

2006-1579-CD
LVNV Funding et al vs Barry Whitehead

06-1579-CD
LVNV Funding vs Barry Whitehead

**COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA**

LVNV FUNDING, LLC
ASSIGNEE OF SHERMAN ACQUISITION
ASSIGNEE OF PROVIDIAN FINANCIAL CORP
C/O WOLPOFF & ABRAMSON, L.L.P.
4660 TRINDLE ROAD, 3rd FLOOR
CAMP HILL, PA 17011

No. 06-1579-CD

Plaintiff

Type of Case: Contract

VS.

BARRY L WHITEHEAD
1159 DECATUR ST
PHILIPSBURG PA 16866

Type of Pleading:

Filed on Behalf of: Plaintiff

Defendant(s)

Date: 9/21/06


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

FILED Atty pd. 85.00
MJD:10/1/06 100CSHff
SEP 28 2006

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

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

NOTICE

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

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

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

Centre County Courthouse
Court Administrator Allegheny Street
Bellefonte, PA 16823-
814-355-6727

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

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

NOTICIA

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

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

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

Centre County Courthouse
Court Administrator Allegheny Street
Bellefonte, PA 16823-
814-355-6727

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

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

COMPLAINT

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

1. Plaintiff is LVNV FUNDING, LLC ASSIGNEE OF SHERMAN ACQUISITION ASSIGNEE OF PROVIDIAN FINANCIAL CORP , located at 15 South Main Street Greenville, SC 29601.
2. Defendant, BARRY L WHITEHEAD, is an adult individual with a last known address of 1159 Decatur St Philipsburg, Clearfield County, PA 16866.
3. It is averred that Defendant was issued an open end credit account (hereinafter "Account").
4. At all relevant times material hereto, Defendant has been regular users of said Account for the purchase of products, goods and/or for obtaining services.
5. Defendant was provided with copies of the Statement of Accounts showing all debits and credits for transactions on the aforementioned credit card account to which there was no bona fide objection by Defendant. A true and correct copy of the Statement of Account is attached hereto, incorporated herein and marked as Exhibit "A".

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

7. As of the date of this Complaint, the remaining balance due, owing and unpaid on Defendant's credit card account as a result of the charges made by said Defendant and/or any authorized users is the sum of \$6,610.92.

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

9. As of the date of the filing of this Complaint, the amount of interest which has accrued is the sum of \$4,622.94.

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

11. The amount of attorney's fees which has accrued is the sum of \$1,322.18.

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

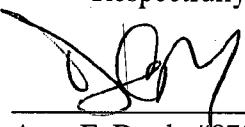
13. Plaintiff performed any and all conditions precedent to the bringing of this action.

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

WHEREFORE, Plaintiff respectfully requests this Honorable Court enter Judgment in favor of the Plaintiff and against Defendant in the amount of \$6,610.92, plus interest in the amount of \$4,622.94, plus attorney's fees in the amount of \$1,322.18, plus costs of this action and any other relief as this Court deems just and reasonable.

Respectfully Submitted,

Date: 9/21/06


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

VERIFICATION

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

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

Date: 9/21/06


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

Exhibit "A"

ACCT#4168100025720754 BAL 6610.92 C/O DT 10/31/02 LPYMT DT 03/10/02
NAME BARRY L WHITEHEAD
ADDR 1159 DECATUR ST
CITY ST ZIP PHILIPSBURG PA 16866
HMPH 8143420465 WKPH SSN XXX-XX-5081
*SFG-ACCTID *SFG-PORTF-ID*SFG-BATCH-ID*SFG-POOL *SFG-CARD-TYPE
66420830 2372 56966
*SFG-MERCHANT *SFG-ACCT-NO
PROVIDIAN FINANCIAL CORP 4168100025720754
*SFG-SSN *SFG-DOB *SFG-PREFIX*SFG-F-NAME
XXX-XX-5081 BARRY L
*SFG-L-NAME *SFG-SUFFIX
WHITEHEAD
*SFG-ADDR1
1159 DECATUR ST
*SFG-ADDR2 *SFG-CITY *SFG-ST
PHILIPSBURG PA
*SFG-ZIP *SFG-HOME-PH *SFG-WORK-PH *SFG-WIRELESS-PH
16866 8143420465
*SFG-OTHER-PH *SFG-POE
*SFG-POE-ADDR *SFG-CO-DEB-SSN*SFG-CO-DEB-DOB
XXX-XX-0000
*SFG-CO-DEB-PREFIX*SFG-CO-DEB-FRST-NAME
*SFG-CO-DEB-LST-NAME *SFG-CO-DEB-SUFFIX
*SFG-CO-DEB-ADDR
*SFG-CO-DEB-ADDR2 *SFG-CO-DEB-CITY
*SFG-CO-DEB-ST*SFG-CO-DEB-ZIP*SFG-CO-DEB-HM-PH *SFG-CO-DEB-WK-PH
*SFG-CO-DEB-WIRELESS-PH*SFG-CO-DEB-OTH-PH
*SFG-CO-DEB-POE
*SFG-CO-DEB-POE-ADDR1 *SFG-ORG-DT*SFG-ORG-AMT

