

07-587-CD
HSBC Bank NV vs D. Hertlein

HSBC Bank vs Daryl Hertlein et al
2007-587-CD

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

HSBC BANK NEVADA, N.A

Plaintiff

No: 07-587-CD

vs.

COMPLAINT IN CIVIL ACTION

DARYL HERTLEIN

Defendant

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

James C. Warmbrodt, 42524
WELTMAN, WEINBERG & REIS CO., L.P.A.
436 Seventh Avenue, Suite 2718
Pittsburgh, PA 15219
(412) 434-7955
FAX: 412-338-7130
05560057 C N Pit KXW

FILED ^{ICC}
APR 16 2001 ^{PA} Sheriff
William A. Shaw ^{W.A.S.} Atty pd.
Prothonotary/Clerk of Courts ^{085.00}

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

HSBC BANK NEVADA, N.A

Plaintiff
vs. Civil Action No
DARYL HERTLEIN
Defendant

COMPLAINT AND NOTICE TO DEFEND

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

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

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

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

COMPLAINT

1. Plaintiff, HSBC BANK NEVADA, N.A is a corporation with offices at 1111 TOWN CENTER DR. LAS VEGAS , NV 89193 .

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

DARYL HERTLEIN
345 N WRIGLEY ST
CLEARFIELD, PA 16830

3. Defendant applied for and received a credit card bearing the account number 5499450004043935 .

4. Defendant made use of said credit card and has a current balance due of \$7755.42 , as of March 14, 2007 .

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

6. Plaintiff is entitled to the addition of interest at the rate of 6.000% per annum on the unpaid balance from March 14, 2007 . A copy of Plaintiff's STATEMENT is attached hereto, marked as Exhibit "1" and made a part hereof.

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

Wherefore, the Plaintiff prays for judgment in its favor and against Defendant , DARYL HERTLEIN , INDIVIDUALLY , in the amount of \$7755.42 with continuing interest thereon at the rate of 6.000% per annum from March 14, 2007 plus costs.

James C. Warmbrodt, 42524
WELTMAN, WEINBERG & REIS CO., L.P.A.
436 Seventh Avenue, Suite 2718
Pittsburgh, PA 15219
(412) 434-7955
FAX: 412-338-7130
05560057 C N Pit KXW

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

3M WED PLATINUM MASTERCARD STATEMENT



ARYL HERTLEIN

Page 1 of 1

ACCOUNT SUMMARY	
ACCOUNT NUMBER	5499-4500-0404-3935
TOTAL CREDIT LIMIT	\$6,300
TOTAL CREDIT LIMIT AVAILABLE	\$0
STATEMENT DATE	11/26/06

PAYMENT SUMMARY	
PAST DUE AMOUNT	\$1,431.00
MINIMUM PAYMENT*	\$271.00
CURRENT PAYMENT DUE*	\$1,702.00
PAYMENT DUE DATE	12/21/06
OVERLIMIT AMOUNT	\$1,261.31

*See reverse side for an explanation of these amounts.

BALANCE SUMMARY	
PREVIOUS BALANCE	\$7,366.01
PAYMENTS/CREDITS	\$0.00
PURCHASES/DEBITS	+\$70.00
FINANCE CHARGE	+\$125.30
NEW BALANCE	\$7,561.31

TRANSACTION SUMMARY

(For additional transaction detail go to www.unionpluscard.com)

TRANS DATE	POST DATE	TRANSACTION DESCRIPTION	REFERENCE NUMBER	AMOUNT	
				CHARGES	CREDITS
1/20	11/20	LATE CHARGE ASSESSMENT	1999999980000999894020	\$35.00	
1/10	11/10	OVERLIMIT CHARGE ASSESSMENT	1999999980000999936510	\$35.00	

FINANCE CHARGE CALCULATION

This is a grace account. Grace period information on back.

	Average Daily Balance	Daily Periodic Rate	Days in Billing Cycle	FINANCE CHARGE		Nominal Annual Percentage Rate	ANNUAL PERCENTAGE RATE
				At Periodic Rate	Cash Advance/ Transaction Fees		
PURCHASES	\$460.48	0.05203%	31	\$7.43	\$0.00	18.99%	18.990%
CASH ADVANCES	\$5,982.81	0.05477%	31	\$101.58	\$0.00	19.99%	19.990%
ONUS CHECK	\$1,010.15	0.05203%	31	\$16.29	\$0.00	18.99%	18.990%

EXHIBIT

✓ MAIL PAYMENTS TO:
UNION PLUS CREDIT CARD
PO BOX 17051
BALTIMORE MD 21297-1051

☎ QUESTIONS?
24-HOUR CUSTOMER SERVICE
1-800-622-2580
OUTSIDE USA, COLLECT: 1-702-243-1575
TDD HEARING IMPAIRED: 1-800-655-9392

✉ MAIL INQUIRIES TO:
UNION PLUS CREDIT CARD
PO BOX 80027
SALINAS CA 93912-0027

✉ Manage your account online at:
www.unionpluscard.com

10521 N 26 0000003000 G STMTXO 2 K
EXCPT
00072928
EASE DETACH AND RETURN BOTTOM PORTION WITH YOUR PAYMENT: To Assure Proper Credit Please Write Your Account Number On Your Check



Account Number		5499-4500-0404-3935	
New Balance	\$7,561.31		
Payment Due Date	12/21/06	Current Payment Due	\$1,702.00

Make checks payable to UNION PLUS CREDIT CARD. Please write your account number on your check. Do not fold, staple or clip. Do not send cash. Please send your payment 7 days prior to the payment due date to ensure timely delivery.

