

Flagstar Bank vs Gregory Cooper  
2007-18-CD

07-18-CD  
Flagstar Bank vs Gregory Cooper

PHELAN HALLINAN & SCHMIEG, LLP  
LAWRENCE T. PHELAN, ESQ., Id. No. 32227  
FRANCIS S. HALLINAN, ESQ., Id. No. 62695  
ONE PENN CENTER PLAZA, SUITE 1400  
PHILADELPHIA, PA 19103  
(215) 563-7000

144473

ATTORNEY FOR PLAINTIFF

FLAGSTAR BANK, FSB  
5151 CORPORATE DRIVE  
SUITE 200  
TROY, MI 48098

Plaintiff

v.

GREGORY H. COOPER  
A/K/A GREGORY H. COOPER, SR.  
DAYNA A. COOPER  
109 EAST SECOND AVENUE,  
DU BOIS, PA 15801

Defendants

CIVIL ACTION - LAW  
COMPLAINT IN MORTGAGE FORECLOSURE

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 judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

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

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

Lawyer Referral Service:  
Pennsylvania Lawyer Referral Service  
Pennsylvania Bar Association  
100 South Street  
PO Box 186  
Harrisburg, PA 17108  
800-692-7375

Notice to Defend:  
David S. Meholic, Court Administrator  
Clearfield County Courthouse  
2<sup>nd</sup> and Market Streets  
Clearfield, PA 16830  
814-765-2641 x 5982

**IF THIS IS THE FIRST NOTICE THAT YOU HAVE RECEIVED FROM  
THIS OFFICE, BE ADVISED THAT:**

**PURSUANT TO THE FAIR DEBT COLLECTION  
PRACTICES ACT, 15 U.S.C. § 1692 et seq. (1977),  
DEFENDANT(S) MAY DISPUTE THE VALIDITY OF THE  
DEBT OR ANY PORTION THEREOF. IF DEFENDANT(S)  
DO SO IN WRITING WITHIN THIRTY (30) DAYS OF  
RECEIPT OF THIS PLEADING, COUNSEL FOR  
PLAINTIFF WILL OBTAIN AND PROVIDE  
DEFENDANT(S) WITH WRITTEN VERIFICATION  
THEREOF; OTHERWISE, THE DEBT WILL BE ASSUMED  
TO BE VALID. LIKEWISE, IF REQUESTED WITHIN  
THIRTY (30) DAYS OF RECEIPT OF THIS PLEADING,  
COUNSEL FOR PLAINTIFF WILL SEND DEFENDANT(S)  
THE NAME AND ADDRESS OF THE ORIGINAL  
CREDITOR, IF DIFFERENT FROM ABOVE.**

**THE LAW DOES NOT REQUIRE US TO WAIT UNTIL  
THE END OF THE THIRTY (30) DAY PERIOD  
FOLLOWING FIRST CONTACT WITH YOU BEFORE  
SUING YOU TO COLLECT THIS DEBT. EVEN THOUGH  
THE LAW PROVIDES THAT YOUR ANSWER TO THIS  
COMPLAINT IS TO BE FILED IN THIS ACTION WITHIN  
TWENTY (20) DAYS, YOU MAY OBTAIN AN EXTENSION  
OF THAT TIME. FURTHERMORE, NO REQUEST WILL  
BE MADE TO THE COURT FOR A JUDGMENT UNTIL  
THE EXPIRATION OF THIRTY (30) DAYS AFTER YOU  
HAVE RECEIVED THIS COMPLAINT. HOWEVER, IF  
YOU REQUEST PROOF OF THE DEBT OR THE NAME  
AND ADDRESS OF THE ORIGINAL CREDITOR WITHIN  
THE THIRTY (30) DAY PERIOD THAT BEGINS UPON  
YOUR RECEIPT OF THIS COMPLAINT, THE LAW  
REQUIRES US TO CEASE OUR EFFORTS (THROUGH  
LITIGATION OR OTHERWISE) TO COLLECT THE DEBT  
UNTIL WE MAIL THE REQUESTED INFORMATION TO  
YOU. YOU SHOULD CONSULT AN ATTORNEY FOR  
ADVICE CONCERNING YOUR RIGHTS AND  
OBLIGATIONS IN THIS SUIT.**

**IF YOU HAVE FILED BANKRUPTCY AND RECEIVED A  
DISCHARGE, THIS IS NOT AN ATTEMPT TO COLLECT  
A DEBT. IT IS AN ACTION TO ENFORCE A LIEN ON  
REAL ESTATE.**

1. Plaintiff is

FLAGSTAR BANK, FSB  
5151 CORPORATE DRIVE  
SUITE 200  
TRÓY, MI 48098

2. The name(s) and last known address(es) of the Defendant(s) are:

GREGORY H. COOPER  
A/K/A GREGORY H. COOPER, SR.  
DAYNA A. COOPER  
109 EAST SECOND AVENUE  
DU BOIS, PA 15801

who is/are the mortgagor(s) and real owner(s) of the property hereinafter described.

3. On 06/14/2006 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to PLAINTIFF which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Instrument No: 200612894.
4. The premises subject to said mortgage is described as attached.
5. The mortgage is in default because monthly payments of principal and interest upon said mortgage due 08/01/2006 and each month thereafter are due and unpaid, and by the terms of said mortgage, upon failure of mortgagor to make such payments after a date specified by written notice sent to Mortgagor, the entire principal balance and all interest due thereon are collectible forthwith.

6. The following amounts are due on the mortgage:

Principal Balance	\$76,500.00
Interest	3,799.98
07/01/2006 through 01/02/2007	
(Per Diem \$20.43)	
Attorney's Fees	1,250.00
Cumulative Late Charges	98.58
06/14/2006 to 01/02/2007	
Cost of Suit and Title Search	<u>\$ 550.00</u>
Subtotal	\$ 82,198.56
Escrow	
Credit	0.00
Deficit	300.96
Subtotal	<u>\$ 300.96</u>
<b>TOTAL</b>	<b>\$ 82,499.52</b>

7. The attorney's fees set forth above are in conformity with the mortgage documents and Pennsylvania law, and will be collected in the event of a third party purchaser at Sheriff's Sale. If the Mortgage is reinstated prior to the Sale, reasonable attorney's fees will be charged.

8. Notice of Intention to Foreclose as set forth in Act 6 of 1974, Notice of Homeowner's Emergency Assistance Program pursuant to Act 91 of 1983, as amended in 1998, and/or Notice of Default as required by the mortgage document, as applicable, have been sent to the Defendant(s) on the date(s) set forth thereon, and the temporary stay as provided by said notice has terminated because Defendant(s) has/have failed to meet with the Plaintiff or an authorized consumer credit counseling agency, or has/have been denied assistance by the Pennsylvania Housing Finance Agency.

9. This action does not come under Act 6 of 1974 because the original mortgage amount exceeds \$50,000.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$ 82,499.52, together with interest from 01/02/2007 at the rate of \$20.43 per diem to the date of Judgment, and other costs and charges collectible under the mortgage and for the foreclosure and sale of the mortgaged property.

