

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

CACH, LLC

Plaintiff

vs.

ERIC N LUVAAS

Defendant

No: 2006-1595-CV

COMPLAINT IN CIVIL ACTION

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

James C. Warmbrodt, 42524
WELTMAN, WEINBERG & REIS CO., L.P.A.
436 Seventh Avenue, Suite 2718
Pittsburgh, PA 15219
(412) 434-7955
FAX: 412-338-7130
05331932 C E Pit CXC

FILED

OCT 02 2006

m/1:40/w

William A. Shaw

Prothonotary/Clerk of Courts

1 SENT TO SHR

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

CACH, LLC

Plaintiff

vs.

Civil Action No

ERIC N LUVAAS

Defendant

COMPLAINT AND NOTICE TO DEFEND

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

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

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

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

COMPLAINT

1. Plaintiff, CACH, LLC is a corporation with offices at 370 17TH ST., SUITE 5000 DENVER , CO 80202 .

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

ERIC N LUVAAS
798 CENTRAL CHRISTIAN RO
DUBOISE, PA 15801

3. Defendant applied for and received a credit card bearing the account number 5184450083261911 .

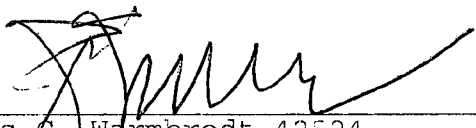
4. Defendant made use of said credit card and has a current balance due of \$11217.80 , as of September 15, 2006 .

5. Defendant is in default by failing to make monthly payments when due. As such, the entire balance is immediately due and payable to Plaintiff.

6. Plaintiff is entitled to the addition of interest at the rate of 6.000% per annum on the unpaid balance from September 15, 2006 . A copy of Plaintiff's STATEMENT is attached hereto, marked as Exhibit "1" and made a part hereof.

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

Wherefore, the Plaintiff prays for judgment in its favor and against Defendant , ERIC N LUVAAS , INDIVIDUALLY , in the amount of \$11217.80 with continuing interest thereon at the rate of 6.000% per annum from September 15, 2006 plus costs.



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05331932 C E Pit CXC

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

EXP084
06/08/06

RECOVERY-1 INCOMING TRANSACTIONS FROM HAM
NEW ACCOUNTS

06/13/06

Control # 006164
PAGE 412

WHA # 5331932 Internal # 4980075 Client # 08618002 Client Acct # 5184450083261911

LUVUAS; ERIC H SS # 196-60-6476
CACH, LLC Home Phone # (814) 375-2279
798 CENTRAL CHRISTIAN ROA
DUBOISE, PA 15801- County: - N/A - Not available

Acct Type: Collection Collection Type: Attorney Office: Cleveland Section: EAttorney
Loan Type: Misc: Loan Class: Loss Reason: No reason given

Collector Code: Agency Code: C08 Sent to Agency: 06/13/06 Agency Fee Code:
Charge-off date: 12/31/04 Charge-off Other: 0.00 Charge-off Principal: 0.00

Loan #: 4980075 Loan Date: 11/01/98 Loan Amt: 0.00
Int Start Date: 06/13/06 Int Thru Date: 06/13/06 Int Rate: 0.24

Last payment date: 11/01/04 Last payment amt: 198.00

	CHARGES	PAID	BALANCE
PRINCIPAL:	11,047.10	0.00	11,047.10
INTEREST..	0.00	0.00	0.00
COSTS.....	0.00	0.00	0.00
OTHER.....	0.00	0.00	0.00
TOTAL...	11,047.10	0.00	11,047.10

COMMENTS:

CARD

NOTES:

ORIG CRDTR: PROVIDIAN BANK

EXHIBIT

1

VERIFICATION

The undersigned does hereby verify subject to the penalties of 18 PA C.S. 4904 relating to unsworn falsifications to authorities, that he is Kenneth D. Urban, Authorized Agent of CACH, LLC, plaintiff herein, that he is duly authorized to make this verification, and that the facts set forth in the foregoing Complaint are true and correct to the best of his knowledge, information and belief.



Kenneth D. Urban

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

WWR#

5331932

Court Administrator
Clearfield County Courthouse
230 east Market Street
Suite 228
Clearfield, PA 16830

December 22, 2006

To Whom It May Concern,

I have just received your notice (WWR# 05331932) dated 12/14/06 on December 21, 2006, in which I was given 10 days to respond.

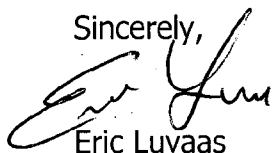
I have written and faxed the Weltman, Weinberg & Reis Co. regarding this matter because it appeared that the filing and correspondence came from them. I have attached a copy of my correspondence to them as well. This letter was faxed to them twice, once on November 6, 2006 and again on November 15, 2006.


I have not received written correspondence from the originating party as to the debt, nor an itemized listing of the debt amount. I have offered my credit card company a few years ago to make monthly payments for an outstanding debt, but they at that time had written my debt off of their books and would no longer accept monthly payments. The debt went into default due to unemployment and financial hardships.

I offered to make some type of monthly arrangement with the firm mentioned above once I secure employment again. At present I am seeking employment and have had some interviews and am awaiting an offer. I have no money in my checking account, no savings account. No life insurance, assets, nor 401K. I do not own a home, I rent.

I ask that the plaintiff accept my terms, or that the court does, that I can resume payments upon gaining sufficient employment.

Sincerely,


Eric Luvaas

FILED *no cc*
m/3/12/06
DEC 29 2006 

William A. Shaw
Prothonotary/Clerk of Courts

BEN BIBLER

~~James G Wambrodt~~
Weltman, Weinberg & Reis Co.
436 Seventh Ave, Suite 2718
Pittsburgh, PA 15219

FAXED NOV 06 2006

11-15

I have just received a civil complaint against me filed by your office (2006-1595-CD). This was in regards to a credit card which I had several years ago and the amount was charged off by the credit card company in 2004.

I have not received anything in writing from the plaintiff, CACH, LLC regarding this account.

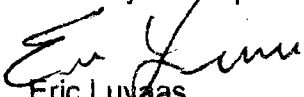
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As I have not spoken to, nor received in writing anything from the plaintiff, I would like to offer monthly payments to them to pay back this debt. I do not have the money to pay it in its entirety at this point, but would make monthly payments should they drop the lawsuit. I have very limited funds at this point in time and am not employed. I am hoping to have full time, permanent employment within the very near future.

I have no assets, no financial savings accounts, 401K or the like, no life insurance policies, etc. I having nothing to get and nothing to offer, except for monthly payments once I have secured employment.

Please contact you client regarding this matter and ask them to consider monthly payments to begin immediately upon my securing of gainful employment.

I await your response.


Eric Luvaas
798 Central Christian Road
DuBois, PA 15801
Fax/phone 814-375-2279

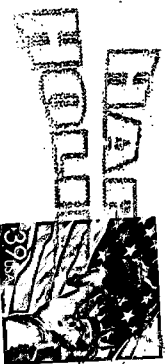
File # 0533 1932

File as
an answer?

Court Administrator
Clearfield County Courthouse
230 east Market Street, Suite 228
Clearfield, PA 16830

JOHNSTOWN PA 159

28 DEC 2006 PM 2 T

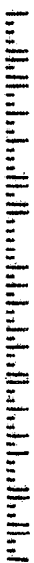


RECEIVED

DEC 29 2006

Court Administrator's
Office

1683082448 0004



FILED

DEC 29 2006

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101982
NO: 06-1595-CD
SERVICE # 1 OF 1
COMPLAINT

PLAINTIFF: CACH, LLC
vs.
DEFENDANT: ERIC N. LUVAAS

FILED
03:47 PM
JAN 11 2007
William A. Shaw
Prothonotary/Clerk of Courts

SHERIFF RETURN

NOW, October 25, 2006 AT 11:15 AM SERVED THE WITHIN COMPLAINT ON ERIC N. LUVAAS DEFENDANT AT 798 CENTRAL CHRISTIAN ROAD, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO ERIC N. LUVAAS, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

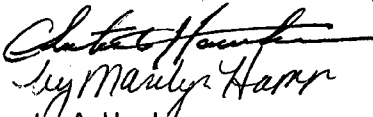
SERVED BY: NEVLING / COUDRIET

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	WELTMAN	2612839	10.00
SHERIFF HAWKINS	WELTMAN	2612839	34.91

Sworn to Before Me This

_____ Day of _____ 2007

So Answers,


Chester A. Hawkins
Sheriff

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

CACH, LLC,

Plaintiff,

vs.

