

06-934-CD  
JP Morgan Chase vs Timothy Ruttinger

PHELAN HALLINAN & SCHMIEG, LLP  
LAWRENCE T. PHELAN, ESQ., Id. No. 32227  
FRANCIS S. HALLINAN, ESQ., Id. No. 62695  
ONE PENN CENTER PLAZA, SUITE 1400  
PHILADELPHIA, PA 19103  
(215) 563-7000

134666

JPMORGAN CHASE BANK, AS  
TRUSTEE-SURF 2003-BC4  
4828 LOOP CENTRAL DRIVE  
HOUSTON, TX 77081-2226

Plaintiff

v.

TIMOTHY R. RUTTINGER  
SUSAN M. BOSAK  
A/K/A SUSAN M. LONDON  
A/K/A SUSAN M. RUTTINGER  
587 TREASURE LAKE  
DU BOIS, PA 15801-9012

THE UNITED STATES OF AMERICA  
c/o The United States Attorney for  
the Eastern District of PA  
615 Chestnut Street, Suite 1250  
Philadelphia, PA 19106-4476

Defendants

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

NO. 06-934-CD

CLEARFIELD COUNTY

FILED Atty pd 85.00  
m 11:03 6/12/2006 sec Shff  
JUN 12 2006  
WM

William A. Shaw  
Prothonotary/Clerk of Courts

**CIVIL ACTION - LAW**

**COMPLAINT IN MORTGAGE FORECLOSURE**

**NOTICE**

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

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

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

Lawyer Referral Service:  
Pennsylvania Lawyer Referral Service  
Pennsylvania Bar Association  
100 South Street  
PO Box 186  
Harrisburg, PA 17108  
800-692-7375

Notice to Defend:  
David S. Meholic, Court Administrator  
Clearfield County Courthouse  
2<sup>nd</sup> and Market Streets  
Clearfield, PA 16830  
814-765-2641 x 5982

IF THIS IS THE FIRST NOTICE THAT YOU HAVE RECEIVED FROM THIS OFFICE, BE ADVISED THAT:

PURSUANT TO THE FAIR DEBT COLLECTION PRACTICES ACT, 15 U.S.C. § 1692 et seq. (1977), DEFENDANT(S) MAY DISPUTE THE VALIDITY OF THE DEBT OR ANY PORTION THEREOF. IF DEFENDANT(S) DO SO IN WRITING WITHIN THIRTY (30) DAYS OF RECEIPT OF THIS PLEADING, COUNSEL FOR PLAINTIFF WILL OBTAIN AND PROVIDE DEFENDANT(S) WITH WRITTEN VERIFICATION THEREOF; OTHERWISE, THE DEBT WILL BE ASSUMED TO BE VALID. LIKEWISE, IF REQUESTED WITHIN THIRTY (30) DAYS OF RECEIPT OF THIS PLEADING, COUNSEL FOR PLAINTIFF WILL SEND DEFENDANT(S) THE NAME AND ADDRESS OF THE ORIGINAL CREDITOR, IF DIFFERENT FROM ABOVE.

THE LAW DOES NOT REQUIRE US TO WAIT UNTIL THE END OF THE THIRTY (30) DAY PERIOD FOLLOWING FIRST CONTACT WITH YOU BEFORE SUING YOU TO COLLECT THIS DEBT. EVEN THOUGH THE LAW PROVIDES THAT YOUR ANSWER TO THIS COMPLAINT IS TO BE FILED IN THIS ACTION WITHIN TWENTY (20) DAYS, YOU MAY OBTAIN AN EXTENSION OF THAT TIME. FURTHERMORE, NO REQUEST WILL BE MADE TO THE COURT FOR A JUDGMENT UNTIL THE EXPIRATION OF THIRTY (30) DAYS AFTER YOU HAVE RECEIVED THIS COMPLAINT. HOWEVER, IF YOU REQUEST PROOF OF THE DEBT OR THE NAME AND ADDRESS OF THE ORIGINAL CREDITOR WITHIN THE THIRTY (30) DAY PERIOD THAT BEGINS UPON YOUR RECEIPT OF THIS COMPLAINT, THE LAW REQUIRES US TO CEASE OUR EFFORTS (THROUGH LITIGATION OR OTHERWISE) TO COLLECT THE DEBT UNTIL WE MAIL THE REQUESTED INFORMATION TO YOU. YOU SHOULD CONSULT AN ATTORNEY FOR ADVICE CONCERNING YOUR RIGHTS AND OBLIGATIONS IN THIS SUIT.

IF YOU HAVE FILED BANKRUPTCY AND RECEIVED A DISCHARGE, THIS IS NOT AN ATTEMPT TO COLLECT A DEBT. IT IS AN ACTION TO ENFORCE A LIEN ON REAL ESTATE.

1. Plaintiff is

JPMORGAN CHASE BANK, AS TRUSTEE-SURF 2003-BC4  
4828 LOOP CENTRAL DRIVE  
HOUSTON, TX 77081-2226

2. The name(s) and last known address(es) of the Defendant(s) are:

TIMOTHY R. RUTTINGER  
SUSAN M. BOSAK  
A/K/A SUSAN M. LONDON  
A/K/A SUSAN M. RUTTINGER  
587 TREASURE LAKE  
DU BOIS, PA 15801-9012

THE UNITED STATES OF AMERICA  
c/o The United States Attorney for  
the Eastern District of PA  
615 Chestnut Street, Suite 1250  
Philadelphia, PA 19106-4476

who is/are the mortgagor(s) and real owner(s) of the property hereinafter described.

3. On 08/20/2003 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to WILMINGTON FINANCE, A DIVISION OF AIG FEDERAL SAVINGS BANK which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Instrument No: 200316353. PLAINTIFF is now the legal owner of the mortgage and is in the process of formalizing an assignment of same.
4. The premises subject to said mortgage is described as attached.
5. The mortgage is in default because monthly payments of principal and interest upon said mortgage due 12/01/2005 and each month thereafter are due and unpaid, and by the terms of said mortgage, upon failure of mortgagor to make such payments after a date specified by written notice sent to Mortgagor, the entire principal balance and all interest due thereon are collectible forthwith.

6. The following amounts are due on the mortgage:

Principal Balance	\$90,547.20
Interest	6,496.60
11/01/2005 through 06/08/2006 (Per Diem \$29.53)	
Attorney's Fees	1,250.00
Cumulative Late Charges 08/20/2003 to 06/08/2006	233.98
Cost of Suit and Title Search	<u>\$ 550.00</u>
Subtotal	\$ 99,077.78
Escrow	
Credit	0.00
Deficit	6,613.37
Subtotal	<u>\$ 6,613.37</u>
<b>TOTAL</b>	<b>\$ 105,691.15</b>

7. The attorney's fees set forth above are in conformity with the mortgage documents and Pennsylvania law, and will be collected in the event of a third party purchaser at Sheriff's Sale. If the Mortgage is reinstated prior to the Sale, reasonable attorney's fees will be charged.

