

07-910-CD

Washington Mutual vs S. Walker

2007-910-CD

Washington Mutual et al vs Stephen Walker

PHELAN HALLINAN & SCHMIEG, LLP
LAWRENCE T. PHELAN, ESQ., Id. No. 32227
FRANCIS S. HALLINAN, ESQ., Id. No. 62695
DANIEL G. SCHMIEG, ESQ., Id. No. 62205
ONE PENN CENTER PLAZA, SUITE 1400
PHILADELPHIA, PA 19103
(215) 563-7000

155330

ATTORNEY FOR PLAINTIFF

WASHINGTON MUTUAL BANK, F.A., S/B/M TO
WASHINGTON MUTUAL HOME LOANS, INC.,
F/K/A PNC MORTGAGE CORP. OF AMERICA
3476 STATEVIEW BOULEVARD
FORT MILL, SC 29715

COURT OF COMMON PLEAS
CIVIL DIVISION
TERM

NO. 07-910-CJ

CLEARFIELD COUNTY

STEPHEN A. WALKER
KATHY L. WALKER
600 CURTIN STREET
OSCEOLA MILLS, PA 16666

Defendants

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

FILED *pd \$85.00 A/H*
6cc Shf
3/11/06 cm
JUN 08 2007 *WJ*

William A. Shaw
Prothonotary/Clerk of Courts

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 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.

Lawyer Referral Service:
Pennsylvania Lawyer Referral Service
Pennsylvania Bar Association
100 South Street
PO Box 186
Harrisburg, PA 17108
800-692-7375

Notice to Defend:
David S. Meholick, Court Administrator
Clearfield County Courthouse
2nd and Market Streets
Clearfield, PA 16830
814-765-2641 x 5982

**IF THIS IS THE FIRST NOTICE THAT YOU HAVE
RECEIVED FROM THIS OFFICE, BE ADVISED THAT:**

**PURSUANT TO THE FAIR DEBT COLLECTION
PRACTICES ACT, 15 U.S.C. § 1692 et seq. (1977),
DEFENDANT(S) MAY DISPUTE THE VALIDITY OF THE
DEBT OR ANY PORTION THEREOF. IF DEFENDANT(S)
DO SO IN WRITING WITHIN THIRTY (30) DAYS OF
RECEIPT OF THIS PLEADING, COUNSEL FOR
PLAINTIFF WILL OBTAIN AND PROVIDE
DEFENDANT(S) WITH WRITTEN VERIFICATION
THEREOF; OTHERWISE, THE DEBT WILL BE ASSUMED
TO BE VALID. LIKEWISE, IF REQUESTED WITHIN
THIRTY (30) DAYS OF RECEIPT OF THIS PLEADING,
COUNSEL FOR PLAINTIFF WILL SEND DEFENDANT(S)
THE NAME AND ADDRESS OF THE ORIGINAL
CREDITOR, IF DIFFERENT FROM ABOVE.**

**THE LAW DOES NOT REQUIRE US TO WAIT UNTIL
THE END OF THE THIRTY (30) DAY PERIOD
FOLLOWING FIRST CONTACT WITH YOU BEFORE
SUING YOU TO COLLECT THIS DEBT. EVEN THOUGH
THE LAW PROVIDES THAT YOUR ANSWER TO THIS**

COMPLAINT IS TO BE FILED IN THIS ACTION WITHIN TWENTY (20) DAYS, YOU MAY OBTAIN AN EXTENSION OF THAT TIME. FURTHERMORE, NO REQUEST WILL BE MADE TO THE COURT FOR A JUDGMENT UNTIL THE EXPIRATION OF THIRTY (30) DAYS AFTER YOU HAVE RECEIVED THIS COMPLAINT. HOWEVER, IF YOU REQUEST PROOF OF THE DEBT OR THE NAME AND ADDRESS OF THE ORIGINAL CREDITOR WITHIN THE THIRTY (30) DAY PERIOD THAT BEGINS UPON YOUR RECEIPT OF THIS COMPLAINT, THE LAW REQUIRES US TO CEASE OUR EFFORTS (THROUGH LITIGATION OR OTHERWISE) TO COLLECT THE DEBT UNTIL WE MAIL THE REQUESTED INFORMATION TO YOU. YOU SHOULD CONSULT AN ATTORNEY FOR ADVICE CONCERNING YOUR RIGHTS AND OBLIGATIONS IN THIS SUIT.

IF YOU HAVE FILED BANKRUPTCY AND RECEIVED A DISCHARGE, THIS IS NOT AN ATTEMPT TO COLLECT A DEBT. IT IS AN ACTION TO ENFORCE A LIEN ON REAL ESTATE.

1. Plaintiff is

WASHINGTON MUTUAL BANK, F.A., S/B/M TO
WASHINGTON MUTUAL HOME LOANS, INC., F/K/A
PNC MORTGAGE CORP. OF AMERICA
3476 STATEVIEW BOULEVARD
FORT MILL, SC 29715

2. The name(s) and last known address(es) of the Defendant(s) are:

STEPHEN A. WALKER
KATHY L. WALKER
600 CURTIN STREET
OSCEOLA MILLS, PA 16666

who is/are the mortgagor(s) and/or real owner(s) of the property hereinafter described.

3. On 11/07/1997 mortgagor(s) made, executed, and delivered a mortgage upon the premises hereinafter described to TOWNE & COUNTRY MORTGAGE CORP. which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Book: 1886, Page: 555. By Assignment of Mortgage recorded 11/12/1997 the mortgage was Assigned To PLAINTIFF which Assignment is recorded in Assignment Of Mortgage Book No. 1886, Page 564. Said mortgage was modified as set forth in the modification agreement recorded 12/14/2005, in Mortgage Instrument #: 200521563 . Said mortgage was modified as set forth in the modification agreement recorded 08/25/2006, in Mortgage Instrument# 200614414. The mortgage and assignment(s), if any, are matters of public record and are incorporated herein by reference in accordance with Pa.R.C.P. 1019(g); which Rule relieves the Plaintiff from its obligations to attach documents to pleadings if those documents are of public record.
4. The premises subject to said mortgage is described as attached.

5. The mortgage is in default because monthly payments of principal and interest upon said mortgage due 01/01/2007 and each month thereafter are due and unpaid, and by the terms of said mortgage, upon failure of mortgagor to make such payments after a date specified by written notice sent to Mortgagor, the entire principal balance and all interest due thereon are collectible forthwith.

6. The following amounts are due on the mortgage:

Principal Balance	\$40,658.22
Interest	\$1,282.16
12/01/2006 through 06/06/2007	
(Per Diem \$6.82)	
Attorney's Fees	\$1,300.00
Cumulative Late Charges	\$56.56
11/07/1997 to 06/06/2007	
Cost of Suit and Title Search	<u>\$750.00</u>
Subtotal	\$44,046.94
Escrow	
Credit	(\$129.66)
Deficit	\$0.00
Subtotal	<u>(\$129.66)</u>
TOTAL	\$43,917.28

7. If the mortgage is reinstated prior to a Sheriff's Sale, the attorney's fee set forth above may be less than the amount demanded based on work actually performed. The attorney's fees requested are in conformity with the mortgage and Pennsylvania law. Plaintiff reserves its right to collect attorney's fees up to 5% of the remaining principal balance in the event the property is sold to a third party purchaser at Sheriff's Sale, or if the complexity of the action requires additional fees in excess of the amount demanded in the Action.

8. Plaintiff is not seeking a judgment of personal liability (or an in personam judgment) against the Defendant(s) in the Action; however, Plaintiff reserves its right to bring a separate Action to establish that right, if such right exists. If Defendant(s) has/have received a discharge of personal liability in a bankruptcy proceeding, this Action of Mortgage Foreclosure is in no way an attempt to reestablish such personal liability discharged in bankruptcy, but only to foreclose the mortgage and sell the mortgaged premises pursuant to Pennsylvania Law.
9. Notice of Intention to Foreclose as set forth in Act 6 of 1974, Notice of Homeowner's Emergency Assistance Program pursuant to Act 91 of 1983, as amended in 1998, and/or Notice of Default as required by the mortgage document, as applicable, have been sent to the Defendant(s) on the date(s) set forth thereon, and the temporary stay as provided by said notice has terminated because Defendant(s) has/have failed to meet with the Plaintiff or an authorized consumer credit counseling agency, or has/have been denied assistance by the Pennsylvania Housing Finance Agency.

10. This action does not come under Act 91 of 1983 because the mortgage is FHA-insured.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$43,917.28, together with interest from 06/06/2007 at the rate of \$6.82 per diem to the date of Judgment, and other costs and charges collectible under the mortgage and for the foreclosure and sale of the mortgaged property.

PHELAN HALLINAN & SCHMIEG, LLP


By: /s/ Francis S. Hallinan
LAWRENCE T. PHELAN, ESQUIRE
DANIEL G. SCHMIEG, ESQUIRE
FRANCIS S. HALLINAN, ESQUIRE
Attorneys for Plaintiff

LEGAL DESCRIPTION

ALL THAT CERTAIN PROPERTY SITUATED IN THE BOROUGH OF OSEOLA MILLS IN
THE COUNTY OF CLEARFIELD AND COMMONWEALTH OF PENNSYLVANIA, BEING
MORE FULLY DESCRIBED IN A FEE SIMPLE DEED DATED 11/05/1997 AND
RECORDED 11/12/1997 AMONG THE LAND RECORDS OF THE COUNTY AND STATE
SET FORTH ABOVE IN DEED VOLUME 1836 PAGE 551.

TAX PARCEL ID 16-013-382-10

ADDRESS: 600 CURTIN Street
OSECLA MILLS, PA 16666

VERIFICATION

FRANCIS S. HALLINAN, ESQUIRE hereby states that he is attorney for Plaintiff in this matter, that Plaintiff is outside the jurisdiction of the court and/or the verification could not be obtained within the time allowed for the filing of the pleading, that he is authorized to make this verification pursuant to Pa.R.C.P. 1024 (c), and that the statements made in the foregoing Civil Action in Mortgage Foreclosure are based upon information supplied by Plaintiff and are true and correct to the best of its knowledge, information and belief. Furthermore, counsel intends to substitute a verification from Plaintiff upon receipt.

The undersigned understands that this statement is made subject to the penalties of 18 Pa.C.S. Sec. 4904 relating to unsworn falsifications to authorities.



Francis S. Hallinan, Esquire
Attorney for Plaintiff

DATE: 6-6-87

FILED
M 11 27/07
JUL 26 2007
NO CC
6AM

William A. Shaw
Prothonotary/Clerk of Courts

PHELAN HALLINAN & SCHMIEG, LLP
by: Michele M. Bradford, Esquire, Atty. I.D. No. 69849
1617 John F. Kennedy Boulevard, Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

Washington Mutual Bank, F.A., s/b/m to	:	Court of Common Pleas
Washington Mutual Home Loans, Inc.,	:	
f/k/a PNC Mortgage Corp. of America	:	
3476 Stateview Boulevard	:	Civil Division
Fort Mill, SC 29715	:	
Plaintiff	:	Clearfield County
vs.	:	
Stephen A. Walker	:	No. 07-910-CD
Kathy L. Walker	:	
600 Curtin Street	:	
Osceola Mills, PA 16666	:	
Defendants	:	

MOTION TO DIRECT THE SHERIFF TO FILE AFFIDAVIT OF SERVICE

1. Plaintiff commenced the instant mortgage foreclosure action by filing a Complaint on June 8, 2007. A true and correct copy of the Complaint is attached hereto, made part hereof, and marked as Exhibit "A".

2. The Sheriff of Clearfield County was requested to serve the Complaint upon the Defendants.

3. On July 17, 2007, the Sheriff's Office verbally advised counsel for Plaintiff that Stephen A. Walker was personally served on behalf of both Defendants on June 20, 2007.

4. On July 17, 2007, Plaintiff sent the Defendants ten day letters notifying them of its intention to file a default judgment.

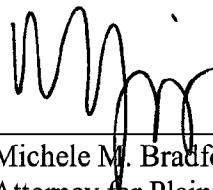
5. To date, the Clearfield County Sheriff's Office has not filed the affidavit of service, which was made on June 20, 2007.

6. Plaintiff is unable to enter judgment and praecipe for a writ of execution until the Sheriff's Office files the affidavit of service of the Complaint with the Prothonotary. Interest accrues at the rate of \$6.82 per day on this mortgage account.

7. The Plaintiff is greatly prejudiced by the delay in the filing of the Sheriff's Affidavit of Service.

WHEREFORE, Plaintiff respectfully requests that the Court enter an Order directing the Sheriff of Clearfield County to file the affidavit of service of the Complaint with the Prothonotary within seven days.

7/25/07
Date



Michele M. Bradford, Esquire
Attorney for Plaintiff

EXHIBIT A

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

JUN 08 2007

Attest.

William B. Brown
Prothonotary/
Clerk of Courts

PHELAN HALLINAN & SCHMIEG, LLP
LAWRENCE T. PHELAN, ESQ., Id. No. 32227
FRANCIS S. HALLINAN, ESQ., Id. No. 62695
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(215) 563-7000 155330

ATTORNEY FOR PLAINTIFF

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COURT OF COMMON PLEAS
CIVIL DIVISION
TERM

NO. 07-910-CD

CLEARFIELD COUNTY

STEPHEN A. WALKER
KATHY L. WALKER
600 CURTIN STREET
OSCEOLA MILLS, PA 16666

ATTORNEY FILE COPY
PLEASE RETURN

Defendants

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

We hereby certify the
within to be a true and
correct copy of the
original filed of record

NOTICE

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WASHINGTON MUTUAL HOME LOANS, INC., F/K/A
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3476 STATEVIEW BOULEVARD
FORT MILL, SC 29715

2. The name(s) and last known address(es) of the Defendant(s) are:

STEPHEN A. WALKER
KATHY L. WALKER
600 CURTIN STREET
OSCEOLA MILLS, PA 16666

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4. The premises subject to said mortgage is described as attached.

5. The mortgage is in default because monthly payments of principal and interest upon said mortgage due 01/01/2007 and each month thereafter are due and unpaid, and by the terms of said mortgage, upon failure of mortgagor to make such payments after a date specified by written notice sent to Mortgagor, the entire principal balance and all interest due thereon are collectible forthwith.

