

2007-685-CD
Hudson & Keyse et al vs William Scanish

07-685-CD
Hudson & Keyse vs William Scanish

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

NO.: 07-685-CD
IN CIVIL ACTION

HUDSON & KEYSE, LLC,
assignee of BENEFICIAL COMPANY LLC,

Plaintiff,

vs.

WILLIAM J., SCANISH,

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

APR 30 2007
154301

ICC Sheriff

William A. Shaw
Prothonotary/Clerk of Courts

16-09-2007 Document
Reinstated/Reissued to Sheriff/Attorney
for service.

William A. Shaw GK
Deputy Prothonotary

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

**NO.:
IN CIVIL ACTION**

**HUDSON & KEYSE, LLC ,
assignee of BENEFICIAL COMPANY LLC,**

Plaintiff,

vs.

WILLIAM J., SCANISH,

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

COMPLAINT

1. Plaintiff is a corporation having offices at 382 Blackbrook Rd., Painesville, OH 44077, and as the assignee of Beneficial Company, LLC, 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 414 Thompson Street, Curwensville, Clearfield County, Pennsylvania 16833.
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 \$9,082.53, 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 4.90% per annum on the balance due from December 1, 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 \$9,082.53, with appropriate additional interest from December 1, 2006, plus attorneys fees and costs.

APPLE AND APPLE, P.C.

By: 

Attorneys for Plaintiff(s)

ASSIGNMENT AND BILL OF SALE

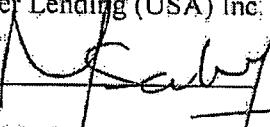
HSBC Consumer Lending (USA) Inc. on behalf of and as managing company for Beneficial Company LLC and HFC Company LLC and their respective subsidiaries (hereinafter called "Seller") has entered into an Account Purchase and Sale Agreement dated July 26, 2006 ("Agreement") for the sale of accounts dated in the initial paragraph of the Agreement thereof to Hudson & Keyse, L.L.C., (hereinafter called "Purchaser"), upon the terms and conditions set forth in that Agreement.

NOW, THEREFORE, for good and valuable consideration, Seller hereby sells, assigns, and transfers to Purchaser, its successors and assigns, all of Seller's rights, title, and interest in each and every one of the Accounts described in the Agreement.

Purchaser and Seller agree that the Purchase Price shall be as stated in Section 3 of the Agreement.

IN WITNESS WHEREOF, Seller has signed and delivered this instrument on the 26 day of July 2006.

HSBC Consumer Lending (USA) Inc.

By: 

Printed Name: Mushtaq Sahaf

Title: Vice-President



Hudson & Keyse, LLC

Debt Resolution Partners

382 Blackbrook Road
Painesville, Ohio 44077

440.354.6978 Phone
440.354.1336 Fax
800.654.5391 Toll Free
www.hkllc.biz

STATEMENT OF ACCOUNT

CREDITOR NAME: Hudson & Keyse, L.L.C.

CREDITOR ADDRESS: 382 Blackbrook Road, Painesville, Ohio, 44077

ORIGINAL CREDITOR: BENEFICIAL COMPANY LLC

ORIGINAL ACCOUNT NUMBER: 71172300586240

HUDSON & KEYSE, L.L.C. ACCOUNT NUMBER: 454402*1

DEBTOR NAME: WILLIAM J. SCANISH

DEBTOR ADDRESS: 414 THOMPSON STREET, CURWENSVILLE, PA, 16833

DATE ACCOUNT OPENED: DEC 17 2002

DATE LAST PAID TO ORIGINAL CREDITOR: 15 AUG 2003

DATE LAST PAID TO HUDSON & KEYSE, L.L.C.:

