

07-677-CD
Comm Fin. Vs M. Polohonki

Comm Fin et al vs Michael Polohonki
2007-677-CD

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

NO.: 07-677-CD
IN CIVIL ACTION

COMMONWEALTH FINANCIAL SYSTEMS, INC.,
assignee of UNIFUND CCR PARTNERS, assignee
of CHASE BANK USA, N.A.

Plaintiff,

vs.

MICHAEL S. POLOHONKI,

Defendant.

COMPLAINT

CODE-
FILED ON BEHALF OF
PLAINTIFF

COUNSEL OF RECORD
FOR THIS PARTY:

James R. Apple, Esq.

PA I.D. No. 37942

Charles F. Bennett, Esq.

PA I.D. No. 30541

Joel E. Hausman, Esq.

PA I.D. No. 42096

APPLE AND APPLE, P.C.

Firm No. 719

4650 Baum Boulevard

Pittsburgh, PA 15213

Telephone: 412-682-1466

Fax: 412-682-3138

FILED Atty pd. 85.00
M 12:15/24
APR 27 2007 ICC Sheriff
William A. Shaw
Prothonotary/Clerk of Courts

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

**NO.:
IN CIVIL ACTION**

**COMMONWEALTH FINANCIAL SYSTEMS, INC.,
assignee of UNIFUND CCR PARTNERS, assignee
of CHASE BANK USA, N.A.**

Plaintiff,

vs.

MICHAEL S. POLOHONKI,

Defendant.

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 attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so, the case may proceed without you and a judgment may be entered against you by the Court without further notice, for any money claimed in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

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

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

**Keystone Legal Serices
211 1/2 East Locust Street
Clearfield, PA 16830
814-765-9646**

COMPLAINT

1. Plaintiff is a corporation having offices at 120 North Keyser Avenue, Scranton, PA 18504, and as the assignee of Unifund CCR Partners, assignee of Chase Bank USA, N.A., stands in its assignor's stead, and all are hereinafter referred to interchangeably as "Plaintiff".
2. At a specific instance the Assignor sold, assigned and transferred to Plaintiff all of Assignor's right, title and interest in, and to the agreement between Assignor and Defendant. Assignor had the right to assign the agreement. A copy of the assignment is attached hereto as Exhibit "A".
3. All conditions precedent to Assignor's right to be paid under the terms of the contract have occurred.
4. Defendant is an individual whose address is 11 Gardner Ave, Du Bois, Clearfield County, Pennsylvania 15801.
5. At a specific instance and request of the Defendant, the Defendant applied for and was granted a credit card and/or loan by Plaintiff at the terms and conditions agreed upon by the parties.
6. The Plaintiff avers that the agreement between the parties was based upon a written agreement which the Defendant accepted by using credit card or loan to make purchases and/or cash advances.
7. Thereafter, in breach of obligations under the Agreement, the Defendant failed to make payments as they became due.

8. Plaintiff avers that the terms of the Agreement provide for acceleration of the entire balance due and owing upon Defendant's breach of the Agreement.
9. Plaintiff avers that the balance due amounts to \$18,277.73, as is more specifically shown by Plaintiff's Statement of Account, a true and correct copy of which is attached hereto, marked Exhibit "B" and made a part hereof.
10. Plaintiff avers that the interest has accrued at the rate of 25.49% per annum on the balance due from April 4, 2006.
11. Per the term of the agreement, the Defendant has agreed to pay to the Plaintiff as liquidated damages, the costs of collection, including all reasonable attorneys' fees incurred in the collection of monies owing, which Plaintiff avers will amount to 25% of the balance due.
12. Although repeatedly requested to do so by Plaintiff, Defendant has willfully failed and refused to pay the amount due to Plaintiff or any part thereof.

WHEREFORE, Plaintiff demands Judgment against Defendant in the amount of \$18,277.73, with appropriate additional interest from April 4, 2006, plus attorneys fees and costs.

APPLE AND APPLE, P.C.

By: _____


Attorneys for Plaintiff(s)

EXHIBIT A

BILL OF SALE

Chase Bank USA, N.A. (as successor through merger with Bank One, Delaware, N.A.) ("Seller"), for value received and pursuant to the terms and conditions of Credit Card Account Purchase Agreement dated October 26, 2004 as amended January 28, 2005 between Seller and Unifund Portfolio A, LLC ("Purchaser"), its successors and assigns ("Credit Card Account Purchase Agreement"), hereby assigns effective as of the Cut-off Date of December 9, 2005 all rights, title and interest of Seller in and to those certain receivables, judgments or evidences of debt described in Exhibit I attached hereto and made part hereof for all purposes.

Amounts due to Seller by Purchaser in hereunder shall be paid U.S. Dollars by a wire transfer to be received by Seller on December 22, 2005 (the "Closing Date") by 2:00 p.m. Seller's time, as follows:

Chase Bank USA, N.A.
ABA #021000021
Beneficiary Name: Chase Bank USA, N.A.
Beneficiary Account: #304-256420

This Bill of Sale is executed without recourse except as stated in the Credit Card Account Purchase Agreement to which this is an Exhibit. No other representation of or warranty of title or enforceability is expressed or implied.

Chase Bank USA, N.A.

By: [Signature]

Date: December 11, 2005

Title: Vice President

Unifund Portfolio A, LLC

By: [Signature]

Date: December 11, 2005

Title: Member

EXHIBIT A

unifund

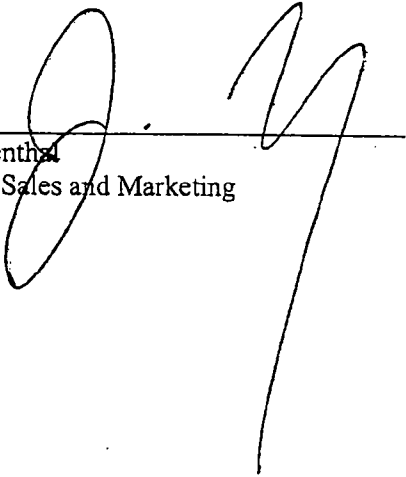
Unifund CCR Partners

BILL OF SALE

Unifund CCR Partners, for value received and in accordance with the terms of the Accounts Receivable Purchase Agreement by and among Unifund CCR Partners and Commonwealth Financial Systems, Inc. ("Purchaser"), dated as of March 27, 2006 (the "Agreement"), does hereby sell, assign, and transfer to Purchaser all of its good and marketable title, free and clean of all liens, claims and encumbrances in and to the Accounts listed in the Account Schedule attached as Appendix A to the Agreement, without recourse and without representation or warranty of collectibility, or otherwise, except to the extent stated in the Agreement.

Executed on April 6, 2006.

UNIFUND CCR PARTNERS

By 
Joel Rosenthal
Director, Sales and Marketing

For Unifund Use ONLY

Client #	PID	CID #

Debtmaster Enterprise

File Edit Tasks TaskOptions Window Help

Collector Window

Debtor ID 3611042 Type Consumer SSN [redacted] DOB [redacted] DL [redacted] ST [redacted]

Name MICHAEL S POLOHON

Phone [redacted]

Address 11 GARDNER AVE DU BOIS PA 15801

Warning [redacted]

Worklist 130 Next Contact 11/09/2006 Time [redacted]

Account Details Window

ID 3611042 Status 311-Atty handling for CFSI

Date 11/09/2006 Clt ID 5464 Orig Clt BANK ONE - PLATINUM Clt Ref No FUS0592

Bureau Report [checked] Last Report 10/15/2006 Debt Descr 04/18/2008, CLEARFIELD Comments 4417125883102364

Debt Type PCD Coll Plan K35 Fee Plan AAA Cont Plan UNI Sales Rep [redacted] Int Rate 25.49 Last Pmt [redacted]

Service Date 02/02/1998 Last Charge Date [redacted] First Delinquency 09/30/2004 Charge Off Date [redacted] List Date 04/03/2006 Int Calc Date 04/03/2006 Last Pmt Date 04/18/2004 Statute Date [redacted]

APR Descr [redacted] Report Date [redacted]

Post Date [redacted] Post Amount \$0.00

Scheduler [redacted]

Principal \$11,961.35 Interest \$4,478.66 Court Cost \$0.00 Check Fee \$0.00 Attorney Fee \$0.00 Service Fee \$0.00 Misc. Fees \$0.00

Accrued \$1,837.72 Adjustments \$0.00 Paid \$0.00 Balance \$11,961.35

Original \$11,961.35 \$4,478.66 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00

Balance \$18,277.73

EXHIBIT B

Display activity time as: Local User time Debtor time

ACT DATE	ACT TIME	USER ID	COMMENTS
08/21/2006	8:36:25 AM	203	Automatic Debtor status change fr
09/28/2006	1:11:09 PM	130	rev'd
10/05/2006	2:05:37 PM	130	rev'd
10/09/2006	1:12:47 PM	130	814-371-8414 - Inom wowi gl
10/30/2006	10:38:51 AM	130	rev'd
11/09/2006	2:34:27 PM	219	Automatic Debtor status change fr

Start

Turbosnap (Unregistered)

Debtmaster

Turbosnap

Cover Letter A...

