

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

DISCOVER BANK

Plaintiff

vs.

STEVEN M WALLINGFORD

Defendant

No: 06-862-CD

COMPLAINT IN CIVIL ACTION

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

James C. Warmbrodt, 42524
WELTMAN, WEINBERG & REIS CO., L.P.A.
436 Seventh Avenue, Suite 2718
Pittsburgh, PA 15219
(412) 434-7955
FAX: 412-338-7130
05184057 C A Pit WLG

10-30-2006 Document
Reinstated/Received to Sheriff/Attorney
for service.


Deputy Prothonotary

FILED 1cc Shff
MAY 30 2006
MAY 30 2006
Any pd 85.00

William A. Shaw
Prothonotary/Clerk of Courts

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

DISCOVER BANK

Plaintiff

vs.

Civil Action No

STEVEN M WALLINGFORD

Defendant

COMPLAINT AND NOTICE TO DEFEND

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by an attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

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

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

FILED
R A 12

COMPLAINT

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

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

STEVEN M WALLINGFORD
76 DANNYS RD
PENFIELD, PA 15849

3. Defendant applied for and received a credit card issued by
Plaintiff bearing the account number 6011000650651221 . A copy of
Plaintiff's Statement of Account s attached hereto, marked as Exhibit
"A" and made a part hereof.

4. Defendant made use of said credit card and currently has a balance
due and owing to Plaintiff, as of May 19, 2006 , in the amount of
\$1511.88 .

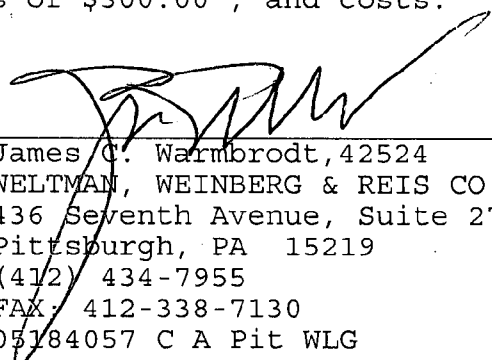
5. Defendant is in default by failing to make payments when due.

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

7. Plaintiff avers that such attorneys' fees will amount to \$300.00 .

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

Wherefore, the Plaintiff prays for Judgment in its favor and against Defendant , STEVEN M WALLINGFORD , INDIVIDUALLY , in the amount of \$1511.88 with interest at the legal rate of 6.000% per annum from date of judgment plus attorneys' fees of \$300.00 , and costs.



James C. Warmbrodt, 42524
WELTMAN, WEINBERG & REIS CO., L.P.A.
436 Seventh Avenue, Suite 2718
Pittsburgh, PA 15219
(412) 434-7955
FAX: 412-338-7130
05184057 C A Pit WLG

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

LEES

LEES

April 5, 2006

Please make check payable to Discover Card.
Minimum payment due includes a past due amount of \$108.00.

06 SDSN6A01 0005353
STEVEN WALLINGFORD
76 DANNYS RD
PENFIELD PA 15849-3022

5784057

Schedule payments in advance up to your due date! Find out about our flexible and convenient online payment features. Visit Discovercard.com/payments

PO BOX 15251
WILMINGTON DE 19886-5251

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

000006011000650651221015118800000000013900

Discover Card Account Summary

Closing Date: March 6, 2006

page 1 of 1

account number 6011 0006 5065 1221
payment due date April 5, 2006
minimum payment due \$139.00
credit limit \$2,000.00
credit available \$488.00
cash credit limit \$1,000.00
cash credit available \$0.00

previous balance	\$1,460.31
payments and credits	- 0.00
purchases	+ 29.00
cash advances	+ 0.00
balance transfers	+ 0.00
FINANCE CHARGES	+ 22.57
new balance	= \$1,511.88

You may be able to avoid Periodic Finance Charges, see the reverse side for details.

EXHIBIT

"A"

Cashback Bonus®

Opening Cashback Bonus Balance	\$ 0.00
New Cashback Bonus Earned	+ 0.00
Cashback Bonus Balance Available to Redeem	\$ 0.00

Cashback Bonus® Anniversary
Date: March 6

Transactions

	trans. date	post date		
Other/Miscellaneous	Mar 6	Mar 6	LATE FEE	\$ 29.00

***** ATTENTION ***** ATTENTION ***** ATTENTION ***** ATTENTION ***** ATTENTION *****
Your account is seriously past due. Payment of the amount due and arrangements for future payments should be made immediately.

	Average Daily Balances	Daily Periodic Rates	Nominal ANNUAL PERCENTAGE RATES	ANNUAL PERCENTAGE RATES	Periodic FINANCE CHARGES	Transaction Fee FINANCE CHARGES
current billing period: 28 days						
Purchases	\$1471.17	0.05477%	19.99% F	19.99%	\$22.57	none
Cash Advances	\$0	0.05751%	20.99% F	20.99%	\$0	\$0

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

VERIFICATION

The undersigned does hereby verify subject to the penalties of 18 PA.C.S. §4904 relating to unsworn falsifications to authorities, that he/she is Robert Adkins

(Name)

Accounts Manager

(Title)

of Discover Financial Services, LLC., plaintiff herein, that

(Company)

he/she is duly authorized to make this Verification, and that the facts set forth in the foregoing Complaint in Civil Action are true and correct to the best of his/her knowledge, information and belief.

Robert Adkins

(Signature)

WWR # 5184057
STEVEN M WALLINGFORD
6011000650651221

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 1 of 1 Services

Sheriff Docket # **101593**

DISCOVER BANK

Case # 06-862-CD

vs.

STEVEN M. WALLINGFORD

TYPE OF SERVICE COMPLAINT

SHERIFF RETURNS

NOW July 11, 2006 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT "NOT FOUND" AS TO STEVEN M. WALLINGFORD, DEFENDANT. ATTEMPTED NOT HOME.

SERVED BY: /

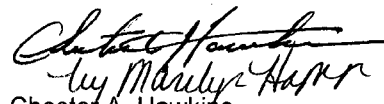
Return Costs


PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	WELTMAN	8330019	10.00
SHERIFF HAWKINS	WELTMAN	8330019	56.72

Sworn to Before me This

_____ Day of _____ 2006

So Answers,


Chester A. Hawkins
Sheriff

FILED
013:11301
JUL 12 2006


William A. Shaw
Prothonotary/Clerk of Courts

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

DISCOVER BANK

Plaintiff

vs.

STEVEN M WALLINGFORD

Defendant

No: 06-862-CD

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Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

James C. Warmbrodt, 42524
WELTMAN, WEINBERG & REIS CO., L.P.A.
436 Seventh Avenue, Suite 2718
Pittsburgh, PA 15219
(412) 434-7955
FAX: 412-338-7130
05184057 C A Pit WLG

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

MAY 30 2006

Attest.

William L. Hines
Prothonotary/
Clerk of Courts

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

DISCOVER BANK

Plaintiff

vs.

STEVEN M WALLINGFORD

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CIVIL DIVISION

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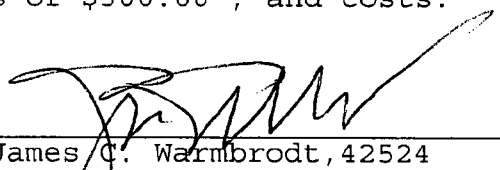
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April 5, 2006

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06 SDSN6A01 0005353
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5184057

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Cashback Bonus® Anniversary
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Accounts Manager (Title) of Discover Financial Services, LLC., plaintiff herein, that
(Company)

he/she is duly authorized to make this Verification, and that the facts set forth in the foregoing Complaint in Civil Action are true and correct to the best of his/her knowledge, information and belief.

Robert Adkins
(Signature)

WWR # 5184057
STEVEN M WALLINGFORD
6011000650651221

UA

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

DISCOVER BANK

Plaintiff

No. 06-862-CD

vs.

MOTION FOR ALTERNATE SERVICE

STEVEN M WALLINGFORD

Defendant

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

James C. Warmbrodt, Esquire
Pa I.D. No. 42524
Weltman, Weinberg & Reis, Co., LLC
2718 Koppers Building
436 Seventh Avenue
Pittsburgh PA 15219
412-434-7955

FILED NO CC
OCT 12 2006 ck

William A. Shaw
Prothonotary/Clerk of Courts

WWR #05184057

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

DISCOVER BANK

Plaintiff

No. 06-862-CD

vs.

STEVEN M WALLINGFORD

Defendant

PLAINTIFF'S MOTION FOR ALTERNATE SERVICE

AND NOW, comes Plaintiff, by counsel, Weltman, Weinberg & Reis Co., L.P.A. and requests this Honorable Court to enter an Order allowing the Plaintiff to make service upon Defendant, STEVEN M WALLINGFORD, by certified U.S. Mail and Certificate of Mailing, addressed to 76 Dannys Rd, Penfield, Pa 15849, averring in support thereof the following:

1. On or about MAY 30, 2006, Plaintiff filed a Complaint in Civil Action against Defendant to recover the unpaid balance due Plaintiff from Defendant in the amount of \$1511.88.
2. When the Sheriff of CLEARFIELD County, Pennsylvania, attempted to make service of Plaintiff's Complaint on Defendant, the Sheriff was unable to do so, as evidenced by the Sheriff's return, a true and correct copy of which is attached hereto, marked Exhibit "1", and made a part hereof.
3. Upon receipt of the Sheriff's return of no service, Plaintiff conducted an investigation with the United States Postal Service to confirm the physical address of the Defendant.

4. Pursuant to Plaintiff's request for information, the United States Postal Service confirmed Defendant's physical address of 76 Dannys Rd, Penfield, Pa 15849, a true and correct copy of Plaintiff's Postal Request is attached hereto, marked as Exhibit "2", and made a part hereof.

5. Plaintiff conducted an online white pages search and was unable to confirm a current address for Defendant of 76 Dannys Rd, Penfield, Pa 15849.

6. Plaintiff contacted the CLEARFIELD County Tax Assessment office, a representative from which confirmed the Defendant's current physical address as 76 Dannys Rd, Penfield, Pa 15849.

7. Plaintiff requested information from the Department of Motor Vehicles for Defendant and there are vehicles registered to Defendant at 76 Dannys Rd, Penfield, Pa 15849. A true and correct copy of the Motor Vehicle Abstract is attached hereto, marked as Exhibit "3", and made a part hereof.

