

07-218-CD  
Portfolio Rec. vs Jennifer Kephart

Portfolio Rec vs Jennifer Kephart  
2007-218-CD

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA

PORTRIO RECOVERY ASSOCIATES, LLC  
C/O DAVID APOTHAKER, ESQ.

(Plaintiff)  
Apothaker & Associates, P.C.  
2417 Welsh Road  
Suite 21 #520  
Philadelphia, PA 19114

(City, State ZIP)

CIVIL ACTION

No. 2007-218-CD

Type of Case: CIVIL COMPLAINT

Type of Pleading:

Filed on Behalf of:

PORTRIO RECOVERY ASSOCIATES, LLC  
(Plaintiff/Defendant)

VS.

JENNIFER KEPHART  
(Defendant)

615 NICHOLS ST.

(Street Address)

CLEARFIELD, PA 16830

(City, State ZIP)

DAVID APOTHAKER, ESQUIRE

(Filed by) Apothaker & Associates, P.C.  
2417 Welsh Road  
Suite 21 #520  
Philadelphia, PA 19114

(Address)

(Phone)

(Signature)

FILED pd \$85.00 Atty  
01/15/07 ICC Shft  
FEB 12 2007  
(JW)

William A. Shaw  
Prothonotary/Clerk of Courts

APOTHAKER & ASSOCIATES, P.C.

BY: David J. Apothaker

Attorney I.D.#38423

2417 Welsh Road, Suite 21 #520

Philadelphia, PA 19114

(215) 634-8920

Attorneys for Plaintiff

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PORFTOLIO RECOVERY	)	COURT OF COMMON PLEAS
ASSOCIATES, LLC	)	CLEARFIELD COUNTY
c/o David J Apothaker, Esquire	)	
2417 Welsh Road, Suite 21 #520	)	
Philadelphia, PA 19114	)	
Plaintiff,	)	
vs.	)	
JENNIFER KEPHART	)	
615 NICHOLS ST	)	
CLEARFIELD, PA 16830	)	
Defendant.	)	

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### 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 with 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 ONE. 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.

CLEARFIELD COUNTY BAR ASSOCIATION  
Lawyer Referral and Information Service  
814-765-2641

### **AVISO**

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha de la demanda y la notificacion. Hace falta asentar una comparecencia escrita o con un abogado y entregar a la corte en forma escrita sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademas, la corte puede decidir a favor del demandante y requiere que usted compla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFFICIENTE DE PAGAR TAL SERVICIO. VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL.

CLEARFIELD COUNTY BAR ASSOCIATION  
Lawyer Referral and Information Service  
814-765-2641

APOTHAKER & ASSOCIATES, P.C.  
BY: David J. Apothaker  
Attorney I.D.#38423  
2417 Welsh Road, Suite 21 #520  
Philadelphia, PA 19114  
(215) 634-8920  
Attorneys for Plaintiff

**CIVIL ACTION COMPLAINT  
FIRST COUNT**

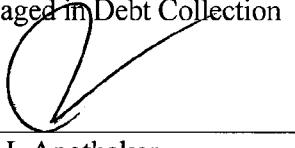
1. Plaintiff, PORTFOLIO RECOVERY ASSOCIATES, LLC, is a company with its principal place of business located at c/o David J Apothaker, Esq. 2417 Welsh Road, Suite 21 #520, Philadelphia, PA 19114.
2. Defendant is JENNIFER KEPHART, an adult individual residing at 615 NICHOLS ST CLEARFIELD, PA 16830.
3. At the special instance and request of Defendant, Plaintiff sold and delivered to Defendant goods and/or services at the times, of the kinds, in the quantities, and for the prices set forth in Plaintiff's records. A true and correct copy of which is attached hereto, incorporated herein by reference and designated Exhibit "A".
4. Defendant received and accepted the goods and/or services described in Exhibit "A".
5. The prices set forth in Exhibit "A" are the fair, reasonable and market prices for said goods and/or services, and the prices which Defendant agreed to pay.
6. All credits, if any, to which Defendant is entitled, are set forth in Exhibit "A".
7. In addition, Plaintiff avers that Defendant has failed and continues to fail to make any payments, leaving a balance due and owing of \$5,409.85 from March 27, 2003.

