

07-93-CD
Cavalry Portfolio vs David McLeod

Cavalry Portfolio vs David McLeod
2007-93-CD

2015274

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

Cavalry Portfolio Services,
LLC as assignee of Cavalry SPV
I, LLC, as assignee of
Providian
7 Skyline Drive
Hawthorne, NY 10532

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

vs.

DOCKET NO. : 2007-93-CD

David M. McLeod
918 Juniata Street
Du Bois PA 15801

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
Clearfield, PA 16830
(814) 765-2641

FILED

JAN 19 2007

110-551
William A. Shaw
Prothonotary/Clerk of Courts

1 C/Pmt to ATT
1 C/Pmt to SHEAH

COMPLAINT IN CIVIL-ACTION

1. Plaintiff is a debt buyer and successor in interest to the original creditor as set forth in the caption of this Complaint.

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

3. Defendant 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.

4. The defendant 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".

5. All the credits to which the defendant is entitled have been applied and there remains a balance due in the amount of \$4,085.09.

6. Plaintiff has made demand upon the defendant for payment of the balance due of \$4,085.09 but the defendant has failed and refused and still refuses to pay the same or any part thereof.

7. Defendant's last payment on account was made on January 21, 2003.

8. Unless the undersigned hears from the Defendant in writing within thirty (30) days after receipt of this Complaint that the Defendant disputes the validity of the debt, or any portion thereof, the undersigned will assume the debt is valid. If Defendant notifies the undersigned in writing that the debt or any portion thereof is disputed, the undersigned will obtain verification of the debt or, if the debt is founded upon a judgment, a copy of the judgment will be obtained, and the undersigned will mail the Defendant a copy of such verification or judgment. Upon written request within thirty (30) days, the undersigned will provide the Defendant with the name and address of the original creditors, if different from the current creditor. This pleading is an attempt to collect a debt and any information obtained will be used for that purpose.

WHEREFORE, plaintiff claims of the defendant the sum of \$4,085.09 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.DB

VERIFICATION

FREDERIC I. WEINBERG, ESQUIRE, hereby states that he is the attorney for the Plaintiff 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"



7 SKYLINE DRIVE HAWTHORNE NY 10532

(800) 724-1757

11/3/2004



DAVID M MCLEOD
1918 JUNIATA ST
DUBOIS PA 15801

Statement of Account

Cavalry Reference Number: 02237862
Original Account Number: 4559549333473091
Original Institution: PROVIDIAN

Current Statement Date 11/3/2004

Date of Charge Off	8/29/2003
Date of Purchase	9/29/2003
Last Payment Date	1/21/2003
Principal as of 11/3/2004	2041.08
Accumulated Interest	\$592.51
Account Balance	\$2633.59
Costs	\$0
Other Charges	\$0
Interest Rate	24.99%

Please be advised this communication is from a debt collector. This is an attempt to collect a debt and any information obtained will be used for that purpose.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102355
NO: 07-93-CD
SERVICE # 1 OF 1
COMPLAINT

PLAINTIFF: CAVALRY PORTFOLIO SERVICES, LLC as assignee
vs.
DEFENDANT: DAVID M. MCLEOD

SHERIFF RETURN

NOW, February 01, 2007 AT 1:14 PM SERVED THE WITHIN COMPLAINT ON DAVID M. MCLEOD DEFENDANT AT 114 1/2 N. STATE ST., DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO DAVID MCLEOD, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: NEVLING / COUDRIET

FILED
07/31/2007
MAY 01 2007
WAS
William A. Shaw
Prothonotary/Clerk of Courts

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	GORDON	29165	10.00
SHERIFF HAWKINS	GORDON	29165	36.43

Sworn to Before Me This

____ Day of _____ 2007

So Answers,

Chester A. Hawkins
Chester A. Hawkins
Chester A. Hawkins
Sheriff

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

Cavalry Portfolio Services, LLC as assignee of Cavalry SPV I, LLC, as assignee of Providian	COURT OF COMMON PLEAS CLEARFIELD COUNTY
---	--

vs.

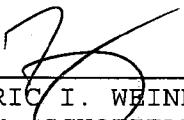
DOCKET NO. : 2007-93-CD

David M. McLeod

NOTICE

PURSUANT TO RULE 236 OF THE SUPREME COURT OF PENNSYLVANIA, YOU ARE HEREBY NOTIFIED THAT A JUDGMENT BY DEFAULT HAS BEEN ENTERED AGAINST YOU IN THE ABOVE PROCEEDING IN THE AMOUNT OF \$4,443.71. IF YOU HAVE ANY QUESTIONS CONCERNING THIS NOTICE, PLEASE CALL GORDON & WEINBERG, P.C. AT 215/988-9600.

GORDON & WEINBERG, P.C.

BY: 

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

Dated: May 23, 2007

pd \$20.00 Atty
FILED *CC notice*
 May 23, 2007 to debt
 JUN 15 2007
 (S) *CC & statement*
 William A. Shaw
 Prothonotary/Clerk of Courts to Atty.

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

Cavalry Portfolio Services, LLC as assignee of Cavalry SPV I, LLC, as assignee of Providian

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

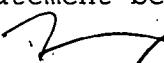
vs.

DOCKET NO. : 2007-93-CD

David M. McLeod

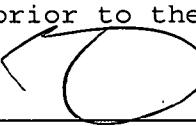
PRAECIPE FOR JUDGMENT

The Prothonotary will please enter Judgment in the above matter by default for want of an answer against the Defendant, David M. McLeod, and assesses the damages as per statement below.


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

Principal	\$2,633.59
Interest from 11/3/04	
@24.99%	\$1,678.69
Costs (Complaint & Service)	\$131.43
Total:	\$4,443.71

I hereby certify that written notice of the intention to file this Praecipe was mailed or delivered to the parties against whom judgment is to be entered and to his attorney of record, if any, after the default occurred and at least ten (10) days prior to the date of the filing of this Praecipe.

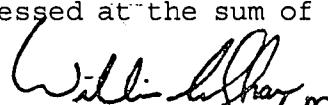


FREDERIC I. WEINBERG, ESQUIRE
PAUL M. SCHOFIELD, JR., ESQUIRE
Attorney for Plaintiff

Filed:

By the Prothonotary:

AND NOW, this 15th day of June, 2007 Judgment is entered in favor of the plaintiff(s) and against defendant, for want of an answer and damages assessed at the sum of, \$4,443.71 as per the above certification.



Prothonotary

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

Cavalry Portfolio Services, LLC as assignee of Cavalry SPV I, LLC, as assignee of Providian

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

vs. DOCKET NO. : 2007-93-CD

David M. McLeod

CERTIFICATION OF ADDRESS

I hereby certify that the precise residence of the holder of the within judgment is; Cavalry Portfolio Services, LLC as assignee of Cavalry SPV I, LLC, as assignee of Providian and that the last known address of defendant, David M. McLeod, 114 1/2 North State St, Du Bois PA 15801.

GORDON & WEINBERG, P.C.