PHELAN HALLINAN & SCHMIEG, LLP  
  
By: /s/ Francis S. Hallinan  
LAWRENCE T. PHELAN, ESQUIRE  
FRANCIS S. HALLINAN, ESQUIRE  
Attorneys for Plaintiff

**LEGAL DESCRIPTION**

ALL THAT CERTAIN PROPERTY SITUATED IN THE COUNTY OF CLEARFIELD AND COMMONWEALTH OF PENNSYLVANIA, BEING MORE FULLY DESCRIBED IN A FEE SIMPLE DEED DATED 06/14/2006 AND RECORDED / / , AMONG THE LAND RECORDS OF THE COUNTY AND STATE SET FORTH ABOVE, IN VOLUME PAGE.

TAX PARCEL IDS: 7.3-024-7909

ADDRESS: 109 E. SECOND AVE.

DUBOIS, PA 15801

**VERIFICATION**

FRANCIS S. HALLINAN, ESQUIRE hereby states that he is attorney for PLAINTIFF in this matter, that Plaintiff is outside the jurisdiction of the court and or the Verification could not be obtained within the time allowed for the filing on the pleading, that he is authorized to make this verification pursuant to Pa. R. C. P. 1024 ( c ) and that the statements made in the foregoing Civil Action in Mortgage Foreclosure are based upon information supplied by Plaintiff and are true and correct to the best of his knowledge, information and belief.

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

Francis S. Hallinan

FRANCIS S. HALLINAN, ESQUIRE  
Attorney for Plaintiff

DATE: 1/2/07

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102308  
NO. 07-18-CD  
SERVICE # 1 OF 2  
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: FLAGSTAR BANK, FSB

VS.

DEFENDANT: GREGORY H. COOPER a/k/a GREGORY H. COOPER, SR.

SHERIFF RETURN

---

NOW, January 16, 2007 AT 1:55 PM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON GREGORY H. COOPER aka GREGORY H. COOPER, SR. DEFENDANT AT 109 EAST SECOND AVE., DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO SCOTT COOPER, SON A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: COUDRIET /

FILED

MAR 23 2007

01:00p

William A. Shaw

Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102308  
NO: 07-18-CD  
SERVICE # 2 OF 2  
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: FLAGSTAR BANK, FSB

VS.

DEFENDANT: GREGORY H. COOPER a/k/a GREGORY H. COOPER, SR.

SHERIFF RETURN

---

NOW, January 16, 2007 AT 1:55 AM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON DAYNA A. COOPER DEFENDANT AT 109 EAST SECOND AVE., DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO SCOTT COOPER, SON A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: COUDRIET /

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102308  
NO: 07-18-CD  
SERVICES 2  
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: FLAGSTAR BANK, FSB

VS.

DEFENDANT: GREGORY H. COOPER a/k/a GREGORY H. COOPER, SR.

**SHERIFF RETURN**

---

**RETURN COSTS**

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	PHELAN	562869	20.00
SHERIFF HAWKINS	PHELAN	562869	80.00

Sworn to Before Me This

So Answers,

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

  
Chester A. Hawkins  
Sheriff

PHELAN HALLINAN & SCHMIEG  
By: DANIEL G. SCHMIEG  
Identification No. 62205  
One Penn Center at Suburban Station - Suite 1400  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814      Attorney for Plaintiff  
(215) 563-7000

FLAGSTAR BANK, FSB  
5151 CORPORATE DRIVE  
SUITE 200  
TROY, MI 48098

Plaintiff,

v.

GREGORY H. COOPER  
A/K/A GREGORY H. COOPER, SR.  
DAYNA A. COOPER  
109 EAST SECOND AVENUE  
DU BOIS, PA 15801

Defendant(s).

:  
:      CLEARFIELD COUNTY  
:      COURT OF COMMON PLEAS  
:      CIVIL DIVISION  
:      NO. 07-18-CD  
:  
:  
:  
:  
:  
:

PRAECIPE FOR IN REM JUDGMENT FOR FAILURE TO  
ANSWER AND ASSESSMENT OF DAMAGES

TO THE OFFICE OF THE PROTHONOTARY:

Kindly enter an in rem judgment in favor of the Plaintiff and against **GREGORY H. COOPER A/K/A GREGORY H. COOPER, SR. and DAYNA A. COOPER**, Defendant(s) for failure to file an Answer to Plaintiff's Complaint within 20 days from service thereof and for foreclosure and sale of the mortgaged premises, and assess Plaintiff's damages as follows:

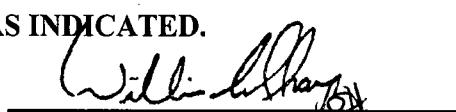
As set forth in the Complaint	\$ 82,499.52
Interest - 1/3/07-4/2/07	\$1,838.70
<b>TOTAL</b>	<b><u>\$84,338.22</u></b>

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

  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

DAMAGES ARE HEREBY ASSESSED AS INDICATED.

DATE: 4/3/07

  
PRO PROTHY

FILED *Atty pd*  
M/18/07 58/301 20.00  
APR 03 2007  
William A. Shaw  
Prothonotary/Clerk of Courts  
ICCD Notice to Def.  
Statement to Atty  
GK

PHÉLAN HALLINAN AND SCHMIEG  
By: Lawrence T. Phelan, Esq., Id. No. 32227  
Francis S. Hallinan, Esq., Id. No. 62695  
Daniel G. Schmieg, Esq., Id. No. 62205  
One Penn Center Plaza, Suite 1400  
Philadelphia, PA 19103  
(215) 563-7000

ATTORNEY FOR PLAINTIFF

FLAGSTAR BANK, FSB : COURT OF COMMON PLEAS  
Plaintiff : CIVIL DIVISION  
Vs. : CLEARFIELD COUNTY  
GREGORY H. COOPER A/K/A GREGORY H. : NO. 07-18-CD  
COOPER, SR.  
DAYNA A. COOPER  
Defendants

TO: GREGORY H. COOPER A/K/A GREGORY H. COOPER, SR.  
109 EAST SECOND AVENUE  
DU BOIS, PA 15801

DATE OF NOTICE: FEBRUARY 8, 2007

FILE COPY

THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. THIS NOTICE IS SENT TO YOU IN AN ATTEMPT TO COLLECT THE INDEBTEDNESS REFERRED TO HEREIN, AND ANY INFORMATION OBTAINED FROM YOU WILL BE USED FOR THAT PURPOSE. IF YOU HAVE PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY, THIS CORRESPONDENCE IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY AS ENFORCEMENT OF LIEN AGAINST PROPERTY.