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8. Plaintiff is not seeking a judgment of personal liability (or an in personam judgment) against the Defendant(s) in the Action; however, Plaintiff reserves its right to bring a separate Action to establish that right, if such right exists. If Defendant(s) has/have received a discharge of personal liability in a bankruptcy proceeding, this Action of Mortgage Foreclosure is in no way an attempt to reestablish such personal liability discharged in bankruptcy, but only to foreclose the mortgage and sell the mortgaged premises pursuant to Pennsylvania Law.
9. Notice of Intention to Foreclose as set forth in Act 6 of 1974, Notice of Homeowner's Emergency Assistance Program pursuant to Act 91 of 1983, as amended in 1998, and/or Notice of Default as required by the mortgage document, as applicable, have been sent to the Defendant(s) on the date(s) set forth thereon, and the temporary stay as provided by said notice has terminated because Defendant(s) has/have failed to meet with the Plaintiff or an authorized consumer credit counseling agency, or has/have been denied assistance by the Pennsylvania Housing Finance Agency.

10. This action does not come under Act 91 of 1983 because the mortgage is FHA-insured.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$43,917.28, together with interest from 06/06/2007 at the rate of \$6.82 per diem to the date of Judgment, and other costs and charges collectible under the mortgage and for the foreclosure and sale of the mortgaged property.

PHELAN HALLINAN & SCHMIEG, LLP

By:

/s/ Francis S. Hallinan

LAWRENCE T. PHELAN, ESQUIRE
DANIEL G. SCHMIEG, ESQUIRE
FRANCIS S. HALLINAN, ESQUIRE
Attorneys for Plaintiff

LEGAL DESCRIPTION

ALL THAT CERTAIN PROPERTY SITUATED IN THE BOROUGH OF OSEOLA MILLS IN
THE COUNTY OF CLEARFIELD AND COMMONWEALTH OF PENNSYLVANIA, BEING
MORE FULLY DESCRIBED IN A FEE SIMPLE DEED DATED 11/05/1997 AND
RECORDED 11/12/1997 AMONG THE LAND RECORDS OF THE COUNTY AND STATE
SET FORTH ABOVE IN DEED VOLUME 1886 PAGE 551.

TAX PARCEL ID 16-013-382-10

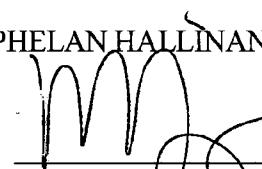
ADDRESS: 600 CURTIN Street
OSEOLA MILLS, PA 16666

VERIFICATION

Michele M. Bradford, Esquire hereby states that she is the attorney for the Plaintiff in this action, that she is authorized to make this Verification, and that the statements made in the foregoing Motion to Direct Sheriff to file Affidavit of Service and Brief in support thereof are true and correct to the best of her knowledge, information and belief. The undersigned understands that this statement herein is made subject to the penalties of 18 Pa. C.S. 4904 relating to unsworn falsification to authorities.

7/25/07
Date

PHELAN HALLINAN & SCHMIEG, LLP


Michele M. Bradford, Esquire
Attorney for Plaintiff

PHELAN HALLINAN & SCHMIEG, LLP
by: Michele M. Bradford, Esquire, Atty. I.D. No. 69849
1617 John F. Kennedy Boulevard, Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

Washington Mutual Bank, F.A., s/b/m to
Washington Mutual Home Loans, Inc.,
f/k/a PNC Mortgage Corp. of America
3476 Stateview Boulevard
Fort Mill, SC 29715
Plaintiff

Court of Common Pleas

vs.
Stephen A. Walker
Kathy L. Walker
600 Curtin Street
Osceola Mills, PA 16666
Defendants

Civil Division

Clearfield County

Stephen A. Walker : No. 07-910-CD
Kathy L. Walker :
600 Curtin Street :
Osceola Mills, PA 16666 :
Defendants :

CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of Plaintiff's Motion to Direct Sheriff to File
Affidavit of Service and Brief in Support thereof were served upon the following interested
parties via first class mail on the date indicated below:

1
Chester A. Hawkins
Sheriff of Clearfield County
230 East Market Street
Clearfield, Pennsylvania 16830

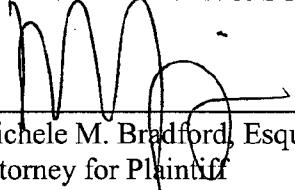
Peter F. Smith, Esquire
30 S. 2nd Street,
P.O. Box 130
Clearfield, PA 16830-2347
(Sheriff's Solicitor)

Stephen A. Walker
Kathy L. Walker
600 Curtin Street
Osceola Mills, PA 16666

Stephen A. Walker
Kathy L. Walker
301 Rolling Ridge Avenue
Apt. 209
State College, PA 16801

7/25/07
Date

PEELAN HALLINAN & SCHMIEG, LLP


Michele M. Bradford, Esquire
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

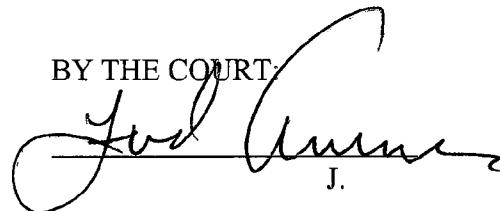
Washington Mutual Bank, F.A., s/b/m to :
Washington Mutual Home Loans, Inc., : Civil Division
f/k/a PNC Mortgage Corp. of America :
3476 Stateview Boulevard :
Fort Mill, SC 29715 :
Plaintiff :
vs. :
Stephen A. Walker : No. 07-910-CD
Kathy L. Walker :
600 Curtin Street :
Osceola Mills, PA 16666 :
Defendants :
L.A.

ORDER

AND NOW, this 27 day of July, 2007, upon consideration of Plaintiff's Motion to Direct Sheriff to File Affidavit of Service, and any response thereto, it is hereby:

ORDERED and DECREED that the Sheriff of Clearfield County is hereby directed to complete and file an Affidavit of Service of the foreclosure Complaint within seven days of the date of this Order.

BY THE COURT:



FILED
JUL 30 2007
2cc Atty Bradford
1cc Sheriff
William A. Shaw
Prothonotary/Clerk of Courts
GK

FILED

JUL 30 2007

William A. Shaw
Prothonotary/Clerk of Courts

DATE: _____

____ You are responsible for serving all appropriate parties.

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

____ Plaintiff(s) _____ Plaintiff(s) Attorney _____ Other

____ Defendant(s) _____ Defendant(s) Attorney

____ Special Instructions:

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102881
NO: 07-910-CD
SERVICE # 1 OF 4
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: WASHINGTON MUTUAL BANK, F.A.

VS.

DEFENDANT: STEPHEN A. WALKER and KATHY L. WALKER

SHERIFF RETURN

NOW, June 20, 2007 AT 9:29 AM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON STEPHEN A. WALKER DEFENDANT AT 600 CURTIN ST., OSCEOLA MILLS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO STEPHEN A. WALKER, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: HUNTER / DEHAVEN

FILED
07/14/2007
AUG 06 2007
WAS
William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102881
NO: 07-910-CD
SERVICE # 2 OF 4
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: WASHINGTON MUTUAL BANK, F.A.

VS.

DEFENDANT: STEPHEN A. WALKER and KATHY L. WALKER

SHERIFF RETURN

NOW, June 20, 2007 AT 9:29 AM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON KATHY L. WALKER DEFENDANT AT 600 CURTIN ST., OSCEOLA MILLS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO STEPHEN WALKER, HUSBAND A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: HUNTER / DEHAVEN

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102881
NO: 07-910-CD
SERVICE # 3 OF 4
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: WASHINGTON MUTUAL BANK, F.A.

VS.

DEFENDANT: STEPHEN A. WALKER and KATHY L. WALKER

SHERIFF RETURN

NOW, June 11, 2007, SHERIFF OF CENTRE COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON STEPHEN A. WALKER.

NOW, June 13, 2007 AT 3:00 PM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON STEPHEN A. WALKER, DEFENDANT. THE RETURN OF CENTRE COUNTY IS HERETO ATTACHED AND MADE PART OF THIS RETURN.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102881
NO: 07-910-CD
SERVICE # 4 OF 4
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: WASHINGTON MUTUAL BANK, F.A.

VS.

DEFENDANT: STEPHEN A. WALKER and KATHY L. WALKER

SHERIFF RETURN

NOW, June 11, 2007, SHERIFF OF CENTRE COUNTY WAS DEPUTIZED BY CHESTER A. HAWKINS, SHERIFF OF CLEARFIELD COUNTY TO SERVE THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON KATHY L. WALKER.

NOW, June 29, 2007 ATTEMPTED TO SERVE THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON KATHY L. WALKER, DEFENDANT. THE RETURN OF CENTRE COUNTY IS HERETO ATTACHED AND MADE PART OF THIS RETURN MARKED "NOT FOUND".

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102881
NO: 07-910-CD
SERVICES 4
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: WASHINGTON MUTUAL BANK, F.A.

vs.

DEFENDANT: STEPHEN A. WALKER and KATHY L. WALKER

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	PHELAN	602630	40.00
SHERIFF HAWKINS	PHELAN	602630	60.00
SHERIFF HAWKINS			<u>34.20</u>
CENTRE CO.	PHELAN	602629	58.50

Sworn to Before Me This

So Answers,

____ Day of _____ 2007


Chester A. Hawkins
Sheriff

SHERIFF'S OFFICE

CENTRE COUNTY

PHELAN HALLINAN & SCHMI

Rm 101 Court House, Bellefonte, Pennsylvania, 16823 (814) 355-6803

SHERIFF SERVICE PROCESS RECEIPT, AND AFFIDAVIT OF RETURN

INSTRUCTIONS FOR SERVICE OF PROCESS: You must file one instruction sheet for each defendant. Please type or print legibly. Do not detach any copies.

1. Plaintiff(s) Washington Mutual Bank	2. Case Number 07-910-CD
3. Defendant(s) Stephen A and Kathy L Walker	4. Type of Writ or Complaint: Complaint 102643

SERVE → AT	5. Name of Individual, Company, Corporation, Etc., to Serve or Description of Property to be Levied, Attached or Sold. Stephen A Walker
	6. Address (Street or RFD, Apartment No., City, Boro, Twp., State and Zip Code) 301 Rolling Ridge Ave., Apt. 209, State College, PA 16801

7. Indicate unusual service: <input type="checkbox"/> Reg Mail <input type="checkbox"/> Certified Mail <input type="checkbox"/> Deputize <input type="checkbox"/> Post <input type="checkbox"/> Other

Now, 20 I, Sheriff of CENTRE COUNTY, PA., do hereby depose the Sheriff of County to execute this Writ and make return thereof according to law. This deputation being made at the request and risk of the plaintiff. Sheriff of Centre County

8. SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE

NOTE ONLY APPLICABLE ON WRIT OF EXECUTION: N.B. WAIVER OF WATCHMAN -- Any deputy sheriff levying upon or attaching any property under within writ may leave same without a watchman, in custody of whomever is found in possession, after notifying person of levy or attachment, without liability on the part of such deputy or the sheriff to any plaintiff herein for any loss, destruction or removal of any such property before sheriff's sale thereof.

9. Print/Type Name and Address of Attorney/Originator PHELAN HALLINAN & SCHMIEG, LLP ONE PENN CENTER SUITE 1400 1617 JFK BLVD., STE. 1400 PHILADELPHIA, PA. 19103	10. Telephone Number (215) 563-7000	11. Date
	12. Signature	

SPACE BELOW FOR USE OF SHERIFF ONLY - DO NOT WRITE BELOW THIS LINE

13. I acknowledge receipt of the writ or complaint as indicated above.	SIGNATURE of Authorized CCSO Deputy of Clerk and Title	14. Date Filed	15. Expiration/Hearing Date
--	--	----------------	-----------------------------

TO BE COMPLETED BY SHERIFF

16. Served and made known to Stephen A Walker, on the 13 day of June 2007, at 3:00 PM o'clock, m., at 301 Rolling Ridge Ave., Apt. 209, State College, PA 16801, County of Centre

Commonwealth of Pennsylvania, in the manner described below:

<input type="checkbox"/> Defendant(s) personally served.	Defendant
<input type="checkbox"/> Adult family member with whom said Defendant(s) resides(s). Relationship is _____	
<input type="checkbox"/> Adult in charge of Defendant's residence.	
<input type="checkbox"/> Manager/Clerk of place of lodging in which Defendant(s) resides(s).	
<input type="checkbox"/> Agent or person in charge of Defendant's office or usual place of business.	and officer of said Defendant company.

Other

On the _____ day of _____, 20____, at _____ o'clock, _____ M.

Defendant not found because:

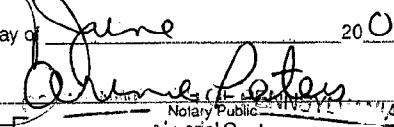
<input type="checkbox"/> Moved <input type="checkbox"/> Unknown <input type="checkbox"/> No Answer <input type="checkbox"/> Vacant <input type="checkbox"/> Other _____

Remarks:

Advance Costs 100.00	Docket 9.00	Service 15.00	Sur Charge 20.00	Affidavit 3.50	Mileage 11.00	Postage	Misc.	Total Costs 58.50	Costs Due or Refund (41.50)
-------------------------	----------------	------------------	---------------------	-------------------	------------------	---------	-------	----------------------	--------------------------------

17. AFFIRMED and subscribed to before me this 29

20. day of June 2007

23. 
Notary Public, No. 11933-A
Corinne H. Peters, Notary Public

My Commission Expires Dec. 30, 2009, Centre County

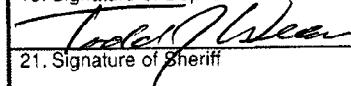
24. I ACKNOWLEDGE RECEIPT OF THE SHERIFF'S RETURN SIGNATURE

OF AUTHORIZED AUTHORITY AND TITLE

Member Pennsylvania Association of Notaries

So Answer.

18. Signature of Dep. Sheriff



21. Signature of Sheriff

19. Date

6/27/07

22. Date

SHERIFF OF CENTRE COUNTY

Amount Pd.

