

06-1710-CD  
Capital One Bank vs Kimberly Dillon

2006-1710-CD  
Capital One vs Kimberly Dillon

2029801

THIS IS AN ARBITRATION MATTER. ASSESSMENT OF  
DAMAGES HEARING REQUIRED.

GORDON & WEINBERG, P.C.

BY: FREDERIC I. WEINBERG, ESQUIRE

Identification No.: 41360

PAUL M. SCHOFIELD, JR., ESQUIRE

Identification No.: 81894

21 SOUTH 21ST STREET

PHILADELPHIA, PA 19103

215/988-9600

FILED ICC SHAF

MIN. 28/10/5  
OCT 19 2006 Atty fil 85.00

William A. Shaw  
Prothonotary/Clerk of Courts

Capital One Bank  
P.O. Box 85147  
Richmond, VA 85147

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

vs.

DOCKET NO. : 06-1710-CJ

KIMBERLY A DILLON  
122 W WASHINGTON AVE APT 4  
DU BOIS PA 15801-2068

**NOTICE**

YOU HAVE BEEN SUED IN COURT. IF YOU WISH TO DEFEND AGAINST THE CLAIMS SET FORTH IN THE FOLLOWING PAGES, YOU MUST TAKE ACTION WITHIN TWENTY (20) DAYS AFTER THIS COMPLAINT AND NOTICE ARE SERVED, BY ENTERING A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILING IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. YOU ARE WARNED THAT IF YOU FAIL TO DO SO THE CASE MAY PROCEED WITHOUT YOU AND A JUDGEMENT 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.

David S. Meholic, Court Admin.

Clearfield County Courthouse

March 6, 2008 Document  
Reinstated/Reissued to Sheriff/Attorney  
for service.

Clearfield, PA 16830

(814) 765-2641

William A. Shaw GK  
Deputy Prothonotary

COMPLAINT IN CIVIL-ACTION

1. At all times relevant hereto, the defendant(s) was the holder of a credit card, which at the request of the defendant(s) was issued to the defendant(s) by the plaintiff under the terms of which the plaintiff agreed to extend to defendant(s) the use of plaintiff's credit facilities.

2. Defendant(s) accepted and used the aforesaid credit card so issued and by so doing agreed to perform the terms and conditions prescribed by the plaintiff for the use of said credit card.

3. The defendant(s) received and accepted goods and merchandise and/or accepted services or cash advances through the use of the credit card issued by the Plaintiff. A true and correct copy of the Statement of Account is attached hereto as Exhibit "A".

4. All the credits to which the defendant(s) is entitled have been applied and there remains a balance due in the amount of \$4,018.06.

5. Plaintiff has made demand upon the defendant(s) for payment of the balance due of \$4,018.06 but the defendant(s) has failed and refused and still refuses to pay the same or any part thereof.

6. Defendant's last payment on account was made on 2/28/03.  
WHEREFORE, plaintiff claims of the defendant(s) the sum of

\$4,018.06 plus applicable costs, interest and attorney's fees.

GORDON & WEINBERG, P.C.

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

FREDERIC I. WEINBERG, ESQUIRE  
PAUL M. SCHOFIELD, JR., ESQUIRE  
Attorney for Plaintiff

P01A

VERIFICATION

FREDERIC I. WEINBERG, ESQUIRE, hereby states that he is the attorney for the Plaintiff(s) in this action and verifies that the statements made in the foregoing pleading are true and correct to the best of his knowledge, information and belief.

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

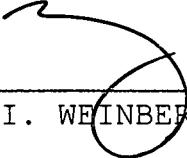
  
FREDERIC I. WEINBERG, ESQUIRE

EXHIBIT "A"

## Capital One Bank

KIMBERLY A DILLON

4862362138685238

AFFIDAVIT

I, **SARA RUBIN**, being duly served sworn according to law, depose and say that:

1. I am the agent for the Plaintiff herein and I have custody and control of the files relating to this account;

2. I have personal knowledge of the facts and circumstances in connection with this case;

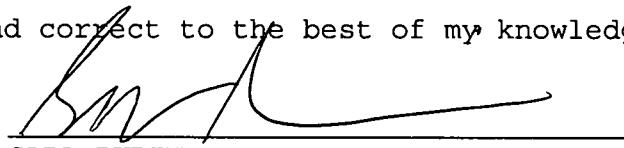
3. Plaintiff's files are maintained in the usual and ordinary course of business;

4. This action is based on a claim for breach of contract and that damages are sought as a direct result of said breach;

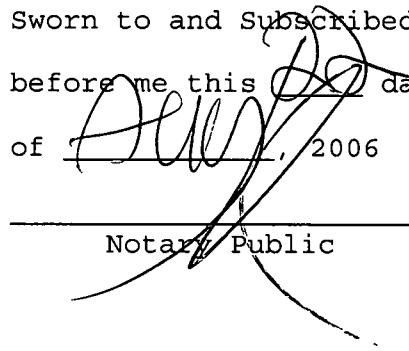
5. After allowing for all offsets and credits, a balance remains on the subject account having account number 4862362138685238 in the amount of \$2,265.67; and

6. If called upon, affiant can testify at trial as to the facts pertaining to this matter.

The above facts are true and correct to the best of my knowledge, information and belief.

  
SARA RUBIN

Sworn to and Subscribed  
before me this 20 day  
of December, 2006

  
Notary Public

KARL HERNANDEZ  
Notary Public, State of New York  
No. 01HE6095733  
Qualified in Suffolk County  
Commission Expires July 21, 2007

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 1 of 1 Services

Sheriff Docket #

**102051**

CAPITAL ONE BANK

Case # 06-1710-CD

vs.

KIMBERLY A. DILLON

TYPE OF SERVICE COMPLAINT

**SHERIFF RETURNS**

NOW February 02, 2007 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT "NOT FOUND" AS TO KIMBERLY A. DILLON, DEFENDANT. WHEREABOUTS UNKNOWN.

SERVED BY: /

**Return Costs**

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	GORDON	25239	10.00
SHERIFF HAWKINS	GORDON	25239	30.91

Sworn to Before me This

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

So Answers,

*Chester A. Hawkins*  
*by Marilyn Hays*  
Chester A. Hawkins  
Sheriff

**FILED**  
01/31/2007  
**FEB 02 2007**  
*WS*

William A. Shaw  
Prothonotary/Clerk of Courts

2029801

THIS IS AN ARBITRATION MATTER. ASSESSMENT OF  
DAMAGES HEARING REQUIRED.

GORDON & WEINBERG, P.C.

BY: FREDERIC I. WEINBERG, ESQUIRE  
Identification No.: 41360  
PAUL M. SCHOFIELD, JR., ESQUIRE  
Identification No.: 81894

21 SOUTH 21ST STREET  
PHILADELPHIA, PA 19103  
215/988-9600

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

OCT 19 2006

Attest.

*William L. Chen*  
Prothonotary/  
Clerk of Courts

Capital One Bank  
P.O. Box 85147  
Richmond, VA 85147

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

vs.

DOCKET NO. : *06-1710-CD*

KIMBERLY A DILLON  
122 W WASHINGTON AVE APT 4  
DU BOIS PA 15801-2068

**NOTICE**

YOU HAVE BEEN SUED IN COURT. IF YOU WISH TO DEFEND AGAINST THE CLAIMS SET FORTH IN THE FOLLOWING PAGES, YOU MUST TAKE ACTION WITHIN TWENTY (20) DAYS AFTER THIS COMPLAINT AND NOTICE ARE SERVED, BY ENTERING A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILING IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. YOU ARE WARNED THAT IF YOU FAIL TO DO SO THE CASE MAY PROCEED WITHOUT YOU AND A JUDGEMENT 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.

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David S. Meholic, Court Admin.  
Clearfield County Courthouse  
Clearfield, PA 16830  
(814) 765-2641

COMPLAINT IN CIVIL-ACTION

1. At all times relevant hereto, the defendant(s) was the holder of a credit card, which at the request of the defendant(s) was issued to the defendant(s) by the plaintiff under the terms of which the plaintiff agreed to extend to defendant(s) the use of plaintiff's credit facilities.

2. Defendant(s) accepted and used the aforesaid credit card so issued and by so doing agreed to perform the terms and conditions prescribed by the plaintiff for the use of said credit card.