8. Notice of Intention to Foreclose as set forth in Act 6 of 1974, Notice of Homeowner's Emergency Assistance Program pursuant to Act 91 of 1983, as amended in 1998, and/or Notice of Default as required by the mortgage document, as applicable, have been sent to the Defendant(s) on the date(s) set forth thereon, and the temporary stay as provided by said notice has terminated because Defendant(s) has/have failed to meet with the Plaintiff or an authorized consumer credit counseling agency, or has/have been denied assistance by the Pennsylvania Housing Finance Agency.

9. This action does not come under Act 6 of 1974 because the original mortgage amount exceeds \$50,000. The United States of America is made a Defendant herein pursuant to 28 U.S.C. 2410, because of federal tax liens that have been filed with the Prothonotary of CLEARFIELD County in the Judgment Index Unit as follows:

(a) United States vs. TIMOTHY R. RUTTINGER & SUSAN M. BOSAK A/K/A SUSAN M. LONDON A/K/A SUSAN M. RUTTINGER; No. 2004-00519-CD; recorded 04/15/2004; \$5,975.82

WHEREFORE, PLAINTIFF demands an *in rem* Judgment against the Defendant(s) in the sum of \$ 105,691.15, together with interest from 06/08/2006 at the rate of \$29.53 per diem to the date of Judgment, and other costs and charges collectible under the mortgage and for the foreclosure and sale of the mortgaged property.

PHELAN HALLINAN & SCHMIEG, LLP  
*Lawrence T. Phelan*  
By: /s/Francis S. Hallinan  
LAWRENCE T. PHELAN, ESQUIRE  
FRANCIS S. HALLINAN, ESQUIRE  
Attorneys for Plaintiff

## **LEGAL DESCRIPTION**

ALL those certain tracts of land designated as Lots Nos. 442 and 443, Section No. 15, 'Bimini', in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania, recorded in the Recorder of Deeds Office in Misc. Docket Map File No. 25.

EXCEPTING AND RESERVING therefrom and subject to:

1. All easements, rights of way, reservations, restrictions and limitations shown or contained in prior instruments of record and in the aforesaid recorded plan.
2. The Declaration of Restrictions, Treasure Lake, Inc., recorded in Misc. Book Vol. 146, page 476; all of said restrictions being covenants which run with the land.
3. All minerals and mining rights of every kind and nature.
4. A lien for all unpaid charges or assessments as may be made by Developer or Treasure Lake Property Owners Association, Inc., which lien shall run with the land and be an encumbrance against it.

BEING the same premises (Lot No. 442) which were conveyed to Timothy R. Ruttinger by deed of The Tax Claim Bureau of Clearfield County, Pennsylvania, dated November 19, 1996, and recorded at Clearfield, Pennsylvania, in Deeds and Records Book No. 1805, page 121, as the property of Donna Cartwright, et al.; and by quitclaim deed of Donna Cartwright, et al., dated February 23, 1998, and recorded in Deeds and Records Book No. 1921, page 197; and the same premises (Lot No. 443) which were conveyed to Timothy R. Ruttinger by deed of The Tax Claim Bureau of Clearfield County, Pennsylvania, dated November 19, 1996, and recorded at Clearfield, Pennsylvania, in Deeds and Records Book No. 1805, page 124, as the property of Robert Kohm, et ux.. Said lot was also the subject of an Action to Quiet Title filed to No. 98-168-CD, on which a final Order dated March 10, 1998, was recorded in Deeds and Records Book No. 1921, page 178.

PROPERTY BEING: 587 TREASURE LAKE

**VERIFICATION**

FRANCIS S. HALLINAN, ESQUIRE hereby states that he is attorney for PLAINTIFF in this matter, that Plaintiff is outside the jurisdiction of the court and or the Verification could not be obtained within the time allowed for the filing on the pleading, that he is authorized to make this verification pursuant to Pa. R. C. P. 1024 ( c ) and that the statements made in the foregoing Civil Action in Mortgage Foreclosure are based upon information supplied by Plaintiff and are true and correct to the best of his knowledge, information and belief. Furthermore, it is counsel's intention to substitute a verification from Plaintiff as soon as it is received by counsel .

The undersigned understands that this statement is made subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.

3/1/06

FRANCIS S. HALLINAN, ESQUIRE  
Attorney for Plaintiff

DATE: 3/8/06

**FILED**

**JUN 12 2006**

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101633  
NO: 06-934-CD  
SERVICE # 1 OF 2  
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: JPMORGAN CHASE BANK

vs.

DEFENDANT: TIMOTHY R. RUTTINGER and SUSASN M. BOSAK a/k/a SUSAN M. LONDON  
a/k/a SUSAN M. RUTTINGER

**SHERIFF RETURN**

---

NOW, June 26, 2006 AT 10:00 AM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON TIMOTHY R. RUTTINGER DEFENDANT AT 587 TREASURE LAKE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO TIMOTHY R. RUTTINGER, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: DEHAVEN /

**FILED**  
013:160711  
JUL 13 2006

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101633  
NO: 06-934-CD  
SERVICE # 2 OF 2  
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: JPMORGAN CHASE BANK

vs.

DEFENDANT: TIMOTHY R. RUTTINGER and SUSASN M. BOSAK a/k/a SUSAN M. LONDON  
a/k/a SUSAN M. RUTTINGER

**SHERIFF RETURN**

---

NOW, June 26, 2006 AT 10:00 AM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON SUSAN M. BOSAK aka SUSAN M. RUTTINGER aka SUSAN M. LONDON DEFENDANT AT 587 TREASURE LAKE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO TIMOTHY R. RUTTINGER, HUSBAND A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: DEHAVEN /

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101633  
NO: 06-934-CD  
SERVICES 2  
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: JPMORGAN CHASE BANK

vs.

DEFENDANT: TIMOTHY R. RUTTINGER and SUSAN M. BOSAK a/k/a SUSAN M. LONDON  
a/k/a SUSAN M. RUTTINGER

**SHERIFF RETURN**

---

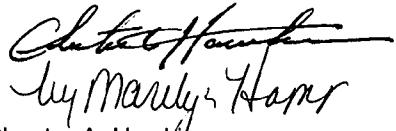
RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	PHELAN	510812	20.00
SHERIFF HAWKINS	PHELAN	510812	40.91

Sworn to Before Me This

So Answers,

\_\_\_\_ Day of \_\_\_\_\_ 2006

  
Chester A. Hawkins  
Sheriff

**FILED**

**JUL 13 2006**

William A. Shaw  
Prothonotary/Clerk of Courts

(Rule of Civil Procedure No. 236 - Revised

IN THE COURT OF COMMON PLEAS  
CLEARFIELD PENNSYLVANIA

JPMORGAN CHASE BANK, AS TRUSTEE-  
SURF 2003-BC4  
4828 LOOP CENTRAL DRIVE  
HOUSTON, TX 77081-2226

:  
:  
: CLEARFIELD COUNTY  
: COURT OF COMMON PLEAS  
:  
: CIVIL DIVISION  
:  
: NO. 06-934-CD

Plaintiff,

v.

TIMOTHY R. RUTTINGER  
SUSAN M. BOSAK A/K/A SUSAN M.  
LONDON A/K/A SUSAN M. RUTTINGER  
587 TREASURE LAKE  
DU BOIS, PA 15801-9012

Defendant(s).