ERIC N LUVAAS,

Defendant.

Case No.: : 2006-1595-CD

MOTION FOR SUMMARY JUDGMENT

FILED ON BEHALF OF:
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

William T. Molczan, Esquire
PA I.D. #47437
WELTMAN, WEINBERG & REIS CO.,
L.P.A.
1400 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

FILED NO CC
mjl:16/54
APR 25 2008
6K

William A. Shaw
Prothonotary/Clerk of Courts

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

CACH, LLC,

Plaintiff,

Case No.: : 2006-1595-CD

vs.

MOTION FOR SUMMARY JUDGMENT

ERIC N LUVAAS,
Defendant.

MOTION FOR SUMMARY JUDGMENT

AND NOW COMES, Plaintiff, by and through its counsel, Weltman, Weinberg & Reis, Co., L.P.A., and hereby files this Motion for Summary Judgment against the Defendant. In support thereof, Plaintiff avers as follows:

1. Plaintiff filed a Complaint against Defendant seeking judgment in the amount of \$11,217.80 with interest at the interest rate of 6% per annum from SEPTEMBER 15TH, 2006, and costs. A true and correct copy of the Complaint is attached hereto as Exhibit "A" and made a part hereof.
2. Attached to the Complaint was Verification from an authorized representative of Plaintiff verifying the accuracy of the amount sought. See Exhibit "A".
3. Defendant filed an Answer to Plaintiff's Complaint. A true and correct copy of the Answer is attached hereto as Exhibit "B" and made a part hereof.
4. On or around AUGUST 15TH, 2007, Plaintiff served upon Defendant a set of requests for admissions and requests for production of documents. A true and correct copy of the same is attached hereto as Exhibit "C" and made a part hereof.
5. No response to the discovery demands has been received from the Defendant.
6. The requests for admissions are now deemed admitted under Pennsylvania Rule of Civil Procedure 4014(b). Thus Defendant has admitted that the last payment made on the account was on November 1st, 2004 ; that he applied for the credit card; that the statements attached to Plaintiff's

Discovery Request correctly identify the payments, charges, and balances on the account; that he has not submitted any written disputes as to billing inaccuracies; and that \$11,217.80 is a correct and accurate balance on the credit card account.

7. By way of his Answer, the documents attached to this Motion, and the Requests for Admissions, deemed admitted under Pa.R.C.P. 4014(b), the Defendant has admitted all facts material to this matter and verified the amount owed.

8. There are no meritorious defenses against this action and Plaintiff is entitled to summary judgment as a matter of Law against defendant.

WHEREFORE, Plaintiff respectfully requests that this Honorable Court grant summary judgment in favor of Plaintiff and against Defendant for \$11,217.80 with interest at the legal interest rate of 6% per annum from SEPTEMBER 15TH, 2006, and costs.

Respectfully Submitted:

By: 

William T. Molczan, Esquire

PA I.D. #47437

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

1400 Koppers Building

436 Seventh Avenue

Pittsburgh, PA 15219

(412) 434-7955

CERTIFICATE OF SERVICE

A true and correct copy of the within Plaintiff's Motion for Summary Judgment and Brief in Support has been served by U.S. Mail, Postage Pre-Paid, on 24th day of April, 2008 upon the following:

Eric N Luvaas
798 Central Christian Road
Duboise, Pa 15801

By: 

William T. Molezan, Esquire
PA I.D. #47437
WELTMAN, WEINBERG & REIS CO.,
L.P.A.
1400 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

VERIFICATION

The undersigned does hereby verify subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn falsification to authorities, he is an attorney for the Plaintiff herein; makes this Verification based upon the facts as supplied to him by the Plaintiff and/or its agents and because the Plaintiff is outside the jurisdiction of the court and the Plaintiff's Verification cannot be obtained within the time allowed for filing of this Motion, and that the facts set forth in the foregoing Motion are true and correct to the best of his knowledge, information and belief.



Attorney for Plaintiff

EXHIBIT

A

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

CACH, LLC

Plaintiff

No:

vs.

COMPLAINT IN CIVIL ACTION

ERIC N LUVAAS

Defendant

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

James C. Warmbrodt, 42524
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436 Seventh Avenue, Suite 2718
Pittsburgh, PA 15219
(412) 434-7955
FAX: 412-338-7130
05331932 C E Pit CXC

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

CACH, LLC

Plaintiff

vs.

Civil Action No

ERIC N LUVAAS

Defendant

COMPLAINT AND NOTICE TO DEFEND

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

COMPLAINT

1. Plaintiff, CACH, LLC is a corporation with offices at 370 17TH ST., SUITE 5000 DENVER , CO 80202 .

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

ERIC N LUVAAS
798 CENTRAL CHRISTIAN RO
DUBOISE, PA 15801

3. Defendant applied for and received a credit card bearing the account number 5184450083261911 .

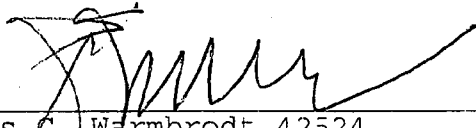
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6. Plaintiff is entitled to the addition of interest at the rate of 6.000% per annum on the unpaid balance from September 15, 2006 . A copy of Plaintiff's STATEMENT is attached hereto, marked as Exhibit "1" and made a part hereof.

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

Wherefore, the Plaintiff prays for judgment in its favor and against Defendant , ERIC N LUVAAS , INDIVIDUALLY , in the amount of \$11217.80 with continuing interest thereon at the rate of 6.000% per annum from September 15, 2006 plus costs.



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436 Seventh Avenue, Suite 2718
Pittsburgh, PA 15219
(412) 434-7955
FAX: 412-338-7130
05331932 C E Pit CXC

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

DKP084
06/08/06

RECOVERY-1 INCOMING TRANSACTIONS FROM WAM
NEW ACCOUNTS

06/13/06

Control # 006164
PAGE 412

WMA # 5331932 Internal # 4980075 Client # 08618002 Client Acct # 5184450083261911

LUVAAS, ERIC W SS # 196-60-6476
CACH, LLC Home Phone # (814) 375-2279
798 CENTRAL CHRISTIAN ROA
DUBOISE, PA 15801- County: - N/A - Not availabl

Acct Type: Collection Collection Type: Attorney Office: Cleveland Section: EAttorney
Loan Type: Misc: Loan Class: Loss Reason: No reason given

Collector Code: Agency Code: C08 Sent to Agency: 06/13/06 Agency Fee Code:
Charge-off date: 12/31/04 Charge-off Other: 0.00 Charge-off Principal: 0.00

Loan #: 4980075 Loan Date: 11/01/98 Loan Amt: 0.00
Int Start Date: 06/13/06 Int Thru Date: 06/13/06 Int Rate: 0.24

Last payment date: 11/01/04 Last payment amt: 198.00

	CHARGES	PAID	BALANCE
PRINCIPAL:	11,047.10	0.00	11,047.10
INTEREST..	0.00	0.00	0.00
COSTS.....	0.00	0.00	0.00
OTHER.....	0.00	0.00	0.00
TOTAL...	11,047.10	0.00	11,047.10

COMMENTS:

CARD

NOTES:

ORIG CRDTR:

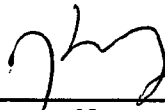
PROVIDIAN BANK

EXHIBIT

1

VERIFICATION

The undersigned does hereby verify subject to the penalties of 18 PA C.S. 4904 relating to unsworn falsifications to authorities, that he is Kenneth D. Urban, Authorized Agent of CACH, LLC, plaintiff herein, that he is duly authorized to make this verification, and that the facts set forth in the foregoing Complaint are true and correct to the best of his knowledge, information and belief.



Kenneth D. Urban

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

WWR#

5331932

05331932

06-1595-CD

Court Administrator
Clearfield County Courthouse
230 east Market Street
Suite 228
Clearfield, PA 16830

EXHIBIT

B

December 22, 2006

To Whom It May Concern,

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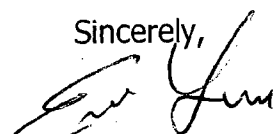
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I ask that the plaintiff accept my terms, or that the court does, that I can resume payments upon gaining sufficient employment.