Page

25. Date Received

SHERIFF'S OFFICE

CENTRE COUNTY

PHELAN HALLINAN & SCHMI

Rm 101 Court House, Bellefonte, Pennsylvania, 16823 (814) 355-6803

SHERIFF SERVICE PROCESS RECEIPT, AND AFFIDAVIT OF RETURN		INSTRUCTIONS FOR SERVICE OF PROCESS: You must file one instruction sheet for each defendant, please type or print legibly. Do Not detach any copies.											
1. Plaintiff(s) Washington Mutual Bank	2. Case Number 07-910-CD												
3. Defendant(s) Stephen A and Kathy L Walker	4. Type of Writ or Complaint: Complaint 102643												
SERVE → AT		5. Name of Individual, Company, Corporation, Etc., to Serve or Description of Property to be Levied, Attached or Sold. Kathy L Walker											
		6. Address (Street or RFD, Apartment No., City, Boro, Twp., State and Zip Code) 301 Rolling Ridge Ave., Apt. 209, State College, PA 16801											
7. Indicate unusual service: <input type="checkbox"/> Reg Mail <input type="checkbox"/> Certified Mail <input type="checkbox"/> Deputize <input type="checkbox"/> Post <input type="checkbox"/> Other													
Now, 20 I SHERIFF OF CENTRE COUNTY, PA., do hereby depose the Sheriff of County to execute this Writ and make return thereof according to law. This deputation being made at the request and risk of the plaintiff. Sheriff of Centre County													
8. SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE													
NOTE ONLY APPLICABLE ON WRIT OF EXECUTION: N.B. WAIVER OF WATCHMAN - Any deputy sheriff levying upon or attaching any property under within writ may leave same without a watchman, in custody of whom ever is found in possession, after notifying person of levy or attachment, without liability on the part of such deputy or the sheriff to any plaintiff herein for any loss, destruction or removal of any such property before sheriff's sale thereof.													
9. Print/Type Name and Address of Attorney/Originator PHELAN HALLINAN & SCHMIEG, LLP ONE PENN CENTER SUITE 1400 1617 JFK BLVD., STE. 1400 PHILADELPHIA, PA. 19103	10. Telephone Number (215) 563-7000	11. Date											
	12. Signature												
SPACE BELOW FOR USE OF SHERIFF ONLY - DO NOT WRITE BELOW THIS LINE													
13. I acknowledge receipt of the writ or complaint as indicated above.	SIGNATURE of Authorized CCSO Deputy of Clerk and Title	14. Date Filed	15. Expiration/Hearing Date										
TO BE COMPLETED BY SHERIFF													
16. Served and made known to _____, on the _____ day of _____.													
20 0, at _____ o'clock, _____ m., at 301 Rolling Ridge Ave., Apt. 209, State College, PA 16801, County of Centre													
Commonwealth of Pennsylvania, in the manner described below:													
<input type="checkbox"/> Defendant(s) personally served. <input type="checkbox"/> Adult family member with whom said Defendant(s) resides(s). Relationship is _____. <input type="checkbox"/> Adult in charge of Defendant's residence. <input type="checkbox"/> Manager/Clerk of place of lodging in which Defendant(s) resides(s). <input type="checkbox"/> Agent or person in charge of Defendant's office or usual place of business. and officer of said Defendant company.													
Other _____													
On the _____ day of _____, 20 _____, at _____ o'clock, _____ M.													
Defendant not found because: <input type="checkbox"/> Moved <input type="checkbox"/> Unknown <input type="checkbox"/> No Answer <input type="checkbox"/> Vacant <input type="checkbox"/> Other Not found													
Remarks: Kathy not found still lives at 600 Curtin Street Osceola Mills, PA													
<table border="1"> <thead> <tr> <th>Advance Costs 100.00</th> <th>Docket 9.00</th> <th>Service 15.00</th> <th>Sur Charge 20.00</th> <th>Affidavit 3.50</th> <th>Mileage 11.00</th> <th>Postage</th> <th>Misc.</th> <th>Total Costs 58.50</th> <th>Costs Due or Refund (41.50)</th> </tr> </thead> </table>				Advance Costs 100.00	Docket 9.00	Service 15.00	Sur Charge 20.00	Affidavit 3.50	Mileage 11.00	Postage	Misc.	Total Costs 58.50	Costs Due or Refund (41.50)
Advance Costs 100.00	Docket 9.00	Service 15.00	Sur Charge 20.00	Affidavit 3.50	Mileage 11.00	Postage	Misc.	Total Costs 58.50	Costs Due or Refund (41.50)				
17. AFFIRMED and subscribed to before me this 29				So Answer.									
20. day of June 2007				Signature of Dep. Sheriff		19. Date		6/27/07					
23. <i>Carenne Peters</i> Notary Public				Signature of Sheriff		22. Date							
				SHERIFF OF CENTRE COUNTY									
				Amount Pd.		Page							
24. I ACKNOWLEDGE RECEIPT, OR THE SHERIFF'S RETURN SIGNATURE OF AUTHORIZED AUTHORITY AND TITLE My Commission Expires Sept. 5 2009								25. Date Received					



CHESTER A. HAWKINS
SHERIFF

Sheriff's Office Clearfield County

COURTHOUSE
1 NORTH SECOND STREET, SUITE 116
CLEARFIELD, PENNSYLVANIA 16830

OFFICE (814) 765-2641 EXT. 5986

FAX (814) 765-5915

ROBERT SNYDER

CHIEF DEPUTY

MARILYN HAMM

DEPT. CLERK

CYNTHIA AUGHENBAUGH
OFFICE MANAGER

KAREN BAUGHMAN
CLERK TYPIST

PETER F. SMITH
SOLICITOR

DEPUTATION

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

PAGE 102881

TERM & NO. 07-910-CD

WASHINGTON MUTUAL BANK, F.A.

COMPLAINT IN MORTGAGE FORECLOSURE

VS.

STEPHEN A. WALKER and KATHY L. WALKER

SERVE BY: 07/08/07

HEARING:

MAKE REFUND PAYABLE TO PHELAN HALLINAN & SCHMIEG, ESQ.

SERVE: STEPHEN A. WALKER

ADDRESS: 301 ROLING RIDGE AVE., APT 209, STATE COLLEGE, PA 16801

Know all men by these presents, that I, CHESTER A. HAWKINS, HIGH SHERIFF OF CLEARFIELD COUNTY, State of Pennsylvania, do hereby depelize the SHERIFF OF CENTRE COUNTY, Pennsylvania to execute this writ. This Deputation being made at the request and risk of the Plaintiff this day, June 11, 2007.

RESPECTFULLY,

A handwritten signature in black ink, appearing to read "Chester A. Hawkins".

CHESTER A. HAWKINS,
SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA



CHESTER A. HAWKINS
SHERIFF

**Sheriff's Office
Clearfield County**

COURTHOUSE
1 NORTH SECOND STREET, SUITE 116
CLEARFIELD, PENNSYLVANIA 16830

OFFICE (814) 765-2641 EXT. 5986

FAX (814) 765-5915

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CHIEF DEPUTY

MARILYN HAMM

DEPT. CLERK

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OFFICE MANAGER

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IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

PAGE 102881

TERM & NO. 07-910-CD

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COMPLAINT IN MORTGAGE FORECLOSURE

vs.

STEPHEN A. WALKER and KATHY L. WALKER

SERVE BY: 07/08/07

HEARING:

MAKE REFUND PAYABLE TO PHELAN HALLINAN & SCHMIEG, ESQ.

SERVE: KATHY L. WALKER

ADDRESS: 301 ROLING RIDGE AVE., APT 209, STATE COLLEGE, PA 16801

Know all men by these presents, that I, CHESTER A. HAWKINS, HIGH SHERIFF OF CLEARFIELD COUNTY, State of Pennsylvania, do hereby depelize the SHERIFF OF CENTRE COUNTY, Pennsylvania to execute this writ. This Deputation being made at the request and risk of the Plaintiff this day, June 11, 2007.

RESPECTFULLY,

A handwritten signature in black ink, appearing to read "Chester A. Hawkins".

CHESTER A. HAWKINS,
SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA

**SHERIFF'S RETURN OF SERVICE
CENTRE COUNTY**

Plaintiff(s)

WASHINGTON MUTUAL BANK, F.A.,
S/B/M TO WASHINGTON

CIVIL ACTION NUMBER

SHERIFF'S NUMBER

Defendant(s)

STEPHEN A. WALKER
KATHY L. WALKER

COST

MILEAGE

DISTRICT

Serve At

STEPHEN A. WALKER
301 ROLING RIDGE AVENUE
APT 209
STATE COLLESGE, PA 16801

Summons Complaint

Other

TYPE OF ACTION

Mortgage Foreclosure

Special Instructions

TO BE COMPLETED BY SHERIFF

Served and made known to _____, Defendant, on the ___ day of _____, 20___, at ___ o'clock, ___.m., at
, County of _____, Commonwealth of Pennsylvania, in the manner described below:

Defendant(s) personally served.
 Adult family member with whom said Defendant(s) reside(s).
Relationship is _____.
 Adult in charge of Defendant's residence who refused to give name or relationship.
 Manager/Clerk of place of lodging in which Defendant(s) reside(s).
 Agent or person in charge of Defendant's office or usual place of business.
 _____ and officer of said Defendant company.
 Other: _____

SHERIFF

By: _____, Deputy Sheriff

On the ___ day of _____, 20___, at ___ o'clock, ___.m., Defendant not found because:
Moved Unknown No Answer Vacant Other

SHERIFF

By: _____, Deputy Sheriff

DEPUTIZED SERVICE

Now, this ___ day of _____, 20___, I, Sheriff of _____ County, Pennsylvania do hereby deputize the Sheriff of
County to serve this Complaint and make return thereof and according to law.

SHERIFF

By: _____, Deputy Sheriff

ATTORNEY FOR PLAINTIFF:

Name Francis S. Hallinan, Esquire
Id. No. 62695
Address One Penn Center at Suburban Station,
1617 John F. Kennedy Boulevard, Suite 1400
Philadelphia, PA 19103

TO BE COMPLETED BY PROTHONOTARY

ATTEST _____

Pro Prothy

Date

**SHERIFF'S RETURN OF SERVICE
CENTRE COUNTY**

Plaintiff(s)

WASHINGTON MUTUAL BANK, F.A.,
S/B/M TO WASHINGTON

CIVIL ACTION NUMBER

SHERIFF'S NUMBER

Defendant(s)

STEPHEN A. WALKER
KATHY L. WALKER

COST

MILEAGE

DISTRICT

Serve At

KATHY L. WALKER
301 ROLING RIDGE AVENUE
APT 209
STATE COLLESGE, PA 16801

Summons Complaint

Other

TYPE OF ACTION

Mortgage Foreclosure

Special Instructions

TO BE COMPLETED BY SHERIFF

Served and made known to _____, Defendant, on the ___ day of _____, 20___, at ___ o'clock, ___.m., at
, County of _____, Commonwealth of Pennsylvania, in the manner described below:

____ Defendant(s) personally served.

____ Adult family member with whom said Defendant(s) reside(s).

Relationship is _____.

____ Adult in charge of Defendant's residence who refused to give name or relationship.

____ Manager/Clerk of place of lodging in which Defendant(s) reside(s).

____ Agent or person in charge of Defendant's office or usual place of business.

____ and officer of said Defendant company.

____ Other:

SHERIFF

By: _____, Deputy Sheriff

On the ___ day of _____, 20___, at ___ o'clock, ___.m., Defendant not found because:

Moved Unknown No Answer Vacant Other

SHERIFF

By: _____, Deputy Sheriff

DEPUTIZED SERVICE

Now, this ___ day of _____, 20 ___, I, Sheriff of _____ County, Pennsylvania do hereby deputize the Sheriff of
County to serve this Complaint and make return thereof and according to law.

SHERIFF

By: _____, Deputy Sheriff

ATTORNEY FOR PLAINTIFF:

Name Francis S. Hallinan, Esquire
Id. No. 62695
Address One Penn Center at Suburban Station,
1617 John F. Kennedy Boulevard, Suite 1400
Philadelphia, PA 19103

TO BE COMPLETED BY PROTHONOTARY

ATTEST _____

Pro Prothy

Date

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

JUN 08 2007

Attest.

William J. Blawie
Prothonotary/
Clerk of Courts

PHELAN HALLINAN & SCHMIEG, LLP
LAWRENCE T. PHELAN, ESQ., Id. No. 32227
FRANCIS S. HALLINAN, ESQ., Id. No. 62695
DANIEL G. SCHMIEG, ESQ., Id. No. 62205
ONE PENN CENTER PLAZA, SUITE 1400
PHILADELPHIA, PA 19103
(215) 563-7000 155330

ATTORNEY FOR PLAINTIFF

WASHINGTON MUTUAL BANK, F.A., S/B/M TO
WASHINGTON MUTUAL HOME LOANS, INC.,
F/K/A PNC MORTGAGE CORP. OF AMERICA
3476 STATEVIEW BOULEVARD
FORT MILL, SC 29715

COURT OF COMMON PLEAS
CIVIL DIVISION
TERM

NO. *07-910-CD*

CLEARFIELD COUNTY

v.
STEPHEN A. WALKER
KATHY L. WALKER
600 CURTIN STREET
OSCEOLA MILLS, PA 16666

Defendants

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

*We hereby certify the
within to be a true and
correct copy of the
original filed of record*

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 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.