3. The defendant(s) received and accepted goods and merchandise and/or accepted services or cash advances through the use of the credit card issued by the Plaintiff. A true and correct copy of the Statement of Account is attached hereto as Exhibit "A".

4. All the credits to which the defendant(s) is entitled have been applied and there remains a balance due in the amount of \$4,018.06.

5. Plaintiff has made demand upon the defendant(s) for payment of the balance due of \$4,018.06 but the defendant(s) has failed and refused and still refuses to pay the same or any part thereof.

6. Defendant's last payment on account was made on 2/28/03.

WHEREFORE, plaintiff claims of the defendant(s) the sum of

\$4,018.06 plus applicable costs, interest and attorney's fees.

GORDON & WEINBERG, P.C.

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

FREDERIC I. WEINBERG, ESQUIRE  
PAUL M. SCHOFIELD, JR., ESQUIRE  
Attorney for Plaintiff

P01A

VERIFICATION

FREDERIC I. WEINBERG, ESQUIRE, hereby states that he is the attorney for the Plaintiff(s) in this action and verifies that the statements made in the foregoing pleading are true and correct to the best of his knowledge, information and belief.

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

  
FREDERIC I. WEINBERG, ESQUIRE

EXHIBIT "A"

2029801

**Capital One Bank**

**KIMBERLY A DILLON**

**4862362138685238**

**AFFIDAVIT**

I, **SARA RUBIN**, being duly served sworn according to law, depose and say that:

1. I am the agent for the Plaintiff herein and I have custody and control of the files relating to this account;

2. I have personal knowledge of the facts and circumstances in connection with this case;

3. Plaintiff's files are maintained in the usual and ordinary course of business;

4. This action is based on a claim for breach of contract and that damages are sought as a direct result of said breach;

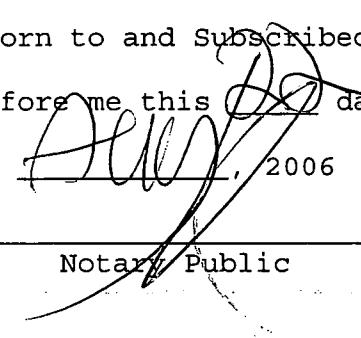
5. After allowing for all offsets and credits, a balance remains on the subject account having account number 4862362138685238 in the amount of \$2,265.67; and

6. If called upon, affiant can testify at trial as to the facts pertaining to this matter.

The above facts are true and correct to the best of my knowledge, information and belief.

  
SARA RUBIN

Sworn to and Subscribed  
before me this 21 day  
of July, 2006

  
Notary Public

KARL HERNANDEZ  
Notary Public, State of New York  
No. 014E6095739  
Qualified in Suffolk County  
Commission Expires July 21, 2007

2029801

GORDON & WEINBERG, P.C.  
BY: FREDERIC I. WEINBERG, ESQUIRE  
Identification No.: 41360  
JOEL M. FLINK, ESQUIRE  
Identification No.: 41200  
1001 E. Hector Street, Ste 220  
Conshohocken, PA 19428  
484/351-0500

FILED *Atty pd. 7-00*  
*M/12/44/01* MAR 06 2008 *ICCA Compl.*  
*Reinstated to Shff*  
William A. Shaw  
Prothonotary/Clerk of Courts  
*ICCA Compl.*  
*Reinstated to Atty*

Capital One Bank

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

vs.

DOCKET NO. : 06-1710-CD

KIMBERLY A DILLON  
311 W. LONG AVENUE, APT. H  
DU BOIS PA 15801

PRAECIPE TO REINSTATE COMPLAINT

TO THE PROTHONOTARY:

Kindly reinstate the Plaintiffs' Complaint in Civil Action  
in the above-captioned matter for an additional thirty (30) days.

GORDON & WEINBERG, P.C.

BY: *[Signature]*

FREDERIC I. WEINBERG, ESQUIRE  
JOEL M. FLINK, ESQUIRE  
Attorney for Plaintiff(s)

2029801

THIS IS AN ARBITRATION MATTER. ASSESSMENT OF  
DAMAGES HEARING REQUIRED.

GORDON & WEINBERG, P.C.

BY: FREDERIC I. WEINBERG, ESQUIRE

Identification No.: 41360

PAUL M. SCHOFIELD, JR., ESQUIRE

Identification No.: 81894

21 SOUTH 21ST STREET

PHILADELPHIA, PA 19103

215/988-9600

FILED  
OCT 19 2006

William A. Shaw  
Prothonotary/Clerk of Courts

Capital One Bank  
P.O. Box 85147  
Richmond, VA 85147

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

vs.

DOCKET NO. : *AO-1710-CD*

KIMBERLY A DILLON  
122 W WASHINGTON AVE APT 4  
DU BOIS PA 15801-2068

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Clearfield County Courthouse  
Clearfield, PA 16830  
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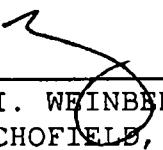
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GORDON & WEINBERG, P.C.

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

FREDERIC I. WEINBERG, ESQUIRE

PAUL M. SCHOFIELD, JR., ESQUIRE

Attorney for Plaintiff

P01A

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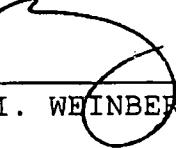
  
FREDERIC I. WEINBERG, ESQUIRE

EXHIBIT "A"

2029801

Capital One Bank

KIMBERLY A DILLON

4862362138685238

AFFIDAVIT

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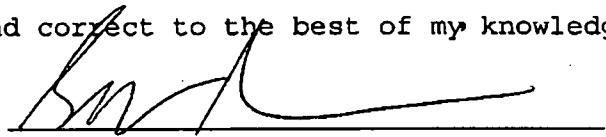
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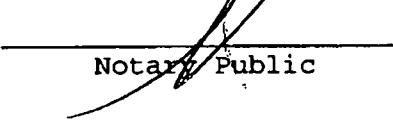
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The above facts are true and correct to the best of my knowledge, information and belief.

  
SARA RUBIN

Sworn to and Subscribed  
before me this 20 day  
of December, 2006

  
Notary Public

KARL HERNANDEZ  
Notary Public, State of New York  
No. 014E0095733  
Qualified in Suffolk County  
Commission Expires July 21, 2007

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103851  
NO: 06-1710-CD  
SERVICE # 1 OF 1  
PRAECIPE & COMPLAINT

PLAINTIFF: CAPITAL ONE BANK  
vs.  
DEFENDANT: KIMBERLY A. DILLON

**SHERIFF RETURN**

NOW, March 28, 2008 AT 2:32 PM SERVED THE WITHIN PRAECIPE & COMPLAINT ON KIMBERLY A. DILLON DEFENDANT AT 311 W. LONG AVE. APT H, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO KIMBERLY DILLON, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL PRAECIPE & COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: NEVLING / COUDRIET

**FILED**

073-00301  
JUN 30 2008

William A. Shaw  
Prothonotary/Clerk of Courts

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	GORDON	046670	10.00
SHERIFF HAWKINS	GORDON	046670	28.19

Sworn to Before Me This

\_\_\_\_ Day of \_\_\_\_\_ 2008

So Answers,

*Chester A. Hawkins  
by Marilyn Harris*  
Chester A. Hawkins  
Sheriff

2029801

GORDON & WEINBERG, P.C.  
BY: FREDERIC I. WEINBERG, ESQUIRE  
Identification No.: 41360  
JOEL M. FLINK, ESQUIRE  
Identification No.: 81894  
1001 E. Hector Street, Ste 220  
Conshohocken, PA 19428  
484/351-0500

FILED Atty pd \$20.00  
M 10:53 AM SEP 11 2008 ICC Notice  
to Def.

William A. Shaw  
Prothonotary/Clerk of Courts  
ICC Statement  
to Atty

Capital One Bank

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

(610)

vs.

DOCKET NO. : 06-1710-CD

KIMBERLY A DILLON

PRAECIPE FOR ENTRY OF JUDGMENT FOR WANT OF AN ANSWER, ASSESSMENT  
OF DAMAGES, VERIFICATION OF ADDRESS AND NON-MILITARY SERVICE

TO THE PROTHONOTARY:

Enter judgment for want of an answer for plaintiff and against defendant(s) above named only and assess damages certified to be calculable as a sum certain from the complaint, as follows:

Principal	\$2,265.67
Interest from 8/17/06	
@25.9%	\$1,146.29
Costs (Complaint & Service)	\$178.10
<b>Total:</b>	<b>\$3,590.06</b>

Understanding the false statements made herein are subject to penalty under 18 Pa.C.S.A. §4904, Unsworn Falsification to Authorities, I verify that:

1. The last known addresses of the parties are: Capital One Bank and that the last known address of defendant, KIMBERLY A DILLON, 311 W. LONG AVENUE, APT. H, DU BOIS PA 15801.