Sincerely,


Eric Luvaas

FILED *no cc*
m/3/12/06
DEC 29 2006 

William A. Shaw
Prothonotary/Clerk of Courts

BEN BIBLER

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FAXED NOV 06 2006

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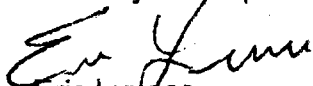
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Eric Luvaas
798 Central Christian Road
DuBois, PA 15801
Fax/phone 814-375-2279

File # 0533 1932

Date: 1/19/2007
Time: 11:01 AM

Clearfield County Court of Common Pleas
Receipt

NO. 1917281
Page 1 of 1

Received of: Weltman Weinburg & Reis \$ 1.00

One and 00/100 Dollars

Case: 2006-01595-CD	Plaintiff: CACH, LLC vs. Eric N. Luvaas	Amount
Copy Fee		1.00
Total:		1.00

Check: 8371621

Payment Method: Check
Amount Tendered: 1.00
Change Returned: 0.00
Clerk: LMILLER

William A. Shaw, Prothonotary/Clerk of Cou
By: _____
Deputy Clerk

IN THE COURT OF COMMON PLEAS CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION
CACH, LLC,

Plaintiff,

v.

ERIC N LUVAAS,

Defendant.

EXHIBIT
C

NO.: 2006-1595-CD

**PLAINTIFF'S FIRST REQUEST FOR ADMISSIONS AND REQUEST FOR
PRODUCTION OF DOCUMENTS**

Plaintiff demands that the defendants answer and respond to the following Request for Production of Documents under oath pursuant to the Pennsylvania Rules of Civil Procedure within 30 days from the date of service hereof.

Plaintiff also demands that defendants answer and respond to the following Request for Admissions pursuant to Pa. Rules of Civil Procedure 4014.

You are requested to admit the truth of each of the statements of fact hereinafter stated. You are instructed that:

1. These requests are made under Pennsylvania Rules of Civil Procedure 4001, et seq., and each of these matters of which an admission is requested shall be deemed admitted unless your sworn statement in compliance with such Rules is timely made.
2. If you do not admit each of such statements, you must specifically deny each one not admitted or set forth in detail the reasons why you cannot truthfully either admit or deny each such matter.
3. Your answer, signed and properly verified, must be delivered to the undersigned attorney of record for the Plaintiff within **thirty (30)** days after delivery hereof.
4. If you fail or refuse to admit the truth of any such statement of fact and the Plaintiff thereafter proves the truth thereof, you may be required to pay the reasonable expenses incurred in making such proof, including attorneys' fees, witness expenses, etc.
5. If, in response to any of the following statements of fact, it is your position that the statement is true in part or as to some items, but not true in full or as to all items, then answer separately as to each part or item.
6. If you have been sued in more than one capacity or if your answers would be different if answered in any different capacity, such as partner, agent, corporate officer or director or the like, then you are requested to answer separately in each such capacity. Failure to do so constitutes an admission in any such capacity.

7. In these Requests for Admissions:

A. The word "person(s)" means all entities, and, without limiting the generality of the foregoing, includes natural persons, joint owners, associations, companies, partnerships, joint ventures, trusts, and estates;

B. The word "document(s)" means all written, printed, recorded, graphic, or photographic matter, or, sound reproductions, however produced or reproduced, pertaining to any manner to the subject matter indicated;

C. The words "identity", "identify", "identification", when used with respect to a person(s) means to state the full name and present or last known address and business address of such person(s) and, if an actual person, his present or last known job title, and the name and address of his present or last known employers;

D. The words "identity", "identify" "identification", when used with respect to a date, subject matter, name(s) or person(s) that wrote, signed initialed, dictated or otherwise participated in the creation of the same, the name(s) of the addressee or addressees if any and the name(s) and address(es) of each person who have possession, custody, and control of said document(s). If any such document was, but is no longer in your possession, custody, or control, or in existence, state the date and manner of its disposition; and

E. The word "identify", when used with respect to an act (including an alleged offense), occurrence, statement, or conduct (hereinafter collectively called "act"), means to (1) describe the substance of the event or events constituting such an act, and to state the date when such act occurred; (2) identify each and every person(s) participating in such an act; (3) identify all other person(s) (if any) present when such act occurred; (4) state whether any minutes, notes, memoranda, or other record of such act was made; (5) state whether such record now exists; and (6) identify the person(s) presently having possession, custody or control of such record.

8. Unless otherwise indicated, all Requests herein relate to those certain events, persons, and period of time more fully described in the pleading in this case.

9. These requests are of a continuous nature.

These Requests for Production of Documents shall be deemed continuing so as to require supplemental answers and documents if any information or documents are acquired subsequent to the filing of responses hereto, which information or documents would have been included in the answers and documents produced had it been known or available at the time the answers and the documents provided pursuant hereto were produced. Defendants shall supply such information and documents by supplemental answers and production of documents as soon as such information becomes known or available and in all events, prior to trial of this action.

If objection is made to any requests for production of documents, it is demanded that the requests for which there is no objection be answered and furnished within the aforesaid period.

All documents identified in response hereto shall be organized and labeled to correspond with the request to which it pertains. For all documents produced, list the individual and his or

her job title and department from whose files it was produced and the current custodian of said document.

If a document called for is believed to exist or is known to exist, but is in the possession, custody or control of another person or party, the existence of the document, the identity of the possessor, custodian and one in control of such documents shall be provided along with any applicable common description or citation utilized by the publisher, possessor, custodian or disseminator of such document.

If any document called for by this request is withheld on the basis of any claim of privilege or any similar claim, identify that document as follows: author; addressee; indicated or blind copies, date, subject matter; number of pages; attachments or appendices; all persons to whom distributed, shown or explained; present custodian; and nature of the privilege or similar claim asserted.

REQUEST FOR PRODUCTION OF DOCUMENTS 1:

Produce any and all documents evidencing proof of all payments on the subject credit card referenced in the Complaint, including, but not limited to, cancelled checks, receipts, coupons, statements, accountings, memoranda, invoices, financial statements, accounting entries, diaries, charts, lists, phone records, data compilations etc.

REQUEST FOR PRODUCTION OF DOCUMENTS 2:

Produce any and all documents you intend to introduce and/or provide testimony on as evidence at the time of trial.

REQUEST FOR ADMISSION NO. 1:

Defendant applied for the credit card referenced in Plaintiff's Complaint.

Admitted _____

Denied _____

If the answer to Request for Admissions No. 1 is "denied", then supply specific written documentation supporting the denial.

REQUEST FOR ADMISSION NO. 2:

The attached monthly statements, from September 01, 2004 through November 01, 2004, correctly identify the payments, charges, and balances on the account.

Admitted _____

Denied _____

If the answer to Request for Admissions No. 2 is "denied", then supply copies of canceled checks, both front and back, and/or if not available, specific written documentation supporting the denial.

REQUEST FOR ADMISSION NO. 3:

The last payment on the account was made on November 01, 2004.

Admitted _____

Denied _____

If the answer to Request for Admissions No. 3 is "denied", then supply specific written documentation supporting the denial.

REQUEST FOR ADMISSION NO. 4:

Defendant has not submitted any written dispute as to billing inaccuracy concerning the credit card in question.

Admitted _____

Denied _____

If the answer to the Request for Admissions No. 4 is "denied", then supply copies of specific written disputes as to any billing inaccuracies.

REQUEST FOR ADMISSION NO. 5:

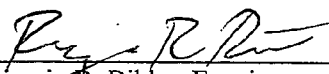
\$11,217.80 is a correct and accurate current balance of the credit card account in question.

Admitted _____

Denied _____

If the answer to Request for Admissions No. 5 is "denied", then supply specific written documentation supporting the denial.

**THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION
OBTAINED SHALL BE USED FOR THAT PURPOSE.**


Benjamin R. Bibler, Esquire
Pa. I.D. No. 93598
Weltman, Weinberg & Reis, Co, LLC
2718 Koppers Building
436 7th Avenue
Pittsburgh, PA 15219
WWR:05331932

WLG 05331932
Mar 12 2007
ACCOUNT NUMBER: 5184 4500 8326 1911

PAYMENT DUE DATE 09/26/2004 | NEW BALANCE \$10,348.33 | MINIMUM DUE \$2,649.33

ERIC N LUVAAS
14 INDUSTRIAL DR STE 3
DU BOIS PA 15801-3876

Facsimile Copy



Chase Platinum MasterCard
ACCOUNT NUMBER: 5184 4500 8326 1911

NEW BALANCE	PAYMENT DUE DATE	TOTAL CREDIT LINE	TOTAL AVAILABLE CREDIT	STATEMENT CLOSING DATE
\$10,348.33	09/26/2004	\$9,000	\$0.00	09/01/2004

Here is your Account Summary:

	TOTAL
Previous Balance	\$10,383.03
(-) Payments, Credits	361.00
(+) Purchases, Cash, Debits	99.00
(+) FINANCE CHARGES	227.30
(=) New Balance	10,348.33
Minimum Due	228.00
Past Due - Pay Immediately	1,073.00
Over Line - Pay Immediately	1,348.33
Minimum Payment Due	\$2,649.33

Here are your Charges and Credits at a glance:

TRAN. DATE	POST DATE	REF. NO.	DESCRIPTION OF TRANSACTIONS	CREDITS	CHARGES
08/10	08/10	1100M	RETURNED PAYMENT FEE		29.00
08/24	08/24	VXJ4M	PAYMENT - THANK YOU	179.00	
09/01	09/01	VXJ4M	PAYMENT - THANK YOU	182.00	
09/01	09/01		OVERLIMIT FEE		35.00
			LATE CHARGE - MIN PYMT NOT RECD BY DATE		35.00
Total of your credits and charges				361.00	99.00
IT'S NOT TOO LATE TO RESOLVE YOUR SERIOUS DELINQUENCY. CALL US FOR PAYMENT OPTIONS THAT WILL HELP YOU IMPROVE YOUR CREDIT RATING.					

Here's how we determined your Finance Charge*:

Days in Billing Cycle: 30

	DAILY PERIODIC RATE	AVERAGE DAILY BALANCE	PERIODIC/MIN. FINANCE CHARGE	TOTAL FINANCE CHARGE	NOMINAL ANNUAL PERCENTAGE RATE	ANNUAL PERCENTAGE RATE
Cash	0.07258%	\$4,564.18	\$99.38	\$99.38	26.49%	26.49%
Purchases	0.07258%	\$5,874.78	\$127.92	\$127.92	26.49%	26.49%

* Please see reverse side for balance computation method and other important information.

Questions about your account? Credit Card lost or stolen? Call Chase Customer Service 24 hours a Day, 7 days a week, toll-free, at 1-800-334-6350 or write P.O. BOX 15583, Wilmington, DE 19886-1194. Para Servicio al Cliente en Español: 1-800-545-0464.

ACCOUNT NUMBER: 5184 4500 8326 1911

PAYMENT DUE DATE 10/26/2004	NEW BALANCE \$10,646.16	MINIMUM DUE \$3,175.16
--------------------------------	----------------------------	---------------------------

ERIC N LUVAAS
14 INDUSTRIAL DR STE 3
DU BOIS PA 15801-3876

Facsimile Copy



Chase Platinum MasterCard
ACCOUNT NUMBER: 5184 4500 8326 1911

NEW BALANCE	PAYMENT DUE DATE	TOTAL CREDIT LINE	TOTAL AVAILABLE CREDIT	STATEMENT CLOSING DATE
\$10,646.16	10/26/2004	\$9,000	\$0.00	10/01/2004

Here is your Account Summary:

	TOTAL
Previous Balance	\$10,348.33
(-) Payments, Credits	0.00
(+) Purchases, Cash, Debits	70.00
(+) FINANCE CHARGES	227.83
(=) New Balance	10,646.16
Minimum Due	228.00
Past Due - Pay Immediately	1,301.00
Over Line - Pay Immediately	1,848.16
Minimum Payment Due	\$3,175.16

Here are your Charges and Credits at a glance:

TRAN. DATE	POST DATE	REF. NO	DESCRIPTION OF TRANSACTIONS	CREDITS	CHARGES
10/01	10/01		OVERLIMIT FEE		35.00
			LATE CHARGE - MIN PYMT NOT RECD BY DATE		35.00
Total of your credits and charges				0.00	70.00
THIS IS THE LAST CHANCE TO PREVENT LONG TERM DAMAGE TO YOUR CREDIT RATING. CONTACT US NOW TO MAKE IMMEDIATE PAYMENT ARRANGEMENTS.					

Here's how we determined your Finance Charge*:

Days in Billing Cycle: 30

	DAILY PERIODIC RATE	AVERAGE DAILY BALANCE	PERIODIC/MIN. FINANCE CHARGE	TOTAL FINANCE CHARGE	NOMINAL ANNUAL PERCENTAGE RATE	ANNUAL PERCENTAGE RATE
Cash	0.07258%	\$4,435.33	\$96.57	\$96.57	26.49%	26.49%
Purchases	0.07258%	\$6,028.48	\$131.26	\$131.26	26.49%	26.49%

* Please see reverse side for balance computation method and other important information.

Questions about your account? Credit Card lost or stolen? Call Chase Customer Service 24 hours a Day, 7 days a week, toll-free, at 1-800-845-7444 or write P.O. BOX 15583, Wilmington, DE 19886-1184. Para Servicio al Cliente en Español: 1-800-545-0464.

ACCOUNT NUMBER: 5184 4500 8326 1911

PAYMENT DUE DATE 11/26/2004	NEW BALANCE \$10,762.62	MINIMUM DUE \$3,338.62
--------------------------------	----------------------------	---------------------------

ERIC N LUYAAS
14 INDUSTRIAL DR STE 3
DU BOIS PA 15801-3876

Facsimile Copy



Chase Platinum MasterCard[™]
ACCOUNT NUMBER: 5184 4500 8326 1911

NEW BALANCE	PAYMENT DUE DATE	TOTAL CREDIT LINE	TOTAL AVAILABLE CREDIT	STATEMENT CLOSING DATE
\$10,762.62	11/26/2004	\$9,000	\$0.00	11/01/2004

Here is your Account Summary:

	TOTAL
Previous Balance	\$10,646.16
(-) Payments, Credits	198.00
(+) Purchases, Cash, Debits	70.00
(+) FINANCE CHARGES	244.48
(=) New Balance	10,762.62
Minimum Due	245.00
Past Due - Pay Immediately	1,331.00
Over Line - Pay Immediately	1,762.62
Minimum Payment Due	\$3,338.62

Here are your Charges and Credits at a glance:

TRAN. DATE	POST DATE	REF. NO.	DESCRIPTION OF TRANSACTIONS	CREDITS	CHARGES
11/01	11/01	VXJOM	PAYMENT - THANK YOU	198.00	
11/01	11/01		OVERLIMIT FEE		35.00
			LATE CHARGE - MIN PYMT NOT RECD BY DATE		35.00
Total of your credits and charges				198.00	70.00
THIS IS THE LAST CHANCE TO PREVENT LONG TERM DAMAGE TO YOUR CREDIT RATING. CONTACT US NOW TO MAKE IMMEDIATE PAYMENT ARRANGEMENTS.					

Here's how we determined your Finance Charge*:

Days in Billing Cycle: 31

	DAILY PERIODIC RATE	AVERAGE DAILY BALANCE	PERIODIC/MIN. FINANCE CHARGE	TOTAL FINANCE CHARGE	NOMINAL ANNUAL PERCENTAGE RATE	ANNUAL PERCENTAGE RATE
Cash	0.07326%	\$4,530.27	\$102.88	\$102.88	26.74%	26.74%
Purchases	0.07326%	\$6,234.10	\$141.58	\$141.58	26.74%	26.74%

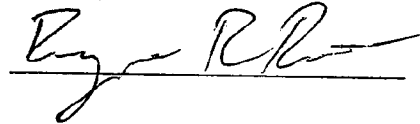
* Please see reverse side for balance computation method and other important information.

Questions about your account? Credit Card lost or stolen? Call Chase Customer Service 24 hours a Day, 7 days a week, toll-free, at 1-800-845-7444 or write P.O. BOX 15583, Wilmington, DE 19886-1194. Para Servicio al Cliente en Español: 1-800-545-0464.