8. Based upon the foregoing, Plaintiff believes and therefore avers that Defendant is attempting to avoid service of process in the above-captioned matter and Plaintiff therefore seeks an Order of Court, pursuant to Pennsylvania Rule of Civil Procedure 430, granting Plaintiff leave to serve its Complaint on Defendant by alternative means.

WHEREFORE, Plaintiff requests this Honorable Court to enter an Order pursuant to PA.R.C.P. 430(a), authorizing the Plaintiff to serve Defendant by Certified U.S. Mail and Certificate of Mailing sent to an address (76 Dannys Rd, Penfield, Pa 15849) at which Defendant is presently receiving mail according to information obtained from the Post Office, or by allowing service by a competent adult.



James C. Warmbrodt, Esquire
Pa I.D. No. 42524
Weltman, Weinberg & Reis, Co., LLC
2718 Koppers Building
436 Seventh Avenue
Pittsburgh PA 15219
412-434-7955

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 1 of 1 Services

Sheriff Docket # **101593**

DISCOVER BANK

Case # 06-862-CD

vs.

STEVEN M. WALLINGFORD

COPY

TYPE OF SERVICE COMPLAINT

SHERIFF RETURNS

NOW July 11, 2006 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT "NOT FOUND" AS TO STEVEN M. WALLINGFORD, DEFENDANT. ATTEMPTED NOT HOME.

SERVED BY: /

Return Costs

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	WELTMAN	8330019	10.00
SHERIFF HAWKINS	WELTMAN	8330019	56.72

Sworn to Before me This

_____ Day of _____ 2006

So Answers,



Chester A. Hawkins
Sheriff

EXHIBIT
1

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

ATTORNEYS AT LAW
2718 Koppers Building
436 Seventh Avenue
Pittsburgh, Pennsylvania 15219
412.434.7955
www.weltman.com

BURLINGTON, NJ
609.914.0437
CHICAGO, IL
847.940.9812
CINCINNATI, OH
513.723.2200
CLEVELAND, OH
216.685.1000
COLUMBUS, OH
614.228.7272
DETROIT, MI
248.362.6100
PHILADELPHIA, PA
215.599.1500

WILLIAM T. MOLCZAN
Attorney at Law
412.434.7955
Fax 412.434.7959
wmolczan@weltman.com



July 25, 2006

Postmaster
PENFIELD, PA 15849

Request for Change of Address or Boxholder Information Needed for Service of Legal Process

Please furnish the new address or the name and street address (if a boxholder) for the following:

Name: **STEVEN M WALLINGFORD**
Address: **76 DANNYS RD**
PENFIELD, PA 15849

NOTE: The name and last known address are required for change of address information. The name, if known, and post office box address are required for boxholder information.

The following information is provided in accordance with 39 CFR 265.6(d)(6)(ii). There is no fee for providing boxholder information. The fee for providing change of address information is waived in accordance with 39 CFR 265.6(d)(1) and (2) and corresponding Administrative Support Manual 352.44a and b.

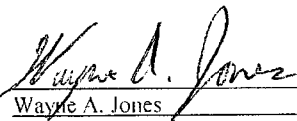
1. Capacity of requester: **William T. Molczan, Esquire, Attorney for Plaintiff, DISCOVER BANK**
2. Statute or regulation that empowers me to serve process: **N/A**
3. The names of all known parties to the litigation: **DISCOVER BANK vs. STEVEN M WALLINGFORD**
4. The Court in which the case has been or will be heard: **Court of Common Pleas of CLEARFIELD**
5. The docket or other identifying number if one has been issued: **06-862-CD**

The capacity in which this individual is to be served: **Defendant**

WARNING

THE SUBMISSION OF FALSE INFORMATION TO OBTAIN AND USE CHANGE OF ADDRESS INFORMATION OR BOXHOLDER INFORMATION FOR ANY PURPOSE OTHER THAN THE SERVICE OF LEGAL PROCESS IN CONNECTION WITH ACTUAL OR PROSPECTIVE LITIGATION COULD RESULT IN CRIMINAL PENALTIES INCLUDING A FINE OF UP TO \$10,000 OR IMPRISONMENT OF (2) TO AVOID PAYMENT OF THE FEE FOR CHANGE OF ADDRESS INFORMATION OF NOT MORE THAN 5 YEARS, OR BOTH (TITLE 18 U.S.C. SECTION 1001).

I certify that the above information is true and that the address information is needed and will be used solely for service of legal process in connection with actual or prospective litigation.


Wayne A. Jones

WELTMAN, WEINBERG & REIS CO., L.P.A.
2718 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219

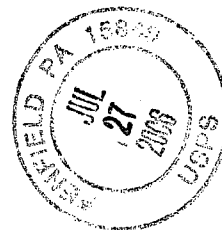
FOR POST OFFICE USE ONLY

BOXHOLDER'S POSTMARK

- ☐ Not known at address given.
☐ Moved, left no forward address.
☐ No such address.
☐ No change of address on file
☒ Good as Addressed

XXX PLEASE INDICATE PHYSICAL ADDRESS

EXHIBIT
2



NEW ADDRESS or NAME and STREET ADDRESS

WWR#05184057

PENNSYLVANIA DEPARTMENT OF TRANSPORTATION
VEHICLE RECORD ABSTRACT

8/15/06

PAGE 1

276002

062270712000448 013

OWNER : STEVEN WALLINGFORD
76 DANNYS RD
PENFIELD PA 15849

LESSEE : NONE

TITLE NUMBER : 60178287
TAG NUMBER : ERE5078
VIN : KMHDN46D24U789038
MAKE : HYUNDAI
MODEL : EST
RENEWAL WID : 062120319000688 001
PREVIOUS TAG :
LIENS : YES
STOPS : NO

TITLE DATE : 04/01/04
REGISTRATION EXPIRY DATE: 06/07
BODY TYPE : SDN
ODOMETER READING : 25*
*ACTUAL MILEAGE
DUPLICATE TITLE COUNT : 0
VEHICLE YEAR : 2004
STOLEN DATE :

TITLE BRAND INFORMATION

NO TITLE BRANDS EXIST FOR THIS TITLE

LIEN INFORMATION

LIEN HOLDER NO. 1

NAME : WELLS FARGO FINANCIAL AC
ADDRESS: PO BOX 250
ESSINGTON PA 19029

EXPIRATION DATE: 04/01/10
ABA NO :
ELT IND:

NO 2ND OR 3RD LIENS EXIST FOR THIS TITLE

EXHIBIT
13

ADDRESS CORRESPONDENCE TO:
DEPARTMENT OF TRANSPORTATION
VEHICLE RECORD SERVICES
PO BOX 68691
HARRISBURG, PA 17106-8691

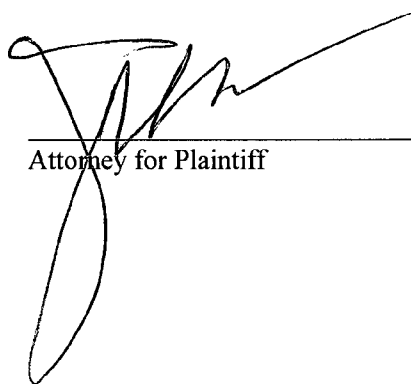
INFORMATION: (8:00 AM TO 6:00 PM)
IN STATE 1-800-932-4600
OUT-OF-STATE 717-412-5300
TDD IN STATE 1-800-228-0676
TDD OUT-OF-STATE 717-412-5380
WWW.DOT.STATE.PA.US

05184057

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the within Motion for Alternate Service was served on the 10 day of Oct, 2006, by first class, U.S. Mail, postage-prepaid, addressed as follows:

STEVEN M WALLINGFORD
76 Dannys Rd
Penfield, Pa 15849

A handwritten signature in black ink, appearing to read 'S. Wallingford', is written over a horizontal line.

Attorney for Plaintiff

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

DISCOVER BANK

NO. 06-862-CD

Plaintiff

vs.

STEVEN M WALLINGFORD

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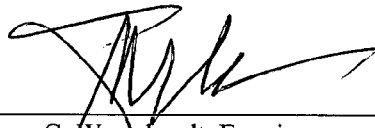
AFFIDAVIT PURSUANT TO PA R.C.P. 430 (a)

BEFORE ME, a Notary Public, in and for the foregoing County and Commonwealth, personally appeared William T. Molczan, Esquire, of Weltman, Weinberg & Reis, Co., L.P.A., attorneys for Plaintiff, and deposes and says that the following accurately reflects efforts made to ascertain the exact whereabouts of Defendant named in the above-captioned matter.

- a. Plaintiff requested current address information from the United States Postal Service, which request for information confirmed the current address for Defendant as being 76 Dannys Rd, Penfield, Pa 15849. A true and correct copy of the Postal Service Return is marked Exhibit "2" attached hereto and made a part hereof.
- b. Plaintiff requested a vehicle search on the Defendant, which shows that the Defendant has a registered vehicle at 76 Dannys Rd, Penfield, Pa 15849. A true and correct copy is attached hereto and marked as Exhibit "3".

Finally, Affiant deposes and says that after the foregoing investigation, the exact whereabouts of the Defendant, STEVEN M WALLINGFORD, is 76 Dannys Rd, Penfield, Pa 15849.

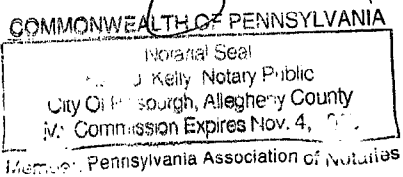
WELTMAN, WEINBERG & REIS, CO., L.P.A.



James C. Warmbrodt, Esquire
Pa I.D. No. 42524
Weltman, Weinberg & Reis, Co., LLC
2718 Koppers Building
436 Seventh Avenue
Pittsburgh PA 15219
412-434-7955

Sworn to and subscribed before me
this 4 day of ~~September~~ October, 06


Notary



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

DISCOVER BANK

Plaintiff

No. 06-862-CD

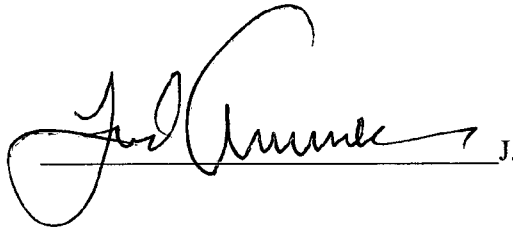
vs.