Retainer letter...

Retainer Lette...

2:42 PM

AFFIDAVIT

I, Patricia Cobb, Esquire, of Commonwealth Financial Systems, Inc.,
Plaintiff herein, verify that the statements of fact contained in the foregoing
Complaint are true and correct. I understand that false statements herein are
made subject to the penalties of 18 Pa. C.S.A. §4904 relating to unsworn
falsification to authorities.

Date:

1-16-07

Patricia A Cobb
PATRICIA COBB

Executive Vice President

120 North Keyser Avenue

Scranton, PA 18504

Apple & Apple File No. 106830

CFSI File No. 3611042

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102738
NO: 07-677-CD
SERVICE # 1 OF 1
COMPLAINT

PLAINTIFF: COMMONWEALTH FINANCIAL SYSTEMS, INC., assignee
vs.
DEFENDANT: MICHAEL S. POLOHONKI

SHERIFF RETURN

NOW, May 18, 2007 AT 11:04 AM SERVED THE WITHIN COMPLAINT ON MICHAEL S. POLOHONKI
DEFENDANT AT 11 GARDNER AVE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO
MICHELLE POLONHONKI, WIFE A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE
KNOWN THE CONTENTS THEREOF.

SERVED BY: NEVLING /

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	APPLE	14749	10.00
SHERIFF HAWKINS	APPLE	14749	54.86

FILED

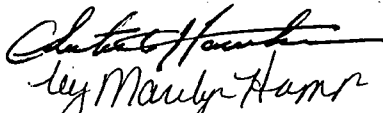
9/3:00 PM
OCT 01 2007

William A. Shaw
Prothonotary/Clerk of Courts

Sworn to Before Me This

_____ Day of _____ 2007

So Answers,


Chester A. Hawkins
Sheriff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

NO. 2007-677 CD
IN CIVIL ACTION

COMMONWEALTH FINANCIAL SYSTEMS, INC.,
assignee of UNIFUND CCR PARTNERS, assignee
of CHASE BANK USA, N.A.

Plaintiff,

vs.

MICHAEL S. POLOHONKI,

Defendant.

PRAECIPE FOR DEFAULT
JUDGMENT

CODE-

FILED ON BEHALF OF
PLAINTIFF

COUNSEL OF RECORD
FOR THIS PARTY:

Charles F. Bennett, Esq.

PA I.D. No 30541

Joel E. Hausman, Esq.

PA I.D. No 42096

Apple and Apple, P.C.

Firm No. 719

4650 Baum Boulevard

Pittsburgh, PA 15213-1237

Telephone (412) 682-1466

FILED

NOV 05 2007

William A. Shaw
Prothonotary/Clerk of Courts

Atty. pd. 20.00
1cc Notice to Def.
Statement to Atty
(6K)

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

NO. 2007-677 CD
IN CIVIL ACTION

COMMONWEALTH FINANCIAL SYSTEMS, INC.,
assignee of UNIFUND CCR PARTNERS, assignee
of CHASE BANK USA, N.A.

-vs- Plaintiff,

MICHAEL S. POLOHONKI,

Defendant.

PRAECIPE FOR DEFAULT JUDGMENT

TO THE PROTHONOTARY:

Kindly enter Judgment against the above- named Defendant(s) in Default of an Answer, in the amount of \$27,564.91, computed as follows:

Amount named in Complaint	\$18,277.73
Interest from April 4, 2006 to October 24, 2007 on \$11,961.35	\$4,717.75
Less payment of:	-\$
Attorney fees	\$4,569.43
TOTAL	\$27,564.91

I certify that Notice of the intention to enter this Judgment was given pursuant to Pa. R.C.P. 237.1. A copy of said Notice is attached, and was mailed on October 3, 2007 by regular mail, postage prepaid and, addressed as follows:

Defendant: Michael S. Polohonki
11 Gardner Ave
Du Bois PA 15801

APPLE AND APPLE, P.C.

Dated: Oct. 31, 2007

By: 
Attorneys for the Plaintiff(s)

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

NO. 2007-677 CD
IN CIVIL ACTION

COMMONWEALTH FINANCIAL SYSTEMS, INC.,
assignee of UNIFUND CCR PARTNERS, assignee
of CHASE BANK USA, N.A.

Plaintiff,

vs.

MICHAEL S. POLOHONKI,

Defendant.

Michael S. Polohonki
11 Gardner Ave
Du Bois, PA 15801

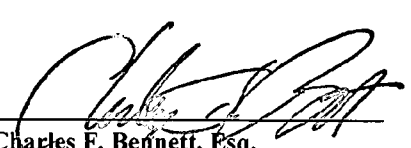
Date of Notice: October 3, 2007

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 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 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.

Keystone Legal Services
211 1/2 East Locust Street
Clearfield, PA 16830
814-765-9646

By: _____


Charles F. Bennett, Esq.
Attorneys for Plaintiff(s)
4650 Baum Boulevard
Pittsburgh, PA 15213-1237
Telephone (412) 682-1466

COPY

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

NO. 2007-677 CD
IN CIVIL ACTION

COMMONWEALTH FINANCIAL SYSTEMS, INC.,
assignee of UNIFUND CCR PARTNERS, assignee
of CHASE BANK USA, N.A.

-vs- Plaintiff,

MICHAEL S. POLOHONKI,

Defendant.

NOTICE OF JUDGMENT OR ORDER

TO: () Plaintiff (X) Defendant () Garnishee

You are hereby notified that the following Order or Judgment was entered against
you on November 5, 2007.

(X) Assumpsit Judgment in the amount of \$27,564.91, plus costs.

() Trespass Judgment in the amount of \$_____.

() If not satisfied within sixty (60) days, your motor vehicle operator's license and/or

() Registration will be suspended by the Dept. of Transportation, Bureau of Traffic
Safety, Harrisburg, PA.

(X) Entry of Judgment

() Court Order

() Non-Pros

() Confession

(X) Default

() Verdict

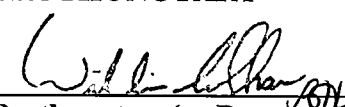
() Arbitration Award

() Other

Michael S. Polohonki
11 Gardner Ave
Du Bois, PA 15801

PROTHONOTARY

By:


Prothonotary (or Deputy)

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

COPY

Commonwealth Financial Systems, Inc.
Unifund CCR Partners
Chase Bank USA, N.A.
Plaintiff(s)

No.: 2007-00677-CD

Real Debt: \$27,564.91

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Michael S. Polohonki
Defendant(s)

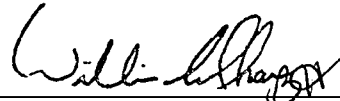
Entry: \$20.00

Instrument: Default Judgment

Date of Entry: November 5, 2007

Expires: November 5, 2012

Certified from the record this 5th day of November, 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

NO. 2007-677 CD
IN CIVIL ACTION

COMMONWEALTH FINANCIAL SYSTEMS, INC.,
assignee of UNIFUND CCR PARTNERS, assignee
of CHASE BANK USA, N.A.

Plaintiff,

vs.

MICHAEL S. POLOHONKI,

Defendant.

PRAECIPE FOR WRIT
OF EXECUTION

CODE-
FILED OF BEHALF OF
PLAINTIFF

COUNSEL OF RECORD
FOR THIS PARTY:

Charles F. Bennett, Esq.
PA I.D. No. 30541
Joel E. Hausman, Esq.
PA I.D. No. 42096
APPLE AND APPLE, P.C.
Firm No. 719
4650 Baum Boulevard
Pittsburgh, PA 15213
Telephone: 412-682-1466
Fax: 412-682-3138

FILED

AUG 15 2008

William A. Shaw
Prothonotary/Clerk of Courts

Atty pd. 20.00
11:40 AM
100 & 6 wnts
to Sheriff
GLO

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

NO. 2007-677 CD
IN CIVIL ACTION

COMMONWEALTH FINANCIAL SYSTEMS, INC.,
assignee of UNIFUND CCR PARTNERS, assignee
of CHASE BANK USA, N.A.

-vs- Plaintiff,

MICHAEL S. POLOHONKI,

Defendant.

