

2006-1443-CD  
Deutsche Bank vs Robert Cannistraci

06-1443-CD  
Deutsche Bank vs R. Cannistraci

UDREN LAW OFFICES, P.C.  
BY: Mark J. Udren, Esquire  
ATTY I.D. NO. 04302  
WOODCREST CORPORATE CENTER  
111 WOODCREST ROAD, SUITE 200  
CHERRY HILL, NJ 08003-3620  
856-669-5400  
pleadings@udren.com

ATTORNEY FOR PLAINTIFF

Deutsche Bank Trust Company  
Americas, as Trustee  
1270 Northland Drive  
Suite 200  
Mendota Heights, MN 55120  
Plaintiff

COURT OF COMMON PLEAS  
CIVIL DIVISION

Clearfield County

v.  
Robert L. Cannistraci  
2497 Cambria Street  
Fallentimber, PA 16639  
Defendant(s)

NO. 06-1443-CO

COMPLAINT IN MORTGAGE FORECLOSURE

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.

LAWYERS REFERRAL SERVICE

David S. Meholic

Court Administrator

Clearfield County Courthouse

Clearfield, PA 16830

814-765-2641, ext. 5982

SEP 06 2006

m13:20laty udren  
William A. Shaw  
Prothonotary/Clerk of Courts

W.M.

pd \$85.00  
cc:Shaw

Jan 30, 2007 Document  
Reinstated/Reissued to Sheriff/Attorney  
for service.

William A. Shaw  
Prothonotary

1-19-2007 Document  
Reinstated/Reissued to Sheriff/Attorney  
for service.

William A. Shaw  
Deputy Prothonotary

**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 asentear una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se dafiende, 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 demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

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

**David S. Meholick  
Court Administrator  
Clearfield County Courthouse  
Clearfield, PA 16830  
814-765-2641, ext. 5982**

## **NOTICE**

**The amount of your debt is as stated in the attached document. The name of the creditor to whom the debt is owed is as named in the attached document. Unless you notify us within 30 days after receipt of this Notice and the attached document that the validity of the stated debt, or any portion of it, is disputed, we will assume that the debt is valid. If you do notify us in writing of a dispute within the 30 day period, we will obtain verification of the debt or a copy of a judgment against you, and mail it to you. If you do not dispute the debt, it is not an admission of liability on your part. Also, upon your written request within the 30 day period, we will provide you with the name and address of the original creditor if different from the current creditor.**

**If you notify us in writing within the 30 day period as stated above, we will cease collection of your debt, or any disputed portion of it, until we obtain the information that is required and mail it to you. Once we have mailed to you the required information, we will then continue the collection of your debt.**

**This law firm is deemed to be a debt collector and this Notice and the attached document is an attempt to collect a debt, and any information obtained will be used for that purpose.**

**UDREN LAW OFFICES, P.C.  
/s/ Mark J. Udren, Esquire  
Woodcrest Corporate Center  
111 Woodcrest Road, Suite 200  
Cherry Hill, NJ 08003-3620  
(856) 669-5400**

1. Plaintiff is the Corporation designated as such in the caption on a preceding page. If Plaintiff is an assignee then it is such by virtue of the following recorded assignments:

Assignor: Mortgage Electronic Registration Systems, Inc.

Assignments of Record to: Deutsche Bank Trust Company Americas, as Trustee

Recording Date: **LODGED FOR RECORDING**

2. Defendant(s) is the individual designated as such on the caption on a preceding page, whose last known address is as set forth in the caption, and unless designated otherwise, is the real owner(s) and mortgagor(s) of the premises being foreclosed.

3. On or about the date appearing on the Mortgage hereinafter described, at the instance and request of Defendant(s), Plaintiff (or its predecessor, hereinafter called Plaintiff) loaned to the Defendant(s) the sum appearing on said Mortgage, which Mortgage was executed and delivered to Plaintiff as security for the indebtedness. Said Mortgage is incorporated herein by reference in accordance with Pa.R.C.P. 1019 (g).

The information regarding the Mortgage being foreclosed is as follows:

MORTGAGED PREMISES: 2497 Cambria Street  
MUNICIPALITY/TOWNSHIP/BOROUGH: Gulich Township  
COUNTY: Clearfield  
DATE EXECUTED: 2/2/06  
DATE RECORDED: 2/6/06 Instrument # 200601855

The legal description of the mortgaged premises is attached hereto and made part hereof.

4. Said Mortgage is in default because the required payments have not been made as set forth below, and by its terms, upon breach and failure to cure said breach after notice, all sums secured by said Mortgage, together with other charges authorized by said Mortgage itemized below, shall be immediately due.

5. After demand, the Defendant(s) continues to fail or refuses to comply with the terms of the Mortgage as follows:

(a) by failing or refusing to pay the installments of

principal and interest when due in the amounts indicated below;

(b) by failing or refusing to pay other charges, if any, indicated below.

6. The following amounts are due on the said Mortgage as of 8/16/06:

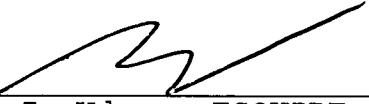
Principal of debt due	\$60,634.00
Unpaid Interest at 7.75% from 4/1/06 to 8/16/06 (the per diem interest accruing on this debt is \$12.87 and that sum should be added each day after 8/16/06)	1,776.06
Title Report	325.00
Court Costs (anticipated, excluding Sheriff's Sale costs)	280.00
Escrow Overdraft/ (Balance) (The monthly escrow on this account is \$101.87 and that sum should be added on the first of each month after 8/16/06)	405.92
Late Charges (monthly late charge of \$21.75 should be added in accordance with the terms of the note each month after 8/16/06)	87.00
Attorneys Fees (anticipated and actual to 5% of principal)	<u>3,031.70</u>
<b>TOTAL</b>	<b>\$66,539.68</b>

7. The attorney's fee 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 in accordance with the reduction provisions of Act 6, if applicable.

8. The combined notice specified by the Pennsylvania Homeowner's Emergency Mortgage Assistance Program, Act 91 of 1983 and Notice of Intention to Foreclose under Act 6 of 1974 has been sent to each defendant, via certified and regular mail, in accordance with the requirements of those acts, on the date

appearing on the copy attached hereto as Exhibit "A", and made part hereof, and defendant(s) have failed to proceed within the time limits, or have been determined ineligible, or Plaintiff has not been notified in a timely manner of Defendant(s) eligibility.

WHEREFORE, the Plaintiff demands judgment, in rem, against the Defendant(s) herein in the sum of \$66,539.68 plus interest, costs and attorneys fees as more fully set forth in the Complaint, and for foreclosure and sale of the Mortgaged premises.



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Mark J. Udren, ESQUIRE  
UDREN LAW OFFICES, P.C.  
Attorney for Plaintiff  
Attorney I.D. No. 04302

Exhibit A (Legal Description)

ALL THAT CERTAIN PIECE OR PARCEL OF LAND SITUATE IN GULICH TOWNSHIP,  
CLEARFIELD COUNTY, PENNSYLVANIA, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN LOCATED ON THE EASTERN SIDE OF SR. 253, SAID PIN  
BEING THE SOUTHWEST CORNER OF THE PARCEL HEREIN DESCRIBED; THEN ALONG SR.  
253 NORTH 31° 02' 00" EAST A DISTANCE OF 95.00 FEET TO AN IRON PIN; THEN ALONG  
THE SAME NORTH 32° 06' 30" EAST A DISTANCE OF 126.08 FEET TO AN IRON PIN; THEN  
ALONG THE LINE OF LAND OF ELISA NORTH, LARRY NORTH, AND VIRGINIA NORTH,  
SOUTH 45° 00' 30" EAST A DISTANCE OF 180.00 FEET TO AN IRON PIN; THEN ALONG THE  
RESIDUAL LOT SOUTH 30° 38' 45" WEST A DISTANCE OF 201.42 FEET TO AN IRON PIN;  
THEN ALONG THE SAME NORTH 51° 22' 35" WEST A DISTANCE OF 180.00 FEET TO AN  
IRON PIN AND THE POINT OF BEGINNING. CONTAINING 0.859 ACRES MORE OR LESS.

BEING LOT 1 AS SHOWN ON THE FINAL PLAN FOR B. FAY BAUGHMAN, CHARLES C.  
HANNA AND DEBRA A. CURRY, SUBDIVISION PREPARED BY GEORGE A. CREE,  
REGISTERED SURVEYOR, DATED JUNE 16, 2005 AND RECORDED IN CLEARFIELD COUNTY  
AS INSTRUMENT NO. 200514641.

DEED FROM B. FAY BAUGHMAN AND JAMES F. BAUGHMAN, HER HUSBAND, CHARLES C.  
HANNA AND RUTH HANNA, HIS WIFE AND DEBRA A. CURRY AND PHILIP S. CURRY, HER  
HUSBAND AS SET FORTH IN DEED INSTRUMENT NO: 200601854 DATED 02/02/06 AND  
RECORDED 02/06/06, CLEARFIELD COUNTY, COMMONWEALTH OF PENNSYLVANIA.

## Homecomings Financial

**A GMAC Company**

July 05, 2006

Certified Mail, Return Receipt Requested

0427002613  
Robert L Cannistraci  
2497 Cambria Street  
Fallentimber, PA 16639

A default exists under the above referenced Mortgage/Deed of Trust loan agreement. The action required to cure the default is the payment of all sums due under the Mortgage/Deed of Trust loan agreement. As of the date of this letter the total amount due is \$ 1,663.14. That sum includes the following:

3 payments totaling:	\$ 1,610.64
Late charges:	\$ 43.50
Other fees and/or costs	\$ 9.00
Unapplied Funds :	N/A

The total amount due shown above is subject to further increases for additional monthly payments, late charges, attorney fees, and/or other fees and cost which may become due, after the date of this letter. To obtain an update of the total amount due to cure this default, contact us at **1.800.206.2901**.

TO CURE THIS DEFAULT, SEND YOUR CASHIER'S CHECK, MONEY ORDER, OR CERTIFIED CHECK IN THE AMOUNT OF \$ 1,663.14 BY August 04, 2006 TO THE FOLLOWING ADDRESS:  
**Homecomings Financial, P.O. Box 78426 Phoenix, AZ 85062-8426 OR OVERNIGHT TO: 1820 East  
Sky Harbor Circle South, Suite 100 Phoenix, AZ 85034-9700**

If the default is not cured within thirty (30) days of the mailing of this letter, the lender, without further notice or demand, will accelerate the maturity date of the Note and declare all sums secured by the Mortgage/Deed of Trust to be immediately due and payable. The lender then intends to have the property sold at a public foreclosure sale. After acceleration, a curing of the default and reinstatement of the loan will be permitted up to the time of the sale by paying the past due monthly payments and other sums then due under the Mortgage/Deed of Trust loan agreement and by complying with all terms of reinstatement.

You have the right to bring a court action to assert the nonexistence of a default or any other defense that may exist to prevent acceleration and sale of the property.

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.

Sincerely,

## Loan Counseling Department

HLH

\*Homeownership counseling is available to you through the 'Credit Counseling Resource Center' (CCRC), an alliance of consumer credit counseling agencies. The CCRC has been retained by Homecomings Financial to provide advice to you on credit issues, including how to reduce debt and improve cash flow management capabilities. You may contact them at 1.877.806.0775 for assistance at no cost to you, or you may wish to contact a HUD-approved housing counseling agency by calling 1.800.569.4287 for further information.

# ACT 91 NOTICE

## TAKE ACTION TO SAVE YOUR HOME FROM FORECLOSURE

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.

This is an official notice that the mortgage on your home is in default, and the lender intends to foreclose. Specific information about the nature of the default is provided in the attached pages.

The HOMEOWNER'S MORTGAGE ASSISTANCE PROGRAM (HEMAP) may be able to help to save your home. This Notice explains how the program works.

To see if HEMAP can help, you must MEET WITH A CONSUMER CREDIT COUNSELING AGENCY WITHIN 30 DAYS OF THE DATE OF THIS NOTICE. Take this notice with you when you meet with the Counseling Agency.

The name, address and phone number of Consumer Credit Counseling Agencies serving your County are listed at the end of this Notice. If you have any questions, you may call the Pennsylvania Housing Finance Agency toll free at 1-800-342-2397. (Persons with impaired hearing can call (717) 780-1869).

This Notice contains important legal information. If you have any questions, representatives at the Consumer Credit Counseling Agency may be able to help explain it. You may also want to contact an attorney in your area. The local bar association may be able to help you find a lawyer.

LA NOTIFICACION EN ADJUNTO ES DE SUMA IMPORTANCIA, PUES AFECTA SU DERECHO A CONTINUAR VIVIENDO EN SU CASA. SI NO COMPRENDE EL CONTENIDO DE ESTA NOTIFICACION OBTENGA UNA TRADUCCION IMMEDIATAMENTE LLAMANDA ESTA AGENCIA (PENNSYLVANIA HOUSING FINANCE AGENCY) SIN CARGOS AL NUMERO MENCIONADO ARRIBA. PUEDES SER ELEGIBLE PARA UN PRESTAMO POR EL PROGRAMA LLAMADO "HOMEOWNER'S EMERGENCY MORTGAGE ASSISTANCE PROGRAM" EL CUAL PUEDE SALVAR SU CASA DE LA PERDIDA DEL DERECHO A REDIMIR SU HIPOTECA.

Date: July 05, 2006

TO: Robert L Cannistraci  
2497 Cambria Street  
Fallentimber, PA 16639

Premises: 2497 Cambria Street  
Fallentimber, PA 16639

Re: Loan Number: 0427002613  
FROM: Homecomings Financial

## HOMEOWNERS' EMERGENCY MORTGAGE ASSISTANCE PROGRAM

### **YOU MAY BE ELIGIBLE FOR FINANCIAL ASSISTANCE WHICH CAN SAVE YOUR HOME FROM FORECLOSURE AND HELP YOU MAKE FUTURE MORTGAGE PAYMENTS**

IF YOU COMPLY WITH THE PROVISIONS OF THE HOMEOWNER'S EMERGENCY MORTGAGE ASSISTANCE ACT OF 1983 (THE "ACT"), YOU MAY BE ELIGIBLE FOR EMERGENCY MORTGAGE ASSISTANCE:

IF YOUR DEFAULT HAS BEEN CAUSED BY CIRCUMSTANCES BEYOND YOUR CONTROL,

IF YOU HAVE A REASONABLE PROSPECT OF BEING ABLE TO PAY YOUR MORTGAGE PAYMENTS, AND

IF YOU MEET OTHER ELIGIBILITY REQUIREMENTS ESTABLISHED BY THE PENNSYLVANIA HOUSING FINANCE AGENCY.

**TEMPORARY STAY OF FORECLOSURE** -- Under the Act, you are entitled to a temporary stay of foreclosure on your mortgage for thirty (30) days from the date of this Notice. During that time, you must arrange and attend a "face-to-face" meeting with one of the consumer credit counseling agencies listed at the end of this Notice. **THIS MEETING MUST OCCUR WITHIN THE NEXT 30 DAYS. IF YOU DO NOT APPLY FOR EMERGENCY MORTGAGE ASSISTANCE, YOU MUST BRING YOUR MORTGAGE UP TO DATE. THE PART OF THIS NOTICE CALLED "HOW TO CURE YOUR MORTGAGE DEFAULT", EXPLAINS HOW TO BRING YOUR MORTGAGE UP TO DATE.**

**CONSUMER CREDIT COUNSELING AGENCIES** -- If you meet with one of the consumer credit counseling agencies listed at the end of this notice, the lender may NOT take action against you for thirty (30) days after the date of this meeting. The names, addresses and telephone numbers of designated consumer credit counseling agencies for the county in which the property is located are set forth at the end of this Notice. It is only necessary to schedule one face-to-face meeting. Advise your lender immediately of your intentions.

**APPLICATION FOR MORTGAGE ASSISTANCE** -- Your mortgage is in default for the reasons set forth later in this Notice (see following pages for specific information about the nature of your default.) If you have tried and are unable to resolve this problem with the lender, you have the right to apply for financial assistance from the Homeowner's Emergency Mortgage Assistance Program. To do so, you must fill out, sign and file a completed Homeowner's Emergency Assistance Program Application with one of the designated consumer credit counseling agencies listed at the end of this Notice. Only consumer credit counseling agencies have applications for the program and they will assist you in submitting a complete application to the Pennsylvania Housing Finance Agency. Your application MUST be filed or postmarked within thirty (30) days of your face-to-face meeting.

### **LENDER CONTACT IN REGARDS TO PENNSYLVANIA HOUSING FINANCIAL ASSISTANCE**

HomeComings Financial  
Attn: Ryan Ramos  
9350 Waxie Way Ste. 100  
San Diego, CA. 92123  
Fax: 858-514-5516

**ALL CORRESPONDENCE REGARDING PHFA ASSISTANCE SHOULD BE FORWARDED TO THE ABOVE REFERENCED ADDRESS.**

**YOU MUST FILE YOUR APPLICATION PROMPTLY. IF YOU FAIL TO DO SO OR IF YOU DO NOT FOLLOW THE OTHER TIME PERIODS SET FORTH IN THIS LETTER, FORECLOSURE MAY PROCEED AGAINST YOUR HOME IMMEDIATELY AND YOUR APPLICATION FOR MORTGAGE ASSISTANCE WILL BE DENIED.**

**AGENCY ACTION** -- Available funds for emergency mortgage assistance are very limited. They will be disbursed by the Agency under the eligibility criteria established by the Act. The Pennsylvania Housing Finance Agency has sixty (60) days to make a decision after it receives your application. During that time, no foreclosure proceedings will be pursued against you if you have met the time requirements set forth above. You will be notified directly by the Pennsylvania Housing Finance Agency of its decision on your application.

**NOTE: IF YOU ARE CURRENTLY PROTECTED BY THE FILING OF A PETITION IN BANKRUPTCY, THE FOLLOWING PART OF THIS NOTICE IS FOR INFORMATION PURPOSES ONLY AND SHOULD NOT BE CONSTRUED AS AN ATTEMPT TO COLLECT THE DEBT.**

**(If you have filed bankruptcy you can still apply for Emergency Mortgage Assistance.)**

**HOW TO CURE YOUR MORTGAGE DEFAULT (Bring it up to date).**

**NATURE OF THE DEFAULT** – The MORTGAGE debt held by the above lender on your property located at:

2497 Cambria Street , Fallentimber, PA 16639

IS SERIOUSLY IN DEFAULT because:

YOU HAVE NOT MADE MONTHLY MORTGAGE PAYMENTS for the following months and the following amounts are now past due:

Monthly payments from 05/01/06 to 07/01/06 totaling:	\$ 1,610.64
Late Charges:	\$ 43.50
Other fees and/or costs (including NSF charges and property inspections):	\$ 9.00
LESS: Unapplied Funds:	N/A
<b>TOTAL</b>	<b>\$ 1,663.14</b>

**HOW TO CURE THE DEFAULT** – You may cure the default within THIRTY (30) DAYS of the date of this Notice **BY PAYING THE TOTAL AMOUNT DUE TO THE LENDER, WHICH IS \$ 1,663.14, PLUS ANY MORTGAGE PAYMENTS AND LATE CHARGES WHICH BECOME DUE DURING THE THIRTY (30) DAY PERIOD.** Payments must be made either by cash, cashier's check, certified check or money order made payable and sent to:

**Homecomings Financial, P.O. Box 78426 Phoenix, AZ 85062-8426 OR OVERNIGHT TO:  
1820 East Sky Harbor Circle South, Suite 100 Phoenix, AZ 85034-9700.**

**IF YOU DO NOT CURE THE DEFAULT** – If you do not cure the default within THIRTY (30) DAYS of the date of this Notice, **the lender intends to exercise its right to accelerate the mortgage debt.** This means that the entire outstanding balance of this debt will be considered due immediately and you may lose the chance to pay the mortgage in monthly installments. If full payment of the total amount past due is not made within THIRTY (30)

DAYS, the lender also intends to instruct its attorney to start legal action to foreclose upon your mortgaged property.