CERTIFICATE OF SERVICE

A true and correct copy of Plaintiff's First Request for Production of Documents and Request for Admissions has been served by U.S. Mail, on the 15 day of August, 2007, upon the following:

Eric N Luvaas
798 Central Christian Ro
Duboise, Pa 15801

By 

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

CACH, LLC,

Plaintiff,

vs.

ERIC N LUVAAS,

Defendant.

Case No.: : 2006-1595-CD

TYPE OF PLEADING:

PRAECIPE TO SCHEDULE

FILED ON BEHALF OF:
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

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

FILED No
m/11:15/04 CC
APR 25 2008 (62)

William A. Shaw
Prothonotary/Clerk of Courts

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

CACH, LLC,

Plaintiff,

Case No.: : 2006-1595-CD

vs.

ERIC N LUVAAS,

Defendant.

PRAECIPE TO SCHEDULE

TO THE PROTHONOTARY:

Please schedule Plaintiff's Motion For Summary Judgment before a Judge for decision.

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

By: 

William T. Molczan, Esquire

PA I.D. #47437

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

2718 Koppers Building

436 Seventh Avenue

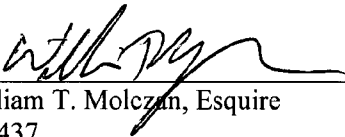
Pittsburgh, PA 15219

(412) 434-7955

CERTIFICATE OF SERVICE

A true and correct copy of the Praeceptum to Schedule has been served by First Class Mail, postage pre-paid, on 24th day of April, 2007 upon the following:

Eric N Luvaas
798 Central Christian Road
Dubois, Pa 15801

By: 
William T. Molczan, Esquire

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

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

CACH, LLC

Plaintiff

No. : 2006-1595-CD

vs.

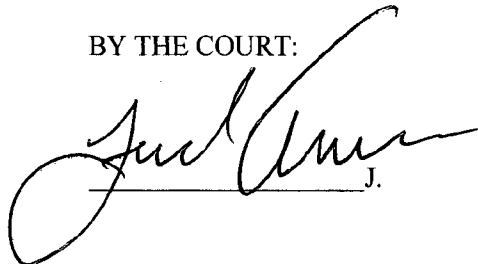
ERIC N LUVAAS

Defendant

ORDER OF COURT


AND NOW, to wit, this 28 day of April, ²⁰⁰⁸~~2007~~, upon consideration of the record,
it is HEREBY, ORDERED, ADJUDGED AND DECREED that the Motion For Summary Judgment on
the above captioned matter is scheduled for May 19, 2008 at
10:45 (a.m.) in hearingroom 3, Clearfield County Courthouse,
Clearfield, Pennsylvania.

BY THE COURT:


J.

FILED 3cc

014:00/01
APR 29 2008

Atty Molezan


William A. Shaw
Prothonotary/Clerk of Courts

FILED

APR 29 2008

William A. Shaw
Prothonotary/Clerk of Courts

FILED

APR 25 2008

William A. Shaw
Prothonotary/Clerk of Courts

DATE: 4/29/08

☒ You are responsible for serving all appropriate parties.

☐ The Prothonotary's office has provided service to the following parties:

☐ Plaintiff(s) ☐ Plaintiff(s) Attorney ☐ Other

☐ Defendant(s) ☐ Defendant(s) Attorney

☐ Special Instructions:

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

CACH, LLC.,
Plaintiff

No. 2006-1595-CD

vs.

AFFIDAVIT OF SERVICE OF
ORDER OF COURT

ERIC N LUVAAS

Defendant

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

William T. Molczan, Esquire
PA. I.D.#47437
WELTMAN, WEINBERG & REIS CO., L.P.A.
1400 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR#05331932

FILED ^{no} cc
m/11:30 AM
MAY 14 2008
LSA
William A. Shaw
Prothonotary/Clerk of Courts

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

CACH, LLC.,

Plaintiff
vs.

No. 2006-1595-CD

ERIC N LUVAAS

Defendant

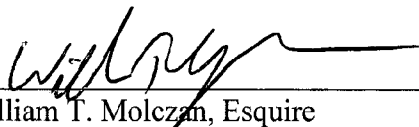
AFFIDAVIT OF SERVICE OF ORDER OF COURT

BEFORE ME, the undersigned authority, personally appeared William T. Molczan, Esquire, who according to law deposes and says that a copy of the Order of Court has been served on the Defendant, Eric N. Luvass.

1. On or about May 09, 2008, Plaintiff received a signed Order of Court for Motion Hearing on May 19, 2008. Said Order of Court is attached as Exhibit "1".

2. On or about May 09, 2008, Plaintiff mailed the Order of Court to 798 Central Christian Road, DuBoise, PA. 15801.

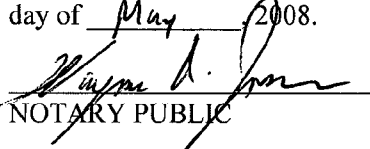
WELTMAN, WEINBERG & REIS, CO., L.P.A.



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

WELTMAN, WEINBERG & REIS CO., L.P.A.
1400 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955
WWR#05331932

Sworn to and subscribed
before me this 9
day of May 2008.



NOTARY PUBLIC

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Wayne A. Jones, Notary Public
City Of Pittsburgh, Allegheny County
My Commission Expires June 29, 2010
Member, Pennsylvania Association of Notaries

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

CACH, LLC

Plaintiff

No. : 2006-1595-CD

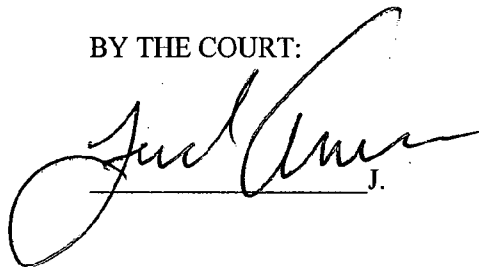
vs.

ERIC N LUVAAS
Defendant

ORDER OF COURT

AND NOW, to wit, this 28 day of April, ²⁰⁰⁸~~2007~~, upon consideration of the record,
it is HEREBY, ORDERED, ADJUDGED AND DECREED that the Motion For Summary Judgment on
the above captioned matter is scheduled for May 19, 2008 at
10:45 (a.m.) ~~(p.m.)~~ in hearingroom 3, Clearfield County Courthouse,
Clearfield, Pennsylvania.

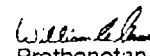
BY THE COURT:



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

APR 29 2008

Attest.


Prothonotary/
Clerk of Courts

EXHIBIT

"1"

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

CACH, LLC,

Plaintiff,

Case No.: : 2006-1595-CD

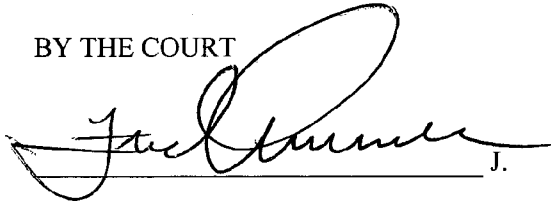
vs.

ERIC N LUVAAS,
Defendant.

ORDER OF COURT

AND NOW, to-wit, this 19 day of May, 2008, upon Plaintiff's Motion for Summary Judgment, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that said Motion is GRANTED and Judgment is entered in favor of Plaintiff for \$11,217.80 with interest at the rate of 6% per annum from SEPTEMBER 15TH, 2006, plus costs.

BY THE COURT



FILED

9/2:30
MAY 19 2008

William A. Shaw
Prothonotary/Clerk of Courts

2cc
Atty Warmbrodt
CK

FILED

MAY 19 2008

William A. Shaw
Prothonotary/Clerk of Courts

DATE: 5/19/08

X You are responsible for serving all appropriate parties.

____ The Prothonotary's office has provided service to the following parties:

____ Plaintiff(s) ____ Plaintiff(s) Attorney ____ Other

____ Defendant(s) ____ Defendant(s) Attorney

____ Special Instructions:

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

CACH, LLC.,
Plaintiff

No. 2006-1595-CD

vs.

AFFIDAVIT OF SERVICE OF
ORDER OF COURT

ERIC N LUVAAS

Defendant

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

William T. Molczan, Esquire
PA. I.D.#47437
WELTMAN, WEINBERG & REIS CO., L.P.A.
1400 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR#05331932

FILED *no cc*
m/10:30 AM
MAY 30 2008
Wm
William A. Shaw
Prothonotary/Clerk of Courts

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

CACH, LLC.,

Plaintiff
vs.