Amount
Enclosed

DARYL HERTLEIN
345 N WRIGLEY ST
CLEARFIELD PA 16830-3157

|||||

UNION PLUS CREDIT CARD
PO BOX 17051
BALTIMORE MD 21297-1051

|||||

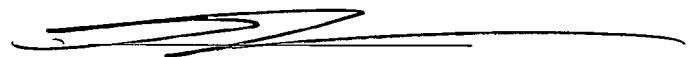
549945000404393500170200007561311

VERIFICATION

The undersigned does hereby verify subject to the penalties of 18 PA. C.S. 4904 relating

to unsworn falsifications to authorities, that he/she is Ariel Mendoza

Manager of HSBC Nevada, NA, plaintiff herein, that he/she is duly authorized to
make this verification, and that the facts set forth in the foregoing Complaint are true and
correct the best of his/her knowledge, information and belief.



(Signature)

Wwr#

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

HSBC BANK NEVADA, N.A. CIVIL ACTION
(Plaintiff)

1111 Town CENTER Dr. No. 2007-587-CD
(Street Address)

Las VEGAS, NV 89193 Type of Case: Civil
(City, State ZIP)

vs.

DARYL D. HERTLEIN
(Defendant)

345 WRIGLEY ST
(Street Address)

CLEARFIELD, PA. 16830
(City, State ZIP)

Filed on Behalf of:

DARYL D. HERTLEIN
(Plaintiff) (Defendant)

DARYL D. HERTLEIN
(Filed by)

345 WRIGLEY ST
(Address) CLEARFIELD, PA. 16830

814-765-7658
(Phone)

Daryl D. Hertlein
(Signature)

FILED

MAY 11 2007

01110 (60)

William A. Shaw
Prothonotary/Clerk of Courts

3 CENT TO DEPT.

May 11, 2007

In the Court of Common Pleas of Clearfield County, Pennsylvania – Civil Division

HSBC BANK NEVADA, N.A. - Plaintiff vs:

DARYL HERTLEIN – Defendant

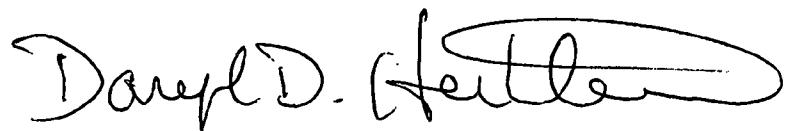
Civil Action No. 2007-587- CD - COMPLAINT AND NOTICE TO DEFEND

(ANSWER)

I, Daryl Hertlein, generally disagree to the amount owed to HSBC BANK NEVADA, N.A. Account #5499 45000 40 43935.

Negotiations are currently being handled by DEBT SETTLEMENT of AMERICA.

Daryl Hertlein



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

HSBC BANK NEVADA, N.A.,

Plaintiff,

Case No.: 07-587-CD

vs.

DARYL HERTLEIN,

Defendant.

**MOTION FOR JUDGMENT
ON THE PLEADINGS**

FILED ON BEHALF OF:
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

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

FILED NOCC
MAY 30 2007
JUN 04 2007 GR

William A. Shaw
Prothonotary/Clerk of Courts

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

HSBC BANK NEVADA, N.A.,

Plaintiff,

Case No.: 07-587-CD

vs.

DARYL HERTLEIN,

Defendant.

MOTION FOR JUDGMENT ON THE PLEADINGS

AND NOW COMES, Plaintiff, by and through its counsel, Weltman, Weinberg & Reis, Co., L.P.A., and hereby files this Motion for Judgment on the Pleadings and respectfully moves this Court pursuant to Pennsylvania Rule of Civil Procedure 1034 for judgment on the pleadings. In support thereof, Plaintiff avers as follows:

1. This action arises out of the accumulation of debt by defendant.
2. Plaintiff filed a Complaint against Defendant, Daryl Hertlein, seeking \$7,755.42 with interest at the legal interest rate of 6.000% per annum from March 14, 2007, plus costs. A true and correct copy of the Complaint is attached hereto as Exhibit "A" and made a part hereof.
3. Attached to the Complaint was Verification from an authorized representative of Plaintiff verifying the accuracy of the amount sought. See Exhibit "A".
4. Defendant filed an Answer generally denying the material averments. A true and correct copy of the Answer is attached hereto as Exhibit "B" and made a part hereof.
5. Under Pennsylvania Rule of Civil Procedure 1029(b), the averments of the pleading to which a response is required are deemed admitted when not denied specifically.

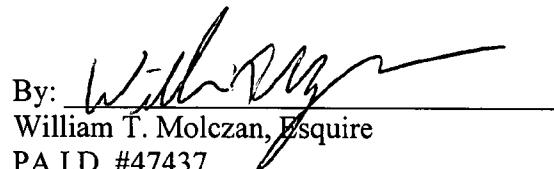
6. Defendant's Answer contains no New Matter.
7. Under Pennsylvania Rule of Civil Procedure 1032(a), "a party waives all defenses and objections which are not presented either by preliminary objection, answer or reply..."
8. The pleadings are closed and time exists to dispose of this Motion before trial.
9. No genuine issue of material fact exists as to Plaintiff's claim.
10. Plaintiff is entitled to judgment in its favor as a matter of law on the amount sought in the Complaint.

WHEREFORE, Plaintiff respectfully requests that this Honorable Court enter an Order directing Judgment on the pleadings in favor of Plaintiff and against Defendant for \$7,755.42 with interest thereon at the legal interest rate of 6% per annum from March 14, 2007, plus costs.

Respectfully Submitted:

WELTMAN, WEINBERG & REIS, CO.,

L.P.A.

By: 
William T. Molczan, Esquire

PA I.D. #47437

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

2718 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

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

HSBC BANK NEVADA, N.A

Plaintiff No:

vs. COMPLAINT IN CIVIL ACTION

DARYL HERTLEIN

Defendant FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

James C. Warmbrodt, 42524
WELTMAN, WEINBERG & REIS CO., L.P.A.
436 Seventh Avenue, Suite 2718
Pittsburgh, PA 15219
(412) 434-7955
FAX: 412-338-7130
05560057 C N Pit KXW

EXHIBIT

"A"

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

HSBC BANK NEVADA, N.A

Plaintiff
vs. Civil Action No

DARYL HERTLEIN

Defendant

COMPLAINT AND NOTICE TO DEFEND

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

COMPLAINT

1. Plaintiff, HSBC BANK NEVADA, N.A is a corporation with offices at 1111 TOWN CENTER DR. LAS VEGAS , NV 89193 .

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

DARYL HERTLEIN
345 N WRIGLEY ST
CLEARFIELD, PA 16830

3. Defendant applied for and received a credit card bearing the account number 5499450004043935 .

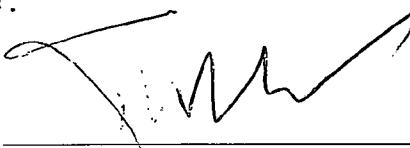
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7. Although repeatedly requested to do so by Plaintiff, Defendant has willfully failed and/or refused to pay the balance due to Plaintiff.

