

06-1161-CD  
LVNV Funding vs Brock M. Johnson

LVNV Funding vs Brock Johnson  
2006-1161-CD

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

LVNV FUNDING LLC  
c/o David J Apothaker, Esquire  
2417 Welsh Road, Suite 21 #520  
Philadelphia, PA 19114  
Plaintiff,

vs.

BROCK M JOHNSON  
1725 TREASURE LAKE  
DU BOIS, PA 15801-9046  
Defendant.

) COURT OF COMMON PLEAS  
) CLEARFIELD COUNTY  
)

) NO.: 2006-1161-CD  
)

**FILED**  
m/1:05pm pd \$85.00 Atty  
JUL 20 2006 ICC Atty  
ICC Shift  
(U)

William A. Shaw  
Prothonotary

#### NOTICE

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

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

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

#### AVISO

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

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

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

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

LVNV FUNDING LLC  
c/o David J Apothaker, Esquire  
2417 Welsh Road, Suite 21 #520  
Philadelphia, PA 19114  
Plaintiff,

vs.

BROCK M JOHNSON  
1725 TREASURE LAKE  
DU BOIS, PA 15801-9046  
Defendant.

) COURT OF COMMON PLEAS  
) CLEARFIELD COUNTY

) NO.:

CIVIL ACTION COMPLAINT  
FIRST COUNT


1. Plaintiff, LVNV FUNDING LLC, is a company with its principal place of business located at c/o David J Apothaker, Esq. 2417 Welsh Road, Suite 21 #520, Philadelphia, PA 19114.
2. Defendant is BROCK M JOHNSON, an adult individual residing at 1725 TREASURE LAKE DU BOIS, PA 15801-9046.
3. At the special instance and request of Defendant, Plaintiff sold and delivered to Defendant goods and/or services at the times, of the kinds, in the quantities, and for the prices set forth in Plaintiff's records. A true and correct copy of which is attached hereto, incorporated herein by reference and designated Exhibit "A".
4. Defendant received and accepted the goods and/or services described in Exhibit "A".
5. The prices set forth in Exhibit "A" are the fair, reasonable and market prices for said goods and/or services, and the prices which Defendant agreed to pay.
6. All credits, if any, to which Defendant is entitled, are set forth in Exhibit "A".
7. In addition, Plaintiff avers that Defendant has failed and continues to fail to make any payments, leaving a balance due and owing of \$8,830.59 together with interest from November 16, 2004 in the amount of \$876.77 for a total of \$9,707.36.

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

9. The original creditor is SEARS.

WHEREFORE, Plaintiff demands judgment in favor of Plaintiff and against Defendant(s) for the sum of \$8,830.59 together with interest from November 16, 2004 in the amount of \$876.77 for a total of \$9,707.36 plus costs, and reasonable attorney's fees.

APOTHAKER & ASSOCIATES, P.C.  
Attorney for Plaintiff

BY:   
David Apothaker

Dated: July 13, 2006

Our File No.: 62190

LVNV FUNDING LLC  
c/o David J Apothaker, Esquire  
2417 Welsh Road, Suite 21 #520  
Philadelphia, PA 19114

BROCK M JOHNSON  
1725 TREASURE LAKE  
DU BOIS, PA 15801-9046

STATEMENT OF ACCOUNT

Debtor's Name:	BROCK M JOHNSON
Account Number:	5121071794839203
Original Creditor:	SEARS
Date of Debt:	November 16, 2004
Principal Balance:	\$8,830.59
Balance Due:	\$8,830.59

Our File No.: 62190

EXHIBIT "A"

# APOTHAKE & ASSOCIATES, P.C.

---

July 13, 2006

PROTHONOTARY  
230 E. MARKET STREET  
CLEARFIELD, PA 16830

RE: LVNV FUNDING LLC  
VS. BROCK M JOHNSON  
DOCKET NO.:  
OUR FILE NO: 62190

Good Morning:

Enclosed please find an original and two copies of a Civil Action Complaint in the above referenced action. A check in the amount of \$85.00 for filing is enclosed. Please file and return a filed copy to this office in the self-addressed stamped envelope enclosed for your convenience.

Also, kindly forward the complaint to the sheriff's office to have the Defendants served at: 1725 TREASURE LAKE, DU BOIS, PA 15801-9046. Also, enclosed is a check in the amount of \$100.00 for Sheriff's costs. Please send the return of service back to my office in the enclosed self addressed stamped envelope after service is accomplished.

Thank you for your cooperation in this matter. If you should have any questions please do not hesitate to contact me.

Very truly yours,

APOTHAKE & ASSOCIATES, P.C.



David Apothaker

/RT

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101738  
NO: 06-1161-CD  
SERVICE # 1 OF 1  
COMPLAINT

PLAINTIFF: LVNV FUNDING, LLC  
vs.  
DEFENDANT: BROCK M. JOHNSON

SHERIFF RETURN

NOW, August 07, 2006 AT 9:48 AM SERVED THE WITHIN COMPLAINT ON BROCK M. JOHNSON DEFENDANT AT SEC 15, LOT 56, CARRIBEAN ROAD, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO NICOLLE JOHNSON, WIFE A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: NEVLING / COUDRIET

FILED

08/10/06 9:48 AM  
MAY 04 2007  
Lm

William A. Shaw  
Prothonotary/Clerk of Courts

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	APOTHAKE	34598G	10.00
SHERIFF HAWKINS	APOTHAKE	34598G	90.00
SHERIFF HAWKINS	u	46312 G	12.55

Sworn to Before Me This

\_\_\_\_\_ Day of \_\_\_\_\_ 2007

So Answers,

*Chester A. Hawkins*  
*by Mary L. Hamer*

Chester A. Hawkins  
Sheriff

FILED  
MAY 4 2007

William A. Shaw  
Prothonotary/Clerk of Courts



Our File No.: 62190  
APOTHAKE & ASSOCIATES, P.C.  
2417 Welsh Road, Suite 21 #520  
Philadelphia, PA 19114  
(215) 634-8920  
Attorneys for Plaintiff  
David J. Apothaker, Esquire  
Attorney ID #38423

**FILED**

NOV 21 2007

m/1:30/4  
William A. Shaw  
Prothonotary/Clerk of Courts

Case to Appt  
Ref to DAD w/ note

LVNV FUNDING LLC

Plaintiff,

vs.