2. The annexed notice(s) of intention to file this

praecipe was (were) mailed to all parties, defendant and to their record attorneys, if any, after default occurred, and at least ten days prior to the date of filing of this praecipe.

3. The said defendant(s) is (are) not in the military service of the United States or otherwise within the coverage of the Soldiers and Sailors Civil Relief Act and is (are) over 18 years of age.

AND NOW, this 11<sup>th</sup> day of September, 2008 Judgment is entered in favor of the plaintiff(s) and against defendant(s) by default for want of an answer and damages assessed at the sum of , \$3,590.06 as per the above certification.

  
\_\_\_\_\_  
Prothonotary

GORDON & WEINBERG, P.C.

BY: \_\_\_\_\_  
FREDERIC I. WEINBERG, ESQUIRE  
JOEL M. FLINK, ESQUIRE  
Attorney for Plaintiff

2029801

GORDON & WEINBERG, P.C.  
BY: FREDERIC I. WEINBERG, ESQUIRE  
Identification No.: 41360  
JOEL M. FLINK, ESQUIRE  
Identification No.: 41200  
1001 E. Hector Street, Ste 220  
Conshohocken, PA 19428  
484/351-0500

Capital One Bank

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

vs.

DOCKET NO. : 06-1710-CD

KIMBERLY A DILLON

NOTICE OF INTENTION TO TAKE DEFAULT

TO/PARA :  
KIMBERLY A DILLON  
311 W. LONG AVENUE, APT. H  
DU BOIS PA 15801

DATE OF NOTICE/FECHA DEL AVISO: July 15, 2008

IMPORTANT NOTICE

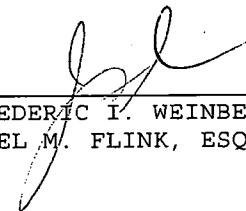
YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY AN ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR PROPERTY OR OTHER IMPORTANT RIGHTS.

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

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

David S. Meholic, Court Admin.  
Clearfield County Courthouse  
Clearfield, PA 16830  
(814) 765-2641

GORDON & WEINBERG, P.C.

BY: 

FREDERIC I. WEINBERG, ESQUIRE  
JOEL M. FLINK, ESQUIRE

2029801

GORDON & WEINBERG, P.C.  
BY: FREDERIC I. WEINBERG, ESQUIRE  
Identification No.: 41360  
JOEL M. FLINK, ESQUIRE  
Identification No.: 41200  
1001 E. Hector Street, Ste 220  
Conshohocken, PA 19428  
484/351-0500

Capital One Bank

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

vs.

DOCKET NO. : 06-1710-CD

KIMBERLY A DILLON

NOTICE

Pursuant to Pa.R.Civ.P. 236 of the Supreme Court of Pennsylvania, you are hereby notified that a judgment has been entered against you in the above proceeding as indicated below.

/X/ Judgment by Default \$3,590.06  
/ / Money Judgment \$  
/ / Judgment on Award of Arbitrators\$  
/ / Judgment on Verdict\$

IF YOU HAVE ANY QUESTIONS CONCERNING THIS NOTICE, PLEASE CALL ATTORNEYS: FREDERIC I. WEINBERG OR JOEL M. FLINK, ESQUIRES AT THIS TELEPHONE NUMBER: 484/351-0500

*Willie L. Shan* 9/11/08

PROTHONOTARY

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

Copy

Capital One Bank  
Plaintiff(s)

No.: 2006-01710-CD

Real Debt: \$3,590.06

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Kimberly A. Dillon  
Defendant(s)

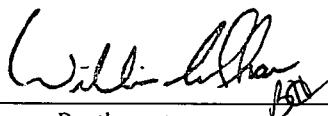
Entry: \$20.00

Instrument: Default Judgment

Date of Entry: September 11, 2008

Expires: September 11, 2013

Certified from the record this 11th day of September, 2008.

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

\*\*\*\*\*

SIGN BELOW FOR SATISFACTION

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

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

2029801

GORDON & WEINBERG, P.C.

BY: FREDERIC I. WEINBERG, ESQUIRE  
Identification No.: 41360  
JOEL M. FLINK, ESQUIRE  
Identification No.: 41200  
1001 E. Hector Street, Ste 220  
Conshohocken, PA 19428  
484/351-0500

FILED *(Ex)*

MAY 29 2009

5/11/09  
William A. Shaw  
Prothonotary/Clerk of Courts

6 CERT TO SHERIFF  
W/WMS

1 CERT TO ATT

Capital One Bank  
P.O. BOX 85147  
RICHMOND, VA 23276

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

vs.

DOCKET NO. : 06-1710-CD

KIMBERLY A DILLON  
311 W. LONG AVENUE, APT. H  
DU BOIS PA 15801

and

S & T Bank  
35 West Scribner Avenue  
DuBois, PA 15801

**GARNISHEE**

**PRAECLPICE FOR WRIT OF EXECUTION**

TO THE PROTHONOTARY:

Issue writ of execution in the above matter,  
directed to the Sheriff of Clearfield County;

(1) against

**KIMBERLY A DILLON**

defendant(s) and

(2) against

**S & T Bank**

garnishee(s)

(3) AMOUNT DUE	\$3,590.06
INTEREST	
from September 11, 2008	\$137.37
COSTS	
Prothonotary fee	\$20.00
Sheriff fee	<u>\$100.00</u>
<b>TOTAL</b>	<b>\$3,847.43</b>

*45*  
FREDERIC I. WEINBERG, ESQUIRE  
JOEL M. FLINK, ESQUIRE  
Attorney for Plaintiff

GORDON & WEINBERG, P.C.  
BY: FREDERIC I. WEINBERG, ESQUIRE  
Identification No.: 41360  
JOEL M. FLINK, ESQUIRE  
Identification No.: 41200  
1001 E. Hector Street, Ste 220  
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Capital One Bank  
P.O. BOX 85147  
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and  
S & T Bank  
35 West Scribner Avenue  
DuBois, PA 15801

**GARNISHEE**

**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. If you wish to exercise your rights, you must act promptly.

The law provides that certain property cannot be taken. Such property is said to be exempt. There is a debtor's exemption of \$300.00. There are other exemptions which may applicable to you. Attached is a summary of some of the major exemptions. You may have other exemptions or other rights.

If you have an exemption, you should do the following promptly: (1) Fill out the attached exemption claim form and demand for a prompt hearing; (2) Deliver the form or mail it to the Sheriff's Office at the address noted.

You should come to court ready to explain your exemption. If you do not come to court and prove your exemption, you may lose some of your property.

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

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

**David S. Meholick, Court Admin.**  
**Clearfield County Courthouse**  
**Clearfield, PA 16830**  
**(814) 765-2641**

GORDON & WEINBERG, P.C.  
BY: FREDERIC I. WEINBERG, ESQUIRE  
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and  
S & T Bank  
35 West Scribner Avenue  
DuBois, PA 15801

**GARNISHEE**

**CLAIM FOR EXEMPTION**

TO THE SHERIFF:

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

(1) From my personal property in my possession which has been levied upon,

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

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

---

[ ] (ii) paid in cash following the sale of the property levied upon; or

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

---

(2) From my property which is in the possession of a third party, I claim the following exemptions:

(a) My \$300.00 statutory exemption: [ ] in cash; [ ] in kind (specify property)

---

;

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

(c) Other (specify amount and basis of exemption):  
\_\_\_\_\_  
\_\_\_\_\_

I request a prompt Court hearing to determine the exemption.

Notice of the hearing should be given to me at: (include address and telephone)  
\_\_\_\_\_  
\_\_\_\_\_

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. Section 4904 relating to unsworn falsification to authorities.

DATE: \_\_\_\_\_ Defendant: \_\_\_\_\_

**THIS CLAIM TO BE FILED WITH THE**  
**OFFICE OF THE SHERIFF OF CLEARFIELD COUNTY:**

Sheriff of Clearfield County  
P.O. Box 549  
Clearfield, PA 16830  
814/765-2641

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.