PRAECIPE FOR WRIT OF EXECUTION

TO THE PROTHONOTARY:

Kindly issue the Writ of Execution in the above-captioned matter...

(1) directed to the Sheriff of **Clearfield** County;

(2) against Defendant(s) **Michael S. Polohonki**

(3) against Garnishee(s)

(4) Judgment: \$27,564.91

Interest from October 25, 2007 to August 8, 2008

On \$27,564.91

Amount of Interest \$1,304.84

Payments \$

SUBTOTAL \$28,869.75

Costs (to be added by Prothonotary) \$ 125.00 **Prothonotary costs**

APPLE AND APPLE, P.C.

Dated: August 8, 2008

By: 

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

Commonwealth Financial Systems, Inc.,
Unifund CCR Partners,
Chase Bank USA, N.A.,

COPY

Vs.

NO.: 2007-00677-CD

Michael S. Polohonki

TO THE SHERIFF OF CLEARFIELD COUNTY:

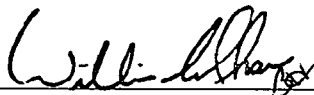
To satisfy the judgment, interest and costs against COMMONWEALTH FINANCIAL SYSTEMS, INC., assignee of UNIFUND CCR PARTNERS, assignee of CHASE BANK USA, N.A., Plaintiff(s) from MICHAEL S. POLOHONKI, Defendant(s):

- (1) You are directed to levy upon the property of the defendant(s) and to sell defendant's interest(s) therein:
Personal Property
- (2) You are also directed to attach the property of the defendant(s) not levied upon in the possession of:
as garnishee(s):
and to notify the garnishee(s) that: (a) an attachment has been issued; (b) except as provided in paragraph (c), the garnishee(s) is/are enjoined from paying any debt to or for the account of the defendant(s) and from delivering any property of the defendant(s) 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(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.
- (4) 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.

AMOUNT DUE/PRINCIPAL:.....\$27,564.91
INTEREST FROM Oct. 25, 2007 to
August 8, 2008 on \$27,564.91:.....\$1,304.84
ATTY'S COMM: \$
DATE: 8/15/2008

PROTH. COSTS PAID:....\$125.00
SHERIFF: \$

OTHER COSTS: \$



William A. Shaw
Prothonotary/Clerk Civil Division

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

Requesting Party: Charles F. Bennett, Esq.
4650 Baum Boulevard
Pittsburgh, PA 15213
(412) 682-1466

Sheriff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20828

NO: 2007-677-CD

PLAINTIFF: COMMONWEALTH FINANCIAL SYSTEMS, INC., ASSIGNEE OF UNIFUND CCR PARTNERS, ASSIGNEE
OF CHASE BANK USA, N.A.

vs.

DEFENDANT: MICHAEL S. POLOHONSKI

Execution REAL ESTATE

SHERIFF RETURN

DATE RECEIVED WRIT: 8/15/2008

LEVY TAKEN @

POSTED @

SALE HELD

SOLD TO

SOLD FOR AMOUNT PLUS COSTS

WRIT RETURNED 2/2/2009

FILED
079:1130
FEB 02 2009
William A. Shaw
Prothonotary/Clerk of Courts

DETAILS

@ SERVED MICHAEL S. POLOHONSKI

DEPUTIES UNABLE TO SERVE MICHAEL S. POLOHONOSKI, DEFENDANT, SEVERAL ATTEMPTS WERE MADE
AT 11 GARDNER AVENUE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA AND DEFENDANT WAS NEVER
HOME.

@ SERVED

NOW, FEBRUARY 2, 2009 RETURN WRIT AS TIME EXPIRED.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20828
NO: 2007-677-CD

PLAINTIFF: COMMONWEALTH FINANCIAL SYSTEMS, INC., ASSIGNEE OF UNIFUND CCR PARTNERS, ASSIGNEE
OF CHASE BANK USA, N.A.

vs.

DEFENDANT: MICHAEL S. POLOHONSKI


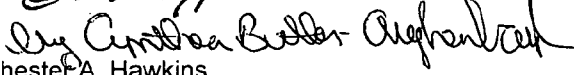
Execution REAL ESTATE

SHERIFF RETURN

SHERIFF HAWKINS \$90.69

SURCHARGE \$20.00 PAID BY ATTORNEY

So Answers,



Chester A. Hawkins
Sheriff

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

Commonwealth Financial Systems, Inc.,
Unifund CCR Partners,
Chase Bank USA, N.A.,

Vs.

NO.: 2007-00677-CD

Michael S. Polohonki

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against COMMONWEALTH FINANCIAL SYSTEMS, INC., assignee of UNIFUND CCR PARTNERS, assignee of CHASE BANK USA, N.A., Plaintiff(s) from MICHAEL S. POLOHONKI, Defendant(s):

- (1) You are directed to levy upon the property of the defendant(s) and to sell defendant's interest(s) therein:
Personal Property
- (2) You are also directed to attach the property of the defendant(s) not levied upon in the possession of:
as garnishee(s):
and to notify the garnishee(s) that: (a) an attachment has been issued; (b) except as provided in paragraph (c), the garnishee(s) is/are enjoined from paying any debt to or for the account of the defendant(s) and from delivering any property of the defendant(s) 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(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.
- (4) 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.

AMOUNT DUE/PRINCIPAL:.....\$27,564.91
INTEREST FROM Oct. 25, 2007 to
August 8, 2008 on \$27,564.91:.....\$1,304.84
ATTY'S COMM: \$
DATE: 8/15/2008

PROTH. COSTS PAID:....\$125.00
SHERIFF: \$

OTHER COSTS: \$



William A. Shaw
Prothonotary/Clerk Civil Division

Received this writ this 15th day
of August A.D. 2008
At 3:00 A.M. P.M.

Requesting Party: Charles F. Bennett, Esq.
4650 Baum Boulevard
Pittsburgh, PA 15213
(412) 682-1466

Christopher A. Henderson
Sheriff By Cynthia Butler-Caplan

**PERSONAL PROPERTY SALE
SCHEDULE OF DISTRIBUTION**

NAME MICHAEL S. POLOHONSKI

NO. 2007-677-CD

NOW, February 01, 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 Michael S. Polohonski 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:

PLAINTIFF COSTS, DEBT AND INTEREST:

RDR SERVICE	9.00
MILEAGE	22.23
LEVY	
MILEAGE POSTING	22.23
HANDBILLS	
COMMISSION	0.00
POSTAGE HANDBILLS DISTRIBUTION	
ADVERTISING	
ADD'L SERVICE	
ADD'L POSTING	
ADD'L MILEAGE	22.23
ADD'L LEVY	
BID/ SETTLEMENT AMOUNT	
RETURNS/DEPUTIZE COPIES	10.00
BILLING/PHONE/FAX	5.00
CONTINUED SALES	
MISCELLANEOUS	
TOTAL SHERIFF COSTS	\$90.69

DEBT-AMOUNT DUE	
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	20.00
SATISFACTION FEE	
ESCROW DEFICIENCY	
PROPERTY INSPECTIONS	
INTEREST	
MISCELLANEOUS	

TOTAL DEBT AND INTEREST	\$235.69
--------------------------------	-----------------

COSTS:

ADVERTISING	0.00
TAXES - COLLECTOR	
TAXES - TAX CLAIM	
DUE	
LIEN SEARCH	
ACKNOWLEDGEMENT	

SHERIFF COSTS	90.69
LEGAL JOURNAL COSTS	0.00
PROTHONOTARY	125.00
MORTGAGE SEARCH	
MUNICIPAL LIEN	

TOTAL COSTS	\$215.69
--------------------	-----------------

TOTAL COSTS	\$235.69
--------------------	-----------------

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

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

NO. 2007-677 CD
IN CIVIL ACTION

COMMONWEALTH FINANCIAL SYSTEMS, INC.,
assignee of UNIFUND CCR PARTNERS, assignee
of CHASE BANK USA, N.A.

Plaintiff,

vs.

MICHAEL S. POLOHONKI,

Defendant.

PRAECIPE FOR WRIT
OF EXECUTION

CODE-
FILED OF BEHALF OF
PLAINTIFF

COUNSEL OF RECORD
FOR THIS PARTY:

Charles F. Bennett, Esq.
PA I.D. No. 30541
Joel E. Hausman, Esq.
PA I.D. No. 42096
APPLE AND APPLE, P.C.
Firm No. 719
4650 Baum Boulevard
Pittsburgh, PA 15213
Telephone: 412-682-1466
Fax: 412-682-3138

FILED *Atty pd. 20.00*
12:03 PM
MAR 18 2009 *1cc @ 6 wnts*
to Sheriff

§ William A. Shaw
Prothonotary/Clerk of Courts

(64)

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

NO. 2007-677 CD
IN CIVIL ACTION

COMMONWEALTH FINANCIAL SYSTEMS, INC.,
assignee of UNIFUND CCR PARTNERS, assignee
of CHASE BANK USA, N.A.