BROCK M JOHNSON

Defendant.

) COURT OF COMMON PLEAS OF  
) CLEARFIELD COUNTY  
)

) NO.: 2006-1161-CD  
)

) Civil Action  
)  
)

**PRAECIPE TO ENTER DEFAULT JUDGMENT**

TO THE PROTHONOTARY:

Please enter a default judgment in favor of plaintiff, LVNV FUNDING LLC and against Defendant, BROCK M JOHNSON, for failure to answer or otherwise respond to the Complaint - Civil Action.

The Complaint was served upon the defendants on August 07, 2007 by the CLEARFIELD Sheriff's Department. Copies of the proofs of service are attached hereto as Exhibit "A".

I certify, a copy of the Notice of Intention To Take Default was mailed on September 12, 2007, and also attached hereto.

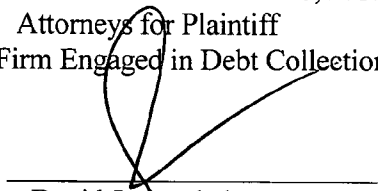
Assess damages in the amount of:

(a)	Balance:	\$8,830.59
(b)	Interest from July 13, 2006	\$686.61
(c)	Costs	\$197.55

TOTAL	\$9,714.75
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APOTHAKER & ASSOCIATES, P.C.  
Attorneys for Plaintiff  
A Law Firm Engaged in Debt Collection

By:

  
\_\_\_\_\_  
David J. Apothaker

Dated: 10/29/2007

OFFICE OF THE PROTHONOTARY  
COURT OF COMMON PLEAS

TO: BROCK M JOHNSON  
1725 TREASURE LAKE  
DU BOIS, PA 15801-9046

LVNV FUNDING LLC	) COURT OF COMMON PLEAS OF
	) CLEARFIELD COUNTY
	)
Plaintiff,	)
vs.	) NO.: 2006-1161-CD
	)
BROCK M JOHNSON	) Civil Action
	)
Defendant.	)
_____	)

NOTICE

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

XX JUDGMENT BY DEFAULT

\_\_\_ JUDGMENT IN REPLEVIN

\_\_\_ JUDGMENT BY CONFESSION

\_\_\_ JUDGMENT FOR POSSESSION

\_\_\_ JUDGMENT ON AWARD OF ARBITRATORS

\_\_\_ JUDGMENT ON VERDICT

\_\_\_ JUDGMENT ON COURT FINDINGS

\_\_\_ JUDGMENT ON WRIT OF REVIVAL

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

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

11-21-07 

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

LVNV FUNDING LLC	)	COURT OF COMMON PLEAS OF
	)	CLEARFIELD COUNTY
Plaintiff,	)	
vs.	)	
	)	NO.: 2006-1161-CD
	)	
BROCK M JOHNSON	)	Civil Action
	)	
Defendant.	)	
	)	

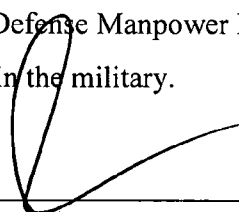
**AFFIDAVIT OF NON-MILITARY SERVICE**

COMMONWEALTH OF PENNSYLVANIA :  
: SS.  
COUNTY OF CLEARFIELD :

David J. Apothaker, being duly sworn according to law, deposes and says that I am the attorney for Plaintiff, and authorized to make this affidavit; that Defendant(s) resides at 1725 TREASURE LAKE DU BOIS, PA 15801-9046.

We inquired with the web site of the Defense Manpower Data Center, located at 1600 Wilson Boulevard, Suite 400, Arlington, VA 22209-2593, if the Defendant(s) is/are in any branch of the military.

Mary M. Snavelly-Dixon, Director of the Defense Manpower Data Center has sent back our inquiry indicated that the Defendant(s) is/are not in the military.

  
\_\_\_\_\_  
David J. Apothaker  
Attorney for Plaintiff

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

Department of Defense Manpower Data Center

OCT-29-2007 06:58:45



Military Status Report  
Pursuant to the Servicemembers Civil Relief Act

◀ Last Name	First/Middle	Begin Date	Active Duty Status	Service/Agency
JOHNSON	BROCK M	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. Snively-Dixon*

Mary M. Snively-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. §§ 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

Our File No.: 62190  
APOTHAKE & ASSOCIATES, P.C.  
BY: David J. Apothaker  
Attorney I.D.#38423  
2417 Welsh Road, Suite 21 #520  
Philadelphia, PA 19114  
(215) 634-8920  
Attorney for Plaintiff

LVNV FUNDING LLC	)	COURT OF COMMON PLEAS
	)	CLEARFIELD COUNTY
Plaintiff,	)	
vs.	)	
	)	
	)	NO. 2006-1161-CD
BROCK M JOHNSON	)	
1725 TREASURE LAKE	)	
DU BOIS, PA 15801-9046	)	
Defendant.	)	
	)	

**NOTICE OF INTENTION  
TO TAKE DEFAULT**

TO: BROCK M JOHNSON

DATE OF NOTICE: September 12, 2007

**IMPORTANT NOTICE**

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

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

|S|

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DAVID J. APOTHAKE, ESQUIRE  
A Law Firm Engaged in Debt Collection  
2417 Welsh Road, Suite 21 #520  
Philadelphia, PA 19114  
(215) 634-8920  
Attorney for Plaintiff  
Attorney ID #38423

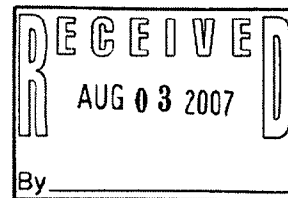
62190

# APOTHAKER & ASSOCIATES, P.C.

ATTORNEYS AT LAW

July 23, 2007

SHERIFF, CLEARFIELD COUNTY  
1 N 2ND STREET SUITE 116  
CLEARFIELD, PA 16830



RE: LVNV FUNDING, LLC VS. BROCK M JOHNSON  
DOCKET NO.: 2006-1161-CD  
OUR FILE NO: 62190

On March 22, 2006 we sent to you additional costs for service of the complaint. Kindly advise as to service. We have enclosed a self-addressed stamped envelope provided for your convenience.

Thank you for your anticipated cooperation, I remain

Very truly yours,

APOTHAKER & ASSOCIATES, P.C.