Wherefore, the Plaintiff prays for judgment in its favor and against Defendant , DARYL HERTLEIN , INDIVIDUALLY , in the amount of \$7755.42 with continuing interest thereon at the rate of 6.000% per annum from March 14, 2007 plus costs.



James C. Warmbrodt, 42524
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436 Seventh Avenue, Suite 2718
Pittsburgh, PA 15219
(412) 434-7955
FAX: 412-338-7130
05560057 C N Pit KXW

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

SWED PLATINUM MASTERCARD STATEMENT



DARYL HERTLEIN

Page 1 of 1

ACCOUNT SUMMARY	
ACCOUNT NUMBER	5499-4500-0404-3935
TOTAL CREDIT LIMIT	\$6,300
TOTAL CREDIT LIMIT AVAILABLE	\$0
STATEMENT DATE	11/26/06

PAYMENT SUMMARY	
PAST DUE AMOUNT	\$1,431.00
MINIMUM PAYMENT*	\$271.00
CURRENT PAYMENT DUE*	\$1,702.00
PAYMENT DUE DATE	12/21/06
OVERLIMIT AMOUNT	\$1,261.31

*See reverse side for an explanation of these amounts.

BALANCE SUMMARY	
PREVIOUS BALANCE	\$7,366.01
PAYMENTS/CREDITS	\$0.00
PURCHASES/DEBITS	+\$70.00
FINANCE CHARGE	+\$125.30
NEW BALANCE	= \$7,561.31

TRANSACTION SUMMARY

(For additional transaction detail go to www.unionpluscard.com)

TRANS DATE	POST DATE	TRANSACTION DESCRIPTION	REFERENCE NUMBER	AMOUNT	
				CHARGES	CREDITS
11/20	11/20	LATE CHARGE ASSESSMENT	1999999980000999894020	\$35.00	
11/10	11/10	OVERLIMIT CHARGE ASSESSMENT	1999999980000999936510	\$35.00	

FINANCE CHARGE CALCULATION

This is a grace account. Grace period information on back.

	Average Daily Balance	Daily Periodic Rate	Days in Billing Cycle	FINANCE CHARGE		Nominal Annual Percentage Rate	ANNUAL PERCENTAGE RATE
				At Periodic Rate	Cash Advance/Transaction Fees		
PURCHASES	\$460.48	0.05203%	31	\$7.43	\$0.00	18.99%	18.990%
CASH ADVANCES	\$5,982.81	0.05477%	31	\$101.58	\$0.00	19.99%	19.990%
CHECKS	\$1,010.15	0.05203%	31	\$16.29	\$0.00	18.99%	18.990%

EXHIBIT

✓ MAIL PAYMENTS TO:
UNION PLUS CREDIT CARD
PO BOX 17051
BALTIMORE MD 21297-1051

QUESTIONS?

24-HOUR CUSTOMER SERVICE
1-800-622-2580
OUTSIDE USA, COLLECT: 1-702-243-1575
TDD HEARING IMPAIRED: 1-800-655-9392

Manage your account online at:
www.unionpluscard.com

✉ MAIL INQUIRIES TO:
UNION PLUS CREDIT CARD
PO BOX 80027
SALINAS CA 93912-0027

0521 N 26 0000003000 G STMTXO 2 K 00072928 EXCPT
PLEASE DETACH AND RETURN BOTTOM PORTION WITH YOUR PAYMENT: To Assure Proper Credit Please Write Your Account Number On Your Check



Account Number		5499-4500-0404-3935
New Balance	\$7,561.31	
Payment Due Date	12/21/06	Current Payment Due \$1,702.00

Make checks payable to UNION PLUS CREDIT CARD. Please write your account number on your check. Do not fold, staple or clip. Do not send cash. Please send your payment 7 days prior to the payment due date to ensure timely delivery.

Amount
Enclosed

DARYL HERTLEIN
345 N WRIGLEY ST
CLEARFIELD PA 16830-3157

|||||

UNION PLUS CREDIT CARD
PO BOX 17051
BALTIMORE MD 21297-1051

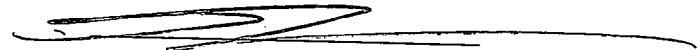
|||||

549945000404393500170200007561311

VERIFICATION

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

Manager of HSBC Nevada, NA, plaintiff herein, that he/she is duly authorized to make this verification, and that the facts set forth in the foregoing Complaint are true and correct the best of his/her knowledge, information and belief.



(Signature)

Wwr#

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY *ATM*
PENNSYLVANIA

HSBC BANK NEVADA, N.A. CIVIL ACTION
(Plaintiff)

1111 Town CENTER Dr. No. 2007-587-CD
(Street Address)

Lots VEGAS, NV 89193 Type of Case: Civil
(City, State ZIP)

Type of Pleading: ANSWER

vs.