**IF THE MORTGAGE IS FORECLOSED UPON** – The mortgaged property will be sold by the Sheriff to pay off the mortgage debt. If the lender refers your case to its attorney, but you cure the delinquency before the lender begins legal proceedings against you, you will still be required to pay the reasonable attorney's fees that were actually incurred, up to \$50.00. However, if legal proceedings are started against you, you will have to pay all reasonable attorney's fees actually incurred by the lender, even if they exceed \$50.00. Any attorney's fees will be added to the amount you owe the lender, which may also include other reasonable costs. If you cure the default within the THIRTY (30) DAY period, you will not be required to pay attorney's fees.

**OTHER LENDER REMEDIES** – The lender may also sue you personally for the unpaid principal balance and all other sums due under the mortgage.

**RIGHT TO CURE THE DEFAULT PRIOR TO SHERIFF'S SALE** – If you have not cured the default within the THIRTY (30) DAY period and foreclosure proceedings have begun, you still have the right to cure the default and prevent the sale at any time up to one hour before the Sheriff's Sale. You may do so by paying the total amount then past due, plus any late or other charges then due, reasonable attorney's fees and costs connected with the foreclosure sale and any other costs connected with the Sheriff's Sale as specified in writing by the lender and by performing any other requirements under the mortgage. Curing your default in the manner set forth in this Notice will restore your mortgage to the same position as if you had never defaulted.

**EARLIEST POSSIBLE SHERIFF'S SALE DATE** – It is estimated that the earliest date that such a Sheriff's Sale of the mortgaged property could be held would be **approximately six (6) months from the date of this Notice**. A notice of the actual date of the Sheriff's Sale will be sent to you before the sale. Of course, the amount needed to cure the default will increase the longer you wait. You may find out at any time exactly what the required payment or action will be by contacting the lender.

**HOW TO CONTACT THE LENDER:**

Homecomings Financial  
2711 N. Haskell, Suite 900  
Dallas, TX 75204  
Attn: Loan Counseling Department  
Phone: 1.800.206.2901

**EFFECT OF THE SHERIFF'S SALE** – You should realize that a Sheriff's Sale will end your ownership of the mortgaged property and your right to occupy it. If you continue to live in the property after the Sheriff's Sale, a lawsuit to remove you and your furnishings and other belongings could be started by the lender at any time.

**ASSUMPTION OF MORTGAGE** – You may be able to sell or transfer your home to a buyer or transferee who will assume the mortgage debt, provided that all the outstanding payments, charges and attorney's fees and costs are paid prior to or at the sale and that the other requirements of the mortgage are satisfied.

**YOU MAY ALSO HAVE THE RIGHT:**

TO SELL THE PROPERTY TO OBTAIN MONEY TO PAY OFF THE MORTGAGE DEBT  
OR TO BORROW MONEY FROM ANOTHER LENDING INSTITUTION TO PAY OFF THIS  
DEBT.

TO HAVE THIS DEFAULT CURED BY ANY THIRD PARTY ACTING ON YOUR BEHALF.

TO HAVE THE MORTGAGE RESTORED TO THE SAME POSITION AS IF NO DEFAULT HAD OCCURRED, IF YOU CURE THE DEFAULT. (HOWEVER, YOU DO NOT HAVE THIS RIGHT TO CURE YOUR DEFAULT MORE THAN THREE TIMES IN ANY CALENDAR YEAR.)

TO ASSERT THE NONEXISTENCE OF A DEFAULT IN ANY FORECLOSURE PROCEEDING OR ANY OTHER LAWSUIT INSTITUTED UNDER THE MORTGAGE DOCUMENTS.

TO ASSERT ANY OTHER DEFENSE YOU BELIEVE YOU MAY HAVE TO SUCH ACTION BY THE LENDER.

TO SEEK PROTECTION UNDER THE FEDERAL BANKRUPTCY LAW.

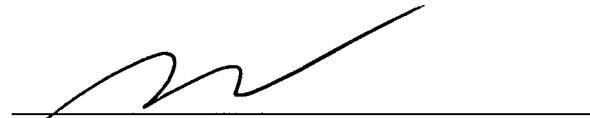
Sincerely,

Loan Counseling Department

Enclosure(s)  
List of Counseling Agencies

V E R I F I C A T I O N

Mark J. Udren, Esquire, hereby states that he is the attorney for the Plaintiff, a corporation unless designated otherwise; that he is authorized to take this Verification and does so because of the exigencies regarding this matter, and because Plaintiff must verify much of the information through agents, and because he has personal knowledge of some of the facts averred in the foregoing pleading; and that the statements made in the foregoing pleading are true and correct to the best of his knowledge, information and belief and the source of his information is public records and reports of Plaintiff's agents. The undersigned understands that this statement herein is made subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn falsification to authorities.



Mark J. Udren, ESQUIRE  
UDREN LAW OFFICES, P.C.

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BY: Mark J. Udren ESQUIRE  
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CHERRY HILL, NJ 08003-3620  
856-669-5400  
[pleadings@udren.com](mailto:pleadings@udren.com)

ATTORNEY FOR PLAINTIFF

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FILED  
NOV 17 2006  
10:41 AM  
NOV 17 2006  
©

William A. Shaw  
Prothonotary/Clerk of Courts

Deutsche Bank Trust Company  
Americas, as Trustee  
Plaintiff

COURT OF COMMON PLEAS  
CIVIL DIVISION  
Clearfield County

v.  
Robert L. Cannistraci  
Defendant(s)

NO. 06-1443-CD

MOTION FOR SPECIAL SERVICE PURSUANT  
TO SPECIAL ORDER OF COURT

Plaintiff, by its counsel, Mark J. Udren, Esquire, moves this Honorable Court for an Order directing service of the Complaint in Mortgage Foreclosure upon Defendant(s), Robert L. Cannistraci by regular mail and certified mail and by posting the mortgaged premises and in support thereof avers the following:

1. Process was unable to be served at the then last known address of said Defendant(s) at 2497 Cambria Street, Fallentimber, PA 16639, which is the mortgaged premises. A copy of the Verification of Service is attached hereto as Exhibit A.

2. Pursuant to Pa.R.C.P. 430, Plaintiff made a Good Faith Investigation, the report thereof being attached hereto as Exhibit B.

3. Said investigation was unable to determine an alternate address for said Defendant(s).

4. The last known address of Defendant(s) is as set forth in the attached Exhibits.

WHEREFORE, Plaintiff prays and respectfully requests that this Honorable Court enter an Order pursuant to Pa.R.C.P. 430 directing service of the Complaint in Mortgage Foreclosure upon said Defendant(s), Robert L. Cannistraci by regular mail and certified mail and by posting the mortgaged premises.

UDREN LAW OFFICES, P.C.

By:   
Mark J. Udren, Esquire  
Attorney for Plaintiff

UDREN LAW OFFICES, P.C.  
BY: Mark J. Udren, Esquire  
ATTY I.D. NO. 04302  
WOODCREST CORPORATE CENTER  
111 WOODCREST ROAD, SUITE 200  
CHERRY HILL, NJ 08003-3620  
856-669-5400

ATTORNEY FOR PLAINTIFF

Deutsche Bank Trust Company  
Americas, as Trustee  
Plaintiff

COURT OF COMMON PLEAS  
CIVIL DIVISION  
Clearfield County

v.  
Robert L. Cannistraci

MORTGAGE FORECLOSURE

Defendant(s)

NO. 06-1443-CD

VERIFICATION OF SERVICE

Based upon information supplied by the Sheriff of Clearfield County, service of the Complaint in Mortgage Foreclosure upon the below listed Defendant(s) was unsuccessful in accordance with Pa.R.C.P. 402 or 3129.2:

Defendant:

Place of Service: 2497 Cambria Street, Fallentimber, PA 16639

Defendant not found because: Moved Unknown No Answer  
Vacant Other Per the sheriff's department, after several  
attempts, service was unable to be made.

Mark J. Udren, Esquire, the undersigned, understands that the statements herein set forth above are made subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn falsification to authorities.

November 15, 2006

  
Mark J. Udren, Esquire  
Attorney for Plaintiff

# Players National Locator, Inc.

## AFFIDAVIT OF GOOD FAITH INVESTIGATION

Loan Number: **06080325**

Attorney Firm: **MARK J UDREN & ASSOCIATES**

Case Number:

Subject: **Robert Cannistraci**

A.K.A.: **Robert L Cannistraci**

Last Known Address: **2497 Cambria Street  
Fallentimber, PA 16639**

Last Known Number: ( ) -

Melissa Kozma, being duly sworn according to law, deposes and says:

1. I am employed in the capacity of Location Specialist for Players National Locator, Inc.

2. On 08/18/2006, I conducted an investigation into the whereabouts of the above named defendant(s). The results of my investigation are as follows:

### CREDIT INFORMATION -

A. SOCIAL SECURITY NUMBER(S): **203-64-4558**

B. EMPLOYMENT SEARCH:  
**We were unable to verify current employment for Robert Cannistraci.**

C. INQUIRY OF CREDITORS:

**Creditors indicated the last reported address for Robert Cannistraci is 2497 Cambria Street, Fallentimber, PA 16639 with no valid home number.**

### INQUIRY OF TELEPHONE COMPANY -

A. DIRECTORY ASSISTANCE SEARCH:  
**Directory assistance had no listing for Robert Cannistraci. We called (814) 632-8645 and spoke with a relative who stated Robert Cannistraci is living at 2497 Cambria Street, Fallentimber, PA 16639.**

### INQUIRY OF NEIGHBORS -

**N/A**

### INQUIRY OF POST OFFICE -

A. NATIONAL ADDRESS UPDATE:  
**As of August 17, 2006 the National Change of Address (NCOA) has no change for Robert Cannistraci from 2497 Cambria Street, Fallentimber, PA 16639.**

### MOTOR VEHICLE REGISTRATION -

A. MOTOR VEHICLE & DMV OFFICE:  
**We were unable to verify current drivers license information for Robert Cannistraci.**

### OTHER INQUIRIES -

A. DEATH RECORDS:  
**As of August 17, 2006 the Social Security Administration has no death record on file for Robert Cannistraci and/or A.K.A's under the social security number provided.**

B. PUBLIC LICENSES ( PILOT, REAL ESTATE, ETC. ):  
**None Found.**

**EXHIBIT B**

C. COUNTY VOTER REGISTRATION:

We were unable to confirm a listing with the County Voters Registration Office.

ADDITIONAL INFORMATION ON SUBJECT -

A. DATE OF BIRTH:  
December 1971

*Melissa Kozma*

AFFIANT Melissa Kozma

Subscribed and sworn to before me on 08/18/2006

*Kristine M. Scott*  
NOTARY PUBLIC

"NOTARY SEAL"  
Kristine M. Scott, Notary Public  
St. Louis County, State of Missouri  
My Commission Expires 9/2/2006

Players National Locator, Inc. 174 Clarkson Road, Suite 225 St.Louis, MO 63011

Phone: (636)230-9922 Fax: (636)230-0558

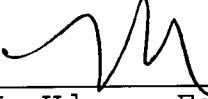
VERIFICATION

Mark J. Udren, Esquire, hereby states that he is the Attorney for the Plaintiff in this action, that he is authorized to take this Verification, and that the statements made in the foregoing MOTION FOR SPECIAL SERVICE PURSUANT TO SPECIAL ORDER OF COURT are true and correct to the best of his knowledge, information and belief.

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

UDREN LAW OFFICES, P.C.

Date: 11/16/06

  
\_\_\_\_\_  
Mark J. Udren, Esquire  
Attorney for Plaintiff

UDREN LAW OFFICES, P.C.  
BY: Mark J. Udren ESQUIRE  
ATTY I.D. NO. 04302  
WOODCREST CORPORATE CENTER  
111 WOODCREST ROAD, SUITE 200  
CHERRY HILL, NJ 08003-3620  
856-669-5400  
[pleadings@udren.com](mailto:pleadings@udren.com)

ATTORNEY FOR PLAINTIFF

Deutsche Bank Trust Company  
Americas, as Trustee  
Plaintiff

COURT OF COMMON PLEAS  
CIVIL DIVISION  
Clearfield County

v.  
Robert L. Cannistraci  
Defendant(s)

NO. 06-1443-CD

**CERTIFICATE OF SERVICE**

I, Mark J. Udren, Esquire hereby certify that I have served true and correct copies of the attached Motion For Special Service upon the following person(s) named herein at their last known address or their attorney of record by:

x Regular First Class Mail

\_\_\_\_ Certified Mail

\_\_\_\_ Other

Date Served: 11/16/06

TO: Robert L. Cannistraci  
2497 Cambria Street  
Fallentimber, PA 16639

UDREN LAW OFFICES, P.C.

By:   
Mark J. Udren, Esquire  
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
CIVIL DIVISION

Deutsche Bank Trust Company  
Americas, as Trustee  
Plaintiff

v.  
Robert L. Cannistraci  
Defendant(s)

COURT OF COMMON PLEAS  
CIVIL DIVISION  
Clearfield County

NO. 06-1443-CD

O R D E R

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 2006, upon  
consideration of Plaintiff's Motion and the Affidavit of Good Faith  
investigation attached hereto, it is hereby ORDERED that service of  
the Complaint in Mortgage Foreclosure and all subsequent pleadings  
on Defendant(s), Robert L. Cannistraci, shall be complete when  
Plaintiff or its counsel or agent has mailed true and correct  
copies of the Complaint in Mortgage Foreclosure and all subsequent  
pleadings by certified mail and regular mail to the last known  
address of Defendant(s), Robert L. Cannistraci at 2497 Cambria  
Street, Fallentimber, PA 16639 and by posting the mortgaged  
premises located at 2497 Cambria Street, Fallentimber (Gulich  
Township), PA 16639.

BY THE COURT:

---

J.

UDREN LAW OFFICES, P.C.  
BY: Mark J. Udren ESQUIRE  
ATTY I.D. NO. 04302  
WOODCREST CORPORATE CENTER  
111 WOODCREST ROAD, SUITE 200  
CHERRY HILL, NJ 08003-3620  
856-669-5400  
pleadings@udren.com

ATTORNEY FOR PLAINTIFF

Deutsche Bank Trust Company  
Americas, as Trustee  
Plaintiff

COURT OF COMMON PLEAS  
CIVIL DIVISION  
Clearfield County

v.

Robert L. Cannistraci  
Defendant(s)

NO. 06-1443-CD

MEMORANDUM OF LAW

Pennsylvania Rule of Civil Procedure 430(a) specifically provides:

(a) If service cannot be made under the applicable rule the plaintiff may move the court for a special order directing the method of service. The motion shall be accompanied by an affidavit stating the nature and extent of the investigation which has been made to determine the whereabouts of the defendant and the reasons why service cannot be made.

NOTE: A sheriff's return of "not found" or the fact that a defendant has moved without leaving a new forwarding address is insufficient evidence of concealment. Gonzales vs. Polis, 238 Pa. Super. 362, 357 A.2d 580 (1976). Notice of intended adoption mailed to last known address requires a "good faith effort" to discover the correct address. Adoption of Walker, 468 Pa. 165, 360 A2d 603 (1976).

An illustration of a good faith effort to locate the defendant includes (1) inquiries of postal authorities including inquiries pursuant to the Freedom of Information Act, 39 C.F.R. Part 265, (2) inquiries of relatives, neighbors, friends and employers of the defendant and (3) examinations of local telephone directories, voter registration records, local tax records, and motor vehicle records.

As set forth in the Verification of Service marked Exhibit A, the Sheriff and/or Process Server has been unable to serve the Complaint in Mortgage Foreclosure. A good faith effort to discover the whereabouts of the Defendant(s) has been made as evidenced by the attached Affidavit of Good Faith Investigation marked Exhibit B.

WHEREFORE, Plaintiff prays and respectfully requests service of the Complaint in Mortgage Foreclosure upon Defendant(s) by regular mail and certified mail and by posting the mortgaged premises.

UDREN LAW OFFICES, P.C.

By:   
Mark J. Udren, Esquire  
Attorney for Plaintiff

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

DEUTSCHE BANK TRUST COMPANY \*  
AMERICAS, as TRUSTEE \*  
Plaintiff \*  
vs. \* NO. 06-1443-CD  
ROBERT L. CANNISTRACI \*  
Defendant \*

O R D E R

NOW, this 5<sup>th</sup> day of December, 2006, the Plaintiff is granted leave to serve the Complaint in Mortgage Foreclosure upon the Defendant **Robert L. Cannistraci** by publication one time in The Progress (Clearfield) and the Clearfield County Legal Journal, by regular mail and by certified mail, return receipt requested, at the Defendant's last known address, 2497 Cambria Street, Fallentimber, PA 16639 and by posting the mortgaged premises known in this herein action as 2497 Cambria Street, Fallentimer, PA 16639. All further service of legal papers, including but not limited to motions, petitions and rules shall be made by certified and regular mail to Defendant's last known address. Notice of Sheriff Sale, pursuant to Pennsylvania Rule of Civil Procedure 3129, may be made upon Defendant, **Robert L. Cannistraci**, by sending copies of same to Defendant's last known address by certified and regular mail and by posting the premises.

BY THE COURT,

  
FREDRIC J. AMMERMAN

President Judge

FILED 3ce  
01/3/2007 Atty Udran  
DEC 05 2006  
M

William A. Shaw  
Prothonotary Clerk of Courts

**In The Court of Common Pleas of Clearfield County, Pennsylvania**

Service # 1 of 1 Services

Sheriff Docket #

**101897**

DEUTSCHE BANK TRUST COMPANY AMERICAS

Case #

06-1443-CD

vs.

**ROBERT L. CANNISTRACI**

TYPE OF SERVICE COMPLAINT IN MORTGAGE FORECLOSURE

**SHERIFF RETURNS**

NOW December 12, 2006 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE "NOT FOUND" AS TO ROBERT L. CANNISTRACI, DEFENDANT. ATTEMPTED, NOT HOME.

SERVED BY: /

FILED  
073:37/SH  
DEC 12 2006

**Return Costs**

PURPOSE	VENDOR	CHECK #	AMOUNT	
SURCHARGE	UDREN	69482	10.00	William A. Shaw Prothonotary/Clerk of Courts
SHERIFF HAWKINS	UDREN	69482	90.00	

Sworn to Before me This

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

So Answers,

*Chester A. Hawkins*  
*by Marley Hause*  
Chester A. Hawkins  
Sheriff

UDREN LAW OFFICES, P.C.  
BY: Mark J. Udren, Esquire  
ATTY I.D. NO. 04302  
WOODCREST CORPORATE CENTER  
111 WOODCREST ROAD, SUITE 200  
CHERRY HILL, NJ 08003-3620  
856-669-5400  
pleadings@udren.com

Deutsche Bank Trust Company  
Americas, as Trustee  
1270 Northland Drive  
Suite 200  
Mendota Heights, MN 55120  
Plaintiff

v.

Robert L. Cannistraci  
2497 Cambria Street  
Fallentimber, PA 16639  
Defendant(s)

ATTORNEY FOR PLAINTIFF

"WE HEREBY CERTIFY THE  
WITHIN TO BE TRUE AND  
CORRECT COPY OF THE ORIGINAL"

COURT OF COMMON PLEAS  
CIVIL DIVISION

Clearfield County

NO. 06-1443-CO

COMPLAINT IN MORTGAGE FORECLOSURE

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.

LAWYERS REFERRAL SERVICE  
David S. Meholic  
Court Administrator  
Clearfield County Courthouse  
Clearfield, PA 16830  
814-765-2641, ext. 5982

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

SEP 06 2006

*William J. Meholic*  
Prothonotary/  
Clerk of Courts

Attest.

**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 asentear una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se dafiende, 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 demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

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

**David S. Meholick  
Court Administrator  
Clearfield County Courthouse  
Clearfield, PA 16830  
814-765-2641, ext. 5982**

## **NOTICE**

**The amount of your debt is as stated in the attached document. The name of the creditor to whom the debt is owed is as named in the attached document. Unless you notify us within 30 days after receipt of this Notice and the attached document that the validity of the stated debt, or any portion of it, is disputed, we will assume that the debt is valid. If you do notify us in writing of a dispute within the 30 day period, we will obtain verification of the debt or a copy of a judgment against you, and mail it to you. If you do not dispute the debt, it is not an admission of liability on your part. Also, upon your written request within the 30 day period, we will provide you with the name and address of the original creditor if different from the current creditor.**

**If you notify us in writing within the 30 day period as stated above, we will cease collection of your debt, or any disputed portion of it, until we obtain the information that is required and mail it to you. Once we have mailed to you the required information, we will then continue the collection of your debt.**

**This law firm is deemed to be a debt collector and this Notice and the attached document is an attempt to collect a debt, and any information obtained will be used for that purpose.**

**UDREN LAW OFFICES, P.C.  
/s/ Mark J. Udren, Esquire  
Woodcrest Corporate Center  
111 Woodcrest Road, Suite 200  
Cherry Hill, NJ 08003-3620  
(856) 669-5400**

1. Plaintiff is the Corporation designated as such in the caption on a preceding page. If Plaintiff is an assignee then it is such by virtue of the following recorded assignments:

Assignor: Mortgage Electronic Registration Systems, Inc.  
Assignments of Record to: Deutsche Bank Trust Company Americas, as Trustee

Recording Date: LODGED FOR RECORDING

2. Defendant(s) is the individual designated as such on the caption on a preceding page, whose last known address is as set forth in the caption, and unless designated otherwise, is the real owner(s) and mortgagor(s) of the premises being foreclosed.