**IMPORTANT NOTICE**

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

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

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

CLEARFIELD COUNTY  
DAVID S. MEHOLICK, COURT  
ADMINISTRATOR  
CLEARFIELD COUNTY COURTHOUSE  
CLEARFIELD, PA 16830  
(814) 765-2641 x 5982

PENNSYLVANIA LAWYER REFERRAL  
SERVICE  
PENNSYLVANIA BAR ASSOCIATION  
100 SOUTH STREET  
P.O. BOX 186  
HARRISBURG, PA 17108  
800-692-7375

  
FRANCIS S. HALLINAN, ESQUIRE  
Attorneys for Plaintiff

PHELAN HALLINAN AND SCHMIEG  
By: Lawrence T. Phelan, Esq., Id. No. 32227  
Francis S. Hallinan, Esq., Id. No. 62695  
Daniel G. Schmieg, Esq., Id. No. 62205  
One Penn Center Plaza, Suite 1400  
Philadelphia, PA 19103  
(215) 563-7000

FLAGSTAR BANK, FSB  
Plaintiff  
Vs.  
GREGORY H. COOPER A/K/A GREGORY H.  
COOPER, SR.  
DAYNA A. COOPER  
Defendants

ATTORNEY FOR PLAINTIFF

: COURT OF COMMON PLEAS  
: CIVIL DIVISION  
: CLEARFIELD COUNTY  
: NO. 07-18-CD

TO: DAYNA A. COOPER  
109 EAST SECOND STREET  
DU BOIS, PA 15801

FILE COPY

DATE OF NOTICE: FEBRUARY 8, 2007

THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. THIS NOTICE IS SENT TO YOU IN AN ATTEMPT TO COLLECT THE INDEBTEDNESS REFERRED TO HEREIN, AND ANY INFORMATION OBTAINED FROM YOU WILL BE USED FOR THAT PURPOSE. IF YOU HAVE PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY, THIS CORRESPONDENCE IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY AS ENFORCEMENT OF LIEN AGAINST PROPERTY.

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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.

CLEARFIELD COUNTY  
DAVID S. MEHOLICK, COURT  
ADMINISTRATOR  
CLEARFIELD COUNTY COURTHOUSE  
CLEARFIELD, PA 16830  
(814) 765-2641 x 5982

PENNSYLVANIA LAWYER REFERRAL  
SERVICE  
PENNSYLVANIA BAR ASSOCIATION  
100 SOUTH STREET  
P.O. BOX 186  
HARRISBURG, PA 17108  
800-692-7375

  
FRANCIS S. HALLINAN, ESQUIRE  
Attorneys for Plaintiff

PHELAN HALLINAN & SCHMIEG

By: DANIEL G. SCHMIEG

Identification No. 62205

ATTORNEY FOR PLAINTIFF

Suite 1400

One Penn Center at Suburban Station

1617 John F. Kennedy Boulevard

Philadelphia, PA 19103-1814

(215) 563-7000

FLAGSTAR BANK, FSB

5151 CORPORATE DRIVE

SUITE 200

TROY, MI 48098

:

:

: CLEARFIELD COUNTY  
COURT OF COMMON PLEAS

:

: CIVIL DIVISION

:

: NO. 07-18-CD

GREGORY H. COOPER

A/K/A GREGORY H. COOPER, SR.

DAYNA A. COOPER

109 EAST SECOND AVENUE

DU BOIS, PA 15801

:

:

:

:

:

Defendant(s).

**VERIFICATION OF NON-MILITARY SERVICE**

DANIEL G. SCHMIEG, ESQUIRE, hereby verifies that he is attorney for the Plaintiff in the above-captioned matter, and that on information and belief, he has knowledge of the following facts, to wit:

(a) that the defendant(s) is/are not in the Military or Naval Service of the United States or its Allies, or otherwise within the provisions of the Soldiers' and Sailors' Civil Relief Act of Congress of 1940, as amended.

(b) that defendant **GREGORY H. COOPER A/K/A GREGORY H. COOPER, SR.** is over 18 years of age and resides at **109 EAST SECOND AVENUE, DU BOIS, PA 15801**.

(c) that defendant **DAYNA A. COOPER** is over 18 years of age, and resides at **109 EAST SECOND AVENUE, DU BOIS, PA 15801**.

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

*Daniel G. Schmieg*  
DANIEL G. SCHMIEG, ESQUIRE

(Rule of Civil Procedure No. 236 - Revised

IN THE COURT OF COMMON PLEAS  
CLEARFIELD PENNSYLVANIA

→ COPY

FLAGSTAR BANK, FSB :  
5151 CORPORATE DRIVE :  
SUITE 200 :  
TROY, MI 48098 :  
  
Plaintiff, :  
v. :  
: CLEARFIELD COUNTY  
: COURT OF COMMON PLEAS  
: CIVIL DIVISION  
: NO. 07-18-CD  
  
GREGORY H. COOPER :  
A/K/A GREGORY H. COOPER, SR. :  
DAYNA A. COOPER :  
109 EAST SECOND AVENUE :  
DU BOIS, PA 15801 :  
  
Defendant(s). :  
:

Notice is given that a Judgment in the above captioned matter has been entered against you  
on April 3, 2007.

BY William H. Schmieg DEPUTY

If you have any questions concerning this matter, please contact:

Daniel G. Schmieg  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff  
One Penn Center at Suburban Station, Suite 1400  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814  
(215) 563-7000

This firm is a debt collector attempting to collect a debt. Any information we obtain will be used for that purpose. If you have previously received a discharge in bankruptcy, this correspondence is not and should not be construed to be an attempt to collect a debt, but only enforcement of a lien against property.

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

COPY

Flagstar Bank, FSB  
Plaintiff(s)

No.: 2007-00018-CD

Real Debt: \$84,338.22

Atty's Comm: \$

Vs.

Costs: \$

Gregory H. Cooper  
Dayna A. Cooper  
Defendant(s)

Entry: \$20.00

Instrument: In Rem Judgment

Date of Entry: April 3, 2007

Expires: April 3, 2012

Certified from the record this 3rd day of April, 2007.



William A. Shaw, Prothonotary

\*\*\*\*\*

SIGN BELOW FOR SATISFACTION

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

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

PRAECIPE FOR WRIT OF EXECUTION – (MORTGAGE FORECLOSURE)  
P.R.C.P. 3180-3183

FLAGSTAR BANK, ESB

vs.

GREGORY H. COOPER  
A/K/A. GREGORY H. COOPER, SR.  
DAYNA A. COOPER

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

No. 07-18-CD Term 2005.....

PRAECIPE FOR WRIT OF EXECUTION  
(Mortgage Foreclosure)

To the Director of the Office of Judicial Support

Issue writ of execution in the above matter:

Amount Due	\$84,338.22
------------	-------------

Interest from APRIL 2, 2007 to Sale Per diem \$13.86	\$ _____.
---	-----------

Add'l Costs	\$3,170.00
-------------	------------

Prothonotary costs  
\$ 125. -

*Daniel M. Schmieg*  
Attorney for the Plaintiff(s)

Note: Please attach description of Property.

144473

FILED *(initials)*  
APR 10 2007  
m/12:45/07  
William A. Shaw  
Prothonotary/Clerk of Courts  
1 CERT to ATT  
1 CERT w/ 6 WINS  
TO SHFL

No. 07-18-CD..... Term 20 05 A.D.

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

FLAGSTAR BANK, FSB

vs.