DARYL D. HERTLEIN
(Defendant)

Filed on Behalf of:

DARYL D. HERTLEIN
(Plaintiff) (Defendant)

345 WRIGLEY ST
(Street Address)

CLEARFIELD, PA. 16830
(City, State ZIP)

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

MAY 11 2007

Attest:

William H. Hertlein
Prothonotary/
Clerk of Courts

DARYL D. HERTLEIN
(Filed by)

345 WRIGLEY ST
(Address) CLEARFIELD, PA. 16830
814-765-7658
(Phone)

Daryl D Hertlein
(Signature)

EXHIBIT

"B"

05560057

May 11, 2007

In the Court of Common Pleas of Clearfield County, Pennsylvania – Civil Division

HSBC BANK NEVADA, N.A. - Plaintiff vs:

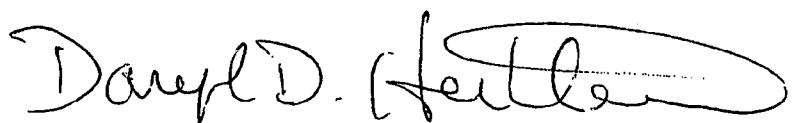
DARYL HERTLEIN – Defendant

Civil Action No. 2007-587- CD - COMPLAINT AND NOTICE TO DEFEND
(ANSWER)

I, Daryl Hertlein, generally disagree to the amount owed to HSBC BANK NEVADA, N.A. Account #5499 45000 40 43935.

Negotiations are currently being handled by DEBT SETTLEMENT of AMERICA.

Daryl Hertlein

A handwritten signature in black ink, appearing to read "Daryl D. Hertlein". The signature is somewhat cursive and includes a small oval flourish over the letter "e" in "Hertlein".

VERIFICATION

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



Attorney for Plaintiff

CERTIFICATE OF SERVICE

A true and correct copy of the within Plaintiff's Motion for Judgment on the Pleadings has been served by U.S. Mail, Postage Pre-Paid, on 31st day of May, 2007 upon the following:

Daryl Hertlein
345 N Wrigley St
Clearfield, Pa 16830

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

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

HSBC BANK NEVADA, N.A.,

Plaintiff,

Case No.: 07-587-CD

vs.

DARYL HERTLEIN,

Defendant.

ORDER OF COURT

AND NOW, to-wit, this ____ day of _____, 2007, upon Plaintiff's Motion for Judgment on the Pleadings, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that said Motion is GRANTED and Judgment is entered in favor of Plaintiff for \$7,755.42 with interest thereon at the legal interest rate of 6.000% per annum from March 14, 2007, plus costs.

BY THE COURT

J.

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

HSBC BANK NEVADA, N.A.,

Plaintiff,

Case No.: 07-587-CD

vs.

TYPE OF PLEADING:

PRAECIPE TO SCHEDULE

DARYL HERTLEIN,

Defendant.

FILED ON BEHALF OF:

Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

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

FILED NO CC
MILLIS 50604
JUN 04 2007 (60)

William A. Shaw
Prothonotary/Clerk of Courts

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

HSBC BANK NEVADA, N.A.,

Plaintiff,

Case No.: 07-587-CD

vs.

DARYL HERTLEIN,

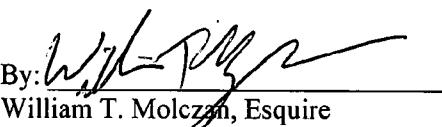
Defendant.

PRAECIPE TO SCHEDULE

TO THE PROTHONOTARY:

Please schedule Plaintiff's Motion For Judgment on the Pleadings before a Judge for decision. ORAL
ARGUMENT NOT REQUESTED.

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

By: 
William T. Molczan, Esquire

PA I.D. #47437

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

CERTIFICATE OF SERVICE

A true and correct copy of the Brief in Support of Motion For Judgment on the Pleadings has been served by First Class Mail, postage pre-paid, on 31st day of May, 2007 upon the following:

Daryl Hertlein
345 N Wrigley St
Clearfield, Pa 16830

By: William T. Molczan
William T. Molczan, Esquire

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

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

HSBC BANK NEVADA, N.A.

Plaintiff No. 07-587-CD

vs.

DARYL HERTLEIN
Defendant

ORDER OF COURT

AND NOW, to wit, this 7 day of June, 2007, upon consideration of the record,
it is HEREBY, ORDERED, ADJUDGED AND DECREED that the Motion For Judgment on the
Pleadings on the above captioned matter is scheduled for June 29, 2007 at
11:30 a.m. p.m. in Courtroom #1.

BY THE COURT;

Paul Krugman

FILED 2cc
01 JUN 2007 Atty
JUN 08 2007 Molczan

William A. Shaw
Prothonotary/Clerk of Courts

~~FILED~~

JUN 8 4 2007

William A. Shaw
Prothonotary/Clerk of Courts

FILED

JUN 08 2007

William A. Shaw
Prothonotary/Clerk of Courts

DATE: 08/07

You are responsible for serving all appropriate parties.

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

Plaintiff(s) Plaintiff(s) Attorney Other

Defendant(s) Defendant(s) Attorney

Special Instructions:

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

HSBC BANK NEVADA, N.A.

Plaintiff No. 07-587-CD

VS.

**AFFIDAVIT OF SERVICE OF
ORDER OF COURT**

DARYL HERTLEIN

Defendant **FILED ON BEHALF OF**
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

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

WWR#05560057

FILED ICCA/H
m 10:50 am Molczan
JUN 22 2007
LM
William A. Shaw
Prothonotary/Clerk of Courts

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

HSBC BANK NEVADA, N.A.

Plaintiff No. 07-587-CD
vs.

DARYL HERTLEIN

Defendant

AFFIDAVIT OF SERVICE OF ORDER OF COURT

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

1. On or about June 14, 2007, Plaintiff received a signed Order of Court for a scheduled hearing on the Motion For Judgment on the Pleadings for June 29, 2007. Said Order of Court is attached as Exhibit "1".
2. On or about June 18, 2007, Plaintiff mailed the Order of Court to 345 N. Wrigley Street, Clearfield, PA. 16830.

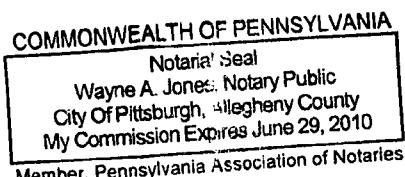
WELTMAN, WEINBERG & REIS, CO., L.P.A.