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION LAW

LVNV FUNDING, L.L.C., *
ASSIGNEE OF SHERMAN ACQUISITION * No. 06-1579-CD
ASSIGNEE OF PROVIDIAN FINANCIAL CORP. *
C/O WOLPOFF & ABRAMSON, L.L.P. *
4660 TRINDLE ROAD, 3rd FLOOR *
CAMP HILL, PA 17011 *

Plaintiff

vs.

TYPE OF CASE:

Civil Action - Law

BARRY L. WHITEHEAD,
1159 DECATUR ST.
PHILIPSBURG, PA 16866

Defendant

TYPE OF PLEADING:

Praecipe for Entry of Appearance

FILED ON BEHALF OF:

Defendant

COUNSEL OF RECORD FOR
THIS PARTY:
David R. Thompson, Esquire
Supreme Court I.D. No. 73053
Attorney at Law
P.O. Box 587
308 Walton Street, Suite 4
Philipsburg PA 16866
(814) 342-4100

FILED

OCT 30 2006

0/8:45/45

William A. Shaw
Prothonotary/Clerk of Courts

1 cent to the

COPY TO C/A

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION - LAW

LVNV FUNDING, L.L.C., *
ASSIGNEE OF SHERMAN ACQUISITION * No. 06-1579-CD
ASSIGNEE OF PROVIDIAN FINANCIAL CORP. *
C/O WOLPOFF & ABRAMSON, L.L.P. *
4660 TRINDLE ROAD, 3rd FLOOR *
CAMP HILL, PA 17011 *

Plaintiff *

vs. *

BARRY L. WHITEHEAD, *
1159 DECATUR ST. *
PHILIPSBURG, PA 16866 *

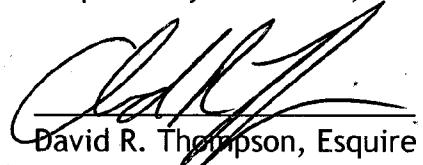
Defendant *

PRAECIPE FOR ENTRY OF APPEARANCE

TO THE PROTHONOTARY:

Kindly enter my appearance in the above-captioned matter on behalf of the
Defendant, Barry L. Whitehead.

Respectfully submitted,



David R. Thompson, Esquire

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION - LAW

LVNV FUNDING, L.L.C., *
ASSIGNEE OF SHERMAN ACQUISITION *
ASSIGNEE OF PROVIDIAN FINANCIAL CORP. *
C/O WOLPOFF & ABRAMSON, L.L.P. *
4660 TRINDLE ROAD, 3rd FLOOR *
CAMP HILL, PA 17011 *

2006-1579-C.D
No. 97-1576-ED

FILED

NOV 01 2006

William A. Shaw
Prothonotary/Clerk of Courts

2 CENTS TO FILE

Plaintiff *

vs. *

BARRY L. WHITEHEAD,
1159 DECATUR ST.
PHILIPSBURG, PA 16866

Defendant *

TYPE OF CASE:
Civil Matter

TYPE OF PLEADING:
Answer to Complaint
Containing New Matter

FILED ON BEHALF OF:
Defendant

COUNSEL OF RECORD FOR
THIS PARTY:
David R. Thompson, Esq.
Attorney at Law
Supreme Court I.D. 73053
P.O. Box 587
308 Walton Street, Suite 4
Philipsburg PA 16866
(814) 342-4100

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION - LAW

LVNV FUNDING, L.L.C., *
ASSIGNEE OF SHERMAN ACQUISITION * No. 06-1579-CD
ASSIGNEE OF PROVIDIAN FINANCIAL CORP. *
C/O WOLPOFF & ABRAMSON, L.L.P. *
4660 TRINDLE ROAD, 3rd FLOOR *
CAMP HILL, PA 17011 *

Plaintiff *

vs. *

BARRY L. WHITEHEAD, *
1159 DECATUR ST. *
PHILIPSBURG, PA 16866 *

Defendant *

NOTICE TO PLEAD

TO: LVNV Funding, LLC
c/o David R. Galloway
WOLPOFF & ABRAMSON, L.L.P.
4660 Trindle Road, 3rd Floor
Camp Hill, PA 17011

You are hereby notified to file a written response to the enclosed Answer Containing
New Matter within twenty (20) days from service hereof.