**FILED**  
M/10/30cm pd \$20.00 Atty  
AUG - 7 2006 ICC & Statement to  
Atty  
UN

William A. Shaw  
Prothonotary

Notice is given that a Judgment in the above captioned matter has been entered against you  
on August 7, 2006.

BY Will Shaw DEPUTY

If you have any questions concerning this matter, please contact:

Daniel G. Schmieg

DANIEL G. SCHMIEG, ESQUIRE

Attorney for Plaintiff

One Penn Center at Suburban Station, Suite 1400

1617 John F. Kennedy Boulevard

Philadelphia, PA 19103-1814

(215) 563-7000

This firm is a debt collector attempting to collect a debt. Any information we obtain will be used for that purpose. If you have previously received a discharge in bankruptcy, this correspondence is not and should not be construed to be an attempt to collect a debt, but only enforcement of a lien against property.

PHELAN HALLINAN & SCHMIEG

By: DANIEL G. SCHMIEG

Identification No. 62205

One Penn Center at Suburban Station - Suite 1400

1617 John F. Kennedy Boulevard

Philadelphia, PA 19103-1814

Attorney for Plaintiff

(215) 563-7000

JPMORGAN CHASE BANK, AS TRUSTEE-

SURF 2003-BC4

4828 LOOP CENTRAL DRIVE

HOUSTON, TX 77081-2226

:

:

CLEARFIELD COUNTY

COURT OF COMMON PLEAS

:

CIVIL DIVISION

:

NO. 06-934-CD

v.

**FILED**

TIMOTHY R. RUTTINGER

SUSAN M. BOSAK A/K/A SUSAN M.

LONDON A/K/A SUSAN M. RUTTINGER

587 TREASURE LAKE

DU BOIS, PA 15801-9012

:

:

AUG - 7 2006

:

:

Defendant(s).

William A. Shaw  
Prothonotary

PRAECIPE FOR IN REM JUDGMENT FOR FAILURE TO  
ANSWER AND ASSESSMENT OF DAMAGES

TO THE OFFICE OF THE PROTHONOTARY:

Kindly enter an in rem judgment in favor of the Plaintiff and against TIMOTHY R. RUTTINGER and  
SUSAN M. BOSAK A/K/A SUSAN M. LONDON A/K/A SUSAN M. RUTTINGER, Defendant(s) for failure  
to file an Answer to Plaintiff's Complaint within 20 days from service thereof and for foreclosure and sale of the  
mortgaged premises, and assess Plaintiff's damages as follows:

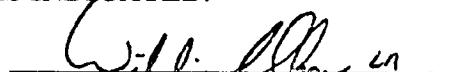
As set forth in the Complaint	\$ 105,691.15
Interest - 6/9/06 TO 8/3/06	\$1,653.68
<b>TOTAL</b>	<b><u>\$ 107,344.83</u></b>

I hereby certify that (1) the addresses of the Plaintiff and Defendant(s) are as shown above, and (2) notice  
has been given in accordance with Rule 237.1, copy attached.

  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

DAMAGES ARE HEREBY ASSESSED AS INDICATED.

DATE: 8-7-2006

  
PRO PROTHY

PHELAN HALLINAN AND SCHMIEG  
By: Lawrence T. Phelan, Esq., Id. No. 32227  
Francis S. Hallinan, Esq., Id. No. 62695  
Daniel G. Schmieg, Esq., Id. No. 62205  
One Penn Center Plaza, Suite 1400  
Philadelphia, PA 19103  
(215) 563-7000

JP MORGAN CHASE BANK, AS TRUSTEE-SURF  
2003-BC4

ATTORNEY FOR PLAINTIFF

: COURT OF COMMON PLEAS

Plaintiff : CIVIL DIVISION

Vs. : CLEARFIELD COUNTY

TIMOTHY R. RUTTINGER : NO. 06-934-CD  
SUSAN M. BOSAK A/K/A SUSAN M. LONDON  
A/K/A SUSAN M. RUTTINGER  
Defendants

TO: TIMOTHY R. RUTTINGER  
587 TREASURE LAKE  
DU BOIS, PA 15801-9012

DATE OF NOTICE: JULY 18, 2006

## FILE COPY

THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. THIS NOTICE IS SENT TO YOU IN AN ATTEMPT TO COLLECT THE INDEBTEDNESS REFERRED TO HEREIN, AND ANY INFORMATION OBTAINED FROM YOU WILL BE USED FOR THAT PURPOSE. IF YOU HAVE PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY, THIS CORRESPONDENCE IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY AS ENFORCEMENT OF LIEN AGAINST PROPERTY.

### IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN 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 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.

CLEARFIELD COUNTY  
DAVID S. MEHOLICK, COURT  
ADMINISTRATOR  
CLEARFIELD COUNTY COURTHOUSE  
CLEARFIELD, PA 16830  
(814) 765-2641 x 5982

PENNSYLVANIA LAWYER REFERRAL  
SERVICE  
PENNSYLVANIA BAR ASSOCIATION  
100 SOUTH STREET  
P.O. BOX 186  
HARRISBURG, PA 17108  
800-692-7375

PHELAN HALLINAN AND SCHMIEG  
By: Lawrence T. Phelan, Esq., Id. No. 32227  
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Daniel G. Schmieg, Esq., Id. No. 62205  
One Penn Center Plaza, Suite 1400  
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ATTORNEY FOR PLAINTIFF

JP MORGAN CHASE BANK, AS TRUSTEE-SURF : COURT OF COMMON PLEAS  
2003-BC4

Plaintiff : CIVIL DIVISION  
Vs. : CLEARFIELD COUNTY  
TIMOTHY R. RUTTINGER : NO. 06-934-CD  
SUSAN M. BOSAK A/K/A SUSAN M. LONDON  
A/K/A SUSAN M. RUTTINGER  
Defendants

TO: SUSAN M. BOSAK A/K/A SUSAN M. LONDON A/K/A SUSAN M. RUTTINGER  
587 TREASURE LAKE  
DU BOIS, PA 15801-9012

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HARRISBURG, PA 17108  
800-692-7375

---

FRANCIS S. HALLINAN, ESQUIRE  
Attorneys for Plaintiff

PHELAN HALLINAN AND SCHMIEG  
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Francis S. Hallinan, Esq., Id. No. 62695  
Daniel G. Schmieg, Esq., Id. No. 62205  
One Penn Center Plaza, Suite 1400  
Philadelphia, PA 19103  
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JP MORGAN CHASE BANK, AS TRUSTEE-SURF : COURT OF COMMON PLEAS  
2003-BC4

Plaintiff	: CIVIL DIVISION
Vs.	: CLEARFIELD COUNTY
TIMOTHY R. RUTTINGER	
SUSAN M. BOSAK A/K/A SUSAN M. LONDON	: NO. 06-934-CD
A/K/A SUSAN M. RUTTINGER	
Defendants	