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

WELTMAN, WEINBERG & REIS CO., L.P.A.
2718 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955
WWR#05560057

Sworn to and subscribed
before me this 19
day of June 1, 2007.

Wayne D. Jones
NOTARY PUBLIC



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

HSBC BANK NEVADA, N.A.

Plaintiff No. 07-587-CD

vs.

DARYL HERTLEIN
Defendant

ORDER OF COURT

AND NOW, to wit, this 7 day of June, 2007, upon consideration of the record,
it is HEREBY, ORDERED, ADJUDGED AND DECREED that the Motion For Judgment on the
Pleadings on the above captioned matter is scheduled for June 29, 2007 at
11:30 a.m. p.m. in Courtroom #1.

BY THE COURT

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

JUN 08 2007

Attest,

William L. Brem
Prothonotary/
Clerk of Courts

EXHIBIT

.1.1

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

HSBC BANK NEVADA, N.A.,

Plaintiff,

Case No.: 07-587-CD

vs.

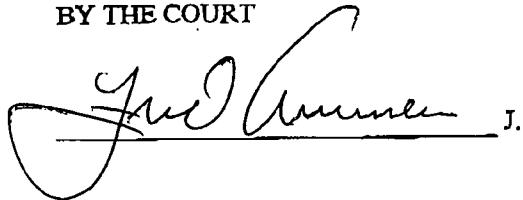
DARYL HERTLEIN,

Defendant.

ORDER OF COURT

AND NOW, to-wit, this 29 day of June, 2007, upon Plaintiff's Motion for Judgment on the Pleadings, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that said Motion is GRANTED and Judgment is entered in favor of Plaintiff for \$7,755.42 with interest thereon at the legal interest rate of 6.000% per annum from March 14, 2007, plus costs.

BY THE COURT



FILED 

JUN 29 2007
0 11:35 AM
William A. Shaw
Prothonotary/Clerk of Courts

1 cent to KTR

FILED

JUN 29 2007

William A. Shaw
Prothonotary/Clerk of Courts

Prothonotary/Clerk of Courts

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

HSBC BANK NEVADA, N.A.

Plaintiff

vs.

Civil Action No. 07-587-CD

DARYL HERTLEIN

Defendant

NOTICE OF JUDGMENT OR ORDER

TO: Plaintiff
 Defendant
 Garnishee

You are hereby notified that the following
Order or Judgment was entered against you
on August 3, 2007

Assumpsit Judgment in the amount
of \$7,755.42 plus costs.

Trespass Judgment in the amount
of \$_____ plus costs.

If not satisfied within sixty (60)
days, your motor vehicle operator's license and/or registration will be
suspended by the Department of Transportation, Bureau of Traffic
Safety, Harrisburg, PA.

Entry of Judgment of
 Court Order
 Non-Pros
 Confession
 Default
 Verdict
 Arbitration
 Award
 By Consent

Prothonotary

DARYL HERTLEIN
345 N WRIGLEY ST
CLEARFIELD, PA 16830

By: William L. Shan
PROTHONOTARY (OR DEPUTY)

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

HSBC BANK NEVADA, N.A.

Plaintiff No.07-587-CD

vs.

**PRAECIPE FOR ENTRY OF JUDGMENT
BY CONSENT**

DARYL HERTLEIN

Defendant FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

Benjamin R. Bibler, Esquire
PA I.D. #93598
WELTMAN, WEINBERG & REIS CO., L.P.A.
2718 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR#05560057

FILED pd \$20.00
3/2/08 cm, ect notice
AUG 03 2007 to def
AAG

William A. Shaw
Prothonotary/Clerk of Courts
Statement to
AAG

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

HSBC BANK NEVADA, N.A.

Plaintiff

vs.

Civil Action No. 07-587-CD

DARYL HERTLEIN

Defendant

PRAECIPE FOR JUDGMENT BY CONSENT

TO THE PROTHONOTARY:

Kindly enter Judgment against Defendant, Daryl Hertlein, in the amount of \$7,755.42 plus costs, based upon the consent of the parties.

CONSENTED TO:

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

DARYL HERTLEIN,

By: RJR
Attorney for Plaintiff

By: Daryl D. Hertlein
Defendant

WWR#05560057

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

HSBC BANK NEVADA, N.A.

Plaintiff

vs.

Civil Action No. 07-587-CD

DARYL HERTLEIN

Defendant

**STIPULATION OF THE PARTIES FOR PAYMENT
AND FOR THE ENTRY OF JUDGMENT BY CONSENT**

TO THE PROTHONOTARY:

Kindly enter Judgment in favor of Plaintiff and against the Defendant, Daryl Hertlein, above-named, in the amount of \$7,755.42 pursuant to the Stipulation of the Parties for Payment and for the Entry of Judgment by Consent, as follows:

1. Defendant admits indebtedness to Plaintiff in the amount of \$7,755.42 with continuing interest thereon at a rate of 6.000% per annum plus costs from March 14, 2007.
2. To secure the repayment of said indebtedness, Defendant agrees that Judgment by Consent will be entered in favor of the Plaintiff and against the Defendant, Daryl Hertlein, in the amount of \$7,755.42 plus continuing interest thereon at the rate of 6.000% per annum from March 14, 2007 and costs.
3. Plaintiff agrees not to execute on its Judgment so long as Defendant causes to be delivered to Plaintiff the following payments in full by 12:00 NOON on the following dates:
 - (a) \$1,400.00 due by July 31, 2007;
 - (b) \$200.00 due on the last day of each consecutive month thereafter until the Judgment amount plus accrued interest and costs are paid in full.

