

07-679-CD

Capital One vs Robyn Swanson

Capital One vs Robyn Swanson et al  
2007-679-CD

2034152

THIS IS AN ARBITRATION MATTER. ASSESSMENT OF  
DAMAGES HEARING REQUIRED.

GORDON & WEINBERG, P.C.  
BY: FREDERIC I. WEINBERG, ESQUIRE  
Identification No.: 41360  
PAUL M. SCHOFIELD, JR., ESQUIRE  
Identification No.: 81894  
21 SOUTH 21ST STREET  
PHILADELPHIA, PA 19103  
215/988-9600

CAPITAL ONE BANK  
P.O. Box 85147  
RICHMOND, VA 23276

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

vs.

DOCKET NO. : 07-679-CD

ROBYN L SWANSON  
610 Main Street  
WOODLAND PA 16881-0499

**NOTICE**

YOU HAVE BEEN SUED IN COURT. IF YOU WISH TO DEFEND AGAINST THE CLAIMS SET FORTH IN THE FOLLOWING PAGES, YOU MUST TAKE ACTION WITHIN TWENTY (20) DAYS AFTER THIS COMPLAINT AND NOTICE ARE SERVED, BY ENTERING A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILING IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. YOU ARE WARNED THAT IF YOU FAIL TO DO SO THE CASE MAY PROCEED WITHOUT YOU AND A JUDGEMENT MAY BE ENTERED AGAINST YOU BY THE COURT WITHOUT FURTHER NOTICE FOR ANY MONEY CLAIMED IN THE COMPLAINT OR FOR ANY OTHER CLAIM OR RELIEF REQUESTED BY THE PLAINTIFF. YOU MAY LOSE MONEY OR PROPERTY OR OTHER RIGHTS IMPORTANT TO YOU.

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

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

**FILED** *ICC Sheriff*  
*M/J 2/23/01*  
*APR 27 2001 Atty pd*  
*85.00*  
*W.A. Shaw*  
William A. Shaw  
Prothonotary/Clerk of Courts

COMPLAINT IN CIVIL-ACTION

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

2. Defendant(s) accepted and used the aforesaid credit card so issued and by so doing agreed to perform the terms and conditions prescribed by the plaintiff for the use of said credit card.

3. The defendant(s) received and accepted goods and merchandise and/or accepted services or cash advances through the use of the credit card issued by the Plaintiff. A true and correct copy of the Statement of Account is attached hereto as Exhibit "A".

4. All the credits to which the defendant(s) is entitled have been applied and there remains a balance due in the amount of \$2,608.21.

5. Plaintiff has made demand upon the defendant(s) for payment of the balance due of \$2,608.21 but the defendant(s) has failed and refused and still refuses to pay the same or any part thereof.

6. Defendant's last payment on account was made on 5/5/03.

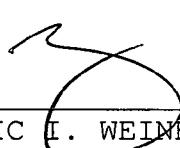
7. **Unless I hear from you in writing within thirty (30) days after receipt of this letter that you dispute the validity of the**

debt, or any portion thereof, I will assume the debt is valid. If you notify this office in writing that the debt or any portion thereof is disputed, I will obtain verification of the debt or, if the debt is founded upon a judgment, a copy of the judgment will be obtained, and I will mail to you a copy of such verification or judgment. Upon written request within thirty (30) days, I will provide you with the name and address of the original creditor, if different from the current creditor.

8. This letter and any future letters from our firm are an attempt to collect a debt and any information obtained will be used for that purpose.

WHEREFORE, plaintiff claims of the defendant(s) the sum of 2,608.21 plus applicable costs, interest and attorney's fees.

GORDON & WEINBERG, P.C.

BY: 

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

P01A

VERIFICATION

FREDERIC I. WEINBERG, ESQUIRE, hereby states that he is the attorney for the Plaintiff(s) in this action and verifies that the statements made in the foregoing pleading are true and correct to the best of his knowledge, information and belief.

The undersigned understands that the statements herein are made subject to the penalties of 18 Pa.C.S.A. Section 4904 relating to unsworn falsification to authorities.