Lawyer Referral Service:
Pennsylvania Lawyer Referral Service
Pennsylvania Bar Association
100 South Street
PO Box 186
Harrisburg, PA 17108
800-692-7375

Notice to Defend:
David S. Meholic, Court Administrator
Clearfield County Courthouse
2nd and Market Streets
Clearfield, PA 16830
814-765-2641 x 5982

✓

**IF THIS IS THE FIRST NOTICE THAT YOU HAVE
RECEIVED FROM THIS OFFICE, BE ADVISED THAT:**

**PURSUANT TO THE FAIR DEBT COLLECTION
PRACTICES ACT, 15 U.S.C. § 1692 et seq. (1977),
DEFENDANT(S) MAY DISPUTE THE VALIDITY OF THE
DEBT OR ANY PORTION THEREOF. IF DEFENDANT(S)
DO SO IN WRITING WITHIN THIRTY (30) DAYS OF
RECEIPT OF THIS PLEADING, COUNSEL FOR
PLAINTIFF WILL OBTAIN AND PROVIDE
DEFENDANT(S) WITH WRITTEN VERIFICATION
THEREOF; OTHERWISE, THE DEBT WILL BE ASSUMED
TO BE VALID. LIKEWISE, IF REQUESTED WITHIN
THIRTY (30) DAYS OF RECEIPT OF THIS PLEADING,
COUNSEL FOR PLAINTIFF WILL SEND DEFENDANT(S)
THE NAME AND ADDRESS OF THE ORIGINAL
CREDITOR, IF DIFFERENT FROM ABOVE.**

**THE LAW DOES NOT REQUIRE US TO WAIT UNTIL
THE END OF THE THIRTY (30) DAY PERIOD
FOLLOWING FIRST CONTACT WITH YOU BEFORE
SUING YOU TO COLLECT THIS DEBT. EVEN THOUGH
THE LAW PROVIDES THAT YOUR ANSWER TO THIS**

COMPLAINT IS TO BE FILED IN THIS ACTION WITHIN TWENTY (20) DAYS, YOU MAY OBTAIN AN EXTENSION OF THAT TIME. FURTHERMORE, NO REQUEST WILL BE MADE TO THE COURT FOR A JUDGMENT UNTIL THE EXPIRATION OF THIRTY (30) DAYS AFTER YOU HAVE RECEIVED THIS COMPLAINT. HOWEVER, IF YOU REQUEST PROOF OF THE DEBT OR THE NAME AND ADDRESS OF THE ORIGINAL CREDITOR WITHIN THE THIRTY (30) DAY PERIOD THAT BEGINS UPON YOUR RECEIPT OF THIS COMPLAINT, THE LAW REQUIRES US TO CEASE OUR EFFORTS (THROUGH LITIGATION OR OTHERWISE) TO COLLECT THE DEBT UNTIL WE MAIL THE REQUESTED INFORMATION TO YOU. YOU SHOULD CONSULT AN ATTORNEY FOR ADVICE CONCERNING YOUR RIGHTS AND OBLIGATIONS IN THIS SUIT.

IF YOU HAVE FILED BANKRUPTCY AND RECEIVED A DISCHARGE, THIS IS NOT AN ATTEMPT TO COLLECT A DEBT. IT IS AN ACTION TO ENFORCE A LIEN ON REAL ESTATE.

1. Plaintiff is

WASHINGTON MUTUAL BANK, F.A., S/B/M TO
WASHINGTON MUTUAL HOME LOANS, INC., F/K/A
PNC MORTGAGE CORP. OF AMERICA
3476 STATEVIEW BOULEVARD
FORT MILL, SC 29715

2. The name(s) and last known address(es) of the Defendant(s) are:

STEPHEN A. WALKER
KATHY L. WALKER
600 CURTIN STREET
OSCEOLA MILLS, PA 16666

who is/are the mortgagor(s) and/or real owner(s) of the property hereinafter described.

3. On 11/07/1997 mortgagor(s) made, executed, and delivered a mortgage upon the premises hereinafter described to TOWNE & COUNTRY MORTGAGE CORP. which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Book: 1886, Page: 555. By Assignment of Mortgage recorded 11/12/1997 the mortgage was Assigned To PLAINTIFF which Assignment is recorded in Assignment Of Mortgage Book No. 1886, Page 564. Said mortgage was modified as set forth in the modification agreement recorded 12/14/2005, in Mortgage Instrument #: 200521563 . Said mortgage was modified as set forth in the modification agreement recorded 08/25/2006, in Mortgage Instrument# 200614414. The mortgage and assignment(s), if any, are matters of public record and are incorporated herein by reference in accordance with Pa.R.C.P. 1019(g); which Rule relieves the Plaintiff from its obligations to attach documents to pleadings if those documents are of public record.
4. The premises subject to said mortgage is described as attached.

5. The mortgage is in default because monthly payments of principal and interest upon said mortgage due 01/01/2007 and each month thereafter are due and unpaid, and by the terms of said mortgage, upon failure of mortgagor to make such payments after a date specified by written notice sent to Mortgagor, the entire principal balance and all interest due thereon are collectible forthwith.

6. The following amounts are due on the mortgage:

Principal Balance	\$40,658.22
Interest	\$1,282.16
12/01/2006 through 06/06/2007	
(Per Diem \$6.82)	
Attorney's Fees	\$1,300.00
Cumulative Late Charges	\$56.56
11/07/1997 to 06/06/2007	
Cost of Suit and Title Search	<u>\$750.00</u>
Subtotal	\$44,046.94
Escrow	
Credit	(\$129.66)
Deficit	\$0.00
Subtotal	<u>(\$129.66)</u>
TOTAL	\$43,917.28

7. If the mortgage is reinstated prior to a Sheriff's Sale, the attorney's fee set forth above may be less than the amount demanded based on work actually performed. The attorney's fees requested are in conformity with the mortgage and Pennsylvania law. Plaintiff reserves its right to collect attorney's fees up to 5% of the remaining principal balance in the event the property is sold to a third party purchaser at Sheriff's Sale, or if the complexity of the action requires additional fees in excess of the amount demanded in the Action.

8. Plaintiff is not seeking a judgment of personal liability (or an in personam judgment) against the Defendant(s) in the Action; however, Plaintiff reserves its right to bring a separate Action to establish that right, if such right exists. If Defendant(s) has/have received a discharge of personal liability in a bankruptcy proceeding, this Action of Mortgage Foreclosure is in no way an attempt to reestablish such personal liability discharged in bankruptcy, but only to foreclose the mortgage and sell the mortgaged premises pursuant to Pennsylvania Law.
9. Notice of Intention to Foreclose as set forth in Act 6 of 1974, Notice of Homeowner's Emergency Assistance Program pursuant to Act 91 of 1983, as amended in 1998, and/or Notice of Default as required by the mortgage document, as applicable, have been sent to the Defendant(s) on the date(s) set forth thereon, and the temporary stay as provided by said notice has terminated because Defendant(s) has/have failed to meet with the Plaintiff or an authorized consumer credit counseling agency, or has/have been denied assistance by the Pennsylvania Housing Finance Agency.

10. This action does not come under Act 91 of 1983 because the mortgage is FHA-insured.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$43,917.28, together with interest from 06/06/2007 at the rate of \$6.82 per diem to the date of Judgment, and other costs and charges collectible under the mortgage and for the foreclosure and sale of the mortgaged property.

PHELAN HALLINAN & SCHMIEG, LLP

By: Francis S. Hallinan
LAWRENCE T. PHELAN, ESQUIRE
DANIEL G. SCHMIEG, ESQUIRE
FRANCIS S. HALLINAN, ESQUIRE
Attorneys for Plaintiff

LEGAL DESCRIPTION

ALL THAT CERTAIN PROPERTY SITUATED IN THE BOROUGH OF OSEOLA MILLS IN
THE COUNTY OF CLEARFIELD AND COMMONWEALTH OF PENNSYLVANIA, BEING
MORE FULLY DESCRIBED IN A FEE SIMPLE DEED DATED 11/05/1997 AND
RECORDED 11/12/1997 AMONG THE LAND RECORDS OF THE COUNTY AND STATE
SET FORTH ABOVE IN DEED VOLUME 1886 PAGE 551.

TAX PARCEL ID 16-013-382-10

ADDRESS: 600 CURTIN Street

OSEOLA MILLS, PA 16666

VERIFICATION

FRANCIS S. HALLINAN, ESQUIRE hereby states that he is attorney for Plaintiff in this matter, that Plaintiff is outside the jurisdiction of the court and/or the verification could not be obtained within the time allowed for the filing of the pleading, that he is authorized to make this verification pursuant to Pa.R.C.P. 1024 (c), and that the statements made in the foregoing Civil Action in Mortgage Foreclosure are based upon information supplied by Plaintiff and are true and correct to the best of its knowledge, information and belief. Furthermore, counsel intends to substitute a verification from Plaintiff upon receipt.

The undersigned understands that this statement is made subject to the penalties of 18 Pa.C.S. Sec. 4904 relating to unsworn falsifications to authorities.



Francis S. Hallinan, Esquire
Attorney for Plaintiff

DATE: 6-6-67

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

JUN 08 2007

Attest.

William B. Brown
Prothonotary/
Clerk of Courts

PHELAN HALLINAN & SCHMIEG, LLP
LAWRENCE T. PHELAN, ESQ., Id. No. 32227
FRANCIS S. HALLINAN, ESQ., Id. No. 62695
DANIEL G. SCHMIEG, ESQ., Id. No. 62205
ONE PENN CENTER PLAZA, SUITE 1400
PHILADELPHIA, PA 19103
(215) 563-7000

155330

WASHINGTON MUTUAL BANK, F.A., S/B/M TO
WASHINGTON MUTUAL HOME LOANS, INC.,
F/K/A PNC MORTGAGE CORP. OF AMERICA
3476 STATEVIEW BOULEVARD
FORT MILL, SC 29715

COURT OF COMMON PLEAS
CIVIL DIVISION
TERM

NO. 07-910-CD

CLEARFIELD COUNTY

Plaintiff
v.
STEPHEN A. WALKER
KATHY L. WALKER
600 CURTIN STREET
OSCEOLA MILLS, PA 16666

Defendants

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

*We hereby certify that
within to be a true and
correct copy of the
original filed of record*

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 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.

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Pennsylvania Lawyer Referral Service
Pennsylvania Bar Association
100 South Street
PO Box 186
Harrisburg, PA 17108
800-692-7375

Notice to Defend:
David S. Meholic, Court Administrator
Clearfield County Courthouse
2nd and Market Streets
Clearfield, PA 16830
814-765-2641 x 5982

**IF THIS IS THE FIRST NOTICE THAT YOU HAVE
RECEIVED FROM THIS OFFICE, BE ADVISED THAT:**

**PURSUANT TO THE FAIR DEBT COLLECTION
PRACTICES ACT, 15 U.S.C. § 1692 et seq. (1977),
DEFENDANT(S) MAY DISPUTE THE VALIDITY OF THE
DEBT OR ANY PORTION THEREOF. IF DEFENDANT(S)
DO SO IN WRITING WITHIN THIRTY (30) DAYS OF
RECEIPT OF THIS PLEADING, COUNSEL FOR
PLAINTIFF WILL OBTAIN AND PROVIDE
DEFENDANT(S) WITH WRITTEN VERIFICATION
THEREOF; OTHERWISE, THE DEBT WILL BE ASSUMED
TO BE VALID. LIKEWISE, IF REQUESTED WITHIN
THIRTY (30) DAYS OF RECEIPT OF THIS PLEADING,
COUNSEL FOR PLAINTIFF WILL SEND DEFENDANT(S)
THE NAME AND ADDRESS OF THE ORIGINAL
CREDITOR, IF DIFFERENT FROM ABOVE.**

**THE LAW DOES NOT REQUIRE US TO WAIT UNTIL
THE END OF THE THIRTY (30) DAY PERIOD
FOLLOWING FIRST CONTACT WITH YOU BEFORE
SUING YOU TO COLLECT THIS DEBT. EVEN THOUGH
THE LAW PROVIDES THAT YOUR ANSWER TO THIS**

COMPLAINT IS TO BE FILED IN THIS ACTION WITHIN TWENTY (20) DAYS, YOU MAY OBTAIN AN EXTENSION OF THAT TIME. FURTHERMORE, NO REQUEST WILL BE MADE TO THE COURT FOR A JUDGMENT UNTIL THE EXPIRATION OF THIRTY (30) DAYS AFTER YOU HAVE RECEIVED THIS COMPLAINT. HOWEVER, IF YOU REQUEST PROOF OF THE DEBT OR THE NAME AND ADDRESS OF THE ORIGINAL CREDITOR WITHIN THE THIRTY (30) DAY PERIOD THAT BEGINS UPON YOUR RECEIPT OF THIS COMPLAINT, THE LAW REQUIRES US TO CEASE OUR EFFORTS (THROUGH LITIGATION OR OTHERWISE) TO COLLECT THE DEBT UNTIL WE MAIL THE REQUESTED INFORMATION TO YOU. YOU SHOULD CONSULT AN ATTORNEY FOR ADVICE CONCERNING YOUR RIGHTS AND OBLIGATIONS IN THIS SUIT.

IF YOU HAVE FILED BANKRUPTCY AND RECEIVED A DISCHARGE, THIS IS NOT AN ATTEMPT TO COLLECT A DEBT. IT IS AN ACTION TO ENFORCE A LIEN ON REAL ESTATE.

1. Plaintiff is

WASHINGTON MUTUAL BANK, F.A., S/B/M TO
WASHINGTON MUTUAL HOME LOANS, INC., F/K/A
PNC MORTGAGE CORP. OF AMERICA
3476 STATEVIEW BOULEVARD
FORT MILL, SC 29715

2. The name(s) and last known address(es) of the Defendant(s) are:

STEPHEN A. WALKER
KATHY L. WALKER
600 CURTIN STREET
OSCEOLA MILLS, PA 16666

who is/are the mortgagor(s) and/or real owner(s) of the property hereinafter described.

3. On 11/07/1997 mortgagor(s) made, executed, and delivered a mortgage upon the premises hereinafter described to TOWNE & COUNTRY MORTGAGE CORP. which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Book: 1886, Page: 555. By Assignment of Mortgage recorded 11/12/1997 the mortgage was Assigned To PLAINTIFF which Assignment is recorded in Assignment Of Mortgage Book No. 1886, Page 564. Said mortgage was modified as set forth in the modification agreement recorded 12/14/2005, in Mortgage Instrument #: 200521563 . Said mortgage was modified as set forth in the modification agreement recorded 08/25/2006, in Mortgage Instrument# 200614414. The mortgage and assignment(s), if any, are matters of public record and are incorporated herein by reference in accordance with Pa.R.C.P. 1019(g); which Rule relieves the Plaintiff from its obligations to attach documents to pleadings if those documents are of public record.
4. The premises subject to said mortgage is described as attached.

5. The mortgage is in default because monthly payments of principal and interest upon said mortgage due 01/01/2007 and each month thereafter are due and unpaid, and by the terms of said mortgage, upon failure of mortgagor to make such payments after a date specified by written notice sent to Mortgagor, the entire principal balance and all interest due thereon are collectible forthwith.