4. All payments are to be made payable to the order of "HSBC Bank Nevada, N.A."
5. All payments due under this agreement are to be received at the offices of Weltman, Weinberg & Reis, Co., L.P.A., 2718 Koppers Building, 436 Seventh Avenue, Pittsburgh, PA 15219.
6. In the event of default, each payment received shall be first attributed to costs, interest and then to principal.
7. Time is of the essence of this agreement and should the Defendant fail to have in the hands of Plaintiff or Plaintiff's counsel any payment in full within five (5) calendar days of the stated due date, then Plaintiff shall be immediately free to issue Execution as well as pursue all other remedies, in law or in equity, to collect the full balance of the Judgment entered hereunder plus appropriate additional interest and costs.
8. No act or omission of the Plaintiff, nor of anyone alleged to be acting on its behalf, shall constitute a waiver, estoppel, or any other excuse for non-performance of any duty undertaken by the Defendant in this Stipulation which the parties agree is final and complete.

9. Intending to be legally bound, the parties set their hands and seals this 31 day of July
2007.

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

By: _____

Benjamin R. Bibler, Esquire
PA I.D. #93598
WELTMAN, WEINBERG & REIS CO., L.P.A.
2718 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR No. 05560057

By: Daryl Hertlein
Defendant, Daryl Hertlein

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

HSBC Bank Nevada, N.A.
Plaintiff(s)

No.: 2007-00587-CD

Real Debt: \$7,755.42

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Daryl Hertlein
Defendant(s)

Entry: \$20.00

Instrument: Consent Judgment

Date of Entry: August 3, 2007

Expires: August 3, 2012

Certified from the record this August 3, 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

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102694
NO: 07-587-CD
SERVICE # 1 OF 1
COMPLAINT

PLAINTIFF: HSBC BANK NEVADA, N.A.
vs.
DEFENDANT: DARYL HERTLEIN

FILED

07/22/07
SEP 24 2007

William A. Shaw
Prothonotary/Clerk of Courts

SHERIFF RETURN

NOW, April 24, 2007 AT 11:43 AM SERVED THE WITHIN COMPLAINT ON DARYL HERTLEIN DEFENDANT AT 345 N WRIGLEY ST, CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO EMILY WARRICK, ADULT AT RESIDENCE A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: HUNTER /

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	WELTMAN	2860644	10.00
SHERIFF HAWKINS	WELTMAN	2860644	20.00

Sworn to Before Me This

____ Day of _____ 2007

So Answers,

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

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

HSBC BANK NEVADA, NA

Plaintiff No. 07-587-CD

vs.

**PRAECIPE FOR WRIT OF EXECUTION
(BANK ATTACHMENT and LEVY)**

DARYL HERTLEIN

Defendant

CSB BANK,

Garnishee,

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

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

WWR#5560057

FILED 3CC@6wnts
MAY 01 2008 to Sheriff
Atty Ad. 20.00

William A. Shaw
Prothonotary/Clerk of Courts

(68)

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

HSBC BANK NEVADA, NA

Plaintiff

vs.

Civil Action No. 07-587-CD

DARYL HERTLEIN

Defendant

CSB BANK,

Garnishee

PRAECIPE FOR WRIT OF EXECUTION

TO THE PROTHONOTARY:

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

1. directed to the Sheriff of CLEARFIELD County:
2. against DARYL HERTLEIN, Defendant
3. against CSB BANK, Garnishee
4. Judgment Amount \$ 7755.42
- Less payments of 1,400.00
- Interest \$ 478.34
- Costs \$
- SUBTOTAL:** \$ 6,833.76
- Costs (to be added by Prothonotary): **Prothonotary costs** \$ 125.00

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

By: William T. Molczan

William T. Molczan, Esquire

PA I.D. #47437

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

1400 Koppers Building

436 Seventh Avenue

Pittsburgh, PA 15219

(412) 434-7955

WWR#5560057

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF CLEARFIELD

HSBC BANK NEVADA, NA

Plaintiff

No. 07-587-CD

vs.

DARYL HERTLEIN

Defendant

CSB BANK

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. A lawyer can advise you more specifically of these rights. If you wish to exercise your rights, you must act promptly.

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

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

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

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

LAWYER REFERRAL SERVICE
PENNSYLVANIA BAR ASSOCIATION
P.O. BOX 186
HARRISBURG, PA 17108
TELEPHONE NO.: 1-800-692-7375

MAJOR EXEMPTIONS UNDER PENNSYLVANIA AND FEDERAL LAW

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

9. Such other exemptions as may be provided by law.

CLAIM FOR EXEMPTION

TO THE SHERIFF:

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

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

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

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

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

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

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

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

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

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

I request a prompt court hearing to determine the exemption.

Notice of hearing should be given me at the following:

ADDRESS: _____ TELEPHONE NUMBER: _____

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

Date: _____

Defendant: _____

THIS CLAIM TO BE FILED WITH:

Office of the Sheriff of Clearfield County
1 N. Second Street, Suite 116, Clearfield County Courthouse
Clearfield, Pennsylvania 16830
Telephone Number: (814) 765-2641 ext. 5986

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

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

Under paragraph (3) of the writ, the Sheriff may, as under prior practice, add as a garnishee any person not named in this writ who may be found in possession of property of the defendant. See Rule 3111(a). For

limitations on the power to attach tangible personal property, see Rule 3108(a) (b). Each court shall, by local rule, designate the officer, organization or person to be named in the notice.

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

OPY

HSBC BANK NEVADA, NA
Plaintiff

vs.

Civil Action No. 07-587-CD

DARYL HERTLEIN
Defendant

CSB BANK
Garnishee

WRIT OF EXECUTION

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against: DARYL HERTLEIN Defendant(s);

- (1) You are directed to levy upon the property of the defendant(s) and to sell his/her/their interest therein;
- (2) You are also directed to attach the property of the defendant not levied upon in the possession of CSB BANK, as garnishee, 900 RIVER ROAD, CLEARFIELD, PA 16830 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
 - ii. 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 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 sated

Amount due \$ 6,833.76

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

Prothonotary

Willie L. Gray
BN 5/11/08

If Social Security or Supplemental Income Funds are directly deposited into an account of the defendant, the levy and attachment shall not include any funds that may be traced to Social Security direct deposits. In addition, the levy and attachment shall not include \$300.00 in the account of the defendant.