BY: 

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

GORDON & WEINBERG, P.C.
BY: FREDERIC I. WEINBERG, ESQUIRE
Identification No.: 41360
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Cavalry Portfolio Services, LLC as assignee of Cavalry SPV I, LLC, as assignee of Providian

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

vs.

DOCKET NO. : 2007-93-CD

David M. McLeod

AFFIDAVIT OF NON-MILITARY SERVICE

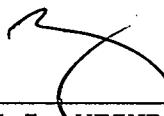
FREDERIC I. WEINBERG, ESQUIRE, being duly sworn according to law, deposes and says that he represents the plaintiff in the above-entitled case; that he is authorized to make this affidavit on behalf of the plaintiff; and that the above-named defendant is over twenty-one years of age; that the address of the defendant is, 114 1/2 North State St, Du Bois PA 15801; that the occupation of the defendant is unknown; and that the defendant is not in the Military Service of the United States, nor any State or Territory thereof or its allies as defined in the Soldiers' and Sailors' Civil Relief Act of 1940 and the amendments thereto.

Sworn to and Subscribed

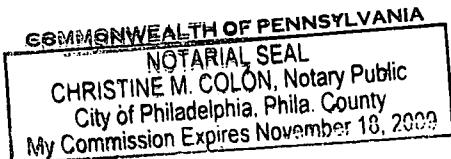
Before me this 28th Day

Christine M. Colon
Notary Public

2007.



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



2015274

GORDON & WEINBERG, P.C.
BY: FREDERIC I. WEINBERG, ESQUIRE
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Cavalry Portfolio Services, LLC as
assignee of Cavalry SPV I, LLC, as
assignee of Providian

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

vs.

DOCKET NO. : 2007-93-CD

David M. McLeod

NOTICE OF INTENTION TO TAKE DEFAULT

TO/ PARA :

David M. McLeod
114 1/2 North State St
Du Bois PA 15801

DATE OF NOTICE/FECHA DEL AVISO: May 9, 2007

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
PAUL M. SCHOFIELD, JR., ESQUIRE

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

Cavalry Portfolio Services, LLC
Calvalry SPV I, LLC
Providian
Plaintiff(s)

No.: 2007-00093-CD

Real Debt: \$\$4,443.71

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

David L. Mcleod
Defendant(s)

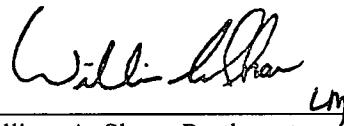
Entry: \$20.00

Instrument: Default Judgment

Date of Entry: June 15, 2007

Expires: June 15, 2012

Certified from the record this June 15, 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

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. 20.00
M110:48/61
AUG 15 2008 2cc & levorts
to Sheriff
6/1
William A. Shaw
Prothonotary/Clerk of Courts

Cavalry Portfolio Services, LLC
as assignee of Cavalry SPV I,
LLC, as assignee of Providian
7 Skyline Drive
Hawthorne, NY 10532

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

vs.

DOCKET NO. : 2007-93-CD

David M. McLeod
114 1/2 North State St
Du Bois PA 15801

and
First Commonwealth Bank
5 North Main Street
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

David M. McLeod

defendant(s) and

(2) against

First Commonwealth Bank

garnishee(s)

(3) AMOUNT DUE

\$4,443.71

INTEREST

\$294.81

from June 15, 2007

COSTS

Prothonotary fee

\$20.00

Sheriff fee

\$100.00

TOTAL

\$4,858.52

\$125.00 Prothonotary costs

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

GORDON & WEINBERG, P.C.
BY: FREDERIC I. WEINBERG, ESQUIRE
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COURT OF COMMON PLEAS
CLEARFIELD COUNTY

vs.

DOCKET NO. : 2007-93-CD

David M. McLeod
114 1/2 North State St
Du Bois PA 15801
and
First Commonwealth Bank
5 North Main Street
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. Meholic, 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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7 Skyline Drive
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COURT OF COMMON PLEAS
CLEARFIELD COUNTY

vs.

DOCKET NO. : 2007-93-CD

David M. McLeod
114 1/2 North State St
Du Bois PA 15801
and
First Commonwealth Bank
5 North Main Street
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

GORDON & WEINBERG, P.C.
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COURT OF COMMON PLEAS
CLEARFIELD COUNTY

vs.

DOCKET NO. : 2007-93-CD

David M. McLeod
114 1/2 North State St
Du Bois PA 15801
and
First Commonwealth Bank
5 North Main Street
DuBois, PA 15801

GARNISHEE

INTERROGATORIES IN ATTACHMENT

TO: **First Commonwealth 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)?

4

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

DATED: 8/1/08

GORDON & WEINBERG, P.C.
BY: FREDERIC I. WEINBERG, ESQUIRE
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JOEL M. FLINK, ESQUIRE
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First Commonwealth Bank
5 North Main Street
DuBois, PA 15801
GARNISHEE

Commonwealth of Pennsylvania)
County of CLEARFIELD)

WRIT OF EXECUTION

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against:

David M. McLeod

defendant(s)

- (1) You are directed to levy upon the property of the defendant(s) and to sell defendant's(s) interest therein:
- (2) You are also directed to attach the property of the defendant(s) not levied upon in the possession of

First Commonwealth Bank
5 North Main Street
DuBois, PA 15801- GARNISHEE

(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	\$4,443.71
INTEREST	
from June 15, 2007	\$294.81
COSTS	
Prothonotary fee	\$20.00
Sheriff fee	<u>\$100.00</u>
 TOTAL	 \$4,858.52

125.00 Prothonotary costs

Prothonotary

BY:

W. L. Johnson

Clerk

DATE:

8/15/08

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

Cavalry Portfolio Services, LLC COURT OF COMMON PLEAS
as assignee of Cavalry SPV I, CLEARFIELD COUNTY
LLC, as assignee of Providian
7 Skyline Drive
Hawthorne, NY 10532

vs

DOCKET NO. : 2007-93-CD

David M. McLeod
114 1/2 North State St
Du Bois PA 15801

and
First Commonwealth Bank
5 North Main Street
DuBois, PA 15801

GARNISHEE

WRIT OF EXECUTION

(3) AMOUNT DUE \$4,443.71
INTEREST \$294.81
from June 15, 2007
COSTS
 Prothonotary fee \$20.00
 Sheriff fee \$100.00

TOTAL \$4,858.52

Prothonotary costs

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: 07-93-CD

CAVALRY PORTFOLIO SERVICES, LLC as assignee

vs

DAVID M. McLEOD

TO: FIRST COMMONWEALTH BANK, Garnishee

WRIT OF EXECUTION; INTERROGATORIES TO GARNISHEE

SERVE BY: 08/26/2008 ASAP HEARING: PAGE: 104546

DEFENDANT: FIRST COMMONWEALTH BANK, Garnishee
ADDRESS: 5 NORTH MAIN ST.
DUBOIS, PA 15801

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: GARNISHEE

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT

FILED
09:00am
AUG 29 2008
W.M.