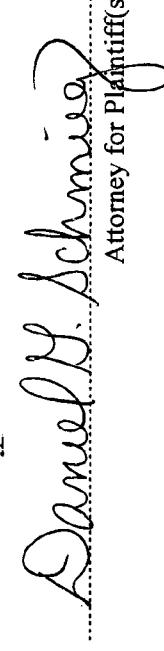
GREGORY H. COOPER  
A/K/A GREGORY H. COOPER, SR.  
DAYNA A. COOPER

---

PRAECEIPE FOR WRIT OF EXECUTION

(Mortgage Foreclosure)

Filed:



Daniel H. Schmitz

Attorney for Plaintiff(s)

Address: GREGORY H. COOPER  
A/K/A GREGORY H. COOPER, SR.  
109 EAST SECOND AVENUE  
DU BOIS, PA 15801

DAYNA A. COOPER  
109 EAST SECOND AVENUE  
DU BOIS, PA 15801

**LEGAL DESCRIPTION**

ALL THAT CERTAIN PROPERTY SITUATED IN THE COUNTY OF CLEARFIELD AND COMMONWEALTH OF PENNSYLVANIA, BEING MORE FULLY DESCRIBED IN A FEE SIMPLE DEED DATED 6/14/2006 AND RECORDED 8/1/2006, AMONG THE LAND RECORDS OF THE COUNTY AND STATE SET FORTH ABOVEM IN VOLUME PAGE

TAX PARCEL 7.3-024-7909

ADDRESS: 109 E. SECOND AVE  
DUBOIS, PA 15801

TITLE TO SAID PREMISES IS VESTED IN Gregory H. Cooper and Dayna D. Cooper, husband and wife, as T/E, by Deed from Ruby A. Wilhem, Trustee of the Ruby A. Wilhem Revocable Living Trust, dated 06/14/2006, recorded 08/01/2006, in Deed Mortgage Inst# 200612893.

Premises being: 109 EAST SECOND AVENUE  
DU BOIS, PA 15801

Tax Parcel No. 024-000-07909

**WRIT OF EXECUTION – (MORTGAGE FORECLOSURE)**  
**P.R.C.P. 3180-3183 and Rule 3257**

FLAGSTAR BANK, FSB

vs.

GREGORY H. COOPER  
A/K/A. GREGORY H. COOPER, SR.

DAYNA A. COOPER

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

No. ..... Term 20  
No. 07-18-CD Term 20 05  
No. ..... Term 20

WRIT OF EXECUTION  
(Mortgage Foreclosure)

Commonwealth of Pennsylvania:

County of Clearfield

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

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

PREMISES: 109 EAST SECOND AVENUE, DU BOIS, PA 15801  
(See Legal Description attached)

Amount Due \$84,338.22

Interest from APRIL 2, 2007 to Sale \$-----  
per diem \$13.86

Total \$-----

Add'l Costs \$3,170.00

Prothonotary costs 125.00

  
(Clerk) Office of the Prothonotary, Common Pleas Court  
of CLEARFIELD County, Penna.

Dated April 10, 2007  
(SEAL)

No. 07-18-CD..... Term 20 05 A.D.

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

FLAGSTAR BANK, FSB

vs.

GREGORY H. COOPER  
A/K/A GREGORY H. COOPER, SR.  
DAYNA A. COOPER

---

WRIT OF EXECUTION  
(Mortgage Foreclosure)

---

Costs	\$84,338.22
Real Debt	_____
Int. from APRIL 2, 2007	_____
To Date of Sale (\$13.86 per diem)	_____
Costs	_____
Prothy Pd.	_____
Sheriff	_____

*Daniel H. Schmitz*  
Attorney for Plaintiff(s)

Address: GREGORY H. COOPER  
A/K/A GREGORY H. COOPER, SR.  
109 EAST SECOND AVENUE  
DU BOIS, PA 15801  
DAYNA A. COOPER  
109 EAST SECOND AVENUE  
DU BOIS, PA 15801

**LEGAL DESCRIPTION**

ALL THAT CERTAIN PROPERTY SITUATED IN THE COUNTY OF CLEARFIELD AND COMMONWEALTH OF PENNSYLVANIA, BEING MORE FULLY DESCRIBED IN A FEE SIMPLE DEED DATED 6/14/2006 AND RECORDED 8/1/2006, AMONG THE LAND RECORDS OF THE COUNTY AND STATE SET FORTH ABOVE IN VOLUME PAGE

TAX PARCEL 7.3-024-7909

ADDRESS: 109 E. SECOND AVE  
DUBOIS, PA 15801

TITLE TO SAID PREMISES IS VESTED IN Gregory H. Cooper and Dayna D. Cooper, husband and wife, as T/E, by Deed from Ruby A. Wilhem, Trustee of the Ruby A. Wilhem Revocable Living Trust, dated 06/14/2006, recorded 08/01/2006, in Deed Mortgage Inst# 200612893.

Premises being: 109 EAST SECOND AVENUE  
DU BOIS, PA 15801

Tax Parcel No. 024-000-07909

FLAGSTAR BANK, FSB :  
5151 CORPORATE DRIVE :  
SUITE 200 :  
TROY, MI 48098 :  
CLEARFIELD COUNTY  
COURT OF COMMON PLEAS

Plaintiff,  
v.

GREGORY H. COOPER :  
A/K/A GREGORY H. COOPER, SR. :  
DAYNA A. COOPER :  
109 EAST SECOND AVENUE :  
DU BOIS, PA 15801 :  
:

CIVIL DIVISION  
NO. 07-18-CD

Defendant(s).

**AFFIDAVIT PURSUANT TO RULE 3129**  
**(Affidavit No.1)**

**FLAGSTAR BANK, FSB**, Plaintiff in the above action, by its attorney, DANIEL G. SCHMIEG, ESQUIRE, sets forth as of the date the Praeclipe for the Writ of Execution was filed, the following information concerning the real property located at **109 EAST SECOND AVENUE, DU BOIS, PA 15801**.

1. Name and address of Owner(s) or reputed Owner(s):

NAME	LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)
GREGORY H. COOPER A/K/A GREGORY H. COOPER, SR.	109 EAST SECOND AVENUE DU BOIS, PA 15801
DAYNA A. COOPER	109 EAST SECOND AVENUE DU BOIS, PA 15801

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

NAME	LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)
Same as Above	

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

APRIL 2, 2007  
Date

*Daniel G. Schmieg*  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

6. Name and address of every other person who has any record interest in the property and whose interest may be affected by the Sale:

NAME	LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)
<b>None</b>	

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

NAME	LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)
------	---

<b>TENANT/OCCUPANT</b>	<b>109 EAST SECOND AVENUE</b>
	<b>DU BOIS, PA 15801</b>

<b>DOMESTIC RELATIONS</b>	<b>CLEARFIELD COUNTY COURTHOUSE</b>
<b>CLEARFIELD COUNTY</b>	<b>230 EAST MARKET STREET</b>
	<b>CLEARFIELD, PA 16830</b>

<b>COMMONWEALTH OF</b>	<b>DEPARTMENT OF WELFARE</b>
<b>PENNSYLVANIA</b>	<b>PO BOX 2675</b>
	<b>HARRISBURG, PA 17105</b>

<b>RICHDON PLACE</b>	<b>C/O GREGORY H. COOPER &amp; DAYNA A. COOPER</b>
<b>CONDOMINIUMS</b>	<b>109 EAST SECOND AVENUE</b>
	<b>DU BOIS, PA 15801</b>

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

APRIL 2, 2007  
Date

Daniel G. Schmieg  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

PHELAN HALLINAN & SCHMIEG

By: DANIEL G. SCHMIEG

Identification No. 62205

Suite 1400

One Penn Center at Suburban Station  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814  
(215) 563-7000

ATTORNEY FOR PLAINTIFF

FLAGSTAR BANK, FSB  
5151 CORPORATE DRIVE  
SUITE 200  
TROY, MI 48098

:  
: CLEARFIELD COUNTY  
: COURT OF COMMON PLEAS

Plaintiff,

: CIVIL DIVISION

v.