A handwritten signature in dark ink, appearing to be "David J. Apothaker", written over the printed name.

David J. Apothaker

/TJ

**SERVED 8/7/07 @ 9:48** ON NICOLLE JOHNSON, WIFE @ sec 15 lot 56, Carribean Road, DuBois Pa  
I AM CURRENTLY WORKING ON APRIL SHERIFF RETURNS.

520 Fellowship Road, C306, Mount Laurel, NJ 08054  
856 780.1000 856 780.1020f  
2417 Welsh Road, Suite 21 #520, Philadelphia, PA 19114  
215 634.8920 215 634.8421f  
800 672.0215 800 757.4928f



Our File No.: 62190

L'VNV FUNDING LLC  
Plaintiff

vs.

BROCK M JOHNSON  
Defendant(s)

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

NO.: 2006-1161-CD

PRAECIPE FOR WRIT OF EXECUTION

To the Prothonotary:

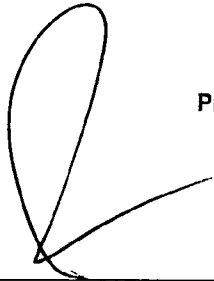
Issue a Writ of Execution in the above matter,

- (1) directed to the Sheriff of CLEARFIELD County;
- (2) against BROCK M JOHNSON, defendant(s); and
- (3) against TIMBERLAND FED CR UNION 821 BEAVER DRIVE DU BOIS, PA 15801, Garnishee(s);
- (4) and index this writ in the judgment index
  - (a) against BROCK M JOHNSON, defendant(s), and
  - (b) against TIMBERLAND FED CR UNION 821 BEAVER DRIVE DU BOIS, PA 15801, as Garnishee(s), as a lis pendens against the real property of the defendant(s) in the name of Garnishee(s) as follows:

Bank Attachment Only - All assets and accounts, including, but not limited to, bank accounts, brokerage firm accounts, stocks, cd's, insurance, safety deposit boxes, etc.

(5) Amount Due	\$9714.75
Interest from November 21, 2007	\$2871.74
Minus Payments made	\$600.00
Plus Costs	\$220.00
Total	\$12206.49

**FILED** pd \$20.00  
m/2:59pm 6 CC +  
4 APR 10 2013 6 writs to  
Shel  
William A. Shaw  
Prothonotary/Clerk of Courts ICC Atty

  
\_\_\_\_\_  
David J. Apothaker, Esquire  
Attorney for Plaintiff(s)

Our File No.: 62190

LVNV FUNDING LLC  
Plaintiff

vs.

BROCK M JOHNSON  
Defendant(s)

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

NO.: 2006-1161-CD

WRIT OF EXECUTION (Money Judgment)

### **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. Such property is said to be exempt. There is a debtor's exemption of \$300. There are other exemptions which may be applicable to you. Attached 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) Fill out the attached claim form and demand for a prompt hearing. (2) Deliver the form or mail it to the Sheriff's Office at the address noted.

You should come to court 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, 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.**

Susquehanna Valley Legal Services  
168 East Fifth Street  
Bloomsburg, PA 17815  
Phone: (717) 784-8760

## WRIT OF EXECUTION

Commonwealth of Pennsylvania, County of CLEARFIELD

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against: BROCK M JOHNSON, defendant(s):

(1) You are directed to attach the property of the defendant(s) not levied upon in the possession of TIMBERLAND FED CR UNION 821 BEAVER DRIVE DU BOIS, PA 15801 as Garnishee(s) and to notify the Garnishee(s) that

(a) An attachment has been issued:

(b) Except as provided in paragraph (c), the garnishee(s) is enjoined from paying any debt to or for the account of the defendant(s) and from delivering any property of the defendant(s) or otherwise disposing thereof;

(c) The attachment shall not include

(i) the first \$10,000 of each account of the defendant 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 with a bank or other financial institution in which funds on deposit exceed \$10,000 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.

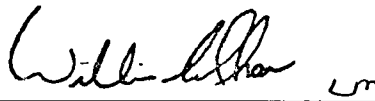
(iii) any funds in an account of the defendant with a bank or other financial institution that total \$300 or less. If multiple accounts are attached, a total of \$300 in all accounts shall not be subject to levy and attachment as determined by the executing officer. The funds shall be set aside pursuant to the defendant's general exemption provided in 42 Pa.C.S. § 8123.

(2) If property of the defendant not levied upon and subject to attachment is found in the possession of anyone other than the named garnishee(s), you are directed to notify such other person that he or she has been added as a garnishee and is enjoined as above stated.

Amount Due	\$9714.75
Interest from November 21, 2007	\$2871.74
Minus Payments made	\$600.00
Costs to be added	\$220.00
Total	\$12206.49

**Prothonotary costs** 2125.00

Dated: Apr. 10, 2013



Prothonotary of CLEARFIELD County

BY: \_\_\_\_\_

### MAJOR EXEMPTIONS UNDER PENNSYLVANIA AND FEDERAL LAW

- (1) \$300.00 statutory exemption
- (2) Bibles, school books, sewing machines, uniforms and equipment
- (3) Most wages and unemployment compensation
- (4) Social Security benefits
- (5) Certain retirement funds and accounts
- (6) Certain veteran and armed forces benefits
- (7) Certain insurance proceeds
- (8) Such other exemptions as may be provided by law

NO. 2006-1161-CD

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

LVNV FUNDING LLC

VS.

BROCK M JOHNSON

WRIT OF EXECUTION  
(Money Judgments)

Claim	\$9714.75
Interest From	\$2871.74
November 21, 2007	
Minus payments made	\$600.00
<u>Costs</u>	
Dept. of Court Records	\$20.00
Sheriff Fee	\$200.00

Apothaker & Associates, P.C.  
David J. Apothaker, Esquire  
520 Fellowship Road C306  
PO Box 5496  
Mount Laurel, NJ 08054  
(800) 672-0215  
ID # 38423

LVNV FUNDING LLC  
Plaintiff

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

vs.  
BROCK M JOHNSON  
Defendant(s)

NO.: 2006-1161-CD

**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 \$300 statutory exemption be

[ ] (i) set aside in kind (specify property to be set aside in kind): \_\_\_\_\_;

[ ] (ii) 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 statutory exemption: [ ] in cash; [ ] in kind (specify property): \_\_\_\_\_;

(b) other (specify amount and basis of exemption): \_\_\_\_\_.