**MAJOR EXEMPTIONS UNDER PENNSYLVANIA AND FEDERAL LAW**

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

**EXHIBIT "A"**

GORDON & WEINBERG, P.C.  
BY: FREDERIC I. WEINBERG, ESQUIRE  
Identification No.: 41360  
JOEL M. FLINK, ESQUIRE  
Identification No.: 41200  
1001 E. Hector Street, Ste 220  
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Capital One Bank  
P.O. BOX 85147  
RICHMOND, VA 23276

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

vs.

DOCKET NO. : 06-1710-CD

KIMBERLY A DILLON  
311 W. LONG AVENUE, APT. H  
DU BOIS PA 15801

and  
S & T Bank  
35 West Scribner Avenue  
DuBois, PA 15801  
**GARNISHEE**

**INTERROGATORIES IN ATTACHMENT**

TO: **S & T Bank - GARNISHEE**

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

1. At the time you were served or at any subsequent time did you owe the defendant(s) any money or were you liable to the defendant on any negotiable or other written instrument, or did the defendant claim that you owed the defendant any money or were liable to the defendant for any reason?
2. At the time you were served or at any subsequent time was there in your possession, custody or control or in the joint 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 in 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(s) had an interest?
5. At any time before or after you were served did the

defendant(s) transfer or deliver any property to you or to any person or place pursuant to your direction or consent and what was the consideration thereof?

6. At any time after you were served did you pay, transfer or deliver any money or property to the defendant(s) or to any person or place pursuant to his(her, their) direction or otherwise discharge any claim of the defendant(s) against you?
7. If you are a bank or other financial institution, at the time you were served or 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 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 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. How much is the value of any property in your possession belonging to the defendant(s)?

  
FREDERIC I. WEINBERG, ESQUIRE  
JOEL M. FLINK, ESQUIRE  
Attorney for Plaintiff

DATED: 5/20/09

GORDON & WEINBERG, P.C.  
BY: FREDERIC I. WEINBERG, ESQUIRE  
Identification No.: 41360  
JOEL M. FLINK, ESQUIRE  
Identification No.: 41200  
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P.O. BOX 85147  
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CLEARFIELD COUNTY

vs.

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KIMBERLY A DILLON  
311 W. LONG AVENUE, APT. H  
DU BOIS PA 15801

and

S & T Bank  
35 West Scribner Avenue  
DuBois, PA 15801  
**GARNISHEE**

Commonwealth of Pennsylvania )  
County of CLEARFIELD )

**WRIT OF EXECUTION - BANK ACCOUNT ONLY**

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against:

KIMBERLY A DILLON

defendant(s)

- (1) You are directed to levy upon the property of the defendant(s) and to sell defendant's(s) interest therein: **No Levy other than bank account**
- (2) You are also directed to attach the property of the defendant(s) not levied upon in the possession of

S & T Bank  
35 West Scribner Avenue  
DuBois, PA 15801- **GARNISHEE - serve only**

(specifically describe property)

and to notify the garnishee(s) 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 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

(ii) that total \$300.00 or less. If multiple accounts are attached, a total of \$300.00 in all accounts shall not be subject to levy and attachment as determined by the executing officer. The funds shall be set aside pursuant to the defendant's general exemption provided in 42Pa.C.S. §8123.

(3) 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	\$3,590.06
INTEREST	
from September 11, 2008	\$137.37
COSTS	
Prothonotary fee	\$20.00
Sheriff fee	<u>\$100.00</u>

<b>TOTAL</b>	<b>Prothonotary costs</b>	<b>\$3,847.43</b>
--------------	---------------------------	-------------------

~~\$132.00~~

BY:

  
Clerk

, Prothonotary

DATE:

May 29, 2009

GORDON & WEINBERG, P.C.  
BY: FREDERIC I. WEINBERG, ESQUIRE  
Identification No.: 41360  
JOEL M. FLINK, ESQUIRE  
Identification No.: 41200  
1001 E. Hector Street, Ste 220  
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484/351-0500

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P.O. BOX 85147  
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CLEARFIELD COUNTY

vs.

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DU BOIS PA 15801

and

S & T Bank  
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**GARNISHEE**

**WRIT OF EXECUTION**

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INTEREST	
from September 11, 2008	\$137.37
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<b>TOTAL</b>	<b>\$3,847.43</b>

FREDERIC I. WEINBERG, ESQUIRE &  
JOEL M. FLINK, ESQUIRE  
1001 E. Hector Street, Ste 220  
Conshohocken, PA 19428  
484/351-0500

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
NO: 06-1710-CD

CAPITAL ONE BANK

vs

KIMBERLY A. DILLON

TO: S&T BANK, Garnishee

SERVICE # 1 OF 2

WRIT OF EXECUTION; INTERROGATORIES TO GARNISHEE

SERVE BY: 06/12/2009 ASAP HEARING: PAGE: 105735

DEFENDANT: S&T BANK, Garnishee  
ADDRESS: 35 WEST SCRIBNER AVE.  
DUBOIS, PA 15801

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: GARNISHEE

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT OCCUPIED

ATTEMPTS \_\_\_\_\_

**SHERIFF'S RETURN**

NOW, This 5th day of June 09 AT 11:20 AM PM SERVED THE WITHIN

WRIT OF EXECUTION; INTERROGATORIES TO GARNISHEE ON S&T BANK, Garnishee, DEFENDANT  
BY HANDING TO Cindy Cydick, CSR

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

ADDRESS SERVED 35 W SCRIBNER AVE DUBOIS

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

WRIT OF EXECUTION; INTERROGATORIES TO GARNISHEE 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

\_\_\_\_ DAY OF \_\_\_\_\_ 2009

So Answers: CHESTER A. HAWKINS, SHERIFF

BY:

George F. Dobber

Deputy Signature

Print Deputy Name

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

2 OF 2 SERVICES

CAPITAL ONE BANK

NO. 06-1710-CD

-VS-

KIMBERLY A. DILLON  
TO: S&T BANK, Garnishee

## WRIT OF EXECUTION/INTERROGATORIES TO GARNISHEE

## SHERIFF'S RETURN

NOW JUNE 8, 2009 MAILED THE WRIT NOTICE; CLAIM FOR EXEMPTION & WRIT OF EXECUTION TO KIMBERLY A. DILLON, DEFENDANT TO 311 W. LONG AVENUE, APT. H, DUBOIS, PA. 15801 IN THE S.A.S.E.

SHFF. HAWKINS: \$44.90  
SHFF. SURCHARGE: \$20.00  
PAID BY: atty.

So Answers,

*Chester A. Hawkins*  
*by Maelyn Hanks*

SWORN TO BEFORE ME THIS  
\_\_\_\_ DAY OF \_\_\_\_\_

CHESTER A. HAWKINS,  
SHERIFF

S FILED  
0/2.10am  
JUN - 8 2009  
LM  
William A. Shaw  
Prothonotary/Clerk of Courts

GORDON & WEINBERG, P.C.  
BY: FREDERIC I. WEINBERG, ESQUIRE  
' Identification No.: 41360  
' JOEL M. FLINK, ESQUIRE  
Identification No.: 41200  
1001 E. Hector Street, Ste 220  
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484/351-0500

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Capital One Bank  
P.O. BOX 85147  
RICHMOND, VA 23276

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CLEARFIELD COUNTY

vs.

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S & T Bank  
35 West Scribner Avenue  
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**GARNISHEE**

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1. At the time you were served or at any subsequent time did you owe the defendant(s) any money or were you liable to the defendant on any negotiable or other written instrument, or did the defendant claim that you owed the defendant any money or were liable to the defendant for any reason?
2. At the time you were served or at any subsequent time was there in your possession, custody or control or in the joint 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 in 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(s) had an interest?
5. At any time before or after you were served did the

defendant(s) transfer or deliver any property to you or to any person or place pursuant to your direction or consent and what was the consideration thereof?

6. At any time after you were served did you pay, transfer or deliver any money or property to the defendant(s) or to any person or place pursuant to his/her, their) direction or otherwise discharge any claim of the defendant(s) against you?
7. If you are a bank or other financial institution, at the time you were served or 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 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 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. How much is the value of any property in your possession belonging to the defendant(s)?

  
FREDERIC I. WEINBERG, ESQUIRE  
JOEL M. FLINK, ESQUIRE  
Attorney for Plaintiff

DATED: 5/21/89

2029801

GORDON & WEINBERG, P.C.