3. On or about the date appearing on the Mortgage hereinafter described, at the instance and request of Defendant(s), Plaintiff (or its predecessor, hereinafter called Plaintiff) loaned to the Defendant(s) the sum appearing on said Mortgage, which Mortgage was executed and delivered to Plaintiff as security for the indebtedness. Said Mortgage is incorporated herein by reference in accordance with Pa.R.C.P. 1019 (g).

The information regarding the Mortgage being foreclosed is as follows:

MORTGAGED PREMISES: 2497 Cambria Street  
MUNICIPALITY/TOWNSHIP/BOROUGH: Gulich Township  
COUNTY: Clearfield  
DATE EXECUTED: 2/2/06  
DATE RECORDED: 2/6/06 Instrument # 200601855

The legal description of the mortgaged premises is attached hereto and made part hereof.

4. Said Mortgage is in default because the required payments have not been made as set forth below, and by its terms, upon breach and failure to cure said breach after notice, all sums secured by said Mortgage, together with other charges authorized by said Mortgage itemized below, shall be immediately due.

5. After demand, the Defendant(s) continues to fail or refuses to comply with the terms of the Mortgage as follows:

(a) by failing or refusing to pay the installments of

principal and interest when due in the amounts indicated below;

(b) by failing or refusing to pay other charges, if any, indicated below.

6. The following amounts are due on the said Mortgage as of 8/16/06:

Principal of debt due	\$60,634.00
Unpaid Interest at 7.75% from 4/1/06 to 8/16/06 (the per diem interest accruing on this debt is \$12.87 and that sum should be added each day after 8/16/06)	1,776.06
Title Report	325.00
Court Costs (anticipated, excluding Sheriff's Sale costs)	280.00
Escrow Overdraft/(Balance) (The monthly escrow on this account is \$101.87 and that sum should be added on the first of each month after 8/16/06)	405.92
Late Charges (monthly late charge of \$21.75 should be added in accordance with the terms of the note each month after 8/16/06)	87.00
Attorneys Fees (anticipated and actual to 5% of principal)	<u>3,031.70</u>
<b>TOTAL</b>	<b>\$66,539.68</b>

7. The attorney's fee 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 in accordance with the reduction provisions of Act 6, if applicable.

8. The combined notice specified by the Pennsylvania Homeowner's Emergency Mortgage Assistance Program, Act 91 of 1983 and Notice of Intention to Foreclose under Act 6 of 1974 has been sent to each defendant, via certified and regular mail, in accordance with the requirements of those acts, on the date

appearing on the copy attached hereto as Exhibit "A", and made part hereof, and defendant(s) have failed to proceed within the time limits, or have been determined ineligible, or Plaintiff has not been notified in a timely manner of Defendant(s) eligibility.

WHEREFORE, the Plaintiff demands judgment, in rem, against the Defendant(s) herein in the sum of \$66,539.68 plus interest, costs and attorneys fees as more fully set forth in the Complaint, and for foreclosure and sale of the Mortgaged premises.



---

Mark J. Udren, ESQUIRE  
UDREN LAW OFFICES, P.C.  
Attorney for Plaintiff  
Attorney I.D. No. 04302

Exhibit A (Legal Description)

ALL THAT CERTAIN PIECE OR PARCEL OF LAND SITUATE IN GULICH TOWNSHIP,  
CLEARFIELD COUNTY, PENNSYLVANIA, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN LOCATED ON THE EASTERN SIDE OF SR. 253, SAID PIN  
BEING THE SOUTHWEST CORNER OF THE PARCEL HEREIN DESCRIBED; THEN ALONG SR.  
253 NORTH 31° 02' 00" EAST A DISTANCE OF 95.00 FEET TO AN IRON PIN; THEN ALONG  
THE SAME NORTH 32° 06' 30" EAST A DISTANCE OF 126.08 FEET TO AN IRON PIN; THEN  
ALONG THE LINE OF LAND OF ELISA NORTH, LARRY NORTH, AND VIRGINIA NORTH,  
SOUTH 45° 00' 30" EAST A DISTANCE OF 180.00 FEET TO AN IRON PIN; THEN ALONG THE  
RESIDUAL LOT SOUTH 30° 38' 45" WEST A DISTANCE OF 201.42 FEET TO AN IRON PIN;  
THEN ALONG THE SAME NORTH 51° 22' 35" WEST A DISTANCE OF 180.00 FEET TO AN  
IRON PIN AND THE POINT OF BEGINNING. CONTAINING 0.859 ACRES MORE OR LESS.

BEING LOT 1 AS SHOWN ON THE FINAL PLAN FOR B. FAY BAUGHMAN, CHARLES C.  
HANNA AND DEBRA A. CURRY, SUBDIVISION PREPARED BY GEORGE A. CREE,  
REGISTERED SURVEYOR, DATED JUNE 16, 2005 AND RECORDED IN CLEARFIELD COUNTY  
AS INSTRUMENT NO. 200514641.

DEED FROM B. FAY BAUGHMAN AND JAMES F. BAUGHMAN, HER HUSBAND, CHARLES C.  
HANNA AND RUTH HANNA, HIS WIFE AND DEBRA A. CURRY AND PHILIP S. CURRY, HER  
HUSBAND AS SET FORTH IN DEED INSTRUMENT NO: 200601854 DATED 02/02/06 AND  
RECORDED 02/06/06, CLEARFIELD COUNTY, COMMONWEALTH OF PENNSYLVANIA.

# **Homecomings Financial**

A GMAC Company

July 05, 2006

Certified Mail, Return Receipt Requested

0427002613  
Robert L Cannistraci  
2497 Cambria Street  
Fallentimber, PA 16639

Re: Property Address: 2497 Cambria Street  
Fallentimber, PA 16639

Loan Number: 0427002613

A default exists under the above referenced Mortgage/Deed of Trust loan agreement. The action required to cure the default is the payment of all sums due under the Mortgage/Deed of Trust loan agreement. As of the date of this letter the total amount due is **\$ 1,663.14**. That sum includes the following:

3 payments totaling:	\$ 1,610.64
Late charges:	\$ 43.50
Other fees and/or costs	\$ 9.00
Unapplied Funds :	N/A

The total amount due shown above is subject to further increases for additional monthly payments, late charges, attorney fees, and/or other fees and cost which may become due, after the date of this letter. To obtain an update of the total amount due to cure this default, contact us at **1.800.206.2901**.

TO CURE THIS DEFAULT, SEND YOUR CASHIER'S CHECK, MONEY ORDER, OR CERTIFIED CHECK IN THE AMOUNT OF **\$ 1,663.14** BY **August 04, 2006** TO THE FOLLOWING ADDRESS:  
**Homecomings Financial, P.O. Box 78426 Phoenix, AZ 85062-8426 OR OVERNIGHT TO: 1820 East Sky Harbor Circle South, Suite 100 Phoenix, AZ 85034-9700**

If the default is not cured within thirty (30) days of the mailing of this letter, the lender, without further notice or demand, will accelerate the maturity date of the Note and declare all sums secured by the Mortgage/Deed of Trust to be immediately due and payable. The lender then intends to have the property sold at a public foreclosure sale. After acceleration, a curing of the default and reinstatement of the loan will be permitted up to the time of the sale by paying the past due monthly payments and other sums then due under the Mortgage/Deed of Trust loan agreement and by complying with all terms of reinstatement.

You have the right to bring a court action to assert the nonexistence of a default or any other defense that may exist to prevent acceleration and sale of the property.

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.

Sincerely,

Loan Counseling Department

HLH

\*Homeownership counseling is available to you through the 'Credit Counseling Resource Center' (CCRC), an alliance of consumer credit counseling agencies. The CCRC has been retained by Homecomings Financial to provide advice to you on credit issues, including how to reduce debt and improve cash flow management capabilities. You may contact them at 1.877.806.0775 for assistance at no cost to you, or you may wish to contact a HUD-approved housing counseling agency by calling 1.800.569.4287 for further information.

# ACT 91 NOTICE

## TAKE ACTION TO SAVE YOUR HOME FROM FORECLOSURE

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.

This is an official notice that the mortgage on your home is in default, and the lender intends to foreclose. Specific information about the nature of the default is provided in the attached pages.

The HOMEOWNER'S MORTGAGE ASSISTANCE PROGRAM (HEMAP) may be able to help to save your home. This Notice explains how the program works.

To see if HEMAP can help, you must MEET WITH A CONSUMER CREDIT COUNSELING AGENCY WITHIN 30 DAYS OF THE DATE OF THIS NOTICE. Take this notice with you when you meet with the Counseling Agency.

The name, address and phone number of Consumer Credit Counseling Agencies serving your County are listed at the end of this Notice. If you have any questions, you may call the Pennsylvania Housing Finance Agency toll free at 1-800-342-2397. (Persons with impaired hearing can call (717) 780-1869).

This Notice contains important legal information. If you have any questions, representatives at the Consumer Credit Counseling Agency may be able to help explain it. You may also want to contact an attorney in your area. The local bar association may be able to help you find a lawyer.

LA NOTIFICACION EN ADJUNTO ES DE SUMA IMPORTANCIA, PUES AFECTA SU DERECHO A CONTINUAR VIVIENDO EN SU CASA. SI NO COMPRENDE EL CONTENIDO DE ESTA NOTIFICACION OBTENGA UNA TRADUCCION IMMEDIATAMENTE LLAMANDA ESTA AGENCIA (PENNSYLVANIA HOUSING FINANCE AGENCY) SIN CARGOS AL NUMERO MENCIONADO ARRIBA. PUEDES SER ELEGIBLE PARA UN PRESTAMO POR EL PROGRAMA LLAMADO "HOMEOWNER'S EMERGENCY MORTGAGE ASSISTANCE PROGRAM" EL CUAL PUEDE SALVAR SU CASA DE LA PERDIDA DEL DERECHO A REDIMIR SU HIPOTECAS.

Date: July 05, 2006

TO: Robert L Cannistraci  
2497 Cambria Street  
Fallentimber, PA 16639

Premises: 2497 Cambria Street  
Fallentimber, PA 16639

Re: Loan Number: 0427002613  
FROM: Homecomings Financial

## HOMEOWNERS' EMERGENCY MORTGAGE ASSISTANCE PROGRAM

### YOU MAY BE ELIGIBLE FOR FINANCIAL ASSISTANCE WHICH CAN SAVE YOUR HOME FROM FORECLOSURE AND HELP YOU MAKE FUTURE MORTGAGE PAYMENTS

IF YOU COMPLY WITH THE PROVISIONS OF THE HOMEOWNER'S EMERGENCY MORTGAGE ASSISTANCE ACT OF 1983 (THE "ACT"), YOU MAY BE ELIGIBLE FOR EMERGENCY MORTGAGE ASSISTANCE:

IF YOUR DEFAULT HAS BEEN CAUSED BY CIRCUMSTANCES BEYOND YOUR CONTROL,

IF YOU HAVE A REASONABLE PROSPECT OF BEING ABLE TO PAY YOUR MORTGAGE PAYMENTS, AND

IF YOU MEET OTHER ELIGIBILITY REQUIREMENTS ESTABLISHED BY THE PENNSYLVANIA HOUSING FINANCE AGENCY.

**TEMPORARY STAY OF FORECLOSURE** -- Under the Act, you are entitled to a temporary stay of foreclosure on your mortgage for thirty (30) days from the date of this Notice. During that time, you must arrange and attend a "face-to-face" meeting with one of the consumer credit counseling agencies listed at the end of this Notice. **THIS MEETING MUST OCCUR WITHIN THE NEXT 30 DAYS. IF YOU DO NOT APPLY FOR EMERGENCY MORTGAGE ASSISTANCE, YOU MUST BRING YOUR MORTGAGE UP TO DATE. THE PART OF THIS NOTICE CALLED "HOW TO CURE YOUR MORTGAGE DEFAULT", EXPLAINS HOW TO BRING YOUR MORTGAGE UP TO DATE.**

**CONSUMER CREDIT COUNSELING AGENCIES** -- If you meet with one of the consumer credit counseling agencies listed at the end of this notice, the lender may NOT take action against you for thirty (30) days after the date of this meeting. The names, addresses and telephone numbers of designated consumer credit counseling agencies for the county in which the property is located are set forth at the end of this Notice. It is only necessary to schedule one face-to-face meeting. Advise your lender immediately of your intentions.

**APPLICATION FOR MORTGAGE ASSISTANCE** -- Your mortgage is in default for the reasons set forth later in this Notice (see following pages for specific information about the nature of your default.) If you have tried and are unable to resolve this problem with the lender, you have the right to apply for financial assistance from the Homeowner's Emergency Mortgage Assistance Program. To do so, you must fill out, sign and file a completed Homeowner's Emergency Assistance Program Application with one of the designated consumer credit counseling agencies listed at the end of this Notice. Only consumer credit counseling agencies have applications for the program and they will assist you in submitting a complete application to the Pennsylvania Housing Finance Agency. Your application MUST be filed or postmarked within thirty (30) days of your face-to-face meeting

### **LENDER CONTACT IN REGARDS TO PENNSYLVANIA HOUSING FINANCIAL ASSISTANCE**

HomeComings Financial  
Attn: Ryan Ramos  
9350 Waxie Way Ste. 100  
San Diego, CA. 92123  
Fax: 858-514-5516

**ALL CORRESPONDENCE REGARDING PHFA ASSISTANCE SHOULD BE FORWARDED TO THE ABOVE REFERENCED ADDRESS.**

**YOU MUST FILE YOUR APPLICATION PROMPTLY. IF YOU FAIL TO DO SO OR IF YOU DO NOT FOLLOW THE OTHER TIME PERIODS SET FORTH IN THIS LETTER, FORECLOSURE MAY PROCEED AGAINST YOUR HOME IMMEDIATELY AND YOUR APPLICATION FOR MORTGAGE ASSISTANCE WILL BE DENIED.**

**AGENCY ACTION** -- Available funds for emergency mortgage assistance are very limited. They will be disbursed by the Agency under the eligibility criteria established by the Act. The Pennsylvania Housing Finance Agency has sixty (60) days to make a decision after it receives your application. During that time, no foreclosure proceedings will be pursued against you if you have met the time requirements set forth above. You will be notified directly by the Pennsylvania Housing Finance Agency of its decision on your application.

**NOTE: IF YOU ARE CURRENTLY PROTECTED BY THE FILING OF A PETITION IN BANKRUPTCY, THE FOLLOWING PART OF THIS NOTICE IS FOR INFORMATION PURPOSES ONLY AND SHOULD NOT BE CONSTRUED AS AN ATTEMPT TO COLLECT THE DEBT.**

**(If you have filed bankruptcy you can still apply for Emergency Mortgage Assistance.)**

**HOW TO CURE YOUR MORTGAGE DEFAULT (Bring it up to date).**

**NATURE OF THE DEFAULT** – The MORTGAGE debt held by the above lender on your property located at:

2497 Cambria Street , Fallentimber, PA 16639

IS SERIOUSLY IN DEFAULT because:

YOU HAVE NOT MADE MONTHLY MORTGAGE PAYMENTS for the following months and the following amounts are now past due:

Monthly payments from 05/01/06 to 07/01/06 totaling:	\$ 1,610.64
Late Charges:	\$ 43.50
Other fees and/or costs (including NSF charges and property inspections):	\$ 9.00
LESS: Unapplied Funds:	N/A
<b>TOTAL</b>	<b>\$ 1,663.14</b>

**HOW TO CURE THE DEFAULT** – You may cure the default within THIRTY (30) DAYS of the date of this Notice **BY PAYING THE TOTAL AMOUNT DUE TO THE LENDER, WHICH IS \$ 1,663.14, PLUS ANY MORTGAGE PAYMENTS AND LATE CHARGES WHICH BECOME DUE DURING THE THIRTY (30) DAY PERIOD.** Payments must be made either by cash, cashier's check, certified check or money order made payable and sent to:

**Homecomings Financial, P.O. Box 78426 Phoenix, AZ 85062-8426 OR OVERNIGHT TO:  
1820 East Sky Harbor Circle South, Suite 100 Phoenix, AZ 85034-9700.**

**IF YOU DO NOT CURE THE DEFAULT** – If you do not cure the default within THIRTY (30) DAYS of the date of this Notice, the lender intends to exercise its right to accelerate the mortgage debt. This means that the entire outstanding balance of this debt will be considered due immediately and you may lose the chance to pay the mortgage in monthly installments. If full payment of the total amount past due is not made within THIRTY (30)

DAYs, the lender also intends to instruct its attorney to start legal action to foreclose upon your mortgaged property.

**IF THE MORTGAGE IS FORECLOSED UPON** – The mortgaged property will be sold by the Sheriff to pay off the mortgage debt. If the lender refers your case to its attorney, but you cure the delinquency before the lender begins legal proceedings against you, you will still be required to pay the reasonable attorney's fees that were actually incurred, up to \$50.00. However, if legal proceedings are started against you, you will have to pay all reasonable attorney's fees actually incurred by the lender, even if they exceed \$50.00. Any attorney's fees will be added to the amount you owe the lender, which may also include other reasonable costs. **If you cure the default within the THIRTY (30) DAY period, you will not be required to pay attorney's fees.**

**OTHER LENDER REMEDIES** – The lender may also sue you personally for the unpaid principal balance and all other sums due under the mortgage.

**RIGHT TO CURE THE DEFAULT PRIOR TO SHERIFF'S SALE** – If you have not cured the default within the THIRTY (30) DAY period and foreclosure proceedings have begun, you still have the right to cure the default and prevent the sale at any time up to one hour before the Sheriff's Sale. You may do so by paying the total amount then past due, plus any late or other charges then due, reasonable attorney's fees and costs connected with the foreclosure sale and any other costs connected with the Sheriff's Sale as specified in writing by the lender and by performing any other requirements under the mortgage. Curing your default in the manner set forth in this Notice will restore your mortgage to the same position as if you had never defaulted.

**EARLIEST POSSIBLE SHERIFF'S SALE DATE** – It is estimated that the earliest date that such a Sheriff's Sale of the mortgaged property could be held would be **approximately six (6) months from the date of this Notice**. A notice of the actual date of the Sheriff's Sale will be sent to you before the sale. Of course, the amount needed to cure the default will increase the longer you wait. You may find out at any time exactly what the required payment or action will be by contacting the lender.

**HOW TO CONTACT THE LENDER:**

Homecomings Financial  
2711 N. Haskell, Suite 900  
Dallas, TX 75204  
Attn: Loan Counseling Department  
Phone: 1.800.206.2901

**EFFECT OF THE SHERIFF'S SALE** – You should realize that a Sheriff's Sale will end your ownership of the mortgaged property and your right to occupy it. If you continue to live in the property after the Sheriff's Sale, a lawsuit to remove you and your furnishings and other belongings could be started by the lender at any time.

**ASSUMPTION OF MORTGAGE** – You may be able to sell or transfer your home to a buyer or transferee who will assume the mortgage debt, provided that all the outstanding payments, charges and attorney's fees and costs are paid prior to or at the sale and that the other requirements of the mortgage are satisfied.

**YOU MAY ALSO HAVE THE RIGHT:**

TO SELL THE PROPERTY TO OBTAIN MONEY TO PAY OFF THE MORTGAGE DEBT  
OR TO BORROW MONEY FROM ANOTHER LENDING INSTITUTION TO PAY OFF THIS  
DEBT.

TO HAVE THIS DEFAULT CURED BY ANY THIRD PARTY ACTING ON YOUR BEHALF.