6. The following amounts are due on the mortgage:

Principal Balance	\$40,658.22
Interest	\$1,282.16
12/01/2006 through 06/06/2007	
(Per Diem \$6.82)	
Attorney's Fees	\$1,300.00
Cumulative Late Charges	\$56.56
11/07/1997 to 06/06/2007	
Cost of Suit and Title Search	<u>\$750.00</u>
Subtotal	\$44,046.94
Escrow	
Credit	(\$129.66)
Deficit	\$0.00
Subtotal	<u>(\$129.66)</u>
TOTAL	\$43,917.28

7. If the mortgage is reinstated prior to a Sheriff's Sale, the attorney's fee set forth above may be less than the amount demanded based on work actually performed. The attorney's fees requested are in conformity with the mortgage and Pennsylvania law. Plaintiff reserves its right to collect attorney's fees up to 5% of the remaining principal balance in the event the property is sold to a third party purchaser at Sheriff's Sale, or if the complexity of the action requires additional fees in excess of the amount demanded in the Action.

8. Plaintiff is not seeking a judgment of personal liability (or an in personam judgment) against the Defendant(s) in the Action; however, Plaintiff reserves its right to bring a separate Action to establish that right, if such right exists. If Defendant(s) has/have received a discharge of personal liability in a bankruptcy proceeding, this Action of Mortgage Foreclosure is in no way an attempt to reestablish such personal liability discharged in bankruptcy, but only to foreclose the mortgage and sell the mortgaged premises pursuant to Pennsylvania Law.
9. Notice of Intention to Foreclose as set forth in Act 6 of 1974, Notice of Homeowner's Emergency Assistance Program pursuant to Act 91 of 1983, as amended in 1998, and/or Notice of Default as required by the mortgage document, as applicable, have been sent to the Defendant(s) on the date(s) set forth thereon, and the temporary stay as provided by said notice has terminated because Defendant(s) has/have failed to meet with the Plaintiff or an authorized consumer credit counseling agency, or has/have been denied assistance by the Pennsylvania Housing Finance Agency.

10. This action does not come under Act 91 of 1983 because the mortgage is FHA-insured.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$43,917.28, together with interest from 06/06/2007 at the rate of \$6.82 per diem to the date of Judgment, and other costs and charges collectible under the mortgage and for the foreclosure and sale of the mortgaged property.

PHELAN HALLINAN & SCHMIEG, LLP



By: /s/Francis S. Hallinan
LAWRENCE T. PHELAN, ESQUIRE
DANIEL G. SCHMIEG, ESQUIRE
FRANCIS S. HALLINAN, ESQUIRE
Attorneys for Plaintiff

LEGAL DESCRIPTION

ALL THAT CERTAIN PROPERTY SITUATED IN THE BOROUGH OF OSEOLA MILLS IN
THE COUNTY OF CLEARFIELD AND COMMONWEALTH OF PENNSYLVANIA, BEING
MORE FULLY DESCRIBED IN A FEE SIMPLE DEED DATED 11/05/1997 AND
RECORDED 11/12/1997 AMONG THE LAND RECORDS OF THE COUNTY AND STATE
SET FORTH ABOVE IN DEED VOLUME 1886 PAGE 551.

TAX PARCEL ID 16-013-382-10

ADDRESS: 600 CURTIN Street

OSEOLA MILLS, PA 16666

VERIFICATION

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Francis S. Hallinan, Esquire
Attorney for Plaintiff

DATE: 6-6-67

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JUN 08 2007

Attest.

William B. Brown
Prothonotary/
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PHILADELPHIA, PA 19103
(215) 563-7000 155330

ATTORNEY FOR PLAINTIFF

WASHINGTON MUTUAL BANK, F.A., S/B/M TO
WASHINGTON MUTUAL HOME LOANS, INC.,
F/K/A PNC MORTGAGE CORP. OF AMERICA
3476 STATEVIEW BOULEVARD
FORT MILL, SC 29715

COURT OF COMMON PLEAS
CIVIL DIVISION
TERM

Plaintiff
v.
STEPHEN A. WALKER
KATHY L. WALKER
600 CURTIN STREET
OSCEOLA MILLS, PA 16666

NO. 07-910-CD
CLEARFIELD COUNTY

Defendants

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

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FORT MILL, SC 29715

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PHELAN HALLINAN & SCHMIEG, LLP



By: /s/Francis S. Hallinan

LAWRENCE T. PHELAN, ESQUIRE
DANIEL G. SCHMIEG, ESQUIRE
FRANCIS S. HALLINAN, ESQUIRE
Attorneys for Plaintiff

LEGAL DESCRIPTION

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TAX PARCEL ID 16-013-382-10

ADDRESS: 600 CURTIN Street

OSEOLA MILLS, PA 16666

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Francis S. Hallinan, Esquire
Attorney for Plaintiff

DATE: 6-6-07

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DKT PG. 102881

WASHINGTON MUTUAL BANK, F.A.

NO. 07-910-CD

-VS-

STEPHEN A. WALKER and KATHY L. WALKER

COMPLAINT IN MORTGAGE FORECLOSURE

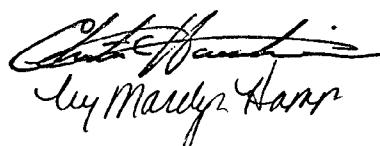
A M E N D E D
SHERIFF'S RETURN

NOW August 9, 2007 mark Sheriff Costs of \$34.20 Paid by Phelan Hallinan & Schmieg. Additional costs have been paid.

SWORN TO BEFORE THIS

DAY OF 2007

So Answers,


by Mandy Harr

CHESTER A. HAWKINS
SHERIFF

FILED
0101584
AUG 09 2007

William A. Shaw
Prothonotary/Clerk of Courts

B.
PHELAN HALLINAN & SCHMIEG, LLP
by: Michele M. Bradford, Esquire, Atty. I.D. No. 69849
1617 John F. Kennedy Boulevard, Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

Washington Mutual Bank, F.A., s/b/m to :
Washington Mutual Home Loans, Inc., :
f/k/a PNC Mortgage Corp. of America :
3476 Stateview Boulevard :
Fort Mill, SC 29715 :
Plaintiff :
vs. :
Stephen A. Walker :
Kathy L. Walker :
600 Curtin Street :
Osceola Mills, PA 16666 :
Defendants

Court of Common Pleas
Civil Division
Clearfield County

No. 07-910-CD

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Court's July 27, 2007 Order was served upon the following interested parties via first class mail on the date indicated below:

Chester A. Hawkins
Sheriff of Clearfield County
230 East Market Street
Clearfield, Pennsylvania 16830

Peter F. Smith, Esquire
30 S. 2nd Street,
P.O. Box 130
Clearfield, PA 16830-2347
(Sheriff's Solicitor)

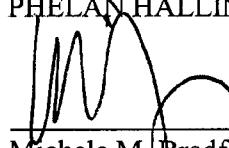
FILED
AUG 10 2007 NO CC
WILLIAM A. SHAW
Prothonotary/Clerk of Courts
WM

Stephen A. Walker
Kathy L. Walker
600 Curtin Street
Osceola Mills, PA 16666

8/20/07
Date

Stephen A. Walker
Kathy L. Walker
301 Rolling Ridge Avenue
Apt. 209
State College, PA 16801

PHELAN HALLINAN & SCHMIEG, LLP


Michele M. Bradford, Esquire
Attorney for Plaintiff

**WASHINGTON MUTUAL BANK, F.A., S/B/M
TO WASHINGTON MUTUAL HOME
LOANS, INC., F/K/A PNC MORTGAGE
CORP. OF AMERICA
3476 STATEVIEW BLVD.
FORT MILL, SC 29715**

Attorney for Plaintiff

Plaintiff, : NO. 07-910-CD

V.

**STEPHEN A. WALKER
KATHY L. WALKER
600 CURTIN STREET
OSCEOLA MILLS, PA 16666**

Defendant(s).

**PRAEICE FOR IN REM JUDGMENT FOR FAILURE TO
ANSWER AND ASSESSMENT OF DAMAGES**

TO THE OFFICE OF THE PROTHONOTARY:

Kindly enter an in rem judgment in favor of the Plaintiff and against **STEPHEN A. WALKER and KATHY L. WALKER**, Defendant(s) for failure to file an Answer to Plaintiff's Complaint within 20 days from service thereof and for foreclosure and sale of the mortgaged premises, and assess Plaintiff's damages as follows:

As set forth in the Complaint	\$ 43,917.28
Interest - 06/07/07 - 08/13/07	\$463.76
TOTAL	\$ 44,381.04

I hereby certify that (1) the addresses of the Plaintiff and Defendant(s) are as shown above, and (2) notice has been given in accordance with Rule 237.1, copy attached.

237.1, copy attached.

DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

DAMAGES ARE HEREBY ASSESSED AS INDICATED.

DATE: 8-15-2007

PRO PROTHY

155330

PHELAN HALLINAN AND SCHMIEG
By: Lawrence T. Phelan, Esq., Id. No. 32227
Francis S. Hallinan, Esq., Id. No. 62695
Daniel G. Schmieg, Esq., Id. No. 62205
One Penn Center Plaza, Suite 1400
Philadelphia, PA 19103
(215) 563-7000

ATTORNEY FOR PLAINTIFF

WASHINGTON MUTUAL BANK, F.A., S/B/M TO : COURT OF COMMON PLEAS
WASHINGTON MUTUAL HOME LOANS, INC., : CIVIL DIVISION
F/K/A PNC MORTGAGE CORP. OF AMERICA Plaintiff : CLEARFIELD COUNTY
Vs. : NO. 07-910-CD

STEPHEN A. WALKER
KATHY L. WALKER
Defendants

FILE COPY

TO: STEPHEN A. WALKER
600 CURTIN STREET
OSCEOLA MILLS, PA 16666

DATE OF NOTICE: JULY 17, 2007

THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. THIS NOTICE IS SENT TO YOU IN AN ATTEMPT TO COLLECT THE INDEBTEDNESS REFERRED TO HEREIN, AND ANY INFORMATION OBTAINED FROM YOU WILL BE USED FOR THAT PURPOSE. IF YOU HAVE PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY, THIS CORRESPONDENCE IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY AS ENFORCEMENT OF LIEN AGAINST PROPERTY.

IMPORTANT NOTICE

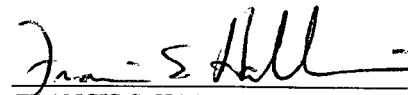
YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT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

YOU SHOULD TAKE THIS 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.

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800-692-7375


FRANCIS S. HALLINAN, ESQUIRE
Attorneys for Plaintiff

PHELAN HALLINAN AND SCHMIEG
By: Lawrence T. Phelan, Esq., Id. No. 32227
Francis S. Hallinan, Esq., Id. No. 62695
Daniel G. Schmieg, Esq., Id. No. 62205
One Penn Center Plaza, Suite 1400
Philadelphia, PA 19103
(215) 563-7000

ATTORNEY FOR PLAINTIFF

WASHINGTON MUTUAL BANK, F.A., S/B/M TO : COURT OF COMMON PLEAS
WASHINGTON MUTUAL HOME LOANS, INC., : CIVIL DIVISION
F/K/A PNC MORTGAGE CORP. OF AMERICA :
Plaintiff : CLEARFIELD COUNTY
Vs. : NO. 07-910-CD
STEPHEN A. WALKER
KATHY L. WALKER
Defendants

TO: STEPHEN A. WALKER
301 ROLLING RIDGE AVENUE, APT. 209
STATE COLLEGE, PA 16801

FILE COPY

DATE OF NOTICE: JULY 17, 2007

THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. THIS NOTICE IS SENT TO YOU IN AN ATTEMPT TO COLLECT THE INDEBTEDNESS REFERRED TO HEREIN, AND ANY INFORMATION OBTAINED FROM YOU WILL BE USED FOR THAT PURPOSE. IF YOU HAVE PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY, THIS CORRESPONDENCE IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY AS ENFORCEMENT OF LIEN AGAINST PROPERTY.

IMPORTANT NOTICE

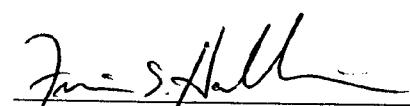
YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT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

YOU SHOULD TAKE THIS 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.

CLEARFIELD COUNTY
DAVID S. MEHOLICK, COURT
ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
CLEARFIELD, PA 16830
(814) 765-2641 x 5982

PENNSYLVANIA LAWYER REFERRAL
SERVICE
PENNSYLVANIA BAR ASSOCIATION
100 SOUTH STREET
P.O. BOX 186
HARRISBURG, PA 17108
800-692-7375


FRANCIS S. HALLINAN, ESQUIRE
Attorneys for Plaintiff

PHELAN HALLINAN AND SCHMIEG
By: Lawrence T. Phelan, Esq., Id. No. 32227
Francis S. Hallinan, Esq., Id. No. 62695
Daniel G. Schmieg, Esq., Id. No. 62205
One Penn Center Plaza, Suite 1400
Philadelphia, PA 19103
(215) 563-7000

ATTORNEY FOR PLAINTIFF

WASHINGTON MUTUAL BANK, F.A., S/B/M TO : COURT OF COMMON PLEAS
WASHINGTON MUTUAL HOME LOANS, INC.,
F/K/A PNC MORTGAGE CORP. OF AMERICA : CIVIL DIVISION
Plaintiff
Vs. : CLEARFIELD COUNTY
: NO. 07-910-CD
STEPHEN A. WALKER
KATHY L. WALKER
Defendants

TO: KATHY L. WALKER
301 ROLLING RIDGE AVENUE, APT. 209
STATE COLLEGE, PA 16801

FILE COPY

DATE OF NOTICE: JULY 17, 2007

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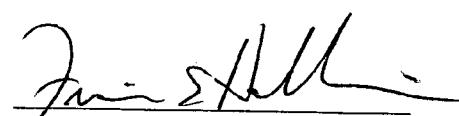
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FRANCIS S. HALLINAN, ESQUIRE
Attorneys for Plaintiff

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One Penn Center Plaza, Suite 1400
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ATTORNEY FOR PLAINTIFF

WASHINGTON MUTUAL BANK, F.A., S/B/M TO : COURT OF COMMON PLEAS
WASHINGTON MUTUAL HOME LOANS, INC., : CIVIL DIVISION
F/K/A PNC MORTGAGE CORP. OF AMERICA
Plaintiff : CLEARFIELD COUNTY
Vs. : NO. 07-910-CD
STEPHEN A. WALKER
KATHY L. WALKER
Defendants

TO: KATHY L. WALKER
600 CURTIN STREET
OSCEOLA MILLS, PA 16666

FILE COPY

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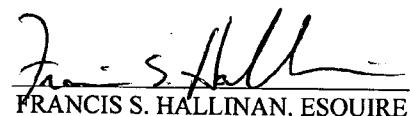
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CLEARFIELD COUNTY
DAVID S. MEHOLICK, COURT
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100 SOUTH STREET
P.O. BOX 186
HARRISBURG, PA 17108
800-692-7375


FRANCIS S. HALLINAN, ESQUIRE
Attorneys for Plaintiff

(Rule of Civil Procedure No. 236 - Revised

IN THE COURT OF COMMON PLEAS
CLEARFIELD PENNSYLVANIA

WASHINGTON MUTUAL BANK, F.A., S/B/M :
TO WASHINGTON MUTUAL HOME :
LOANS, INC., F/K/A PNC MORTGAGE :
CORP. OF AMERICA :
3476 STATEVIEW BLVD. :
FORT MILL, SC 29715 :
CIVIL DIVISION

Plaintiff, : NO. 07-910-CD
v.