BY: FREDERIC I. WEINBERG, ESQUIRE  
Identification No.: 41360  
JOEL M. FLINK, ESQUIRE  
Identification No.: 41200  
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and

S & T Bank  
35 West Scribner Avenue  
DuBois, PA 15801

**GARNISHEE**

**PRAECIPE FOR WRIT OF EXECUTION**

TO THE PROTHONOTARY:

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

Issue writ of execution in the above matter,  
directed to the Sheriff of Clearfield County;

(1) against

**KIMBERLY A DILLON**

defendant(s) and

(2) against

**S & T Bank**

garnishee(s)

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Sheriff fee \$100.00

**TOTAL** **Prothonotary costs** **\$3,847.43**

*\$132.00*

Attest

*W. E. L.*  
Prothonotary/  
Clerk of Courts

MAY 29 2009

*W. E. L.*  
FREDERIC I. WEINBERG, ESQUIRE  
JOEL M. FLINK, ESQUIRE  
Attorney for Plaintiff

GORDON & WEINBERG, P.C.

BY: FREDERIC I. WEINBERG, ESQUIRE

Identification No.: 41360

JOEL M. FLINK, ESQUIRE

Identification No.: 41200

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Capital One Bank

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COURT OF COMMON PLEAS

CLEARFIELD COUNTY

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If you have an exemption, you should do the following promptly: (1) Fill out the attached exemption claim form and demand for a prompt hearing; (2) Deliver the form or mail it to the Sheriff's Office at the address noted.

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David S. Meholick, Court Admin.

Clearfield County Courthouse

Clearfield, PA 16830

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**GARNISHEE**

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

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[ ] (ii) paid in cash following the sale of the property levied upon; or

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

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(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 and basis of exemption):  
\_\_\_\_\_  
\_\_\_\_\_

I request a prompt Court hearing to determine the exemption.

Notice of the hearing should be given to me at: (include address and telephone)  
\_\_\_\_\_  
\_\_\_\_\_

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. Section 4904 relating to unsworn falsification to authorities.

DATE: \_\_\_\_\_ Defendant: \_\_\_\_\_

THIS CLAIM TO BE FILED WITH THE  
OFFICE OF THE SHERIFF OF CLEARFIELD COUNTY:

Sheriff of Clearfield County  
P.O. Box 549  
Clearfield, PA 16830  
814/765-2641

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7. Certain insurance proceeds
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EXHIBIT "A"

BY: FREDERIC I. WEINBERG, ESQUIRE

Identification No.: 41360

JOEL M. FLINK, ESQUIRE

Identification No.: 41200

1001 E. Hector Street, Ste 220

Conshohocken, PA 19428

484/351-0500

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Capital One Bank

P.O. BOX 85147

RICHMOND, VA 23276

COURT OF COMMON PLEAS

CLEARFIELD COUNTY

vs.

DOCKET NO. : 06-1710-CD

KIMBERLY A DILLON  
311 W. LONG AVENUE, APT. H  
DU BOIS PA 15801

and

S & T Bank  
35 West Scribner Avenue  
DuBois, PA 15801

**GARNISHEE**

**INTERROGATORIES IN ATTACHMENT**

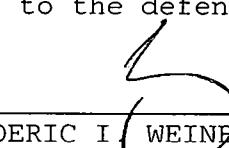
TO: **S & T Bank - GARNISHEE**

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

1. At the time you were served or at any subsequent time did you owe the defendant(s) any money or were you liable to the defendant on any negotiable or other written instrument, or did the defendant claim that you owed the defendant any money or were liable to the defendant for any reason?
2. At the time you were served or at any subsequent time was there in your possession, custody or control or in the joint 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 in 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(s) had an interest?
5. At any time before or after you were served did the

defendant(s) transfer or deliver any property to you or to any person or place pursuant to your direction or consent and what was the consideration thereof?

6. At any time after you were served did you pay, transfer or deliver any money or property to the defendant(s) or to any person or place pursuant to his/her, their) direction or otherwise discharge any claim of the defendant(s) against you?
7. If you are a bank or other financial institution, at the time you were served or 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 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 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. How much is the value of any property in your possession belonging to the defendant(s)?

  
FREDERIC I. WEINBERG, ESQUIRE  
JOEL M. FLINK, ESQUIRE  
Attorney for Plaintiff

DATED: 5/24/09

GORDON & WEINBERG, P.C.  
BY: FREDERIC I. WEINBERG, ESQUIRE  
Identification No.: 41360  
JOEL M. FLINK, ESQUIRE  
Identification No.: 41200  
1001 E. Hector Street, Ste 220  
Conshohocken, PA 19428  
484/351-0500

---

Capital One Bank  
P.O. BOX 85147  
RICHMOND, VA 23276

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

vs.

DOCKET NO. : 06-1710-CD

KIMBERLY A DILLON  
311 W. LONG AVENUE, APT. H  
DU BOIS PA 15801

and

S & T Bank  
35 West Scribner Avenue  
DuBois, PA 15801

**GARNISHEE**

Commonwealth of Pennsylvania )  
County of CLEARFIELD )

**WRIT OF EXECUTION - BANK ACCOUNT ONLY**

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against:

KIMBERLY A DILLON

defendant(s)

- (1) You are directed to levy upon the property of the defendant(s) and to sell defendant's('s) interest therein: **No Levy other than bank account**
- (2) You are also directed to attach the property of the defendant(s) not levied upon in the possession of

S & T Bank  
35 West Scribner Avenue  
DuBois, PA 15801- **GARNISHEE - serve only**

(specifically describe property)

and to notify the garnishee(s) 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 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

(ii) that total \$300.00 or less. If multiple accounts are attached, a total of \$300.00 in all accounts shall not be subject to levy and attachment as determined by the executing officer. The funds shall be set aside pursuant to the defendant's general exemption provided in 42Pa.C.S. §8123.

(3) 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	\$3,590.06
INTEREST	
from September 11, 2008	\$137.37
COSTS	
Prothonotary fee	\$20.00
Sheriff fee	<u>\$100.00</u>
 TOTAL	 Prothonotary costs
	\$3,847.43

~~\$ 132.00~~

Prothonotary

BY:

Weller  
Clerk

DATE:

May 29, 2009

Received this writ this 29 day  
of May A.D. 2009  
At 3:00 A.M. (P.M.)

Cluter A Hanley  
Sheriff My Manly Han

GORDON & WEINBERG, P.C.  
BY: FREDERIC I. WEINBERG, ESQUIRE  
Identification No.: 41360  
JOEL M. FLINK, ESQUIRE  
Identification No.: 41200  
1001 E. Hector Street, Ste 220  
Conshohocken, PA 19428  
484/351-0500

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Capital One Bank  
P.O. BOX 85147  
RICHMOND, VA 23276

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

vs.

DOCKET NO. : 06-1710-CD

KIMBERLY A DILLON  
311 W. LONG AVENUE, APT. H  
DU BOIS PA 15801

and

S & T Bank  
35 West Scribner Avenue  
DuBois, PA 15801  
**GARNISHEE**

**WRIT OF EXECUTION**

(3) AMOUNT DUE	\$3,590.06
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from September 11, 2008	\$137.37
COSTS	
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Sheriff fee	<u>\$100.00</u>
<b>TOTAL</b>	<b>\$3,847.43</b>

FREDERIC I. WEINBERG, ESQUIRE &  
JOEL M. FLINK, ESQUIRE  
1001 E. Hector Street, Ste 220  
Conshohocken, PA 19428  
484/351-0500

2029801

GORDON & WEINBERG, P.C.

BY: FREDERIC I. WEINBERG, ESQUIRE

Identification No.: 41360

JOEL M. FLINK, ESQUIRE

Identification No.: 41200

1001 E. Hector Street, Ste 220

Conshohocken, PA 19428

484/351-0500

Capital One Bank

P.O. BOX 85147

RICHMOND, VA 23276

COURT OF COMMON PLEAS

CLEARFIELD COUNTY

vs.