William A. Shaw
Prothonotary/Clerk of Courts

ATTEMPTS _____

SHERIFF'S RETURN

NOW, 8-27-08 AT 11:48 AM SERVED THE WITHIN

WRIT OF EXECUTION; INTERROGATORIES TO GARNISHEE ON FIRST COMMONWEALTH BANK, Garnishee,
DEFENDANT

BY HANDING TO Charlene Hoover Head Teller

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

ADDRESS SERVED 5 North Main St. Dubois, Pa. 15801

NOW _____ AT _____ AM / PM POSTED THE WITHIN

WRIT OF EXECUTION; INTERROGATORIES TO GARNISHEE FOR FIRST COMMONWEALTH BANK, Garnishee

AT (ADDRESS) _____

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

I MAKE RETURN OF **NOT FOUND** AS TO FIRST COMMONWEALTH BANK, Garnishee

REASON UNABLE TO LOCATE _____

So Answers: CHESTER A. HAWKINS, SHERIFF

SWORN TO BEFORE ME THIS

BY:

Jerome M. Nervling
Deputy Signature

Jerome M. Nervling
Print Deputy Name

DAY OF 2008

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 104546
NO: 07-93-CD
SERVICES 1
WRIT OF EXECUTION; INTERROGATORIES TO

GARNISHEE

PLAINTIFF: CAVALRY PORTFOLIO SERVICES, LLC as assignee

vs.

DEFENDANT: DAVID M. McLEOD

TO: FIRST COMMONWEALTH BANK, Garnishee

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	GORDON	059890	10.00
SHERIFF HAWKINS	GORDON	059890	44.73

FILED
02:45 pm
AUG 29 2008
WAS

William A. Shaw
Prothonotary/Clerk of Courts

Sworn to Before Me This

So Answers,

____ Day of _____ 2008



Chester A. Hawkins
Sheriff

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

Cavalry Portfolio Services, LLC
as assignee of Cavalry SPV I,
LLC, as assignee of Providian
7 Skyline Drive
Hawthorne, NY 10532

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

vs.

DOCKET NO. : 2007-93-CD

David M. McLeod
114 1/2 North State St
Du Bois PA 15801

and

First Commonwealth Bank
5 North Main Street
DuBois, PA 15801

GARNISHEE

Commonwealth of Pennsylvania)
County of CLEARFIELD)

WRIT OF EXECUTION

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against:

David M. McLeod

defendant(s)

- (1) You are directed to levy upon the property of the defendant(s) and to sell defendant's('s) interest therein:
- (2) You are also directed to attach the property of the defendant(s) not levied upon in the possession of

First Commonwealth Bank
5 North Main Street
DuBois, PA 15801- GARNISHEE

(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.

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INTEREST	
from June 15, 2007	\$294.81
COSTS	
Prothonotary fee	\$20.00
Sheriff fee	<u>\$100.00</u>
 TOTAL	 \$4,858.52

\$125.00 Prothonotary costs

Prothonotary

BY:



Clerk

DATE:

8/15/08

Received this writ this 15 day
of Aug A.D. 2008
At 3pm A.M./P.M.

Chester A. Hawkins
Sheriff by Marilyn Hahn

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

Cavalry Portfolio Services, LLC
as assignee of Cavalry SPV I,
LLC, as assignee of Providian
7 Skyline Drive
Hawthorne, NY 10532

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

vs.

DOCKET NO. : 2007-93-CD

David M. McLeod
114 1/2 North State St
Du Bois PA 15801

and

First Commonwealth Bank
5 North Main Street
DuBois, PA 15801

GARNISHEE

WRIT OF EXECUTION

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	<u>125.00</u>

Prothonotary costs

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

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

Cavalry Portfolio Services, LLC
as assignee of Cavalry SPV I,
LLC, as assignee of Providian
7 Skyline Drive
Hawthorne, NY 10532

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

vs.

DOCKET NO.: 2007-93-CD

David M. McLeod
114 1/2 North State St
Du Bois PA 15801

and

First Commonwealth Bank
5 North Main Street
DuBois, PA 15801

GARNISHEE

Commonwealth of Pennsylvania)
County of CLEARFIELD)

WRIT OF EXECUTION

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against:

David M. McLeod

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First Commonwealth Bank
5 North Main Street
DuBois, PA 15801- GARNISHEE

(specifically describe property)

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\$125.00 Prothonotary costs

Prothonotary

BY:



Clerk

DATE:

8/15/08

Received this writ this 15 day
of Aug A.D. 2008
At 3:41 A.M./P.M.

Chester A. Hamper
Sheriff by Marcy Hamper

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

Cavalry Portfolio Services, LLC
as assignee of Cavalry SPV I,
LLC, as assignee of Providian
7 Skyline Drive
Hawthorne, NY 10532

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

vs.

DOCKET NO. : 2007-93-CD

David M. McLeod
114 1/2 North State St
Du Bois PA 15801

and
First Commonwealth Bank
5 North Main Street
DuBois, PA 15801

GARNISHEE

WRIT OF EXECUTION

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	125.00
	Prothonotary costs
FREDERIC I. WEINBERG, ESQUIRE &	
JOEL M. FLINK, ESQUIRE	
1001 E. Hector Street, Ste 220	
Conshohocken, PA 19428	
484/351-0500	

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

Cavalry Portfolio Services, LLC
as assignee of Cavalry SPV I,
LLC, as assignee of Providian
7 Skyline Drive
Hawthorne, NY 10532

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

vs.

DOCKET NO. : 2007-93-CD

David M. McLeod
114 1/2 North State St
Du Bois PA 15801

and

First Commonwealth Bank
5 North Main Street
DuBois, PA 15801

GARNISHEE

Commonwealth of Pennsylvania)
County of CLEARFIELD)

WRIT OF EXECUTION

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against:

David M. McLeod

defendant(s)

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DuBois, PA 15801- GARNISHEE

(specifically describe property)

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	\$125.00 Prothonotary costs

Prothonotary

BY: Willie L. Hause Jr.

Clerk

DATE: 8/15/08

Received this writ this 15 day
of Aug A.D. 2008
At 3:00 A.M. (P.M.)

Chester A. Hawley
Sheriff by Marilyn Hause

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

Cavalry Portfolio Services, LLC
as assignee of Cavalry SPV I,
LLC, as assignee of Providian
7 Skyline Drive
Hawthorne, NY 10532

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

vs.

DOCKET NO. : 2007-93-CD

David M. McLeod
114 1/2 North State St
Du Bois PA 15801

and

First Commonwealth Bank
5 North Main Street
DuBois, PA 15801

GARNISHEE

WRIT OF EXECUTION

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	<u>125.00</u>

Prothonotary costs

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

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 NO
m/8:52 AM
SEP 08 2008
GK

William A. Shaw
Prothonotary/Clerk of Courts

Cavalry Portfolio Services, LLC as
assignee of Cavalry SPV I, LLC, as
assignee of Providian
7 Skyline Drive
Hawthorne, NY 10532

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

vs.

DOCKET NO. : 2007-93-CD

David M. McLeod
114 1/2 North State St
Du Bois PA 15801
and
First Commonwealth Bank
5 North Main Street
DuBois, PA 15801
GARNISHEE

For all answers to this and the
foregoing Interrogatories, see
Exhibit "A" attached hereto and
made part of hereof.