I request a prompt court hearing to determine the exemption. Notice of the hearing should be given to me at

\_\_\_\_\_ (Address),

\_\_\_\_\_ (Telephone Number).

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

Date: \_\_\_\_\_ Defendant: \_\_\_\_\_

**THIS CLAIM TO BE FILED WITH:**

Sheriff Ray C. Gerringer, Montour County Courthouse  
296 Mill St.  
Danville, PA 17821  
Phone: 270-271-3019 or 3020

Our File No.: 62190

LVNV FUNDING LLC

Plaintiff

vs.

BROCK M JOHNSON  
1725 TREASURE LAKE  
DU BOIS, PA 15801-9046  
XXX-XX-1879

Defendant

TIMBERLAND FED CR UNION

Garnishee

COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY

NO.: 2006-1161-CD

Civil Action

### INTERROGATORIES TO GARNISHEE

TO: TIMBERLAND FED CR UNION, Garnishee:

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.

1. At the time you were served or at any subsequent time did you owe the defendant(s) any money or were you liable to defendant(s) on any negotiable or other written instrument, or did defendant(s) claim that you owed defendant(s) any money or were liable to defendant(s) for any reason?
2. At the time you were served or at any subsequent time was there in your possession, custody, control or in the joint possession, custody or control of yourself and one or more persons any property of any nature owned solely or in part by the defendant(s)?
3. At the time you were served or any subsequent time did you hold legal title to any property of any nature owed solely or in part by the defendant(s) or in which the 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(s) had any interest?
5. At any time before or after you were served did the defendant(s) transfer or deliver any property to you or to any person or place pursuant to your direction or consent and 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(s) or to any person or place pursuant to the defendant's direction or otherwise discharge any claim of the defendant(s) against you?
7. If you are a bank or other financial institution, at the time you were served or any subsequent time did the defendant(s) 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 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(s) 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 exemption under 42PA.C.S. §8123? If so, identify each account.
9. How much is the value of any property in your possession belonging to the defendant(s)?
10. In the space below, the plaintiff may set forth additional appropriate interrogatories.

Dated:

4/2/13



---

David J. Apothaker, Esquire  
APOTHAKER & ASSOCIATES, P.C.  
520 Fellowship Road C306  
PO Box 5496  
Mount Laurel, New Jersey 08054  
(856) 780-1000  
Attorneys for Plaintiff

To Deputy 4/15/13

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
NO: 06-1161-CD

LVNV FUNDING LLC

vs

BROCK M. JOHNSON

TO: TIMBERLAND FED CR UNION, Garnishee

WRIT OF EXECUTION, INTERROGATORIES

SERVICE # 1 OF 2

SERVE BY: 07/09/2013

**RUSH**

HEARING:

PAGE: 110577

**FILED** (L6)

DEFENDANT: TIMBERLAND FED CR UNION, Garnishee

ADDRESS: 821 BEAVER DRIVE

DUBOIS, PA 15801

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: GARNISHEE

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS:

VACANT

OCCUPIED

4 APR 22 2013  
01 9:18 126  
William A. Shaw  
Prothonotary/Clerk of Courts

**SHERIFF'S RETURN**

NOW, 4-17-13 AT 11:31 (AM) PM SERVED THE WITHIN

WRIT OF EXECUTION, INTERROGATORIES ON TIMBERLAND FED CR UNION, Garnishee, DEFENDANT

BY HANDING TO

CARRIE WOOD

MGR

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

ADDRESS SERVED

821 BEAVER DR DUBOIS

( ) Residence (x) Employment ( ) Sheriff's Office ( ) Other

NOW \_\_\_\_\_ AT \_\_\_\_\_ AM / PM POSTED THE WITHIN

WRIT OF EXECUTION, INTERROGATORIES FOR TIMBERLAND FED CR UNION, Garnishee

AT (ADDRESS) \_\_\_\_\_

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

I MAKE RETURN OF **NOT FOUND** AS TO TIMBERLAND FED CR UNION, Garnishee

REASON UNABLE TO LOCATE \_\_\_\_\_

SWORN TO BEFORE ME THIS

\_\_\_\_\_ DAY OF \_\_\_\_\_ 2013

So Answers: CHESTER A. HAWKINS, SHERIFF

BY:

*George F. Rehman*  
Deputy Signature  
George F. Rehman  
Print Deputy Name



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

Dkt Pg. 110577

2 OF 2

LVNV FUNDING LLC

NO. 06-1161-CD

-VS-

BROCK M. JOHNSON

WRIT OF EXECUTION/  
INTERROGATORIES TO  
GARNISHEE

TO: TIMBERLAND FED CR UNION, Garnishee

**SHERIFF'S RETURN**

NOW APRIL 18, 2013 MAILED THE WITHIN:

PRAECIPE, WRIT, WRIT NOTICE, CLAIM FOR EXEMPTION & INTERROGATORIE

TO: BROCK M. JOHNSON, DEFENDANT

AT: 1725 TREASURE LAKE, DUBOIS, PA. 15801

IN THE S.A.S.E.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 110577

NO: 06-1161-CD

SERVICES 2

WRIT OF EXECUTION, INTERROGATORIES

PLAINTIFF: LVNV FUNDING LLC

vs.

DEFENDANT: BROCK M. JOHNSON

TO: TIMBERLAND FED CR UNION, Garnishee

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	APOTHAKE	76721	20.00
SHERIFF HAWKINS	APOTHAKE	76721	45.97

Sworn to Before Me This

\_\_\_\_ Day of \_\_\_\_\_ 2013

So Answers,



Chester A. Hawkins  
Sheriff

[illegible]

VS.

Defendant

## Garnishee

NO.: 2006-1161-CD

**FILED** pd \$2000  
on 3:34pm  
MAY 20 2013  
S. William A. Shaw  
Prothonotary/Clerk of Courts  
CC Atty  
Cavallaro  
alt  
Timbelland FCC

Our File No.: 62190

IN THE COURT OF COMMON PLEAS OF **CLEARFIELD** COUNTY, PENNSYLVANIA  
CIVIL ACTION – LAW

TO: TIMBERLAND FED CR UNION  
821 BEAVER DRIVE  
DU BOIS, PA 15801

COPY

LVNV FUNDING LLC

Plaintiff

vs.