TO HAVE THE MORTGAGE RESTORED TO THE SAME POSITION AS IF NO DEFAULT HAD OCCURRED, IF YOU CURE THE DEFAULT. (HOWEVER, YOU DO NOT HAVE THIS RIGHT TO CURE YOUR DEFAULT MORE THAN THREE TIMES IN ANY CALENDAR YEAR.)

TO ASSERT THE NONEXISTENCE OF A DEFAULT IN ANY FORECLOSURE PROCEEDING OR ANY OTHER LAWSUIT INSTITUTED UNDER THE MORTGAGE DOCUMENTS.

TO ASSERT ANY OTHER DEFENSE YOU BELIEVE YOU MAY HAVE TO SUCH ACTION BY THE LENDER.

TO SEEK PROTECTION UNDER THE FEDERAL BANKRUPTCY LAW.

Sincerely,

Loan Counseling Department

Enclosure(s)  
List of Counseling Agencies

V E R I F I C A T I O N

Mark J. Udren, Esquire, hereby states that he is the attorney for the Plaintiff, a corporation unless designated otherwise; that he is authorized to take this Verification and does so because of the exigencies regarding this matter, and because Plaintiff must verify much of the information through agents, and because he has personal knowledge of some of the facts averred in the foregoing pleading; and that the statements made in the foregoing pleading are true and correct to the best of his knowledge, information and belief and the source of his information is public records and reports of Plaintiff's agents. The undersigned understands that this statement herein is made subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn falsification to authorities.



---

Mark J. Udren, ESQUIRE  
UDREN LAW OFFICES, P.C.

UDREN LAW OFFICES, P.C.  
BY: Mark J. Udren, Esquire  
ATTY I.D. NO. 04302  
WOODCREST CORPORATE CENTER  
111 WOODCREST ROAD, SUITE 200  
CHERRY HILL, NJ 08003-3620  
856-669-5400

ATTORNEY FOR PLAINTIFF

Deutsche Bank Trust Company  
Americas, as Trustee  
Plaintiff

COURT OF COMMON PLEAS  
CIVIL DIVISION  
Clearfield County

v.  
Robert L. Cannistraci

NO. 06-1443-CD

Defendant(s)

PRAECIPE TO REINSTATE COMPLAINT

TO THE PROTHONOTARY:

Kindly reinstate the Complaint on the above-captioned matter.

DATE: January 18, 2007

UDREN LAW OFFICES, P.C.

  
Mark J. Udren, ESQUIRE  
ATTORNEY FOR PLAINTIFF

FILED 1/19/2007 Atty  
M 11:16 am I reinstated to  
JAN 19 2007 Shff  
LN

William A. Shaw  
Prothonotary/Clerk of Courts

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

DEUTSCHE BANK TRUST COMPANY \*  
AMERICAS, as TRUSTEE \*  
Plaintiff \*  
vs. \* NO. 06-1443-CD  
ROBERT L. CANNISTRACI \*  
Defendant \*

O R D E R

NOW, this 5<sup>th</sup> day of December, 2006, the Plaintiff is granted leave to serve the Complaint in Mortgage Foreclosure upon the Defendant **Robert L. Cannistraci** by publication one time in The Progress (Clearfield) and the Clearfield County Legal Journal, by regular mail and by certified mail, return receipt requested, at the Defendant's last known address, 2497 Cambria Street, Fallentimber, PA 16639 and by posting the mortgaged premises known in this herein action as 2497 Cambria Street, Fallentimer, PA 16639. All further service of legal papers, including but not limited to motions, petitions and rules shall be made by certified and regular mail to Defendant's last known address. Notice of Sheriff Sale, pursuant to Pennsylvania Rule of Civil Procedure 3129, may be made upon Defendant, **Robert L. Cannistraci**, by sending copies of same to Defendant's last known address by certified and regular mail and by posting the premises.

BY THE COURT,

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

DEC 05 2006

/s/ Fredric J. Ammerman

---

FREDRIC J. AMMERMAN  
President Judge

Attest.

*William J. Ammerman*  
Prothonotary/  
Clerk of Courts

UDREN LAW OFFICES, P.C.  
BY: Mark J. Udren, Esquire  
ATTY I.D. NO. 04302  
WOODCREST CORPORATE CENTER  
111 WOODCREST ROAD, SUITE 200  
CHERRY HILL, NJ 08003-3620  
856-669-5400  
[pleadings@udren.com](mailto:pleadings@udren.com)

Deutsche Bank Trust Company  
Americas, as Trustee  
1270 Northland Drive  
Suite 200  
Mendota Heights, MN 55120  
Plaintiff

v.

Robert L. Cannistraci  
2497 Cambria Street  
Fallentimber, PA 16639  
Defendant(s)

COURT OF COMMON PLEAS  
CIVIL DIVISION

Clearfield County

NO. 06-1443-CO

**FILED**  
SEP 06 2006  
William A. Shaw  
Prothonotary/Clerk of Courts

COMPLAINT IN MORTGAGE FORECLOSURE

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.

LAWYERS REFERRAL SERVICE  
David S. Meholic  
Court Administrator  
Clearfield County Courthouse  
Clearfield, PA 16830  
814-765-2641, ext. 5982

**COPY**  
26080325  
JMB

**UDREN LAW OFFICES, P.C.**  
WOODCREST CORPORATE CENTER  
111 WOODCREST ROAD  
SUITE 200  
CHERRY HILL, NEW JERSEY 08003-3620  
856-669-5400  
FAX: 856-669-5399

MARK J. UDREN\*  
STUART WINNEG\*\*  
GAYL SPIVAK ORLOFF\*\*\*  
HEIDI R. SPIVAK\*\*\*  
CHRISTOPHER J. FOX\*\*\*  
MARISA JOY MYERS\*\*\*  
LORRAINE DOYLE\*\*  
ALAN M. MINATO\*\*\*  
DWIGHT MICHAELSON\*\*\*  
\*ADMITTED NJ, PA, FL  
\*ADMITTED NJ, PA, FL  
\*\*ADMITTED PA  
\*\*\*ADMITTED NJ, PA  
TINA MARIE RICH  
OFFICE ADMINISTRATOR

PENNSYLVANIA OFFICE  
215-568-9500  
215-568-1141 FAX

**FREDDIE MAC  
PENNSYLVANIA  
DESIGNATED COUNSEL**

PLEASE RESPOND TO NEW JERSEY OFFICE

January 18, 2007

Prothonotary of Clearfield County  
Clearfield County Courthouse  
230 East Market Street  
Clearfield, PA 16830

Re: Deutsche Bank Trust Company Americas, as Trustee  
vs.  
Robert L. Cannistraci  
Clearfield County C.C.P. No. 06-1443-CD

Dear Sir or Madame:

In connection with the above captioned matter, enclosed please find the following:

1. Praeclipe to Reinstate Complaint, together with a copy of the first page of the Complaint to be stamped reinstated and returned in the self addressed stamped envelope enclosed.
2. Package to be forwarded to the Sheriff's Office for service on the Defendant(s), please stamp the Sheriff's copies reinstated.

Your assistance with this matter is greatly appreciated.

Sincerely yours,

  
Mark J. Udren, Esquire  
UDREN LAW OFFICES, P.C.

 /mt  
Enclosures

UDREN LAW OFFICES, P.C.  
BY: Mark J. Udren ESQUIRE  
ATTY I.D. NO. 04302  
WOODCREST CORPORATE CENTER  
111 WOODCREST ROAD, SUITE 200  
CHERRY HILL, NJ 08003-3620  
856-669-5400  
[pleadings@udren.com](mailto:pleadings@udren.com)

ATTORNEY FOR PLAINTIFF

Deutsche Bank Trust Company  
Americas, as Trustee  
Plaintiff

COURT OF COMMON PLEAS  
CIVIL DIVISION  
Clearfield County

v.  
Robert L. Cannistraci  
Defendant(s)

NO. 06-1443-CD

VERIFICATION OF SERVICE BY CERTIFIED MAIL AND  
REGULAR MAIL PURSUANT TO COURT ORDER

The undersigned hereby verifies that he is counsel for Plaintiff in the above case and that pursuant to the Court order issued in this matter he mailed a true and correct copy of the Complaint in Mortgage Foreclosure to Defendant(s), by certified mail and regular first class mail, to the last known address of Defendant(s) as follows:

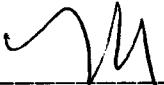
DATE MAILED: 1/25/07

Robert L. Cannistraci  
2497 Cambria Street  
Fallentimber, PA 16639

I verify that the statements made herein are true and correct and I understand that false statements made herein are subject to the penalties relating to unsworn falsification to authorities.

Dated: 1/25/07

UDREN LAW OFFICES, P.C.

  
Mark J. Udren, Esquire  
Attorney for Plaintiff

*FILED  
M 10 3 2007  
JAN 30 2007  
NOCC*

William A. Shaw  
Prothonotary/Clerk of Courts

UDREN LAW OFFICES, P.C.  
WOODCREST CORPORATE CENTER  
111 WOODCREST ROAD  
CHERRY HILL, NJ 08003

Robert L. Chmiski  
447 Cambridge Street  
Follettinburg, Pa. 16039

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

**CERTIFIED MAIL™**



8026 2246 1000 0190 9002

8026 2246 1000 0190 9002

**U.S. Postal Service™**  
**CERTIFIED MAIL™ RECEIPT**  
*(Domestic Mail Only; No Insurance Coverage Provided)*

For delivery information visit our website at [www.usps.com](http://www.usps.com)

Postage	\$ .87
Certified Fee	0.40
Return Receipt Fee (Endorsement Required)	1.85
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.12

Postmark  
Here

Street, Apt. No.  
or PO Box No.  
City, State, ZIP

Robert L. Chmiski  
447 Cambridge St  
Follettinburg, Pa. 16039

PS Form 3800, June 2002

See Reverse for Instructions

COMPLETE THIS SECTION ON DELIVERY		SENDER: COMPLETE THIS SECTION	
<ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>		<p>1. Article Addressed to:</p> <p>Robert L. Conisfacci Quart Cambria 8A Fallington, PA 16023</p>	
<p>A. Signature</p> <p><b>X</b></p>		<p>B. Received by (Printed Name)</p>	
		<p>C. Date of Delivery</p>	
		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below:  <input type="checkbox"/> No</p>	
<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>		<p>4. Restricted Delivery? (Extra Fee)</p> <p><input type="checkbox"/> Yes</p>	

**Important Reminders:**

- A unique identifier for your mailpiece
- A mailing receipt for two years
- Certified Mail is not combinable with First-Class Mail® or Priority Mail®
- Certified Mail may ONLY be combinable for any class of international mail.
- NO INSURANCE COVERAGE IS PROVIDED with Certified Mail. For valuable items, please consider insured or Registered Mail.
- For an additional fee, a Return Receipt may be requested to provide a proof of delivery. To obtain a Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse "Return Receipt Requested" to receive a fee waiver for the delivery.
- For an additional fee, a Return Receipt may be requested to provide a duplicate return receipt, a "Duplicate Receipt Requested". To receive a fee waiver for the delivery, attach a copy of the original receipt to the article and add applicable postage to cover the fee. Endorse "Duplicate Receipt Requested" on your Certified Mail receipt for the delivery.
- Addressee's authorized agent, the clerk or mark the addressee with the endorsement "Residential Delivery".
- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking; if a postmark on the Certified Mail receipt is not needed, detach and affix a label with postage and mail.
- MOPRINT: Save this receipt and present it when mailing an inquiry.
- Internet access to delivery information is not available on mail.

PS Form 3800, June 2002 (Reverse)

UDREN LAW OFFICES, P.C.  
BY: Mark J. Udren, Esquire  
ATTY I.D. NO. 04302  
WOODCREST CORPORATE CENTER  
111 WOODCREST ROAD, SUITE 200  
CHERRY HILL, NJ 08003-3620  
856-669-5400

ATTORNEY FOR PLAINTIFF

Deutsche Bank Trust Company  
Americas, as Trustee  
Plaintiff

COURT OF COMMON PLEAS  
CIVIL DIVISION  
Clearfield County

v.  
Robert L. Cannistraci

NO. 06-1443-CD

Defendant(s)

PRAECIPE TO REINSTATE COMPLAINT

TO THE PROTHONOTARY:

Kindly reinstate the Complaint on the above-captioned matter.

DATE: December 19, 2006

UDREN LAW OFFICES, P.C.

  
\_\_\_\_\_  
Mark J. Udren, ESQUIRE  
ATTORNEY FOR PLAINTIFF

FILED No cc  
12/19/06 Atty pd. 7.00  
JAN 30 2007  
Complaint Reinstated  
William A. Shaw  
Prothonotary/Clerk of Court  
to Sheriff  
6k

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

DEUTSCHE BANK TRUST COMPANY \*  
AMERICAS, as TRUSTEE \*  
Plaintiff \*  
vs. \* NO. 06-1443-CD  
ROBERT L. CANNISTRACI \*  
Defendant \*

O R D E R

NOW, this 5<sup>th</sup> day of December, 2006, the Plaintiff is granted leave to serve the Complaint in Mortgage Foreclosure upon the Defendant **Robert L. Cannistraci** by publication one time in The Progress (Clearfield) and the Clearfield County Legal Journal, by regular mail and by certified mail, return receipt requested, at the Defendant's last known address, 2497 Cambria Street, Fallentimber, PA 16639 and by posting the mortgaged premises known in this herein action as 2497 Cambria Street, Fallentimer, PA 16639. All further service of legal papers, including but not limited to motions, petitions and rules shall be made by certified and regular mail to Defendant's last known address. Notice of Sheriff Sale, pursuant to Pennsylvania Rule of Civil Procedure 3129, may be made upon Defendant, **Robert L. Cannistraci**, by sending copies of same to Defendant's last known address by certified and regular mail and by posting the premises.

BY THE COURT,

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

DEC 05 2006

/s/ Fredric J. Ammerman

---

FREDRIC J. AMMERMAN  
President Judge

Attest.

*William J. Ammerman*  
Prothonotary/  
Judge

UDREN LAW OFFICES, P.C.  
BY: Mark J. Udren, Esquire  
ATTY I.D. NO. 04302  
WOODCREST CORPORATE CENTER  
111 WOODCREST ROAD, SUITE 200  
CHERRY HILL, NJ 08003-3620  
856-669-5400  
[pleadings@udren.com](mailto:pleadings@udren.com)

ATTORNEY FOR PLAINTIFF

Deutsche Bank Trust Company  
Americas, as Trustee  
1270 Northland Drive  
Suite 200  
Mendota Heights, MN 55120  
Plaintiff

v.

Robert L. Cannistraci  
2497 Cambria Street  
Fallentimber, PA 16639  
Defendant(s)

COURT OF COMMON PLEAS  
CIVIL DIVISION

Clearfield County

NO. 06-1443-CO

**FILED**  
SEP 06 2006  
William A. Shaw  
Prothonotary/Clerk of Courts

COMPLAINT IN MORTGAGE FORECLOSURE

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.

LAWYERS REFERRAL SERVICE  
David S. Meholic  
Court Administrator  
Clearfield County Courthouse  
Clearfield, PA 16830  
814-765-2641, ext. 5982

**COPY**  
76080325

UDREN LAW OFFICES, P.C.  
BY: Mark J. Udren, Esquire  
ATTY I.D. NO. 04302  
WOODCREST COPRORATE CENTER  
111 WOODCREST ROAD, SUITE 200  
CHERRY HILL, NJ 08003-3620  
856-669-5400

ATTORNEY FOR PLAINTIFF

Deutsche Bank Trust Company  
Americas, as Trustee  
1270 Northland Drive  
Suite 200  
Mendota Heights, MN 55120  
Plaintiff

COURT OF COMMON PLEAS  
CIVIL DIVISION  
Clearfield County

NO. 06-1443-CD

v.  
Robert L. Cannistraci  
2497 Cambria Street  
Fallentimber, PA 16639  
Defendant(s)

PRAECIPE TO FILE PROOF OF PUBLICATION

TO THE PROTHONOTARY:

Kindly file the attached Proof of Publication with regard to  
the captioned matter.

UDREN LAW OFFICES, P.C.

BY

  
Mark J. Udren, ESQUIRE  
ATTORNEY FOR PLAINTIFF

DATE: February 23, 2007

FILED  
M 10:10 AM  
FEB 26 2007  
NOCC  
GK

William A. Shaw  
Prothonotary/Clerk of Courts

## PROOF OF PUBLICATION

**STATE OF PENNSYLVANIA** :

:

**COUNTY OF CLEARFIELD** :

:

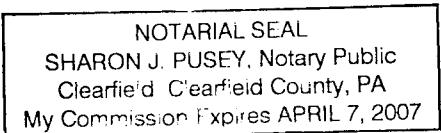
On this 2nd day of February AD 2006, before me, the subscriber, a Notary Public in and for said County and State, personally appeared Gary A. Knaresboro editor of the Clearfield County Legal Journal of the Courts of Clearfield County, and that the annexed is a true copy of the notice or advertisement published in said publication in the regular issues of Week of February 2, 2007, Vol. 18 No. 5. And that all of the allegations of this statement as to the time, place, and character of the publication are true.



**Gary A. Knaresboro, Esquire**  
**Editor**

Sworn and subscribed to before me the day and year aforesaid.

Sharon J. Pusey  
**Notary Public**  
**My Commission Expires**



**William J Mansfield Inc**  
**The Woods, Suite 1209**  
**998 Old Eagle School Rd**  
**Wayne PA 19087-1805**

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 PER-  
SONS AT A REDUCED FEE OR NO FEE.

CLEARFIELD COUNTY  
DAVID S. MEHOLICK,  
COURT ADMINISTRATOR  
CLEARFIELD COUNTY  
COURTHOUSE  
CLEARFIELD, PA 16830

Southerly from said other lands formerly of  
the said Ida E. Buys, 150 feet, more or less,  
to said Knarr Street; thence North 30  
degrees 45 minutes East by line of said  
Knarr Street 43 feet to a post corner of said  
other lands formerly of the said Ida E. Buys,  
the place of beginning.

THE SECOND THEREOF: BEGINNING  
at a post on the Easterly side of Knarr Street  
being the Southwest corner of land  
conveyed by Victor Buys and Anna B. Gent,  
Co-Executors of the Estate of Ida E. Buys,  
deceased, to B.B. Marshall and Donna C.  
Marshall, husband and wife, by Deed dated  
November 3, 1970, and recorded in  
Clearfield County in Deed Book 569, Page  
634, said beginning point also being the  
Northwest corner of land conveyed by Ida E.  
Buys to Marian Elizabeth Buys and Stephen  
D. Buys, her husband, by Deed dated March  
25, 1946, and recorded March 29, 1946, in  
(said land now or formerly being owned by  
Elizabeth S. Nelson); thence North 30  
degrees 45 minutes East by line of Knarr  
Street a distance of 3 1/2 feet to a point;  
thence in a Southwesterly direction by a line  
parallel with the property line between this  
and adjoining properties, a distance of 43  
feet to a point; thence South 30 degrees 45  
minutes West a distance of 3 1/2 feet to a  
point on the property line between this and  
adjoining properties; thence in a  
Northwesterly direction along the property  
line between this and adjoining properties a  
distance of 43 feet to Knarr Street and the  
place of beginning.

BEING further identified in the Office of  
Mapping and Assessment of Clearfield  
County as Map No. 007-4-011-000-03089.

BEING the same premises which were  
conveyed to William C. Dilts and Brenda J.  
Dilts, husband and wife, by Deed of Danny  
K. Kiehlmeier and Robin L. Kiehlmeier,  
husband and wife, said deed dated May 28,  
2002 and recorded July 10, 2002 as  
Instrument # 200210870.

TITLE TO SAID PREMISES IS  
VESTED IN Nancy M. Mayhew, an adult  
individual, by Deed from William C. Dilts and  
Brenda J. Dilts, husband and wife, dated  
2-9-05, recorded 2-18-05 as Instrument #:  
200502429

Being Premises 411 KNARR STREET,  
DUBOIS, PA 15801  
Improvements consist of residential  
property.