By:


David R. Thompson, Esquire

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION - LAW

LVNV FUNDING, L.L.C., *
ASSIGNEE OF SHERMAN ACQUISITION * No. 06-1579-CD
ASSIGNEE OF PROVIDIAN FINANCIAL CORP. *
C/O WOLPOFF & ABRAMSON, L.L.P. *
4660 TRINDLE ROAD, 3rd FLOOR *
CAMP HILL, PA 17011 *

Plaintiff *

vs. *

BARRY L. WHITEHEAD, *
1159 DECATUR ST. *
PHILIPSBURG, PA 16866 *

Defendant *

**ANSWER TO COMPLAINT
CONTAINING NEW MATTER**

AND NOW, comes the Defendant, Barry L. Whitehead, by and through his attorney, David R. Thompson, Esquire and files the following Answer to Complaint Containing New Matter:

1. After reasonable investigation, Defendant is without information sufficient to form a belief as to the truth or falsity of the averment. The same is therefore denied, and strict proof is demanded at the time of trial.
2. Admitted.
3. Admitted. By way of further pleading, the Defendant has been issued credit accounts.

4. Admitted in part and denied in part. It is admitted that the Defendant has used credit accounts for the purchase of products, goods and/or services. It is denied that this particular account has been utilized by him as the Defendant is without information sufficient to form a belief as to the truth or falsity of the averment. The same is therefore denied, and strict proof is demanded at the time of trial.

5. Admitted in part and denied in part. It is admitted that the Statement of Accounts was provided with the Complaint. It is denied that this provided Defendant with any knowledge regarding the debits and credits for said transactions on any credit card account. Specifically, the Statement of Account is indecipherable to Defendant.

6. Denied. Defendant does object to the Statement and amounts claimed by Plaintiff in this matter.

7. Paragraph 7 is specifically denied. Strict proof is demanded at the time of trial.

8. Paragraph 8 is specifically denied. Strict proof is demanded at the time of trial.

9. Paragraph 9 is denied. Strict proof is demanded at the time of trial.

10. After reasonable investigation, Defendant is without information sufficient to form a belief as to the truth or falsity of the averment. The same is therefore denied, and strict proof is demanded at the time of trial.

11. After reasonable investigation, Defendant is without information sufficient to form a belief as to the truth or falsity of the averment. The same is therefore denied, and strict proof is demanded at the time of trial.

12. Admitted in part and denied in part. It is admitted that the Defendant has not paid amounts demanded by Plaintiff. Defendant disputes the amounts that they are requesting.

13. Paragraph 13 is a conclusion of law to which no response is necessary. To the extent a response is deemed necessary, the same is therefore denied, and strict proof is demanded at the time of trial.

14. Admitted.

WHEREFORE, Defendant respectfully requests this Honorable Court to enter judgment in his favor and against Plaintiff, dismissing Plaintiff's Complaint with prejudice.

NEW MATTER

Paragraphs 1 through 14 of Defendant's Answer are incorporated by reference as though the same were set forth at length herein.

15. Plaintiff's action is barred by the applicable Statute of Limitations.

WHEREFORE, Defendant respectfully requests this Honorable Court to enter judgment in his favor and against Plaintiff, dismissing Plaintiff's Complaint with prejudice.

Respectfully submitted,


David R. Thompson, Esquire
Attorney for Defendant

VERIFICATION

I certify that the facts set forth in the foregoing ***ANSWER TO COMPLAINT*** are true and correct to the best of my knowledge, information and belief. This verification is made subject to the penalties of 18 Pa. C. S. § 4904, relating to unsworn falsification to authorities.

Dated: 10-20-06

Barry L. Whitehead
Barry L. Whitehead

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION - LAW

Plaintiff

VS.

BARRY L. WHITEHEAD,
1159 DECATUR ST.
PHILIPSBURG, PA 16866

Defendant

FILED

NOV 17 2006

0/11-50/4
William A. Shaw
Prothonotary/Clerk of Courts

1 cent to Mr.