PRINCIPAL BALANCE DUE: \$8,150.32

INTEREST BALANCE DUE: \$932.21

TOTAL BALANCE DUE: \$9,082.53

INTEREST RATE: 4.90% LAST DATE INTEREST CHARGED: NOV 30 2006

EXHIBIT B

HTTP: WWW.HKLLC.BIZ

LOCAL: (440)354-6978 FAX: (440)354-1336



EMAIL: COLLECTIONS@HKINC.COM

TOLL FREE: 1(800)654-5391 & 1(800)654-1660

PAY YOUR ACCOUNT ON-LINE VIA CHECK, DEBIT OR CREDIT CARD AT: WWW.HKLLC.BIZ

PLEASE SEND CORRESPONDENCE TO: POST OFFICE BOX 1090, MENTOR, OH, 44061

106960

AFFIDAVIT

I Nancy A. Quere, of
Hudson and Keyse, LLC

, 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. § 4909, relating to unsworn falsification to authorities.

January 19, 2007

Date

Nancy A. Quere

Affiant

Legal Account Manager

Title

382 Blackbrook Road

Address

Painesville, OH 44077

City, State and Zip

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102742
NO: 07-685-CD
SERVICE # 1 OF 1
COMPLAINT

PLAINTIFF: HUDSON & KEYSE, LLC
vs.
DEFENDANT: WILLIAM J. SCANISH

SHERIFF RETURN

NOW, May 14, 2007 AT 9:11 AM SERVED THE WITHIN COMPLAINT ON WILLIAM J SCANISH DEFENDANT AT 414 THOMPSON ST, CURWENSVILLE, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO ANNIE MCCRAKEN, ADULT AT RESIDENCE A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: DAVIS / MORGILLO

FILED
08/4/2007
OCT 02 2007
William A. Shaw
Prothonotary/Clerk of Courts

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	APPLE	14829	10.00
SHERIFF HAWKINS	APPLE	14829	35.46

Sworn to Before Me This

____ Day of _____ 2007

So Answers,

Chester A. Hawkins
by Marilyn Harry
Chester A. Hawkins
Sheriff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

NO. 2007-685-CD
IN CIVIL ACTION

HUDSON & KEYSE, LLC,
assignee of BENEFICIAL COMPANY LLC,
a Non-Profit Corporation,

Plaintiff,

vs.

WILLIAM J., SCANISH,

Defendant.

PRAECIPE TO REINSTATE
COMPLAINT

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
Fax: 412-682-3138

FILED
OCT 09 2007
11:31 AM
Clerk
Reinstated to
Sheriff
William A. Shaw
Prothonotary/Clerk of Courts
Atty. Ad. 7.00

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

NO. 2007-685-CD
IN CIVIL ACTION

**HUDSON & KEYSE, LLC ,
assignee of BENEFICIAL COMPANY LLC,
a Non-Profit Corporation,**

Plaintiff,

vs.

WILLIAM J., SCANISH,

Defendant.

PRAECIPE TO REINSTATE COMPLAINT

TO THE PROTHONOTARY

SIR:

Kindly reinstate the Complaint in the above-captioned matter.

APPLE AND APPLE, P.C.

Dated: 19 Sept 07

By: Patricia J. Gaudioso
Attorneys for Plaintiff(s)

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

NO. 2007-685-CD
IN CIVIL ACTION

HUDSON & KEYSE, LLC,
assignee of BENEFICIAL COMPANY LLC,
a Non-Profit Corporation,

Plaintiff,

vs.

WILLIAM J. SCANISH,

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 Atty pd. 20.00
11/3/2007 1 CC & Notice
Nov 05 2007 to Def.

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

(b)4

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

NO. 2007-685-CD
IN CIVIL ACTION

**HUDSON & KEYSE, LLC ,
assignee of BENEFICIAL COMPANY LLC,
a Non-Profit Corporation,**

-vs- Plaintiff,

WILLIAM J. SCANISH,

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 \$11,701.96, computed as follows:

Amount named in Complaint	\$9,082.53
Interest from December 1, 2006 to October 21, 2007 on \$8,150.32	\$348.80
Less payment of:	-\$
Attorney fees	\$2,270.63
TOTAL	\$11,701.96

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 4, 2007 by regular mail, postage prepaid and, addressed as follows:

Defendant: William J. Scanish
414 Thompson Street
Curwensville PA 16833

APPLE AND APPLE, P.C.