FREDERIC I. WEINBERG, ESQUIRE

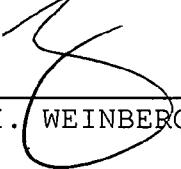


EXHIBIT "A"

2034152  
CAPITAL ONE BANK

ROBYN L SWANSON

4388641837635221

AFFIDAVIT

I, SARA RUBIN, being duly served sworn according to law, depose and say that:

1. I am the agent for the Plaintiff herein and I have custody and control of the files relating to this account;
2. I have personal knowledge of the facts and circumstances in connection with this case;
3. Plaintiff's files are maintained in the usual and ordinary course of business;
4. This action is based on a claim for breach of contract and that damages are sought as a direct result of said breach;
5. After allowing for all offsets and credits, a balance remains on the subject account having account number 4388641837635221 in the amount of \$2,425.75; and
6. If called upon, affiant can testify at trial as to the facts pertaining to this matter.

The above facts are true and correct to the best of my knowledge, information and belief.

Sara Rubin  
SARA RUBIN

Sworn to and Subscribed

before me this 11 day

of Jan, 2007

Alisa Tetro  
Notary Public, State of New York  
Reg. #01TEB141272  
Qualified in Suffolk County

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102736  
NO: 07-679-CD  
SERVICE # 1 OF 1  
COMPLAINT

PLAINTIFF: CAPITAL ONE BANK  
vs.  
DEFENDANT: ROBYN L. SWANSON

SHERIFF RETURN

---

NOW, May 15, 2007 AT 11:24 AM SERVED THE WITHIN COMPLAINT ON ROBYN L SWANSON DEFENDANT AT 610 MAIN ST, WOODLAND, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO ROBYN L SWANSON, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: HUNTER / DEHAVEN

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	GORDON	33225	10.00
SHERIFF HAWKINS	GORDON	33225	22.85

FILED  
07/00 LM  
OCT 01 2007  
CS

William A. Shaw  
Prothonotary/Clerk of Courts

Sworn to Before Me This

So Answers,

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

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

GORDON & WEINBERG, P.C.  
BY: FREDERIC I. WEINBERG, ESQUIRE  
Identification No.: 41360  
JOEL M. FLINK, ESQUIRE  
Identification No.: 81894  
1001 E. Hector Street, Ste 220  
Conshohocken, PA 19428  
484/351-0500

FILED *Atty pd. do. 00*  
*MI 9/4/07 1 CCA Notice to Def.*  
NOV 26 2007  
Statement to Atty  
William A. Shaw  
Prothonotary/Clerk of Courts  
6K

CAPITAL ONE BANK

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

vs.

DOCKET NO. : 07-679-CD

ROBYN L SWANSON

PRAECIPE FOR JUDGMENT

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

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

Principal	\$2,425.75
Interest from 1/2/07	
@25.9%	\$519.83
Costs (Complaint & Service)	\$117.85
<b>Total:</b>	<b>\$3,063.43</b>

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

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

Filed:

By the Prothonotary:

AND NOW, this 26<sup>th</sup> day of November, 2007 Judgment is entered in favor of the plaintiff(s) and against defendant, for want of an answer and damages assessed at the sum of , \$3,063.43 as per the above certification.

*William A. Shaw*  
Prothonotary

GORDON & WEINBERG, P.C.  
BY: FREDERIC I. WEINBERG, ESQUIRE  
Identification No.: 41360  
JOEL M. FLINK, ESQUIRE  
Identification No.: 81894  
1001 E. Hector Street, Ste 220  
Conshohocken, PA 19428  
484/351-0500

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CAPITAL ONE BANK

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

vs.

DOCKET NO. : 07-679-CD

ROBYN L SWANSON

CERTIFICATION OF ADDRESS

I hereby certify that the precise residence of the holder of the  
within judgment is; CAPITAL ONE BANK and that the last known  
address of defendant, ROBYN L SWANSON, 610 Main Street, WOODLAND PA  
16881-0499.