STEVEN M WALLINGFORD

ORDER OF COURT

AND NOW, to-wit, this 13 day of October, 2006, upon consideration of the foregoing Motion for Service of the Complaint Pursuant to Special Order of Court and attached supporting affidavit, it is hereby ORDERED, ADJUDGED AND DECREED, that the service of the Complaint in Civil Action may be made on Defendant, STEVEN M WALLINGFORD, by permitting the Plaintiff to mail a copy of the Complaint to the Defendant the last known address being 76 Dannys Rd, Penfield, Pa 15849 by Certified Mail and by Certificate of Mailing Postal Form 3817, postage prepaid. Service to be completed upon mailing.

BY THE COURT:

 J.

FILED ^{2cc}
013:33/64 ^{Any}
OCT 13 2006
Warmbrodt
William A. Shaw
Prothonotary/Clerk of Courts (60)

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

DISCOVER BANK

Plaintiff

vs.

STEVEN M WALLINGFORD

Defendant

No. 06-862-CD

PRAECIPE TO REINSTATE COMPLAINT

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

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

WWR#05184057

FILED *pd \$7.00 Atty*
11/12/2006 *Reinstated Complaint*
OCT 30 2006 *to Atty Warmbrodt*
WWR

William A. Shaw
Prothonotary/Clerk of Courts

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

DISCOVER BANK

Plaintiff

vs.

Civil Action No. 06-862-CD

STEVEN M WALLINGFORD

Defendant

PRAECIPE TO REINSTATE COMPLAINT

Kindly reinstate the Complaint in the above captioned matter.

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

By: 

James C. Warmbrodt

PA/I.D. #42524

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

2718 Koppers Building

436 Seventh Avenue

Pittsburgh, PA 15219

(412) 434-7955

WWR #05184057

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

DISCOVER BANK

Plaintiff

vs.

STEVEN M WALLINGFORD

Defendant

No. 06-862-CD

AFFIDAVIT OF SERVICE OF COMPLAINT

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

William T. Molczan, Esquire
PA. I.D.#47437
WELTMAN, WEINBERG & REIS CO., L.P.A.
2718 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR#05184057

FILED ICC Atty
M/11:40 am Molczan
NOV - 8 2006 (initials)

William A. Shaw
Prothonotary/Clerk of Courts

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

DISCOVER BANK

Plaintiff
vs.

No. 06-862-CD

STEVEN M WALLINGFORD

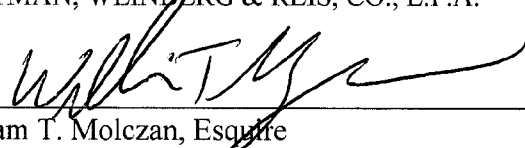
Defendant

AFFIDAVIT OF SERVICE OF COMPLAINT

BEFORE ME, the undersigned authority, personally appeared William T. Molczan, Esquire, who according to law deposes and says that a copy of the Complaint in Civil Action has been served on the Defendant, STEVEN M WALLINGFORD.

1. On or about OCTOBER 13, 2006, Plaintiff received a signed Order of Court permitting service, on the Defendant, to be complete and valid upon mailing to the complaint by first class mail, certificate of mailing and by certified mail, return receipt requested. Said Order of Court is attached as Exhibit "1".
2. On or about NOVEMBER 2, 2006, Plaintiff mailed the complaint to 76 DANNYS RD
PENFIELD, PA 15849. Said certificate of mailing and certified mail receipts are attached as Exhibit "2".

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


William T. Molczan, Esquire
PA I.D. #47437

WELTMAN, WEINBERG & REIS CO., L.P.A.
2718 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955
WWR#05184057

Sworn to and subscribed
before me this 2nd
day of November 2006.


NOTARY PUBLIC

COMMONWEALTH OF PENNSYLVANIA

Notary Seal
Wendy L. Gault, Notary Public
City Of Pittsburgh, Allegheny County
My Commission Expires July 15, 2010
Member, Pennsylvania Association of Notaries

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

DISCOVER BANK

Plaintiff

No. 06-862-CD

vs.

STEVEN M WALLINGFORD

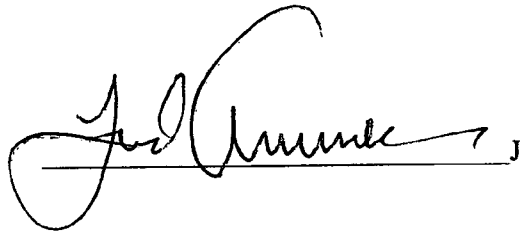
ORDER OF COURT

AND NOW, to-wit, this 13 day of October, 2006, upon consideration of the foregoing Motion for Service of the Complaint Pursuant to Special Order of Court and attached supporting affidavit, it is hereby ORDERED, ADJUDGED AND DECREED, that the service of the Complaint in Civil Action may be made on Defendant, STEVEN M WALLINGFORD, by permitting the Plaintiff to mail a copy of the Complaint to the Defendant the last known address being 76 Dannys Rd, Penfield, Pa 15849 by Certified Mail and by Certificate of Mailing Postal Form 3817, postage prepaid. Service to be completed upon mailing.

EXHIBIT

111

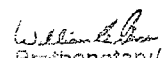
BY THE COURT:



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

OCT 13 2006

Attest.

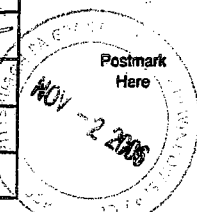

Prothonotary/
Clerk of Courts

WWR #05184057

PTS

7005 3110 0002 8966 2242 7

U.S. Postal Service	
CERTIFIED MAIL™ RECEIPT	
(Domestic Mail Only. No Insurance Coverage Provided)	
For delivery information visit our website at www.usps.com	
OFFICIAL USE	
Postage	\$ 63
Certified Fee	2.45
Return Receipt Fee (Endorsement Required)	1.85
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.88




Sent To:	Steven M. Wallingford
Street, Apt. No., or PO Box No.	76 Darnus Rd.
City, State, ZIP+4	Penfield, PA 15849

PS Form 3800, June 2002 See Reverse for Instructions

EXHIBIT

"2"

U.S. POSTAL SERVICE	CERTIFICATE OF MAILING
MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE-POSTMASTER	
Received From:	
Weltman, Weinberg & Reis Co., L.P.A.	
2718 Koppers Bldg.	
436 7th Avenue	
Pittsburgh, PA 15219	
(412) 434-7955	
One piece of ordinary mail addressed to:	
Steven Wallingford	
76 Darnus Rd.	
Penfield, PA 15849	




\$ 00.950

02 1M NOV 02 2006

000421 7869

MAILED FROM ZIP CODE 15219



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

DISCOVER BANK

Plaintiff

vs.

Civil Action No. : 06-862-CD

STEVEN M WALLINGFORD

Defendant

NOTICE OF JUDGMENT OR ORDER

TO: ☐ Plaintiff
 ☒ Defendant
 ☐ Garnishee

You are hereby notified that the following
Order or Judgment was entered against you
on JAN. 29, 2007

(xx) Assumpsit Judgment in the amount
 of \$1811.88 plus costs.

() Trespass Judgment in the amount
 of \$_____ plus costs.

() If not satisfied within sixty (60)
days, your motor vehicle operator's license and/or registration
will be suspended by the Department of Transportation, Bureau
of Traffic Safety, Harrisburg, PA.

(xx) Entry of Judgment of
 ☐ Court Order
 ☐ Non-Pros
 ☐ Confession
 ☒ Default
 ☐ Verdict
 ☐ Arbitration
 Award

Prothonotary

By: 
PROTHONOTARY (OR DEPUTY)

FILED

JAN 26 2007

m/ 2:45/ w

William A. Shaw
Prothonotary/Clerk of Courts

NOTICE TO DEPT.

STEVEN M WALLINGFORD
76 DANNYS RD
PENFIELD, PA 15849

Plaintiff's address is:
c/o Weltman, Weinberg & Reis Co., L.P.A., 2718 Koppers Building, 436 7th Avenue, Pittsburgh, PA 15219
1-888-434-0085

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

DISCOVER BANK

Plaintiff

No. : 06-862-CD

vs.

PRAECIPE FOR DEFAULT JUDGMENT

STEVEN M WALLINGFORD

Defendant

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

WILLIAM T. MOLCZAN, ESQUIRE
PA I.D.#47437
Weltman, Weinberg & Reis Co., L.P.A.
2718 Koppers Bldg.
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR#05184057
Judgment Amount \$ 1811.88

FILED

JAN 26 2007

William A. Shaw
Prothonotary/Clerk of Courts

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

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

DISCOVER BANK

Plaintiff

vs.

Civil Action No. : 06-862-CD

STEVEN M WALLINGFORD

Defendant

PRAECIPE FOR DEFAULT JUDGMENT

TO THE PROTHONOTARY:

Kindly enter Judgment against the Defendant, STEVEN M WALLINGFORD above named, in the default of an Answer, in the amount of \$1811.88 computed as follows:

Amount claimed in Complaint	\$1511.88
Interest from date of judgment at the legal interest rate of 6% per annum	
Attorney's fees	\$300.00
TOTAL	\$1811.88

I hereby certify that appropriate Notices of Default, as attached have been mailed in accordance with PA R.C.P. 237.1 on the dates indicated on the Notices.

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

By: 

WILLIAM T. MOLCZAN, ESQUIRE

PA I.D.#47437

Welman, Weinberg & Reis Co., L.P.A.

2718 Koppers Bldg.

436 Seventh Avenue

Pittsburgh, PA 15219

(412) 434-7955

WWR#05184057

Plaintiff's address is:

c/o Weltman, Weinberg & Reis Co., L.P.A., 2718 Koppers Building, 436 7th Avenue, Pittsburgh, PA 15219

And that the last known address of the Defendant is: 76 DANNYS RD PENFIELD, PA 15849

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

DISCOVER BANK

Plaintiff

Case # 06-862-CD

STEVEN M WALLINGFORD

Defendant(s)

IMPORTANT NOTICE

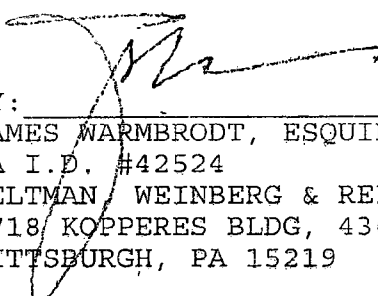
TO: STEVEN M WALLINGFORD
76 DANNYS RD
PENFIELD, PA 15849

Date of Notice: 1/10/07
WWR#: 05184057

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR PROPERTY OR OTHER IMPORTANT RIGHTS. YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE FOLLOWING OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

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

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

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

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

DISCOVER BANK

Case no: : 06-862-CD

Plaintiff

NON-MILITARY AFFIDAVIT

vs.