BROCK M JOHNSON

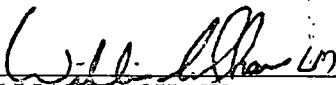
Defendant

TIMBERLAND FED CR UNION

Garnishee

NO.: 2006-1161-CD

NOTICE IS GIVEN THAT A JUDGMENT IN THE ABOVE CAPTIONED MATTER HAS BEEN  
ENTERED AGAINST YOU.

  
WILLIAM A. SHAW  
PROTHONOTARY

5-20-2013

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

Benjamin J. Cavallaro, Esquire  
Apothaker & Associates, P.C.  
A Law Firm Engaged in Debt Collection  
520 Fellowship Road C306  
PO Box 5496  
Mount Laurel, NJ 08054  
800-672-0215

Our File No.: 62190

LVNV FUNDING LLC

Plaintiff

vs.

BROCK M JOHNSON  
1725 TREASURE LAKE  
DU BOIS, PA 15801-9046  
XXX-XX-1879

Defendant

TIMBERLAND FED CR UNION

Garnishee

COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY

NO.: 2006-1161-CD

Civil Action



### INTERROGATORIES TO GARNISHEE

TO: TIMBERLAND FED CR UNION, Garnishee:

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.

1. At the time you were served or at any subsequent time did you owe the defendant(s) any money or were you liable to defendant(s) on any negotiable or other written instrument, or did defendant(s) claim that you owed defendant(s) any money or were liable to defendant(s) for any reason? *No*
2. At the time you were served or at any subsequent time was there in your possession, custody, control or in the joint possession, custody or control of yourself and one or more persons any property of any nature owned solely or in part by the defendant(s)? *No*
3. At the time you were served or any subsequent time did you hold legal title to any property of any nature owed solely or in part by the defendant(s) or in which the defendant held or claimed any interest? *No*
4. At the time you were served or at any subsequent time did you hold as fiduciary any property in which the defendant(s) had any interest? *No*
5. At any time before or after you were served did the defendant(s) transfer or deliver any property to you or to any person or place pursuant to your direction or consent and what was the consideration thereof? *No*
6. At any time after you were served did you pay, transfer or deliver any money or property to the defendant(s) or to any person or place pursuant to the defendant's direction or otherwise discharge any claim of the defendant(s) against you? *No*
7. If you are a bank or other financial institution, at the time you were served or any subsequent time did the defendant(s) 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 and the entity electronically depositing those funds on a recurring basis. *No.*

8. If you are a bank or other financial institution, at the time you were served or at any subsequent time did the defendant(s) 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 exemption under 42PA.C.S. §8123? If so, identify each account. *No.*

9. How much is the value of any property in your possession belonging to the defendant(s)? *\$900.44 CKg.*

*1.21 sav.*

10. In the space below, the plaintiff may set forth additional appropriate interrogatories.

*.85 vac.*

Dated:

*4/3/13*



David J. Apothaker, Esquire  
APOTHAKE & ASSOCIATES, P.C.  
520 Fellowship Road C306  
PO Box 5496  
Mount Laurel, New Jersey 08054  
(856) 780-1000  
Attorneys for Plaintiff

Our File No.: 62190  
APOTHAKER & ASSOCIATES, P.C.  
By: David J. Apothaker, Esquire  
520 Fellowship Road C306  
Mount Laurel, NJ 08054  
(800) 672-0215  
Attorneys for Plaintiff

**FILED** pd \$7.00 Atty  
m/12:22pm ICC Atty  
JUL 12 2013 Apothaker  
William A. Shaw  
Prothonotary/Clerk of Courts

LVNV FUNDING LLC

Plaintiff

vs.

BROCK M JOHNSON

Defendant

TIMBERLAND FED CR UNION

Garnishee

COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY

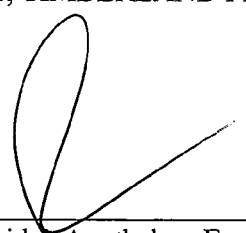
NO.: 2006-1161-CD

Civil Action

**PRAECIPE TO SATISFY JUDGMENT AGAINST THE GARNISHEE**

TO THE PROTHONOTARY:

Kindly mark the attachment against the Garnishee, TIMBERLAND FED CR UNION, satisfied.

  
\_\_\_\_\_  
David J. Apothaker, Esquire  
Attorney for Plaintiff

# APOTHAKER & ASSOCIATES, P.C.

---

ATTORNEYS AT LAW

July 26, 2013

PROTHONOTARY  
230 E. MARKET STREET  
CLEARFIELD, PA 16830-2448

RE: LVNV FUNDING LLC VS. BROCK M JOHNSON  
DOCKET NO.: 2006-1161-CD  
OUR FILE NO: 62190

*Put in File  
was*

DEAR CLERK:

Please find enclosed two checks: one in the amount of \$7.00 to replace our check #82818, which was returned by the bank; the second in the amount of \$10.87 to reimburse for bank fees incurred.

Please contact Jennifer Bassant at 1-800-780-100 x126 if you have any questions.

APOTHAKER & ASSOCIATES, P.C.

/JBA



Our File No.: 62190

LVNV FUNDING LLC  
Plaintiff

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

vs.

BROCK M JOHNSON  
Defendant(s)

NO.: 2006-1161-CD

PRAECIPE FOR WRIT OF EXECUTION

To the Prothonotary:

Issue a Writ of Execution in the above matter,

- (1) directed to the Sheriff of CLEARFIELD County;
- (2) against BROCK M JOHNSON, defendant(s); and
- (3) against TIMBERLAND FED CR UNION 821 BEAVER DRIVE DU BOIS, PA 15801, Garnishee(s);
- (4) and index this writ in the judgment index

(a) against BROCK M JOHNSON, defendant(s), and

(b) against TIMBERLAND FED CR UNION 821 BEAVER DRIVE DU BOIS, PA 15801, as  
Garnishee(s), as a lis pendens against the real property of the defendant(s) in the name of  
Garnishee(s) as follows:

Bank Attachment Only - All assets and accounts, including, but not limited to, bank accounts, brokerage  
firm accounts, stocks, cd's, insurance, safety deposit boxes, etc.