GORDON & WEINBERG, P.C.

BY: 

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

GORDON & WEINBERG, P.C.  
BY: FREDERIC I. WEINBERG, ESQUIRE  
Identification No.: 41360  
JOEL M. FLINK, ESQUIRE  
Identification No.: 81894  
1001 E. Hector Street, Ste 220  
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CAPITAL ONE BANK

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

vs.

DOCKET NO. : 07-679-CD

ROBYN L SWANSON

AFFIDAVIT OF NON-MILITARY SERVICE

FREDERIC I. WEINBERG, ESQUIRE, being duly sworn according to law, deposes and says that he represents the plaintiff in the above-entitled case; that he is authorized to make this affidavit on behalf of the plaintiff; and that the above-named defendant is over twenty-one years of age; that the address of the defendant is, 610 Main Street, WOODLAND PA 16881-0499; that the occupation of the defendant is unknown; and that the defendant is not in the Military Service of the United States, nor any State or Territory thereof or its allies as defined in the Soldiers' and Sailors' Civil Relief Act of 1940 and the amendments thereto.

Sworn to and Subscribed

Before me this 31<sup>st</sup> Day

of Oct 2007.

Barbara A. Pisanick

Notary Public

COMMONWEALTH OF PENNSYLVANIA  
NOTARIAL SEAL  
BARBARA A. PISANICK, Notary Public  
City of Philadelphia, Phila. County  
My Commission Expires July 29, 2009

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

2034152

GORDON & WEINBERG, P.C.  
BY: FREDERIC I. WEINBERG, ESQUIRE  
Identification No.: 41360  
JOEL M. FLINK, ESQUIRE  
Identification No.: 41200  
1001 E. Hector Street, Ste 220  
Conshohocken, PA 19428  
484/351-0500

CAPITAL ONE BANK

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

vs.

DOCKET NO. : 07-679-CD

ROBYN L SWANSON

NOTICE OF INTENTION TO TAKE DEFAULT

TO/ PARA :

ROBYN L SWANSON  
610 Main Street  
WOODLAND PA 16881-0499

DATE OF NOTICE/FECHA DEL AVISO: October 16, 2007

IMPORTANT NOTICE

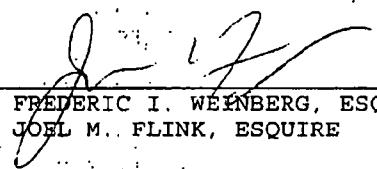
YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY AN ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU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

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

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

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

GORDON & WEINBERG, P.C.

BY: 

FREDERIC I. WEINBERG, ESQUIRE  
JOEL M. FLINK, ESQUIRE

GORDON & WEINBERG, P.C.  
BY: FREDERIC I. WEINBERG, ESQUIRE  
Identification No.: 41360  
JOEL M. FLINK, ESQUIRE  
Identification No.: 41200  
1001 E. Hector Street, Ste 220  
Conshohocken, PA 19428  
484/351-0500

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CAPITAL ONE BANKCOURT OF COMMON PLEAS  
CLEARFIELD COUNTY

vs.

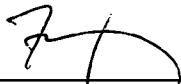
DOCKET NO. : 07-679-CD

ROBYN L SWANSON

NOTICE

PURSUANT TO RULE 236 OF THE SUPREME COURT OF PENNSYLVANIA, YOU ARE  
HEREBY NOTIFIED THAT A JUDGMENT BY DEFAULT HAS BEEN ENTERED AGAINST  
YOU IN THE ABOVE PROCEEDING IN THE AMOUNT OF \$3,063.43. IF YOU HAVE  
ANY QUESTIONS CONCERNING THIS NOTICE, PLEASE CALL GORDON & WEINBERG,  
P.C. AT 215/988-9600.

GORDON &amp; WEINBERG, P.C.

BY: 

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

Dated: October 31, 2007

NOTICE OF JUDGMENT

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

CIVIL DIVISION

Capital One Bank

Vs.