8. Although demand has been made, Defendant has failed to make payment of the amount due as above.

9. The original creditor is PROVIDIAN NATIONAL BANK.

WHEREFORE, Plaintiff demands judgment in favor of Plaintiff and against Defendant(s) for the sum of \$5,409.85 plus costs, and reasonable attorney's fees.

APOTHAKER & ASSOCIATES, P.C.  
Attorney for Plaintiff  
A Law Firm Engaged in Debt Collection

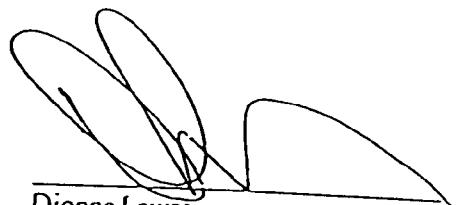
BY:   
David J. Apothaker

Dated: 2/2/2007

Our File No.: 80026

VERIFICATION

Dionne Lawson, hereby states that I am legal specialist for plaintiff in this action, and that I am authorized to take this Verification, and that the statements made in the foregoing Civil Action Complaint are true and correct to the best of my knowledge, information, and belief. The undersigned understands that the statements therein are made subject to the penalties of 18 Pa.C.S.A. 4904 relating to unsworn falsification to authorities.



Dionne Lawson  
Legal Specialist for Plaintiff

DATE: 2-02-2007

PORFOLIO RECOVERY ASSOCIATES, LLC  
c/o David J Apothaker, Esquire  
2417 Welsh Road, Suite 21 #520  
Philadelphia, PA 19114

JENNIFER KEPHART  
615 NICHOLS ST  
CLEARFIELD, PA 16830

STATEMENT OF ACCOUNT

Debtor's Name: JENNIFER KEPHART

Account Number: 4254481500447880

Original Creditor: PROVIDIAN NATIONAL BANK

Date of Debt: March 27, 2003

Balance Due: \$5,409.85

Our File No.: 80026

EXHIBIT "A"

**FILED**

**FEB 12 2007**

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102445  
NO: 07-218-CD  
SERVICE # 1 OF 1  
COMPLAINT

PLAINTIFF: PORTFOLIO RECOVERY ASSOCIATE, LLC  
vs.  
DEFENDANT: JENNIFER KEPHART

FILED  
07/31/2007  
MAY 09 2007

William A. Shaw  
Prothonotary/Clerk of Courts

SHERIFF RETURN

NOW, February 16, 2007 AT 10:00 AM SERVED THE WITHIN COMPLAINT ON JENNIFER KEPHART DEFENDANT AT 615 NICHOLS ST., CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO JENNIFER KEPHART, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: HUNTER /

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	APOTHAKER	41694G	10.00
SHERIFF HAWKINS	APOTHAKER	41694G	20.00

Sworn to Before Me This

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

So Answers,

  
Chester A. Hawkins  
Sheriff

**FILED**

**MAY 09 2007**

**William A. Shaw**  
Prothonotary/Clerk of Courts

APOTHAKER & ASSOCIATES, P.C.  
2417 Welsh Road, Suite 21 #520  
Philadelphia, PA 19114  
(215) 634-8920  
Attorneys for Plaintiff  
David J. Apothaker, Esquire  
Attorney ID #38423

---

PORFOLIO RECOVERY  
ASSOCIATES, LLC

Plaintiff,  
vs.  
JENNIFER KEPHART  
Defendant.