INTERROGATORIES IN ATTACHMENT

TO: First Commonwealth 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)?

46

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

DATED: 8/1/08

EXHIBIT "A"
ANSWERS TO INTERROGATORIES

1. No
2. No
3. No
4. No
5. No
6. No
7. No
8. No
9. N/A

VERIFICATION

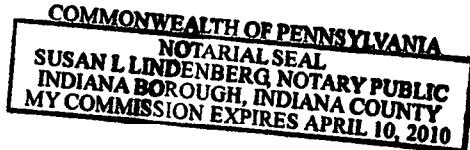
COMMONWEALTH OF PENNSYLVANIA)
)
COUNTY OF INDIANA)
)

On this 2nd day of September 2008 before me, the undersigned officer, a Notary Public in and for said Commonwealth and County, personally appeared LEDA E MCCRACKEN, who being duly sworn according to law, acknowledged that she is Assistant Vice President of First Commonwealth Bank, and that the facts set forth in the foregoing Interrogatories are true and correct to the best of her knowledge and belief.

Leda E. McCracken
Leda E. McCracken, Asst. Vice President
First Commonwealth Bank

Sworn and subscribed to before me
This 2nd day of September 2008

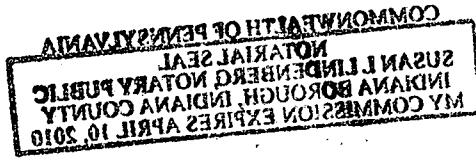
Susan L. Lindenberg
Notary Public



FILED

SEP 08 2008

William A. Shaw
Prothonotary/Clerk of Courts



2015274

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

Cavalry Portfolio Services,
LLC as assignee of Cavalry SPV
I, LLC, as assignee of
Providian

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

vs.

DOCKET NO. : 2007-93-CD

David M. McLeod

and
First Commonwealth Bank
Garnishee

PRAECIPE TO DISSOLVE ATTACHMENT

TO THE PROTHONOTARY:

Kindly dissolve the attachment of the defendant's bank
account with First Commonwealth Bank, as Garnishee in the above
entitled matter.

FILED *2008-10-02 \$7.00 AM*
m12.00cm
OCT 02 2008 2CC AM
W. A. Shaw
Weinberg

S

William A. Shaw
Prothonotary/Clerk of Courts

GORDON & WEINBERG, P.C.

BY:

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

P011

2015274

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 *RE*

MAY 14 2012
S 4/12/05
William A. Shaw
Prothonotary/Clerk of Courts
ccm w/wmrt

Cavalry Portfolio Services, LLC
as assignee of Cavalry SPV I,
LLC, as assignee of Providian
7 Skyline Drive
Hawthorne, NY 10532

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

vs.

DOCKET NO. : 2007-93-CD

David M. McLeod
114 1/2 North State St
Du Bois PA 15801

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
Clearfield, PA 16830
(814) 765-2641

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

Cavalry Portfolio Services, LLC
as assignee of Cavalry SPV I,
LLC, as assignee of Providian
7 Skyline Drive
Hawthorne, NY 10532

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

vs.

DOCKET NO. : 2007-93-CD

David M. McLeod
114 1/2 North State St
Du Bois PA 15801

PRAECIPE FOR WRIT OF REVIVAL

TO THE PROTHONOTARY:

Issue writ of revival of judgment entered in the Court of
Common Pleas of CLEARFIELD County having docket number 2007-93-CD and
index it in the judgment index against David M. McLeod in the amount
of \$4,443.71 with interest from June 15, 2007 at the rate of 6%.

GORDON & WEINBERG, P.C.

BY: _____
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.: 81894
1001 E. Hector Street, Ste 220
Conshohocken, PA 19428
484/351-0500

Cavalry Portfolio Services, LLC
as assignee of Cavalry SPV I,
LLC, as assignee of Providian
7 Skyline Drive
Hawthorne, NY 10532

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

vs.

DOCKET NO. : 2007-93-CD

David M. McLeod
114 1/2 North State St
Du Bois PA 15801

WRIT OF REVIVAL

TO: against David M. McLeod

(1) You are notified that the plaintiff has commenced a proceeding to revive and continue the lien of the judgment entered in the Court of Common Pleas of CLEARFIELD County, Docket No. 2007-93-CD.

(2) The plaintiff claims that the amount due and unpaid is \$4,443.71 with interest at the rate of 6% from June 15, 2007.

(3) You are required within twenty (20) days after service of this writ to file an answer or otherwise plead to it. If you fail to do so, judgment of revival in the amount claimed by the plaintiff will be entered without a hearing and you may lose your property or other important rights.

YOU SHOULD TAKE THIS WRIT OF REVIVAL TO A
LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR
CANNOT AFFORD ONE, GO TO OR TELEPHONE THE
FOLLOWING OFFICE TO FIND OUT WHERE YOU CAN GET
LEGAL HELP.

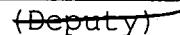
David S. Meholic, Court Admin.
Clearfield County Courthouse
Clearfield, PA 16830
(814) 765-2641

Date:



Prothonotary

By:


(Deputy)

To Deputy 5/15/12

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
NO: 2007-93-CD

CAVALRY PORTFOLIO SERVICES, LLC
vs
DAVID M. MCLEOD

SERVICE # 1 OF 1

PRAECIPE/WRIT OF REVIVAL

SERVE BY: 06/13/2012 HEARING: PAGE: 109651

S FILED
01/14/2012
JUN 04 2012

DEFENDANT: DAVID M. MCLEOD
ADDRESS: 114 1/2 N. STATE ST.
DUBOIS, PA 15801

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

William A. Shaw
Prothonotary/Clerk of Courts

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT

OCCUPIED

SHERIFF'S RETURN

NOW, _____ AT _____ AM / PM SERVED THE WITHIN

PRAECIPE/WRIT OF REVIVAL ON DAVID M. MCLEOD, DEFENDANT

BY HANDING TO _____ / _____

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

ADDRESS SERVED

Residence Employment Sheriff's Office Other

NOW _____ AT _____ AM / PM POSTED THE WITHIN

PRAECIPE/WRIT OF REVIVAL FOR DAVID M. MCLEOD

AT (ADDRESS) _____

NOW 11/24/2012 AT 8:09 AM PM AFTER DILIGENT SEARCH IN MY BAILIWICK,

I MAKE RETURN OF **NOT FOUND** AS TO DAVID M. MCLEOD

REASON UNABLE TO LOCATE

DOESNT live there

SWORN TO BEFORE ME THIS

DAY OF 2012

So Answers: CHESTER A. HAWKINS, SHERIFF

BY:

George F. DeHaen
Deputy Signature

George F. DeHaen
Print Deputy Name



CHESTER A. HAWKINS
SHERIFF

Sheriff's Office
Clearfield County

COURTHOUSE
1 NORTH SECOND STREET, SUITE 116
CLEARFIELD, PENNSYLVANIA 16830

OFFICE (814) 765-2641

FAX (814) 765-5915

ROBERT SNYDER

CHIEF DEPUTY

MARILYN HAMM
DEPT. CLERK

CYNTHIA AUGHENBAUGH
OFFICE MANAGER

KAREN BAUGHMAN
CLERK TYPIST

PETER F. SMITH
SOLICITOR

Docket Pg. _____

SERVICE REPORT

DATE TIME DEPUTY
INITIALS NOTES

5-22-12, 9:27 AM GD N/H NOTE Doesn't live

5-22-12 3:03 GAVE TO OFFICE TO CONTACT ATTORNEY

PER ATTORNEY: _____

ADDL. INFO: _____

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 109651
NO. 2007-93-CD
SERVICES 1
PRAECIPE/WRIT OF REVIVAL

PLAINTIFF: CAVALRY PORTFOLIO SERVICES, LLC
VS.
DEFENDANT: DAVID M. MCLEOD

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	GORDON	170277	10.00
SHERIFF HAWKINS	GORDON	170277	35.08

Sworn to Before Me This

So Answers,

____ Day of _____ 2012



Chester A. Hawkins
Sheriff

2015274

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

JUN 18 2012
William A. Shaw
Prothonotary/Clerk of Courts
L. Wentz
ATT

Cavalry Portfolio Services,
LLC as assignee of Cavalry SPV
I, LLC, as assignee of
Providian

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

vs.

DOCKET NO. : 2007-93-CD

David M. McLeod

CERTIFICATION OF SERVICE

I, FREDERIC I. WEINBERG, ESQUIRE, hereby certify that I, on the date below, served a copy of Writ of Revival of Judgment pursuant to the to Pa.R.C.P. 1028(c)(1), via Certified Mail No. 7011 1570 0001 977 0612, postage pre-paid, to all other parties or their counsel of record.


FREDERIC I. WEINBERG, ESQUIRE

Dated: 6/15/12

p020

INTHE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

Cavalry Portfolio Services, LLC
as assignee of Cavalry SPV I, LLC
assignee of PROVIDIAN

Plaintiff

vs.

NO. 2007-93-CD
CIVIL ACTION - LAW

DAVID M MCLEOD

Defendant(s)

FIRST COMMONWEALTH BANK
Garnishee

PRAECIPE FOR WRIT OF EXECUTION (MONEY JUDGMENT)
P.R.C.P. 3101 TO 3149

To the Prothonotary: Please issue the Writ of Execution in the above-captioned matter, in the amount of \$2633.59.

(1) Directed to the Sheriff of CLEARFIELD County, Pennsylvania;

(2) against, DAVID M MCLEOD

11 N HIGH ST

DU BOIS PA 15801

Defendant (s);

(3) and against FIRST COMMONWEALTH BANK
located at 5355 Shaffer Rd
Du Bois PA 15801
Garnishee(s);

(4) and index this writ

(A) against DAVID M MCLEOD

Defendant (s) and

(B) against, FIRST COMMONWEALTH BANK

FILED *6A*

JAN 12 2015

BRIAN K. SPENCER
PROTHONOTARY & CLERK OF COURTS

*1/126/15
1C Atty. Volk
1C Shaffer 1/hst.*

as a lis pendens against the real property of the Defendant(s) in the name of the Garnishee(s) as follows: (Specifically describe property) ***Garnish Only ***

You are directed to attach the property of the Defendant(s) not levied upon in the possession of FIRST COMMONWEALTH BANK, Garnishee(s)

All accounts including but not limited to all savings, checking and other accounts, certificates of deposit, notes receivables, collateral, pledges, documents of title, securities, and coupons.

Judgment Amount due: \$2633.59

Less Payments: \$(0.00)

Interest from Judgment Date: \$2866.19

Total: \$5499.78

Prothonotary Fee: _____

Sheriff Fee: _____

Costs to be added: _____

ll

Michael B. Volk, Esq. #88553
Fulton, Friedman & Gullace, LLP/Counsel for Plaintiff
6 Kacey Court, Suite 203
Mechanicsburg, PA 17055
Tel #: (866) 563-0809 Fax: (585) 546-4241

FFG file # 376618



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

Cavalry Portfolio Services, LLC as assignee of Cavalry SPV I, LLC
assignee of PROVIDIAN

Plaintiff

v.

NO. 2007-93-CD
CIVIL ACTION - LAW

DAVID M MCLEOD

Defendant(s)

WRIT OF EXECUTION - NOTICE

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

The law provides that certain property cannot be taken. Such property is said to be exempt. There is a debtor's exemption of \$300. There are other exemptions which may be 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 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.

MAJOR EXEMPTIONS UNDER PENNSYLVANIA AND FEDERAL LAW

1. \$300 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

FFG file # 376618



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

Cavalry Portfolio Services, LLC as assignee of Cavalry SPV I, LLC
assignee of PROVIDIAN

Plaintiff

v.

NO. 2007-93-CD
CIVIL ACTION - LAW

DAVID M MCLEOD

Defendant(s)

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 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 statutory exemption: [] in cash; [] in kind (specify property): _____;

(b) 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 _____ (Address), _____ (Telephone Number).

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

Date: _____ (Defendant)

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

FFG File # 376618



**WRIT OF EXECUTION and/or ATTACHMENT
COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD
CIVIL ACTION – LAW**

Cavalry Portfolio Services, LLC, Calvalry SPV I, LLC,
Providian,

Vs.

No.: 2007-00093-CD

David L. McLeod,

FIRST COMMONWEALTH BANK
GARNISHEE

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against David L. McLeod, Defendant(s):

- (1) You are directed to levy upon the property of the defendant and to sell defendant's interest therein:
SEE ORIGINAL FOR DETAILS
- (2) You are also directed to attach the property of the defendant not levied upon in the possession of:
FIRST COMMONWEALTH BANK as garnishee(s):

and to notify the garnishee that: (a) an attachment has been issued; (b) except as provided in paragraph (c), the garnishee is enjoined from paying any debt to or for the account of the defendant and from delivering any property of the defendant or otherwise disposing thereof; (c) the attachment shall not include any funds in an account of the defendant with a bank or other financial institution

i) in which funds are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law, or (i) the first \$10,000 of each account of the defendant with a bank or other financial institution containing any funds which are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law.

ii) each account of the defendant with a bank or other financial institution in which funds on deposit exceed \$10,000 at any time if all funds are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law.

iii) any funds in an account of the defendant with a bank or other financial institution that total \$300 or less. If multiple accounts are attached, a total of \$300 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 42 Pa.C.S. § 8123.

- (3) If property of the defendant(s) not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify such other person that he or she has been added as a garnishee and is enjoined as above stated.

AMOUNTDUE/PRINCIPAL: \$5499.78

INTEREST FROM: \$2866.19

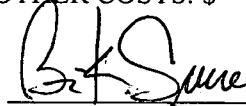
ATTY'S COMM: \$

DATE: 1/12/2015

PROTH. COSTS PAID: \$172.00

SHERIFF: \$

OTHER COSTS: \$



BRIAN K. SPENCER
Prothonotary/Clerk Civil Division

Received this writ this _____ day
of _____ A.D. _____
at _____ A.M./P.M.