TYPE OF PLEADING:
Certificate of Service

FILED ON BEHALF OF:
Plaintiff

COUNSEL OF RECORD FOR
THIS PARTY:

David R. Thompson, Esq.
Attorney at Law
Supreme Court I.D. 73053
P.O. Box 587
308 Walton Street, Suite 4
Philipsburg PA 16866
(814) 342-4100

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION - LAW

LVNV FUNDING, L.L.C.,	*
ASSIGNEE OF SHERMAN ACQUISITION	*
ASSIGNEE OF PROVIDIAN FINANCIAL CORP.	*
C/O WOLPOFF & ABRAMSON, L.L.P.	No. 06-1579-CD
4660 TRINDLE ROAD, 3 rd FLOOR	*
CAMP HILL, PA 17011,	*
Plaintiff	*
	*
vs.	*
	*
BARRY L. WHITEHEAD,	*
1159 DECATUR ST.	*
PHILIPSBURG, PA 16866	*
Defendant	*

CERTIFICATE OF SERVICE

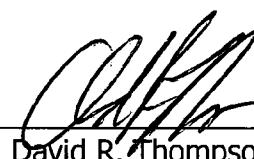
TO THE PROTHONOTARY:

I, **DAVID R. THOMPSON, ESQUIRE**, do hereby certify that I served a true and correct copy of the **Answer to Complaint Containing New Matter, Notice to Plead and Praecipe to Amend the Answer to Complaint Containing New Matter**, in the above captioned matter by depositing the same in the U.S. First Class Mail, postage prepaid, addressed as follows:

David R. Galloway
WOLPOFF & ABRAMSON, L.L. P.
4660 Trindle Road, 3rd Floor
Camp Hill, PA 17011

DATE: November 16, 2006

BY:



David R. Thompson, Esquire

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

LVNV FUNDING LLC., : NO. 06-1579-CD
ASSIGNEE OF SHERMAN ACQUISITION, :
ASSIGNEE OF PROVIDIAN FINANCIAL CORP., :
Plaintiff :
vs. : CIVIL ACTION – LAW
BARRY L. WHITEHEAD, :
Defendant :
:

REPLY TO DEFENDANT'S NEW MATTER

AND NOW, TO WIT, this 29 day of November, 2006, comes the Plaintiff, LVNV FUNDING LLC., by and through its attorneys, the law firm of Wolpoff & Abramson, L.L.P., and files the following Reply to New Matter as a statement herein:

The allegations and averments contained within paragraphs 1 through 14 of Plaintiff's Complaint are incorporated herein by reference as if set forth in full.

15. Denied. The allegation contained in Paragraph 15 of Defendant's New Matter is a conclusion of law to which no response is required. To the extent that Plaintiff is required to answer, Plaintiff specifically denies the allegation contained in this paragraph and demands strict proof thereof. By way of further response, the date of charge off on this account by Defendant was October 31, 2002, and therefore, the within cause of action was initiated by Plaintiff within the applicable statute of limitations.

LAW OFFICES
WOLPOFF & ABRAMSON, L.L.P.
ATTORNEYS IN THE PRACTICE
OF DEBT COLLECTION
4660 TRINDE ROAD
SUITE 300
CAMP HILL, PA 17011
717-303-6700

FILED acc A/H
11/11/2006 Ehasz
DEC 01 2006

William A. Shaw
Prothonotary/Clerk of Courts

WHEREFORE, Plaintiff respectfully requests that this Honorable Court dismiss Defendant's New Matter, and enter judgment in favor of Plaintiff and against Defendant, along with the allowable costs of this action, and such further relief as the Court deems appropriate.

Respectfully submitted,

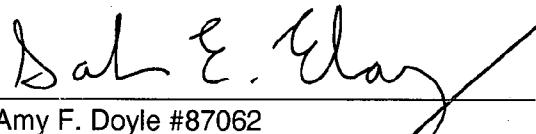


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WOLPOFF & ABRAMSON, LLP
Attorneys in the Practice of Debt Collection
4660 Trindle Rd., 3rd Floor
Camp Hill, PA 17011
(717) 303-6700
Counsel for Plaintiff

VERIFICATION

The undersigned hereby states that he/she is the attorney for the Plaintiff, LVNV FUNDING LLC., who is located outside of this jurisdiction and in order to file the within document in an expedient and timely manner, he/she is authorized to take this verification on behalf of said Plaintiff in the within action and verifies that the statements made in the foregoing Reply to New Matter are true and correct to the best of his/her knowledge, information, and belief, based upon information provided by the Plaintiff.