(5) Amount Due	\$9714.75
Interest from November 21, 2007	\$3270.44
Minus Payments made	\$(1502.50)
Plus Costs	\$332.97
Total	\$11815.66

Prothonotary costs

\$152.00

David J. Apothaker, Esquire  
Attorney for Plaintiff(s)

**FILED**

OCT 16 2013

William A. Shaw  
Prothonotary/Clerk of Courts

Our File No.: 62190

LVNV FUNDING LLC  
Plaintiff

vs.

BROCK M JOHNSON  
Defendant(s)

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

NO.: 2006-1161-CD

WRIT OF EXECUTION (Money Judgment)

### **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. Such property is said to be exempt. There is a debtor's exemption of \$300. There are other exemptions which may be applicable to you. Attached 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) Fill out the attached claim form and demand for a prompt hearing. (2) Deliver the form or mail it to the Sheriff's Office at the address noted.

You should come to court 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, 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.**

Midpenn Legal Services  
211 E Locust St  
Clearfield, PA 16830  
Phone: (814) 765-9646

## WRIT OF EXECUTION

Commonwealth of Pennsylvania, County of CLEARFIELD

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against: BROCK M JOHNSON, defendant(s):

(1) You are directed to attach the property of the defendant(s) not levied upon in the possession of  
TIMBERLAND FED CR UNION 821 BEAVER DRIVE DU BOIS, PA 15801 as Garnishee(s) and to notify the  
Garnishee(s) that

(a) An attachment has been issued:

(b) Except as provided in paragraph (c), the garnishee(s) is enjoined from paying any debt to or for the  
account of the defendant(s) and from delivering any property of the defendant(s) or otherwise disposing thereof;

(c) The attachment shall not include

(i) the first \$10,000 of each account of the defendant 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 with a bank or other financial institution in which funds on deposit  
exceed \$10,000 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 with a bank or other financial institution 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.

(2) If property of the defendant not levied upon and subject to attachment is found in the possession of anyone  
other than the named garnishee(s), you are directed to notify such other person that he or she has been added as  
a garnishee and is enjoined as above stated.

Amount Due	\$9714.75
Interest from November 21, 2007	\$3270.44
Minus Payments made	\$(1502.50)
Costs to be added	\$332.97
Total	\$11815.66

Prothonotary costs \$155.00

Dated: 10-16-13

Prothonotary of CLEARFIELD County

BY: 

### MAJOR EXEMPTIONS UNDER PENNSYLVANIA AND FEDERAL LAW

- (1) \$300.00 statutory exemption
- (2) Bibles, school books, sewing machines, uniforms and equipment
- (3) Most wages and unemployment compensation
- (4) Social Security benefits
- (5) Certain retirement funds and accounts
- (6) Certain veteran and armed forces benefits
- (7) Certain insurance proceeds
- (8) Such other exemptions as may be provided by law

NO. 2006-1161-CD

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

LVNV FUNDING LLC

VS.

BROCK M JOHNSON

WRIT OF EXECUTION

(Money Judgments)

Claim	\$9714.75
Interest	\$3270.44
From November 21, 2007	
Minus payments made	\$(1502.50)
<u>Costs</u>	
Dept. of Court Records	\$132.97
Sheriff Fee	\$200.00

Apothaker & Associates, P.C.  
David J. Apothaker, Esquire  
520 Fellowship Road C306  
PO Box 5496  
Mount Laurel, NJ 08054  
(800) 672-0215  
ID # 38423

LVNV FUNDING LLC  
Plaintiff

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

vs.  
BROCK M JOHNSON  
Defendant(s)

NO.: 2006-1161-CD

**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 \$300 statutory exemption be

[ ] (i) set aside in kind (specify property to be set aside in kind): \_\_\_\_\_;

[ ] (ii) 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 statutory exemption: [ ] in cash; [ ] in kind (specify property): \_\_\_\_\_;

(b) other (specify amount and basis of exemption): \_\_\_\_\_.

I request a prompt court hearing to determine the exemption. Notice of the hearing should be given to me at

\_\_\_\_\_ (Address),

\_\_\_\_\_ (Telephone Number).

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

Date: \_\_\_\_\_ Defendant: \_\_\_\_\_

**THIS CLAIM TO BE FILED WITH:**

Clearfield County Sheriff's Office  
1 North Second Street  
Clearfield, PA 16830  
Phone: 814-765-2641 Ext: 5015

Our File No.: 62190

LVNV FUNDING LLC

Plaintiff

vs.

BROCK M JOHNSON  
1725 TREASURE LAKE  
DU BOIS, PA 15801-9046  
XXX-XX-1879

Defendant

TIMBERLAND FED CR UNION

Garnishee

COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY

NO.: 2006-1161-CD

Civil Action

### INTERROGATORIES TO GARNISHEE

TO: TIMBERLAND FED CR UNION, Garnishee:

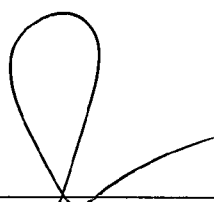
You are required to file answers to the following Interrogatories within twenty (20) days after service upon you. Failure to do so may result in judgment against you.

1. At the time you were served or at any subsequent time did you owe the defendant(s) any money or were you liable to defendant(s) on any negotiable or other written instrument, or did defendant(s) claim that you owed defendant(s) any money or were liable to defendant(s) for any reason?
2. At the time you were served or at any subsequent time was there in your possession, custody, control or in the joint possession, custody or control of yourself and one or more persons any property of any nature owned solely or in part by the defendant(s)?
3. At the time you were served or any subsequent time did you hold legal title to any property of any nature owed solely or in part by the defendant(s) or in which the 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(s) had any interest?
5. At any time before or after you were served did the defendant(s) transfer or deliver any property to you or to any person or place pursuant to your direction or consent and 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(s) or to any person or place pursuant to the defendant's direction or otherwise discharge any claim of the defendant(s) against you?
7. If you are a bank or other financial institution, at the time you were served or any subsequent time did the defendant(s) 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 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(s) 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 exemption under 42PA.C.S. §8123? If so, identify each account.
9. How much is the value of any property in your possession belonging to the defendant(s)?
10. In the space below, the plaintiff may set forth additional appropriate interrogatories.