Sheriff

Requesting Party:
Michael B. Volk, Esq.
6 Kacey Court, Suite 203
Mechanicsburg, PA 17055
866-563-0809

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

Cavalry Portfolio Services, LLC
as assignee of Cavalry SPV I, LLC
assignee of PROVIDIAN

Plaintiff NO. 2007-93-CD
v. CIVIL ACTION - LAW

DAVID M MCLEOD

Defendant(s)

NO. 2007-93-CD

CIVIL ACTION - LAW

FILED

JAN 12 2015

BRIAN K. SPENCER
PROTHONOTARY & CLERK OF COURTS

11/1250/315
cc Atq. Volk

Kindly enter the undersigned as counsel for Plaintiff in the captioned matter.

Respectfully Submitted,

By: _____
Michael B. Volk, Esq. #88553
Fulton, Friedman & Gullace, LLP
Counsel for Plaintiff
6 Kacey Court, Suite 203
Mechanicsburg, PA 17055
Tel: (866) 563-0809 Fax: (585) 546-4241

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Praeclipe was served this date by depositing same in the Post Office, first class mail, postage prepaid, addressed as follows:

DAVID M MCLEOD
11 N HIGH ST
DU BOIS PA 15801
Defendant(s)

Michael B. Volk, Esq.
Attorney ID #88553

EEG File #: 376618



IN THE COURT OF COMMON PLEAS CLEARFIELD COUNTY, PENNSYLVANIA

Cavalry Portfolio Services, LLC
as assignee of Cavalry SPV I, LLC
assignee of PROVIDIAN

RECEIVED
JAN 16 2015
BY: _____

Plaintiff
vs.

CIVIL ACTION - LAW
No.2007-93-CD

DAVID M MCLEOD

Defendant(s)

ANSWERS

INTERROGATORIES TO GARNISHEE

To: FIRST COMMONWEALTH BANK
5355 Shaffer Rd
Du Bois PA 15801

PURSUANT TO RULE 3253 OF THE RULES OF CIVIL PROCEDURE, THE FOLLOWING INTERROGATORIES HAVE BEEN SERVED UPON YOUR INSTITUTION. GARNISHEE IS HEREBY REQUIRED TO ANSWER EACH OF THE FOLLOWING INTERROGATORIES SEPARATELY AND FULLY. PLEASE COMPLETE THE FOLLOWING INTERROGATORIES TO ASSIST THE CREDITOR'S EFFORTS TO SATISFY THE LAWFUL OBLIGATION OF THE ABOVE REFERENCED DEBTOR(S).

IMPORTANT NOTICES AND INSTRUCTIONS TO GARNISHEE

- A. You are required to file answers to the following interrogatories within twenty (20) days after service upon you. Failure to do so may result in judgment against you.
- B. The term "Defendant(s)" means the individual(s) or entity against whom the Writ Execution was issued.
- C. "You" means the main office and all branch offices, representatives, employees and agents of your organization.
- D. By service of the Writ of Execution upon you, all property of the Defendant(s) subject to attachment which is in your possession, custody or control is attached, including all property of the Defendant(s) which comes into your possession thereafter.
- E. These Interrogatories are considered to be continuing and therefore should be modified or supplemented as you receive further or additional information.
- F. Where exact information cannot be furnished, estimated information is to be supplied. When an estimate is to be used, it should be identified as such, an explanation should be given as to the basis on which the estimate is made, and the reason the exact information cannot be furnished.
- G. Where knowledge or information in possession of a party is requested, such request includes knowledge of the party's agents, representatives, and attorneys.

FFG file #: 376618



INTERROGATORIES TO GARNISHEE

DEFENDANT(S) - DAVID M MCLEOD
SS# - ***-**-8211

For all answers to this and the foregoing Interrogatories see Exhibit "A" attached hereto and made part of hereof.

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(s) on any negotiable or other written instrument, or did the defendant(s) claim that you owed the defendant(s) any money or were liable to the defendant(s) 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(s)?

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(s) or in which the defendant(s) 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 if so what was the consideration therefor?

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 the defendant's 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(s) 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 number and state the amount of funds in each account, and the entity electronically depositing those funds on a recurring basis.

DEFENDANT(S) - DAVID M MCLEOD

SS# - ***-**-8211

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

9. Please identify all accounts not listed in your answer to Interrogatory No. 7, the amount of funds in each account, whether the funds are deposited electronically on a recurring basis and the entity electronically depositing those funds. If the defendant(s) maintains any of these accounts jointly with any other person, or persons, give their name, address and relationship to defendant.

10. Are there any attorney's fees or processing fees charged by you against the defendant(s) or account(s) of the defendant(s) for the completion of this answer? If yes, outline the exact amount of any fees due and owing to the garnishee or the attorney for the garnishee for the preparation of the Answer.

11. Please provide the name, business address and business telephone of the person answering these interrogatories.

12. Please provide the address and telephone number where future court documents pertaining to this case can be served on Garnishee.

Fulton, Friedman & Gullace, LLP



Michael B. Volk, Esq. #88553

(866) 563-0809

Counsel for Plaintiff

Attorneys in the Practice of Debt Collection

Please return your Answer to Interrogatories to counsel for Plaintiff at: **28 E. Main Street, Suite 500**
Rochester, New York 14614.

FFG File #: 376618

EXHIBIT "A"

ANSWERS TO INTERROGATORIES

1. No
2. Checking account number 7300168189 into David M. McLeod or Tonya J. Stimmell with a current balance of 161.76. Balance stated does not include the \$300.00 statutory exemption or First Commonwealth Bank's \$200.00 processing fee.
3. No
4. No
5. No
6. No
7. Yes, checking account number 7300168189 receives recurring deposits from L. A. Semancik P. The last such deposit was made on January 15, 2015 in the amount of \$146.13. First Commonwealth Bank lacks sufficient information to determine whether such recurring electronic deposits are exempt from execution, levy or attachment under Pennsylvania or Federal law.
8. Yes
9. See # 2 above
10. First Commonwealth Bank charges a \$200.00 processing fee.
11. Leda E. Pisarcik, 600 Philadelphia St., Indiana, PA 15710; 724-464-1155.
12. Same as #11

VERIFICATION

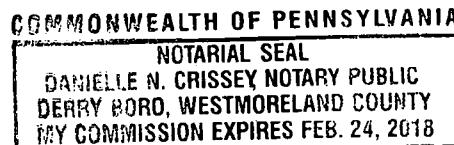
COMMONWEALTH OF PENNSYLVANIA)
COUNTY OF INDIANA)

On this 21st day of January 2015 before me, a Notary Public in and for said Commonwealth and County, personally appeared LEDA E PISARCIK, who being duly sworn according to law, acknowledged that she is Assistant Vice President of First Commonwealth Bank, and that the facts set forth in the foregoing Interrogatories are true and correct to the best of her knowledge and belief.