-vs- Plaintiff,

MICHAEL S. POLOHONKI,

Defendant.

PRAECIPE FOR WRIT OF EXECUTION

TO THE PROTHONOTARY:

Kindly issue the Writ of Execution in the above-captioned matter...

(1) directed to the Sheriff of **Clearfield** County;

(2) against Defendant(s) **Michael S. Polohonki**

(3) against Garnishee(s)

(4) Judgment: \$27,564.91

Interest from October 25, 2007 to March 9, 2009

On \$27,564.91

Amount of Interest \$2,270.14

Payments \$

SUBTOTAL \$29,835.05

Costs (to be added by Prothonotary) \$ 145.00 **Prothonotary costs**

APPLE AND APPLE, P.C.

Dated: March 14, 2009

By: 

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

COPY

Commonwealth Financial Systems, Inc.,
Assignee of Unifund CCR Partners,
Assignee of Chase Bank USA, N.A.

Vs.

NO.: 2007-00677-CD

Michael S. Polohonki

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against COMMONWEALTH FINANCIAL SYSTEMS, INC., Assignee of UNIFUND CCR PARTNERS, Assignee of CHASE BANK USA, N.A., Plaintiff(s) from MICHAEL S. POLOHONKI, Defendant(s):

- (1) You are directed to levy upon the property of the defendant(s) and to sell defendant's interest(s) therein:
Personal Property
- (2) You are also directed to attach the property of the defendant(s) not levied upon in the possession of:
as garnishee(s):
and to notify the garnishee(s) that: (a) an attachment has been issued; (b) except as provided in paragraph (c), the garnishee(s) is/are enjoined from paying any debt to or for the account of the defendant(s) and from delivering any property of the defendant(s) 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(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.
- (4) 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.

AMOUNT DUE/PRINCIPAL:.....\$27,564.91
INTEREST FROM October 25, 2007 to
March 9, 2009, on \$27,564.91:.....\$2,270.14
ATTY'S COMM: \$
DATE: 3/13/2009

PROTH. COSTS PAID:.....\$145.00
SHERIFF: \$
OTHER COSTS: \$



William A. Shaw
Prothonotary/Clerk Civil Division

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

Requesting Party: Charles F. Bennett, Esq.
4650 Baum Boulevard
Pittsburgh, PA 15213
(412) 682-1466

Sheriff

In the Court of Common Pleas of Clearfield County Pennsylvania

Civil Division

Commonwealth Financial Systems, Inc.
245 Main Street
Dickson City PA 18519

Plaintiff

File No. 2007-677 CD

Vs.

Michael S. Polohonki
11 Gardner Ave
Du Bois, PA 15801-1262

Defendant

Vs.

First Commonwealth Bank
2 E Long Ave
Du Bois PA

Garnishee

FILED
MT 113230
JUL 27 2011
William A. Shaw
Promotory/Clerk of Courts
62

Praeipice for Entry of Appearance

Kindly enter my appearance on behalf of Commonwealth Financial Systems, Inc. in the above-captioned matter.

Date: 7-11-11

Signature: *Patricia A Cobb*
Print Name: PATRICIA A COBB ESQ.
Address: 245 Main Street
Dickson City PA 18519
Telephone No: (570) 347-1115 ext. 207
Supreme Court ID No: 39688

FILED

JUL 27 2011

William A. Shaw
Prothonotary/Clerk of Courts

Commonwealth Financial Systems, Inc.
245 Main Street
Dickson City, PA 18519

Plaintiff

vs.

MICHAEL S. POLOHONKI
11 GARDNER AVE
DU BOIS, PA 15801-1262

Defendant(s)

Clearfield County, Pennsylvania
Civil Division

No. 2007-677 CD

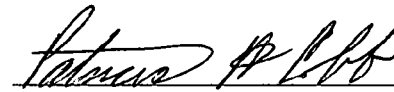
Affidavit under Soldiers and Sailors Relief
Civil Relief Act of 1940 as amended.

State of Pennsylvania
County of Clearfield } SS:

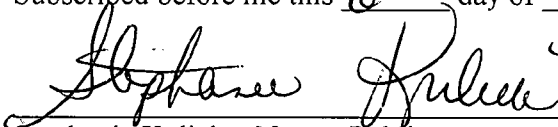
Patricia A. Cobb, Esquire being duly sworn according to law deposes and says that the above named defendant(s): MICHAEL S. POLOHONKI; is(are) not in the military service of the United States of America as defined by the Soldiers' and Sailors' Civil Relief Act of 1940 as amended;

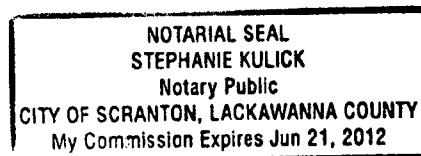
That the defendant(s): MICHAEL S. POLOHONKI; is(are) older than eighteen years of age;

That the employment status of the defendant(s): MICHAEL S. POLOHONKI; is(are) unknown.


Patricia A. Cobb, Esquire

Subscribed before me this 6th day of July 20 11


Stephanie Kulick - Notary Public



FILED
m/113861
JUL 27 2011
William A. Shaw
Prothonotary/Clerk of Courts
2CC Sheriff

FILED

JUL 27 2011

William A. Shaw
Prothonotary/Clerk of Courts

1. JAMES ALAN
 2. STUBBINS & CO
 3. 1001 N. 10th St
 4. STATION LANE, WASHINGTON COUNTY
 5. ST. LOUIS, MO.

Commonwealth Financial Systems, Inc.
245 Main Street
Dickson City PA 18519

Plaintiff

Vs

Michael S. Polohonki
11 Gardner Ave
Du Bois, PA 15801-1262

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

No. 2007-677 CD

Interrogatories in Attachment

FILED

JUL 27 2011

William A. Shaw
Prothonotary/Clerk of Courts

2cc Sheriff

Defendant(s)

Vs

First Commonwealth Bank
2 E Long Ave
Du Bois PA

Garnishee

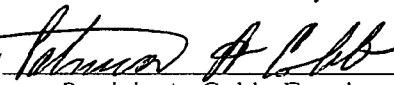
RE: Execution of Judgment against your depositor Michael S. Polohonki # 000-00- 2357.

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 the Defendant possess any bank accounts, joint or individual, that were in your custody or control? Please specify joint or individual account. Please list the legal title of any such account(s) and the primary account holder and if known whether joint account is entireties property.
- 2) At the time you were served or at any subsequent time, what was the balance and account number of the bank account(s) identified in Interrogatory #1?
- 3) At the time you were served or at any subsequent time, please list the average daily balance in the past five (5) months for each such account identified in your answer to Interrogatories number one (1) and two (2) above.

- 4) At the time you were served or at any subsequent time, did the bank account(s) that the Defendant possessed contain funds derived solely from social security funds and/or disability funds?
- 5) At any time before or after you were served, did the Defendant(s) transfer or deliver any property or money to you or to any person or place pursuant to your direction or consent, and if so, what was the consideration therefore?
- 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 Depositor's direction or otherwise discharge any claim of the Depositor against you?
- 7) At the time you were served or at any subsequent time, did you have, share, or utilize any safe-deposit boxes, pledges, documents of title, securities, notes, coupons, receivable, license, or collateral in which there was an interest claimed by Defendant(s)?
- 8) Identify every other account (not previously noted) titled in the name of Defendant(s) in which you believe Defendant(s) have an interest in whole or part, whether or not styled as a payroll account, individual retirement account, tax account, lottery account, partnership account, joint or tenants by entirety account, insurance account, trust or escrow account, attorney's account, or otherwise.
- 9) To the extent that you're above answers depend in whole or part on documents, account records, or other papers or electronic data, describe each in exact detail (or attach a copy of the same).

Commonwealth Financial Systems, Inc.

By 
Patricia A. Cobb, Esquire
245 Main Street
Dickson City PA 18519
570-347-1115 Ext. 202

FILED

JUL 27 2011

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

PA Supreme Court Rule of Civil Procedure 3101 to 3149

Commonwealth Financial Systems, Inc.

Plaintiff

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

Vs.