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

HSBC BANK NEVADA, NA

Plaintiff No. 07-587-CD

vs.

INTERROGATORIES IN ATTACHMENT
CSB BANK

DARYL HERTLEIN

Defendant

and

CSB BANK

Garnishee FILED ON BEHALF OF:
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

William T. Molczan, Esquire
PA I.D. #47437
WELTMAN, WEINBERG & REIS CO., L.P.A.
1400 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955
WWR#5560057

FILED
MAY 27 2008
2008
GR

William A. Shaw
Prothonotary/Clerk of Courts

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

HSBC BANK NEVADA, NA

Plaintiff

vs.

Civil Action No.: 07-587-CD

DARYL HERTLEIN
Defendant

and

CSB BANK
Garnishee

TO: CSB BANK
900 RIVER ROAD
CLEARFIELD, PA 16830

Suggested Reference No.: XXX-XX-9830

RE: DARYL HERTLEIN
345 N WRIGLEY ST
CLEARFIELD, PA 16830

IMPORTANT NOTICES TO GARNISHEE!

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

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

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

INTERROGATORIES IN ATTACHMENT

1. At the time you were served or at any subsequent time did you owe the defendant any money or were you liable to him on any negotiable or other written instrument, or did he claim that you owed him any money or were liable to him for any reason?

no

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

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

no

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

no

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

no

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

no

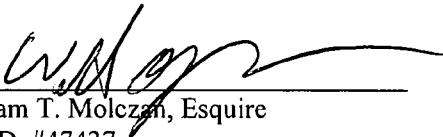
6. At any time after you were served did you pay, transfer, or deliver any money or property to the defendant or to any person or place pursuant to his direction or otherwise discharge any claim of the defendant against you?

no

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 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.

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

By: 
William T. Molczan, Esquire
PA I.D. #47437
WELTMAN, WEINBERG & REIS CO., L.P.A.
1400 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955
WWR#5560057

VERIFICATION

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

Agent of Northwest Savings Bank, garnishee herein,
(Title) (Company)

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

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

Caroline Sorenson
(SIGNATURE)

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

HSBC BANK NEVADA, NA
Plaintiff

vs.

Civil Action No. 07-587-CD

DARYL HERTLEIN
Defendant

CSB BANK
Garnishee

WRIT OF EXECUTION

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against: DARYL HERTLEIN Defendant(s);

- (1) You are directed to levy upon the property of the defendant(s) and to sell his/her/their interest therein;
- (2) You are also directed to attach the property of the defendant not levied upon in the possession of CSB BANK, as garnishee, 900 RIVER ROAD, CLEARFIELD, PA 16830 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
 - ii. 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 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 sated

Amount due\$ 6,833.76

Received this Costs to be added 1/18 day \$ 125.00 Prothonotary costs
of May A.D. 2008
At 2:30 A.M./P.M.

Prothonotary

Chesty G. Hawkins
Sheriff

Willie Shan
5/1/08

If Social Security or Supplemental Income Funds are directly deposited into an account of the defendant, the levy and attachment shall not include any funds that may be traced to Social Security direct deposits. In addition, the levy and attachment shall not include \$300.00 in the account of the defendant.

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

HSBC Bank Nevada NA
Plaintiff

Vs.
Daryl Hertlein
Defendant(s)

v.

NORTHWEST SAVINGS BANK,
Garnishee

Case No: 07-587-CD

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the within Answers to Interrogatories in Attachment was mailed by first class mail, postage prepaid, or hand delivered this 22nd day of May 2008, to unrepresented parties in the above captioned matter as follows:

Daryl Hertlein
345 N Wrigley St
Clearfield PA 16830

Weltman Weinberg & Reis Co LPA
1400 Koppers Building
436 Seventh Ave
Pittsburgh PA 15219

By Caroline Sorensen
Caroline Sorensen
Northwest Savings Bank
100 Liberty St
PO Box 128
Warren PA 16365
(814) 728-7353

RE: HSBC Bank Nevada NA
Vs.

Daryl Hertlein
Court of Common Pleas
Clearfield County
Case No: 07-587-CD

VERIFICATION

The undersigned does hereby verify under penalty of perjury, that he/she is the legal representative of Northwest Savings Bank, Garnishee herein, that he/she is duly authorized to make this Verification and that the facts set forth in the foregoing INTERROGATORIES are true and correct to the best of his/her knowledge, information and belief.

Caroline Sorensen

5-22-08

Please forward all future related documents from the above referenced case number to:

Northwest Savings Bank
Attn: Caroline Sorensen
100 Liberty St
PO Box 128
Warren PA 16365
PH: 814-728-7353

Thank you.

FILED

M 1:01 P.M. 6K
JUN 20 2008

William A. Shaw
Prothonotary/Clerk of Courts

1cc to Atty

6/10

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

DISCOVER BANK

Plaintiff No. 07-587-CJ

vs.

PRAECIPE TO SETTLE, DISCONTINUE
& END AS TO THE GARNISHEE
CSB BANK ONLY

DARYL HERTLEIN

Defendant

CSB BANK

Garnishee FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

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

WWR#5560057

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

DISCOVER BANK

Plaintiff

vs.

Civil Action No. 07-587-CD

DARYL HERTLEIN

Defendant

CSB BANK

Garnishee

PRAECIPE TO SETTLE DISCONTINUE AND END
AS TO THE GARNISHEE , CSB BANK, ONLY

TO THE PROTHONOTARY OF COUNTY:

Please kindly Settle Discontinue and End the above captioned matter as to Garnishee, CSB BANK, only, upon the records of the Court and mark the cost paid.

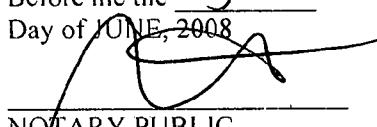
WELTMAN, WEINBERG & REIS CO., L.P.A.