Dated: 9/11/13



---

David J. Apothaker, Esquire  
APOTHAKE & ASSOCIATES, P.C.  
520 Fellowship Road C306  
PO Box 5496  
Mount Laurel, New Jersey 08054  
(856) 780-1000  
Attorneys for Plaintiff

To Deputy 10/17/13

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
NO: 2006-1161-CD

LVNV FUNDING LLC

VS

BROCK M. JOHNSON

TO: TIMBERLAND FED CR UNION, Garnishee

WRIT OF EXECUTION, INTERROGATORIES

SERVICE # 1 OF 2

SERVE BY: 01/14/2014

**RUSH**

HEARING:

PAGE: 111137

DEFENDANT: TIMBERLAND FED CR UNION, Garnishee

ADDRESS: 821 BEAVER DRIVE  
DUBOIS, PA 15801

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: GARNISHEE

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS:

VACANT

OCCUPIED

5  
**FILED** (16)

OCT 24 2013  
01:35:56 LG  
William A. Shaw  
Prothonotary/Clerk of Courts

**SHERIFF'S RETURN**

NOW, 10-21-13 AT 11:35 AM/PM SERVED THE WITHIN

WRIT OF EXECUTION, INTERROGATORIES ON TIMBERLAND FED CR UNION, Garnishee, DEFENDANT

BY HANDING TO KATHY URBAN / RECEPTIONIST

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

ADDRESS SERVED 821 BEAVER DRIVE DUBOIS PA. 15801  
( ) Residence (x) Employment ( ) Sheriff's Office ( ) Other

NOW \_\_\_\_\_ AT \_\_\_\_\_ AM / PM POSTED THE WITHIN

WRIT OF EXECUTION, INTERROGATORIES FOR TIMBERLAND FED CR UNION, Garnishee

AT (ADDRESS) \_\_\_\_\_

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

I MAKE RETURN OF **NOT FOUND** AS TO TIMBERLAND FED CR UNION, Garnishee

REASON UNABLE TO LOCATE \_\_\_\_\_

SWORN TO BEFORE ME THIS

\_\_\_\_\_ DAY OF \_\_\_\_\_ 2013

So Answers: CHESTER A. HAWKINS, SHERIFF

BY:

Deputy Signature

Print Deputy Name



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

Dkt Pg. 111137

2 of 2

LVNV FUNDING LLC

NO. 2006-1161-CD

vs

WRIT OF EXECUTION/  
INTERROGATORIES TO  
GARNISHEE

BROCK M. JOHNSON

TO: TIMBERLAND FED CR UNION, Garnishee

**SHERIFF'S RETURN**

NOW OCTOBER 23, 2013 MAILED THE WITHIN:  
PRAECIPE, WRIT NOTICE, WRIT, CLAIM FOR EXEMPTION & INTERROGATORIES  
TO: BROCK M. JOHNSON, DEFENDANT  
AT: 1725 TREASURE LAKE, DUBOIS, PA. 15801  
IN THE S.A.S.E.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 111137  
NO: 2006-1161-CD  
SERVICES 2

WRIT OF EXECUTION, INTERROGATORIES

PLAINTIFF: LVNV FUNDING LLC  
vs.  
DEFENDANT: BROCK M. JOHNSON  
TO: TIMBERLAND FED CR UNION, Garnishee

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	APOTHAKE	87929	20.00
SHERIFF HAWKINS	APOTHAKE	87929	45.97

Sworn to Before Me This

\_\_\_\_\_ Day of \_\_\_\_\_ 2013

So Answers,



Chester A. Hawkins  
Sheriff

Our File No.: 62190

LVNV FUNDING LLC  
Plaintiff

vs.  
BROCK M JOHNSON  
Defendant(s)

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

NO.: 2006-1161-CD

PRAECIPE FOR WRIT OF EXECUTION

To the Prothonotary:

Issue a Writ of Execution in the above matter,

(1) directed to the Sheriff of CLEARFIELD County;

(2) against BROCK M JOHNSON, defendant(s); and

(3) against TIMBERLAND FED CR UNION 821 BEAVER DRIVE DU BOIS, PA 15801, Garnishee(s);

(4) and index this writ in the judgment index

(a) against BROCK M JOHNSON, defendant(s), and

(b) against TIMBERLAND FED CR UNION 821 BEAVER DRIVE DU BOIS, PA 15801, as  
Garnishee(s), as a lis pendens against the real property of the defendant(s) in the name of  
Garnishee(s) as follows:

Bank Attachment Only - All assets and accounts, including, but not limited to, bank accounts, brokerage  
firm accounts, stocks, cd's, insurance, safety deposit boxes, etc.

(5) Amount Due	\$9714.75
Interest from November 21, 2007	\$3270.44
Minus Payments made	\$(1502.50)
Plus Costs	\$332.97
Total	\$11815.66

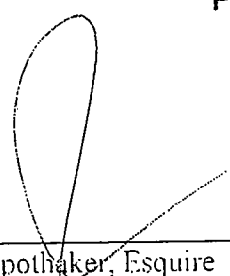
I hereby certify this to be a true  
and attested copy of the original  
statement filed in this case.

OCT 16 2013

Attest.

*William A. Shaw*  
Prothonotary/  
Clerk of Courts

Prothonotary costs \$155.00

  
\_\_\_\_\_  
David J. Apothaker, Esquire  
Attorney for Plaintiff(s)

Our File No.: 62190

LVNV FUNDING LLC  
Plaintiff

vs.

BROCK M JOHNSON  
Defendant(s)

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

NO.: 2006-1161-CD

WRIT OF EXECUTION (Money Judgment)

### 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. Such property is said to be exempt. There is a debtor's exemption of \$300. There are other exemptions which may be applicable to you. Attached 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) Fill out the attached claim form and demand for a prompt hearing. (2) Deliver the form or mail it to the Sheriff's Office at the address noted.

You should come to court 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, 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.