STEVEN M WALLINGFORD

Defendant

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

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

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

Affiant further states that based upon investigation it is the affiant's belief that the Defendant, STEVEN M WALLINGFORD is not in the military service.

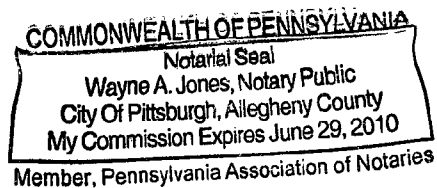
Affiant further states that this belief is supported by the attached certificate from the Defense Manpower Data Center (DMDC), which states that the Defendant, STEVEN M WALLINGFORD is not in the military service.

Further Affiant sayeth naught.


AFFIANT

SWORN TO AND SUBSCRIBED in my presence this 22nd day
of January, 2007


NOTARY PUBLIC



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

Department of Defense Manpower Data Center

JAN-22-2007 05:31:31



Military Status Report
Pursuant to the Servicemembers Civil Relief Act

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

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

Mary M. Snavelly-Dixon

Mary M. Snavelly-Dixon, Director
Department of Defense - Manpower Data Center
1600 Wilson Blvd., Suite 400
Arlington, VA 22209-2593

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

The Department of Defense strongly supports the enforcement of the Servicemembers Civil Relief Act [50 USCS Appx. #167;#167; 501 et seq] (SCRA) (formerly the Soldiers' and Sailors' Civil Relief Act of 1940). DMDC has issued hundreds of thousands of "does not possess any information indicating that the individual is currently on active duty" responses, and has experienced a small error rate. In the event the individual referenced above, or any family member, friend, or representative asserts in any manner that the individual is on active duty, or is otherwise entitled to the protections of the SCRA, you are strongly encouraged to obtain further verification of the person's active duty status by contacting that person's Military Service via the "defenselink.mil" URL provided below. If you have evidence the person is on active-duty and you fail to obtain this additional Military Service verification, provisions of the SCRA may be invoked against you.

If you obtain further information about the person (e.g., an SSN, improved accuracy of DOB, a middle name), you can submit your request again at this Web site and we will provide a new certificate for that query.

This response reflects current active duty status only. For historical information, please contact the Military Service SCRA points-of-contact.

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

WARNING: This certificate was provided based on a name and Social Security number (SSN) provided

by the requester. Providing an erroneous name or SSN will cause an erroneous certificate to be provided.

*Report ID: **BNXTRKASJJB***

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

DISCOVER BANK

Plaintiff

vs.

STEVEN M WALLINGFORD

Defendant

FIRST COMMONWEALTH BANK,

Garnishee,

No. 06-862-CD

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

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

William T. Molczan, Esquire
PA I.D. #47437
WELTMAN, WEINBERG & REIS CO., L.P.A.
2718 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR#05184057

FILED

MAY 16 2007

ml 12:40/1w

William A. Shaw
Prothonotary/Clerk of Courts

6:00 PM w/6 units
to SHERRA

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

DISCOVER BANK

Plaintiff

vs.

Civil Action No. 06-862-CD

STEVEN M WALLINGFORD

Defendant

FIRST COMMONWEALTH BANK,

Garnishee

PRAECIPE FOR WRIT OF EXECUTION

TO THE PROTHONOTARY:

Kindly issue a Writ of Execution in the above matter...

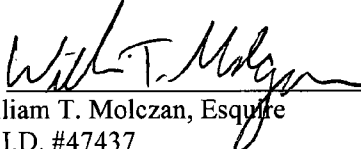
1. directed to the Sheriff of CLEARFIELD County:
2. against STEVEN M WALLINGFORD, Defendant
3. against FIRST COMMONWEALTH BANK, Garnishee

4. Judgment Amount	\$	1811.88
Less payments of		400.00
Interest	\$	28.03
Costs	\$	
SUBTOTAL:	\$	1439.91

Costs (to be added by Prothonotary):

\$
PROTHONOTARY COSTS \$ 132.-

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

By: 
William T. Molezan, Esquire
PA I.D. #47437

WELTMAN, WEINBERG & REIS CO., L.P.A.
2718 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955
WWR#05184057

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

DISCOVER BANK
Plaintiff

vs.

Civil Action No. 06-862-CD

STEVEN M WALLINGFORD
Defendant

FIRST COMMONWEALTH BANK
Garnishee

WRIT OF EXECUTION

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against: STEVEN M WALLINGFORD Defendant(s);

- (1) You are directed to levy upon the property of the defendant(s) and to sell his/her/their interest therein;
- (2) You are also directed to attach the property of the defendant not levied upon in the possession of FIRST COMMONWEALTH BANK, as garnishee, 18431 BENNETTS VALLEY HIGHWAY, WEEDVILLE, PA 15868 and to notify the garnishee that:
 - a. An attachment has been issued;
 - b. Except as provided in paragraph (c), the garnishee is enjoined from paying any debt to or for the account of the defendant and from delivering any property of the defendant or otherwise disposing thereof;
 - c. The attachment shall not include any funds in an account of the defendant with a bank or other financial institution
 - i. In which funds are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law, or
 - ii. That total \$300 or less. If multiple accounts are attached, a total of \$300 in all accounts shall not be subject to levy and attachment as determined by the executing officer. The funds shall be set aside pursuant to the defendant's general exemption provided in 42 Pa.C.S. § 8123.
- (3) If property of the defendant not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify [him] such other person that he or she has been added as a garnishee and is enjoined as above stated

Amount due\$ 1439.91

Costs to be added..... \$
PROTHONOTARY COSTS \$132.00

Prothonotary

Deputy

DATED: May 16, 2007
WWR#05184057

- (4) IF SOCIAL SECURITY OR SUPPLEMENTAL SECURITY INCOME FUNDS ARE DIRECTLY DEPOSITED INTO AN ACCOUNT OF THE DEFENDANT, THE LEVY AND ATTACHMENT SHALL NOT INCLUDE ANY FUNDS THAT MAY BE TRACED TO SUCH DIRECT DEPOSITS. IN ADDITION, THE LEVY AND ATTACHMENT SHALL NOT INCLUDE \$300.00 IN THE ACCOUNT OF THE DEFENDANT.

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

DISCOVER BANK
Plaintiff

No. 06-862-CD

vs.

STEVEN M WALLINGFORD
Defendant

FIRST COMMONWEALTH BANK
Garnishee

WRIT OF EXECUTION
NOTICE

This paper is a "Writ of Execution". It has been issued because there is a judgment against you. It may cause your property to be held or taken to pay the judgment. You may have legal rights to prevent your property from being taken. A lawyer can advise you more specifically of these rights. If you wish to exercise your rights, you must act promptly.

The law provides that certain property cannot be taken and sold by the Sheriff to satisfy your debts. SUCH PROPERTY IS SAID TO BE EXEMPT. No matter what you may owe, there is a DEBTOR'S EXEMPTION established by law. This means that no matter what happens, the Sheriff must give you from the sale at least \$300.00 in cash or property. There are also other exemptions which may be applicable to you. Listed below is a summary of some of the major exemptions. You may have other exemptions or other rights. If you have an exemption, you should do the following promptly:

- (1) Complete the claim form on the opposite side and demand a prompt hearing.
- (2) Deliver the form or mail it to the Sheriff's Office at the address noted.

You should come to court when and where you are told to appear ready to explain your exemption. IF YOU DO NOT COME TO COURT AND PROVE YOUR EXEMPTION, YOU MAY LOSE SOME OF YOUR PROPERTY.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

LAWYER REFERRAL SERVICE
PENNSYLVANIA BAR ASSOCIATION
P.O. BOX 186
HARRISBURG, PA 17108
TELEPHONE NO.: 1-800-692-7375

MAJOR EXEMPTIONS UNDER PENNSYLVANIA AND FEDERAL LAW

1. \$300.00 exemptions set by law.
2. All wearing apparel used by yourself and all family members.
3. Bibles, school books, sewing machines, uniforms & equipment.
4. Tools of your trade such as carpenter's tools.
5. Most wages & unemployment benefits.
6. Social Security benefits, certain retirement funds and accounts.
7. Certain veteran & armed forces benefits.
8. Certain insurance proceeds.
9. Such other exemptions as may be provided by law.

CLAIM FOR EXEMPTION

TO THE SHERIFF:

I, the above-named defendant, claim exemption of property from levy or attachment:

- (1) FROM MY PERSONAL PROPERTY IN MY POSSESSION WHICH HAS BEEN LEVIED UPON,
- (a) I desire that my statutory \$300.00 exemption be:
☐ (1) set aside in kind (specify property, to be set aside in kind: _____

☐ (2) paid in cash following the sale of the property levied upon; or
- (b) I claim the following exemption: (specify property and basis of exemption): _____

- (2) FROM MY PROPERTY WHICH IS IN THE POSSESSION OF A THIRD PARTY, I CLAIM THE FOLLOWING EXEMPTIONS:
- (a) my \$300.00 statutory exemption: ☐ in cash ☐ in kind
(specify property): _____

- (b) Social Security benefits on deposit in the amount of \$ _____
- (c) Other (specify amount & basis for exemption): _____

I request a prompt court hearing to determine the exemption.

Notice of hearing should be given me at the following:

ADDRESS: _____ TELEPHONE NUMBER: _____

I verify that the statements made in this Claim for Exemption are true and correct. I understand that false statements herein are made subject to the penalties of 18 PA. C.S. § 4904 relating to unsworn falsification to authorities:

Date: _____ Defendant: _____

THIS CLAIM TO BE FILED WITH:

Office of the Sheriff of Clearfield County
1 N. Second Street, Suite 116, Clearfield County Courthouse
Clearfield, Pennsylvania 16830
Telephone Number: (814) 765-2641 ext. 5986

Note: Under paragraphs (1) and (2) of the Writ, a description of specific property to be levied upon or attached may be set forth in the Writ or included in a separate direction to the Sheriff.

Under paragraph (2) of the writ, if attachment of a named garnishee is desired, his name should be set forth in the space provided.

Under paragraph (3) of the writ, the Sheriff may, as under prior practice, add as a garnishee any person not named in this writ who may be found in possession of property of the defendant. See Rule 3111(a). For limitations on the power to attach tangible personal property, see Rule 3108(a) (b). Each court shall, by local rule, designate the officer, organization or person to be named in the notice.