IN THE COURT  
OF COMMON PLEAS  
OF CLEARFIELD COUNTY,  
PENNSYLVANIA  
CIVIL ACTION-LAW  
NO. 06-1443-CD  
NOTICE OF ACTION  
IN MORTGAGE FORECLOSURE  
DEUTSCHE BANK  
TRUST COMPANY AMERICAS,  
AS TRUSTEE.  
PLAINTIFF

vs.  
ROBERT L. CANNISTRACI,  
DEFENDANT  
TO: ROBERT L. CANNISTRACI,  
Defendant, whose last known address is 2497 Cambria Street, Fallentimber, PA 16639.

COMPLAINT IN  
MORTGAGE FORECLOSURE  
You are hereby notified that Plaintiff, DEUTSCHE BANK TRUST COMPANY AMERICAS, AS TRUSTEE, has filed a Mortgage Foreclosure Complaint endorsed with a Notice to Defend, against you in the Court of Common Pleas of Clearfield County, Pennsylvania, docketed to NO. 06-1443-CD, wherein Plaintiff seeks to foreclose on the mortgage secured on your property located, 2497 Cambria Street, Fallentimber, PA 16639, whereupon your property would be sold by the Sheriff of Clearfield County.

NOTICE

YOU HAVE BEEN SUED IN COURT. If you wish to defend against the claims set forth in the notice above, 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 THE 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

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :  
: SS:  
COUNTY OF CLEARFIELD :

On this 5th day of February, A.D. 2007, before me, the subscriber, a Notary Public in and for said County and State, personally appeared Margaret E. Krebs, who being duly sworn according to law, deposes and says that she is the President of The Progressive Publishing Company, Inc., and Associate Publisher of The Progress, a daily newspaper published at Clearfield, in the County of Clearfield and State of Pennsylvania, and established April 5, 1913, and that the annexed is a true copy of a notice or advertisement published in said publication in

the regular issues of January 31, 2007. And that the affiant is not interested in the subject matter of the notice or advertising, and that all of the allegations of this statement as to the time, place, and character of publication are true.

Margaret E. Krebs

Sworn and subscribed to before me the day and year aforesaid.

Cheryl J. Robison  
Notary Public

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal  
Cheryl J. Robison, Notary Public  
Clearfield Boro, Clearfield County  
My Commission Expires Oct. 31, 2007

Member, Pennsylvania Association Of Notaries

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1-FEB 26 2007

William A. Shaw  
Prothonotary/Clerk of Courts

Real Estate. 36-2187.

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CURWEN, N.  
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ATTORNEY, DUCED FEES, SERVICE  
LAWYER, DUCED FEES, SERVICE  
Court Adminstr. office  
Cleatfield, P., 5982  
814-7652, 2  
MARK Ulmer  
ATTORNEY  
WOODSTONER, P. C.  
URDEN,  
CORPESSTROAD  
111- NJS08003-3626  
SUCH  
8.  
8.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

1st  
posting

DOCKET # 102356  
NO: 06-1443-CD  
SERVICE # 1 OF 1  
COMPLAINT IN MORTGAGE FORECLOSURE &

ORDER

PLAINTIFF: DEUTSCHE BANK TRUST COMPANY AMERICAS, as Trustee  
vs.  
DEFENDANT: ROBERT L. CANNISTRACI

**SHERIFF RETURN**

---

NOW, January 29, 2007 AT 10:04 AM POSTED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE & ORDER AT 2497 CAMBRIA ST., FALLENTIMBER, CLEARFIELD COUNTY, PENNSYLVANIA.

SERVED BY: DAVIS / MORGILLO

09:00 AM  
APR 25 2007  
LM

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102356  
NO: 06-1443-CD  
SERVICES 1  
COMPLAINT IN MORTGAGE FORECLOSURE &

ORDER

PLAINTIFF: DEUTSCHE BANK TRUST COMPANY AMERICAS, as Trustee

vs.

DEFENDANT: ROBERT L. CANNISTRACI

**SHERIFF RETURN**

---

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	UDREN	80373	10.00
SHERIFF HAWKINS	UDREN	80373	36.16

Sworn to Before Me This

So Answers,

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



by *Marky N. Harris*

Chester A. Hawkins  
Sheriff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

2nd  
posting

DOCKET # 102388  
NO: 06-1443-CD  
SERVICE # 1 OF 1  
COMPLAINT IN MORTGAGE FORECLOSURE &

ORDER

PLAINTIFF: DEUTSCHE BANK TRUST COMPANY AMERICAS, as Trustee  
vs.  
DEFENDANT: ROBERT L CANNISTRACI

**SHERIFF RETURN**

---

NOW, February 01, 2007 AT 9:55 AM POSTED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE & ORDER AT 2497 CAMBRIA ST., FALLENTIMBER, CLEARFIELD COUNTY, PENNSYLVANIA.

SERVED BY: DAVIS / MORGILLO

100-110  
6/9:00 AM  
APR 25 2007  
WMS

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102388  
NO: 06-1443-CD  
SERVICES 1  
COMPLAINT IN MORTGAGE FORECLOSURE &

ORDER

PLAINTIFF: DEUTSCHE BANK TRUST COMPANY AMERICAS, as Trustee

vs.

DEFENDANT: ROBERT L CANNISTRACI

**SHERIFF RETURN**

---

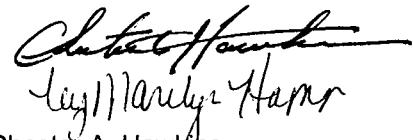
RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	UDREN	78284	10.00
SHERIFF HAWKINS	UDREN	78284	36.16

Sworn to Before Me This

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

So Answers,



Chester A. Hawkins  
Sheriff

UDREN LAW OFFICES, P.C.  
BY: Mark J. Udren, Esquire  
ATTY I.D. NO. 04302  
WOODCREST CORPORATE CENTER  
111 WOODCREST ROAD, SUITE 200  
CHERRY HILL, NJ 08003-3620  
856-669-5400  
pleadings@udren.com

ATTORNEY FOR PLAINTIFF

Deutsche Bank Trust Company  
Americas, as Trustee  
9275 Sky Park Court, Third  
Floor  
San Diego, CA 92123  
Plaintiff

v.

Robert L. Cannistraci  
2497 Cambria Street  
Fallentimber, PA 16639  
Defendant(s)

COURT OF COMMON PLEAS  
CIVIL DIVISION  
Clearfield County

MORTGAGE FORECLOSURE

NO. 06-1443-CD

**PRAECIPE FOR JUDGMENT FOR FAILURE TO  
ANSWER AND ASSESSMENT OF DAMAGES**

TO THE PROTHONOTARY:

Kindly enter judgment in favor of the Plaintiff and against the Defendant(s) **Robert L. Cannistraci** 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 Complaint	\$66,539.68
Interest Per Complaint	3,397.68
From 8/17/06 to 5/7/07	
Late charges per Complaint	174.00
From 8/17/06 to 5/7/07	
Escrow payment per Complaint	<u>916.83</u>
From 8/17/06 to 5/7/07	
 TOTAL	 <u>\$71,028.19</u>

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

UDREN LAW OFFICES, P.C.  
Mark J. Udren, ESQUIRE  
Attorney for Plaintiff

DAMAGES ARE HEREBY ASSESSED AS INDICATED

DATE: May 9, 2007

PRO PROTHY

FILED  
MAY 11 2007 Atty pd.  
20.00  
Notice to  
William A. Shaw  
Prothonotary/Clerk of Courts  
Statement  
to Atty  
6/10

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

DEUTSCHE BANK TRUST COMPANY \*  
AMERICAS, as TRUSTEE \*  
Plaintiff \*  
vs. \* NO. 06-1443-CD  
ROBERT L. CANNISTRACI \*  
Defendant \*

O R D E R

NOW, this 5<sup>th</sup> day of December, 2006, the Plaintiff is granted leave to serve the Complaint in Mortgage Foreclosure upon the Defendant **Robert L. Cannistraci** by publication one time in The Progress (Clearfield) and the Clearfield County Legal Journal, by regular mail and by certified mail, return receipt requested, at the Defendant's last known address, 2497 Cambria Street, Fallentimber, PA 16639 and by posting the mortgaged premises known in this herein action as 2497 Cambria Street, Fallentimer, PA 16639. All further service of legal papers, including but not limited to motions, petitions and rules shall be made by certified and regular mail to Defendant's last known address. Notice of Sheriff Sale, pursuant to Pennsylvania Rule of Civil Procedure 3129, may be made upon Defendant, **Robert L. Cannistraci**, by sending copies of same to Defendant's last known address by certified and regular mail and by posting the premises.

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

DEC 05 2006

BY THE COURT,

/s/ Fredric J. Ammerman

FREDRIC J. AMMERMAN  
President Judge

Attest,

*William L. Ammerman*  
Prothonotary/  
Clerk of Courts

**UDREN LAW OFFICES, P.C.**  
WOODCREST CORPORATE CENTER  
111 WOODCREST ROAD  
SUITE 200

CHERRY HILL, NEW JERSEY 08003-3620  
856-669-5400  
FAX: 856-669-5399

PENNSYLVANIA OFFICE  
215-568-9500

MARK J. UDREN\*  
STUART WINNEG\*\*  
GAYL SPIVAK ORLOFF\*\*\*  
HEIDI R. SPIVAK\*\*\*  
MARISA JOY COHEN\*\*\*  
LORRAINE DOYLE\*\*  
ALAN M. MINATO\*\*\*  
\*ADMITTED NJ, PA, FL  
\*\*ADMITTED PA  
\*\*\*ADMITTED NJ, PA  
TINA MARIE RICH  
OFFICE ADMINISTRATOR

**FREDDIE MAC**  
**PENNSYLVANIA**  
**DESIGNATED COUNSEL**

**PLEASE RESPOND TO NEW JERSEY OFFICE**

February 23, 2007

Prothonotary of Clearfield County  
Clearfield County Courthouse  
230 East Market Street  
Clearfield, PA 16830

Re: Deutsche Bank Trust Company Americas, as Trustee  
vs.  
Robert L. Cannistraci  
Clearfield County C.C.P. No. 06-1443-CD

Gentlemen:

In connection with the above file, enclosed please find Praeclipe  
to File Proof of Publication.

I have enclosed an extra copy of the Praeclipe to be time stamped  
and returned in the enclosed self-addressed stamped envelope.

Thank you for your assistance with this matter.

Sincerely yours,



Mark J. Udren, Esquire  
UDREN LAW OFFICES, P.C.

/MJU  
Enclosure

UDREN LAW OFFICES, P.C.  
BY: Mark J. Udren, Esquire  
ATTY I.D. NO. 04302  
WOODCREST COPRORATE CENTER  
111 WOODCREST ROAD, SUITE 200  
CHERRY HILL, NJ 08003-3620  
856-669-5400

ATTORNEY FOR PLAINTIFF

Deutsche Bank Trust Company  
Americas, as Trustee  
1270 Northland Drive  
Suite 200  
Mendota Heights, MN 55120  
Plaintiff

COURT OF COMMON PLEAS  
CIVIL DIVISION  
Clearfield County  
NO. 06-1443-CD

v.  
Robert L. Cannistraci  
2497 Cambria Street  
Fallentimber, PA 16639  
Defendant(s)

PRAECIPE TO FILE PROOF OF PUBLICATION

TO THE PROTHONOTARY:

Kindly file the attached Proof of Publication with regard to  
the captioned matter.

UDREN LAW OFFICES, P.C.

BY

  
Mark J. Udren, ESQUIRE  
ATTORNEY FOR PLAINTIFF

DATE: February 23, 2007

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 PER-  
SONS AT A REDUCED FEE OR NO FEE.

CLEARFIELD COUNTY  
DAVID S. MEHOLICK,  
COURT ADMINISTRATOR  
CLEARFIELD COUNTY  
COURTHOUSE  
CLEARFIELD, PA 16830

Southerly from said other lands formerly of  
the said Ida E. Buys, 150 feet, more or less,  
to said Knarr Street; thence North 30  
degrees 45 minutes East by line of said  
Knarr Street 43 feet to a post corner of said  
other lands formerly of the said Ida E. Buys,  
the place of beginning.

THE SECOND THEREOF: BEGINNING  
at a post on the Easterly side of Knarr Street  
being the Southwest corner of land  
conveyed by Victor Buys and Anna B. Gent,  
Co-Executors of the Estate of Ida E. Buys,  
deceased, to B.B. Marshall and Donna C.  
Marshall, husband and wife, by Deed dated  
November 3, 1970, and recorded in  
Clearfield County in Deed Book 569, Page 634,  
said beginning point also being the  
Northwest corner of land conveyed by Ida E.  
Buys to Marian Elizabeth Buys and Stephen  
D. Buys, her husband, by Deed dated March  
25, 1946, and recorded March 29, 1946, in  
Clearfield County Deed Book 375, Page 50  
(said land now or formerly being owned by  
Elizabeth S. Nelson); thence North 30  
degrees 45 minutes East by line of Knarr  
Street a distance of 3 1/2 feet to a point;  
thence in a Southwesterly direction by a line  
parallel with the property line between this  
and adjoining properties, a distance of 43  
feet to a point; thence South 30 degrees 45  
minutes West a distance of 3 1/2 feet to a  
point on the property line between this and  
adjoining properties; thence in a  
Northwesterly direction along the property  
line between this and adjoining properties a  
distance of 43 feet to Knarr Street and the  
place of beginning.

BEING further identified in the Office of  
Mapping and Assessment of Clearfield  
County as Map No. 007-4-011-000-03089.

BEING the same premises which were  
conveyed to William C. Dilts and Brenda J.  
Dilts, husband and wife, by Deed of Danny  
K. Kiehlmeier and Robin L. Kiehlmeier,  
husband and wife, said deed dated May 28,  
2002 and recorded July 10, 2002 as  
Instrument # 200210870.

TITLE TO SAID PREMISES IS  
VESTED IN Nancy M. Mayhew, an adult  
individual, by Deed from William C. Dilts and  
Brenda J. Dilts, husband and wife, dated  
2-9-05, recorded 2-18-05 as Instrument #:  
200502429  
Being Premises 411 KNARR STREET,  
DUBOIS, PA 15801  
Improvements consist of residential  
property.

OF COMMON PLEAS  
OF CLEARFIELD COUNTY,  
PENNSYLVANIA  
CIVIL ACTION-LAW  
NO. 06-1443-CD  
NOTICE OF ACTION  
IN MORTGAGE FORECLOSURE  
DEUTSCHE BANK  
TRUST COMPANY AMERICAS,  
AS TRUSTEE,  
PLAINTIFF

vs.  
ROBERT L. CANNISTRACI,  
DEFENDANT

TO: ROBERT L. CANNISTRACI,  
Defendant, whose last known address is 2497 Cambria Street, Fallentimber, PA 16639.

COMPLAINT IN

MORTGAGE FORECLOSURE  
You are hereby notified that Plaintiff, DEUTSCHE BANK TRUST COMPANY AMERICAS, AS TRUSTEE, has filed a Mortgage Foreclosure Complaint endorsed with a Notice to Defend, against you in the Court of Common Pleas of Clearfield County, Pennsylvania, docketed to NO. 06-1443-CD, wherein Plaintiff seeks to foreclose on the mortgage secured on your property located, 2497 Cambria Street, Fallentimber, PA 16639, whereupon your property would be sold by the Sheriff of Clearfield County.

NOTICE

YOU HAVE BEEN SUED IN COURT. If you wish to defend against the claims set forth in the notice above, 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

## PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :  
: SS:  
COUNTY OF CLEARFIELD :

On this 5th day of February, A.D. 2007, before me, the subscriber, a Notary Public in and for said County and State, personally appeared Margaret E. Krebs, who being duly sworn according to law, deposes and says that she is the President of The Progressive Publishing Company, Inc., and Associate Publisher of The Progress, a daily newspaper published at Clearfield, in the County of Clearfield and State of Pennsylvania, and established April 5, 1913, and that the annexed is a true copy of a notice or advertisement published in said publication in

the regular issues of January 31, 2007. And that the affiant is not interested in the subject matter of the notice or advertising, and that all of the allegations of this statement as to the time, place, and character of publication are true.

Margaret E. Krebs

Sworn and subscribed to before me the day and year aforesaid.

Cheryl J. Robison  
Notary Public

My Commission Expires  
October 31, 2007

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal

Cheryl J. Robison, Notary Public  
Clearfield Boro, Clearfield County  
My Commission Expires Oct. 31, 2007

Member, Pennsylvania Association Of Notaries

**UDREN LAW OFFICES, P.C.**  
WOODCREST CORPORATE CENTER  
111 WOODCREST ROAD  
SUITE 200

CHERRY HILL, NEW JERSEY 08003-3620  
856-669-5400  
FAX: 856-669-5399

PENNSYLVANIA OFFICE  
215-568-9500  
215-568-1141 FAX

MARK J. UDREN\*  
STUART WINNEG\*\*  
GAYL SPIVAK ORLOFF\*\*\*  
HEIDI R. SPIVAK\*\*\*  
CHRISTOPHER J. FOX\*\*\*  
MARISA JOY MYERS\*\*\*  
LORRAINE DOYLE\*\*  
ALAN M. MINATO\*\*\*  
DWIGHT MICHAELSON\*\*\*  
\*ADMITTED NJ, PA, FL  
\*\*ADMITTED NJ, PA, FL  
\*\*\*ADMITTED PA  
\*\*\*ADMITTED NJ, PA  
TINA MARIE RICH  
OFFICE ADMINISTRATOR

**FREDDIE MAC**  
**PENNSYLVANIA**  
**DESIGNATED COUNSEL**

PLEASE RESPOND TO NEW JERSEY OFFICE

Prothonotary of Clearfield County  
Clearfield County Courthouse  
230 East Market Street  
Clearfield, PA 16830

Re: Deutsche Bank Trust Company Americas, as Trustee  
vs.  
Robert L. Cannistraci  
Clearfield County C.C.P. No. 06-1443-CD

To Whom It May Concern:

In connection with the above captioned matter, enclosed please find Verification of Service by Certified Mail and Regular Mail Pursuant to Court Order. I have enclosed a copy of the first page to be time stamped and returned in the enclosed self-addressed stamped envelope.

Thank you for your assistance with this matter.

Sincerely yours,



Mark J. Udren, Esquire  
UDREN LAW OFFICES, P.C.

/np  
Enclosures

UDREN LAW OFFICES, P.C.  
BY: Mark J. Udren ESQUIRE  
ATTY I.D. NO. 04302  
WOODCREST CORPORATE CENTER  
111 WOODCREST ROAD, SUITE 200  
CHERRY HILL, NJ 08003-3620  
856-669-5400  
[pleadings@udren.com](mailto:pleadings@udren.com)

ATTORNEY FOR PLAINTIFF

Deutsche Bank Trust Company  
Americas, as Trustee  
Plaintiff

COURT OF COMMON PLEAS  
CIVIL DIVISION  
Clearfield County

v.  
Robert L. Cannistraci  
Defendant(s)

NO. 06-1443-CD

VERIFICATION OF SERVICE BY CERTIFIED MAIL AND  
REGULAR MAIL PURSUANT TO COURT ORDER

The undersigned hereby verifies that he is counsel for Plaintiff in the above case and that pursuant to the Court order issued in this matter he mailed a true and correct copy of the Complaint in Mortgage Foreclosure to Defendant(s), by certified mail and regular first class mail, to the last known address of Defendant(s) as follows:

DATE MAILED: 1/25/07

Robert L. Cannistraci  
2497 Cambria Street  
Fallentimber, PA 16639

I verify that the statements made herein are true and correct and I understand that false statements made herein are subject to the penalties relating to unsworn falsification to authorities.

Dated: 1/25/07

UDREN LAW OFFICES, P.C.



Mark J. Udren, Esquire  
Attorney for Plaintiff

UDREN LAW OFFICES, P.C.  
BY: Mark J. Udren ESQUIRE  
ATTY I.D. NO. 04302  
WOODCREST CORPORATE CENTER  
111 WOODCREST ROAD, SUITE 200  
CHERRY HILL, NJ 08003-3620  
856-669-5400  
pleadings@udren.com

ATTORNEY FOR PLAINTIFF

Deutsche Bank Trust Company  
Americas, as Trustee  
Plaintiff

COURT OF COMMON PLEAS  
CIVIL DIVISION  
Clearfield County

v.  
Robert L. Cannistraci  
Defendant(s)

NO. 06-1443-CD

VERIFICATION OF SERVICE BY CERTIFIED MAIL AND  
REGULAR MAIL PURSUANT TO COURT ORDER

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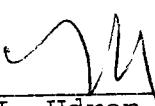
DATE MAILED: 1/25/07

Robert L. Cannistraci  
2497 Cambria Street  
Fallentimber, PA 16639

I verify that the statements made herein are true and correct and I understand that false statements made herein are subject to the penalties relating to unsworn falsification to authorities.