No. 2007-00679-CD

Robyn L. Swanson

**COPY**

To: DEFENDANT(S)

NOTICE is given that a JUDGMENT in the above captioned matter has been entered  
against you in the amount of \$3,063.43 on November 26, 2007.

William A. Shaw  
Prothonotary

  
\_\_\_\_\_  
William A. Shaw

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

COPY

Capital One Bank  
Plaintiff(s)

No.: 2007-00679-CD

Real Debt: \$3,063.43

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Robyn L. Swanson  
Defendant(s)

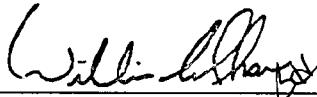
Entry: \$20.00

Instrument: Default Judgment

Date of Entry: November 26, 2007

Expires: November 26, 2012

Certified from the record this 26th 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

GORDON & WEINBERG, P.C.  
BY: FREDERIC I. WEINBERG, ESQUIRE  
Identification No.: 41360  
JOEL M. FLINK, ESQUIRE  
Identification No.: 41200  
1001 E. Hector Street, Ste 220  
Conshohocken, PA 19428  
484/351-0500

FILED *Atty pd.*  
*m10:49 8/11 20.00*  
SEP 22 2008 *2cc@lwonts*  
William A. Shaw *to Sheriff*  
Prothonotary/Clerk of Courts *GR*

CAPITAL ONE BANK  
P.O. Box 85147  
RICHMOND, VA 23276

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

vs.

DOCKET NO. : 2007-00679-CD

ROBYN L SWANSON  
610 Main Street  
WOODLAND PA 16881-0499

and  
Cleafield Bank & Trust Co.  
11 N. Second Street  
PO Box 171

**GARNISHEE**

**PRAECIPE FOR WRIT OF EXECUTION**

TO THE PROTHONOTARY:

Issue writ of execution in the above matter,  
directed to the Sheriff of Clearfield County;

(1) against

**ROBYN L SWANSON**

defendant(s) and

(2) against

**Cleafield Bank & Trust Co.**

garnishee(s)

(3) AMOUNT DUE

\$3,063.43

INTEREST

from November 26, 2007

\$112.21

COSTS

Prothonotary fee \$20.00

Sheriff fee \$100.00

**TOTAL**

**\$3,295.64**

*105.00*

**Prothonotary costs-Add'l**

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

GORDON & WEINBERG, P.C.  
BY: FREDERIC I. WEINBERG, ESQUIRE  
Identification No.: 41360  
JOEL M. FLINK, ESQUIRE  
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CAPITAL ONE BANK  
P.O. Box 85147  
RICHMOND, VA 23276

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

vs.

DOCKET NO. : 2007-00679-CD

ROBYN L SWANSON  
610 Main Street  
WOODLAND PA 16881-0499  
and  
Cleafield Bank & Trust Co.  
11 N. Second Street  
PO Box 171

**GARNISHEE**

**WRIT OF EXECUTION**  
**NOTICE**

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

The law provides that certain property cannot be taken. Such property is said to be exempt. There is a debtor's exemption of \$300.00. There are other exemptions which may applicable to you. Attached is a summary of some of the major exemptions. You may have other exemptions or other rights.

If you have an exemption, you should do the following promptly: (1) Fill out the attached exemption claim form and demand for a prompt hearing; (2) Deliver the form or mail it to the Sheriff's Office at the address noted.

You should come to court ready to explain your exemption. If you do not come to court and prove your exemption, you may lose some of your property.

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

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

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

GORDON & WEINBERG, P.C.  
BY: FREDERIC I. WEINBERG, ESQUIRE  
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484/351-0500

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CAPITAL ONE BANK  
P.O. Box 85147  
RICHMOND, VA 23276

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

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ROBYN L SWANSON  
610 Main Street  
WOODLAND PA 16881-0499  
and  
Cleafield Bank & Trust Co.  
11 N. Second Street  
PO Box 171

**GARNISHEE**

**CLAIM FOR EXEMPTION**

TO THE SHERIFF:

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

(1) From my personal property in my possession which has been levied upon,

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

[ ] (i) set aside in kind (specify property to be set aside in kind):

---

[ ] (ii) paid in cash following the sale of the property levied upon; or

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

---

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

(a) My \$300.00 statutory exemption: [ ] in cash; [ ] in kind (specify property)

---

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

(c) Other (specify amount and basis of exemption):  
\_\_\_\_\_

I request a prompt Court hearing to determine the exemption.