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

WWR#5560057

Sworn to and subscribed

Before me the 3
Day of JUNE, 2008


NOTARY PUBLIC

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal

Wendy L. Gault, Notary Public
City Of Pittsburgh, Allegheny County
My Commission Expires July 15, 2010

Member, Pennsylvania Association of Notaries

FILED

JUN 20 2008

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

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20773
NO: 07-587-CD

PLAINTIFF: HSBC BANK NEVADA, NA

vs.

DEFENDANT: DARYL HERTLEIN

Execution PERSONAL PROPERTY / INTERROGATORIES

SHERIFF RETURN

DATE RECEIVED WRIT: 5/1/2008

LEVY TAKEN @

POSTED @

SALE HELD

SOLD TO

SOLD FOR AMOUNT PLUS COSTS

WRIT RETURNED 3/26/2009

5/1/2008
FILED
MAR 26 2009
William A. Shaw
Prothonotary/Clerk of Courts

DETAILS

@ SERVED DARYL HERTLEIN

DEPUTIES UNABLE TO SERVE DARYL HERTLEIN, DEFENDANT, AT 345 N. WRIGLEY STREET, CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA SEVERAL ATTEMPTS WERE MADE DEFENDANT NOT AT HOME.

5/19/2008 @ 9:30 AM SERVED CSB BANK

SERVED NORTHWEST SAVINGS BANK, FORMERLY CSB BANK, BY HANDING TO KATHY WADDELL, CSR2 FOR NORTHWEST SAVINGS BANK, AT HER PLACE OF EMPLOYMENT NORTHWEST SAVINGS BANK, 900 RIVER ROAD, CLEARFIELD COUNTY, PENNSYLVANIA

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION AND INTERROGATORIES TO GARNISHEE.

@ SERVED

NOW, MARCH 26, 2009 RETURN WRIT AS TIME EXPIRED.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20773
NO: 07-587-CD

PLAINTIFF: HSBC BANK NEVADA, NA

vs.

DEFENDANT: DARYL HERTLEIN

Execution PERSONAL PROPERTY / INTERROGATORIES

SHERIFF RETURN

SHERIFF HAWKINS \$61.50

SURCHARGE \$30.00 PAID BY ATTORNEY

So Answers,

Chester A. Hawkins
by *Amber Bitter, Deputy*
Chester A. Hawkins
Sheriff

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

HSBC BANK NEVADA, NA
Plaintiff

vs.

Civil Action No. 07-587-CD

DARYL HERTLEIN
Defendant

CSB BANK
Garnishee

WRIT OF EXECUTION

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against: DARYL HERTLEIN Defendant(s);

- (1) You are directed to levy upon the property of the defendant(s) and to sell his/her/their interest therein;
- (2) You are also directed to attach the property of the defendant not levied upon in the possession of CSB BANK, as garnishee, 900 RIVER ROAD, CLEARFIELD, PA 16830 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
 - ii. 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 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 sated

Amount due \$ 6,833.76

Received this 5/1/08 to be added 1st day \$ 125.00 Prothonotary costs
of May A.D. 2008
At 2:30 A.M./P.M.

Prothonotary

Charles A. Hawkes
Sheriff Jeffrey C. Hawkes Certified

Willie L. Blair 5/1/08

If Social Security or Supplemental Income Funds are directly deposited into an account of the defendant, the levy and attachment shall not include any funds that may be traced to Social Security direct deposits. In addition, the levy and attachment shall not include \$300.00 in the account of the defendant.

**PERSONAL PROPERTY SALE
SCHEDULE OF DISTRIBUTION**

NAME DARYL HERTLEIN

NO. 07-587-CD

NOW, March 26, 2009, by virtue of the Writ hereunto attached, after having given due and legal notice of time and place of sale by handbills posted on the premises setting forth the date, time and place of sale, I exposed the within described real estate of Daryl Hertlein to public venue or outcry at which time and place I sold the same to he/she being the highest bidder, for the sum of and made the following appropriations, viz:

SHERIFF COSTS:

RDR SERVICE	9.00
MILEAGE LEVY	2.00
MILEAGE POSTING	2.00
HANDBILLS	
COMMISSION	0.00
POSTAGE	
HANDBILLS	
DISTRIBUTION	
ADVERTISING	
ADD'L SERVICE	9.00
ADD'L POSTING	
ADD'L MILEAGE	10.00
ADD'L LEVY	
BID/ SETTLEMENT AMOUNT	
RETURNS/DEPUTIZE	
COPIES	19.50
BILLING/PHONE/FAX	10.00
CONTINUED SALES	
MISCELLANEOUS	
TOTAL SHERIFF COSTS	\$61.50

PLAINTIFF COSTS, DEBT AND INTEREST:

DEBT-AMOUNT DUE	6,833.76
INTEREST @ %	0.00
FROM TO	
PROTH SATISFACTION	
LATE CHARGES AND FEES	
COST OF SUIT-TO BE ADDED	
FORECLOSURE FEES	
ATTORNEY COMMISSION	
REFUND OF ADVANCE	
REFUND OF SURCHARGE	30.00
SATISFACTION FEE	
ESCROW DEFICIENCY	
PROPERTY INSPECTIONS	
INTEREST	
MISCELLANEOUS	
TOTAL DEBT AND INTEREST	\$7,050.26

COSTS:

ADVERTISING	0.00
TAXES - COLLECTOR	
TAXES - TAX CLAIM	
DUE	
LIEN SEARCH	
ACKNOWLEDGEMENT	
SHERIFF COSTS	61.50
LEGAL JOURNAL COSTS	0.00
PROTHONOTARY	125.00
MORTGAGE SEARCH	
MUNICIPAL LIEN	
TOTAL COSTS	\$186.50
TOTAL COSTS	\$7,050.26

COMMISSION 2% ON THE FIRST \$ 100,000 AND 1/2% ON ALL OVER THAT. DISTRIBUTION WILL BE MADE IN ACCORDANCE WITH THE ABOVE SCHEDULE UNLESS EXCEPTIONS ARE FILED WITH THIS OFFICE **WITHIN TEN (10) DAYS FROM THIS DATE.**

CHESTER A. HAWKINS, Sheriff