STEPHEN A. WALKER :
KATHY L. WALKER :
600 CURTIN STREET :
OSCEOLA MILLS, PA 16666 :

Defendant(s).

Notice is given that a Judgment in the above captioned matter has been entered against you
on August 15, 2007.

Willitham
BY _____ DEPUTY

If you have any questions concerning this matter, please contact:

Daniel G. Schmieg
DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff
One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

This firm is a debt collector attempting to collect a debt. Any information we obtain will be used for that purpose. If you have previously received a discharge in bankruptcy, this correspondence is not and should not be construed to be an attempt to collect a debt, but only enforcement of a lien against property.

PHELAN HALLINAN & SCHMIEG

By: DANIEL G. SCHMIEG

Identification No. 62205

ATTORNEY FOR PLAINTIFF

Suite 1400

One Penn Center at Suburban Station

1617 John F. Kennedy Boulevard

Philadelphia, PA 19103-1814

(215) 563-7000

WASHINGTON MUTUAL BANK, F.A., S/B/M :

TO WASHINGTON MUTUAL HOME :

LOANS, INC., F/K/A PNC MORTGAGE :

CORP. OF AMERICA :

3476 STATEVIEW BLVD. :

FORT MILL, SC 29715 :

CLEARFIELD COUNTY
COURT OF COMMON PLEAS

CIVIL DIVISION

NO. 07-910-CD

Plaintiff,

v.

STEPHEN A. WALKER :

KATHY L. WALKER :

600 CURTIN STREET :

OSCEOLA MILLS, PA 16666 :

Defendant(s).

VERIFICATION OF NON-MILITARY SERVICE

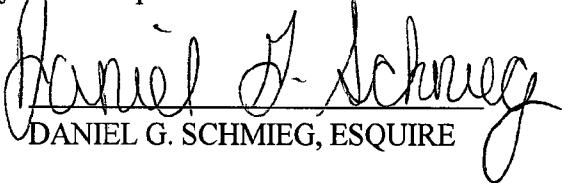
DANIEL G. SCHMIEG, ESQUIRE, hereby verifies that he is attorney for the Plaintiff in the above-captioned matter, and that on information and belief, he has knowledge of the following facts, to wit:

(a) that the defendant(s) is/are not in the Military or Naval Service of the United States or its Allies, or otherwise within the provisions of the Soldiers' and Sailors' Civil Relief Act of Congress of 1940, as amended.

(b) that defendant **STEPHEN A. WALKER** is over 18 years of age and resides at **600 CURTIN STREET, OSCEOLA MILLS, PA 16666**.

(c) that defendant **KATHY L. WALKER** is over 18 years of age, and resides at **600 CURTIN STREET, OSCEOLA MILLS, PA 16666**.

This statement is made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.


DANIEL G. SCHMIEG, ESQUIRE

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

Washington Mutual Bank, F.A.
Washington Mutual Home Loans, Inc.
PNC Mortgage Corp. of America
Plaintiff(s)

No.: 2007-00910-CD

Real Debt: \$44,381.04

Atty's Comm: \$

Vs.

Costs: \$

Stephen A. Walker
Kathy L. Walker
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: August 15, 2007

Expires: August 15, 2012

Certified from the record this August 15, 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

PRAECIPE FOR WRIT OF EXECUTION – (MORTGAGE FORECLOSURE)
P.R.C.P. 3180-3183

WASHINGTON MUTUAL BANK,
F.A., S/B/M TO WASHINGTON
MUTUAL HOME LOANS, INC.,
F/K/A PNC MORTGAGE CORP.
OF AMERICA

vs.

STEPHEN A. WALKER
KATHY L. WALKER

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

No. 07-910-CD.. Term 2005.

PRAECIPE FOR WRIT OF EXECUTION
(Mortgage Foreclosure)

To the Director of the Office of Judicial Support

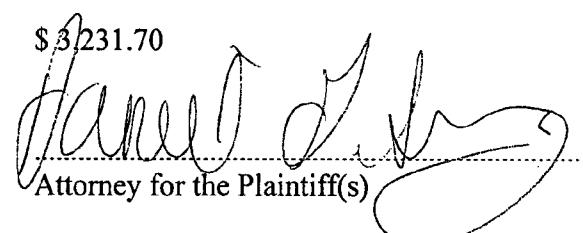
Issue writ of execution in the above matter:

Amount Due	\$44,381.04
------------	-------------

Interest from AUGUST 13, 2007 to Sale Per diem \$7.30	\$ _____
--	----------

Prothonotary costs \$ 125.00

Add'l Costs	\$ 3,231.70
-------------	-------------


Attorney for the Plaintiff(s)

Note: Please attach description of Property.

155330

FILED Atty pd. 20.00
M 12:41 PM
AUG 15 2007
ICE & Lewontz
will prop. desc.
William A. Shaw
Prothonotary/Clerk of Courts
to Sheriff

No. 07-910-CD Term 20 05 A.D.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

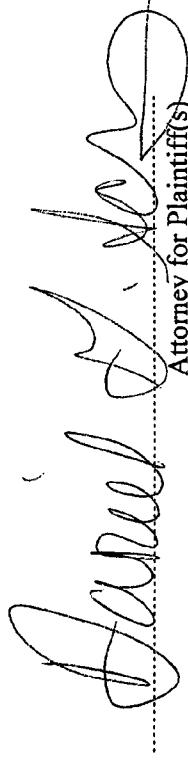
WASHINGTON MUTUAL BANK, F.A., S/B/M TO
WASHINGTON MUTUAL HOME LOANS, INC.,
F/K/A PNC MORTGAGE CORP. OF AMERICA

vs.

STEPHEN A. WALKER
KATHY L. WALKER

PRAECLPICE FOR WRIT OF EXECUTION
(Mortgage Foreclosure)

Filed:



Stephen A. Walker
Attorney for Plaintiff(s)

Address: STEPHEN A. WALKER KATHY L. WALKER
600 CURTIN STREET 600 CURTIN STREET
OSCEOLA MILLS, PA 16666 OSCEOLA MILLS, PA 16666

DESCRIPTION

ALL that certain messuage or tenement and lot of ground situate in the Borough of Osceola, County of Clearfield and State of Pennsylvania, marked and numbered on plan thereof said Borough as Lot No. 313, on the Northwesterly corner of Curtin and Elizabeth Streets, continuing in front of said Curtin Street Fifty (50) feet and extending in length or depth One Hundred Fifty (150) feet. Bounded Northerly by Mays Alley; Southerly by said Curtin Street; Easterly by said Elizabeth Street and Westerly by Lot No. 314.

BEING the same premises which became vested in the Grantors herein by deed dated the 1st day January, 1997, recorded in Clearfield County Deed Book Volume 1384, at Page 107.

PARCEL IDENTIFICATION NO: 013-382-00010 Control #: 016008104

Premises: 600 Curtin Street, Osceola Mills, PA 16666
Borough of Osceola
Clearfield County
Pennsylvania

TITLE TO SAID PREMISES IS VESTED IN Stephen A. Walker and Kathy L. Walker, his wife, as tenants by the entireties, by Deed from David B. Wagner and Christine R. Wagner, his wife, dated 11/05/1997, recorded 11/12/1997, in Deed Book 1886, page 551.

PHELAN HALLINAN & SCHMIEG
By: DANIEL G. SCHMIEG
Identification No. 62205
Suite 1400
One Penn Center at Suburban Station
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

WASHINGTON MUTUAL BANK, F.A., S/B/M :
TO WASHINGTON MUTUAL HOME :
LOANS, INC., F/K/A PNC MORTGAGE :
CORP. OF AMERICA :
3476 STATEVIEW BLVD. :
FORT MILL, SC 29715 :

Plaintiff, :

v.

STEPHEN A. WALKER :
KATHY L. WALKER :
600 CURTIN STREET :
OSCEOLA MILLS, PA 16666 :

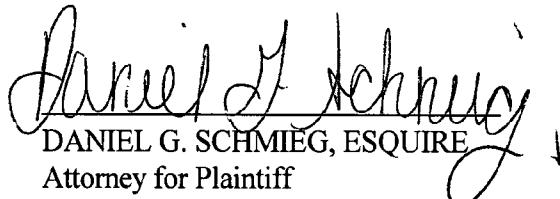
Defendant(s).

CERTIFICATION

DANIEL G. SCHMIEG, ESQUIRE, hereby states that he is the attorney for the Plaintiff in the above captioned matter and that the premises are not subject to the provisions of Act 91 because it is:

an FHA Mortgage
 non-owner occupied
 vacant
 Act 91 procedures have been fulfilled

This certification is made subject to the penalties of 18 Pa. C.S. sec.4904 relating to unsworn falsification to authorities.


DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

WASHINGTON MUTUAL BANK, F.A., S/B/M :
TO WASHINGTON MUTUAL HOME :
LOANS, INC., F/K/A PNC MORTGAGE :
CORP. OF AMERICA :
3476 STATEVIEW BLVD. :
FORT MILL, SC 29715 :
CLEARFIELD COUNTY
COURT OF COMMON PLEAS
CIVIL DIVISION

Plaintiff, : NO. 07-910-CD
v.

STEPHEN A. WALKER :
KATHY L. WALKER :
600 CURTIN STREET :
OSCEOLA MILLS, PA 16666 :

Defendant(s).

AFFIDAVIT PURSUANT TO RULE 3129
(Affidavit No.1)

**WASHINGTON MUTUAL BANK, F.A., S/B/M TO WASHINGTON MUTUAL HOME
LOANS, INC., F/K/A PNC MORTGAGE CORP. OF AMERICA**, Plaintiff in the above action, by its
attorney, DANIEL G. SCHMIEG, ESQUIRE, sets forth as of the date the Praeclipe for the Writ of Execution
was filed, the following information concerning the real property located at **600 CURTIN STREET,
OSCEOLA MILLS, PA 16666**.

1. Name and address of Owner(s) or reputed Owner(s):

NAME	LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)
STEPHEN A. WALKER	600 CURTIN STREET OSCEOLA MILLS, PA 16666
KATHY L. WALKER	600 CURTIN STREET OSCEOLA MILLS, PA 16666

2. Name and address of Defendant(s) in the judgment:

NAME	LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)
Same as Above	

I verify that the statements made in this Affidavit are true and correct to the best of my
knowledge, information or belief. I understand that false statements herein are made subject to the penalties of
18 Pa. C.S. '4904 relating to unsworn falsification to authorities.

AUGUST 13, 2007

Date


DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

WASHINGTON MUTUAL BANK, F.A., S/B/M :
TO WASHINGTON MUTUAL HOME :
LOANS, INC., F/K/A PNC MORTGAGE :
CORP. OF AMERICA :
3476 STATEVIEW BLVD. :
FORT MILL, SC 29715 :

Plaintiff, :

v. :

STEPHEN A. WALKER :
KATHY L. WALKER :
600 CURTIN STREET :
OSCEOLA MILLS, PA 16666 :

Defendant(s).

AFFIDAVIT PURSUANT TO RULE 3129

WASHINGTON MUTUAL BANK, F.A., S/B/M TO WASHINGTON MUTUAL HOME
LOANS, INC., F/K/A PNC MORTGAGE CORP. OF AMERICA, Plaintiff in the above action, by its
attorney, DANIEL G. SCHMIEG, ESQUIRE, sets forth as of the date the Praeclipe for the Writ of Execution
was filed, the following information concerning the real property located at **600 CURTIN STREET,**
OSCEOLA MILLS, PA 16666.

3. Name and address of every judgment creditor whose judgment is a record lien on the real property to be sold:

NAME	LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)
WASHINGTON MUTUAL BANK, F.A. S/I/I, TO WASHINGTON MUTUAL HOME LOANS, INC. F/K/A, PNC MORTGAGE CORP. OF AMERICA	11200 WEST PARKLAND AVENUE MILWAUKEE, WI 53224

4. Name and address of the last recorded holder of every mortgage of record:

NAME	LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)
BENEFICIAL CONSUMER DISCOUNT COMPANY, D/B/A BENEFICIAL MORTGAGE CO. OF PENNSLYVANIA	90 BEAVER DRIVE SUITE 114 C DUBOIS, PA 15801

5. Name and address of every other person who has any record lien on the property:

NAME LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)
None

6. Name and address of every other person who has any record interest in the property and whose interest may be affected by the Sale:

NAME LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)
None

7. Name and address of every other person whom the Plaintiff has knowledge who has any interest in the property which may be affected by the Sale:

NAME LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)
TENANT/OCCUPANT

**600 CURTIN STREET
OSCEOLA MILLS, PA 16666**

**DOMESTIC
RELATIONS
CLEARFIELD
COUNTY**

**CLEARFIELD COUNTY COURTHOUSE
230 EAST MARKET STREET
CLEARFIELD, PA 16830**

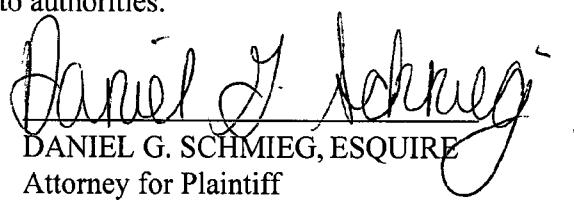
**COMMONWEALTH
OF PENNSYLVANIA**

**DEPARTMENT OF WELFARE
PO BOX 2675
HARRISBURG, PA 17105**

I verify that the statements made in this Affidavit are true and correct to the best of my knowledge, information or belief. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. '4904 relating to unsworn falsification to authorities.