Notice of the hearing should be given to me at: (include address and telephone)  
\_\_\_\_\_

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

DATE: \_\_\_\_\_ Defendant: \_\_\_\_\_

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

Sheriff of Clearfield County  
P.O. Box 549  
Clearfield, PA 16830  
814/765-2641

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

Under paragraph (2) of the writ, if attachment of a named garnishee is desired, his name should be set forth in the space provided. Under paragraph (3) of the writ, the sheriff may, as under prior practice, add as a garnishee any person not named in this writ who may be found in possession of property of the defendant. See Rule 3111(a). For limitations on the power to attach tangible personal property, see Rule 3108(a).

(b) Each court shall by local rule designate the officer, organization or person to be named in the notice.

**MAJOR EXEMPTIONS UNDER PENNSYLVANIA AND FEDERAL LAW**

1. \$300.00 statutory exemption
2. Bibles, school books, sewing machines, uniforms and equipment
3. Most wages and unemployment compensation
4. Social Security benefits
5. Certain retirement funds and accounts
6. Certain veteran and armed forces benefits
7. Certain insurance proceeds
8. Such other exemptions as may be provided by law

GORDON & WEINBERG, P.C.  
BY: FREDERIC I. WEINBERG, ESQUIRE  
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1001 E. Hector Street, Ste 220  
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CAPITAL ONE BANK  
P.O. Box 85147  
RICHMOND, VA 23276

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

vs.

DOCKET NO. : 2007-00679-CD

ROBYN L SWANSON  
610 Main Street  
WOODLAND PA 16881-0499

and  
Cleafield Bank & Trust Co.  
11 N. Second Street  
PO Box 171

**GARNISHEE**

**INTERROGATORIES IN ATTACHMENT**

TO: **Cleafield Bank & Trust Co. - GARNISHEE**

You are required to file answers to the following Interrogatories within twenty (20) days after service upon you. Failure to do so my result in judgment against you.

1. At the time you were served or at any subsequent time did you owe the defendant(s) any money or were you liable to the defendant on any negotiable or other written instrument, or did the defendant claim that you owed the defendant any money or were liable to the defendant for any reason?
2. At the time you were served or at any subsequent time was there in your possession, custody or control or in the joint possession, custody or control of yourself and one or more other persons any property of any nature owned solely or in part by the defendant.
3. At the time you were served or at any subsequent time did you hold legal title to any property of any nature owned solely or in part by the defendant or in which defendant held or claimed any interest.
4. At the time you were served or at any subsequent time did you hold as fiduciary any property in which the defendant(s) had an interest?

5. At any time before or after you were served did the defendant(s) transfer or deliver any property to you or to any person or place pursuant to your direction or consent and what was the consideration thereof?
6. At any time after you were served did you pay, transfer or deliver any money or property to the defendant(s) or to any person or place pursuant to his (her, their) direction or otherwise discharge any claim of the defendant(s) against you?
7. If you are a bank or other financial institution, at the time you were served or at any subsequent time did the defendant have funds on deposit in an account in which funds are deposited electronically on a recurring basis and which are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law? If so, identify each account and state the reason for the exemption, the amount being withheld under each exemption and the entity electronically depositing those funds on a recurring basis.
8. If you are a bank or other financial institution, at the time you were served or any subsequent time did the defendant have funds on deposit in an account in which the funds on deposit, not including any otherwise exempt funds, did not exceed the amount of the general monetary exemption under 42 Pa.C.S. §8123? If so, identify each account.
9. How much is the value of any property in your possession belonging to the defendant(s)?