MICHAEL S. POLOHONKI
11 GARDNER AVE
DU BOIS, PA 15801-1262

No. 2007-677 CD

Defendant(s)

vs

First Commonwealth Bank
2 E Long Ave
Du Bois PA

PRAECIPIE FOR WRIT OF EXECUTION AND
ATTACHMENT (MONEY JUDGMENT)

Garnishee

To the Prothonotary: **TO SATISFY THE JUDGMENT, ISSUE WRIT OF EXECUTON IN THE ABOVE MATTER**

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

(2) Against MICHAEL S. POLOHONKI, 11 GARDNER AVE. DU BOIS, PA 15801-1262

Defendant(s)

(3) And against First Commonwealth Bank
2 E Long Ave
Du Bois PA

Garnishee(s);

(4) and index this writ

(a) against _____
Defendant(s)

(b) against _____
Garnishee(s),

as a lis pendens against the real property of the defendant(s) in the name of the Garnishee(s), any and all accounts of the defendant(s), in the possession of Garnishee, including but not limited to savings account balances; checking account balances; Certificates of Deposit; Money Market Accounts; contents of Safety Deposit Boxes. Defendant's SSN(s): 2357;

(5) Judgment Amount \$ 27,564.91
Interest 4,548.06
Clerks Fee _____
Sheriff _____
Poundage _____
Total _____

Prothonotary costs 165.00

Dated 7-11-11

Patricia A. Cobb

Patricia A. Cobb, Esq.
Attorney for Plaintiff

FILED
JUL 27 2011
William A. Shaw
Prothonotary/Clerk of Courts
Att'y p.c. 20.00
acc. Plewrits
to Sheriff
6K

245 Main Street
Dickson City PA 18519

Writ of Execution – (Money Judgment)
PA RCP 3101 to 3149

Commonwealth Financial Systems, Inc.	:	In the Court of Common Pleas of
245 Main Street	:	Clearfield County Pennsylvania
Dickson City PA 18519	:	Civil Division

Plaintiff :

Vs.

No: 2007-677 CD

Michael S. Polohonki	:
11 Gardner Ave	:
Du Bois, PA 15801-1262	:

Defendant :

Vs.

Writ of Execution (Money Judgment)

First Commonwealth Bank	:
2 E Long Ave	:
Du Bois PA	:

Garnishee :

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 benefits
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

THIS CLAIM TO BE FILED WITH THE OFFICE OF THE SHERIFF OF Clearfield County:

Commonwealth Financial Systems, Inc.
245 Main Street
Dickson City, PA 18519

Plaintiff

Vs.

MICHAEL S. POLOHONKI
11 GARDNER AVE
DU BOIS, PA 15801-1262

Defendant(s)

Vs.

First Commonwealth Bank
2 E Long Ave
Du Bois PA

Garnishee

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

No. 2007-677 CD

Writ of Execution (Money Judgment)

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 rights.

If you have claimed 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 OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Name

Address

Telephone Number

To the Sheriff of **Clearfield** County, Pennsylvania:

I, the 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

☐ (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 for exemption)

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

a. My 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 court hearing to determine the exemption. Notice of 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. Ss 4904 relating to unsworn falsification to authorities.

Date: _____

(Defendant)

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

Commonwealth Financial Systems, Inc.
245 Main Street
Dickson City, PA 18519

Plaintiff

Clearfield County, PA
Civil Division

Vs.

MICHAEL S. POLOHONKI
11 GARDNER AVE
DU BOIS, PA 15801-1262

Defendant

No: 2007-677 CD

Vs.

First Commonwealth Bank
2 E Long Ave
Du Bois PA

Garnishee

Return Of Service of Process

Service Attempts:

Date: _____ Time: _____ Date: _____

Date: _____ Person Served: _____

Date: _____ Relation: _____

Date: _____ Place of Service: _____

Date: _____ Deputy: _____

Additional Defendant _____

Additional Defendant _____

Garnishee _____

Special Instructions: _____

Commonwealth Financial Systems, Inc.

Plaintiff :

Vs.

MICHAEL S. POLOHONKI
11 GARDNER AVE
DU BOIS, PA 15801-1262

Defendant(s)

Vs.

First Commonwealth Bank
2 E Long Ave
Du Bois PA

Garnishee

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

No. 2007-677 CD

WRIT OF EXECUTION AND ATTACHMENT

(MONEY JUDGMENT)

Commonwealth of Pennsylvania, County of Clearfield,
TO THE SHERIFF OF Clearfield County, Pennsylvania:

To satisfy the judgment, interest and costs against :

MICHAEL S. POLOHONKI, 11 GARDNER AVE, DU BOIS, PA 15801-1262, Defendant(s)

Please serve Garnishee as soon as possible !!!

Any and all accounts of the defendant(s), in the possession of Garnishee(s), including but not limited to savings account balances, checking account balances, Certificates of Deposit, Money Market Accounts, contents of Safety Deposit Boxes. Defendant's Social Security Number(s) is/are ~~XXXX-XX-XXXX~~ 2357

(1) You are also directed to attach the property of the defendant not levied upon in the possession of

First Commonwealth Bank
2 E Long Ave
Du Bois PA Garnishee(s) per property description.

Confessed Judgment by Complaint:

1. Date of Entry _____
2. Notice of mailing on _____ filed.

And to notify the Garnishee(s) that

- (a) An attachment has been issued;
 - (b) The garnishee(s) is enjoined from paying any debt to or for the account of the defendant(s) and from delivery any property of the defendant(s) or otherwise disposing thereof.
3. If property of the defendant not levied upon and subject to attachment is found in the possession of anyone other than the named garnishee(s), you are directed to notify him that he has been added as a garnishee and is enjoined as above stated.

Dated _____
(Seal)

Patricia A. Cobb

Patricia A. Cobb, Esquire PA Bar ID 39688
245 Main Street
Dickson City, PA 18519
570-347-1115 Ext. 202

Judgment Amount	\$ <u>27,564.91</u>
Interest	<u>4,348.06</u>
Clerk's Fee	_____
Sheriff	_____
Poundage 2%	_____
Total	_____

Prothonotary costs

Clerk of Judicial Records

Sheriff / Deputy

To Deputy 7/29/11

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

NO: 2007-677-CD

COMMONWEALTH FINANCIAL SYSTEMS, INC.

vs

SERVICE # 1 OF 2

MICHAEL S. POLOHONKI

TO: FIRST COMMONWEALTH BANK, GARNISHEE

WRIT OF EXECUTION, INTERROGATORIES TO GARNISHEE

SERVE BY: 08/26/2011 **RUSH** HEARING: PAGE: 108702

DEFENDANT: FIRST COMMONWEALTH BANK, Garnishee

ADDRESS: 2 E. LONG AVE
DUBOIS, PA 15801

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: GARNISHEE

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT

Date	Time	Results	Date	Time	Results
ATTEMPTS:	<u>1</u>	<u></u>	<u>1</u>	<u></u>	<u></u>

FILED

08:30 AM
AUG 03 2011

William A. Shaw
Prothonotary/Clerk of Courts

SHERIFF'S RETURN

NOW, 8/2/11 AT 9:28 AM / PM **SERVED** THE WITHIN

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

BY HANDING TO Terri Plyler, teller Sup.

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

ADDRESS SERVED 2 E. Long Ave Dubois Pa 15801
() Residence () Employment () Sheriff's Office () Other

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 _____

SWORN TO BEFORE ME THIS

_____ DAY OF _____ 2011

So Answers CHESTER A. HAWKINS, SHERIFF

BY: Rep. S. Knepp
Deputy Signature

S. Knepp
Print Deputy Name

FILED

AUG 03 2011

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

Dkt Pg. 108702

2 OF 2

COMMONWEALTH FINANCIAL SYSTEMS, INC.

NO. 2007-677-CD

-vs-

MICHAEL S. POLOHONKI

WRIT OF EXECUTION/
INTERROGATORIES TO
GARNISHEE

TO: FIRST COMMONWEALTH BANK, Garnishee

SHERIFF'S RETURN

NOW AUGUST 3, 2011 MAILED THE WITHIN:

PRAECIPE, WRIT, WRIT NOTICE, CLAIM FOR EXEMPTION & INTERROGATORIE,
RETURN OF SERVICE OF PROCESS, AFFIDAVIT u/SOLDIERS & SAILORS RELIEF ACT

TO: MICHAEL S. POLOHONKI, DEFENDANT

AT: 11 GARDNER AVE., DUBOIS, PA. 15801

IN S.A.S.E.

FILED

9/2/14 cm
AUG 03 2011

5

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 108702
NO: 2007-677-CD
SERVICES 2

WRIT OF EXECUTION, INTERROGATORIES TO GARNISHEE

PLAINTIFF: COMMONWEALTH FINANCIAL SYSTEMS, INC.

vs.