Dated: 1/25/07

UDREN LAW OFFICES, P.C.

  
Mark J. Udren, Esquire  
Attorney for Plaintiff

UDREN LAW OFFICES, P.C.  
WOODCREST CORPORATE CENTER  
111 WOODCREST ROAD  
CHERRY HILL, NJ 08003



**U.S. Postal Service™**  
**CERTIFIED MAIL™ RECEIPT**  
*(Domestic Mail Only; No Insurance Coverage Provided)*

For delivery information visit our website at [www.usps.com](http://www.usps.com)

Postage	\$ .87
Certified Fee	0.40
Return Receipt Fee (Endorsement Required)	1.85
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.12

Postmark  
Here

Send to:  
Robert L. Christakos  
497 Cambridge St.  
Patenimber, Pa. 16339

PS Form 3800, June 2002  
See Reverse for Instructions

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece or on the front if space permits.

COMPLETE THIS SECTION ON DELIVERY

<b>X</b>	
A. Signature	<input type="checkbox"/> Agent <input type="checkbox"/> Addressee
B. Received by ( <i>Printed Name</i> )	C. Date of Delivery
D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No	If YES, enter delivery address below:

Robert L. Connish, Jr.  
4401 Quail Canyon St.  
Albuquerque, NM 87109

3. Service Type

Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

PS Form 3800, June 2002 (Reverse)

- A mailing receipt

- A unique identifier for your mailpiece
- A record of delivery kept by the Postal Service for two years

- Certified Mail may ONLY be combined with First-Class Mail or Priority Mail.
- Certified Mail is not available for any class of international mail.

Delivery. To receive services, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorsements made on a Return Receipt will not be honored. To receive services, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorsements made on a Return Receipt will not be honored. A duplicate return receipt, a UPS® Postmark on your Certified Mail receipt is required.

IMPORATANT: Save this receipt  
Internet access to delivery info  
addressed to APDs and FPOs.

2. Article Number  
(Transfer from service label)

## 2. Article Number

Transfer from st

Article Number

7009 9810 0001 9422 9208

UDREN LAW OFFICES, P.C.  
BY: Mark J. Udren, Esquire  
ATTY I.D. NO. 04302  
WOODCREST CORPORATE CENTER  
111 WOODCREST ROAD, SUITE 200  
CHERRY HILL, NJ 08003  
856-669-5400  
[pleadings@udren.com](mailto:pleadings@udren.com)

ATTORNEY FOR PLAINTIFF

Deutsche Bank Trust Company Americas, as  
Trustee  
Plaintiff

COURT OF COMMON PLEAS  
CIVIL DIVISION  
Clearfield County

v.

Robert L. Cannistraci  
Defendant(s)

NO. 06-1443-CD

TO: Robert L. Cannistraci  
2497 Cambria Street  
Fallentimber, PA 16639

DATE of Notice: February 26, 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 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.

LAWYER REFERRAL SERVICE  
David S. Meholic  
Court Administrator  
Clearfield County Courthouse  
Clearfield, PA 16830  
814-765-2641, ext. 5982

NOTIFICACION IMPORTANTE

USTED SE ENCUENTRA EN ESTADO DE REBELDIA POR NO HABER TOMADO LA ACCION REQUIRIDA DE SU PARTE EN ESTE CASO. AL NO TOMAR LA ACCION DEBIDA DENTRO DE UN TERMINO DE DIEZ (10) DIAS DE ESTA NOTIFICACION, EL TRIBUNAL PODRA, SIN NECESIDAD DE COMPARARECER USTED EN CORTE O ESCUCHAR PREUBA ALGUNA, DICTAR SENTENCIA EN SU CONTRA, USTED PUEDE PERDER BIENES Y OTROS DERECHOS, IMPORTANTES. DEBE LLEVAR ESTA NOTIFICACION A UN ABOGADO IMMEDIATAMENTE SI USTED NO TIENE ABOGADO, O SI NO TIENE DINERO SUFFICIENTE PARA TAL SERVICIO, VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA, CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASSISTENCIA LEGAL.

SERVICIO DE REFERENCIA LEGAL  
LAWYER REFERRAL SERVICE  
David S. Meholic  
Court Administrator  
Clearfield County Courthouse  
Clearfield, PA 16830  
814-765-2641, ext. 5982

NOTICE: PURSUANT TO THE FAIR DEBT COLLECTION PRACTICES ACT, THIS LAW FIRM IS DEEMED TO BE A DEBT COLLECTOR AND THIS IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

s  
Mark J. Udren, Esquire  
Woodcrest Corporate Center  
111 Woodcrest Road, Suite 200  
Cherry Hill, New Jersey 08003-3620

UDREN LAW OFFICES, P.C.  
BY: Mark J. Udren, Esquire  
ATTY I.D. NO. 04302  
WOODCREST CORPORATE CENTER  
111 WOODCREST ROAD, SUITE 200  
CHERRY HILL, NJ 08003-3620  
856-669-5400  
[pleadings@udren.com](mailto:pleadings@udren.com)

ATTORNEY FOR PLAINTIFF

COPY

Deutsche Bank Trust Company  
Americas, as Trustee  
Plaintiff  
v.

COURT OF COMMON PLEAS  
CIVIL DIVISION  
Clearfield County  
MORTGAGE FORECLOSURE

Robert L. Cannistraci  
Defendant(s)

NO. 06-1443-CD

TO: Robert L. Cannistraci  
2497 Cambria Street  
Fallentimber, PA 16639

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.

*Willie J. Udren* SK107  
Prothonotary BH

- Judgment by Default
- Money Judgment
- Judgment in Replevin
- Judgment for Possession
- Judgment on Award of Arbitration
- Judgment on Verdict
- Judgment on Court Findings

IF YOU HAVE ANY QUESTIONS CONCERNING THIS NOTICE PLEASE CALL:

ATTORNEY Mark J. Udren, Esquire

At this telephone number: 856-669-5400.

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

COPY

Deutsche Bank Trust Company Americas  
Plaintiff(s)

No.: 2006-01443-CD

Real Debt: \$71,028.19

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Robert L Cannistraci  
Defendant(s)

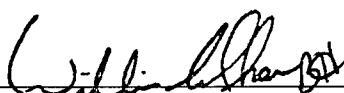
Entry: \$20.00

Instrument: Default Judgment

Date of Entry: May 9, 2007

Expires: May 9, 2012

Certified from the record this 9th day of May, 2007.

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

\*\*\*\*\*

SIGN BELOW FOR SATISFACTION

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

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

UDREN LAW OFFICES, P.C.  
BY: Mark J. Udren, Esquire  
ATTY I.D. NO. 04302  
WOODCREST CORPORATE CENTER  
111 WOODCREST ROAD, SUITE 200  
CHERRY HILL, NJ 08003-3620  
856-669-5400  
pleadings@udren.com

ATTORNEY FOR PLAINTIFF

Deutsche Bank Trust Company  
Americas, as Trustee  
Plaintiff  
v.

COURT OF COMMON PLEAS  
CIVIL DIVISION  
Clearfield County  
  
MORTGAGE FORECLOSURE

Robert L. Cannistraci  
Defendant (s)

**PRAECIPE FOR WRIT OF EXECUTION**

TO THE PROTHONOTARY:

Please issue Writ of Execution in the above matter:

Amount due \$71,028.19

Interest From 5/8/07 \_\_\_\_\_  
to Date of Sale \_\_\_\_\_  
Ongoing Per Diem of \$12.87  
to actual date of sale including if sale is  
held at a later date

(Costs to be added) \$ 139.00 **Prothonotary costs**

UDREN LAW OFFICES, P.C.

Mark J. Udren, ESQUIRE  
ATTORNEY FOR PLAINTIFF

FILED  
MAY 11 2007  
MAY 09 2007  
Atty pd.  
20.00

William A. Shaw  
Prothonotary/Clerk of Courts  
ICC @ Lewonts  
w/ prop. desc.  
to Sheriff

GR

UDREN LAW OFFICES, P.C.  
BY: Mark J. Udren, Esquire  
ATTY I.D. NO. 04302  
WOODCREST CORPORATE CENTER  
111 WOODCREST ROAD, SUITE 200  
CHERRY HILL, NJ 08003-3620  
856-669-5400  
[pleadings@udren.com](mailto:pleadings@udren.com)

ATTORNEY FOR PLAINTIFF

Deutsche Bank Trust Company  
Americas, as Trustee  
Plaintiff

v.

COURT OF COMMON PLEAS  
CIVIL DIVISION  
Clearfield County  
MORTGAGE FORECLOSURE

Robert L. Cannistraci  
Defendant(s)

NO. 06-1443-CD

**C E R T I F I C A T E**

Mark J. Udren, 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 insured mortgage
- ( ) Non-owner occupied
- ( ) Vacant
- ( X ) Act 91 procedures have been fulfilled.
- ( ) Over 24 months delinquent.

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

UDREN LAW OFFICES, P.C.

Mark J. Udren, ESQUIRE  
ATTORNEY FOR PLAINTIFF

UDREN LAW OFFICES, P.C.  
BY: Mark J. Udren, Esquire  
ATTY I.D. NO. 04302  
WOODCREST CORPORATE CENTER  
111 WOODCREST ROAD, SUITE 200  
CHERRY HILL, NJ 08003-3620  
856-669-5400  
[pleadings@udren.com](mailto:pleadings@udren.com)

ATTORNEY FOR PLAINTIFF

Deutsche Bank Trust Company  
Americas, as Trustee  
Plaintiff  
v.

COURT OF COMMON PLEAS  
CIVIL DIVISION  
Clearfield County

Robert L. Cannistraci  
Defendant(s)

# MORTGAGE FORECLOSURE

NO. 06-1443-CD

AFFIDAVIT PURSUANT TO RULE 3129.1

Deutsche Bank Trust Company Americas, as Trustee, Plaintiff in the above action, by its attorney, Mark J. Udren, ESQ., sets forth as of the date the Praeclipe for the Writ of Execution was filed the following information concerning the real property located at: 2497 Cambria Street (Gulich Township), Fallentimber, PA 16639

Robert L. Cannistraci      2497 Cambria Street  
Fallentimber, PA 16639

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

SAME AS #1 ABOVE

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

Name \_\_\_\_\_ Address \_\_\_\_\_

None

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

Name \_\_\_\_\_ Address \_\_\_\_\_

Deutsche Bank Trust Company 9275 Sky Park Court, Third Floor  
Americas, as Trustee San Diego, CA 92123

Mers, As Nominee for  
Homecomings Financial  
Network, Inc. 9 Sylvan Way, Suite 100  
Parsippany, NJ 07054

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

Name \_\_\_\_\_ Address \_\_\_\_\_

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 \_\_\_\_\_ Address \_\_\_\_\_

Real Estate Tax Dept. 1 North Second Street, Suite 116  
Clearfield, PA 16830

Domestic Relations Section 1 North Second Street, Suite 116  
Clearfield, PA 16830

Commonwealth of PA, Bureau of Compliance, PO Box 281230  
Department of Revenue Harrisburg, PA 17128-1230

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

Name \_\_\_\_\_ Address \_\_\_\_\_

Tenants/Occupants 2497 Cambria Street  
(Gulich Township)  
Fallentimber, PA 16639

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

UDREN LAW OFFICES, P.C.

DATED: May 7, 2007

Mark J. Udren, ESQ.  
Attorney for Plaintiff

UDREN LAW OFFICES, P.C.  
BY: Mark J. Udren, Esquire  
ATTY I.D. NO. 04302  
WOODCREST CORPORATE CENTER  
111 WOODCREST ROAD, SUITE 200  
CHERRY HILL, NJ 08003-3620  
856-669-5400  
[pleadings@udren.com](mailto:pleadings@udren.com)

ATTORNEY FOR PLAINTIFF

COPY

Deutsche Bank Trust Company  
Americas, as Trustee  
Plaintiff

v.

Robert L. Cannistraci  
Defendant(s)

COURT OF COMMON PLEAS  
CIVIL DIVISION  
Clearfield County

MORTGAGE FORECLOSURE

NO. 06-1443-CD

WRIT OF EXECUTION

TO THE SHERIFF OF Clearfield COUNTY:

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

2497 Cambria Street  
(Gulich Township)  
Fallentimber, PA 16639  
SEE LEGAL DESCRIPTION ATTACHED

Amount due \$71,028.19

Interest From 5/8/07 \_\_\_\_\_  
to Date of Sale \_\_\_\_\_  
Ongoing Per Diem of \$12.87  
to actual date of sale including if sale is  
held at a later date

(Costs to be added) \$ 139.00 Prothonotary costs

By Willie L. Chapman Prothonotary  
Clerk  
Date 5/9/07

COURT OF COMMON PLEAS  
NO. 06-1443-CD

=====

Deutsche Bank Trust Company Americas, as Trustee  
vs.  
Robert L. Cannistraci

=====

WRIT OF EXECUTION

=====

REAL DEBT \$ 71,028.19

INTEREST \$ \_\_\_\_\_

from 5/8/07

to Date of Sale \_\_\_\_\_

Ongoing Per Diem of \$12.87

to actual date of sale including if sale is  
held at a later date

COSTS PAID:

PROTHY \$ 139.00

SHERIFF \$ \_\_\_\_\_

STATUTORY \$ \_\_\_\_\_

COSTS DUE PROTHY. \$ \_\_\_\_\_

PREMISES TO BE SOLD:

2497 Cambria Street

(Gulich Township)

Fallentimber, PA 16639

Mark J. Udren, ESQUIRE

UDREN LAW OFFICES, P.C.

WOODCREST CORPORATE CENTER

111 WOODCREST ROAD, SUITE 200

CHERRY HILL, NJ 08003-3620

(856) 669-5400

pleadings@udren.com

ALL THAT CERTAIN PIECE OR PARCEL OF LAND SITUATE IN GULICH TOWNSHIP,  
CLEARFIELD COUNTY, PENNSYLVANIA, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN LOCATED ON THE EASTERN SIDE OF SR. 253, SAID PIN  
BEING THE SOUTHWEST CORNER OF THE PARCEL HEREIN DESCRIBED; THEN ALONG SR.  
253 NORTH 31° 02' 00" EAST A DISTANCE OF 95.00 FEET TO AN IRON PIN; THEN ALONG  
THE SAME NORTH 32° 06' 30" EAST A DISTANCE OF 126.08 FEET TO AN IRON PIN; THEN  
ALONG THE LINE OF LAND OF ELISA NORTH, LARRY NORTH, AND VIRGINIA NORTH,  
SOUTH 45° 00' 30" EAST A DISTANCE OF 180.00 FEET TO AN IRON PIN; THEN ALONG THE  
RESIDUAL LOT SOUTH 30° 38' 45" WEST A DISTANCE OF 201.42 FEET TO AN IRON PIN;  
THEN ALONG THE SAME NORTH 51° 22' 35" WEST A DISTANCE OF 180.00 FEET TO AN  
IRON PIN AND THE POINT OF BEGINNING. CONTAINING 0.859 ACRES MORE OR LESS.

BEING LOT 1 AS SHOWN ON THE FINAL PLAN FOR B. FAY BAUGHMAN, CHARLES C.  
HANNA AND DEBRA A. CURRY, SUBDIVISION PREPARED BY GEORGE A. CREE,  
REGISTERED SURVEYOR, DATED JUNE 16, 2005 AND RECORDED IN CLEARFIELD COUNTY  
AS INSTRUMENT NO. 200514641.

DEED FROM B. FAY BAUGHMAN AND JAMES F. BAUGHMAN, HER HUSBAND, CHARLES C.  
HANNA AND RUTH HANNA, HIS WIFE AND DEBRA A. CURRY AND PHILIP S. CURRY, HER  
HUSBAND AS SET FORTH IN DEED INSTRUMENT NO: 200601854 DATED 02/02/06 AND  
RECORDED 02/06/06, CLEARFIELD COUNTY, COMMONWEALTH OF PENNSYLVANIA.

BEING KNOWN AS: 2497 CAMBRIA STREET  
(GULICH TOWNSHIP)  
FALLENTIMBER, PA 16639

PROPERTY ID NO.: 118-L17-48

TITLE TO SAID PREMISES IS VESTED IN ROBERT CANNISTRACI BY DEED FROM  
B. FAY BAUGHMAN AND JAMES F. BAUGHMAN, HER HUSBAND, CHARLES C.  
HANNA AND RUTH HANNA, HIS WIFE AND DEBRA A. CURRY AND PHILIP S.  
CURRY, HER HUSBAND DATED 2/2/06 RECORDED 2/6/06 IN INSTRUMENT NO.  
200601854.

UDREN LAW OFFICES, P.C.  
BY: Mark J. Udren, Esquire  
ATTY I.D. NO. 04302  
WOODCREST CORPORATE CENTER  
111 WOODCREST ROAD, SUITE 200  
CHERRY HILL, NJ 08003-3620  
856-482-6900

ATTORNEY FOR PLAINTIFF

Deutsche Bank Trust Company  
Americas, as Trustee  
C/O Fidelity National  
Foreclosure and Bankruptcy  
Solutions  
1270 Northland Drive  
Suite 200  
Mendota Heights, MN 55120  
Plaintiff

COURT OF COMMON PLEAS  
CIVIL DIVISION  
Clearfield County  
MORTGAGE FORECLOSURE  
NO. 06-1443-CD

v.  
Robert L. Cannistraci  
2497 Cambria Street  
Fallentimber, PA 16639  
Defendant(s)

AFFIDAVIT OF NON-MILITARY SERVICE

STATE OF Minnesota

: SS

COUNTY OF Dakota

:

THE UNDERSIGNED being duly sworn, deposes and says that the averments herein are based upon investigations made and records maintained by us either as Plaintiff or as servicing agent of the Plaintiff herein and that the above Defendant(s) are not in the Military or Naval Service of the United States of America or its Allies as defined in the Soldiers and Sailors Civil Relief Act of 1940, as amended, and that the age and last known residence and employment of each Defendant are as follows:

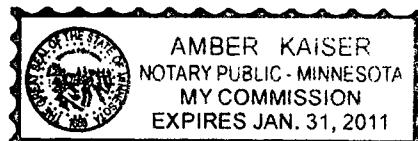
Defendant: Robert L. Cannistraci  
Age: Over 18  
Residence: As captioned above  
Employment: Unknown

Sworn to and subscribed

before me this 12 day  
of Sept., 2006.

Amber Kaiser  
Notary Public

Name: Robert L. Cannistraci  
Title: Notary Public  
Company: Homecomings Financial  
Network, Inc. as servicer on  
behalf of Deutsche Bank Trust  
Company Americas, as Trustee



FILED  
MAY 09 2007  
NO CC  
11:31 AM  
Clerk  
6K

UDREN LAW OFFICES, P.C.  
BY: Mark J. Udren, Esquire  
ATTY I.D. NO. 04302  
WOODCREST CORPORATE CENTER  
111 WOODCREST ROAD, SUITE 200  
CHERRY HILL, NJ 08003-3620  
856-669-5400  
pleadings@udren.com

ATTORNEY FOR PLAINTIFF

Deutsche Bank Trust Company  
Americas, as Trustee  
Plaintiff

COURT OF COMMON PLEAS  
CIVIL DIVISION  
Clearfield County

v.  
Robert L. Cannistraci  
Defendant(s)

NO. 06-1443-CD

**PRAECIPE TO SUBSTITUTE VERIFICATION**

TO THE PROTHONOTARY:

Kindly substitute the attached Verification for the  
Verification attached to the Complaint in Mortgage Foreclosure with  
regard to the captioned matter.

DATED: May 7, 2007

UDREN LAW OFFICES, P.C.