*5*  
FREDERIC I. WEINBERG, ESQUIRE  
JOEL M. FLINK, ESQUIRE  
Attorney for Plaintiff

DATED: 9/5/08

**COPY**

GORDON & WEINBERG, P.C.  
BY: FREDERIC I. WEINBERG, ESQUIRE  
Identification No.: 41360  
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1001 E. Hector Street, Ste 220  
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P.O. Box 85147  
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610 Main Street  
WOODLAND PA 16881-0499

and

Cleafield Bank & Trust Co.  
11 N. Second Street  
PO Box 171

**GARNISHEE**

Commonwealth of Pennsylvania )  
County of CLEARFIELD )

**WRIT OF EXECUTION**

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against:

ROBYN L SWANSON

defendant(s)

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

Cleafield Bank & Trust Co.  
11 N. Second Street  
PO Box 171- **GARNISHEE**

(specifically describe property)

and to notify the garnishee(s) that

- (a) an attachment has been issued:

(b) **except as provided in paragraph (c)** the garnishee is enjoined from paying any debt to or for the account of the defendant and from delivering any property of the defendant or otherwise disposing thereof;

(c) **the attachment shall not include funds in an account of the defendant with a bank or other financial institution.**

(i) **in which funds are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law, or**

(ii) **that total \$300.00 or less. If multiple accounts are attached, a total of \$300.00 in all accounts shall not be subject to levy and attachment as determined by the executing officer. The funds shall be set aside pursuant to the defendant's general exemption provided in 42Pa.C.S. §8123.**

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

AMOUNT DUE	\$3,063.43
INTEREST	
from November 26, 2007	\$112.21
COSTS	
Prothonotary fee	\$20.00
Sheriff fee	<u>\$100.00</u>
<b>TOTAL</b>	<b>\$3,295.64</b>
	105.00

**Prothonotary costs - Add'l**

BY:



Prothonotary

Clerk

DATE:

9/22/08

GORDON & WEINBERG, P.C.  
BY: FREDERIC I. WEINBERG, ESQUIRE  
Identification No.: 41360  
JOEL M. FLINK, ESQUIRE  
Identification No.: 41200  
1001 E. Hector Street, Ste 220  
Conshohocken, PA 19428  
484/351-0500

---

CAPITAL ONE BANK  
P.O. Box 85147  
RICHMOND, VA 23276

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

vs.

DOCKET NO. : 2007-00679-CD

ROBYN L SWANSON  
610 Main Street  
WOODLAND PA 16881-0499

and  
Cleafield Bank & Trust Co.  
11 N. Second Street  
PO Box 171

**GARNISHEE**

**WRIT OF EXECUTION**

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**Prothonotary costs** Add'l