: NO. 07-18-CD

GREGORY H. COOPER  
A/K/A GREGORY H. COOPER, SR.  
DAYNA A. COOPER  
109 EAST SECOND AVENUE  
DU BOIS, PA 15801

:  
:  
:  
:  
:  
:

Defendant(s).

CERTIFICATION

DANIEL G. SCHMIEG, ESQUIRE, hereby states that he is the attorney for the Plaintiff in the above captioned matter and that the premises are not subject to the provisions of Act 91 because it is:

- an FHA Mortgage
- non-owner occupied
- vacant
- Act 91 procedures have been fulfilled

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

  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

SALE DATE: 7/6/07

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION – LAW

**FLAGSTAR BANK, FSB**

vs.

**GREGORY H. COOPER A/K/A  
GREGORY H. COOPER, SR.  
DAYNA A. COOPER**

No.: 07-18-CD

FILED No cc  
M 10:30 AM  
JUN 06 2007  
JS

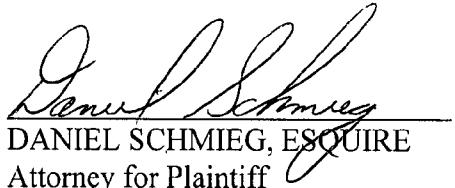
William A. Shaw  
Prothonotary/Clerk of Courts

**AFFIDAVIT PURSUANT TO RULE 3129.1  
AND RETURN OF SERVICE PURSUANT TO  
Pa. R.C.P. 405 OF NOTICE OF SALE**

Plaintiff in the above action sets forth as of the date the Praeclipe for the Writ of Execution was filed the following information concerning the real property located at:

**109 EAST SECOND AVENUE, DU BOIS, PA 15801.**

As required by Pa. R.C.P. 3129.2(a) Notice of Sale has been given in the manner required by Pa. R.C.P. 3129.2(c) on each of the persons or parties named, at that address set forth on the attached Affidavit No. 2 (previously filed) and Amended Affidavit No. 2 on the date indicated, and a copy of the notice is attached as an Exhibit. A copy of the Certificate of Mailing (Form 3817) and/or Certified Mail Return Receipt stamped by the U.S. Postal Service is attached for each notice.

  
DANIEL SCHMIEG, ESQUIRE  
Attorney for Plaintiff

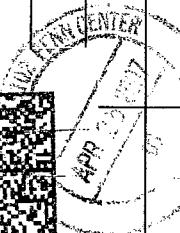
June 1, 2007

Name and  
Address  
of Sender

CQS  
PHELAN HALLINAN & SCHMIEG  
One Penn Center at Suburban Station, Suite 1400  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814

Line	Article Number	Name of Addressee, Street, and Post Office Address	Postage	Fee
1		TENANT/OCCUPANT 109 EAST SECOND AVENUE DU BOIS, PA 15801		
2		DOMESTIC RELATIONS CLEARFIELD COUNTY CLEARFIELD COUNTY COURTHOUSE 230 EAST MARKET STREET CLEARFIELD, PA 16830		
3		COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF WELFARE PO BOX 2675 HARRISBURG, PA 17105		
4		RICHDON PLACE CONDOMINIUMS C/O GREGORY H. COOPER & DAYNA A. COOPER 109 EAST SECOND AVENUE DU BOIS, PA 15801		
5				
6				
7				
8				
9				
10				
11				
12		<b>Re: GREGORY H. COOPER A/K/A GREGORY H. COOPER, SR. 14473</b> <b>TEAM 4/LLD</b>		
Total Number of Pieces Listed by Sender	Total Number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving Employee)	The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise is \$500. The maximum indemnity payable is \$25,000 for registered mail, sent with optional insurance. See Domestic Mail Manual R900, S913 and S921 for limitations of coverage.	

02 1M 0004218010 APR 25 2007  
\$ 01.250  
UNITED STATES POSTAGE  
PRINTED BY GOV'T  
MAILED FROM ZIP CODE 19103



**FLAGSTAR BANK, FSB** :  
**5151 CORPORATE DRIVE** :  
**SUITE 200** :  
**TROY, MI 48098** : **CLEARFIELD COUNTY**  
: **COURT OF COMMON PLEAS**

**Plaintiff, : CIVIL DIVISION**

V.

**GREGORY H. COOPER  
A/K/A GREGORY H. COOPER, SR.  
DAYNA A. COOPER  
109 EAST SECOND AVENUE  
DU BOIS, PA 15801**

**Defendant(s).**

### Amended

**AFFIDAVIT PURSUANT TO RULE 3129  
(Affidavit No.1)**

**FLAGSTAR BANK, FSB**, Plaintiff in the above action, by its attorney, DANIEL G. SCHMIEG, ESQUIRE, sets forth as of the date the Praeclipe for the Writ of Execution was filed, the following information concerning the real property located at **109 EAST SECOND AVENUE, DU BOIS, PA 15801**.

1. Name and address of Owner(s) or reputed Owner(s):

NAME LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)

**GREGORY H. COOPER**      **109 EAST SECOND AVENUE**  
**A/K/A GREGORY H. COOPER, SR.**      **DU BOIS, PA 15801**

**DAYNA A. COOPER** **109 EAST SECOND AVENUE**  
**DU BOIS, PA 15801**

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

NAME LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)

**Same as Above**

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

APRIL 2, 2007  
Date

Daniel G. Schmieg  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

FLAGSTAR BANK, FSB :  
5151 CORPORATE DRIVE :  
SUITE 200 :  
TROY, MI 48098 :  
Plaintiff, :  
v. :  
CLEARFIELD COUNTY  
COURT OF COMMON PLEAS  
CIVIL DIVISION  
NO. 07-18-CD  
GREGORY H. COOPER :  
A/K/A GREGORY H. COOPER, SR. :  
DAYNA A. COOPER :  
109 EAST SECOND AVENUE :  
DU BOIS, PA 15801 :  
Defendant(s). :  
Amended

**AFFIDAVIT PURSUANT TO RULE 3129**

**FLAGSTAR BANK, FSB**, Plaintiff in the above action, by its attorney, DANIEL G. SCHMIEG, ESQUIRE, sets forth as of the date the Praeclipe for the Writ of Execution was filed, the following information concerning the real property located at **109 EAST SECOND AVENUE, DU BOIS, PA 15801**.