DOCKET NO. : 06-1710-CD

KIMBERLY A DILLON  
311 W. LONG AVENUE, APT. H  
DU BOIS PA 15801

and

S & T Bank  
35 West Scribner Avenue  
DuBois, PA 15801

GARNISHEE

PRAECIPE FOR WRIT OF EXECUTION

TO THE PROTHONOTARY:

Issue writ of execution in the above matter,  
directed to the Sheriff of Clearfield County;

(1) against

KIMBERLY A DILLON

defendant(s) and

(2) against

S & T Bank

garnishee(s)

(3) AMOUNT DUE

\$3,590.06

INTEREST

from September 11, 2008

\$137.37

COSTS

Prothonotary fee

\$20.00

Sheriff fee

\$100.00

TOTAL

Prothonotary costs

\$3,847.43

\$132.00

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

MAY 29 2009

Attest.

*William H.*  
Prothonotary/  
Clerk of Courts

*W.H.*  
FREDERIC I. WEINBERG, ESQUIRE  
JOEL M. FLINK, ESQUIRE  
Attorney for Plaintiff

GORDON & WEINBERG, P.C.

BY: FREDERIC I. WEINBERG, ESQUIRE

Identification No.: 41360

JOEL M. FLINK, ESQUIRE

Identification No.: 41200

1001 E. Hector Street, Ste 220

Conshohocken, PA 19428

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Capital One Bank  
P.O. BOX 85147  
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COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

vs.

DOCKET NO. : 06-1710-CD

KIMBERLY A DILLON  
311 W. LONG AVENUE, APT. H  
DU BOIS PA 15801

and

S & T Bank  
35 West Scribner Avenue  
DuBois, PA 15801

**GARNISHEE**

**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. If you wish to exercise your rights, you must act promptly.

The law provides that certain property cannot be taken. Such property is said to be exempt. There is a debtor's exemption of \$300.00. There are other exemptions which may applicable to you. Attached is a summary of some of the major exemptions. You may have other exemptions or other rights.

If you have an exemption, you should do the following promptly: (1) Fill out the attached exemption claim form and demand for a prompt hearing; (2) Deliver the form or mail it to the Sheriff's Office at the address noted.

You should come to court ready to explain your exemption. If you do not come to court and prove your exemption, you may lose some of your property.

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

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

David S. Meholick, Court Admin.  
Clearfield County Courthouse  
Clearfield, PA 16830  
(814) 765-2641

GORDON & WEINBERG, P.C.  
BY: FREDERIC I. WEINBERG, ESQUIRE  
Identification No.: 41360  
JOEL M. FLINK, ESQUIRE  
Identification No.: 41200  
1001 E. Hector Street, Ste 220  
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484/351-0500

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Capital One Bank  
P.O. BOX 85147  
RICHMOND, VA 23276

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

vs.

DOCKET NO. : 06-1710-CD

KIMBERLY A DILLON  
311 W. LONG AVENUE, APT. H  
DU BOIS PA 15801  
and  
S & T Bank  
35 West Scribner Avenue  
DuBois, PA 15801

**GARNISHEE**

**CLAIM FOR EXEMPTION**

TO THE SHERIFF:

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

(1) From my personal property in my possession which has been levied upon,

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

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

---

---

[ ] (ii) paid in cash following the sale of the property levied upon; or

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

---

---

(2) From my property which is in the possession of a third party, I claim the following exemptions:

(a) My \$300.00 statutory exemption: [ ] in cash; [ ] in kind (specify property)

---

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

(c) Other (specify amount and basis of exemption):  
\_\_\_\_\_  
\_\_\_\_\_

I request a prompt Court hearing to determine the exemption.

Notice of the hearing should be given to me at: (include address and telephone)  
\_\_\_\_\_  
\_\_\_\_\_

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. Section 4904 relating to unsworn falsification to authorities.

DATE: \_\_\_\_\_ Defendant: \_\_\_\_\_

THIS CLAIM TO BE FILED WITH THE  
OFFICE OF THE SHERIFF OF CLEARFIELD COUNTY:

Sheriff of Clearfield County  
P.O. Box 549  
Clearfield, PA 16830  
814/765-2641

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.

MAJOR EXEMPTIONS UNDER PENNSYLVANIA AND FEDERAL LAW

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

EXHIBIT "A"

GORDON & WEINBERG, P.C.  
BY: FREDERIC I. WEINBERG, ESQUIRE  
Identification No.: 41360  
JOEL M. FLINK, ESQUIRE  
Identification No.: 41200  
1001 E. Hector Street, Ste 220  
Conshohocken, PA 19428  
484/351-0500

Capital One Bank  
P.O. BOX 85147  
RICHMOND, VA 23276

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

vs.

DOCKET NO. : 06-1710-CD

KIMBERLY A DILLON  
311 W. LONG AVENUE, APT. H  
DU BOIS PA 15801

and

S & T Bank  
35 West Scribner Avenue  
DuBois, PA 15801  
**GARNISHEE**

INTERROGATORIES IN ATTACHMENT

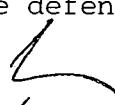
TO: **S & T Bank - GARNISHEE**

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

1. At the time you were served or at any subsequent time did you owe the defendant(s) any money or were you liable to the defendant on any negotiable or other written instrument, or did the defendant claim that you owed the defendant any money or were liable to the defendant for any reason?
2. At the time you were served or at any subsequent time was there in your possession, custody or control or in the joint 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 in 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(s) had an interest?
5. At any time before or after you were served did the

defendant(s) transfer or deliver any property to you or to any person or place pursuant to your direction or consent and what was the consideration thereof?

6. At any time after you were served did you pay, transfer or deliver any money or property to the defendant(s) or to any person or place pursuant to his/her, their) direction or otherwise discharge any claim of the defendant(s) against you?
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9. How much is the value of any property in your possession belonging to the defendant(s)?

  
FREDERIC I. WEINBERG, ESQUIRE  
JOEL M. FLINK, ESQUIRE  
Attorney for Plaintiff

DATED: 5/22/89

GORDON & WEINBERG, P.C.  
BY: FREDERIC I. WEINBERG, ESQUIRE  
Identification No.: 41360  
JOEL M. FLINK, ESQUIRE  
Identification No.: 41200  
1001 E. Hector Street, Ste 220  
Conshohocken, PA 19428  
484/351-0500

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Capital One Bank  
P.O. BOX 85147  
RICHMOND, VA 23276

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

vs.

DOCKET NO. : 06-1710-CD

KIMBERLY A DILLON  
311 W. LONG AVENUE, APT. H  
DU BOIS PA 15801

and

S & T Bank  
35 West Scribner Avenue  
DuBois, PA 15801  
**GARNISHEE**

Commonwealth of Pennsylvania )  
County of CLEARFIELD )

**WRIT OF EXECUTION - BANK ACCOUNT ONLY**

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against:

KIMBERLY A DILLON  
defendant(s)

- (1) You are directed to levy upon the property of the defendant(s) and to sell defendant's('s) interest therein: **No Levy other than bank account**
- (2) You are also directed to attach the property of the defendant(s) not levied upon in the possession of

S & T Bank  
35 West Scribner Avenue  
DuBois, PA 15801- **GARNISHEE - serve only**

(specifically describe property)

and to notify the garnishee(s) 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 funds in an account of the defendant with a bank or other financial institution.

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(ii) that total \$300.00 or less. If multiple accounts are attached, a total of \$300.00 in all accounts shall not be subject to levy and attachment as determined by the executing officer. The funds shall be set aside pursuant to the defendant's general exemption provided in 42Pa.C.S. §8123.

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AMOUNT DUE	\$3,590.06
INTEREST	
from September 11, 2008	\$137.37
COSTS	
Prothonotary fee	\$20.00
Sheriff fee	<u>\$100.00</u>
 TOTAL	 Prothonotary costs
	\$3,847.43
	 132.00

*Weller*  
Prothonotary  
Clerk

DATE:

May 29, 2009

Received this writ this 29 day  
of May A.D. 2009  
At 3:00 A.M. (P.M.)

Chesler A. Haubens  
Sheriff  
by Maelyn Hump

GORDON & WEINBERG, P.C.  
BY: FREDERIC I. WEINBERG, ESQUIRE  
Identification No.: 41360  
JOEL M. FLINK, ESQUIRE  
Identification No.: 41200  
1001 E. Hector Street, Ste 220  
Conshohocken, PA 19428  
484/351-0500

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Capital One Bank  
P.O. BOX 85147  
RICHMOND, VA 23276

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

vs.

