARPER
*SFG-ADDR1
1700 PINETOP RD
*SFG-ADDR2 *SFG-CITY *SFG-ST
WOODLAND PA
*SFG-ZIP *SFG-HOME-PH *SFG-WORK-PH *SFG-WIRELESS-PH
16881 8148572958
*SFG-OTHER-PH *SFG-POE
*SFG-POE-ADDR *SFG-CO-DEB-SSN*SFG-CO-DEB-DOB
XXX-XX-0000
*SFG-CO-DEB-PREFIX*SFG-CO-DEB-FRST-NAME
*SFG-CO-DEB-LST-NAME *SFG-CO-DEB-SUFFIX
*SFG-CO-DEB-ADDR
*SFG-CO-DEB-ADDR2 *SFG-CO-DEB-CITY
*SFG-CO-DEB-ST*SFG-CO-DEB-ZIP*SFG-CO-DEB-HM-PH *SFG-CO-DEB-WK-PH
*SFG-CO-DEB-WIRELESS-PH*SFG-CO-DEB-OTH-PH
*SFG-CO-DEB-POE
*SFG-CO-DEB-POE-ADDR1 *SFG-ORG-DT*SFG-ORG-AMT

FILED

APR 20 2006

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101465
NO: 06-621-CD
SERVICE # 1 OF 1
COMPLAINT

PLAINTIFF: LVNV FUNDING, LLC

vs.

DEFENDANT: PENNY L. HARPER

SHERIFF RETURN

NOW, May 02, 2006 AT 8:23 AM SERVED THE WITHIN COMPLAINT ON PENNY L. HARPER DEFENDANT AT 1700 PINETOP ROAD, WOODLAND, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO PENNY L. HARPER, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: NEVLING / HUNTER

FILED
070.1534
MAY 19 2006
S

William A. Shaw
Prothonotary/Clerk of Courts

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	WOLPOFF	11677	10.00
SHERIFF HAWKINS	WOLPOFF	11677	27.29

Sworn to Before Me This

____ Day of _____ 2006

So Answers,

Chester A. Hawkins
Chester A. Hawkins
Chester A. Hawkins
Sheriff

FILED

MAY 19 2006

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

LVNV FUNDING, LLC
ASSIGNEE OF SHERMAN ACQUISITION
ASSIGNEE OF PROVIDIAN FINANCIAL
CORP

No. 06-621-CD
CIVIL ACTION - LAW

Plaintiff

VS

PENNY L HARPER
Defendant(s)

PRAECIPE TO DISCONTINUE

To the Prothonotary:

Please mark the above-entitled case as discontinued without prejudice.

Respectfully Submitted,

Date: 8/22/06

Philip C. Warholic
Amy F. Doyle #87062 / Daniel F. Wolfson #20617
Philip C. Warholic #86341 / Andrew C. Spears #87737
David R. Galloway #87326 / Tonilyn M. Chippie #87852
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WOLPOFF & ABRAMSON, L.L.P.
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4660 Trindle Road, Suite 300
Camp Hill, PA 17011
Telephone: (717) 303-6700
Counsel for Plaintiff

FILED
m 2:20 pm disc issued to
AUG 28 2006 Atty Warholic
UN

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

LVNV FUNDING, LLC
ASSIGNEE OF SHERMAN ACQUISITION
ASSIGNEE OF PROVIDIAN FINANCIAL CORP
Plaintiff

No. 06-621-CD

vs.

CIVIL ACTION - LAW

PENNY L HARPER
Defendant(s)

CERTIFICATE OF SERVICE

The undersigned does hereby certify that a copy of the foregoing preaecipe was served this date by Regular Mail, Postage Pre-Paid on this 23 day of
August, 2006

Kenneth Seitz
Mazzei & Associates
432 Boulevard of the Allies
Pittsburgh, PA 15219

Kimberly Eisenhauer
Kimberly Eisenhauer
WOLPOFF & ABRAMSON, L.L.P.
4660 Trindle Road, Suite 300
Camp Hill, PA 17011
Telephone: (717) 303-6700

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

COPY

**LVNV Funding, LLC
Sherman Acquisition
Providian Financial Corp.**

Vs.
Penny L. Harper

No. 2006-00621-CD

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 August 28, 2006, marked:

Discontinued without prejudice

Record costs in the sum of \$85.00 have been paid in full by Tonilyn M. Chippie Esq.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 28th day of August A.D. 2006.



William A. Shaw, Prothonotary