BY:

Mark J. Udren, Esquire  
Attorney for Plaintiff

FILED NO CC  
m/10/2007  
MAY 09 2007 (6x)

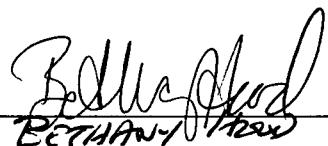
William A. Shaw  
Prothonotary/Clerk of Courts

V E R I F I C A T I O N

The undersigned, an officer of the Corporation which is the Plaintiff in the foregoing Complaint or an officer of the Corporation which is the servicing agent of Plaintiff, and being authorized to make this verification on behalf of the Plaintiff, hereby verifies that the facts set forth in the foregoing Complaint are taken from records maintained by persons supervised by the undersigned who maintain the business records of the mortgage held by Plaintiff in the ordinary course of business and that those facts are true and correct to the best of the knowledge, information and belief of the undersigned.

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

Date: Sept 12, 2008

  
\_\_\_\_\_  
Name: Bernany  
Title: V.P.  
Company: Homecomings Financial Network, Inc. as servicer on behalf of Deutsche Bank Trust Company Americas, as Trustee

Robert L. Cannistraci  
Loan #0427002613  
MJU #06080325

UDREN LAW OFFICES, P.C.  
BY: Mark J. Udren, Esquire  
ATTY I.D. NO. 04302  
WOODCREST CORPORATE CENTER  
111 WOODCREST ROAD, SUITE 200  
CHERRY HILL, NJ 08003-3620  
856-669-5400

ATTORNEY FOR PLAINTIFF

Deutsche Bank Trust Company  
Americas, as Trustee  
9275 Sky Park Court, Third  
Floor  
San Diego, CA 92123  
Plaintiff

COURT OF COMMON PLEAS  
CIVIL DIVISION  
Clearfield County

FILED  
M 10 15 2007  
JUL 06 2007

BS/1 William A. Shaw  
Prothonotary/Clerk of Courts

v.

Robert L. Cannistraci  
2497 Cambria Street  
Fallentimber, PA 16639

NO. 06-1443-CD

Defendant(s)

VERIFICATION OF SERVICE BY CERTIFIED MAIL AND  
REGULAR MAIL PURSUANT TO COURT ORDER

The undersigned hereby verifies that he is counsel for Plaintiff in the above case and that pursuant to the Court order issued in this matter he mailed a true and correct copy of the notice of sale to Defendant(s), by certified mail and regular first class mail, to the last known address of Defendant(s) as follows:

DATE MAILED: May 29, 2007

Robert L. Cannistraci  
2497 Cambria Street  
Fallentimber, PA 16639

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

Dated: June 29, 2007

UDREN LAW OFFICES, P.C.

Mark J. Udren, Esquire

Line Number	Article Number	Name of Addressee, Street, and Post Office Address	Postage	Fee	Handling Charge	Act. Value (If Regis.)	Insure d Value	Due Sender If COD	R.R. Fee	S.D. Fee	S.H. Fee	Rst. Del. Fee Remarks	Registered	Insured	Return Receipt for Merchandise	Check appropriate block for Registered Mail.	With Postal Insurance	Without postal Insurance	Postmark and Date of Receipt	
													<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1		ROBERT L. CANNISTRACI 2497 CAMBRIA STREET FALLENIMER, PA 16639																		
2																				
3																				
4																				
5																				
6																				
7																				
8																				
9																				
10																				
11																				
12																				
13																				
14																				
15																				
Total number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving Employee)		The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstruction insurance is \$500,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise is \$500. The maximum indemnity payable is \$25,000 for registered mail sent with optional postal insurance. See Domestic Mail Manual R901, S913, and S921 for limitations of coverage on insured and COD mail. See International Mail Manual for limitations of coverage on international mail. Special handling charges apply only to third and forth class parcels.															

PS Form 3877, February 1994

**Form Must be Completed by Typewriter, Ink or Ball Point Pen**

Robert L. Cannistraci; #06080325 (Clearfield) 8/3/07

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

DEUTSCHE BANK TRUST COMPANY \*  
AMERICAS, as TRUSTEE \*  
Plaintiff \*  
vs. \* NO. 06-1443-CD  
ROBERT L. CANNISTRACI \*  
Defendant \*

O R D E R

NOW, this 5<sup>th</sup> day of December, 2006, the Plaintiff is granted leave to serve the Complaint in Mortgage Foreclosure upon the Defendant **Robert L. Cannistraci** by publication one time in The Progress (Clearfield) and the Clearfield County Legal Journal, by regular mail and by certified mail, return receipt requested, at the Defendant's last known address, 2497 Cambria Street, Fallentimber, PA 16639 and by posting the mortgaged premises known in this herein action as 2497 Cambria Street, Fallentimer, PA 16639. All further service of legal papers, including but not limited to motions, petitions and rules shall be made by certified and regular mail to Defendant's last known address. Notice of Sheriff Sale, pursuant to Pennsylvania Rule of Civil Procedure 3129, may be made upon Defendant, **Robert L. Cannistraci**, by sending copies of same to Defendant's last known address by certified and regular mail and by posting the premises.

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

DEC 05 2006

BY THE COURT,

/s/ Fredric J. Ammerman

---

FREDRIC J. AMMERMAN  
President Judge

Attest,

*William L. Ammerman*  
Prothonotary/  
Clerk of Courts

SEARCHED

TO: Robert L. Cannistraci  
2497 Cambria Street  
Fallentimber, PA 16639

NOTICE OF SHERIFF'S SALE OF

UDREN LAW OFFICES, P.C.  
WOODCREST CORPORATE CENTER  
111 WOODCREST ROAD  
CHERRY HILL, NJ 08003



**U.S. Postal Service™ CERTIFIED MAIL™ RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

0608032501/10/01	
Postage	\$ 4.00
Certified Fee	265
Return Receipt Fee (Endorsement Required)	215
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 521

Postmark Here

Sent To: Robert L. Cannistraci  
Street, Apt. No.: 2497 Cambria Street  
or PO Box No.  
City, State, ZIP+4: Fallentimber, PA 16639

PS Form 3800, June 2002

See Reverse for Instructions



Asnez

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>■ Print your name and address on the reverse so that we can return the card to you</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>		<p>1. Article Addressed to:</p> <p><b>Robert J. Connors</b></p> <p>2497 Cambridge Street</p> <p>Haverhill, MA 01839</p> <p>2. Article Number</p> <p>7005 3110 0002 1969 3476</p> <p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail   <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered   <input checked="" type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail   <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee)</p> <p><input type="checkbox"/> Yes</p> <p>A. Signature <b>X</b>   <input type="checkbox"/> Agent   <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name)</p> <p>C. Date of Delivery</p> <p>D. Is delivery address different from item 1?   <input type="checkbox"/> Yes  If YES, enter delivery address below:   <input type="checkbox"/> No</p>	

**UDREN LAW OFFICES, P.C.**  
**BY: Mark J. Udren, Esquire**  
**ATTY I.D. NO. 04302**  
**WOODCREST CORPORATE CENTER**  
**111 WOODCREST ROAD, SUITE 200**  
**CHERRY HILL, NJ 08003-3620**  
**856-669-5400**

**ATTORNEY FOR PLAINTIFF**

Deutsche Bank Trust Company  
Americas, as Trustee  
Plaintiff

COURT OF COMMON PLEAS  
CIVIL DIVISION  
Clearfield County

v.  
Robert L. Cannistraci  
Defendant(s)

NO. 06-1443-CD

**TO: ALL PARTIES IN INTEREST AND CLAIMANTS**

**NOTICE OF SHERIFF'S SALE  
OF REAL PROPERTY**

**OWNER(S): Robert L. Cannistraci**

**PROPERTY: 2497 Cambria Street (Gulich Township) Fallentimber, PA 16639**

**Improvements: RESIDENTIAL DWELLING**

The above captioned property is scheduled to be sold at the **Clearfield** County Sheriff's Sale on **August 3, 2007**, at 10:00 A.M., at the Clearfield County 1 North Second Street Suite 116 Clearfield, PA. Our records indicate that you may hold a mortgage or judgment on the property which will be extinguished by the sale. You may wish to attend the sale to protect your interests.

A Schedule of Distribution will be filed by the Sheriff on a date specified by the Sheriff not later than 30 days after sale. Distribution will be made in accordance with the schedule unless exceptions are filed thereto within 10 days after the filing of the schedule.

Line	Article Number	Name of Addressee, Street, and Post Office Address	Postage	Fee	Handling Charge	Act. Value (If Regis.)	Insured Value	Due Sender If COD	R.R. Fee	S.D. Fee	S.H. Fee	Rst. Del. Fee		
												<input type="checkbox"/> Registered	<input type="checkbox"/> Insured	<input type="checkbox"/> Return Receipt for Merchandise
1		DEUTSCHE BANK TRUST COMPANY AMERICA AS TRUSTEE 9275 SKY PARK COURT THIRD FLOOR SAN DIEGO, CA 92123												
2		MERS AS NOMINEE FOR HOMECOMINGS FINANCIAL NETWORK, INC. 9 SYLVAN WAY, SUITE 100 PARSIPPANY, NJ 07054												
3		REAL ESTATE TAX DEPT. 1 NORTH SECOND STREET SUITE 116 CLEARFIELD, PA 16830												
4		DOMESTIC RELATIONS SECTION 1 NORTH SECOND STREET SUITE 116 CLEARFIELD, PA 16830												
5		COMMONWEALTH OF PA DEPARTMENT OF REVENUE BUREAU OF COMPLIANCE PO BOX 281230 HARRISBURG, PA 17128-1230												
6		TENANTS/OCCUPANTS 2497 CAMBRIA STREET (GUILCH TOWNSHIP) FALLEN TIMBER, PA 16639												
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12														
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15														
Total number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving Employee)		The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise is \$500. The maximum indemnity payable is \$25,000 for registered mail sent with optional postal insurance. See Domestic Mail Manual R900, S913 and S921 for limitations of coverage on insured and COD mail. See International Mail Manual for limitations of coverage on international mail. Special handling charges apply only to third and fourth class parcels.									
6		6	JL		STATLICN 4706002									

UDREN LAW OFFICES, P.C.  
BY: Mark J. Udren  
ATTY I.D. NO. 04302  
WOODCREST CORPORATE CENTER  
111 WOODCREST ROAD, SUITE 200  
CHERRY HILL, NJ 08003-3620  
856-669-5400

ATTORNEY FOR PLAINTIFF

Deutsche Bank Trust Company  
Americas, as Trustee  
9275 Sky Park Court, Third  
Floor  
San Diego, CA 92123  
Plaintiff

v.

Robert L. Cannistraci  
2497 Cambria Street  
Fallentimber, PA 16639  
Defendant(s)

COURT OF COMMON PLEAS  
CIVIL DIVISION  
Clearfield County

NO. 06-1443-CD

FILED  
M 11 2007  
JUL 30 2007  
NOCC  
WM

William A. Shaw  
Prothonotary/Clerk of Courts

**AFFIDAVIT OF SERVICE PURSUANT TO Pa.R.C.P.RULE 3129.1**

Plaintiff, by its/his/her Attorney, Mark J. Udren, Esquire, hereby verifies that:

1. A copy of the Notice of Sheriff's Sale, a true and correct copy of which is attached hereto as Exhibit "A", was sent to every recorded lienholder and every other interested party known as of the date of the filing of the Praeclipe for the Writ of Execution, on the date(s) appearing on the attached Certificates of Mailing.
2. A Notice of Sheriff's Sale was sent to Defendant(s) by regular mail and certified mail on the date appearing on the attached Return Receipt, which was signed for by Defendant(s) on the date specified on the said Return Receipt. Copies of the said Notice and Return Receipt are attached hereto as Exhibit "B".
3. If a Return Receipt is not attached hereto, then service was by personal service on the date specified on the attached Return of Service, attached hereto as Exhibit "B".
4. If service was by Order of Court, then proof of compliance with said Order is attached hereto as Exhibit "B".

All Notices were served within the time limits set forth by Pa Rule C.P. 3129.

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

Dated: July 2, 2007

UDREN LAW OFFICES, P.C.

BY:

Mark J. Udren, Esquire  
Attorney for Plaintiff

UDREN LAW OFFICES, P.C.  
BY: Mark J. Udren, Esquire  
ATTY I.D. NO. 04302  
WOODCREST CORPORATE CENTER  
111 WOODCREST ROAD, SUITE 200  
CHERRY HILL, NJ 08003-3620  
856-669-5400  
[pleadings@udren.com](mailto:pleadings@udren.com)

ATTORNEY FOR PLAINTIFF

Deutsche Bank Trust Company  
Americas, as Trustee  
Plaintiff

COURT OF COMMON PLEAS  
CIVIL DIVISION  
Clearfield County

v.  
Robert L. Cannistraci  
Defendant(s)

NO. 06-1443-CD

TO: ALL PARTIES IN INTEREST AND CLAIMANTS

**NOTICE OF SHERIFF'S SALE  
OF REAL PROPERTY**

OWNER(S): Robert L. Cannistraci

PROPERTY: 2497 Cambria Street (Gulich Township) Fallentimber, PA  
16639

Improvements: RESIDENTIAL DWELLING

The above captioned property is scheduled to be sold at the Clearfield County Sheriff's Sale on August 3, 2007, at 10:00 A.M., at the Sheriff's Courthouse 1 North Second Street, Ste 116 Clearfield, PA 16830. Our records indicate that you may hold a mortgage or judgment on the property which will be extinguished by the sale. You may wish to attend the sale to protect your interests.

A Schedule of Distribution will be filed by the Sheriff on a date specified by the Sheriff not later than 30 days after sale. Distribution will be made in accordance with the schedule unless exceptions are filed thereto within 10 days after the filing of the schedule.

W.C. 2007-10-03  
A

Name and Address Of Sender		111 WOODCREST ROAD, SUITE 200 CHERRY HILL, NJ 08003		ATTN: Angelina L. Cruz		<input type="checkbox"/> Registered		<input type="checkbox"/> Insured		<input type="checkbox"/> Return Receipt for Registered Mail		Check appropriate block for Registered Mail: <input type="checkbox"/> Merchandise <input type="checkbox"/> Int'l Recorded Del. <input type="checkbox"/> With Postal Insurance <input type="checkbox"/> Without postal Insurance		Affix stamp here if issued as certificate of mailing or for additional copies of this bill		Postmark and Date of Receipt									
Line	Article Number	Name of Addressee, Street, and Post Office Address		Postage		Fee		Handling Charge		Act. Value (If Regis.)		Insured Value		Due Sender If COD		R.R. Fee		S.D. Fee		S.H. Fee		Rst. Del. Fee		Remarks	
1		DEUTSCHE BANK TRUST COMPANY AMERICA AS TRUSTEE 9275 SKY PARK COURT THIRD FLOOR SAN DIEGO, CA 92123																							
2		MERS AS NOMINEE FOR HOMECOMINGS FINANCIAL NETWORK, INC. 9 SYLVAN WAY, SUITE 100 PARSIPPANY, NJ 07054																							
3		REAL ESTATE TAX DEPT. 1 NORTH SECOND STREET SUITE 116 CLEARFIELD, PA 16830																							
4		DOMESTIC RELATIONS SECTION 1 NORTH SECOND STREET SUITE 116 CLEARFIELD, PA 16830																							
5		COMMONWEALTH OF PA DEPARTMENT OF REVENUE BUREAU OF COMPLIANCE PO BOX 281230 HARRISBURG, PA 17128- 1230																							
6		TENANTS/OCCUPANTS 2497 CAMBRIA STREET (GULICH TOWNSHIP) FALLEN TIMBER, PA 16639																							
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15																									
Total number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office		Postmaster, Per (Name of Receiving Employee)																					
6		6		JL																					

The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of non-negotiable documents under Express Mail document reconstruction insurance is \$500.00 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise is \$500. The maximum indemnity payable for registered mail sent with optional postal insurance. See Domestic Mail Manual R800, S913, and S921 for limitations of coverage on insured and COD mail. See International Mail Manual for limitations of coverage on international mail. Special handling charges apply only to third and forth class parcels.

UDREN LAW OFFICES, P.C.  
BY: Mark J. Udren, Esquire  
ATTY I.D. NO. 04302  
WOODCREST CORPORATE CENTER  
111 WOODCREST ROAD, SUITE 200  
CHERRY HILL, NJ 08003-3620  
856-669-5400

ATTORNEY FOR PLAINTIFF

Deutsche Bank Trust Company  
Americas, as Trustee  
9275 Sky Park Court, Third  
Floor  
San Diego, CA 92123  
Plaintiff

COURT OF COMMON PLEAS  
CIVIL DIVISION  
Clearfield County

v.

Robert L. Cannistraci  
2497 Cambria Street  
Fallentimber, PA 16639

NO. 06-1443-CD

Defendant(s)

VERIFICATION OF SERVICE BY CERTIFIED MAIL AND  
REGULAR MAIL PURSUANT TO COURT ORDER

The undersigned hereby verifies that he is counsel for Plaintiff in the above case and that pursuant to the Court order issued in this matter he mailed a true and correct copy of the notice of sale to Defendant(s), by certified mail and regular first class mail, to the last known address of Defendant(s) as follows:

DATE MAILED: May 29, 2007

Robert L. Cannistraci  
2497 Cambria Street  
Fallentimber, PA 16639

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

Dated: June 29, 2007

UDREN LAW OFFICES, P.C.

Mark J. Udren, Esquire

Line	Article Number	Name of Addressee, Street, and Post Office Address	Postage	Fee	Handling Charge	Act. Value (If Regis.)	Insure d Value	Due Sender If COD	R.R. Fee.	S.D. Fee	S.H. Fee	Rst. Del. Fee	Remarks	Postmark and Date of Receipt		
														<input type="checkbox"/> Registered	<input type="checkbox"/> Insured	<input type="checkbox"/> Return Receipt for Merchandise
1		ROBERT L. CANNISTRACI 2497 CAMBRIA STREET FALLENIMER, PA 16639														
2																
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7																
8																
9																
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11																
12																
13																
14																
15																
Total number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving Employee)		The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500.00 per occurrence. The maximum indemnity payable on Express Mail merchandise is \$500. The maximum indemnity payable is \$25,000 for registered mail, sent with optional postal insurance. See Domestic Mail Manual R900, S913, and S921 for limitations of coverage on insured and COD mail. See International Mail Manual for limitations of coverage on international mail. Special handling charges apply only to third and forth class parcels.											
1		1	JL													

PS Form 3877, February 1994

**Form Must be Completed by Typewriter, Ink or Ball Point Pen**

Robert L. Cannistraci; #06080325 (Clearfield) 8/3/07

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

DEUTSCHE BANK TRUST COMPANY \*  
AMERICAS, as TRUSTEE \*  
Plaintiff \*  
\*  
\*  
\*  
vs. \* NO. 06-1443-CD  
ROBERT L. CANNISTRACI \*  
Defendant \*

O R D E R

NOW, this 5<sup>th</sup> day of December, 2006, the Plaintiff is granted leave to serve the Complaint in Mortgage Foreclosure upon the Defendant **Robert L. Cannistraci** by publication one time in The Progress (Clearfield) and the Clearfield County Legal Journal, by regular mail and by certified mail, return receipt requested, at the Defendant's last known address, 2497 Cambria Street, Fallentimber, PA 16639 and by posting the mortgaged premises known in this herein action as 2497 Cambria Street, Fallentimer, PA 16639. All further service of legal papers, including but not limited to motions, petitions and rules shall be made by certified and regular mail to Defendant's last known address. Notice of Sheriff Sale, pursuant to Pennsylvania Rule of Civil Procedure 3129, may be made upon Defendant, **Robert L. Cannistraci**, by sending copies of same to Defendant's last known address by certified and regular mail and by posting the premises.