Leda E Pisarcik
Leda E. Pisarcik, Asst. Vice President
First Commonwealth Bank

Sworn and subscribed to before me
This 2nd day of January 2015

Notary Public



CERTIFICATE OF SERVICE

I hereby certify that on January 21, 2015 I have this day caused to be served a true and correct copy of this ANSWERS TO INTERROGATORIES upon the following parties:

VIA CERTIFIED U. S. MAIL

*David M. McLeod
Tonya J. Stimmell
221 W. Long Ave., Apt. C
DuBois, PA 15801-7603*

As Defendant

VIA REGULAR U.S. MAIL

*Michael B. Volk, Esquire
28 E. Main St., Suite 500
Rochester, NY 14614*

As Plaintiff

Leda E. Pisarcik

Leda E. Pisarcik
Assistant Vice President
First Commonwealth Bank

To Deputy 1/13/15

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

NO: 2007-93-CD

CAVALRY PORTFOLIO SERVICES, LLC as assignee of Cavalry SPV I, LLC assignee of PROVIDIAN
IS
DAVID M. MCLEOD

TO: FIRST COMMONWEALTH BANK, Garnishee
WRIT OF EXECUTION, INTERROGATORIES

SERVE BY: 04/12/2015 **RUSH** HEARING: 112489

DEFENDANT: FIRST COMMONWEALTH BANK, Garnishee
ADDRESS: 5355 SHAFFER RD
DUBOIS, PA 15801

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: GARNISHEE

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT OCCUPIED

FILED

JP

S JAN 15 2015
01/1051/JP
BRIAN K. SPENCER
PROTHONOTARY & CLERK OF COURTS

SHERIFF'S RETURN

NOW, 01-15-15 AT 12:16 AM / PM SERVED THE WITHIN
WRIT OF EXECUTION, INTERROGATORIES ON FIRST COMMONWEALTH BANK, Garnishee, DEFENDANT
BY HANDING TO Rachel M. Ward / Manager

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

ADDRESS SERVED 5355 Shaffer Rd. Dubois PA. 15801
() Residence Employment Sheriff's Office Other

NOW _____ AT _____ AM / PM POSTED THE WITHIN

WRIT OF EXECUTION, INTERROGATORIES FOR FIRST COMMONWEALTH BANK, Garnishee

AT (ADDRESS) _____

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

MAKE RETURN OF **NOT FOUND** AS TO FIRST COMMONWEALTH BANK, Garnishee

REASON UNABLE TO LOCATE _____

SWORN TO BEFORE ME THIS

DAY OF 2015

So Answers: WESLEY B THURSTON, SHERIFF

BY:

Mark A. Casper
Deputy Signature

Mark A. Casper
Print Deputy Name

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

Dkt Pg. 112489

2 of 2

CAVALRY PORTFOLIO SERVICES, LLC as assignee

NO. 2007-93-CD

vs
DAVID M. MCLEOD
TO: FIRST COMMONWEALTH BANK, Garnishee

WRIT OF EXECUTION/
INTERROGATORIES TO
GARNISHEE

SHERIFF'S RETURN

NOW JANUARY 16, 2015 MAILED THE WITHIN:
WRIT, WRIT NOTICE, CLAIM FOR EXEMPTION
TO: DAVID M. MCLEOD, DEFENDANT
AT: 11 HIGH ST., DUBOIS, PA 15801
IN THE S.A.S.E.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 112489
NO: 2007-93-CD
SERVICES 2
WRIT OF EXECUTION, INTERROGATORIES

PLAINTIFF: CAVALRY PORTFOLIO SERVICES, LLC as assignee of Cavalry SPV I, LLC assignee of PROVIDIAN
vs.
DEFENDANT: DAVID M. MCLEOD
TO: FIRST COMMONWEALTH BANK, Garnishee

SHERIFF RETURN

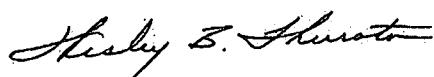
RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	FULTON	238270	20.00
SHERIFF THURSTON	FULTON	238270	46.85

Sworn to Before Me This

So Answers,

____ Day of _____ 2015



WESLEY B. THURSTON
Sheriff

**WRIT OF EXECUTION and/or ATTACHMENT
COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD
CIVIL ACTION – LAW**

Cavalry Portfolio Services, LLC, Calvalry SPV I, LLC,
Providian,

Vs.

No.: 2007-00093-CD

David L. McLeod,

FIRST COMMONWEALTH BANK
GARNISHEE

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against David L. McLeod, Defendant(s):

(7) You are directed to levy upon the property of the defendant and to sell defendant's interest therein:
SEE ORIGINAL FOR DETAILS

(8) You are also directed to attach the property of the defendant not levied upon in the possession of:
FIRST COMMONWEALTH BANK as garnishee(s):

and to notify the garnishee that: (a) an attachment has been issued; (b) except as provided in paragraph (c), the garnishee is enjoined from paying any debt to or for the account of the defendant and from delivering any property of the defendant or otherwise disposing thereof; (c) the attachment shall not include any funds in an account of the defendant with a bank or other financial institution

i) in which funds are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law, or (i) the first \$10,000 of each account of the defendant with a bank or other financial institution containing any funds which are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law.

ii) each account of the defendant with a bank or other financial institution in which funds on deposit exceed \$10,000 at any time if all funds are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law.

iii) any funds in an account of the defendant with a bank or other financial institution that total \$300 or less. If multiple accounts are attached, a total of \$300 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 42 Pa.C.S. § 8123.

(9) If property of the defendant(s) not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify such other person that he or she has been added as a garnishee and is enjoined as above stated.

AMOUNTDUE/PRINCIPAL: \$5499.78

INTEREST FROM: \$2866.19

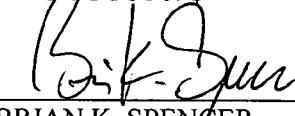
ATTY'S COMM: \$

DATE: 1/12/2015

PROTH. COSTS PAID: \$172.00

SHERIFF: \$

OTHER COSTS: \$


BRIAN K. SPENCER
Prothonotary/Clerk Civil Division

Requesting Party:

Michael B. Volk, Esq.
6 Kacey Court, Suite 203
Mechanicsburg, PA 17055
866-563-0809

Received this writ this 12th day
of January A.D. 2015
at 3:00 A.M./P.M.

Wesley B. Thurston
Sheriff By Marilyn Henn

**WRIT OF EXECUTION and/or ATTACHMENT
COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD
CIVIL ACTION – LAW**

Cavalry Portfolio Services, LLC, Calvalry SPV I, LLC,
Providian,

Vs.

No.: 2007-00093-CD

David L. McLeod,

FIRST COMMONWEALTH BANK
GARNISHEE

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against David L. McLeod, Defendant(s):

(10) You are directed to levy upon the property of the defendant and to sell defendant's interest therein:
SEE ORIGINAL FOR DETAILS

(11) You are also directed to attach the property of the defendant not levied upon in the possession of:
FIRST COMMONWEALTH BANK as garnishee(s):

and to notify the garnishee that: (a) an attachment has been issued; (b) except as provided in paragraph (c), the garnishee is enjoined from paying any debt to or for the account of the defendant and from delivering any property of the defendant or otherwise disposing thereof; (c) the attachment shall not include any funds in an account of the defendant with a bank or other financial institution

i) in which funds are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law, or (i) the first \$10,000 of each account of the defendant with a bank or other financial institution containing any funds which are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law.

ii) each account of the defendant with a bank or other financial institution in which funds on deposit exceed \$10,000 at any time if all funds are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law.

iii) any funds in an account of the defendant with a bank or other financial institution that total \$300 or less. If multiple accounts are attached, a total of \$300 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 42 Pa.C.S. § 8123.