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

NAME	LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)
<b>None</b>	

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

NAME	LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)
<b>None</b>	

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

NAME	LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)
<b>None</b>	

6. Name and address of every other person who has any record interest in the property and whose interest may be affected by the Sale:

NAME LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)  
**None**

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

NAME LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)

**TENANT/OCCUPANT**      **109 EAST SECOND AVENUE**  
**DU BOIS, PA 15801**

**DOMESTIC RELATIONS  
CLEARFIELD COUNTY**      **CLEARFIELD COUNTY COURTHOUSE  
230 EAST MARKET STREET  
CLEARFIELD, PA 16830**

**COMMONWEALTH OF  
PENNSYLVANIA**      **DEPARTMENT OF WELFARE**  
**PO BOX 2675**  
**HARRISBURG, PA 17105**

**RICHDON PLACE  
CONDOMINIUMS**      **C/O GREGORY H. COOPER & DAYNA A. COOPER  
109 EAST SECOND AVENUE  
DU BOIS, PA 15801**

**RICHDON PLACE  
CONDOMINIUMS**      **ADDRESS NOT AVAILABLE**

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

APRIL 2, 2007  
Date

Daniel G. Schmieg  
DANIEL G. SCHMIEG, ESQUIRE  
Attorney for Plaintiff

PHELAN HALLINAN & SCHMIEG, LLP  
LAWRENCE T. PHELAN, ESQ., Id. No. 32227  
FRANCIS S. HALLINAN, ESQ., Id. No. 62695  
ONE PENN CENTER PLAZA, SUITE 1400  
PLAINTIFF  
PHILADELPHIA, PA 19103  
(215) 563-7000

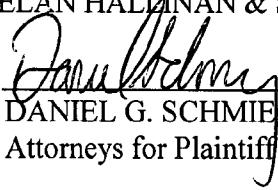
ATTORNEY FOR

FLAGSTAR BANK, FSB	:	COURT OF COMMON PLEAS
Plaintiff	:	
	:	CIVIL DIVISION
vs.	:	
	:	CLEARFIELD COUNTY
GREGORY H. COOPER	:	
A/K/A GREGORY H. COOPER, SR.	:	No. 07-18-CD
DAYNA A. COOPER	:	
Defendants	:	
	:	

**PRAECIPE TO FILE AFFIDAVIT OF SERVICE**

TO THE PROTHONOTARY:

Kindly file the attached Affidavits of Service with reference to the above captioned matter.

PHELAN HALLINAN & SCHMIEG, LLP  
By:   
DANIEL G. SCHMIEG, ESQUIRE  
Attorneys for Plaintiff

Date: June 6, 2007

PAW.  
PHS # 144473

FILED 1cc Atty  
m/10:50am  
JUN 08 2007  
  
William A. Shaw  
Prothonotary/Clerk of Courts

## AFFIDAVIT OF SERVICE

PLAINTIFF **FLAGSTAR BANK, FSB** CLEARFIELD County  
DEFENDANT(S) **GREGORY H. COOPER A/K/A GREGORY H. COOPER, SR.** No. 07-18-CD  
**DAYNA A. COOPER** Our File #: 144473

Please serve upon: **GREGORY H. COOPER A/K/A GREGORY H. COOPER, SR.** Type of Action  
- Notice of Sheriff's Sale

SERVE AT: **51 WHITE OAK COURT** Sale Date: 7/6/07  
**CANFIELD, OH 44406-1013**

### SERVED

Served and made known to Dayna Cooper/Gregory Cooper, Defendant, on the 30<sup>th</sup> day of May,  
2007, at 117, o'clock P.m., at 51 White Oak Ct., Canfield OH 44406,

Commonwealth of Ohio, in the manner described below:

Defendant personally served.  
 Adult family member with whom Defendant(s) reside(s). Relationship is Spouse, Dayna.  
 Adult in charge of Defendant(s)'s residence who refused to give name or relationship.  
 Manager/Clerk of place of lodging in which Defendant(s) reside(s).  
 Agent or person in charge of Defendant(s)'s office or usual place of business.  
 an officer of said Defendant(s)'s company.  
 Other: \_\_\_\_\_

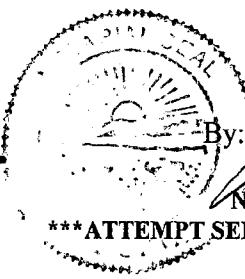
Description: Age 45 Height 5'6 Weight 145 Race C Sex F Other blonde hair

I, John C. Richards, a competent adult, being duly sworn according to law, depose and state that I personally handed a true and correct copy of the Notice of Sheriff's Sale in the manner as set forth herein, issued in the captioned case on the date and at the address indicated above.

Sworn to and subscribed  
before me this 30<sup>th</sup> day  
of May, 2007

Notary:

John C. Richards



By: CHARLES L. RICHARDS, Attorney at Law  
Notary Public, State of Ohio  
My Commission has no expiration date.

NOT SERVED

\*\*\*ATTEMPT SERVICE NLT THREE (3) TIMES\*\*\*

On the \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_m., Defendant NOT FOUND because:

Moved  Unknown  No Answer  Vacant  
1st attempt Date: \_\_\_\_\_ Time: \_\_\_\_\_, 2nd attempt Date: \_\_\_\_\_ Time: \_\_\_\_\_, 3rd  
attempt Date: \_\_\_\_\_ Time: \_\_\_\_\_  
Other: \_\_\_\_\_

Sworn to and subscribed  
before me this \_\_\_\_\_ day  
of \_\_\_\_\_, 200\_\_\_\_

Notary: Attorney for Plaintiff

DANIEL G. SCHMIEG, Esquire - I.D. No. 62205  
One Penn Center at Suburban Station, Suite 1400  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814  
(215) 563-7000

## AFFIDAVIT OF SERVICE

PLAINTIFF	FLAGSTAR BANK, FSB	CLEARFIELD County
DEFENDANT(S)	GREGORY H. COOPER A/K/A GREGORY H. COOPER, SR. DAYNA A. COOPER	No. 07-18-CD Our File #: 144473
Please serve upon:	DAYNA A. COOPER	Type of Action - Notice of Sheriff's Sale
SERVE AT:	51 WHITE OAK COURT CANFIELD, OH 44406-1013	Sale Date: 7/6/07

### SERVED

Served and made known to Dayna Cooper, Defendant, on the 30<sup>th</sup> day of May, 2007, at 1:17, o'clock P.m., at 51 White Oak Ct., Canfield OH 44406,

Commonwealth of Ohio, in the manner described below:

Defendant personally served.

Adult family member with whom Defendant(s) reside(s). Relationship is \_\_\_\_\_.

Adult in charge of Defendant(s)'s residence who refused to give name or relationship.

Manager/Clerk of place of lodging in which Defendant(s) reside(s).