TO: **TIMOTHY R. RUTTINGER**  
**PO BOX 1032**  
**DU BOIS, PA 15801**

FILE COPY

**DATE OF NOTICE: JULY 18, 2006**

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ATTORNEY FOR PLAINTIFF

JP MORGAN CHASE BANK, AS TRUSTEE-SURF : COURT OF COMMON PLEAS  
2003-BC4

Plaintiff : CIVIL DIVISION

Vs. : CLEARFIELD COUNTY

TIMOTHY R. RUTTINGER : NO. 06-934-CD  
SUSAN M. BOSAK A/K/A SUSAN M. LONDON  
A/K/A SUSAN M. RUTTINGER  
Defendants

TO: SUSAN M. BOSAK A/K/A SUSAN M. LONDON A/K/A SUSAN M. RUTTINGER  
PO BOX 1032  
DU BOIS, PA 15801

DATE OF NOTICE: JULY 18, 2006

FILE

THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. THIS NOTICE IS SENT TO YOU IN AN ATTEMPT TO COLLECT THE INDEBTEDNESS REFERRED TO HEREIN, AND ANY INFORMATION OBTAINED FROM YOU WILL BE USED FOR THAT PURPOSE. IF YOU HAVE PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY, THIS CORRESPONDENCE IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY AS ENFORCEMENT OF LIEN AGAINST PROPERTY.

#### IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN 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 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.

CLEARFIELD COUNTY  
DAVID S. MEHOLICK, COURT  
ADMINISTRATOR  
CLEARFIELD COUNTY COURTHOUSE  
CLEARFIELD, PA 16830  
(814) 765-2641 x 5982

PENNSYLVANIA LAWYER REFERRAL  
SERVICE  
PENNSYLVANIA BAR ASSOCIATION  
100 SOUTH STREET  
P.O. BOX 186  
HARRISBURG, PA 17108  
800-692-7375

FRANCIS S. HALLINAN, ESQUIRE  
Attorneys for Plaintiff

PHELAN HALLINAN & SCHMIEG

By: DANIEL G. SCHMIEG

Identification No. 62205

ATTORNEY FOR PLAINTIFF

Suite 1400

One Penn Center at Suburban Station

1617 John F. Kennedy Boulevard

Philadelphia, PA 19103-1814

(215) 563-7000

JPMORGAN CHASE BANK, AS TRUSTEE-

SURF 2003-BC4

4828 LOOP CENTRAL DRIVE

HOUSTON, TX 77081-2226

:

:

CLEARFIELD COUNTY

COURT OF COMMON PLEAS

:

CIVIL DIVISION

v.

:

NO. 06-934-CD

TIMOTHY R. RUTTINGER

:

SUSAN M. BOSAK A/K/A SUSAN M.

:

LONDON A/K/A SUSAN M. RUTTINGER

:

587 TREASURE LAKE

:

DU BOIS, PA 15801-9012

:

Defendant(s).

**VERIFICATION OF NON-MILITARY SERVICE**

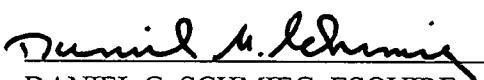
DANIEL G. SCHMIEG, ESQUIRE, hereby verifies that he is attorney for the Plaintiff in the above-captioned matter, and that on information and belief, he has knowledge of the following facts, to wit:

(a) that the defendant(s) is/are not in the Military or Naval Service of the United States or its Allies, or otherwise within the provisions of the Soldiers' and Sailors' Civil Relief Act of Congress of 1940, as amended.

(b) that defendant **TIMOTHY R. RUTTINGER** is over 18 years of age and resides at **587 TREASURE LAKE, DU BOIS, PA 15801-9012**.

(c) that defendant **SUSAN M. BOSAK A/K/A SUSAN M. LONDON A/K/A SUSAN M. RUTTINGER** is over 18 years of age, and resides at **587 TREASURE LAKE, DU BOIS, PA 15801-9012**.

This statement is made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

  
\_\_\_\_\_  
DANIEL G. SCHMIEG, ESQUIRE

FILED

AUG - 7 2006

William A. Shaw  
Prothonotary

**PHELAN HALLINAN & SCHMIEG, LLP**  
Suite 1400  
1617 JFK Boulevard  
Philadelphia, PA 19103-1814  
Automated Attendant #215-320-0007  
Operator Assisted #215-563-7000  
Fax: 215-563-5534

CHRISTINE SCHOFFLER  
Legal Assistant, Ext. 1286

Representing Lenders in  
Pennsylvania and New Jersey

8/3/06

Office of the Prothonotary  
Clearfield County Courthouse  
Clearfield, PA 16830

**Re: JPMORGAN CHASE BANK, AS TRUSTEE-SURF 2003-BC4 v. TIMOTHY R. RUTTINGER  
and SUSAN M. BOSAK A/K/A SUSAN M. LONDON A/K/A SUSAN M. RUTTINGER  
No. 06-934-CD**

Dear Sir/ Madam:

I would appreciate your entering a Judgment against defendant(s), TIMOTHY R. RUTTINGER and SUSAN M. BOSAK A/K/A SUSAN M. LONDON A/K/A SUSAN M. RUTTINGER, relative to the above matter.

All of the necessary documents are enclosed, together with my check to your order for payment of fees and costs. Kindly, send me your receipt and a stamped copy of the Praecept for Judgment in the stamped self-addressed envelope, which I have enclosed.

If there are any questions concerning the above matter, please contact me immediately.

Very truly yours,

By: CHRISTINE SCHOFFLER  
CHRISTINE SCHOFFLER

CQS  
Enclosures

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

JP Morgan Chase Bank  
Surf 2003-BC4  
Plaintiff(s)

No.: 2006-00934-CD

Real Debt: \$107,344.83

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Timothy R. Ruttinger  
Susan M. Bosak  
United States of America  
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: August 7, 2006

Expires: August 7, 2011

Certified from the record this August 7, 2006

  
\_\_\_\_\_  
William A. Shaw, Prothonotary

\*\*\*\*\*

SIGN BELOW FOR SATISFACTION

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

\_\_\_\_\_  
Plaintiff/Attorney

**PRAECIPE FOR WRIT OF EXECUTION – (MORTGAGE FORECLOSURE)**  
**P.R.C.P. 3180-3183**

JPMORGANCHASE.BANK, AS  
TRUSTEE.SURF.2003-BC4

vs.

TIMOTHY.R. RUTTINGER

SUSAN.M..BOSAK A/K/A SUSAN  
M. LONDON A/K/A SUSAN.M.  
RUTTINGER

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

No. 06-934-CD Term 2005...

**PRAECIPE FOR WRIT OF EXECUTION**  
(Mortgage Foreclosure)

To the Director of the Office of Judicial Support

Issue writ of execution in the above matter:

Amount Due	\$107,344.83
------------	--------------

Interest from 8/3/06 to Sale	\$ _____
Per diem \$17.65	

Add'l Costs	\$3,455.58
	125.00
	<b>Prothonotary costs</b>

*Darind M. Lehman*  
Attorney for the Plaintiff(s)

Note: Please attach description of Property.

134666

**FILED** 10006  
M 11:09 10 2006 wnts w/  
AUG 15 2006 prop deser.  
to Shff  
William A. Shaw  
Prothonotary/Clerk of Court  
Atty pd. 2000  
CR

No. 06:934-CD ..... Term 20 05 A.D.