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311 W. LONG AVENUE, APT. H  
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and

S & T Bank  
35 West Scribner Avenue  
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**GARNISHEE**

**WRIT OF EXECUTION**

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FREDERIC I. WEINBERG, ESQUIRE &  
JOEL M. FLINK, ESQUIRE  
1001 E. Hector Street, Ste 220  
Conshohocken, PA 19428  
484/351-0500

2029801

GORDON & WEINBERG, P.C.

BY: FREDERIC I. WEINBERG, ESQUIRE  
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Capital One Bank  
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COURT OF COMMON PLEAS  
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KIMBERLY A DILLON  
311 W. LONG AVENUE, APT. H  
DU BOIS PA 15801

and

S & T Bank  
35 West Scribner Avenue  
DuBois, PA 15801

GARNISHEE

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

PRAECIPE FOR WRIT OF EXECUTION

TO THE PROTHONOTARY:

MAY 29 2009

Attest.

*William C. ...*  
Prothonotary/  
Clerk of Courts

Issue writ of execution in the above matter,  
directed to the Sheriff of Clearfield County;

(1) against

KIMBERLY A DILLON

defendant(s) and

(2) against

S & T Bank

garnishee(s)

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from September 11, 2008	\$137.37
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 TOTAL	 <b>\$3,847.43</b>

*[Signature]*  
FREDERIC I. WEINBERG, ESQUIRE  
JOEL M. FLINK, ESQUIRE  
Attorney for Plaintiff

GORDON & WEINBERG, P.C.

BY: FREDERIC I. WEINBERG, ESQUIRE

Identification No.: 41360

JOEL M. FLINK, ESQUIRE

Identification No.: 41200

1001 E. Hector Street, Ste 220

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484/351-0500

Capital One Bank  
P.O. BOX 85147  
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COURT OF COMMON PLEAS  
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S & T Bank  
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**GARNISHEE**

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David S. Meholick, Court Admin.  
Clearfield County Courthouse  
Clearfield, PA 16830  
(814) 765-2641

GORDON & WEINBERG, P.C.  
BY: FREDERIC I. WEINBERG, ESQUIRE  
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1001 E. Hector Street, Ste 220  
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484/351-0500

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Capital One Bank  
P.O. BOX 85147  
RICHMOND, VA 23276

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

vs.

DOCKET NO. : 06-1710-CD

KIMBERLY A DILLON  
311 W. LONG AVENUE, APT. H  
DU BOIS PA 15801  
and  
S & T Bank  
35 West Scribner Avenue  
DuBois, PA 15801

**GARNISHEE**

**CLAIM FOR EXEMPTION**

TO THE SHERIFF:

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

(1) From my personal property in my possession which has been levied upon,

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

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

---

---

[ ] (ii) paid in cash following the sale of the property levied upon; or

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

---

---

(2) From my property which is in the possession of a third party, I claim the following exemptions:

(a) My \$300.00 statutory exemption: [ ] in cash; [ ] in kind (specify property)

---

;

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

(c) Other (specify amount and basis of exemption):  
\_\_\_\_\_  
\_\_\_\_\_

I request a prompt Court hearing to determine the exemption.

Notice of the hearing should be given to me at: (include address and telephone)  
\_\_\_\_\_  
\_\_\_\_\_

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. Section 4904 relating to unsworn falsification to authorities.

DATE: \_\_\_\_\_ Defendant: \_\_\_\_\_

THIS CLAIM TO BE FILED WITH THE  
OFFICE OF THE SHERIFF OF CLEARFIELD COUNTY:

Sheriff of Clearfield County  
P.O. Box 549  
Clearfield, PA 16830  
814/765-2641

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.

MAJOR EXEMPTIONS UNDER PENNSYLVANIA AND FEDERAL LAW

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

EXHIBIT "A"

GORDON & WEINBERG, P.C.

BY: FREDERIC I. WEINBERG, ESQUIRE

Identification No.: 41360

JOEL M. FLINK, ESQUIRE

Identification No.: 41200

1001 E. Hector Street, Ste 220

Conshohocken, PA 19428

484/351-0500

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Capital One Bank

P.O. BOX 85147

RICHMOND, VA 23276

COURT OF COMMON PLEAS

CLEARFIELD COUNTY

vs.

DOCKET NO. : 06-1710-CD

KIMBERLY A DILLON  
311 W. LONG AVENUE, APT. H  
DU BOIS PA 15801

and

S & T Bank  
35 West Scribner Avenue  
DuBois, PA 15801

**GARNISHEE**

INTERROGATORIES IN ATTACHMENT

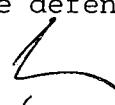
TO: S & T Bank - GARNISHEE

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

1. At the time you were served or at any subsequent time did you owe the defendant(s) any money or were you liable to the defendant on any negotiable or other written instrument, or did the defendant claim that you owed the defendant any money or were liable to the defendant for any reason?
2. At the time you were served or at any subsequent time was there in your possession, custody or control or in the joint 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 in 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(s) had an interest?
5. At any time before or after you were served did the

defendant(s) transfer or deliver any property to you or to any person or place pursuant to your direction or consent and what was the consideration thereof?

6. At any time after you were served did you pay, transfer or deliver any money or property to the defendant(s) or to any person or place pursuant to his(her, their) direction or otherwise discharge any claim of the defendant(s) against you?
7. If you are a bank or other financial institution, at the time you were served or 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 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 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. How much is the value of any property in your possession belonging to the defendant(s)?

  
FREDERIC I. WEINBERG, ESQUIRE  
JOEL M. FLINK, ESQUIRE  
Attorney for Plaintiff

DATED: 5/21/09

GORDON & WEINBERG, P.C.  
BY: FREDERIC I. WEINBERG, ESQUIRE  
Identification No.: 41360  
JOEL M. FLINK, ESQUIRE  
Identification No.: 41200  
1001 E. Hector Street, Ste 220  
Conshohocken, PA 19428  
484/351-0500

---

Capital One Bank  
P.O. BOX 85147  
RICHMOND, VA 23276

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

vs.

DOCKET NO. : 06-1710-CD

KIMBERLY A DILLON  
311 W. LONG AVENUE, APT. H  
DU BOIS PA 15801

and

S & T Bank  
35 West Scribner Avenue  
DuBois, PA 15801  
**GARNISHEE**

Commonwealth of Pennsylvania )  
County of CLEARFIELD )

**WRIT OF EXECUTION - BANK ACCOUNT ONLY**

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against:

KIMBERLY A DILLON  
defendant(s)

- (1) You are directed to levy upon the property of the defendant(s) and to sell defendant's(s) interest therein: **No Levy other than bank account**
- (2) You are also directed to attach the property of the defendant(s) not levied upon in the possession of

S & T Bank  
35 West Scribner Avenue  
DuBois, PA 15801- **GARNISHEE - serve only**

(specifically describe property)

and to notify the garnishee(s) 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 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

(ii) that total \$300.00 or less. If multiple accounts are attached, a total of \$300.00 in all accounts shall not be subject to levy and attachment as determined by the executing officer. The funds shall be set aside pursuant to the defendant's general exemption provided in 42Pa.C.S. §8123.

(3) 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	\$3,590.06
INTEREST	
from September 11, 2008	\$137.37
COSTS	
Prothonotary fee	\$20.00
Sheriff fee	<u>\$100.00</u>
 TOTAL	 <b>Prothonotary costs</b>
	<b>\$3,847.43</b>

*132.00*

, Prothonotary

BY:

*Weller*  
Clerk

Received this writ this 29 day  
of May A.D. 2009  
At 3:00 A.M.(P.M.)

May 29, 2009

*Chesler A. Hawkins*  
Sheriff  
*My Manly Hamz*

GORDON & WEINBERG, P.C.  
BY: FREDERIC I. WEINBERG, ESQUIRE  
Identification No.: 41360  
JOEL M. FLINK, ESQUIRE  
Identification No.: 41200  
1001 E. Hector Street, Ste 220  
Conshohocken, PA 19428  
484/351-0500

---

Capital One Bank  
P.O. BOX 85147  
RICHMOND, VA 23276

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

vs.