Agent or person in charge of Defendant(s)'s office or usual place of business.  
an officer of said Defendant(s)'s company.

Other: \_\_\_\_\_

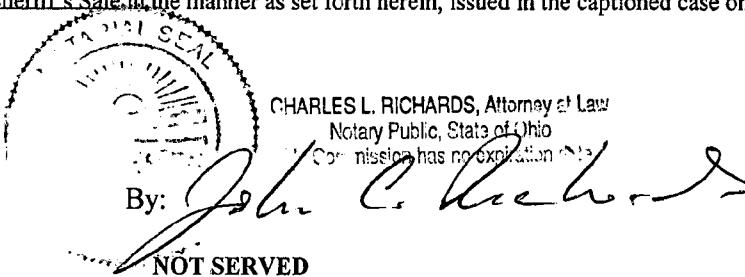
Description: Age 45 Height 5/6 Weight 145 Race C Sex F Other Blonde hair

I, John C. Richards, a competent adult, being duly sworn according to law, depose and state that I personally handed a true and correct copy of the Notice of Sheriff's Sale, in the manner as set forth herein, issued in the captioned case on the date and at the address indicated above.

Sworn to and subscribed  
before me this 31<sup>st</sup> day  
of May, 2007

Notary:

John C. Richards



By: John C. Richards

NOT SERVED

\*\*\*ATTEMPT SERVICE NLT THREE (3) TIMES\*\*\*

On the \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_, at \_\_\_\_\_ o'clock .m., Defendant NOT FOUND because:

Moved  Unknown  No Answer  Vacant

1st attempt Date: \_\_\_\_\_ Time: \_\_\_\_\_, 2nd attempt Date: \_\_\_\_\_ Time: \_\_\_\_\_, 3rd

attempt Date: \_\_\_\_\_ Time: \_\_\_\_\_.

Other:

Sworn to and subscribed  
before me this \_\_\_\_\_ day  
of \_\_\_\_\_, 200\_\_.

Notary: Attorney for Plaintiff

DANIEL G. SCHMIEG, Esquire - I.D. No. 62205

One Penn Center at Suburban Station, Suite 1400

1617 John F. Kennedy Boulevard

Philadelphia, PA 19103-1814

(215) 563-7000

PHELAN HALLINAN & SCHMIEG, LLP  
BY: FRANCIS S. HALLINAN, ESQUIRE  
Identification No. 62695  
One Penn Center at Suburban Station  
1617 John F. Kennedy Boulevard, Suite 1400  
Philadelphia, PA 19103-1814  
(215) 563-7000

Flagstar Bank, FSB

ATTORNEY FOR PLAINTIFF

: Court of Common Pleas

Plaintiff

: Civil Division

vs.

: Clearfield County

Gregory H. Cooper, a/k/a Gregory H. Cooper, Sr.  
Dayna A. Cooper

Defendant(s)

: No. 07-18-CD

**PRAECIPE**

TO THE PROTHONOTARY:

Please mark the above referenced case Discontinued and Ended without prejudice.

Please mark the above referenced case Settled, Discontinued and Ended.

Please mark Judgments satisfied and the Action settled, discontinued and ended.

Please Vacate the judgment entered and mark the action discontinued and ended without prejudice.

Please withdraw the complaint and mark the action discontinued and ended without prejudice.

Date: 7/10/07

  
Francis S. Hallinan, Esquire  
Attorney for Plaintiff

PHS # 144473

FILED pd \$7.00 ATT  
m/11:47 am 1cc d 1 Cert  
JUL 13 2007 of sat to  
(um) ATTY.  
William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

COPY

**CERTIFICATE OF SATISFACTION OF JUDGMENT**

No.: 2007-00018-CD

Flagstar Bank, FSB

Debt: \$84,338.22

Vs.

Atty's Comm.:

Gregory H. Cooper  
Dayna A. Cooper

Interest From:

Cost: \$7.00

NOW, Friday, July 13, 2007 , directions for satisfaction having been received, and all costs having been paid, SATISFACTION was entered of record.

Certified from the record this 13th day of July, A.D. 2007.

  
\_\_\_\_\_  
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20572  
NO: 07-18-CD

PLAINTIFF: FLAGSTAR BANK, FSB

vs.

DEFENDANT: GREGORY H. COOPER A/K/A GREGORY H. COOPER, SR. AND DAYNA A. COOPER

Execution REAL ESTATE

**SHERIFF RETURN**

DATE RECEIVED WRIT: 4/10/2007

LEVY TAKEN 4/20/2007 @ 11:32 AM

POSTED 4/20/2007 @ 11:32 AM

SALE HELD

SOLD TO

WRIT RETURNED 12/4/2007

DATE DEED FILED **NOT SOLD**

**DETAILS**

4/20/2007 @ 11:32 AM SERVED GREGORY H. COOPER A/K/A GREGORY H. COOPER, SR.

SERVED GREGORY H. COOPER A/K/A GREGORY H. COOPER, SR, DEFENDANT, AT HIS RESIDENCE 109 EAST SECOND AVENUE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO LON DILLMAN, FATHER-IN-LAW/ADULT AT RESIDENCE

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE, AND COPY OF THE LEVY AND BY MAKING KNOW TO HIM / HER THE CONTENTS THEREOF.

4/20/2007 @ 11:32 AM SERVED DAYNA A. COOPER

SERVED DAYNA A. COOPER, DEFENDANT, AT HER RESIDENCE, 109 EAST SECOND AVENUE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO LON DILLMAN, FATHER/ADULT AT RESIDENCE

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE, AND COPY OF THE LEVY AND BY MAKING KNOW TO HIM / HER THE CONTENTS THEREOF.

@ SERVED

NOW, JULY 5, 2007 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO STAY THE SHERIFF SALE SCHEDULED FOR JULY 6, 2007. THE SUM OF \$15,353.22 WAS REALIZED TO CURE THE DEFAULT.

FILED  
01/11/2008  
DEC 04 2007  
WAS  
William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20572  
NO: 07-18-CD

PLAINTIFF: FLAGSTAR BANK, FSB

vs.

DEFENDANT: GREGORY H. COOPER A/K/A GREGORY H. COOPER, SR. AND DAYNA A. COOPER

Execution REAL ESTATE

**SHERIFF RETURN**

---

SHERIFF HAWKINS \$513.60

SURCHARGE \$40.00 PAID BY ATTORNEY

So Answers,

*Chester A. Hawkins*  
by Amherst Butler, Clerical  
Chester A. Hawkins  
Sheriff

WRIT OF EXECUTION – (MORTGAGE FORECLOSURE)  
P.R.C.P. 3180-3183 and Rule 3257

FLAGSTAR BANK, FSB

vs.

GREGORY.H.COOPER  
A/K/A GREGORY.H.COOPER, SR.