AUGUST 13, 2007

Date


DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

WRIT OF EXECUTION – (MORTGAGE FORECLOSURE)
P.R.C.P. 3180-3183 and Rule 3257

COPY

WASHINGTON MUTUAL BANK,
F.A., S/B/M TO WASHINGTON
MUTUAL HOME LOANS, INC.,
F/K/A PNC MORTGAGE CORP.
OF AMERICA

vs.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

No. Term 20
No. 07-910-CD. Term 20 05
No. Term 20

WRIT OF EXECUTION
(Mortgage Foreclosure)

STEPHEN A. WALKER

KATHY L. WALKER

Commonwealth of Pennsylvania:

County of Clearfield

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

To satisfy the judgment, interest and costs in the above matter you are directed to levy upon and sell the following property (specifically described property below):

PREMISES: 600 CURTIN STREET, OSCEOLA MILLS, PA 16666
(See Legal Description attached)

Amount Due	\$44,381.04
Interest from AUGUST 13, 2007 to Sale per diem \$7.30	\$-----
Total	\$-----
Add'l Costs	\$ 3,231.70

125.00 Prothonotary costs

(Clerk) Office of the Prothonotary, Common Pleas Court
of CLEARFIELD County, Penna.

Dated 8/15/07
(SEAL)

155330

Willie Shaffer

No. 07.910.CD Term 20 05 A.D.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

WASHINGTON MUTUAL BANK, F.A., S/B/M TO
WASHINGTON MUTUAL HOME LOANS, INC.,
F/K/A PNC MORTGAGE CORP. OF AMERICA

vs.

STEPHEN A. WALKER
KATHY L. WALKER

WRIT OF EXECUTION
(Mortgage Foreclosure)

Costs

Real Debt \$44,381.04

Int. from AUGUST 13, 2007
To Date of Sale (\$7.30 per diem)

Costs

Prothy Pd.

125.00

Sheriff

[Signature]
Attorney for Plaintiff(s)

Address: STEPHEN A. WALKER
600 CURTIN STREET
OSCEOLA MILLS, PA 16666
KATHY L. WALKER
600 CURTIN STREET
OSCEOLA MILLS, PA 16666

DESCRIPTION

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BEING the same premises which became vested in the Grantors herein by deed dated the 1st day January, 1997, recorded in Clearfield County Deed Book Volume 1384, at Page 107.

PARCEL IDENTIFICATION NO: 013-382-00010 Control #: 016008104

Premises: 600 Curtin Street, Osceola Mills, PA 16666
Borough of Osceola
Clearfield County
Pennsylvania

TITLE TO SAID PREMISES IS VESTED IN Stephen A. Walker and Kathy L. Walker, his wife, as tenants by the entireties, by Deed from David B. Wagner and Christine R. Wagner, his wife, dated 11/05/1997, recorded 11/12/1997, in Deed Book 1886, page 551.

PHELAN HALLINAN & SCHMIEG, LLP
BY: Francis S. Hallinan, Esquire
Identification No. 62695
One Penn Center at Suburban Station
Suite 1400
Philadelphia, PA 19103
(215) 563-7000

Attorney For Plaintiff

WASHINGTON MUTUAL BANK, F.A., S/B/M TO
WASHINGTON MUTUAL HOME LOANS, INC.,
F/K/A PNC MORTGAGE CORP. OF AMERICA

COURT OF COMMON PLEAS
CIVIL DIVISION

v.

CLEARFIELD COUNTY

STEPHEN A. WALKER
KATHY L. WALKER

NO. 07-910-CD

PRAECIPE TO SUBSTITUTE VERIFICATION
TO CIVIL ACTION COMPLAINT
IN MORTGAGE FORCLOSURE

TO THE PROTHONOTARY:

Kindly substitute the attached verification for the verification originally filed with the complaint
in the instant matter.

Phelan Hallinan and Schmieg, LLP

By: Francis S. Hallinan
Francis S. Hallinan, Esquire
Lawrence T. Phelan
Daniel G. Schmieg

Dated: 8/17/07
File #: 155330

FILED
M 10:50 AM NO
AUG 20 2007
2007
SAC

William A. Shaw
Prothonotary/Clerk of Courts

VERIFICATION

Chuck Henrichson hereby states that he/she is
Attorney in Fact of WELLS FARGO BANK N.A., servicing agent

for Plaintiff in this matter, that he/she is authorized to take this Verification, and that the statements made in the foregoing Civil Action in Mortgage Foreclosure are true and correct to the best of his/her knowledge, information and belief. The undersigned understands that this statement is made subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.


Name: Chuck Henrichson

DATE: 30 July 2011

Title: **Attorney in Fact**

Company: WELLS FARGO BANK N.A.,

SALE DATE: DECEMBER 7, 2007

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL ACTION – LAW

**WASHINGTON MUTUAL BANK, F.A.,
S/B/M TO WASHINGTON MUTUAL
HOME LOANS, INC., F/K/A PNC
MORTGAGE CORP. OF AMERICA**

vs.

**STEPHEN A. WALKER
KATHY L. WALKER**

**AFFIDAVIT PURSUANT TO RULE 3129.1
AND RETURN OF SERVICE PURSUANT TO
Pa. R.C.P. 405 OF NOTICE OF SALE**

Plaintiff in the above action sets forth as of the date the Praeclipe for the Writ of Execution was filed the following information concerning the real property located at:

600 CURTIN STREET, OSCEOLA MILLS, PA 16666.

As required by Pa. R.C.P. 3129.2(a) Notice of Sale has been given in the manner required by Pa. R.C.P. 3129.2(c) on each of the persons or parties named, at that address set forth on the attached Affidavit No. 2 (previously filed) and Amended Affidavit No. 2 on the date indicated, and a copy of the notice is attached as an Exhibit. A copy of the Certificate of Mailing (Form 3817) and/or Certified Mail Return Receipt stamped by the U.S. Postal Service is attached for each notice.

Daniel G. Schmieg
DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

Date: October 31, 2007

FILED
MHD:sls/ NO CC
NOV 02 2007
LS

William A. Shaw
Prothonotary/Clerk of Courts

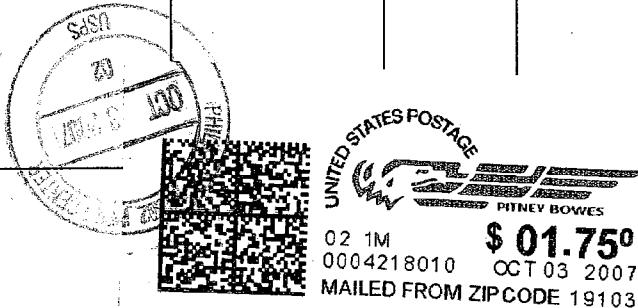
Name and
Address
of Sender

CQS
PHELAN HALLINAN & SCHMIEG
One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard



COS
PHELAN HALLINAN & SCHMIEG
One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814

100



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

Washington Mutual Bank, F.A., S/B/M to : Court of Common Pleas
Washington Mutual Home Loans, Inc., F/K/A :
PNC Mortgage Corp. of America : Civil Division
Plaintiff :
vs. : Clearfield County
Stephen A. Walker : No. 07-910-CD
Kathy L. Walker :
Defendants

RULE

AND NOW, this 14th day of November 2007, a Rule is entered upon the
Defendants to show cause why an Order should not be entered granting Plaintiff's Motion to
Reassess Damages.

Rule Returnable on the 5th day of December 2007, at 2:30 p.m.
County Courthouse, Clearfield, Pennsylvania.

BY THE COURT,



J.

FILED 100
01/13/08 Atty Bradford
NOV 15 2007

William A. Shaw
Prothonotary/Clerk of Courts

155330

11/15/07

DATE: 11/15/07

You are responsible for serving all appropriate parties.

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

Plaintiff(s) Plaintiff(s) Attorney Other

Defendant(s) Defendant(s) Attorney Other

Special Instructions:

FILED

NOV 15 2007

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PENNSYLVANIA

Washington Mutual Bank, F.A., S/B/M to : Court of Common Pleas
Washington Mutual Home Loans, Inc., F/K/A :
PNC Mortgage Corp. of America : Civil Division
Plaintiff
vs. : Clearfield County
Stephen A. Walker : No. 07-910-CD
Kathy L. Walker
Defendants

ORDER

AND NOW, this _____ day of _____, 2007 the Prothonotary is ORDERED to amend the in rem judgment and the Sheriff is ORDERED to amend the writ nunc pro tunc in this case as follows:

Principal Balance	\$40,658.22
Interest Through 12/07/07	2,508.65
Per Diem \$6.82	
Late Charges	56.56
Legal fees	1,600.00
Cost of Suit and Title	1,331.70
Sheriff's Sale Costs	0.00
Property Inspections	90.00
Appraisal/Brokers Price Opinion	0.00
Mortgage Insurance Premium/Private	0.00
Mortgage Insurance	
NSF (Non-Sufficient Funds charge)	0.00

Suspense/Misc. Credits	0.00
Escrow Deficit	<u>1,175.41</u>
TOTAL	\$47,420.54

Plus interest from 12/07/07 through the date of sale at six percent per annum.

Note: The above figure is not a payoff quote. Sheriff's commission is not included in the above figure.

BY THE COURT

J.

155330

FILED
NO CC
M/3/2007
NOV 05 2007
(6K)

William A. Shaw
Prothonotary/Clerk of Courts

PHELAN HALLINAN & SCHMIEG, LLP
by: Michele M. Bradford, Esquire
Atty. I.D. No. 69849
One Penn Center, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

Washington Mutual Bank, F.A., S/B/M to : Court of Common Pleas
Washington Mutual Home Loans, Inc., F/K/A : Civil Division
PNC Mortgage Corp. of America :
Plaintiff

vs.

Stephen A. Walker : No. 07-910-CD
Kathy L. Walker
Defendants

PLAINTIFF'S MOTION TO REASSESS DAMAGES

Plaintiff, by its Attorney, Michele M. Bradford, Esquire, moves the Court to direct the Prothonotary to amend the judgment in this matter, and in support thereof avers the following:

1. Plaintiff commenced this foreclosure action by filing a Complaint on June 8, 2007, a true and correct copy of which is attached hereto, made part hereof, and marked as Exhibit "A".
2. Judgment was entered on August 15, 2007 in the amount of \$44,381.04. A true and correct copy of the praecipe for judgment is attached hereto, made part hereof, and marked as Exhibit "B".

3. Pursuant to Pennsylvania Rule of Civil Procedure 1037(b)(1), a default judgment containing a dollar amount must be entered for the amount claimed in the complaint and any item which can be calculated from the complaint, i.e. bringing the interest current. However, new items cannot be added at the time of entry of the judgment.

4. The Property is listed for Sheriff's Sale on December 7, 2007. However, in the event this motion has not been heard by this Honorable Court by that date, Plaintiff may continue the sale in accordance with Pennsylvania Rule of Civil Procedure 3129.3.

5. Additional sums have been incurred or expended on Defendants' behalf since the Complaint was filed and Defendants have been given credit for any payments that have been made since the judgment. The amount of damages should now read as follows:

Principal Balance	\$40,658.22
Interest Through 12/07/07	2,508.65
Per Diem \$6.82	
Late Charges	56.56
Legal fees	1,600.00
Cost of Suit and Title	1,331.70
Sheriff's Sale Costs	0.00
Property Inspections	90.00
Appraisal/Brokers Price Opinion	0.00
Mortgage Insurance Premium/Private	0.00
Mortgage Insurance	
NSF (Non-Sufficient Funds charge)	0.00
Suspense/Misc. Credits	0.00
Escrow Deficit	<u>1,175.41</u>
 TOTAL	 \$47,420.54

6. The judgment formerly entered is insufficient to satisfy the amounts due on the Mortgage.

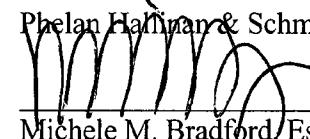
7. Under the terms of the Mortgage and Pennsylvania law, Plaintiff is entitled to inclusion of the figures set forth above in the amount of judgment against the Defendants.

8. Plaintiff's foreclosure judgment is in rem only and does not include personal liability, as is addressed in Plaintiff's attached brief.

WHEREFORE, Plaintiff respectfully requests that this Honorable Court amend the judgment as requested.

Date: 11/2/17

By:

 Phelan Hallinan & Schmieg, LLP

Michele M. Bradford, Esquire
Attorney for Plaintiff



Exhibit “A”

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

JUN 08 2007

Attest.

William L. Brown
Prothonotary/
Clerk of Courts

PHELAN HALLINAN & SCHMIEG, LLP
LAWRENCE T. PHELAN, ESQ., Id. No. 32227
FRANCIS S. HALLINAN, ESQ., Id. No. 62695
DANIEL G. SCHMIEG, ESQ., Id. No. 62205
ONE PENN CENTER PLAZA, SUITE 1400
PHILADELPHIA, PA 19103
(215) 563-7000 155330

ATTORNEY FOR PLAINTIFF

WASHINGTON MUTUAL BANK, F.A., S/B/M TO
WASHINGTON MUTUAL HOME LOANS, INC.,
F/K/A PNC MORTGAGE CORP. OF AMERICA
3476 STATEVIEW BOULEVARD
FORT MILL, SC 29715

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

NO. 07-910-CD

CLEARFIELD COUNTY

STEPHEN A. WALKER
KATHY L. WALKER
600 CURTIN STREET
OSCEOLA MILLS, PA 16666

ATTORNEY FILE COPY
PLEASE RETURN

Defendants

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

We hereby certify the
within to be a true and
correct copy of the
original filed of record

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 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.