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

JPMORGAN CHASE BANK, AS TRUSTEE-SURF  
2003-BC4

vs.

TIMOTHY R. RUTTINGER  
SUSAN M. BOSAK A/K/A SUSAN M. LONDON  
A/K/A SUSAN M. RUTTINGER

---

PRAECEIPE FOR WRIT OF EXECUTION  
(Mortgage Foreclosure)

Filed:

*Dominic Lehman*

Attorney for Plaintiff(s)

Address: TIMOTHY R. RUTTINGER	SUSAN M. BOSAK A/K/A SUSAN M. LONDON
587 TREASURE LAKE	A/K/A SUSAN M. RUTTINGER
DU BOIS, PA 15801-9012	587 TREASURE LAKE
	DU BOIS, PA 15801-9012

**LEGAL DESCRIPTION**

ALL those certain tracts of land designated as Lots Nos. 442 and 443, Section No. 15, 'Bimini', in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania, recorded in the Recorder of Deeds Office in Misc. Docket Map File No. 25.

**EXCEPTING AND RESERVING** therefrom and subject to:

1. All easements, rights of way, reservations, restrictions and limitations shown or contained in prior instruments of record and in the aforesaid recorded plan.
2. The Declaration of Restrictions, Treasure Lake, Inc., recorded in Misc. Book Vol. 146, page 476; all of said restrictions being covenants which run with the land.
3. All minerals and mining rights of every kind and nature.
4. A lien for all unpaid charges or assessments as may be made by Developer or Treasure Lake Property Owners Association, Inc., which lien shall run with the land and be an encumbrance against it.

BEING the same premises (Lot No. 442) which were conveyed to Timothy R. Ruttinger by deed of The Tax Claim Bureau of Clearfield County, Pennsylvania, dated November 19, 1996, and recorded at Clearfield, Pennsylvania, in Deeds and Records Book No. 1805, page 121, as the property of Donna Cartwright, et al.; and by quitclaim deed of Donna Cartwright, et al., dated February 23, 1998, and recorded in Deeds and Records Book No. 1921, page 197; and the same premises (Lot No. 443) which were conveyed to Timothy R. Ruttinger by deed of The Tax Claim Bureau of Clearfield County, Pennsylvania, dated November 19, 1996, and recorded at Clearfield, Pennsylvania, in Deeds and Records Book No. 1805, page 124, as the property of Robert Kohm, et ux.. Said lot was also the subject of an Action to Quiet Title filed to No. 98-168-CD, on which a final Order dated March 10, 1998, was recorded in Deeds and Records Book No. 1921, page 178.

**PARCEL IDENTIFICATION NO:** CO2-015-00442-00-21 and CO2-015-00443-00-21

**Control #:** 128075751 and 128083327

**TITLE TO SAID PREMISES IS VESTED IN** Timothy R. Ruttinger and Susan M. Bosak, as Joint Tenants with Right of Survivorship, by Deed from Timothy R. Ruttinger, dated 4-27-98, recorded 4-27-98, in Deed Book 1926, page 434.

Premises being: 587 TREASURE LAKE  
DU BOIS, PA 15801-9012

JPMORGAN CHASE BANK, AS TRUSTEE-	:	
SURF 2003-BC4	:	
4828 LOOP CENTRAL DRIVE	:	CLEARFIELD COUNTY
HOUSTON, TX 77081-2226	:	COURT OF COMMON PLEAS
Plaintiff,		
v.		
TIMOTHY R. RUTTINGER		
SUSAN M. BOSAK A/K/A SUSAN M.		
LONDON A/K/A SUSAN M. RUTTINGER		
587 TREASURE LAKE		
DU BOIS, PA 15801-9012		
Defendant(s).		

**AFFIDAVIT PURSUANT TO RULE 3129**  
**(Affidavit No.1)**

**JPMORGAN CHASE BANK, AS TRUSTEE-SURF 2003-BC4**, Plaintiff in the above action, by its attorney, DANIEL G. SCHMIEG, ESQUIRE, sets forth as of the date the Praecept for the Writ of Execution was filed, the following information concerning the real property located at **587 TREASURE LAKE, DU BOIS, PA 15801-9012**.

1. Name and address of Owner(s) or reputed Owner(s):

NAME	LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)
TIMOTHY R. RUTTINGER	587 TREASURE LAKE DU BOIS, PA 15801-9012
SUSAN M. BOSAK A/K/A SUSAN M. LONDON A/K/A SUSAN M. RUTTINGER	587 TREASURE LAKE DU BOIS, PA 15801-9012

2. Name and address of Defendant(s) in the judgment:

NAME	LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)
Same as Above	

I verify that the statements made in this Affidavit are true and correct to the best of my knowledge, information or belief. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. '4904 relating to unsworn falsification to authorities.

8/3/06

Date

*Daniel G. Schmiege*

DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

<b>JPMORGAN CHASE BANK, AS TRUSTEE-SURF 2003-BC4</b>	:	
<b>4828 LOOP CENTRAL DRIVE</b>	:	<b>CLEARFIELD COUNTY</b>
<b>HOUSTON, TX 77081-2226</b>	:	<b>COURT OF COMMON PLEAS</b>
 	:	
<b>Plaintiff,</b>	:	<b>CIVIL DIVISION</b>
 v.	:	
 <b>TIMOTHY R. RUTTINGER</b>	:	 <b>NO. 06-934-CD</b>
<b>SUSAN M. BOSAK A/K/A SUSAN M.</b>	:	
<b>LONDON A/K/A SUSAN M. RUTTINGER</b>	:	
<b>587 TREASURE LAKE</b>	:	
<b>DU BOIS, PA 15801-9012</b>	:	
 <b>Defendant(s).</b>	:	

#### **AFFIDAVIT PURSUANT TO RULE 3129**

**JPMORGAN CHASE BANK, AS TRUSTEE-SURF 2003-BC4**, Plaintiff in the above action, by its attorney, DANIEL G. SCHMIEG, ESQUIRE, sets forth as of the date the Praeclipe for the Writ of Execution was filed, the following information concerning the real property located at **587 TREASURE LAKE, DU BOIS, PA 15801-9012**.

3. Name and address of every judgment creditor whose judgment is a record lien on the real property to be sold:

NAME	LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)
<b>Internal Revenue Service,</b>	<b>600 Arch Street, Philadelphia, PA 19106</b>
<b>JP Morgan Chase Bank, as Trustee-Surf 2003-BC4,</b>	<b>4828 Loop Central Drive Houston, TX 77081-2226</b>
<b>THE UNITED STATES OF AMERICA C/O THE UNITED STATES ATTY FOR EASTERN DISTRICT OF PA</b>	<b>615 CHESTNUT STREET, STE.1250 PHILA, PA 19106-4476</b>
<b>Internal Revenue Service FEDERATED INVESTORS TOWER</b>	<b>13<sup>TH</sup> FL. STE.1300 1001 LIBERTY AVENUE HARRISBURG, PA 15222</b>

4. Name and address of the last recorded holder of every mortgage of record:

NAME	LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)
<b>None</b>	

5. Name and address of every other person who has any record lien on the property:

NAME	LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)

None

6. Name and address of every other person who has any record interest in the property and whose interest may be affected by the Sale:

**NAME**

LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)

None

7. Name and address of every other person whom the Plaintiff has knowledge who has any interest in the property which may be affected by the Sale:

NAME

LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)

**TENANT/OCCUPANT**

587 TREASURE LAKE  
DU BOIS, PA 15801-9012

**DOMESTIC  
RELATIONS  
CLEARFIELD  
COUNTY**

**CLEARFIELD COUNTY COURTHOUSE  
230 EAST MARKET STREET  
CLEARFIELD, PA 16830**

# COMMONWEALTH OF PENNSYLVANIA

**DEPARTMENT OF WELFARE  
PO BOX 2675  
HARRISBURG, PA 17105**

I verify that the statements made in this Affidavit are true and correct to the best of my knowledge, information or belief. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. '4904 relating to unsworn falsification to authorities.