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

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
NO: 07-679-CD

CAPITAL ONE BANK

vs

ROBYN L. SWANSON

TO: Clearfield Bank & Trust Co., Garnishee

SERVICE # 1 OF 1

WRIT OF EXECUTION; INTERROGATORIES TO GARNISHEE

SERVE BY: 10/07/2008 ASAP HEARING: PAGE: 104688

DEFENDANT: CLEARFIELD BANK & TRUST CO, Garnishee  
ADDRESS: 11 N. SECOND ST.  
CLEARFIELD, PA 16830

ALTERNATE ADDRESS

**FILED**  
OCT 01 2008  
S 3:20P.M. GIC  
William A. Shaw  
Prothonotary/Clerk of Courts

SERVE AND LEAVE WITH: GARNISHEE

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT OCCUPIED

ATTEMPTS \_\_\_\_\_

**SHERIFF'S RETURN**

NOW, 10/1/08 AT 126 AM / PM SERVED THE WITHIN

WRIT OF EXECUTION; INTERROGATORIES TO GARNISHEE ON CLEARFIELD BANK & TRUST CO, Garnishee,  
DEFENDANT

BY HANDING TO Bonnie Lettkej Bonnie Eckberg / CSR

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

ADDRESS SERVED Bridge st Clearfield Pa

NOW \_\_\_\_\_ AT \_\_\_\_\_ AM / PM POSTED THE WITHIN

WRIT OF EXECUTION; INTERROGATORIES TO GARNISHEE FOR CLEARFIELD BANK & TRUST CO, Garnishee

AT (ADDRESS) \_\_\_\_\_

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

I MAKE RETURN OF **NOT FOUND** AS TO CLEARFIELD BANK & TRUST CO, Garnishee

REASON UNABLE TO LOCATE \_\_\_\_\_

SWORN TO BEFORE ME THIS

\_\_\_\_ DAY OF \_\_\_\_\_ 2008

So Answers: CHESTER A. HAWKINS, SHERIFF

BY: Deputy S. Hunter

Deputy Signature

S. Hunter

Print Deputy Name

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 104688  
NO: 07-679-CD  
SERVICES 1  
WRIT OF EXECUTION; INTERROGATORIES TO

GARNISHEE

PLAINTIFF: CAPITAL ONE BANK  
vs.  
DEFENDANT: ROBYN L. SWANSON  
TO: Clearfield Bank & Trust Co., Garnishee

SHERIFF RETURN

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RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	GORDON	060918	10.00
SHERIFF HAWKINS	GORDON	060918	23.00

FILED

09:50AM  
OCT 02 2008

5  
William A. Shaw  
Prothonotary/Clerk of Courts

Sworn to Before Me This

So Answers,

\_\_\_\_ Day of \_\_\_\_\_ 2008  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



Chester A. Hawkins  
Sheriff

GORDON & WEINBERG, P.C.  
BY: FREDERIC I. WEINBERG, ESQUIRE  
Identification No.: 41360  
JOEL M. FLINK, ESQUIRE  
Identification No.: 41200  
1001 E. Hector Street, Ste 220  
Conshohocken, PA 19428  
484/351-0500

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CAPITAL ONE BANK  
P.O. Box 85147  
RICHMOND, VA 23276

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

vs.

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WOODLAND PA 16881-0499

and  
Cleafield Bank & Trust Co.  
11 N. Second Street  
PO Box 171

**GARNISHEE**

Commonwealth of Pennsylvania )  
County of CLEARFIELD )

**WRIT OF EXECUTION**

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	105.00      Prothonotary costs-Add'l

BY: Willie Shango

Clerk

DATE: 9/22/08

Received this writ this 22 day  
of Sept A.D. 2008  
At 11:00 A.M./P.M.

Chester A. Hawkins  
Sheriff by Marilyn Harris

GORDON & WEINBERG, P.C.  
BY: FREDERIC I. WEINBERG, ESQUIRE  
Identification No.: 41360  
JOEL M. FLINK, ESQUIRE  
Identification No.: 41200  
1001 E. Hector Street, Ste 220  
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CAPITAL ONE BANK  
P.O. Box 85147  
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COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

vs.

DOCKET NO. : 2007-00679-CD

ROBYN L SWANSON  
610 Main Street  
WOODLAND PA 16881-0499

and  
Cleafield Bank & Trust Co.  
11 N. Second Street  
PO Box 171

**GARNISHEE**

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		105.00

Prothonotary costs-Add'l

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

2034152

GORDON & WEINBERG, P.C.  
BY: FREDERIC I. WEINBERG, ESQUIRE  
Identification No.: 41360  
JOEL M. FLINK, ESQUIRE  
Identification No.: 41200  
1001 E. Hector Street, Ste 220  
Conshohocken, PA 19428  
484/351-0500

S **FILED** pd \$7.00 Atty  
m/11/2008  
DEC 19 2008 2CC Atty  
Weinberg  
William A. Shaw  
Prothonotary/Clerk of Courts

CAPITAL ONE BANK

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

vs.

DOCKET NO. : 2007-00679-CD

ROBYN L SWANSON

and  
Clearfield Bank & Trust Co  
Garnishee

PRAECIPE TO DISSOLVE ATTACHMENT

TO THE PROTHONOTARY:

Kindly dissolve the attachment of the defendant's bank  
account with Clearfield Bank & Trust Co, as Garnishee in the  
above entitled matter.

GORDON & WEINBERG, P.C.

BY: *[Signature]*

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

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