DEFENDANT: MICHAEL S. POLOHONKI

TO: FIRST COMMONWEALTH BANK, GARNISHEE

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	NCC	56209	20.00
SHERIFF HAWKINS	NCC	56209	45.09

Sworn to Before Me This

_____ Day of _____ 2011

So Answers,



Chester A. Hawkins
Sheriff

Writ of Execution – (Money Judgment)
PA RCP 3101 to 3149

Commonwealth Financial Systems, Inc. : In the Court of Common Pleas of
245 Main Street : Clearfield County Pennsylvania
Dickson City PA 18519 : Civil Division

Plaintiff :

Vs.

No: 2007-677 CD

Michael S. Polohonki :
11 Gardner Ave :
Du Bois, PA 15801-1262 :

Defendant :

Vs.

Writ of Execution (Money Judgment)

First Commonwealth Bank :
2 E Long Ave :
Du Bois PA :

Garnishee :

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 benefits
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

THIS CLAIM TO BE FILED WITH THE OFFICE OF THE SHERIFF OF Clearfield County:

To the Sheriff of **Clearfield** County, Pennsylvania:

I, the 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

☐ (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 for exemption)

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

a. My 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 court hearing to determine the exemption. Notice of 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. Ss 4904 relating to unsworn falsification to authorities.

Date: _____

(Defendant)

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

Commonwealth Financial Systems, Inc.

Plaintiff :

Vs.

MICHAEL S. POLOHONKI
11 GARDNER AVE
DU BOIS, PA 15801-1262

Defendant(s)

Vs.

First Commonwealth Bank
2 E Long Ave
Du Bois PA

Garnishee

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

No. 2007-677 CD

WRIT OF EXECUTION AND ATTACHMENT

(MONEY JUDGMENT)

Commonwealth of Pennsylvania, County of Clearfield,
TO THE SHERIFF OF Clearfield County, Pennsylvania:

To satisfy the judgment, interest and costs against :

MICHAEL S. POLOHONKI, 11 GARDNER AVE, DU BOIS, PA 15801-1262, Defendant(s)

Please serve Garnishee as soon as possible !!!

Any and all accounts of the defendant(s), in the possession of Garnishee(s), including but not limited to savings account balances, checking account balances, Certificates of Deposit, Money Market Accounts, contents of Safety Deposit Boxes. Defendant's Social Security Number(s) is/are ~~2357~~ 2357

(1) You are also directed to attach the property of the defendant not levied upon in the possession of

First Commonwealth Bank
2 E Long Ave
Du Bois PA Garnishee(s) per property description.

Confessed Judgment by Complaint:

1. Date of Entry _____
2. Notice of mailing on _____ filed.

And to notify the Garnishee(s) that

- (a) An attachment has been issued;
 - (b) The garnishee(s) is enjoined from paying any debt to or for the account of the defendant(s) and from delivery any property of the defendant(s) or otherwise disposing thereof.
3. If property of the defendant not levied upon and subject to attachment is found in the possession of anyone other than the named garnishee(s), you are directed to notify him that he has been added as a garnishee and is enjoined as above stated.

Dated _____
(Seal)

Judgment Amount	\$ <u>27,564.91</u>
Interest	<u>4,348.06</u>
Clerk's Fee	_____
Sheriff	_____
Poundage 2%	_____
Total	_____

Patricia A. Cobb
Patricia A. Cobb, Esquire PA Bar ID 39688
245 Main Street
Dickson City, PA 18519
570-347-1115 Ext. 202

Prothonotary costs 1105.00

Clerk of Judicial Records 7/27/11

Received this writ this 27 day
of July A.D. 2011
At 3:00 A.M. (P.M.)

Sheriff / Deputy

Chester A. Hawkins
Sheriff *by Mary Hamer*

Commonwealth Financial Systems, Inc.

Plaintiff :

Vs.

MICHAEL S. POLOHONKI
11 GARDNER AVE
DU BOIS, PA 15801-1262

Defendant(s)

Vs.

First Commonwealth Bank
2 E Long Ave
Du Bois PA

Garnishee

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

No. 2007-677 CD

WRIT OF EXECUTION AND ATTACHMENT

(MONEY JUDGMENT)

Commonwealth of Pennsylvania, County of Clearfield,
TO THE SHERIFF OF Clearfield County, Pennsylvania:

To satisfy the judgment, interest and costs against :

MICHAEL S. POLOHONKI, 11 GARDNER AVE, DU BOIS, PA 15801-1262, Defendant(s)

Please Serve Garnishee As Soon As Possible !!!

Any and all accounts of the defendant(s), in the possession of Garnishee(s), including but not limited to savings account balances, checking account balances, Certificates of Deposit, Money Market Accounts, contents of Safety Deposit Boxes. Defendant's Social Security Number(s) is/are ~~XXXX~~-2357

(1) You are also directed to attach the property of the defendant not levied upon in the possession of

First Commonwealth Bank
2 E Long Ave
Du Bois PA Garnishee(s) per property description.

Confessed Judgment by Complaint:

1. Date of Entry _____
2. Notice of mailing on _____ filed.

And to notify the Garnishee(s) that

(a) An attachment has been issued;

(b) The garnishee(s) is enjoined from paying any debt to or for the account of the defendant(s) and from delivery any property of the defendant(s) or otherwise disposing thereof.

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

Dated _____
(Seal)

Judgment Amount	\$ <u>27,564.91</u>
Interest	<u>4,348.06</u>
Clerk's Fee	_____
Sheriff	_____
Poundage 2%	_____
Total	_____

Prothonotary costs 165.00
Clerk of Judicial Records 7/27/11

Patricia A. Cobb
Patricia A. Cobb, Esquire PA Bar ID 39688
245 Main Street
Dickson City, PA 18519
570-347-1115 Ext. 202

Received this writ this 27
of July A.D. 2011
At Pike A.M. P.M.

Chester A. Hawkins
Sheriff
by Mary Hanna

Commonwealth Financial Systems, Inc.

Plaintiff :

Vs.

MICHAEL S. POLOHONKI
11 GARDNER AVE
DU BOIS, PA 15801-1262

Defendant(s)

Vs.

First Commonwealth Bank
2 E Long Ave
Du Bois PA

Garnishee

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

No. 2007-677 CD

WRIT OF EXECUTION AND ATTACHMENT

(MONEY JUDGMENT)

Commonwealth of Pennsylvania, County of Clearfield,
TO THE SHERIFF OF Clearfield County, Pennsylvania:
To satisfy the judgment, interest and costs against :

MICHAEL S. POLOHONKI, 11 GARDNER AVE, DU BOIS, PA 15801-1262, Defendant(s)

Please serve Garnishee as soon as possible !!!

Any and all accounts of the defendant(s), in the possession of Garnishee(s), including but not limited to savings account balances, checking account balances, Certificates of Deposit, Money Market Accounts, contents of Safety Deposit Boxes. Defendant's Social Security Number(s) is/are ~~XXXX-XX-XXXX~~ 2357

(1) You are also directed to attach the property of the defendant not levied upon in the possession of

First Commonwealth Bank
2 E Long Ave
Du Bois PA Garnishee(s) per property description.

Confessed Judgment by Complaint:

1. Date of Entry _____
2. Notice of mailing on _____ filed.

And to notify the Garnishee(s) that

- (a) An attachment has been issued;
 - (b) The garnishee(s) is enjoined from paying any debt to or for the account of the defendant(s) and from delivery any property of the defendant(s) or otherwise disposing thereof.
3. If property of the defendant not levied upon and subject to attachment is found in the possession of anyone other than the named garnishee(s), you are directed to notify him that he has been added as a garnishee and is enjoined as above stated.

Dated _____
(Seal)

Judgment Amount	\$ <u>27,564.91</u>
Interest	<u>4,348.06</u>
Clerk's Fee	_____
Sheriff	_____
Poundage 2%	_____
Total	_____

Prothonotary costs 1105.00
Clerk of Judicial Records 712711

Patricia A. Cobb
Patricia A. Cobb, Esquire PA Bar ID 39688
245 Main Street
Dickson City, PA 18519
570-347-1115 Ext. 202

Received this writ this 27
of July A.D. 2011
At 3:15 A.M. P.M.

Charles R. Hamer
Sheriff
by Maury Hamer

Sheriff / Deputy

Commonwealth Financial Systems, Inc.

Plaintiff :

Vs.

MICHAEL S. POLOHONKI
11 GARDNER AVE
DU BOIS, PA 15801-1262

Defendant(s)

Vs.