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

DISCOVER BANK

Plaintiff

vs.

STEVEN M WALLINGFORD

Defendant

and

FIRST COMMONWEALTH BANK

Garnishee

No. 06-862-CD

**INTERROGATORIES IN ATTACHMENT
FIRST COMMONWEALTH BANK**

FILED ON BEHALF OF:
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

William T. Molczan, Esquire
PA I.D. #47437
WELTMAN, WEINBERG & REIS CO., L.P.A.
2718 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955
WWR#05184057

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

DISCOVER BANK

Plaintiff

vs.

Civil Action No.: 06-862-CD

STEVEN M WALLINGFORD

Defendant

and

FIRST COMMONWEALTH BANK

Garnishee

TO: FIRST COMMONWEALTH BANK
18431 BENNETTS VALLEY HIGHWAY
WEEDVILLE, PA 15868

Suggested Reference No.: XXX-XX-6093

RE: STEVEN M WALLINGFORD
76 DANNYS RD
PENFIELD, PA 15849

IMPORTANT NOTICES TO GARNISHEE!

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

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

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

INTERROGATORIES IN ATTACHMENT

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

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

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

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

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

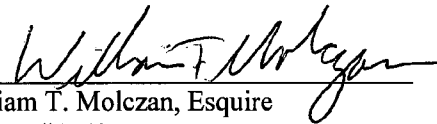
5. At any time before or after you were served, did the defendant transfer or deliver any property to you or to any person or place pursuant to your directions or consent and if so what was the consideration thereof?

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

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

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

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

By: 
William T. Molczan, Esquire

PA I.D. #47437

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

2718 Koppers Building

436 Seventh Avenue

Pittsburgh, PA 15219

(412) 434-7955

WWR#05184057

VERIFICATION

The undersigned does hereby verify subject to the penalties of 18 PA. C.S. 4904 relating to unsworn falsifications to authorities, that he/she is _____
(Name)

_____ of _____, garnishee herein,
(Title) (Company)

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

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

(SIGNATURE)

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102805

NO: 06-862-CD

SERVICE # 1 OF 2

WRIT OF EXECUTION; INTERROGATORIES TO

GARNISHEE

PLAINTIFF: DISCOVER BANK

vs.

DEFENDANT: STEVEN M. WALLINGFORD

TO: FIRST COMMONWEALTH BANK, Garnishee

SHERIFF RETURN

NOW, May 21, 2007 AT 9:15 AM SERVED THE WITHIN WRIT OF EXECUTION; INTERROGATORIES TO GARNISHEE ON FIRST COMMONWEALTH BANK, Garnishee DEFENDANT AT RT. 879, CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO MIKE SCHEPIS, TELLER SUPERVISOR A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION; INTERROGATORIES TO GARNISHEE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: DEHAVEN /

FILED
012:26/201
MAY 21 2007
William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DKT PG. 102805

2 of 2 services

DISCOVER BANK

NO .06-862-CD

-VS-

STEVEN M. WALLINGFORD

**PRAECIPE, WRIT OF EXECUTION, NOTICE,
CLAIM FOR EXEMPTION**

SHERIFF'S RETURN

**NOW MAY 21, 2007 MAILED THE WITHIN PRAECIPE, WRIT OF EXECUTION, NOTICE & CLAIM FOR EXEMPTION TO
STEVEN M. WALLINGFORD, DEFENDANT TO 76 DANNYS RD., PENFIELD, PA. 15849 BY REGULAR MAIL.**

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102805
NO: 06-862-CD
SERVICES 2
WRIT OF EXECUTION; INTERROGATORIES TO

GARNISHEE

PLAINTIFF: DISCOVER BANK

vs.

DEFENDANT: STEVEN M. WALLINGFORD

TO: FIRST COMMONWEALTH BANK, Garnishee

SHERIFF RETURN


RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	WELTMAN	8468833	20.00
SHERIFF HAWKINS	WELTMAN	8468833	26.02

Sworn to Before Me This

_____ Day of _____ 2007

So Answers,


Chester A. Hawkins
Sheriff

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

DISCOVER BANK

Plaintiff

vs.

STEVEN M WALLINGFORD

Defendant

FIRST COMMONWEALTH BANK,

Garnishee,

No. 06-862-CD

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

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

William T. Molczan, Esquire
PA I.D. #47437
WELTMAN, WEINBERG & REIS CO., L.P.A.
2718 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR#05184057

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

MAY 16 2007

Attest.

William A. Shaw
Prothonotary/
Clerk of Courts

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

DISCOVER BANK

Plaintiff

vs.

Civil Action No. 06-862-CD

STEVEN M WALLINGFORD

Defendant

FIRST COMMONWEALTH BANK,

Garnishee

PRAECIPE FOR WRIT OF EXECUTION

TO THE PROTHONOTARY:

Kindly issue a Writ of Execution in the above matter...

1. directed to the Sheriff of CLEARFIELD County:
2. against STEVEN M WALLINGFORD, Defendant
3. against FIRST COMMONWEALTH BANK, Garnishee

4. Judgment Amount	\$	1811.88
Less payments of		400.00
Interest	\$	28.03
Costs	\$	
SUBTOTAL:	\$	1439.91

Costs (to be added by Prothonotary):

\$

Prothonotary Costs \$132.00

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

By: 

William T. Molczan, Esquire
PA I.D. #47437

WELTMAN, WEINBERG & REIS CO., L.P.A.
2718 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955
WWR#05184057

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

DISCOVER BANK
Plaintiff

vs.

Civil Action No. 06-862-CD

STEVEN M WALLINGFORD
Defendant

FIRST COMMONWEALTH BANK
Garnishee

WRIT OF EXECUTION

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against: STEVEN M WALLINGFORD Defendant(s);


- (1) You are directed to levy upon the property of the defendant(s) and to sell his/her/their interest therein;
- (2) You are also directed to attach the property of the defendant not levied upon in the possession of FIRST COMMONWEALTH BANK, as garnishee, 18431 BENNETTS VALLEY HIGHWAY, WEEDVILLE, PA 15868 and to notify the garnishee that:
 - a. An attachment has been issued;
 - b. Except as provided in paragraph (c), the garnishee is enjoined from paying any debt to or for the account of the defendant and from delivering any property of the defendant or otherwise disposing thereof;
 - c. The attachment shall not include any funds in an account of the defendant with a bank or other financial institution
 - i. In which funds are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law, or
 - ii. That total \$300 or less. If multiple accounts are attached, a total of \$300 in all accounts shall not be subject to levy and attachment as determined by the executing officer. The funds shall be set aside pursuant to the defendant's general exemption provided in 42 Pa.C.S. § 8123.
- (3) If property of the defendant not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify [him] such other person that he or she has been added as a garnishee and is enjoined as above stated

Amount due\$ 1439.91

Costs to be added..... \$ 132.00
PROTHONOTARY COSTS \$132.00

Rec'd 5-16-07 @ 3:40 PM
Chester A. Hunkeler
by Marjorie Harris

Prothonotary


Deputy

DATED: May 16, 2007
WWR#05184057

- (4) IF SOCIAL SECURITY OR SUPPLEMENTAL SECURITY INCOME FUNDS ARE DIRECTLY DEPOSITED INTO AN ACCOUNT OF THE DEFENDANT, THE LEVY AND ATTACHMENT SHALL NOT INCLUDE ANY FUNDS THAT MAY BE TRACED TO SUCH DIRECT DEPOSITS. IN ADDITION, THE LEVY AND ATTACHMENT SHALL NOT INCLUDE \$300.00 IN THE ACCOUNT OF THE DEFENDANT.

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

DISCOVER BANK
Plaintiff

No. 06-862-CD

vs.

STEVEN M WALLINGFORD
Defendant

FIRST COMMONWEALTH BANK
Garnishee

WRIT OF EXECUTION
NOTICE

This paper is a "Writ of Execution". It has been issued because there is a judgment against you. It may cause your property to be held or taken to pay the judgment. You may have legal rights to prevent your property from being taken. A lawyer can advise you more specifically of these rights. If you wish to exercise your rights, you must act promptly.

The law provides that certain property cannot be taken and sold by the Sheriff to satisfy your debts. SUCH PROPERTY IS SAID TO BE EXEMPT. No matter what you may owe, there is a DEBTOR'S EXEMPTION established by law. This means that no matter what happens, the Sheriff must give you from the sale at least \$300.00 in cash or property. There are also other exemptions which may be applicable to you. Listed below is a summary of some of the major exemptions. You may have other exemptions or other rights. If you have an exemption, you should do the following promptly:

- (1) Complete the claim form on the opposite side and demand a prompt hearing.
- (2) Deliver the form or mail it to the Sheriff's Office at the address noted.

You should come to court when and where you are told to appear ready to explain your exemption. IF YOU DO NOT COME TO COURT AND PROVE YOUR EXEMPTION, YOU MAY LOSE SOME OF YOUR PROPERTY.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

LAWYER REFERRAL SERVICE
PENNSYLVANIA BAR ASSOCIATION
P.O. BOX 186
HARRISBURG, PA 17108
TELEPHONE NO.: 1-800-692-7375

MAJOR EXEMPTIONS UNDER PENNSYLVANIA AND FEDERAL LAW

1. \$300.00 exemptions set by law.
2. All wearing apparel used by yourself and all family members.
3. Bibles, school books, sewing machines, uniforms & equipment.
4. Tools of your trade such as carpenter's tools.
5. Most wages & unemployment benefits.
6. Social Security benefits, certain retirement funds and accounts.
7. Certain veteran & armed forces benefits.
8. Certain insurance proceeds.
9. Such other exemptions as may be provided by law.

CLAIM FOR EXEMPTION

TO THE SHERIFF:

I, the above-named defendant, claim exemption of property from levy or attachment:

- (1) FROM MY PERSONAL PROPERTY IN MY POSSESSION WHICH HAS BEEN LEVIED UPON,
- (a) I desire that my statutory \$300.00 exemption be:
() (1) set aside in kind (specify property, to be set aside in kind: _____

() (2) paid in cash following the sale of the property levied upon; or
(b) I claim the following exemption: (specify property and basis of exemption): _____

- (2) FROM MY PROPERTY WHICH IS IN THE POSSESSION OF A THIRD PARTY, I CLAIM THE FOLLOWING EXEMPTIONS:
- (a) my \$300.00 statutory exemption: () in cash () in kind
(specify property): _____

- (b) Social Security benefits on deposit in the amount of \$ _____
- (c) Other (specify amount & basis for exemption): _____

I request a prompt court hearing to determine the exemption.