Dated: Oct. 31, 2007

By: CLAY S. BROWN
Attorneys for the Plaintiff(s)

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

NO. 2007-685-CD
IN CIVIL ACTION

HUDSON & KEYSE, LLC,
assignee of BENEFICIAL COMPANY LLC,
a Non-Profit Corporation,

Plaintiff,

vs.

WILLIAM J., SCANISH,

Defendant.

William J., Scanish
414 Thompson Street
Curwensville, PA 16833

Date of Notice: October 4, 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 Series
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

FILED

NOV 05 2007

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

NO. 2007-685-CD
IN CIVIL ACTION

COPY

HUDSON & KEYSE, LLC,
assignee of BENEFICIAL COMPANY LLC,
a Non-Profit Corporation,

-vs- Plaintiff,

WILLIAM J., SCANISH,

Defendant.

NOTICE OF JUDGMENT OR ORDER

TO: Plaintiff Defendant Garnishee

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

Assumpsit Judgment in the amount of \$11,701.96, 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.

Entry of Judgment

Court Order
 Non-Pros
 Confession
 Default
 Verdict
 Arbitration Award
 Other

William J., Scanish
414 Thompson Street
Curwensville, PA 16833

PROTHONOTARY

By: William J. Scanish
Prothonotary (or Deputy)

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

COA

Hudson & Keyse, LLC
Beneficial Company, LLC
Plaintiff(s)

No.: 2007-00685-CD

Real Debt: \$11,701.96

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

William J. Scanish
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

45

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

NO. 2007-685-CD
IN CIVIL ACTION

HUDSON & KEYSE, LLC,
assignee of BENEFICIAL COMPANY LLC,
a Non-Profit Corporation,

Plaintiff,

vs.

WILLIAM J., SCANISH,

Defendant.

pd \$7.00 Atty
FILED 2cc + 2cert
m/12/50cm JAN 10 2008 of Sat issued
to Atty,
William A. Shaw
Prothonotary/Clerk of Courts

**PRAECIPE FOR SATISFACTION
OF 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
Telephone: 412-682-1466
Fax: 412-682-3138

45

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

NO. 2007-685-CD
IN CIVIL ACTION

HUDSON & KEYSE, LLC,
assignee of BENEFICIAL COMPANY LLC,
a Non-Profit Corporation,

Plaintiff,

vs.

WILLIAM J., SCANISH,

Defendant.

**PRAECIPE FOR SATISFACTION
OF JUDGMENT**

At the request of the undersigned attorneys for the Plaintiff, you are directed to satisfy the above-captioned Judgment.

APPLE AND APPLE, P.C.

Dated: January 2, 2008

By:



Attorneys for Plaintiff(s)

**I HEREBY CERTIFY THAT THE FOREGOING IS TRUE AND CORRECT
STATEMENT OF THE ABOVE CASE.**

**THIS STATEMENT IS MADE SUBJECT TO THE
PENALTIES OF 18 PA. C.S. 4904 RELATING TO
UNSWORN FALSIFICATIONS TO AUTHORITIES.**

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

COPY

CERTIFICATE OF SATISFACTION OF JUDGMENT

No.: 2007-00685-CD

Hudson & Keyse, LLC
Beneficial Company, LLC

Debt: \$11,701.96

Vs.

Atty's Comm.:

William J. Scanish

Interest From:

Cost: \$7.00

NOW, Thursday, January 10, 2008 , directions for satisfaction having been received, and all costs having been paid, SATISFACTION was entered of record.

Certified from the record this 10th day of January, A.D. 2008.

William J. Scanish lm
Prothonotary