No. 2006-1595-CD

ERIC N LUVAAS

Defendant


AFFIDAVIT OF SERVICE OF ORDER OF COURT

BEFORE ME, the undersigned authority, personally appeared William T. Molczan, Esquire, who according to law deposes and says that a copy of the Order of Court has been served on the Defendant, Eric N. Luvaas.

1. On or about May 23, 2008, Plaintiff received a signed Order of Court dated from May 19, 2008. Said Order of Court is attached as Exhibit "1".

2. On or about May 27, 2008, Plaintiff mailed the Order of Court to 201 E. Weber Ave., Apt. A, Du Bois, PA. 15801.

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


William T. Molczan, Esquire

PA I.D. #47437

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

1400 Koppers Building

436 Seventh Avenue

Pittsburgh, PA 15219

(412) 434-7955

WWR#05331932

Sworn to and subscribed
before me this 27
day of May, 2008.


NOTARY PUBLIC

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal

Wayne A. Jones, Notary Public

City Of Pittsburgh, Allegheny County

My Commission Expires June 29, 2010

Member, Pennsylvania Association of Notaries

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

CACH, LLC,

Plaintiff,

Case No.: : 2006-1595-CD

vs.

ERIC N LUVAAS,
Defendant.

ORDER OF COURT

AND NOW, to-wit, this 19 day of May, 2008, upon Plaintiff's Motion for Summary Judgment, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that said Motion is GRANTED and Judgment is entered in favor of Plaintiff for \$11,217.80 with interest at the rate of 6% per annum from SEPTEMBER 15TH, 2006, plus costs.

BY THE COURT

/S/ Fredric J Ammerman

J.

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

MAY 19 2008

Attest.

William A. Brown
Prothonotary/
Clerk of Courts

EXHIBIT

" 1 "

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

CACH, LLC

Plaintiff

Case No.: 2006-1595-CD

TYPE OF PLEADING

vs.

**PRAECIPE FOR JUDGMENT
PER ORDER OF COURT**

ERIC N LUVAAS

Defendant.

FILED ON BEHALF OF:
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

James C Warmbrodt, Esquire
PA I.D.#42524
Weltman, Weinberg & Reis Co., L.P.A.
1400 Koppers Bldg.
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955
WWR # 5331932
\$12,917.98

**THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED SHALL BE
USED FOR THAT PURPOSE.**

5 FILED
m 13:50
APR 27 2009
William A. Shaw
Prothonotary/Clerk of Courts
Att'y pd. 20.00
ICC & Notice
to Def.

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

CACH, LLC

Plaintiff

Case No.: 2006-1595-CD

vs.

ERIC N LUVAAS

Defendant.

PRAECIPE FOR JUDGMENT

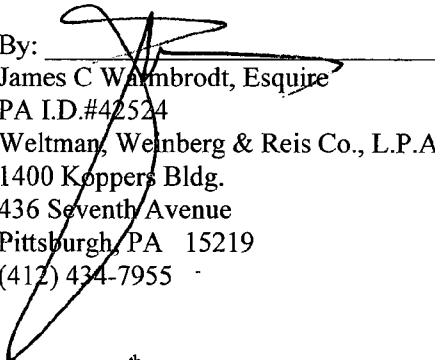
TO THE PROTHONOTARY:

In light of the Court Order granting Summary Judgment in favor of Plaintiff on MAY 19 2008, kindly enter Judgment against the Defendant, **ERIC N LUVAAS**, in the amount of \$12,917.98 computed as follows:

Amount Awarded per Order:	\$11,217.80
Interest from the 9/15/06 TO 3/25/09 at the legal rate of 6% per annum:	\$1,700.18
TOTAL:	\$12,917.98

Attached is a copy of the Court Order in favor of Plaintiff for Judgment.

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

By: 
James C Warmbrodt, Esquire
PA I.D.#42524
Weltman, Weinberg & Reis Co., L.P.A.
1400 Koppers Bldg.
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

Plaintiff's address is:

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

And Defendant's address is: 201 E WEBER AVE APT A DUBOIS, PA 15801

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

CACH, LLC

Plaintiff

Case No.: 2006-1595-CD

vs.

ERIC N LUVAAS

Defendant.

NOTICE OF JUDGMENT OR ORDER

TO: ☐ Plaintiff
 ☒ Defendants
 ☐ Garnishee

You are hereby notified that the following Order or Judgment was entered against you on April 27, 2009.

- (xx) Assumpsit Judgment in the amount
 of \$12,917.98, plus interest at 6% per annum, plus costs.
- () Trespass Judgment in the amount
 of \$ _____ plus costs.
- () If not satisfied within sixty (60) days, your motor vehicle
 operator's license and/or registration will be suspended by
 the Department of Transportation, Bureau of Traffic Safety,
 Harrisburg, PA.
- (xx) Entry of Judgment of
 ☒ Court Order
 ☐ Non-Pros
 ☐ Confession
 ☐ Default
 ☐ Verdict
 ☐ Arbitration Award
 ☐ By Consent

Prothonotary

ERIC N LUVAAS
201 E WEBER AVE APT A
DUBOIS, PA 15801

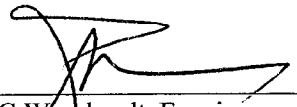
By: 
PROTHONOTARY (OR DEPUTY)

**THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED SHALL BE
USED FOR THAT PURPOSE.**

VERIFICATION

The undersigned does hereby verify subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn falsification to authorities, that the parties against whom Judgment is to be entered according to the Praeipie attached are not members of the Armed Forces of the United States or any other military or non-military service covered by the Soldiers and Sailors Civil Relief Act of 1940. The undersigned further states that the information is true and correct to the best of the undersigned's knowledge and belief and upon information received from others.

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


By: _____
James C Warnbrodt, Esquire
PA I.D.#42524
Weltman, Weinberg & Reis Co., L.P.A.
1400 Koppers Bldg.
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955
WWR#5331932

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

CACH, LLC,

Plaintiff,

Case No.: : 2006-1595-CD

vs.

ERIC N LUVAAS,
Defendant.

ORDER OF COURT

AND NOW, to-wit, this 19 day of May, 2008, upon Plaintiff's Motion for Summary Judgment, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that said Motion is GRANTED and Judgment is entered in favor of Plaintiff for \$11,217.80 with interest at the rate of 6% per annum from SEPTEMBER 15TH, 2006, plus costs.

BY THE COURT

/S/ Fredric J Ammerman J.

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

MAY 19 2008

Attest.



William A. Brown
Prothonotary/
Clerk of Courts

FILED

APR 23 2012

5 M 2:50/C
William A. Shaw
Prothonotary/Clerk of Courts

6 CPM W/WRITS

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

TO SHAR

CACH, LLC
Plaintiff

No. 2006-1595-CD

vs.

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

ERIC N LUVAAS
Defendant(s)

S & T BANK
Garnishee(s)

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

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

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

CACH, LLC
Plaintiff

vs.

Civil Action No. 2006-1595-CD

ERIC N LUVAAS
Defendant(s)

S & T BANK
Garnishee(s)

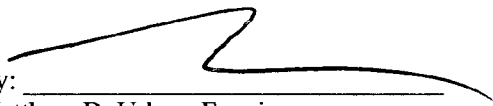
PRAECIPE FOR WRIT OF EXECUTION

TO THE PROTHONOTARY:

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

1. directed to the Sheriff of CLEARFIELD County:
 2. against ERIC N LUVAAS , Defendant
 3. against S & T BANK, , , Garnishee
 4. Judgment Amount \$ \$12,917.98
- Less payments/credits received \$ \$6,429.40
- Interest \$ \$1,920.19
- Costs \$
- SUBTOTAL:** \$ **\$8,408.77**
- Costs (to be added by Prothonotary): \$ 125.00

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

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

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

CACH, LLC
Plaintiff
vs.