) COURT OF COMMON PLEAS OF  
) CLEARFIELD COUNTY  
)  
) NO.: 07-218-CD  
)  
) Civil Action  
)

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**PRAECIPE TO ENTER DEFAULT JUDGMENT**

TO THE PROTHONOTARY:

Please enter a default judgment in favor of plaintiff, PORTFOLIO RECOVERY ASSOCIATES, LLC and against Defendant, JENNIFER KEPHART, for failure to answer or otherwise respond to the Complaint - Civil Action.

The Complaint was served upon the defendants on February 16, 2007 by the CLEARFIELD Sheriff's Department. Copies of the proofs of service are attached hereto as Exhibit "A".

I certify, a copy of the Notice of Intention To Take Default was mailed on May 25, 2007, and also attached hereto.

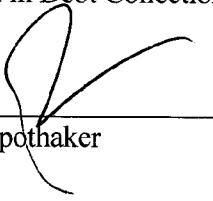
pd \$20.00 AM  
FILED *ICC notice to*  
m/235cm *deft*  
JUN 18 2007 *ICC & statement*  
William A. Shaw *to Atty*  
Prothonotary/Clerk of Courts

Assess damages in the amount of:

(a) Balance:	\$5,409.85
(b) Interest from February 02, 2007	\$103.92
TOTAL	\$5,513.77

APOTHAKER & ASSOCIATES, P.C.  
Attorneys for Plaintiff  
A Law Firm Engaged in Debt Collection

By:

  
\_\_\_\_\_  
David J. Apothaker

Dated: 6/7/2007

Our File No.: 80026

APOTHAKER & ASSOCIATES, P.C.

BY: David J. Apothaker

Attorney I.D.#38423

2417 Welsh Road, Suite 21 #520

Philadelphia, PA 19114

(215) 634-8920

Attorney for Plaintiff

PORFOLIO RECOVERY	)	COURT OF COMMON PLEAS OF
ASSOCIATES, LLC	)	CLEARFIELD COUNTY
	)	
Plaintiff,	)	
vs.	)	
	)	NO.: 07-218-CD
	)	
JENNIFER KEPHART	)	Civil Action
	)	
Defendant.	)	

**AFFIDAVIT OF NON-MILITARY SERVICE**

COMMONWEALTH OF PENNSYLVANIA : :

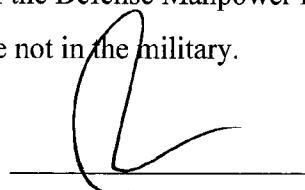
: SS.

COUNTY OF CLEARFIELD : :

David J. Apothaker, being duly sworn according to law, deposes and says that I am the attorney for Plaintiff, and authorized to make this affidavit; that Defendant(s) resides at 615 NICHOLS ST CLEARFIELD, PA 16830.

We inquired with the web site of the Defense Manpower Data Center, located at 1600 Wilson Boulevard, Suite 400, Arlington, VA 22209-2593, if the Defendant(s) is/are in any branch of the military.

Mary M. Snavely-Dixon, Director of the Defense Manpower Data Center has sent back our inquiry indicated that the Defendant(s) is/are not in the military.

  
\_\_\_\_\_  
David J. Apothaker  
Attorney for Plaintiff

Department of Defense Manpower Data Center

JUN-07-2007 11:58:13



Military Status Report  
Pursuant to the Servicemembers Civil Relief Act

Last Name	First/Middle	Begin Date	Active Duty Status	Service/Agency
KEPHART	JENNIFER		Based on the information you have furnished, the DMDC does not possess any information indicating that the individual is currently on active duty.	

Upon searching the information data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the current status of the individual as to all branches of the Military.

Mary M. Snavely-Dixon, Director  
Department of Defense - Manpower Data Center  
1600 Wilson Blvd., Suite 400  
Arlington, VA 22209-2593

The Defense Manpower Data Center (DMDC) is an organization of the Department of Defense that maintains the Defense Enrollment and Eligibility Reporting System (DEERS) database which is the official source of data on eligibility for military medical care and other eligibility systems.