Notice of hearing should be given me at the following:

ADDRESS: _____ TELEPHONE NUMBER: _____

I verify that the statements made in this Claim for Exemption are true and correct. I understand that false statements herein are made subject to the penalties of 18 PA. C.S. § 4904 relating to unsworn falsification to authorities:

Date: _____ Defendant: _____

THIS CLAIM TO BE FILED WITH:

Office of the Sheriff of Clearfield County
1 N. Second Street, Suite 116, Clearfield County Courthouse
Clearfield, Pennsylvania 16830
Telephone Number: (814) 765-2641 ext. 5986

Note: Under paragraphs (1) and (2) of the Writ, a description of specific property to be levied upon or attached may be set forth in the Writ or included in a separate direction to the Sheriff.

Under paragraph (2) of the writ, if attachment of a named garnishee is desired, his name should be set forth in the space provided.

Under paragraph (3) of the writ, the Sheriff may, as under prior practice, add as a garnishee any person not named in this writ who may be found in possession of property of the defendant. See Rule 3111(a). For limitations on the power to attach tangible personal property, see Rule 3108(a) (b). Each court shall, by local rule, designate the officer, organization or person to be named in the notice.

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

DISCOVER BANK

Plaintiff

No. 06-862-CD

vs.

**INTERROGATORIES IN ATTACHMENT
FIRST COMMONWEALTH BANK**

STEVEN M WALLINGFORD

Defendant

and

FIRST COMMONWEALTH BANK

Garnishee

FILED ON BEHALF OF:
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

William T. Molczan, Esquire
PA I.D. #47437
WELTMAN, WEINBERG & REIS CO., L.P.A.
2718 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955
WWR#05184057

FILED NO
M/10:43/01 CC
JUN 01 2007 (GJ)
William A. Shaw
Prothonotary/Clerk of Courts

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

DISCOVER BANK

Plaintiff

vs.

Civil Action No.: 06-862-CD

STEVEN M WALLINGFORD

Defendant

and

FIRST COMMONWEALTH BANK

Garnishee

TO: FIRST COMMONWEALTH BANK
18431 BENNETTS VALLEY HIGHWAY
WEEDVILLE, PA 15868

Suggested Reference No.: XXX-XX-6093

RE: STEVEN M WALLINGFORD
76 DANNYS RD
PENFIELD, PA 15849

IMPORTANT NOTICES TO GARNISHEE!

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

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

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

INTERROGATORIES IN ATTACHMENT

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

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

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

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

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

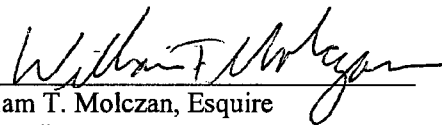
5. At any time before or after you were served, did the defendant transfer or deliver any property to you or to any person or place pursuant to your directions or consent and if so what was the consideration thereof?

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

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

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

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

By: 
William T. Molczan, Esquire

PA I.D. #47437

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

2718 Koppers Building

436 Seventh Avenue

Pittsburgh, PA 15219

(412) 434-7955

WWR#05184057

VERIFICATION

The undersigned does hereby verify subject to the penalties of 18 PA. C.S. 4904 relating to unsworn falsifications to authorities, that he/she is _____
(Name)

_____ of _____, garnishee herein,
(Title) (Company)

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


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

(SIGNATURE)

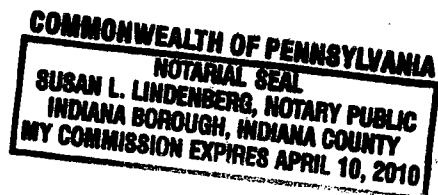
EXHIBIT "A"
ANSWERS TO INTERROGATORIES

1. Yes
 - a. Checking account number 7110110926 into Steven M. Wallingford with a current balance of \$834.89; savings account number 7120091342 into Steven M. Wallingford with a current balance of \$500.62
2. No
3. No
4. No
5. No
6. No
7. No
8. No

COMMONWEALTH OF PENNSYLVANIA)
)
COUNTY OF INDIANA)


James Boyle, Vice President
First Commonwealth Bank

Susan Lindenberg
Notary Public



FILED

JUN 01 2007

William A. Shaw
Prothonotary/Clerk of Courts

RECEIVED
JUN 01 2007
CLERK OF COURTS
JULIA A. SHAW
1001 MARKET STREET
PHILADELPHIA, PA 19107

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

DISCOVER BANK

Plaintiff

vs.

STEVEN M. WALLINGFORD

Defendant

FIRST COMMONWEALTH BANK

Garnishee

No. 06-862-CD

PRAECIPE FOR JUDGMENT AGAINST
GARNISHEE

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

WILLIAM T. MOLCZAN, ESQUIRE
PA I.D.#47437
Weltman, Weinberg & Reis Co., L.P.A.
2718 Koppers Bldg.
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR#05184057

FILED *per \$2000 Atty*
m/11:46 am
JUN 14 2007 *im iced notice to*
First Commonwealth
Bank
William A. Shaw
Prothonotary/Clerk of Courts
1 ccd statement
to Atty.

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

DISCOVER BANK

Plaintiff

vs.

Civil Action No. 06-862-CD

STEVEN M. WALLINGFORD

Defendant

FIRST COMMONWEALTH BANK


Garnishee

PRAECIPE FOR JUDGMENT AGAINST GARNISHEE

TO THE PROTHONOTARY:

Kindly enter Judgment against the Garnishee, FIRST COMMONWEALTH BANK, in the amount of \$1035.51, which is less than Defendant owes to Plaintiff and which amount Garnishee has admitted owing to the Defendant, in answers to Interrogatories.

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

By: 
WILLIAM T. MOLCZAN, ESQUIRE
PA I.D.#47437
Weltman, Weinberg & Reis Co., L.P.A.
2718 Koppers Bldg.
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR#05184057

I hereby certify that the address of the Plaintiff is:
c/o Weltman, Weinberg & Reis Co., L.P.A., 2718 Koppers Building, 436 7th Avenue, Pittsburgh, PA 15219
And that the last known address of the Garnishee is: 18431 BENNETTS VALLEY HIGHWAY,
WEEDVILLE, PA 15868

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

DISCOVER BANK

Plaintiff

vs.

Civil Action No. 06-862-CD

STEVEN M. WALLINGFORD

Defendant

FIRST COMMONWEALTH BANK

Garnishee

COPY

NOTICE OF JUDGMENT OR ORDER

TO: ☐ Plaintiff
☐ Defendant
☒ Garnishee

You are hereby notified that the
following Order or Judgment was
entered against you on June 14, 2007

(xx) Assumpsit Judgment in the amount
of \$1035.51 plus costs.

() Trespass Judgment in the amount
of \$_____ plus costs.

() If not satisfied within sixty (60)
days, your motor vehicle operator's license and/or registration will be
suspended by the Department of Transportation, Bureau of Traffic Safety,
Harrisburg, PA.

(xx) Entry of Judgment of
☐ Court Order
☐ Non-Pros
☐ Confession
☐ Default
☐ Verdict
☐ Arbitration
Award

Prothonotary

By: Willie L. Lush
PROTHONOTARY (OR DEPUTY)

First Commonwealth Bank
18431 Bennetts Valley Highway
Weedville, Pa 15868

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

DISCOVER BANK

Plaintiff

No. 06-862-CD

vs.

**INTERROGATORIES IN ATTACHMENT
FIRST COMMONWEALTH BANK**

STEVEN M WALLINGFORD

Defendant

and

FIRST COMMONWEALTH BANK

Garnishee

FILED ON BEHALF OF:
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

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

DISCOVER BANK

Plaintiff

vs.

Civil Action No.: 06-862-CD

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Defendant

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INTERROGATORIES IN ATTACHMENT

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

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

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

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

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

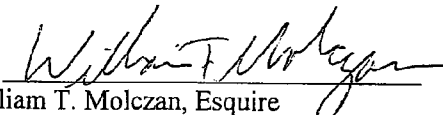
5. At any time before or after you were served, did the defendant transfer or deliver any property to you or to any person or place pursuant to your directions or consent and if so what was the consideration thereof?

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

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

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

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

By: 
William T. Molczan, Esquire
PA I.D. #47437

WELTMAN, WEINBERG & REIS CO., L.P.A.
2718 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955
WWR#05184057

VERIFICATION

The undersigned does hereby verify subject to the penalties of 18 PA. C.S. 4904 relating to unsworn falsifications to authorities, that he/she is _____
(Name)

(Title) of _____, garnishee herein,
(Company)

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

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

(SIGNATURE)


EXHIBIT "A"
ANSWERS TO INTERROGATORIES

1. Yes
 - a. Checking account number 7110110926 into Steven M. Wallingford with a current balance of \$834.89; savings account number 7120091342 into Steven M. Wallingford with a current balance of \$500.62
2. No
3. No
4. No
5. No
6. No
7. No
8. No

VERIFICATION

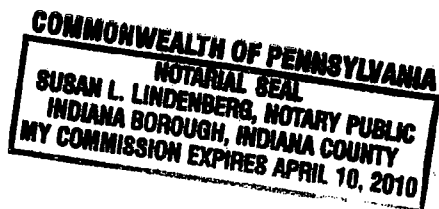
COMMONWEALTH OF PENNSYLVANIA)
)
COUNTY OF INDIANA)

On this 25th day of May 2007 before me, the undersigned officer, a Notary Public in and for said Commonwealth and County, personally appeared JAMES BOYLE, who being duly sworn according to law, acknowledged that he is Vice President of First Commonwealth Bank, and that the facts set forth in the foregoing Interrogatories are true and correct to the best of his knowledge and belief.


James Boyle, Vice President
First Commonwealth Bank

Sworn and subscribed to before me
This 25th day of May 2007

Susan L. Lindenburg
Notary Public



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

COPY

Discover Bank
Plaintiff(s)

No.: 2006-00862-CD

Real Debt: \$1035.51

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Steven M. Wallingford
First Commonwealth Bank
Defendant(s)

Entry: \$20.00

Instrument: Judgment on Garnishee

Date of Entry: June 14, 2007

Expires: June 14, 2012

Certified from the record this June 14, 2007



William A. Shaw, Prothonotary

SIGN BELOW FOR SATISFACTION

Received on _____, _____, of defendant full satisfaction of this Judgment,
Debt, Interest and Costs and Prothonotary is authorized to enter Satisfaction on the same.