Civil Action No. 2006-1595-CD

ERIC N LUVAAS
Defendant(s)

S & T BANK
Garnishee(s)

WRIT OF EXECUTION

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against: ERIC N LUVAAS Defendant(s);
You are also directed to attach the property of the defendant not levied upon in the possession of S & T BANK; ; ,
AS GARNISHEE, 5522 SHAFFER RD, SUITE 99 DUBOIS, PA 15801; ; and to notify the garnishee that:

- a. An attachment has been issued;
 - b. Except as provided in paragraph (c), the garnishee is enjoined from paying any debt to or for the account of the defendant and from delivering any property of the defendant or otherwise disposing thereof;
 - c. The attachment shall not include any funds in an account of the defendant with a bank or other financial institution
 - i. In which funds are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law, or (i) the first \$10,000.00 of each of the account of the defendant (s) with a bank or other financial institution containing any funds which are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law
 - ii. Each account of the defendant(s) with a bank or other financial institution in which funds on deposit exceed \$10,000.00 at any time if all funds are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law
 - iii. Any funds in an account of the defendant (s) with a bank or other financial institution in which funds on deposit exceed \$10,000.00 at any time if all funds are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law
- (2) If property of the defendant not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify [him] such other person that he or she has been added as a garnishee and is enjoined as above stated
- Amount due\$ \$8,408.77

Costs to be added..... \$ 125.00

Prothonotary



DATED: April 23, 2012

~~Deputy~~

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

CACH, LLC
Plaintiff

vs.

Civil Action No. 2006-1595-CD

ERIC N LUVAAS
Defendant(s)

S & T BANK
Garnishee(s)

WRIT OF EXECUTION
NOTICE

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

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

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

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

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

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

MAJOR EXEMPTIONS UNDER PENNSYLVANIA AND FEDERAL LAW

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

CLAIM FOR EXEMPTION

TO THE SHERIFF:

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

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

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

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

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

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

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

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

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

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

I request a prompt court hearing to determine the exemption.

Notice of hearing should be given me at the following:

ADDRESS: _____ TELEPHONE NUMBER: _____

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

Date: _____ Defendant: _____

THIS CLAIM TO BE FILED WITH:

Office of the Sheriff of Clearfield County

Courthouse

1 N Second Street

Clearfield, PA 16830

Telephone Number: (814) 765-2641 ext

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

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

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

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

CACH, LLC
Plaintiff

vs.

Civil Action No. 2006-1595-CD

ERIC N LUVAAS
Defendant(s)

S & T BANK
Garnishee(s)

INTERROGATORIES IN ATTACHMENT

FILED ON BEHALF OF:
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

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

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

CACH, LLC
Plaintiff

vs.

Civil Action No. 2006-1595-CD

ERIC N LUVAAS
Defendant(s)

S & T BANK
Garnishee(s)

TO: S & T BANK, 5522 SHAFFER RD, SUITE 99, DUBOIS, PA 15801

RE: ERIC N LUVAAS , 119 HILL STREET, DUBOIS, PA 15801

Suggested Reference No.: XXX-XX-6476
XXX-XX-

IMPORTANT NOTICES TO GARNISHEE!

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

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

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

INTERROGATORIES IN ATTACHMENT

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

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

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

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

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

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

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

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

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

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

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

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

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

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

By: 

Matthew D. Urban, Esquire

PA I.D. #90963

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

1400 Koppers Building

436 Seventh Avenue

Pittsburgh, PA 15219

(412) 434-7955

VERIFICATION

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

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

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

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

(SIGNATURE)

To Deputy 4/25/12

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
NO: 06-1595-CD

CACH, LLC
vs
ERIC N. LUVAAS
TO: S&T BANK, Garnishee

SERVICE # 1 OF 2

WRIT OF EXECUTION, INTERROGATORIES

SERVE BY: 07/21/2012 ^{RUSri} HEARING: PAGE: 109572

DEFENDANT: S&T BANK, Garnishee
ADDRESS: 5522 SHAFFER RD, SUITE 99
DUBOIS, PA 15801

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: GARNISHEE

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT OCCUPIED

FILED
01/14/2012
APR 27 2012

William A. Shaw
Prothonotary/Clerk of Courts

SHERIFF'S RETURN

NOW, APRIL 26 2012 AT 12³⁵ AM / PM SERVED THE WITHIN

WRIT OF EXECUTION, INTERROGATORIES ON S&T BANK, Garnishee, DEFENDANT

BY HANDING TO Jeannie Harris-Knouse ^{Retail Service Supervisor}

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

ADDRESS SERVED 5522 Shaffer Rd, Suite 99 Dubois PA
() Residence (X) Employment () Sheriff's Office () Other 15801

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

WRIT OF EXECUTION, INTERROGATORIES FOR S&T BANK, Garnishee

AT (ADDRESS) _____

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

I MAKE RETURN OF **NOT FOUND** AS TO S&T BANK, Garnishee

REASON UNABLE TO LOCATE _____

SWORN TO BEFORE ME THIS

26th DAY OF April 2012
William A. Shaw ^{um}

WILLIAM A. SHAW
Prothonotary
My Commission Expires
1st Monday in Jan, 2014
Clearfield Co., Clearfield, PA

So Answers: CHESTER A. HAWKINS, SHERIFF

BY: Jeffrey L. Rhone
Deputy Signature
Jeffrey L. Rhone
Print Deputy Name

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

Dkt Pg. 109572

2 of 2

CACH, LLC

NO. 06-1595-CD

-vs-

ERIC N. LUVAAS

WRIT OF EXECUTION/
INTERROGATORIES TO
GARNISHEE

TO S & T BANK , Garnishee

SHERIFF'S RETURN

NOW APRIL 27, 2012 MAILED THE WITHIN:
PRAECIPE, WRIT, WRIT NOTICE, CLAIM FOR EXEMPTION & INTERROGATORIES
TO: ERIC N. LUVAAS, DEFENDANT
AT: 119 HILL STREET, DUBOIS, PA. 15801
IN THE S.A.S.E.

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

DOCKET # 109572
NO: 06-1595-CD
SERVICES 2

WRIT OF EXECUTION, INTERROGATORIES

PLAINTIFF: CACH, LLC
vs.
DEFENDANT: ERIC N. LUVAAS
TO: S&T BANK, Garnishee

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	WELTMAN	10472267	20.00
SHERIFF HAWKINS	WELTMAN	10472267	45.59

Sworn to Before Me This

_____ Day of _____ 2012

So Answers,



Chester A. Hawkins
Sheriff

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

APR 23 2012

Attest.

William L. Shan
Prothonotary/
Clerk of Courts

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

CACH, LLC
Plaintiff

No. 2006-1595-CD

vs.

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

ERIC N LUVAAS
Defendant(s)

S & T BANK
Garnishee(s)

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

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

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

CACH, LLC
Plaintiff

vs.

Civil Action No. 2006-1595-CD

ERIC N LUVAAS
Defendant(s)

S & T BANK
Garnishee(s)

PRAECIPE FOR WRIT OF EXECUTION

TO THE PROTHONOTARY:

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

1. directed to the Sheriff of CLEARFIELD County:
2. against ERIC N LUVAAS , Defendant
3. against S & T BANK, , , Garnishee
4. Judgment Amount

\$ 12,917.98

Less payments/credits received

\$ 6,429.40

Interest

\$ 1,920.19

Costs

\$

SUBTOTAL:

\$ 8,408.77

Costs (to be added by Prothonotary):

\$ 125.00

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

By: 

Matthew D. Urban, Esquire

PA I.D. #90963

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

1400 Koppers Building

436 Seventh Avenue

Pittsburgh, PA 15219

(412) 434-7955

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

CACH, LLC
Plaintiff
vs.

Civil Action No. 2006-1595-CD

ERIC N LUVAAS
Defendant(s)

S & T BANK
Garnishee(s)

WRIT OF EXECUTION

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against: ERIC N LUVAAS Defendant(s);
You are also directed to attach the property of the defendant not levied upon in the possession of S & T BANK; ; ,
AS GARNISHEE, 5522 SHAFFER RD, SUITE 99 DUBOIS, PA 15801; ; and to notify the garnishee that:

- a. An attachment has been issued;
 - b. Except as provided in paragraph (c), the garnishee is enjoined from paying any debt to or for the account of the defendant and from delivering any property of the defendant or otherwise disposing thereof;
 - c. The attachment shall not include any funds in an account of the defendant with a bank or other financial institution
 - i. In which funds are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law, or (i) the first \$10,000.00 of each of the account of the defendant (s) with a bank or other financial institution containing any funds which are deposited electronically on a recurring basis and are indentified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law
 - ii. Each account of the defendant(s) with a bank or other financial institution in which funds on deposit exceed \$10,000.00 at any time if all funds are deposited electronically on a recurring basis and are indentified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law
 - iii. Any funds in an account of the defendant (s) with a bank or other financial institution in which funds on deposit exceed \$10,000.00 at any time if all funds are deposited electronically on a recurring basis and are indentified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law
- (2) If property of the defendant not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify [him] such other person that he or she has been added as a garnishee and is enjoined as above stated
Amount due\$ \$8,408.77

Costs to be added..... \$ 125.00

Prothonotary



DATED: 4-23-12

Deputy

Received this writ this 24th day
of April A.D. 2012
At 10:00 A.M.