(12) If property of the defendant(s) not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify such other person that he or she has been added as a garnishee and is enjoined as above stated.

AMOUNTDUE/PRINCIPAL: \$5499.78

INTEREST FROM: \$2866.19

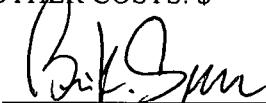
ATTY'S COMM: \$

DATE: 1/12/2015

PROTH. COSTS PAID: \$172.00

SHERIFF: \$

OTHER COSTS: \$



BRIAN K. SPENCER
Prothonotary/Clerk Civil Division

Requesting Party:

Michael B. Volk, Esq.

6 Kacey Court, Suite 203

Mechanicsburg, PA 17055

866-563-0809

Received this writ this 6th day
of January A.D. 2015
at 3:00 A.M./P.M.

Wesley B. Thirington
Sheriff by Marlyn Hahn

**WRIT OF EXECUTION and/or ATTACHMENT
COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD
CIVIL ACTION – LAW**

Cavalry Portfolio Services, LLC, Calvalry SPV I, LLC,
Providian,

Vs.

No.: 2007-00093-CD

David L. McLeod,

FIRST COMMONWEALTH BANK
GARNISHEE

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against David L. McLeod, Defendant(s):

(7) You are directed to levy upon the property of the defendant and to sell defendant's interest therein:
SEE ORIGINAL FOR DETAILS

(8) You are also directed to attach the property of the defendant not levied upon in the possession of:
FIRST COMMONWEALTH BANK as garnishee(s):

and to notify the garnishee that: (a) an attachment has been issued; (b) except as provided in paragraph (c), the garnishee is enjoined from paying any debt to or for the account of the defendant and from delivering any property of the defendant or otherwise disposing thereof; (c) the attachment shall not include any funds in an account of the defendant with a bank or other financial institution

i) in which funds are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law, or (i) the first \$10,000 of each account of the defendant with a bank or other financial institution containing any funds which are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law.

ii) each account of the defendant with a bank or other financial institution in which funds on deposit exceed \$10,000 at any time if all funds are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law.

iii) any funds in an account of the defendant with a bank or other financial institution that total \$300 or less. If multiple accounts are attached, a total of \$300 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 42 Pa.C.S. § 8123.

(9) If property of the defendant(s) not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify such other person that he or she has been added as a garnishee and is enjoined as above stated.

AMOUNTDUE/PRINCIPAL: \$5499.78

INTEREST FROM: \$2866.19

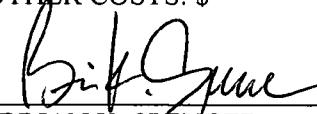
ATTY'S COMM: \$

DATE: 1/12/2015

PROTH. COSTS PAID: \$172.00

SHERIFF: \$

OTHER COSTS: \$



BRIAN K. SPENCER
Prothonotary/Clerk Civil Division

Requesting Party:

Michael B. Volk, Esq.

6 Kacey Court, Suite 203

Mechanicsburg, PA 17055

866-563-0809

Received this writ this 12th day
of January A.D. 2015
at 3:00 A.M./P.M.

Wesley B. Thurston
Sheriff By Marly Hahn

**WRIT OF EXECUTION and/or ATTACHMENT
COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD
CIVIL ACTION – LAW**

Cavalry Portfolio Services, LLC, Calvalry SPV I, LLC,
Providian,

Vs.

No.: 2007-00093-CD

David L. McLeod,

FIRST COMMONWEALTH BANK
GARNISHEE

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against David L. McLeod, Defendant(s):

(4) You are directed to levy upon the property of the defendant and to sell defendant's interest therein:
SEE ORIGINAL FOR DETAILS

(5) You are also directed to attach the property of the defendant not levied upon in the possession of:
FIRST COMMONWEALTH BANK as garnishee(s):

and to notify the garnishee that: (a) an attachment has been issued; (b) except as provided in paragraph (c), the garnishee is enjoined from paying any debt to or for the account of the defendant and from delivering any property of the defendant or otherwise disposing thereof; (c) the attachment shall not include any funds in an account of the defendant with a bank or other financial institution

i) in which funds are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law, or (i) the first \$10,000 of each account of the defendant with a bank or other financial institution containing any funds which are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law.

ii) each account of the defendant with a bank or other financial institution in which funds on deposit exceed \$10,000 at any time if all funds are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law.

iii) any funds in an account of the defendant with a bank or other financial institution that total \$300 or less. If multiple accounts are attached, a total of \$300 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 42 Pa.C.S. § 8123.

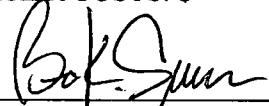
(6) If property of the defendant(s) not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify such other person that he or she has been added as a garnishee and is enjoined as above stated.

AMOUNT DUE/PRINCIPAL: \$5499.78
INTEREST FROM: \$2866.19
ATTY'S COMM: \$
DATE: 1/12/2015

PROTH. COSTS PAID: \$172.00

SHERIFF: \$

OTHER COSTS: \$



BRIAN K. SPENCER
Prothonotary/Clerk Civil Division

Requesting Party:

Michael B. Volk, Esq.

6 Kacey Court, Suite 203

Mechanicsburg, PA 17055

866-563-0809

Received this writ this 12th day
of January A.D. 2015
at 3:00 A.M./P.M.

Wesley B. Thurston
Sheriff My Manly Hand

Our File No.: 449474
Apothaker Scian P.C.
By: Kimberly F. Scian, Esquire
Attorney I.D. #55140
520 Fellowship Road Suite C306, PO Box 5496
Mt. Laurel, NJ 08054-5496
(800) 672-0215
Attorneys for Plaintiff

CAVALRY PORTFOLIO SERVICES,) COURT OF COMMON PLEAS OF
LLC AS ASSIGNEE OF CAVALRY SPV) CLEARFIELD COUNTY
I, LLC, AS ASSIGNEE OF PROVIDIAN)
Plaintiff) NO.: 2007-93-CD
vs.) Civil Action
DAVID M MCLEOD)
Defendant

ENTRY OF APPEARANCE

TO THE PROTHONOTARY:

Kindly enter my appearance on behalf of the Plaintiff, CAVALRY PORTFOLIO SERVICES, LLC AS ASSIGNEE OF CAVALRY SPV I, LLC, AS ASSIGNEE OF PROVIDIAN.

Apothaker Scian P.C.
Attorney for Plaintiff
A Law Firm Engaged in Debt Collection

By:

Kimberly F. Scian, Esquire

FILED

S APR 07 2017
M 10:51 WB
BRIAN K. SPENCER
PROTHONOTARY & CLERK OF COURTS
Icc Atty Scian