DAYNA.A.COOPER

Commonwealth of Pennsylvania;

County of Clearfield

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

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

PREMISES: 109 EAST SECOND AVENUE, DU BOIS, PA 15801  
(See Legal Description attached)

Amount Due	\$84,338.22
Interest from APRIL 2, 2007 to Sale per diem \$13.86	\$-----
Total	\$-----
Add'l Costs	\$3,170.00

Prothonotary costs 125.00

  
(Clerk) Office of the Prothonotary, Common Pleas Court  
of CLEARFIELD County, Penna.

Dated April 10, 2007  
(SEAL)

144473

Received April 10, 2007 @ 3:00 P.M.  
Chester A. Hendrie  
by Cynthia Betteray, Deputy

No. 07-18-CD ..... Term 20 05 A.D.

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

FLAGSTAR BANK, FSB

vs.

GREGORY H. COOPER  
A/K/A GREGORY H. COOPER, SR.  
DAYNA A. COOPER

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WRIT OF EXECUTION  
(Mortgage Foreclosure)

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Costs

Real Debt \$84,338.22

Int. from APRIL 2, 2007  
To Date of Sale (\$13.86 per diem)

Costs \_\_\_\_\_

Prothy Pd. \_\_\_\_\_

Sheriff

*Daniel H. Schmitz*  
\_\_\_\_\_  
Attorney for Plaintiff(s)

Address: GREGORY H. COOPER  
A/K/A GREGORY H. COOPER, SR.  
109 EAST SECOND AVENUE  
DU BOIS, PA 15801  
DAYNA A. COOPER  
109 EAST SECOND AVENUE  
DU BOIS, PA 15801

LEGAL DESCRIPTION

ALL THAT CERTAIN PROPERTY SITUATED IN THE COUNTY OF CLEARFIELD AND COMMONWEALTH OF PENNSYLVANIA, BEING MORE FULLY DESCRIBED IN A FEE SIMPLE DEED DATED 6/14/2006 AND RECORDED 8/1/2006, AMONG THE LAND RECORDS OF THE COUNTY AND STATE SET FORTH ABOVE IN VOLUME PAGE

TAX PARCEL 7.3-024-7909

ADDRESS: 109 E. SECOND AVE  
DUBOIS, PA 15801

TITLE TO SAID PREMISES IS VESTED IN Gregory H. Cooper and Dayna D. Cooper, husband and wife, as T/E, by Deed from Ruby A. Wilhem, Trustee of the Ruby A. Wilhem Revocable Living Trust, dated 06/14/2006, recorded 08/01/2006, in Deed Mortgage Inst# 200612893.

Premises being: 109 EAST SECOND AVENUE  
DU BOIS, PA 15801

Tax Parcel No. 024-000-07909

**REAL ESTATE SALE  
SCHEDULE OF DISTRIBUTION**

NAME GREGORY H. COOPER A/K/A GREGORY H. COOPER, SR.

NO. 07-18-CD

NOW, December 04, 2007, by virtue of the Writ of Execution hereunto attached, after having given due and legal notice of time and place of sale by publication in a newspaper published in this County and by handbills posted on the premises setting for the date, time and place of sale at the Court House in Clearfield on , I exposed the within described real estate of Gregory H. Cooper A/K/A Gregory H. Cooper, Sr. And Dayna A. Cooper to public venue or outcry at which time and place I sold the same to he/she being the highest bidder, for the sum of \$15,353.22 and made the following appropriations, viz:

**SHERIFF COSTS:**

RDR	15.00
SERVICE	15.00
MILEAGE	18.43
LEVY	15.00
MILEAGE	18.43
POSTING	15.00
CSDS	10.00
COMMISSION	307.06
POSTAGE	4.68
HANDBILLS	15.00
DISTRIBUTION	25.00
ADVERTISING	15.00
ADD'L SERVICE	15.00
DEED	
ADD'L POSTING	
ADD'L MILEAGE	
ADD'L LEVY	
BID/SETTLEMENT AMOUNT	15,353.22
RETURNS/DEPUTIZE	
COPIES	15.00
	5.00
BILLING/PHONE/FAX	5.00
CONTINUED SALES	
MISCELLANEOUS	
<b>TOTAL SHERIFF COSTS</b>	<b>\$513.60</b>

**DEED COSTS:**

ACKNOWLEDGEMENT	
REGISTER & RECORDER	
TRANSFER TAX 2%	0.00
<b>TOTAL DEED COSTS</b>	<b>\$0.00</b>

**PLAINTIFF COSTS, DEBT AND INTEREST:**

DEBT-AMOUNT DUE	84,338.22
INTEREST @ 13.8600	0.00
FROM TO	
ATTORNEY FEES	
PROTH SATISFACTION	
LATE CHARGES AND FEES	
COST OF SUIT-TO BE ADDED	
FORECLOSURE FEES	
ATTORNEY COMMISSION	
REFUND OF ADVANCE	
REFUND OF SURCHARGE	40.00
SATISFACTION FEE	
ESCROW DEFICIENCY	
PROPERTY INSPECTIONS	
INTEREST	
MISCELLANEOUS	3,170.00
<b>TOTAL DEBT AND INTEREST</b>	<b>\$87,548.22</b>

**COSTS:**

ADVERTISING	1,238.70
TAXES - COLLECTOR	
TAXES - TAX CLAIM	
DUE	
LIEN SEARCH	100.00
ACKNOWLEDGEMENT	
DEED COSTS	0.00
SHERIFF COSTS	513.60
LEGAL JOURNAL COSTS	144.00
PROTHONOTARY	125.00
MORTGAGE SEARCH	40.00
MUNICIPAL LIEN	
<b>TOTAL COSTS</b>	<b>\$2,161.30</b>

DISTRIBUTION WILL BE MADE IN ACCORDANCE WITH THE ABOVE SCHEDULE UNLESS EXCEPTIONS ARE FILED WITH THIS OFFICE **WITHIN TEN (10) DAYS FROM THIS DATE.**

CHESTER A. HAWKINS, Sheriff

Law Offices  
**PHELAN HALLINAN & SCHMIEG, LLP**  
One Penn Center at Suburban Station  
1617 John F. Kennedy Boulevard  
Suite 1400  
Philadelphia, PA 19103-1814  
[Christine.Schoffler@fedphe.com](mailto:Christine.Schoffler@fedphe.com)

CHRISTINE SCHOFFLER  
Judgment Department, Ext. 1286

Representing Lenders in  
Pennsylvania and New Jersey

July 5, 2007

Office of the Sheriff  
Clearfield County Courthouse  
230 East Market Street  
Clearfield, PA 16830

**ATTENTION: CINDY (814) 765-5915**

Re: FLAGSTAR BANK, FSB v. GREGORY H. COOPER A/K/A GREGORY H. COOPER, SR.  
and DAYNA A. COOPER  
109 EAST SECOND AVENUE, DU BOIS, PA 15801  
No. 07-18-CD07-18-CD

Dear Cindy:

Please STAY the Sheriff's Sale of the above referenced property, which is scheduled for JULY 6, 2007.

The sum of \$15,353.22 was received in consideration for the stay.

Please return the original writ of execution to the Prothonotary as soon as possible.

Very truly yours,

*Christine Schoffler*  
Christine Schoffler (for)  
Phelan Hallinan & Schmieg, LLP