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

DEC 05 2006

BY THE COURT

/s/ Fredric J. Ammerman

---

FREDRIC J. AMMERMAN  
President Judge

Attest,

*W. J. Ammerman*  
Prothonotary/  
Clerk of Courts

OSWED

TO: Robert L. Cannistraci

2497 Cambria Street  
Fallentimber, PA 16639

**NOTICE OF SHERIFF'S SALE OF**

UDREN LAW OFFICES, P.C.  
WOODCREST CORPORATE CENTER  
111 WOODCREST ROAD  
CHERRY HILL, NJ 08003



**U.S. Postal Service™  
CERTIFIED MAIL™ RECEIPT**

*(Domestic Mail Only; No Insurance Coverage Provided)*

For delivery information visit our website at [www.usps.com](http://www.usps.com)

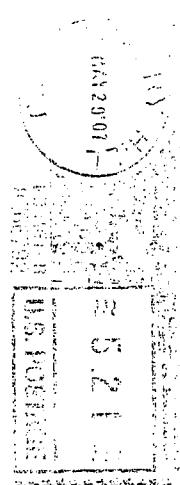
060883250110185185	
Postage	\$ 4.1
Certified Fee	265
Return Receipt Fee (Endorsement Required)	215
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 52

Postmark  
Here

Sent To	Robert L. Cannistraci
Street, Apt. No., or PO Box No.	2497 Cambria Street
City, State, ZIP+4	Fallentimber, PA 16639

PS Form 3800, June 2002

See Reverse for Instructions





**UDREN LAW OFFICES, P.C.**  
**BY: Mark J. Udren, Esquire**  
**ATTY I.D. NO. 04302**  
**WOODCREST CORPORATE CENTER**  
**111 WOODCREST ROAD, SUITE 200**  
**CHERRY HILL, NJ 08003-3620**  
**856-669-5400**

**ATTORNEY FOR PLAINTIFF**

Deutsche Bank Trust Company  
Americas, as Trustee  
Plaintiff

COURT OF COMMON PLEAS  
CIVIL DIVISION  
Clearfield County

v.  
Robert L. Cannistraci  
Defendant(s)

NO. 06-1443-CD

**TO: ALL PARTIES IN INTEREST AND CLAIMANTS**

**NOTICE OF SHERIFF'S SALE  
OF REAL PROPERTY**

**OWNER(S): Robert L. Cannistraci**

**PROPERTY: 2497 Cambria Street (Gulich Township) Fallentimber, PA 16639**

**Improvements: RESIDENTIAL DWELLING**

The above captioned property is scheduled to be sold at the **Clearfield** County Sheriff's Sale on **August 3, 2007**, at 10:00 A.M., at the Clearfield County 1 North Second Street Suite 116 Clearfield, PA. Our records indicate that you may hold a mortgage or judgment on the property which will be extinguished by the sale. You may wish to attend the sale to protect your interests.

A Schedule of Distribution will be filed by the Sheriff on a date specified by the Sheriff not later than 30 days after sale. Distribution will be made in accordance with the schedule unless exceptions are filed thereto within 10 days after the filing of the schedule.

Line	Article Number	Name of Addressee, Street, and Post Office Address	Postage	Fee	Handling Charge	Act. Value (If Regis.)	Insure d Value	Due Sender If COD	R.R. Fee	S.D. Fee	S.H. Fee	Rst. Del. Fee	Check appropriate block for Registered Mail:		Postmark and Date of Receipt		
													<input type="checkbox"/> Registered	<input type="checkbox"/> Insured		<input type="checkbox"/> Return Receipt for Merchandise	<input type="checkbox"/> Int'l Recorded Del.
1		DEUTSCHE BANK TRUST COMPANY AMERICA AS TRUSTEE 9275 SKY PARK COURT THIRD FLOOR SAN DIEGO, CA 92123															
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5		COMMONWEALTH OF PA DEPARTMENT OF REVENUE BUREAU OF COMPLIANCE PO BOX 281230 HARRISBURG, PA 17128-1230															
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Total number of Pieces Listed by Sender	Total Number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving Employee)	<p>The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise is \$500. The maximum indemnity payable is \$25,000 for registered mail sent with optional postal insurance. See Domestic Mail Manual R900, S913 and S921 for limitations of coverage on insured and COD mail. See International Mail Manual for limitations of coverage on international mail. Special handling charges apply only to third and fourth class parcels.</p>												Check appropriate block for Registered Mail:	Affix stamp here if issued as certificate of mailing or for additional copies of this bill.	
6	6	JP															

UDREN LAW OFFICES, P.C.  
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WOODCREST CORPORATE CENTER  
111 WOODCREST ROAD, SUITE 200  
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856-669-5400

Deutsche Bank Trust Company  
Americas, as Trustee  
9275 Sky Park Court, Third  
Floor  
San Diego, CA 92123  
Plaintiff

v.  
Robert L. Cannistraci  
2497 Cambria Street  
Fallentimber, PA 16639  
Defendant(s)

ATTORNEY FOR PLAINTIFF

COURT OF COMMON PLEAS  
CIVIL DIVISION  
Clearfield County

NO. 06-1443-CD

FILED NO CC  
M 11/30/07  
AUG 10 2007  
MC

William A. Shaw  
Prothonotary/Clerk of Courts

SUGGESTION OF BANKRUPTCY

To the Prothonotary:

Kindly note on the record that the above Defendant, Robert L. Cannistraci has filed Chapter 13 Bankruptcy in the Western District of Johnstown, Pennsylvania on July 6, 2007, Bankruptcy Case No. 07-70777.

Mark J. Udren, Esquire  
UDREN LAW OFFICES, P.C.  
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20586  
NO: 06-1443-CD

PLAINTIFF: DEUTSCHE BANK TRUST COMPANY AMERICAS, AS TRUSTEE  
vs.  
DEFENDANT: ROBERT L. CANNISTRACI

Execution REAL ESTATE

**SHERIFF RETURN**

DATE RECEIVED WRIT: 5/9/2007

LEVY TAKEN 5/29/2007 @ 9:15 AM

POSTED 5/29/2007 @ 9:15 AM

SALE HELD

SOLD TO

SOLD FOR AMOUNT PLUS COSTS

WRIT RETURNED 1/7/2008

DATE DEED FILED **NOT SOLD**

**FILED**

09.00 LM  
JAN 07 2008  
WS

William A. Shaw  
Prothonotary/Clerk of Courts

**DETAILS**

6/8/2007 @ SERVED ROBERT L. CANNISTRACI

SERVED ROBERT L. CANNISTRACI, DEFENDANT BY REG & CERT MAIL PER COURT ORDER TO 2479 CAMBRIA STREET, FALLENTIMBER, CLEARFIELD COUNTY, PENNSYLVANIA, CERT #70060810000145072520. CERT MAIL RETURNED UNCALIMED JUNE 29, 2007.

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE AND COPY OF THE LEVY.

6/13/2007 @ 9:04 AM SERVED ROBERT L. CANNISTRACI

POSTED THE PROPERTY WITH COURT ORDER PER COURT ORDER.

@ SERVED

NOW, AUGUST 3, 2007 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO STAY THE SHERIFF SALE SCHEDULED FOR AUGUST 3, 2007 DUE TO CHAPTER 13 BANKRUPTCY FILING.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20586  
NO: 06-1443-CD

PLAINTIFF: DEUTSCHE BANK TRUST COMPANY AMERICAS, AS TRUSTEE  
VS.  
DEFENDANT: ROBERT L. CANNISTRACI

Execution REAL ESTATE

**SHERIFF RETURN**

---

SHERIFF HAWKINS \$284.57

SURCHARGE \$20.00 PAID BY ATTORNEY

So Answers,

*Chester A. Hawkins*  
Chester A. Hawkins - Clearfield County  
Sheriff

UDREN LAW OFFICES, P.C.  
BY: Mark J. Udren, Esquire  
ATTY I.D. NO. 04302  
WOODCREST CORPORATE CENTER  
111 WOODCREST ROAD, SUITE 200  
CHERRY HILL, NJ 08003-3620  
856-669-5400  
pleadings@udren.com

ATTORNEY FOR PLAINTIFF

Deutsche Bank Trust Company  
Americas, as Trustee  
Plaintiff

v.

Robert L. Cannistraci  
Defendant(s)

COURT OF COMMON PLEAS  
CIVIL DIVISION  
Clearfield County

MORTGAGE FORECLOSURE

NO. 06-1443-CD

WRIT OF EXECUTION

TO THE SHERIFF OF Clearfield COUNTY:

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

2497 Cambria Street  
(Gulich Township)  
Fallentimber, PA 16639  
SEE LEGAL DESCRIPTION ATTACHED

Amount due \$71,028.19

Interest From 5/8/07  
to Date of Sale \_\_\_\_\_  
Ongoing Per Diem of \$12.87  
to actual date of sale including if sale is  
held at a later date

(Costs to be added) \$ 137.00 **Prothonotary costs**  
By Willie L. Shampain  
Clerk  
Date 5/19/07

Received May 9, 2007 @ 3:00 P.M.  
Chester A. Steinlein  
by Cynthia Butler-Aughnay

COURT OF COMMON PLEAS  
NO. 06-1443-CD

=====

Deutsche Bank Trust Company Americas, as Trustee  
vs.  
Robert L. Cannistraci

=====

WRIT OF EXECUTION

=====

REAL DEBT \$ 71,028.19

INTEREST \$ \_\_\_\_\_  
from 5/8/07  
to Date of Sale \_\_\_\_\_  
*Ongoing Per Diem of \$12.87*  
to actual date of sale including if sale is  
held at a later date

COSTS PAID:  
PROTHY \$ 139.00

SHERIFF \$ \_\_\_\_\_

STATUTORY \$ \_\_\_\_\_

COSTS DUE PROTHY. \$ \_\_\_\_\_

PREMISES TO BE SOLD:

2497 Cambria Street  
(Gulich Township)  
Fallentimber, PA 16639

Mark J. Udren, ESQUIRE  
UDREN LAW OFFICES, P.C.  
WOODCREST CORPORATE CENTER  
111 WOODCREST ROAD, SUITE 200  
CHERRY HILL, NJ 08003-3620  
(856) 669-5400  
pleadings@udren.com

ALL THAT CERTAIN PIECE OR PARCEL OF LAND SITUATE IN GULICH TOWNSHIP,  
CLEARFIELD COUNTY, PENNSYLVANIA, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN LOCATED ON THE EASTERN SIDE OF SR. 253, SAID PIN  
BEING THE SOUTHWEST CORNER OF THE PARCEL HEREIN DESCRIBED; THEN ALONG SR.  
253 NORTH 31° 02' 00" EAST A DISTANCE OF 95.00 FEET TO AN IRON PIN; THEN ALONG  
THE SAME NORTH 32° 06' 30" EAST A DISTANCE OF 126.08 FEET TO AN IRON PIN; THEN  
ALONG THE LINE OF LAND OF ELISA NORTH, LARRY NORTH, AND VIRGINIA NORTH,  
SOUTH 45° 00' 30" EAST A DISTANCE OF 180.00 FEET TO AN IRON PIN; THEN ALONG THE  
RESIDUAL LOT SOUTH 30° 38' 45" WEST A DISTANCE OF 201.42 FEET TO AN IRON PIN;  
THEN ALONG THE SAME NORTH 51° 22' 35" WEST A DISTANCE OF 180.00 FEET TO AN  
IRON PIN AND THE POINT OF BEGINNING. CONTAINING 0.859 ACRES MORE OR LESS.

BEING LOT 1 AS SHOWN ON THE FINAL PLAN FOR B. FAY BAUGHMAN, CHARLES C.  
HANNA AND DEBRA A. CURRY, SUBDIVISION PREPARED BY GEORGE A. CREE,  
REGISTERED SURVEYOR, DATED JUNE 16, 2005 AND RECORDED IN CLEARFIELD COUNTY  
AS INSTRUMENT NO. 200514641.

DEED FROM B. FAY BAUGHMAN AND JAMES F. BAUGHMAN, HER HUSBAND, CHARLES C.  
HANNA AND RUTH HANNA, HIS WIFE AND DEBRA A. CURRY AND PHILIP S. CURRY, HER  
HUSBAND AS SET FORTH IN DEED INSTRUMENT NO: 200601854 DATED 02/02/06 AND  
RECORDED 02/06/06, CLEARFIELD COUNTY, COMMONWEALTH OF PENNSYLVANIA.

BEING KNOWN AS: 2497 CAMBRIA STREET  
(GULICH TOWNSHIP)  
FALLENTIMBER, PA 16639

PROPERTY ID NO.: 118-L17-48

TITLE TO SAID PREMISES IS VESTED IN ROBERT CANNISTRACI BY DEED FROM  
B. FAY BAUGHMAN AND JAMES F. BAUGHMAN, HER HUSBAND, CHARLES C.  
HANNA AND RUTH HANNA, HIS WIFE AND DEBRA A. CURRY AND PHILIP S.  
CURRY, HER HUSBAND DATED 2/2/06 RECORDED 2/6/06 IN INSTRUMENT NO.  
200601854.

**REAL ESTATE SALE  
SCHEDULE OF DISTRIBUTION**

NAME ROBERT L. CANNISTRACI

NO. 06-1443-CD

NOW, January 05, 2008, 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 Robert L. Cannistraci 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	15.00	DEBT-AMOUNT DUE	71,028.19
SERVICE	15.00	INTEREST @ 12.8700	0.00
MILEAGE	27.16	FROM TO	
LEVY	15.00		
MILEAGE	27.16	PROTH SATISFACTION	
POSTING	15.00	LATE CHARGES AND FEES	
CSDS	10.00	COST OF SUIT-TO BE ADDED	
COMMISSION	0.00	FORECLOSURE FEES	
POSTAGE	10.93	ATTORNEY COMMISSION	
HANDBILLS	15.00	REFUND OF ADVANCE	
DISTRIBUTION	25.00	REFUND OF SURCHARGE	20.00
ADVERTISING	15.00	SATISFACTION FEE	
ADD'L SERVICE		ESCROW DEFICIENCY	
DEED		PROPERTY INSPECTIONS	
ADD'L POSTING	15.00	INTEREST	
ADD'L MILEAGE	54.32	MISCELLANEOUS	
ADD'L LEVY			
BID/SETTLEMENT AMOUNT		<b>TOTAL DEBT AND INTEREST</b>	<b>\$71,048.19</b>
RETURNS/DEPUTIZE			
COPIES	15.00	<b>COSTS:</b>	
	5.00	ADVERTISING	443.86
BILLING/PHONE/FAX	5.00	TAXES - COLLECTOR	
CONTINUED SALES		TAXES - TAX CLAIM	
MISCELLANEOUS		DUE	
<b>TOTAL SHERIFF COSTS</b>	<b>\$284.57</b>	LIEN SEARCH	100.00
		ACKNOWLEDGEMENT	
ACKNOWLEDGEMENT		DEED COSTS	0.00
REGISTER & RECORDER		SHERIFF COSTS	284.57
TRANSFER TAX 2%	0.00	LEGAL JOURNAL COSTS	144.00
<b>TOTAL DEED COSTS</b>	<b>\$0.00</b>	PROTHONOTARY	139.00
		MORTGAGE SEARCH	40.00
		MUNICIPAL LIEN	
		<b>TOTAL COSTS</b>	<b>\$1,151.43</b>

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

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

DEUTSCHE BANK TRUST COMPANY \*  
AMERICAS, as TRUSTEE \*  
Plaintiff \*  
VS. \* NO. 06-1443-CD  
ROBERT L. CANNISTRACI \*  
Defendant \*

ORDER

NOW, this 5<sup>th</sup> day of December, 2006, the Plaintiff is granted leave to serve the Complaint in Mortgage Foreclosure upon the Defendant **Robert L. Cannistraci** by publication one time in **The Progress (Clearfield)** and the **Clearfield County Legal Journal**, by regular mail and by certified mail, return receipt requested, at the Defendant's last known address, 2497 Cambria Street, Fallentimber, PA 16639 and by posting the mortgaged premises known in this herein action as 2497 Cambria Street, Fallentimer, PA 16639. All further service of legal papers, including but not limited to motions, petitions and rules shall be made by certified and regular mail to Defendant's last known address. Notice of Sheriff Sale, pursuant to Pennsylvania Rule of Civil Procedure 3129, may be made upon Defendant, **Robert L. Cannistraci**, by sending copies of same to Defendant's last known address by certified and regular mail and by posting the premises.

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

BY THE COURT,

/s/ Fredric J. Ammerman

**FREDRIC J. AMMERMAN**  
President Judge

Attest.

*William E. Jones*  
Prothonotary/  
Clerk of Courts



RECEIPT OF MAILING RECORDS  
MAILING RECORDS RETURN ADDRESS FROM THE RECIPIENT  
RECEIPT OF MAILING RECORDS

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

**1. Article Addressed to:**

ROBERT L. CANNISTRACI  
2497 CAMBRIA STREET  
FALLENTIMBER, PA 16639

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature	<input checked="" type="checkbox"/> Agent
<input checked="" type="checkbox"/> X Addressee	
B. Received by (Printed Name)	C. Date of Delivery
D. Is delivery address different from item 1?	
If YES, enter delivery address below:	
<input type="checkbox"/> Yes	<input type="checkbox"/> No

3. Service Type	
<input checked="" type="checkbox"/> Certified Mail	<input type="checkbox"/> Express Mail
<input type="checkbox"/> Registered	<input type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Insured Mail	<input type="checkbox"/> C.O.D.
4. Restricted Delivery? (Extra Fee)	
<input type="checkbox"/> Yes	
2. Article Number <i>(Transfer from service label)</i>	
7006 0810 0001 4507 2520	
PS Form 3811, February 2004 Domestic Return Receipt	
10259-02-W-1540	

**UDREN LAW OFFICES, P.C.**

WOODCREST CORPORATE CENTER  
131 WOODCREST ROAD, SUITE 200  
CHERRY HILL, NEW JERSEY 08003-3620

856. 669. 5400  
FAX: 856. 669. 5399

**PENNSYLVANIA OFFICE**  
215-368-9500

MARK J. UDREN\*  
STUART WINNEG\*\*  
GAYL SPIVAK ORLOFF\*\*\*  
HEIDI R. SPIVAK\*\*\*  
MARISA JOY COHEN\*\*\*  
LORRAINE DOYLE\*\*  
ALAN M. MINATO\*\*\*  
\*ADMITTED NJ, PA, FL  
\*\*ADMITTED PA  
\*\*\*ADMITTED NJ, PA  
TINA MARIE RICH  
OFFICE ADMINISTRATOR

**FREDDIE MAC  
PENNSYLVANIA  
DESIGNATED COUNSEL**

**PLEASE RESPOND TO NEW JERSEY OFFICE**

August 2, 2007

Sent via telefax #814-765-5915

Clearfield County Sheriff's Office  
1 North Second Street  
Suite 116  
Clearfield, PA 16830  
ATTN: Cindy

Re: Deutsche Bank Trust Company Americas, as Trustee  
vs.  
Robert L. Cannistraci  
Clearfield County C.C.P. No. 06-1443-CD  
Premises: 2497 Cambria Street (Gulich Township) Fallentimber,  
PA 16639  
SS Date: August 3, 2007

Dear Cindy:

Please stay the Sheriff's Sale scheduled for August 3, 2007.

Sale is stayed for the following reason:

Defendant(S) filed chapter 13 bankruptcy on July 6, 2007 in the  
Western District, Johnstown, Pennsylvania. Case #07-70777.

Thank you for your attention to this matter.

Sincerely yours,

Mark J. Udren  
UDREN LAW OFFICES, P.C.

/alc

UDREN LAW OFFICES, P.C.  
WOODCREST CORPORATE CENTER  
111 WOODCREST ROAD, SUITE 200  
CHERRY HILL, NJ 08003  
856-669-5400

ATTORNEY FOR PLAINTIFF

Deutsche Bank Trust Company  
Americas, as Trustee  
9275 Sky Park Court, Third  
Floor  
San Diego, CA 92123  
Plaintiff

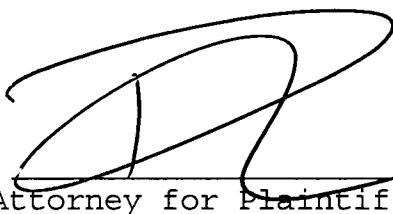
COURT OF COMMON PLEAS  
CIVIL DIVISION  
Clearfield County  
NO. 06-1443-CD

v.  
Robert L. Cannistraci  
2497 Cambria Street  
Fallentimber, PA 16639  
Defendant(s)

PRAECIPE TO WITHDRAW JUDGMENT AND DISCONTINUE WITHOUT PREJUDICE

TO THE PROTHONOTARY:

Kindly mark the above captioned matter JUDGMENT WITHDRAWN  
and ACTION DISCONTINUED WITHOUT PREJUDICE, upon payment of your  
costs only.

  
Attorney for Plaintiff

DATED: May 15, 2013

David Neeren, Esquire  
PA ID 204252

06080325-1

pd \$ 700 Atty  
MAY 20 2013  
William A. S. Neeren  
Prothonotary Clerk, Clearfield County