Plaintiff/Attorney

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

DISCOVER BANK

Plaintiff

No. 06-862-CD

vs.

**PRAECIPE FOR SATISFACTION OF
JUDGMENT AS TO THE GARNISHEE
FIRST COMMONWEALTH BANK ONLY**

STEVEN M WALLINGFORD

Defendant

FIRST COMMONWEALTH BANK

Garnishee

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

William T. Molczan, Esquire
PA I.D. #47437
WELTMAN, WEINBERG & REIS CO., L.P.A.
2718 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

FILED ICC to AM
m/11:20 am molczan
AUG 20 2007

William A. Shaw
Prothonotary/Clerk of Courts

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

DISCOVER BANK

Plaintiff

vs.

Civil Action No. 06-862-CD

STEVEN M WALLINGFORD

Defendant

FIRST COMMONWEALTH BANK

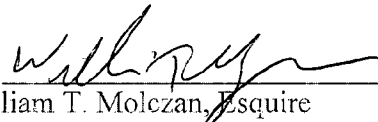
Garnishee

PRAECIPE FOR SATISFACTION OF JUDGMENT
AS TO THE GARNISHEE, FIRST COMMONWEALTH BANK, ONLY

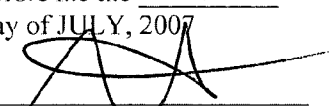
TO THE PROTHONOTARY:

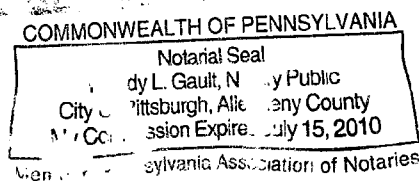
Please kindly Satisfy the Judgment of the above captioned matter upon the records of the Court and
mark the cost paid as to Garnishee, FIRST COMMONWEALTH BANK, only.

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

By: 
William T. Molezan, Esquire
PA I.D. #47437
WELTMAN, WEINBERG & REIS CO., L.P.A.
2718 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

Sworn to and subscribed
Before me the 27
Day of JULY, 2007


NOTARY PUBLIC



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

DISCOVER BANK

Plaintiff

No. 06-862-CD

vs.

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

STEVEN M WALLINGFORD

Defendant

FIRST COMMONWEALTH,

Garnishee,

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

Matthew D. Urban, Esquire
PA I.D. #90963
WELTMAN, WEINBERG & REIS CO., L.P.A.
1400 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR#5184057

FILED *Att. pd.*
m/11/3/10
DEC 10 2010 *20.00*
300.00 writs
William A. Shaw
Prothonotary/Clerk of Courts *to Sheriff*

(64)

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

DISCOVER BANK

Plaintiff

vs.

Civil Action No. 06-862-CD

STEVEN M WALLINGFORD

Defendant

FIRST COMMONWEALTH,

Garnishee

PRAECIPE FOR WRIT OF EXECUTION

TO THE PROTHONOTARY:

Kindly issue a Writ of Execution in the above matter...

1. directed to the Sheriff of CLEARFIELD County:
2. against STEVEN M WALLINGFORD, Defendant
3. against FIRST COMMONWEALTH, Garnishee

4. Judgment Amount	\$	1811.88
Less payments of	-\$	1435.51
Interest	\$	174.69
Costs	\$	
SUBTOTAL:	\$	551.06
Costs (to be added by Prothonotary):	\$	<u>179.00</u>

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

By: 

Matthew D. Urban, Esquire

PA I.D. #90963

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

1400 Koppers Building

436 Seventh Avenue

Pittsburgh, PA 15219

(412) 434-7955

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

DISCOVER BANK
Plaintiff

No. 06-862-CD

vs.

STEVEN M WALLINGFORD

Defendant

FIRST COMMONWEALTH
Garnishee

WRIT OF EXECUTION
NOTICE

This paper is a "Writ of Execution". It has been issued because there is a judgment against you. It may cause your property to be held or taken to pay the judgment. You may have legal rights to prevent your property from being taken. A lawyer can advise you more specifically of these rights. If you wish to exercise your rights, you must act promptly.

The law provides that certain property cannot be taken and sold by the Sheriff to satisfy your debts. SUCH PROPERTY IS SAID TO BE EXEMPT. No matter what you may owe, there is a DEBTOR'S EXEMPTION established by law. This means that no matter what happens, the Sheriff must give you from the sale at least \$300.00 in cash or property. There are also other exemptions which may be applicable to you. Listed below is a summary of some of the major exemptions. You may have other exemptions or other rights. If you have an exemption, you should do the following promptly:

- (1) Complete the claim form on the opposite side and demand a prompt hearing.
- (2) Deliver the form or mail it to the Sheriff's Office at the address noted.

You should come to court when and where you are told to appear ready to explain your exemption. IF YOU DO NOT COME TO COURT AND PROVE YOUR EXEMPTION, YOU MAY LOSE SOME OF YOUR PROPERTY.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

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

MAJOR EXEMPTIONS UNDER PENNSYLVANIA AND FEDERAL LAW

1. \$300.00 exemptions set by law.
2. All wearing apparel used by yourself and all family members.
3. Bibles, school books, sewing machines, uniforms & equipment.
4. Tools of your trade such as carpenter's tools.
5. Most wages & unemployment benefits.
6. Social Security benefits, certain retirement funds and accounts.
7. Certain veteran & armed forces benefits.
8. Certain insurance proceeds.
9. Such other exemptions as may be provided by law.

CLAIM FOR EXEMPTION

TO THE SHERIFF:

I, the above-named defendant, claim exemption of property from levy or attachment:

(1) FROM MY PERSONAL PROPERTY IN MY POSSESSION WHICH HAS BEEN LEVIED UPON,

(a) I desire that my statutory \$300.00 exemption be:

☐ (1) set aside in kind (specify property, to be set aside in kind: _____)

☐ (2) paid in cash following the sale of the property levied upon; or

(b) I claim the following exemption: (specify property and basis of exemption): _____

(2) FROM MY PROPERTY WHICH IS IN THE POSSESSION OF A THIRD PARTY, I CLAIM THE FOLLOWING EXEMPTIONS:

(a) my \$300.00 statutory exemption: ☐ in cash ☐ in kind
(specify property): _____

(b) Social Security benefits on deposit in the amount of \$ _____

(c) Other (specify amount & basis for exemption): _____

I request a prompt court hearing to determine the exemption.

Notice of hearing should be given me at the following:

ADDRESS: _____ TELEPHONE NUMBER: _____

I verify that the statements made in this Claim for Exemption are true and correct. I understand that false statements herein are made subject to the penalties of 18 PA. C.S. § 4904 relating to unsworn falsification to authorities:

Date: _____ Defendant: _____

THIS CLAIM TO BE FILED WITH:

Office of the Sheriff of Clearfield County
Courthouse
1 N Second Street
Clearfield, PA 16830
Telephone Number: (814) 765-2641 ext.

Note: Under paragraphs (1) and (2) of the Writ, a description of specific property to be levied upon or attached may be set forth in the Writ or included in a separate direction to the Sheriff.

Under paragraph (2) of the writ, if attachment of a named garnishee is desired, his name should be set forth in the space provided.

Under paragraph (3) of the writ, the Sheriff may, as under prior practice, add as a garnishee any person not named in this writ who may be found in possession of property of the defendant. See Rule 3111(a). For limitations on the power to attach tangible personal property, see Rule 3108(a) (b). Each court shall, by local rule, designate the officer, organization or person to be named in the notice.

COPY

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

DISCOVER BANK
Plaintiff

vs.

Civil Action No. 06-862-CD

STEVEN M WALLINGFORD
Defendant

FIRST COMMONWEALTH
Garnishee

WRIT OF EXECUTION

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against: STEVEN M WALLINGFORD Defendant(s);

- (1) You are also directed to attach the property of the defendant not levied upon in the possession of FIRST COMMONWEALTH, as garnishee, 14303 Clearfield Shawville Highway, Clearfield, PA 16830 and to notify the garnishee that:
- a. An attachment has been issued;
 - b. Except as provided in paragraph (c), the garnishee is enjoined from paying any debt to or for the account of the defendant and from delivering any property of the defendant or otherwise disposing thereof;
 - c. The attachment shall not include any funds in an account of the defendant with a bank or other financial institution
 - i. In which funds are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law, or (i) the first \$10,000.00 of each of the account of the defendant (s) with a bank or other financial institution containing any funds which are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law
 - ii. Each account of the defendant(s) with a bank or other financial institution in which funds on deposit exceed \$10,000.00 at any time if all funds are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law
 - iii. Any funds in an account of the defendant (s) with a bank or other financial institution in which funds on deposit exceed \$10,000.00 at any time if all funds are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law
- (2) If property of the defendant not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify [him] such other person that he or she has been added as a garnishee and is enjoined as above stated
- Amount due\$ 551.06

Costs to be added.....\$ 179.00 Prothonotary costs

Prothonotary

Willie L. Hays
Deputy

DATED: 12/10/10
WWR#5184057

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

DISCOVER BANK

Plaintiff

vs.

STEVEN M WALLINGFORD

Defendant

and

FIRST COMMONWEALTH

Garnishee

No. 06-862-CD

**INTERROGATORIES IN ATTACHMENT
FIRST COMMONWEALTH**

FILED ON BEHALF OF:
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

Matthew D. Urban, Esquire
PA I.D. #90963
WELTMAN, WEINBERG & REIS CO., L.P.A.
1400 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955
WWR#5184057

5
FILED 4cc
DEC 10 2010
William A. Shaw
Prothonotary/Clerk of Courts

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

DISCOVER BANK

Plaintiff

vs.

Civil Action No.: 06-862-CD

STEVEN M WALLINGFORD

Defendant

and

FIRST COMMONWEALTH

Garnishee

TO: FIRST COMMONWEALTH
14303 Clearfield Shawville Highway
Clearfield, PA 16830

Suggested Reference No.: XXX-XX-6093

RE: STEVEN M WALLINGFORD
76 DANNYS RD
PENFIELD, PA 15849

IMPORTANT NOTICES TO GARNISHEE!