Midpenn Legal Services  
211 E Locust St  
Clearfield, PA 16830  
Phone: (814) 765-9646

## WRIT OF EXECUTION

Commonwealth of Pennsylvania, County of CLEARFIELD

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against: BROCK M JOHNSON, defendant(s):

(1) You are directed to attach the property of the defendant(s) not levied upon in the possession of TIMBERLAND FED CR UNION 821 BEAVER DRIVE DU BOIS, PA 15801 as Garnishee(s) and to notify the Garnishee(s) that

(a) An attachment has been issued:

(b) Except as provided in paragraph (c), the garnishee(s) is enjoined from paying any debt to or for the account of the defendant(s) and from delivering any property of the defendant(s) or otherwise disposing thereof;

(c) The attachment shall not include

(i) the first \$10,000 of each account of the defendant 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 with a bank or other financial institution in which funds on deposit exceed \$10,000 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 with a bank or other financial institution 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.

(2) If property of the defendant not levied upon and subject to attachment is found in the possession of anyone other than the named garnishee(s), you are directed to notify such other person that he or she has been added as a garnishee and is enjoined as above stated.

Amount Due	\$9714.75	
Interest from November 21, 2007	\$3270.44	
Minus Payments made	\$(1502.50)	
Costs to be added	\$332.97	
Total	\$11815.66	Prothonotary costs
		\$ 155.00

Dated: 10-16-13

Prothonotary of CLEARFIELD County

BY: 

### MAJOR EXEMPTIONS UNDER PENNSYLVANIA AND FEDERAL LAW

- (1) \$300.00 statutory exemption
- (2) Bibles, school books, sewing machines, uniforms and equipment
- (3) Most wages and unemployment compensation
- (4) Social Security benefits
- (5) Certain retirement funds and accounts
- (6) Certain veteran and armed forces benefits
- (7) Certain insurance proceeds
- (8) Such other exemptions as may be provided by law

Received this writ this 17<sup>th</sup> day  
of October 2013  
at 11:00 O  
Chester A. Hawkins  
by Maelyn Hamer

NO. 2006-1161-CD

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

LVNV FUNDING LLC

VS.

BROCK M JOHNSON

WRIT OF EXECUTION

(Money Judgments)

Claim	\$9714.75
Interest	\$3270.44
From November 21, 2007	
Minus payments made	\$(1502.50)
<u>Costs</u>	
Dept. of Court Records	\$132.97
Sheriff Fee	\$200.00

Apothaker & Associates, P.C.  
David J. Apothaker, Esquire  
520 Fellowship Road C306  
PO Box 5496  
Mount Laurel, NJ 08054  
(800) 672-0215  
ID # 38423

LVNV FUNDING LLC  
Plaintiff

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

vs.  
BROCK M JOHNSON  
Defendant(s)

NO.: 2006-1161-CD

**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 \$300 statutory exemption be

☐ (i) set aside in kind (specify property to be set aside in kind): \_\_\_\_\_;

☐ (ii) 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 statutory exemption: ☐ in cash; ☐ in kind (specify property): \_\_\_\_\_;

(b) other (specify amount and basis of exemption): \_\_\_\_\_.

I request a prompt court hearing to determine the exemption. Notice of the hearing should be given to me at

\_\_\_\_\_ (Address),

\_\_\_\_\_ (Telephone Number).

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

Date: \_\_\_\_\_ Defendant: \_\_\_\_\_

**THIS CLAIM TO BE FILED WITH:**

Clearfield County Sheriff's Office  
1 North Second Street  
Clearfield, PA 16830  
Phone: 814-765-2641 Ext: 5015

Our File No.: 62190

LVNV FUNDING LLC

Plaintiff

vs.

BROCK M JOHNSON  
1725 TREASURE LAKE  
DU BOIS, PA 15801-9046  
XXX-XX-1879

Defendant

TIMBERLAND FED CR UNION

Garnishee

COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY

NO.: 2006-1161-CD

Civil Action

### INTERROGATORIES TO GARNISHEE

TO: TIMBERLAND FED CR UNION, Garnishee:

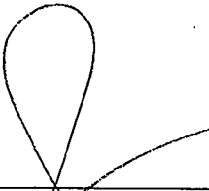
You are required to file answers to the following Interrogatories within twenty (20) days after service upon you. Failure to do so may result in judgment against you.

1. At the time you were served or at any subsequent time did you owe the defendant(s) any money or were you liable to defendant(s) on any negotiable or other written instrument, or did defendant(s) claim that you owed defendant(s) any money or were liable to defendant(s) for any reason?
2. At the time you were served or at any subsequent time was there in your possession, custody, control or in the joint possession, custody or control of yourself and one or more persons any property of any nature owned solely or in part by the defendant(s)?
3. At the time you were served or any subsequent time did you hold legal title to any property of any nature owed solely or in part by the defendant(s) or in which the 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(s) had any interest?
5. At any time before or after you were served did the defendant(s) transfer or deliver any property to you or to any person or place pursuant to your direction or consent and 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(s) or to any person or place pursuant to the defendant's direction or otherwise discharge any claim of the defendant(s) against you?
7. If you are a bank or other financial institution, at the time you were served or any subsequent time did the defendant(s) 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 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(s) 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 exemption under 42PA.C.S. § 8123? If so, identify each account.
9. How much is the value of any property in your possession belonging to the defendant(s)?
10. In the space below, the plaintiff may set forth additional appropriate interrogatories.

Dated: 9/10/13



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David J. Apothaker, Esquire  
APOTHAKE & ASSOCIATES, P.C.  
520 Fellowship Road C306  
PO Box 5496  
Mount Laurel, New Jersey 08054  
(856) 780-1000  
Attorneys for Plaintiff

Attorney I.D.# 38423  
520 Fellowship Road C306  
PO Box 5496  
Mount Laurel, NJ 08054  
(800) 672-0215  
Attorneys for Plaintiff

FILED

BRIAN K. SPENCER  
NOTARY & CLERK

PROTHONOTARY & CLERK OF COURTS  
JAN K. SPENCER

attached

5

COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY

NO.: 2006-1161-CD

Civil Action

Plaintiff

SA

BROCK M JOHNSON

Defendant

TIMBERLAND FED CR UNION

Garnish

**PRAECIPE TO DISSOLVE ATTACHMENT EXECUTION**

TO THE PROTHONOTARY:

Kindly mark the attachment against the Garnishee, TIMBERLAND FED CR UNION, dissolved.

David J. Apothaker, Esquire  
Attorney for Plaintiff

Attorney for Plaintiff

**FILED**  
**MAR 27 2014**  
BRIAN K. SPENCER  
PROTHONOTARY & CLERK OF COURTS