The Department of Defense strongly supports the enforcement of the Servicemembers Civil Relief Act [50 USCS Appx. #167;#167; 501 et seq] (SCRA) (formerly the Soldiers' and Sailors' Civil Relief Act of 1940). DMDC has issued hundreds of thousands of "does not possess any information indicating that the individual is currently on active duty" responses, and has experienced a small error rate. In the event the individual referenced above, or any family member, friend, or representative asserts in any manner that the individual is on active duty, or is otherwise entitled to the protections of the SCRA, you are strongly encouraged to obtain further verification of the person's active duty status by contacting that person's Military Service via the "defenselink.mil" URL provided below. If you have evidence the person is on active-duty and you fail to obtain this additional Military Service verification, provisions of the SCRA may be invoked against you.

If you obtain further information about the person ( e.g., an SSN, improved accuracy of DOB, a middle name), you can submit your request again at this Web site and we will provide a new certificate for that query.

This response reflects current active duty status only. For historical information, please contact the Military Service SCRA points-of-contact.

See: <http://www.defenselink.mil/faq/pis/PC09SLDR.html>

WARNING: This certificate was provided based on a name and Social Security number (SSN) provided

APOTHAKER & ASSOCIATES, P.C.  
BY: David J. Apothaker  
Attorney I.D.#38423  
2417 Welsh Road, Suite 21 #520  
Philadelphia, PA 19114  
(215) 634-8920  
Attorney for Plaintiff

PORTFOLIO RECOVERY ) COURT OF COMMON PLEAS  
ASSOCIATES, LLC ) CLEARFIELD COUNTY  
 )  
 Plaintiff, )  
 vs. )  
 ) NO. 07-218-CD  
 )  
 JENNIFER KEPHART )  
 615 NICHOLS ST )  
 CLEARFIELD, PA 16830 )  
 Defendant. )

**NOTICE OF INTENTION  
TO TAKE DEFAULT**

TO: JENNIFER KEPHART

DATE OF NOTICE: May 25, 2007

## **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 (10) days from the date of this notice as set forth above, a judgment may be entered against you without a hearing and you may lose your property or other important rights. You should take this notice 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:

CLEARFIELD COUNTY BAR ASSOCIATION  
Lawyer Referral and Information Service  
814-765-2641

|S|

DAVID J. APOTHAKER, ESQUIRE  
A Law Firm Engaged in Debt Collection  
2417 Welsh Road, Suite 21 #520  
Philadelphia, PA 19114  
(215) 634-8920  
Attorney for Plaintiff  
Attorney ID #38423

Our File No.: 80026

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102445  
NO: 07-218-CD  
SERVICE # 1 OF 1  
COMPLAINT

PLAINTIFF: PORTFOLIO RECOVERY ASSOCIATE, LLC  
vs.  
DEFENDANT: JENNIFER KEPHART

COPY

SHERIFF RETURN

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SERVED BY: HUNTER /

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	APOTHAKER	41694G	10.00
SHERIFF HAWKINS	APOTHAKER	41694G	20.00

Sworn to Before Me This

So Answers,

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



Chester A. Hawkins  
Sheriff

NOTICE OF JUDGMENT

COPY

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

CIVIL DIVISION

Portfolio Recovery Associates, LLC

Vs.

No. 2007-00218-CD

Jennifer Kephart

To: DEFENDANT(S)

NOTICE is given that a JUDGMENT in the above captioned matter has been entered against you in the amount of \$5513.77 on June 18, 2007.

William A. Shaw

Prothonotary



William A. Shaw

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

COPIED

Portfolio Recovery Associates, LLC  
Plaintiff(s)

No.: 2007-00218-CD

Real Debt: \$5513.77

Atty's Comm: \$

Vs. Costs: \$

Int. From: \$

Jennifer Kephart  
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: June 18, 2007

Expires: June 18, 2012

Certified from the record this June 18, 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