8/3/06

Date

Daniel G. Schmieg  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

**PHELAN HALLINAN & SCHMIEG**

**By: DANIEL G. SCHMIEG**

**Identification No. 62205**

**Suite 1400**

**One Penn Center at Suburban Station**

**1617 John F. Kennedy Boulevard**

**Philadelphia, PA 19103-1814**

**(215) 563-7000**

**ATTORNEY FOR PLAINTIFF**

**JPMORGAN CHASE BANK, AS TRUSTEE-**

**SURF 2003-BC4**

**4828 LOOP CENTRAL DRIVE**

**HOUSTON, TX 77081-2226**

**:**

**:**

**CLEARFIELD COUNTY**

**COURT OF COMMON PLEAS**

**:**

**CIVIL DIVISION**

**v.**

**:**

**NO. 06-934-CD**

**TIMOTHY R. RUTTINGER**

**SUSAN M. BOSAK A/K/A SUSAN M.**

**LONDON A/K/A SUSAN M. RUTTINGER**

**587 TREASURE LAKE**

**DU BOIS, PA 15801-9012**

**:**

**:**

**:**

**:**

**:**

**Defendant(s).**

**CERTIFICATION**

DANIEL G. SCHMIEG, ESQUIRE, hereby states that he is the attorney for the Plaintiff in the above captioned matter and that the premises are not subject to the provisions of Act 91 because it is:

- an FHA Mortgage
- non-owner occupied
- vacant
- Act 91 procedures have been fulfilled

This certification is made subject to the penalties of 18 Pa. C.S. sec.4904 relating to unsworn falsification to authorities.

  
\_\_\_\_\_  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

RECEIVED  
CCAY

**WRIT OF EXECUTION – (MORTGAGE FORECLOSURE)**  
**P.R.C.P. 3180-3183 and Rule 3257**

JPMORGAN.CHASE.BANK, AS  
TRUSTEE-SURF.2003-BC4

vs.

TIMOTHY R. RUTTINGER

SUSAN M. BOSAK A/K/A SUSAN  
M. LONDON A/K/A SUSAN M.  
RUTTINGER

Commonwealth of Pennsylvania:

County of Clearfield

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

**To satisfy the judgment, interest and costs in the above matter you are directed to levy upon and sell the following property  
(specifically described property below):**

PREMISES: 587 TREASURE LAKE, DU BOIS, PA 15801-9012  
(See Legal Description attached)

Amount Due	\$107,344.83
Interest from 8/3/06 to Sale per diem \$17.65	\$-----
Total	\$----- 125.00
Add'l Costs	\$3,455.58

**Prothonotary costs**

*Willie L. Chappell*  
-----  
(Clerk) Office of the Prothonotary, Common Pleas Court  
of CLEARFIELD County, Penna.

Dated ..... 8/15/06  
(SEAL)

134666

No. 06-934-CD ..... Term 20 05 A.D.

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

JPMORGAN CHASE BANK, AS TRUSTEE-SURF  
2003-BC4

vs.

TIMOTHY R. RUTTINGER  
SUSAN M. BOSAK A/K/A SUSAN M. LONDON  
A/K/A SUSAN M. RUTTINGER

---

WRIT OF EXECUTION  
(Mortgage Foreclosure)

---

Costs	
Real Debt	\$107,344.83
Int. from 8/3/06 To Date of Sale (\$17.65 per diem)	
Costs	
Prothy Pd.	<u>125.00</u>
Sheriff	

*Daniel J. Schmitz*  
Attorney for Plaintiff(s)

Address: TIMOTHY R. RUTTINGER  
587 TREASURE LAKE  
DU BOIS, PA 15801-9012  
SUSAN M. BOSAK A/K/A SUSAN M. LONDON  
A/K/A SUSAN M. RUTTINGER  
587 TREASURE LAKE  
DU BOIS, PA 15801-9012

**LEGAL DESCRIPTION**

**ALL those certain tracts of land designated as Lots Nos. 442 and 443, Section No. 15, 'Bimini', in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania, recorded in the Recorder of Deeds Office in Misc. Docket Map File No. 25.**

**EXCEPTING AND RESERVING therefrom and subject to:**

- 1. All easements, rights of way, reservations, restrictions and limitations shown or contained in prior instruments of record and in the aforesaid recorded plan.**
- 2. The Declaration of Restrictions, Treasure Lake, Inc., recorded in Misc. Book Vol. 146, page 476; all of said restrictions being covenants which run with the land.**
- 3. All minerals and mining rights of every kind and nature.**
- 4. A lien for all unpaid charges or assessments as may be made by Developer or Treasure Lake Property Owners Association, Inc., which lien shall run with the land and be an encumbrance against it.**

**BEING the same premises (Lot No. 442) which were conveyed to Timothy R. Ruttinger by deed of The Tax Claim Bureau of Clearfield County, Pennsylvania, dated November 19, 1996, and recorded at Clearfield, Pennsylvania, in Deeds and Records Book No. 1805, page 121, as the property of Donna Cartwright, et al.; and by quitclaim deed of Donna Cartwright, et al., dated February 23, 1998, and recorded in Deeds and Records Book No. 1921, page 197; and the same premises (Lot No. 443) which were conveyed to Timothy R. Ruttinger by deed of The Tax Claim Bureau of Clearfield County, Pennsylvania, dated November 19, 1996, and recorded at Clearfield, Pennsylvania, in Deeds and Records Book No. 1805, page 124, as the property of Robert Kohm, et ux.. Said lot was also the subject of an Action to Quiet Title filed to No. 98-168-CD, on which a final Order dated March 10, 1998, was recorded in Deeds and Records Book No. 1921, page 178.**

**PARCEL IDENTIFICATION NO: CO2-015-00442-00-21 and CO2-015-00443-00-21**

**Control #: 128075751 and 128083327**

**TITLE TO SAID PREMISES IS VESTED IN Timothy R. Ruttinger and Susan M. Bosak, as Joint Tenants with Right of Survivorship, by Deed from Timothy R. Ruttinger, dated 4-27-98, recorded 4-27-98, in Deed Book 1926, page 434.**

Premises being: 587 TREASURE LAKE  
DU BOIS, PA 15801-9012

**PHELAN HALLINAN & SCHMIEG, LLP**  
Lawrence T. Phelan, Esq., Id. No. 32227  
Francis S. Hallinan, Esq., Id. No. 62695  
Daniel G. Schmieg, Esq., Id No. 62205  
One Penn Center at Suburban Station  
1617 John F. Kennedy Boulevard, Suite 1400  
Philadelphia, PA 19103-1814  
(215) 563-7000

JP Morgan Chase Bank, as  
trustee-SURF 2003-BC4

ATTORNEY FOR PLAINTIFF

Plaintiff

vs.