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



Sarah E. Ehasz

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Counsel for Plaintiff

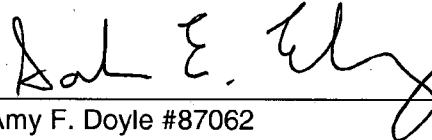
IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

LVNV FUNDING LLC., : NO. 06-1579-CD
ASSIGNEE OF SHERMAN ACQUISITION, :
ASSIGNEE OF PROVIDIAN FINANCIAL CORP., :
Plaintiff :
vs. : CIVIL ACTION – LAW
BARRY L. WHITEHEAD, :
Defendant :
:

CERTIFICATE OF SERVICE

The undersigned does hereby certify that I served a copy of the foregoing Reply to New Matter upon counsel for the Defendant, by First Class Mail, Postage Pre-Paid, a copy thereof on this 29 day of November, 2006, to:

David R. Thompson, Esquire
P.O. Box 587
308 Walton Street, Suite 4
Philipsburg, PA 16866



Amy F. Doyle #87062
Daniel F. Wolfson #20617
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WOLPOFF & ABRAMSON, LLP
Attorneys in the Practice of Debt Collection
4660 Trindle Rd., 3rd Floor
Camp Hill, PA 17011
(717) 303-6700
Counsel for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101968
NO: 06-1579-CD
SERVICE # 1 OF 1
COMPLAINT

PLAINTIFF: LVNV FUNDING, LLC
vs.
DEFENDANT: BARRY L. WHITEHEAD

SHERIFF RETURN

NOW, October 05, 2006 AT 9:39 AM SERVED THE WITHIN COMPLAINT ON BARRY L. WHITEHEAD DEFENDANT AT 1159 DECATUR ST., PHILIPSBURG, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO JOHN D. WHITEHEAD, FATHER A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: HUNTER / DEHAVEN

FILED
08:50 AM
JAN 11 2007
S

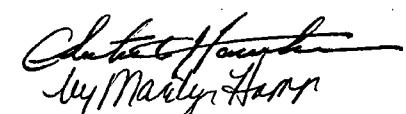
William A. Shaw
Prothonotary/Clerk of Courts

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	WOLPOFF	47276	10.00
SHERIFF HAWKINS	WOLPOFF	47276	46.87

Sworn to Before Me This

____ Day of _____ 2007

So Answers,


Chester A. Hawkins
Sheriff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

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

No. 06-1579-CD
CIVIL ACTION - LAW

VS

BARRY L WHITEHEAD
Defendant(s)

PRAECIPE TO DISCONTINUE

To the Prothonotary:

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

Respectfully Submitted,

Date: 12/10/07


Amy F. Doyle #87062 / Daniel F. Wolfson #20617
Philip C. Warholic #86341 / David R. Galloway #87326
Tonilyn M. Chippie #87852 / Sarah E. Ehasz #86469
Robert N. Polas, Jr. #201259 / Ronald S. Canter #94000
Wolpoff & Abramson, L.L.P.
Attorneys in the Practice of Debt Collection
4660 Trindle Road, Suite 300
Camp Hill, PA 17011
Telephone: (717) 303-6700
Counsel for Plaintiff

FILED

m 11:38 a.m. 6K
JAN 14 2008

William A. Shaw
Prothonotary/Clerk of Courts

*2cc & 2 certificates
of Discontinuance
to Atty*

(6K)

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PENNSYLVANIA

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

No. 06-1579-CD

CIVIL ACTION - LAW

vs.

BARRY L WHITEHEAD
Defendant(s)

CERTIFICATE OF SERVICE

The undersigned does hereby certify that a copy of the foregoing praecipe was served this date by Regular Mail, Postage Pre-Paid on this 3rd day of

January, 2008

David R. Thompson
P.O. Box 587 308 Walton Street, Suite 4
Philipsburg, PA 16866

Philip C. Warholic

Amy F. Doyle #87062 / Daniel F. Wolfson #20617
Philip C. Warholic #86341 / David R. Galloway #87326
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Telephone: (717) 303-6700
Counsel for Plaintiff

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

COPY

LVNV Funding, LLC
Sherman Acquisition
Providian Financial Corp.

Vs.
Barry L. Whitehead

No. 2006-01579-CD

CERTIFICATE OF DISCONTINUATION

Commonwealth of PA
County of Clearfield

I, William A. Shaw, Prothonotary of the Court of Common Pleas in and for the County and Commonwealth aforesaid do hereby certify that the above case was on the 14th Day of January, 2008, marked:

Discontinued.

Record costs in the sum of \$85.00 have been paid in full by David R. Galloway, Esquire.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 14th day of January A.D. 2008.



William A. Shaw, Prothonotary