DOCKET NO. : 06-1710-CD

KIMBERLY A DILLON  
311 W. LONG AVENUE, APT. H  
DU BOIS PA 15801

and

S & T Bank  
35 West Scribner Avenue  
DuBois, PA 15801  
**GARNISHEE**

**WRIT OF EXECUTION**

(3) AMOUNT DUE	\$3,590.06
INTEREST	
from September 11, 2008	\$137.37
COSTS	
Prothonotary fee	\$20.00
Sheriff fee	<u>\$100.00</u>
<b>TOTAL</b>	<b>\$3,847.43</b>

FREDERIC I. WEINBERG, ESQUIRE &  
JOEL M. FLINK, ESQUIRE  
1001 E. Hector Street, Ste 220  
Conshohocken, PA 19428  
484/351-0500

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

CAPITAL ONE BANK., :  
Plaintiff : No. 06-1710-CD  
vs. :  
KIMBERLY A. DILLON, :  
Defendant :  
:

FILED  
01/10/2009  
JUN 25 2009  
NO CC  
LS  
William A. Shaw  
Prothonotary/Clerk of Courts

**S & T BANK'S ANSWERS TO INTERROGATORIES**

NOW, S & T Bank, Garnishee in the above captioned matter, by its attorney Peter F. Smith who answers the plaintiff's interrogatories as follows:

1. Account number 4001306127.
2. No
3. No
4. No
5. No
6. No
7. No
8. Yes. Account identified at 1 above.
9. The balance in this account after deduction of Defendant's \$300 statutory exemption referred to by the preceding Interrogatory 8 and after deduction for S&T's processing fee was \$435.60 on the date and at the time the Writ was served on S&T Bank.

Date: June 15, 2009

  
Peter F. Smith, Esquire  
Attorney for S & T Bank  
30 South Second Street  
P. O. Box 130  
Clearfield, PA 16830  
(814) 765-5595

## VERIFICATION

I verify that the statements made in this Answer to Interrogatories 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.

S & T BANK

Dated: 6-22-09

By: Wendy Pincheck  
Wendy Pincheck, O.R.E.O. Specialist

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

DISCOVER BANK,

Plaintiff : No. 06-1710-CD

vs.

KIMBERLY A. DILLON,

Defendant :

vs.

S & T Bank,

Garnishee :

**CERTIFICATE OF SERVICE**

I, Peter F. Smith, attorney for S & T Bank in the above-captioned matter, hereby certify that I served the original Answers to Interrogatories filed in this matter on the Attorney for the Plaintiff by U.S. First Class Mail and a true and correct copy of the Answers to Interrogatories on the Defendant by U.S. Certified Mail as follows:

Gordon & Weinberg, P.C.  
Joel M. Flink, Esquire  
1001 E. Hector St., Ste 220  
Conshohocken, PA 19428

Kimberly A. Dillon  
311 W. Long Avenue, Apt H.  
DuBois, PA 15801

Date:

6/24/09

  
Peter F. Smith, Esquire  
Attorney for S & T Bank  
30 South Second Street  
P. O. Box 130  
Clearfield, PA 16830  
(814) 765-5595

GORDON & WEINBERG, P.C.  
BY: FREDERIC I. WEINBERG, ESQUIRE  
Identification No.: 41360  
JOEL M. FLINK, ESQUIRE  
Identification No.: 41200  
1001 E. Hector Street, Ste 220  
Conshohocken, PA 19428  
484/351-0500

---

Capital One Bank  
P.O. BOX 85147  
RICHMOND, VA 23276

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

vs.

DOCKET NO. : 06-1710-CD

KIMBERLY A DILLON

and  
S&T Bank  
Garnishee

**PRAECIPE FOR JUDGMENT UPON ADMISSION**

**TO THE PROTHONOTARY:**

Please enter judgment in favor of the Plaintiff, Capital One Bank and against the Garnishee, S&T Bank, in the amount of \$435.60, admitted in the Answer to Interrogatories to be in the Garnishee's possession, together with interest and costs. The amount of the judgment of the Plaintiff against the Defendant together with post judgment costs and post judgment interest is \$4,113.38.

Date: 7/24/09 GORDON & WEINBERG, P.C.

**FILED**

*7/27/09*  
JUL 27 2009

5  
William A. Shaw  
Prothonotary/Clerk of Courts

ICC Atty Weinberg  
ICC Atty Smith  
W/Notice  
Atty Pd. 20.00  
(6)

BY:

*Frederic I. Weinberg, Esquire*  
FREDERIC I. WEINBERG, ESQUIRE  
JOEL M. FLINK, ESQUIRE  
Attorney for Plaintiff

2029801

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

DISCOVER BANK,

Plaintiff

No. 06-1710-CD

vs.

KIMBERLY A. DILLON,

Defendant

vs.

S & T Bank,

Garnishee

CERTIFICATE OF SERVICE

I, Peter F. Smith, attorney for S & T Bank in the above-captioned matter, hereby certify that I served the original Answers to Interrogatories filed in this matter on the Attorney for the Plaintiff by U.S. First Class Mail and a true and correct copy of the Answers to Interrogatories on the Defendant by U.S. Certified Mail as follows:

Gordon & Weinberg, P.C.  
Joel M. Flink, Esquire  
1001 E. Hector St., Ste 220  
Conshohocken, PA 19428

Kimberly A. Dillon  
311 W. Long Avenue, Apt H.  
DuBois, PA 15801

Date: 6/24/09

  
Peter F. Smith, Esquire  
Attorney for S & T Bank  
30 South Second Street  
P. O. Box 130  
Clearfield, PA 16830  
(814) 765-3595

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

CAPITAL ONE BANK,

Plaintiff

No. 06-1710-CD

vs.

KIMBERLY A. DILLON,

Defendant

S & T BANK'S ANSWERS TO INTERROGATORIES

NOW, S & T Bank, Garnishee in the above captioned matter, by its attorney Peter F. Smith who answers the plaintiff's interrogatories as follows:

1. Account number 4001306127.
2. No
3. No
4. No
5. No
6. No
7. No
8. Yes. Account identified at 1 above.
9. The balance in this account after deduction of Defendant's \$300 statutory exemption referred to by the preceding Interrogatory 8 and after deduction for S&T's processing fee was \$435.60 on the date and at the time the Writ was served on S&T Bank.

Date: June 15, 2009



Peter F. Smith, Esquire  
Attorney for S & T Bank  
30 South Second Street  
P. O. Box 190  
Clearfield, PA 16830  
(814) 765-5595

VERIFICATION

I verify that the statements made in this Answer to Interrogatories 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.

S & T BANK

Dated: 6-22-09

By: Wendy Pinchbeck  
Wendy Pinchbeck, O.R.E.O. Specialist

2029801

COPY

GORDON & WEINBERG, P.C.  
BY: FREDERIC I. WEINBERG, ESQUIRE  
Identification No.: 41360  
JOEL M. FLINK, ESQUIRE  
Identification No.: 41200  
1001 E. Hector Street, Ste 220  
Conshohocken, PA 19428  
484/351-0500

Capital One Bank

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

vs.

DOCKET NO. : 06-1710-CD

KIMBERLY A DILLON

and

S&T Bank

Garnishee

**NOTICE**

PURSUANT TO RULE 236 OF THE SUPREME COURT OF PENNSYLVANIA, YOU ARE HEREBY  
NOTIFIED THAT A JUDGMENT UPON ADMISSIONS HAS BEEN ENTERED AGAINST YOU IN  
THE ABOVE PROCEEDING.

IF YOU HAVE ANY QUESTIONS CONCERNING THIS NOTICE, PLEASE CALL **FREDERIC  
I. WEINBERG, ESQUIRE AT 484/351-0500**

*Willie Dillen 7/27/09  
64*

2029801

GORDON & WEINBERG, P.C.  
BY: FREDERIC I. WEINBERG, ESQUIRE  
Identification No.: 41360  
JOEL M. FLINK, ESQUIRE  
Identification No.: 41200  
1001 E. Hector Street, Ste 220  
Conshohocken, PA 19428  
484/351-0500

pd \$7.00 Attn,  
S FILED m 10:05 am 2009 Attn  
SEP 04 2009 Weinberg

William A. Shaw  
Prothonotary/Clerk of Courts

Capital One Bank

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

vs.

DOCKET NO. : 06-1710-CD

KIMBERLY A DILLON

and

S&T Bank

Garnishee

ORDER TO SATISFY JUDGMENT AGAINST GARNISHEE

TO THE PROTHONOTARY:

Kindly mark the judgment entered against garnishee S&T Bank  
in the above-captioned matter satisfied upon payment of your  
costs only.

GORDON & WEINBERG, P.C.

BY: 

FREDERIC I. WEINBERG, ESQUIRE  
JOEL M. FLINK, ESQUIRE  
Attorney for Plaintiff

P013