: Court of Common Pleas  
: Civil Division

: Clearfield County

Timothy R. Ruttinger  
Susan M. Bosak, a/k/a  
Susan M. London, a/k/a  
Susan M. Ruttinger, et al.  
Defendant(s)

: No. 06-934-CD

**PRAECIPE**

TO THE PROTHONOTARY:

Please mark the above referenced case Discontinued and Ended without prejudice.

Please mark the above referenced case Settled, Discontinued and Ended.

Please mark Judgments satisfied and the Action settled, discontinued and ended.

Please Satisfy the judgment entered and mark the action discontinued and ended without prejudice.

Please withdraw the complaint and mark the action discontinued and ended without prejudice.

Date: 08/22/06

*Francis S. Hallinan*

Francis S. Hallinan  
Attorney for Plaintiff

PHS # 134666

**FILED** pd \$7.00 Atty  
M/1:56am ICC +1 Cert  
AUG 25 2006 OF Sat issued  
to Atty  
William A. Shaw  
Hallinan  
Prothonotary/Clerk of Courts

**PHELAN HALLINAN & SCHMIEG, LLP**  
One Penn Center at Suburban Station  
1617 John F. Kennedy Boulevard  
Suite 1400  
Philadelphia, PA 19103-1814  
215-563-7000  
Fax: 215-563-4491  
[victoria.snigareva@fedphe.com](mailto:victoria.snigareva@fedphe.com)

Victoria Snigareva- Ext. 1363  
Litigation Department

Representing Lenders in  
Pennsylvania and New Jersey\*

---

August 22, 2006

Office of the Prothonotary  
Clearfield County  
One North 2<sup>nd</sup> Street  
Clearfield, PA 17745

RE: JP Morgan Chase Bank, as trustee-SURF 2003-BC4 vs.  
Timothy R. Ruttinger and Susan M. Bosak, a/k/a Susan M. London,  
a/k/a Susan M. Ruttinger, et al., Clearfield County, CCP, No.06-934-CD

Dear Sir/Madam:

Enclosed for filing is Plaintiff's Praeclipe. Please file the Praeclipe and return a time-stamped copy of each in the enclosed self-addressed, stamped envelope.

Thank you for your assistance in this matter.

Very truly yours,



Victoria Snigareva, Legal Assistant  
encl.

\* Please be advised that this firm is a debt collector attempting to collect a debt. Any information received will be used for that purpose. If you have previously received a discharge in bankruptcy and this debt was not reaffirmed, this correspondence is not and should not be construed to be an attempt to collect a debt, but only enforcement of lien against property.

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

**CIVIL DIVISION**

**CERTIFICATE OF SATISFACTION OF JUDGMENT**

**COPY**

No.: 2006-00934-CD

JP Morgan Chase Bank  
Surf 2003-BC4

Debt: \$

Vs.

Atty's Comm.:

Timothy R. Ruttinger  
Susan M. Bosak  
United States of America

Interest From:

Cost: \$7.00

NOW, Friday, August 25, 2006 , directions for satisfaction having been received, and all costs having been paid, SATISFACTION was entered of record.

Certified from the record this 25th day of August, A.D. 2006.

  
\_\_\_\_\_  
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20426  
NO: 06-934-CD

PLAINTIFF: JPMORGAN CHASE BANK, AS TRUSTEE SURF 2003-BC4

VS.  
DEFENDANT: TIMOTHY R. RUTTINGER AND SUSAN BOSAK A/K/A SUSAN M. LONDON A/K/A SUSAN M. RUTTINGER

Execution REAL ESTATE

**SHERIFF RETURN**

---

DATE RECEIVED WRIT: 08/15/2006

LEVY TAKEN @

POSTED @

SALE HELD

FILED  
01/19/2007  
JAN 15 2007  
S

William A. Shaw  
Prothonotary/Clerk of Courts

SOLD TO

SOLD FOR AMOUNT PLUS COSTS

WRIT RETURNED 01/15/2007

DATE DEED FILED **NOT SOLD**

**DETAILS**

@ SERVED  
DOCKET ONLY

@ SERVED

NOW, SEPTEMBER 8, 2006 RECEIVED A FAX LETTER FROM PLAINTIFF'S ATTORNEY TO STAY THE WRIT AND RETURN TO THE PROTHONOTARY'S OFFICE.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20426  
NO: 06-934-CD

PLAINTIFF: JPMORGAN CHASE BANK, AS TRUSTEE SURF 2003-BC4

vs.

DEFENDANT: TIMOTHY R. RUTTINGER AND SUSAN BOSAK A/K/A SUSAN M. LONDON A/K/A SUSAN M. RUTTINGER

Execution REAL ESTATE

**SHERIFF RETURN**

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SHERIFF HAWKINS \$20.39

SURCHARGE \$40.00 PAID BY ATTORNEY

So Answers,

*Chester Hawkins*  
Sgt. Cynthia Bitter - Aghendrof  
Chester A. Hawkins  
Sheriff

WRIT OF EXECUTION - (MORTGAGE FORECLOSURE)  
P.R.C.P. 3180-3183 and Rule 3257

JPMORGAN.CHASE.BANK, AS  
TRUSTEE-SURE.2003-BC4

vs.

TIMOTHY R. RUTTINGER

SUSAN M. BOSAK A/K/A SUSAN  
M. LONDON A/K/A SUSAN M.  
RUTTINGER

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

No. ..... Term 20  
No. 06-934-CD Term 20 05  
No. ..... Term 20

WRIT OF EXECUTION  
(Mortgage Foreclosure)

Commonwealth of Pennsylvania:

County of Clearfield

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

To satisfy the judgment, interest and costs in the above matter you are directed to levy upon and sell the following property (specifically described property below):

PREMISES: 587 TREASURE LAKE, DU BOIS, PA 15801-9012  
(See Legal Description attached)

Amount Due	\$107,344.83
Interest from 8/3/06 to Sale per diem \$17.65	\$-----
Total	\$----- 125.00
Add'l Costs	\$3,455.58

*Willie L. Chang*  
Prothonotary costs

(Clerk) Office of the Prothonotary, Common Pleas Court  
of CLEARFIELD County, Penna.

Dated ... 8/15/06  
(SEAL)

134666

Received August 15, 2006 @ 3:00 P.M.  
Chester A. Hawkeis  
by Comptroller Butterfield-Angelina

No. 06-934-CD ..... Term 20 05 A.D.

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

JPMORGAN CHASE BANK, AS TRUSTEE-SURF  
2003-BC4

vs.