First Commonwealth Bank
2 E Long Ave
Du Bois PA

Garnishee

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

No. 2007-677 CD

WRIT OF EXECUTION AND ATTACHMENT

(MONEY JUDGMENT)

Commonwealth of Pennsylvania, County of Clearfield,
TO THE SHERIFF OF Clearfield County, Pennsylvania:

To satisfy the judgment, interest and costs against :

MICHAEL S. POLOHONKI, 11 GARDNER AVE, DU BOIS, PA 15801-1262, Defendant(s)

Please serve Garnishee as soon as possible!!!

Any and all accounts of the defendant(s), in the possession of Garnishee(s), including but not limited to savings account balances, checking account balances, Certificates of Deposit, Money Market Accounts, contents of Safety Deposit Boxes. Defendant's Social Security Number(s) is/are ~~2357~~ 2357

(1) You are also directed to attach the property of the defendant not levied upon in the possession of

First Commonwealth Bank
2 E Long Ave
Du Bois PA Garnishee(s) per property description.

Confessed Judgment by Complaint:

1. Date of Entry _____
2. Notice of mailing on _____ filed.

And to notify the Garnishee(s) that

(a) An attachment has been issued;

(b) The garnishee(s) is enjoined from paying any debt to or for the account of the defendant(s) and from delivery any property of the defendant(s) or otherwise disposing thereof.

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

Dated _____
(Seal)

Judgment Amount \$ 27,564.91
Interest 4,348.06
Clerk's Fee _____
Sheriff _____
Poundage 2% _____
Total _____

Prothonotary costs 1105.00

Patricia A. Cobb
Patricia A. Cobb, Esquire PA Bar ID 39688

245 Main Street

Dickson City, PA 18519

570-347-1115 Ext. 202

Received this writ this 27 day
of July A.D. 2011
At 3:00 A.M./P.M.

Clerk of Judicial Records

Sheriff / Deputy

Sheriff

Christopher A. Henders
by Marilyn Henders

Commonwealth Financial Systems, Inc.
245 Main Street
Dickson City PA 18519

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

RECEIVED

AUG 02 2011

Plaintiff :

Vs

Michael S. Polohonki
11 Gardner Ave
Du Bois, PA 15801-1262

No. 2007-677 CD

Interrogatories in Attachment

RECEIVED

AUG 02 2011

FILED

AUG 10 2011

William A. Shaw
Prothonotary/Clerk of Courts

Defendant(s) :

Vs

First Commonwealth Bank
2 E Long Ave
Du Bois PA

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

JUL 27 2011

Attest.

William A. Shaw
Prothonotary/
Clerk of Courts

Garnishee :

RE: Execution of Judgment against your depositor Michael S. Polohonki # 000-00- 2357.

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 the Defendant possess any bank accounts, joint or individual, that were in your custody or control? Please specify joint or individual account. Please list the legal title of any such account(s) and the primary account holder and if known whether joint account is entireties property.
- 2) At the time you were served or at any subsequent time, what was the balance and account number of the bank account(s) identified in Interrogatory #1?
- 3) At the time you were served or at any subsequent time, please list the average daily balance in the past five (5) months for each such account identified in your answer to Interrogatories number one (1) and two (2) above.

- 4) At the time you were served or at any subsequent time, did the bank account(s) that the Defendant possessed contain funds derived solely from social security funds and/or disability funds?
- 5) At any time before or after you were served, did the Defendant(s) transfer or deliver any property or money to you or to any person or place pursuant to your direction or consent, and if so, what was the consideration therefore?
- 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 Depositor's direction or otherwise discharge any claim of the Depositor against you?
- 7) At the time you were served or at any subsequent time, did you have, share, or utilize any safe-deposit boxes, pledges, documents of title, securities, notes, coupons, receivable, license, or collateral in which there was an interest claimed by Defendant(s)?
- 8) Identify every other account (not previously noted) titled in the name of Defendant(s) in which you believe Defendant(s) have an interest in whole or part, whether or not styled as a payroll account, individual retirement account, tax account, lottery account, partnership account, joint or tenants by entirety account, insurance account, trust or escrow account, attorney's account, or otherwise.
- 9) To the extent that you're above answers depend in whole or part on documents, account records, or other papers or electronic data, describe each in exact detail (or attach a copy of the same).

Commonwealth Financial Systems, Inc.


By 
Patricia A. Cobb, Esquire
245 Main Street
Dickson City PA 18519
570-347-1115 Ext. 202

EXHIBIT "A"

ANSWERS TO INTERROGATORIES

1. Yes, checking account number 0622504234 into Michael S. Polohonki with a current balance of \$2,866.13.
2. See #1 above
3.

July 2011	\$3,366.13
June 2011	\$3,487.24
May 2011	\$3,541.59
April 2011	\$3,497.14
March 2011	\$3,676.66
4. No
5. No
6. No
7. No
8. N/A
9. All of the above

VERIFICATION

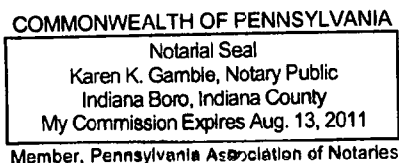
COMMONWEALTH OF PENNSYLVANIA)
)
COUNTY OF INDIANA)

On this 5th day of August 2011 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 5th day of August 2011

Karen K. Coamble
Notary Public



CERTIFICATE OF SERVICE

I hereby certify that on August 5, 2011 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

*Michael S. Polohonki
11 Gardner Ave.
Du Bois, PA 15801-1262*

As Defendant

VIA REGULAR U.S. MAIL

*Patricia A. Cobb, Esquire
Commonwealth Financial Systems, Inc.
245 Main Street
Dickson City, PA 18519*

As Plaintiff



Leda E. McCracken
Assistant Vice President
First Commonwealth Bank

Commonwealth Financial Systems, Inc.
245 Main Street
Dickson City, PA 18519

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

Plaintiff

: No: 2007-677-CD

Vs.

Michael S. Polohonki
11 Gardner Ave
Du Bois, PA 15801-1262

: Praeipe to Dissolve the Attachment
: Against the Garnishee.
:

Defendant

:

Vs.

First Commonwealth Bank
2 E Long Ave
Du Bois PA

:
:
:

Garnishee

:

FILED pd \$7.00 AICR
m/11:42Lm
SEP 06 2011 ICC P112
William A. Shaw
Prothonotary/Clerk of Courts

To the Prothonotary of Clearfield County Pennsylvania:

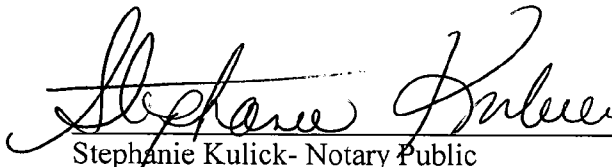
Please enter the above Praeipe to Dissolve the Attachment Against the Garnishee.

Thank you,

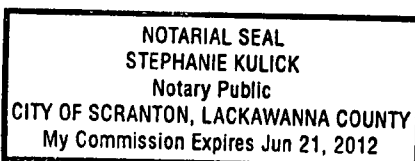


Patricia A. Cobb, Esquire
Lawyer ID # 39688
Commonwealth of Pennsylvania
Lackawanna County

Sworn and subscribed before me on this 18th day of August, 2011



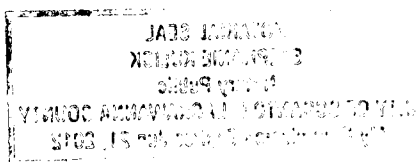
Stephanie Kulick- Notary Public



FILED

SEP 06 2011

William A. Shaw
Prothonotary/Clerk of Courts



Commonwealth Financial Systems, Inc.
245 Main Street
Dickson City, PA 18519

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

Plaintiff

No: 2007-677-CD

Vs.

Michael S. Polohonki
11 Gardner Ave
Du Bois, PA 15801-1262

: Praeipe to Settle, Satisfy &
: Discontinue the Judgment.
:

Defendant

Vs.

First Commonwealth Bank
2 E Long Ave
Du Bois PA

Garnishee

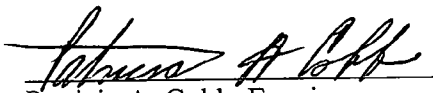
FILED pd \$7.00 Piff
m/ja:alum ICC Atty Cobb
SEP 12 2011

William A. Shaw
Prothonotary/Clerk of Courts


To the Prothonotary of Clearfield County Pennsylvania:

Please enter the above Praeipe to Settle, Satisfy & Discontinue the Judgment.