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

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

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

INTERROGATORIES IN ATTACHMENT

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

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

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

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

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

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

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

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

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


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

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

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

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

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



By: _____

Matthew D. Urban, Esquire

PA I.D. #90963

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

1400 Koppers Building

436 Seventh Avenue

Pittsburgh, PA 15219

(412) 434-7955

WWR#5184057

VERIFICATION

The undersigned does hereby verify subject to the penalties of 18 PA. C.S. 4904 relating to unsworn falsifications to authorities, that he/she is _____
(Name)

_____ of _____, garnishee herein,
(Title) (Company)

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

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

(SIGNATURE)

To Deputy 12/13/10

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
NO: 06-862-CD

DISCOVER BANK

VS

SERVICE # 1 OF 2

STEVEN M. WALLINGFORD

TO: FIRST COMMONWEALTH, Garnishee

WRIT OF EXECUTION, INTERROGATORIES TO GARNISHEE

SERVE BY: 03/06/2011 **RUSH** HEARING: PAGE: 107979

DEFENDANT: FIRST COMMONWEALTH, Garnishee
ADDRESS: 14303 CLEARFIELD SHAWVILLE HWY.
CLEARFIELD, PA 16830

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: GARNISHEE

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT OCCUPIED

ATTEMPTS

FILED

DEC 16 2010

013-36

William A. Shaw
Notary/Clerk of Courts

SHERIFF'S RETURN

NOW, This 16th of Dec 2010 AT 9:06 AM / PM **SERVED** THE WITHIN

WRIT OF EXECUTION, INTERROGATORIES TO GARNISHEE ON FIRST COMMONWEALTH, Garnishee, DEFENDANT

BY HANDING TO DIANNE LITZINGER Branch MGR.

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

ADDRESS SERVED 14303 CLED Shawville Hwy CLFD

NOW _____ AT _____ AM / PM **POSTED** THE WITHIN

WRIT OF EXECUTION, INTERROGATORIES TO GARNISHEE FOR FIRST COMMONWEALTH, Garnishee

AT (ADDRESS) _____

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

I MAKE RETURN OF **NOT FOUND** AS TO FIRST COMMONWEALTH, Garnishee

REASON UNABLE TO LOCATE _____

SWORN TO BEFORE ME THIS

_____ DAY OF _____ 2010

So Answers: CHESTER A. HAWKINS, SHERIFF

BY:

George F. DeBuen
Deputy Signature
George F. DeBuen
Print Deputy Name

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

Dkt Pg. 107979

2 of 2

DISCOVER BANK

NO. 06-862-CD

-vs-

STEEN . WALLINGFORD

WRIT OF EXECUTION/
INTERROGATORIES TO
GARNISHEE

TO: FIRST COMMONWEALTH BANK, Garnishee,

SHERIFF'S RETURN

NOW DECEMBER 17, 2010 MAILED THE WITHIN:
PRAECIPE, WRIT, WRIT NOTICE, CLAIM FOR EXEMPTION & INTERROGATORIE
TO: STEVEN M. WALLINGFORD, DEFENDANT
AT: 76 DANYS RD., PENFIELD, PA. 15849
IN THE S.A.S.E.

FILED

9/3:35Lm

DEC 17 2010

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 107979
NO: 06-862-CD
SERVICES 2

WRIT OF EXECUTION, INTERROGATORIES TO GARNISHEE

PLAINTIFF: DISCOVER BANK
vs.
DEFENDANT: STEVEN M. WALLINGFORD
TO: FIRST COMMONWEALTH, Garnishee

SHERIFF RETURN

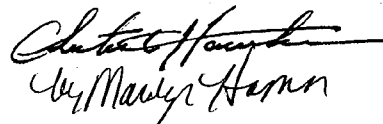
RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	WELTMAN	4891661	20.00
SHERIFF HAWKINS	WELTMAN	4891661	28.00

Sworn to Before Me This

_____ Day of _____ 2010

So Answers,



Chester A. Hawkins
Sheriff

5 FILED (12)

DEC 22 2010

ml 10:30/c
William A. Shaw
Prothonotary/Clerk of Courts
no c/c

ANSWER

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

DISCOVER BANK

Plaintiff

No. 06-862-CD

vs.

INTERROGATORIES IN ATTACHMENT
FIRST COMMONWEALTH

STEVEN M WALLINGFORD

Defendant

and

FIRST COMMONWEALTH

Garnishee

FILED ON BEHALF OF:
Plaintiff

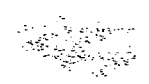
COUNSEL OF RECORD OF
THIS PARTY:

Matthew D. Urban, Esquire
PA I.D. #90963
WELTMAN, WEINBERG & REIS CO., L.P.A.
1400 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955
WWR#5184057

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

DEC 10 2010

Attest.



William A. Shaw
Prothonotary/
Clerk of Courts

RECEIVED
DEC 10 2010

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

DISCOVER BANK

Plaintiff

vs.

Civil Action No.: 06-862-CD

STEVEN M WALLINGFORD

Defendant

and

FIRST COMMONWEALTH

Garnishee

TO: FIRST COMMONWEALTH
14303 Clearfield Shawville Highway
Clearfield, PA 16830

Suggested Reference No.: XXX-XX-6093

RE: STEVEN M WALLINGFORD
76 DANNYS RD
PENFIELD, PA 15849

IMPORTANT NOTICES TO GARNISHEE!

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

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

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

For all answers to this and the foregoing Interrogatories, see Exhibit "A" attached hereto and made part of hereof.

INTERROGATORIES IN ATTACHMENT

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

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

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

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

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

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

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

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

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


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

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

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

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

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



By: _____

Matthew D. Urban, Esquire

PA I.D. #90963

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

1400 Koppers Building

436 Seventh Avenue

Pittsburgh, PA 15219

(412) 434-7955

WWR#5184057

EXHIBIT "A"

ANSWERS TO INTERROGATORIES

1. Yes
 - a. Checking account number 7110110926 into Steven M. Wallingford with a current balance of zero and savings account number 7120091342 into Steven M. Wallingford with a current balance of zero.
2. No
3. No
4. No
5. No
6. No
7. No
8. See #1a above
9. December 16, 2010
10. December 16, 2010
11. N/A
12. N/A

VERIFICATION

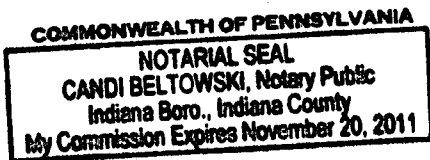
COMMONWEALTH OF PENNSYLVANIA)
)
COUNTY OF INDIANA)

On this 20th day of December 2010 before me, the undersigned officer, a Notary Public in and for said Commonwealth and County, personally appeared LEDA E MCCracken, who being duly sworn according to law, acknowledged that she is Assistant Vice President of First Commonwealth Bank, and that the facts set forth in the foregoing Interrogatories are true and correct to the best of her knowledge and belief.

Leda E. McCracken
Leda E. McCracken, Asst. Vice President
First Commonwealth Bank

Sworn and subscribed to before me
This 20th day of December 2010


Notary Public



COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
CANDI BELTOWSKI, Notary Public
Indiana Borough, Indiana County
My Commission Expires November 30, 2011

CERTIFICATE OF SERVICE

I hereby certify that on December 20, 2010 I have this day caused to be served a true and correct copy of this ANSWERS TO INTERROGATORIES upon the following parties:

VIA CERTIFIED U.S. MAIL

*Steven M. Wallingford
76 Dannys Rd.
Penfield, PA 15849-3022*

As Defendant

VIA REGULAR U.S. MAIL

*Matthew D. Urban, Esquire
Weltman, Weinberg & Reis Co., LPA
1400 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219*

As Plaintiff



Leda E. McCracken
Assistant Vice President
First Commonwealth Bank

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

BY: William T. Molczan, Esquire
I.D. No. 47437
436 Seventh Avenue, Suite 1400
Pittsburgh, PA 15219
Phone: 412.434.7955
Fax: 412.434.7959
File # 5184057

Attorney for Plaintiff(s)

DISCOVER BANK

CLEARFIELD County
Court of Common Pleas

vs.

STEVEN M WALLINGFORD

NO. 06-862-CD

and

FIRST COMMONWEALTH BANK

Garnishee(s)

FILED

JAN 10 2011

William A. Shaw
Prothonotary/Clerk of Courts

PRAECIPE TO DISCONTINUE ATTACHMENT EXECUTION

TO THE PROTHONOTARY:

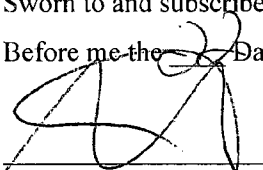
Kindly marked the above matter settled, discontinued, and ended as to Garnishee(s),
FIRST COMMONWEALTH BANK, only.

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

By


William T. Molczan, Esquire
Attorney for Plaintiff

Sworn to and subscribed

Before me the  Day of DECEMBER, 2010

NOTARY PUBLIC

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal
Wendy L. Gault, Notary Public
City of Pittsburgh, Allegheny County
My Commission Expires July 15, 2014
Member, Pennsylvania Association of Notaries

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

BY: Sarah E. Ehasz, Esquire

Attorney for Plaintiff(s)

I.D. No. 86469

436 Seventh Avenue, Suite 1400

Pittsburgh, PA 15219

Phone: 412.434.7955

Fax: 412.434.7959

File # 5184057

FILED

m/11.28.2m
OCT 07 2011

William A. Shaw
Prothonotary/Clerk of Courts

DISCOVER BANK

Plaintiff

CLEARFIELD County
Court of Common Pleas

vs.

NO. 06-862-CD

STEVEN M WALLINGFORD

Defendant(s)

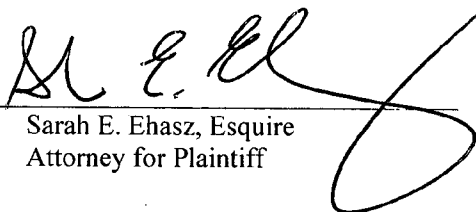
PRAECIPE FOR SATISFACTION OF JUDGMENT

TO THE PROTHONOTARY:

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

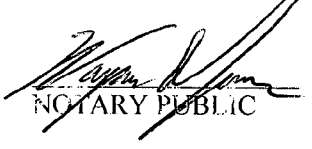
WELTMAN, WEINBERG & REIS CO., L.P.A.

By


Sarah E. Ehasz, Esquire
Attorney for Plaintiff

Sworn to and subscribed

Before me the 21st day of September, 2011


NOTARY PUBLIC

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal
Wayne A. Jones, Notary Public
City of Pittsburgh, Allegheny County
My Commission Expires June 29, 2014
Member, Pennsylvania Association of Notaries