TIMOTHY R. RUTTINGER  
SUSAN M. BOSAK A/K/A SUSAN M. LONDON  
A/K/A SUSAN M. RUTTINGER

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WRIT OF EXECUTION  
(Mortgage Foreclosure)

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Costs

Real Debt \$107,344.83

Int. from 8/3/06  
To Date of Sale (\$17.65 per diem)

Costs

Prothy Pd.

125.00

Sheriff

*Daniel Schenck*

Attorney for Plaintiff(s)

Address: TIMOTHY R. RUTTINGER  
587 TREASURE LAKE  
DU BOIS, PA 15801-9012  
SUSAN M. BOSAK A/K/A SUSAN M. LONDON  
A/K/A SUSAN M. RUTTINGER  
587 TREASURE LAKE  
DU BOIS, PA 15801-9012

**LEGAL DESCRIPTION**

**ALL those certain tracts of land designated as Lots Nos. 442 and 443, Section No. 15, 'Bimini', in the Treasure Lake Subdivision in Sandy Township, Clearfield County, Pennsylvania, recorded in the Recorder of Deeds Office in Misc. Docket Map File No. 25.**

**EXCEPTING AND RESERVING therefrom and subject to:**

- 1. All easements, rights of way, reservations, restrictions and limitations shown or contained in prior instruments of record and in the aforesaid recorded plan.**
- 2. The Declaration of Restrictions, Treasure Lake, Inc., recorded in Misc. Book Vol. 146, page 476; all of said restrictions being covenants which run with the land.**
- 3. All minerals and mining rights of every kind and nature.**
- 4. A lien for all unpaid charges or assessments as may be made by Developer or Treasure Lake Property Owners Association, Inc., which lien shall run with the land and be an encumbrance against it.**

**BEING the same premises (Lot No. 442) which were conveyed to Timothy R. Ruttinger by deed of The Tax Claim Bureau of Clearfield County, Pennsylvania, dated November 19, 1996, and recorded at Clearfield, Pennsylvania, in Deeds and Records Book No. 1805, page 121, as the property of Donna Cartwright, et al.; and by quitclaim deed of Donna Cartwright, et al., dated February 23, 1998, and recorded in Deeds and Records Book No. 1921, page 197; and the same premises (Lot No. 443) which were conveyed to Timothy R. Ruttinger by deed of The Tax Claim Bureau of Clearfield County, Pennsylvania, dated November 19, 1996, and recorded at Clearfield, Pennsylvania, in Deeds and Records Book No. 1805, page 124, as the property of Robert Kohm, et ux.. Said lot was also the subject of an Action to Quiet Title filed to No. 98-168-CD, on which a final Order dated March 10, 1998, was recorded in Deeds and Records Book No. 1921, page 178.**

**PARCEL IDENTIFICATION NO: CO2-015-00442-00-21 and CO2-015-00443-00-21**

**Control #: 128075751 and 128083327**

**TITLE TO SAID PREMISES IS VESTED IN Timothy R. Ruttinger and Susan M. Bosak, as Joint Tenants with Right of Survivorship, by Deed from Timothy R. Ruttinger, dated 4-27-98, recorded 4-27-98, in Deed Book 1926, page 434.**

**Premises being: 587 TREASURE LAKE  
DU BOIS, PA 15801-9012**

**REAL ESTATE SALE  
SCHEDULE OF DISTRIBUTION**

NAME NO. 06-934-CD

NOW, January 13, 2007, by virtue of the Writ of Execution hereunto attached, after having given due and legal notice of time and place of sale by publication in a newspaper published in this County and by handbills posted on the premises setting for the date, time and place of sale at the Court House in Clearfield on , I exposed the within described real estate of Timothy R. Ruttinger And Susan Bosak A/K/A Susan M. London A/K/A Susan M. Ruttinger to public venue or outcry at which time and place I sold the same to he/she being the highest bidder, for the sum of and made the following appropriations, viz:

## **SHERIFF COSTS:**

## PLAINTIFF COSTS, DEBT AND INTEREST:

RDR SERVICE	15.00	DEBT-AMOUNT DUE	104,344.83
MILEAGE		INTEREST @ 17.6500	0.00
LEVY		FROM TO	
MILEAGE POSTING		PROTH SATISFACTION	
CSDS		LATE CHARGES AND FEES	
COMMISSION	0.00	COST OF SUIT-TO BE ADDED	
POSTAGE	0.39	FORECLOSURE FEES	
HANDBILLS		ATTORNEY COMMISSION	
DISTRIBUTION		REFUND OF ADVANCE	
ADVERTISING		REFUND OF SURCHARGE	40.00
ADD'L SERVICE		SATISFACTION FEE	
DEED		ESCROW DEFICIENCY	
ADD'L POSTING		PROPERTY INSPECTIONS	
ADD'L MILEAGE		INTEREST	
ADD'L LEVY		MISCELLANEOUS	
BID/SETTLEMENT AMOUNT		TOTAL DEBT AND INTEREST	\$104,384.83
RETURNS/DEPUTIZE			
COPIES			
BILLING/PHONE/FAX	5.00	ADVERTISING	0.00
CONTINUED SALES		TAXES - COLLECTOR	
MISCELLANEOUS		TAXES - TAX CLAIM	
TOTAL SHERIFF COSTS	\$20.39	DUE	
		LIEN SEARCH	
		ACKNOWLEDGEMENT	
DEED COSTS:		DEED COSTS	0.00
ACKNOWLEDGEMENT		SHERIFF COSTS	20.39
REGISTER & RECORDER		LEGAL JOURNAL COSTS	0.00
TRANSFER TAX 2%	0.00	PROTHONOTARY	
TOTAL DEED COSTS	\$0.00	MORTGAGE SEARCH	
		MUNICIPAL LIEN	
		TOTAL COSTS	\$20.39

DISTRIBUTION WILL BE MADE IN ACCORDANCE WITH THE ABOVE SCHEDULE UNLESS EXCEPTIONS ARE FILED WITH THIS OFFICE **WITHIN TEN (10) DAYS FROM THIS DATE.**

CHESTER A. HAWKINS, Sheriff

Law Offices  
**PHELAN HALLINAN & SCHMIEG, LLP**  
One Penn Center at Suburban Station  
1617 John F. Kennedy Boulevard  
Suite 1400  
Philadelphia, PA 19103-1814  
Christine.Schoffler@fedphe.com

CHRISTINE SCHOFFLER  
Judgment Department, Ext. 1286

Representing Lenders in  
Pennsylvania and New Jersey

September 8, 2006

Office of the Sheriff  
Clearfield County Courthouse  
230 East Market Street  
Clearfield, PA 16830

**ATTENTION: CINDY (814) 765-5915**

Re: JPMORGAN CHASE BANK, AS TRUSTEE-SURF 2003-BC4 v. TIMOTHY R.  
RUTTINGER and SUSAN M. BOSAK  
No. 06-934-CD  
587 TREASURE LAKE, DU BOIS, PA 15801

Dear Cindy:

Please stay yet to be set Sheriff's Sale of the above referenced property, return the original  
writ of execution to the Prothonotary's office and refund any unused money to our office.

Very truly yours,

Christine Schoffler

VIA TELECPY (814) 765-5915

CC: [REDACTED]