Thank you,


Patricia A. Cobb, Esquire
Lawyer ID # 39688
Commonwealth of Pennsylvania
Lackawanna County

Sworn and subscribed before me on this 18th day of August, 2011


Stephanie Kulick- Notary Public

NOTARIAL SEAL
STEPHANIE KULICK
Notary Public
CITY OF SCRANTON, LACKAWANNA COUNTY
My Commission Expires Jun 21, 2012

FILED
SEP 12 2011

William A. Shaw
Prothonotary/Clerk of Courts

RECEIVED
SEP 12 2011
CLERK OF COURTS
JANUARY 12 2012

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20949

NO: 07-677-CD

PLAINTIFF: COMMONWEALTH FINANCIAL SYSTEMS, INC., ASSIGNEE OF UNIFUND CCR PARTNERS, ASSIGNEE OF CHASE BANK USA, N.A.

VS.

DEFENDANT: MICHAEL S. POLOHONKI

Execution REAL ESTATE

SHERIFF RETURN

DATE RECEIVED WRIT: 3/13/2009

LEVY TAKEN 4/21/2009 @

POSTED 7/17/2009 @ 9:38 AM

SALE HELD

SOLD TO

SOLD FOR AMOUNT PLUS COSTS

WRIT RETURNED 3/23/2012

5
FILED
01 8:30 am
MAR 23 2012
William A. Shaw
Prothonotary/Clerk of Courts

DETAILS

7/20/2009 @ 11:07 AM SERVED MICHAEL POLONONKI

SERVED MICHAEL POLONONKI, DEFENDANT, AT 11 GARDNER AVENUE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO MICHELLE POLONONKI, WIFE OF THE DEFENDANT/ADULT AT RESIDENCE

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION AND COPY OF THE LEVY AND BY MAKING KNOWN TO HER THE CONTENTS THEREOF.

7/20/2009 @ 11:07 AM SERVED MICHAEL POLONONKI

SERVED MICHAEL POLONOKI, DEFENDANT, AT SS GARDNER AVENUE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO MICHELLE POLONONKI, WIFE OF DEFENDANT/ADULT AT RESIDENCE

A NOTICE OF SALE AND BY MAKING KNOWN TO HER THE CONTENTS THEREOF.

@ SERVED

NOW, AUGUST 4, 2009 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO POSTPONE THE SHERIFF SALE SCHEDULED FOR AUGUST 14, 2009 DUE TO PAYMENT ARRANGEMENTS.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20949

NO: 07-677-CD

PLAINTIFF: COMMONWEALTH FINANCIAL SYSTEMS, INC., ASSIGNEE OF UNIFUND CCR PARTNERS, ASSIGNEE
OF CHASE BANK USA, N.A.

VS.

DEFENDANT: MICHAEL S. POLOHONKI

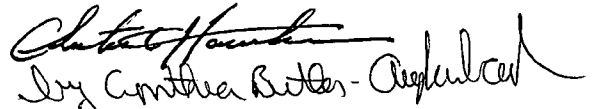
Execution REAL ESTATE

SHERIFF RETURN

SHERIFF HAWKINS \$230.00

SURCHARGE \$20.00 PAID BY ATTORNEY

So Answers,



Chester A. Hawkins
Sheriff

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

Commonwealth Financial Systems, Inc.,
Assignee of Unifund CCR Partners,
Assignee of Chase Bank USA, N.A.

Vs.

NO.: 2007-00677-CD

Michael S. Polohonki

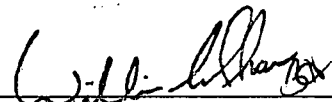
TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against COMMONWEALTH FINANCIAL SYSTEMS, INC., Assignee of UNIFUND CCR PARTNERS, Assignee of CHASE BANK USA, N.A., Plaintiff(s) from MICHAEL S. POLOHONKI, Defendant(s):

- (1) You are directed to levy upon the property of the defendant(s) and to sell defendant's interest(s) therein:
Personal Property
- (2) You are also directed to attach the property of the defendant(s) not levied upon in the possession of:
as garnishee(s):
and to notify the garnishee(s) that: (a) an attachment has been issued; (b) except as provided in paragraph (c), the garnishee(s) is/are enjoined from paying any debt to or for the account of the defendant(s) and from delivering any property of the defendant(s) 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(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.
- (4) 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.

AMOUNT DUE/PRINCIPAL:.....\$27,564.91
INTEREST FROM October 25, 2007 to
March 9, 2009, on \$27,564.91:.....\$2,270.14
ATTY'S COMM: \$
DATE: 3/13/2009

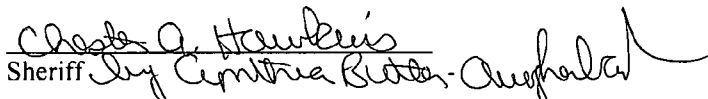
PROTH. COSTS PAID:.....\$145.00
SHERIFF: \$
OTHER COSTS: \$



William A. Shaw
Prothonotary/Clerk Civil Division

Received this writ this 13th day
of March A.D. 2009
At 3:00 A.M./P.M.

Requesting Party: Charles F. Bennett, Esq.
4650 Baum Boulevard
Pittsburgh, PA 15213
(412) 682-1466


Sheriff Jay Cynthia Butler - Clearfield

**PERSONAL PROPERTY SALE
SCHEDULE OF DISTRIBUTION**

NAME MICHAEL POLONONKI

NO. 07-677-CD

NOW, March 22, 2012, 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 Michael S. Polohonki 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:

PLAINTIFF COSTS, DEBT AND INTEREST:

RDR	9.00
SERVICE	9.00
MILEAGE	20.90
LEVY	20.00
MILEAGE	20.90
POSTING	9.00
HANDBILLS	
COMMISSION	0.00
POSTAGE	1.68
HANDBILLS	10.00
DISTRIBUTION	
ADVERTISING	
ADD'L SERVICE	
ADD'L POSTING	
ADD'L MILEAGE	89.52
ADD'L LEVY	
BID/ SETTLEMENT AMOUNT	
RETURNS/DEPUTIZE	
COPIES	15.00
BILLING/PHONE/FAX	5.00
CONTINUED SALES	20.00
MISCELLANEOUS	
TOTAL SHERIFF COSTS	\$230.00

DEBT-AMOUNT DUE	27,564.91
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	20.00
SATISFACTION FEE	
ESCROW DEFICIENCY	
PROPERTY INSPECTIONS	
INTEREST	2,270.14
MISCELLANEOUS	
TOTAL DEBT AND INTEREST	\$30,230.05

COSTS:

ADVERTISING	0.00
TAXES - COLLECTOR	
TAXES - TAX CLAIM	
DUE	
LIEN SEARCH	
ACKNOWLEDGEMENT	
SHERIFF COSTS	230.00
LEGAL JOURNAL COSTS	0.00
PROTHONOTARY	145.00
MORTGAGE SEARCH	
MUNICIPAL LIEN	

TOTAL COSTS \$375.00

TOTAL COSTS \$30,230.05

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

APPLE and APPLE*Attorneys at Law*4650 BAUM BOULEVARD - PITTSBURGH, PA 15213-1237
www.applelawcollects.com

Tel: 412-682-1466

Toll Free: 800-477-2775

Fax: 412-682-3138

Licensed in Pennsylvania Only

MARVIN J. APPLE, RETIRED

JAMES R. APPLE, COLLECTION MANAGER

ANTHONY R. BURGESS, ESQUIRE
CHRISTOPHER R. GILES, ESQUIRE**Facsimile Message**

THE INFORMATION CONTAINED IN THIS FACSIMILE TRANSMISSION IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED. THIS INFORMATION MAY BE AN ATTORNEY-CLIENT COMMUNICATION AND AS SUCH, IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE (412-682-1466), SO WE CAN ARRANGE FOR RETURN OF THE ORIGINAL MESSAGE TO US AT OUR EXPENSE. THANK YOU.

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TO COMPANY: Sheriff of Clearfield CountyATTENTION: Chester A. Hawkins - Sheriff / Cindy ext. 1361FROM: Dawn Kent, Legal AssistantSUBJECT: Commonwealth Financial Systems vs. Michael PolohonkiMESSAGE: Dear Sheriff Hawkins / Cindy:

Please postpone the sale generally that is scheduled for August 14, 2009 @ 10:00 am, case # 2007-677 CD as Mr. Polohonki has made monthly payments arrangements with our office that are agreeable to Commonwealth Financial Systems. If you have any questions, please contact our office at your earliest convenience. Thank you for your assistance in this matter.

Dawn Kent, Legal Assistant

IF THERE ARE ANY PAGES MISSING OR YOU NEED FURTHER INFORMATION,
PLEASE CONTACT US AT (412) 682-1466.