Chester A. Hawley
S. r.iff Lynne M. Hamer

WWR No. 5331932

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

CACH, LLC
Plaintiff

vs.

Civil Action No. 2006-1595-CD

ERIC N LUVAAS
Defendant(s)

S & T BANK
Garnishee(s)

WRIT OF EXECUTION
NOTICE

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

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

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

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

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

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

MAJOR EXEMPTIONS UNDER PENNSYLVANIA AND FEDERAL LAW

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

CLAIM FOR EXEMPTION

TO THE SHERIFF:

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

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

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

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

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

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

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

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

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

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

I request a prompt court hearing to determine the exemption.

Notice of hearing should be given me at the following:

ADDRESS: _____ TELEPHONE NUMBER: _____

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

Date: _____ Defendant: _____

THIS CLAIM TO BE FILED WITH:

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

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

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

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

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

CACH, LLC
Plaintiff

vs.

Civil Action No. 2006-1595-CD

ERIC N LUVAAS
Defendant(s)

S & T BANK
Garnishee(s)

INTERROGATORIES IN ATTACHMENT

FILED ON BEHALF OF:
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

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

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

CACH, LLC
Plaintiff

vs.

Civil Action No. 2006-1595-CD

ERIC N LUVAAS
Defendant(s)

S & T BANK
Garnishee(s)

TO: S & T BANK, 5522 SHAFFER RD, SUITE 99, DUBOIS, PA 15801

RE: ERIC N LUVAAS , 119 HILL STREET, DUBOIS, PA 15801

Suggested Reference No.: XXX-XX-6476
XXX-XX-

IMPORTANT NOTICES TO GARNISHEE!

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

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

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

INTERROGATORIES IN ATTACHMENT

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

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

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

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

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

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

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

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

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

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

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

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

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

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

By: 

Matthew D. Urban, Esquire

PA I.D. #90963

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

1400 Koppers Building

436 Seventh Avenue

Pittsburgh, PA 15219

(412) 434-7955

VERIFICATION

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

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

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

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

(SIGNATURE)

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CACH, LLC,

Plaintiff,

vs.

ERIC N. LUVAAS,

Defendant,

vs.

S&T BANK,

Garnishee.

) CIVIL DIVISION

)
) ¹⁵⁹⁵
) NO.: 2006-~~12595~~-CD

) TYPE OF PLEADING:

) ANSWERS TO INTERROGATORIES TO
) GARNISHEE, S&T BANK

) FILED ON BEHALF OF:

) S&T Bank

) COUNSEL OF RECORD FOR THIS
) PARTY:

) BRIAN M. KILE

) Pa ID No.89240

) **Grenen & Birsic, P.C.**

) One Gateway Center, 9th Floor

) Pittsburgh, PA 15222

) (412) 281-7650 (Telephone)

) (412) 281-7657 (Facsimile)

) bkile@grenenbirsic.com

FILED ^{NO} CC
MAY 09 2012
William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CACH, LLC,)	CIVIL DIVISION
)	
Plaintiff,)	NO.: 2006-1595-CD
)	
vs.)	
)	
ERIC N. LUVAAS,)	
)	
Defendant,)	
)	
vs.)	
)	
S&T BANK,)	
)	
Garnishee.)	

ANSWERS TO INTERROGATORIES

AND NOW, comes S&T Bank, Garnishee ("S&T Bank"), by its attorneys, Grenen & Birsic, P.C., files the following Answers to Interrogatories:

1. No.

1a. Not applicable.

2. Defendant, Eric N. Luvaas, 119 Hill Street, Dubois, PA 15801-3521 ("Defendant") has the following account(s) with S&T Bank:

(i) Savings Account No. *****9692 which had a balance as of the date of service of the Interrogatories upon S&T Bank of \$12.54. Pursuant to Pa. R.C.P. 3111.1 et. seq., no holds were placed on this account as the non-exempt balance was less than the \$300.00 statutory exemption set forth in 42 Pa C.S. § 8123 and is not subject to attachment.

(ii) Business Checking Account No. *****0848 which had a balance as of the date of service of the Interrogatories upon S&T Bank of \$224.44. No holds were placed on this account because the funds therein are derived solely from PA unemployment

direct deposit.

3. No.
4. No.
5. No.
6. No.
7. Yes. See Answer to Interrogatory No. 2.
8. Yes. See Answer to Interrogatory No. 2.
9. Not applicable.
10. Not applicable.
11. Not applicable.
12. Not applicable.

WHEREFORE, S&T Bank respectfully requests that the Garnishment be discontinued as to S&T Bank.

Respectfully submitted,



BRIAN M. KILE

Pa ID No.89240

Grenen & Birsic, P.C.

One Gateway Center, 9th Floor

Pittsburgh, PA 15222

(412) 281-7650 (Telephone)

(412) 281-7657 (Facsimile)

bkile@grenenbirsic.com

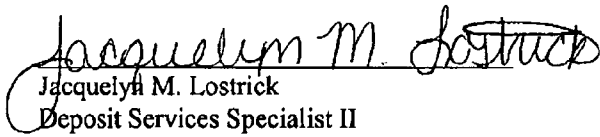
Attorneys for S&T Bank

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CACH, LLC,)	CIVIL DIVISION
)	
Plaintiff,)	NO.: 2006-1595-CD
)	
vs.)	
)	
ERIC N. LUVAAS,)	
)	
Defendant,)	
)	
vs.)	
)	
S&T BANK,)	
)	
Garnishee.)	

VERIFICATION

Jacquelyn M. Lostrick, Deposit Services Specialist II, and duly authorized representative of S&T Bank, deposes and says subject to the penalties of 18 Pa. C.S.A. §4904 relating to unsworn falsification to authorities that the facts set forth in the foregoing Answers to Interrogatories are true and correct to her information and belief.


Jacquelyn M. Lostrick
Deposit Services Specialist II

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

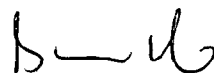
CACH, LLC,)	CIVIL DIVISION
)	
Plaintiff,)	NO.: 2006-1595-CD
)	
vs.)	
)	
ERIC N. LUVAAS,)	
)	
Defendant,)	
)	
vs.)	
)	
S&T BANK,)	
)	
Garnishee.)	

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Answers to Interrogatories in Attachment was mailed to the following on this 8 day of May, 2012, by first class mail, postage prepaid:

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

Eric N. Luvaas
119 Hill Street
Dubois, PA 15801-3521



BRIAN M. KILE
Pa ID No.89240
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(412) 281-7650 (Telephone)
(412) 281-7657 (Facsimile)
bkile@grenenbirsic.com
Attorneys for S&T Bank

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

BY: William T. Molczan, Esquire

Attorney for Plaintiff(s)

I.D. No.47437

436 Seventh Avenue, Suite 1400

Pittsburgh, PA 15219

Phone: 412.434.7955

Fax: 412.434.7959

File # 5331932

CACH, LLC

CLEARFIELD County
Court of Common Pleas

vs.

ERIC N LUVAAS,

NO. 2006-1595-CD

and

S & T BANK

Garnishee(s)

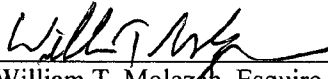
PRAECIPE TO DISCONTINUE ATTACHMENT EXECUTION

TO THE PROTHONOTARY:

Kindly mark the above matter discontinued and ended as to Garnishee(s), S & T BANK, ,
only.

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

By


William T. Molczan, Esquire
Attorney for Plaintiff

FILED *WCC*
5 JUN 04 2012 *61*
William A. Shaw
Prothonotary/Clerk of Courts *OK*