Lawyer Referral Service:
Pennsylvania Lawyer Referral Service
Pennsylvania Bar Association
100 South Street
PO Box 186
Harrisburg, PA 17108
800-692-7375

Notice to Defend:
David S. Meholic, Court Administrator
Clearfield County Courthouse
2nd and Market Streets
Clearfield, PA 16830
814-765-2641 x 5982

**IF THIS IS THE FIRST NOTICE THAT YOU HAVE
RECEIVED FROM THIS OFFICE, BE ADVISED THAT:**

**PURSUANT TO THE FAIR DEBT COLLECTION
PRACTICES ACT, 15 U.S.C. § 1692 et seq. (1977),
DEFENDANT(S) MAY DISPUTE THE VALIDITY OF THE
DEBT OR ANY PORTION THEREOF. IF DEFENDANT(S)
DO SO IN WRITING WITHIN THIRTY (30) DAYS OF
RECEIPT OF THIS PLEADING, COUNSEL FOR
PLAINTIFF WILL OBTAIN AND PROVIDE
DEFENDANT(S) WITH WRITTEN VERIFICATION
THEREOF; OTHERWISE, THE DEBT WILL BE ASSUMED
TO BE VALID. LIKEWISE, IF REQUESTED WITHIN
THIRTY (30) DAYS OF RECEIPT OF THIS PLEADING,
COUNSEL FOR PLAINTIFF WILL SEND DEFENDANT(S)
THE NAME AND ADDRESS OF THE ORIGINAL
CREDITOR, IF DIFFERENT FROM ABOVE.**

**THE LAW DOES NOT REQUIRE US TO WAIT UNTIL
THE END OF THE THIRTY (30) DAY PERIOD
FOLLOWING FIRST CONTACT WITH YOU BEFORE
SUING YOU TO COLLECT THIS DEBT. EVEN THOUGH
THE LAW PROVIDES THAT YOUR ANSWER TO THIS**

COMPLAINT IS TO BE FILED IN THIS ACTION WITHIN TWENTY (20) DAYS, YOU MAY OBTAIN AN EXTENSION OF THAT TIME. FURTHERMORE, NO REQUEST WILL BE MADE TO THE COURT FOR A JUDGMENT UNTIL THE EXPIRATION OF THIRTY (30) DAYS AFTER YOU HAVE RECEIVED THIS COMPLAINT. HOWEVER, IF YOU REQUEST PROOF OF THE DEBT OR THE NAME AND ADDRESS OF THE ORIGINAL CREDITOR WITHIN THE THIRTY (30) DAY PERIOD THAT BEGINS UPON YOUR RECEIPT OF THIS COMPLAINT, THE LAW REQUIRES US TO CEASE OUR EFFORTS (THROUGH LITIGATION OR OTHERWISE) TO COLLECT THE DEBT UNTIL WE MAIL THE REQUESTED INFORMATION TO YOU. YOU SHOULD CONSULT AN ATTORNEY FOR ADVICE CONCERNING YOUR RIGHTS AND OBLIGATIONS IN THIS SUIT.

IF YOU HAVE FILED BANKRUPTCY AND RECEIVED A DISCHARGE, THIS IS NOT AN ATTEMPT TO COLLECT A DEBT. IT IS AN ACTION TO ENFORCE A LIEN ON REAL ESTATE.

1. Plaintiff is

WASHINGTON MUTUAL BANK, F.A., S/B/M TO
WASHINGTON MUTUAL HOME LOANS, INC., F/K/A
PNC MORTGAGE CORP. OF AMERICA
3476 STATEVIEW BOULEVARD
FORT MILL, SC 29715

2. The name(s) and last known address(es) of the Defendant(s) are:

STEPHEN A. WALKER
KATHY L. WALKER
600 CURTIN STREET
OSCEOLA MILLS, PA 16666

who is/are the mortgagor(s) and/or real owner(s) of the property hereinafter described.

3. On 11/07/1997 mortgagor(s) made, executed, and delivered a mortgage upon the premises hereinafter described to TOWNE & COUNTRY MORTGAGE CORP. which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Book: 1886, Page: 555. By Assignment of Mortgage recorded 11/12/1997 the mortgage was Assigned To PLAINTIFF which Assignment is recorded in Assignment Of Mortgage Book No. 1886, Page 564. Said mortgage was modified as set forth in the modification agreement recorded 12/14/2005, in Mortgage Instrument #: 200521563 . Said mortgage was modified as set forth in the modification agreement recorded 08/25/2006, in Mortgage Instrument# 200614414. The mortgage and assignment(s), if any, are matters of public record and are incorporated herein by reference in accordance with Pa.R.C.P. 1019(g); which Rule relieves the Plaintiff from its obligations to attach documents to pleadings if those documents are of public record.

4. The premises subject to said mortgage is described as attached.

5. The mortgage is in default because monthly payments of principal and interest upon said mortgage due 01/01/2007 and each month thereafter are due and unpaid, and by the terms of said mortgage, upon failure of mortgagor to make such payments after a date specified by written notice sent to Mortgagor, the entire principal balance and all interest due thereon are collectible forthwith.

6. The following amounts are due on the mortgage:

Principal Balance	\$40,658.22
Interest 12/01/2006 through 06/06/2007 (Per Diem \$6.82)	\$1,282.16
Attorney's Fees	\$1,300.00
Cumulative Late Charges 11/07/1997 to 06/06/2007	\$56.56
Cost of Suit and Title Search	<u>\$750.00</u>
Subtotal	\$44,046.94
Escrow	
Credit	(\$129.66)
Deficit	\$0.00
Subtotal	<u>(\$129.66)</u>
TOTAL	\$43,917.28

7. If the mortgage is reinstated prior to a Sheriff's Sale, the attorney's fee set forth above may be less than the amount demanded based on work actually performed. The attorney's fees requested are in conformity with the mortgage and Pennsylvania law. Plaintiff reserves its right to collect attorney's fees up to 5% of the remaining principal balance in the event the property is sold to a third party purchaser at Sheriff's Sale, or if the complexity of the action requires additional fees in excess of the amount demanded in the Action.



8. Plaintiff is not seeking a judgment of personal liability (or an in personam judgment) against the Defendant(s) in the Action; however, Plaintiff reserves its right to bring a separate Action to establish that right, if such right exists. If Defendant(s) has/have received a discharge of personal liability in a bankruptcy proceeding, this Action of Mortgage Foreclosure is in no way an attempt to reestablish such personal liability discharged in bankruptcy, but only to foreclose the mortgage and sell the mortgaged premises pursuant to Pennsylvania Law.
9. Notice of Intention to Foreclose as set forth in Act 6 of 1974, Notice of Homeowner's Emergency Assistance Program pursuant to Act 91 of 1983, as amended in 1998, and/or Notice of Default as required by the mortgage document, as applicable, have been sent to the Defendant(s) on the date(s) set forth thereon, and the temporary stay as provided by said notice has terminated because Defendant(s) has/have failed to meet with the Plaintiff or an authorized consumer credit counseling agency, or has/have been denied assistance by the Pennsylvania Housing Finance Agency.

10. This action does not come under Act 91 of 1983 because the mortgage is FHA-insured.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$43,917.28, together with interest from 06/06/2007 at the rate of \$6.82 per diem to the date of Judgment, and other costs and charges collectible under the mortgage and for the foreclosure and sale of the mortgaged property.

PHELAN HALLINAN & SCHMIEG, LLP

By: Francis S. Hall
/s/ Francis S. Hallinan
LAWRENCE T. PHELAN, ESQUIRE
DANIEL G. SCHMIEG, ESQUIRE
FRANCIS S. HALLINAN, ESQUIRE
Attorneys for Plaintiff



LEGAL DESCRIPTION

ALL THAT CERTAIN PROPERTY SITUATED IN THE BOROUGH OF OSEOLA MILLS IN
THE COUNTY OF CLEARFIELD AND COMMONWEALTH OF PENNSYLVANIA, BEING
MORE FULLY DESCRIBED IN A FEE SIMPLE DEED DATED 11/05/1997 AND
RECORDED 11/12/1997 AMONG THE LAND RECORDS OF THE COUNTY AND STATE
SET FORTH ABOVE IN DEED VOLUME 1886 PAGE 551.

TAX PARCEL ID 16-013-382-10

ADDRESS: 600 CURTIN Street

OSEOLA MILLS, PA 16666

VERIFICATION

FRANCIS S. HALLINAN, ESQUIRE hereby states that he is attorney for Plaintiff in this matter, that Plaintiff is outside the jurisdiction of the court and/or the verification could not be obtained within the time allowed for the filing of the pleading, that he is authorized to make this verification pursuant to Pa.R.C.P. 1024 (c), and that the statements made in the foregoing Civil Action in Mortgage Foreclosure are based upon information supplied by Plaintiff and are true and correct to the best of its knowledge, information and belief. Furthermore, counsel intends to substitute a verification from Plaintiff upon receipt.

The undersigned understands that this statement is made subject to the penalties of 18 Pa.C.S. Sec. 4904 relating to unsworn falsifications to authorities.



Francis S. Hallinan, Esquire
Attorney for Plaintiff

DATE: 6-6-07

Exhibit “B”

PHELAN HALLINAN & SCHMIEG
By: DANIEL G. SCHMIEG
Identification No. 62205
One Penn Center at Suburban Station - Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

Attorney for Plaintiff

ATTORNEY FILE COPY
PLEASE RETURN
I hereby certify this to be a true
and attested copy of the original
statement filed in this case.

AUG 15 2007

W.G. Schmieg
Prothonotary
Clark of Courts

WASHINGTON MUTUAL BANK, F.A., S/B/M :
TO WASHINGTON MUTUAL HOME :
LOANS, INC., F/K/A PNC MORTGAGE :
CORP. OF AMERICA :
3476 STATEVIEW BLVD. :
FORT MILL, SC 29715 :
CIVIL DIVISION

Attest:

NO. 07-910-CD

Plaintiff,

v.

ATTORNEY FILE COPY
PLEASE RETURN

STEPHEN A. WALKER :
KATHY L. WALKER :
600 CURTIN STREET :
OSCEOLA MILLS, PA 16666 :

Defendant(s).

PRAECIPE FOR IN REM JUDGMENT FOR FAILURE TO
ANSWER AND ASSESSMENT OF DAMAGES

TO THE OFFICE OF THE PROTHONOTARY:

Kindly enter an in rem judgment in favor of the Plaintiff and against STEPHEN A. WALKER and
KATHY L. WALKER, Defendant(s) for failure to file an Answer to Plaintiff's Complaint within 20 days from
service thereof and for foreclosure and sale of the mortgaged premises, and assess Plaintiff's damages as set forth below.

As set forth in the Complaint \$ 43,917.28
Interest - 06/07/07 - 08/13/07 \$ 463.76
TOTAL \$ 44,381.04

I hereby certify that (1) the addresses of the Plaintiff and Defendant(s) are as shown above, and (2) notice
has been given in accordance with Rule 237.1, copy attached.

ATTORNEY FILE COPY
PLEASE RETURN
Daniel G. Schmieg
DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

DAMAGES ARE HEREBY ASSESSED AS INDICATED.

DATE: 8-15-07

W.G. Schmieg
PRO PROTHY

155330

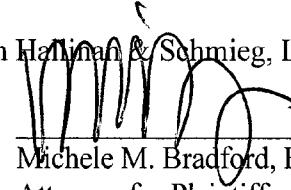
VERIFICATION

Michele M. Bradford, Esquire, hereby states that she is the attorney for Plaintiff in this action, that she is authorized to make this verification, and that the statements made in the foregoing Motion to Reassess Damages are true and correct to the best of her knowledge, information and belief. The undersigned understands that this statement herein is made subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities.

DATE: 11/2/07

Phelan Hallinan & Schmieg, LLP

By:


Michele M. Bradford, Esquire
Attorney for Plaintiff

PHELAN HALLINAN & SCHMIEG, LLP

by: Michele M. Bradford, Esquire, Atty. I.D. No. 69849
1617 John F. Kennedy Boulevard, Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

Washington Mutual Bank, F.A., S/B/M to : Court of Common Pleas
Washington Mutual Home Loans, Inc., F/K/A : Civil Division
PNC Mortgage Corp. of America :
Plaintiff vs. : Clearfield County
Stephen A. Walker : No. 07-910-CD
Kathy L. Walker
Defendants

CERTIFICATION OF SERVICE

I hereby certify that true and correct copies of Plaintiff's Motion to Reassess Damages, and Brief in Support thereof were sent to the following individuals on the date indicated below.

Stephen A. Walker
Kathy L. Walker
600 Curtin Street
Osceola Mills, PA 16666

Stephen A. Walker
Kathy L. Walker
301 Rolling Ridge Drive, Apt. 209
State College, PA 16801

DATE: 11/2/07

Phelan Hallinan & Schmieg, LLP

By:


Michele M. Bradford, Esquire
Attorney for Plaintiff

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

WASHINGTON MUTUAL BANK, F.A., et al *
Plaintiff *
vs. * NO. 07-910-CD
STEPHEN WALKER, KATHY WALKER, *
Defendants *

ORDER

NOW, this 19th day of November, 2007, it is the ORDER of this Court that
argument on the Plaintiff's Petition for Reassessment of Damages, which **was**
scheduled for December 5, 2007, has been re-scheduled to the 19th day of
December, 2007 at 3:00 p.m. in Courtroom No. 1 of the Clearfield County Courthouse,
Clearfield, Pennsylvania. Thirty minutes has been reserved for this hearing.

BY THE COURT,

FREDRIC J. AMMERMAN
President Judge

FILED 2cc Atty Hallinan
012:59pm 10/19/2007 1cc Def-
NOV 19 2007 600 Custom St.
William A. Shaw
Prothonotary/Clerk of Courts Osceola M. 715,
PA 16001-0000
GR

FILED

NOV 19 2007

William A. Shaw
Prothonotary/Clerk of Courts

DATE: 11/19/07

You are responsible for serving all appropriate parties.

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

Plaintiff(s) Plaintiff(s) Attorney Other

Defendant(s) Defendant(s) Attorney Other

Special Instructions:

FILED
m 11:08 AM NOV 26 2007
NOV 26 2007
William A. Shaw
Prothonotary/Clerk of Courts

PHELAN HALLINAN & SCHMIEG, LLP

by: Michele M. Bradford, Esquire, Atty. I.D. No. 69849
1617 John F. Kennedy Boulevard, Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

Washington Mutual Bank, F.A., S/B/M to
Washington Mutual Home Loans, Inc., F/K/A
PNC Mortgage Corp. of America
Plaintiff

: Court of Common Pleas

vs.

: Civil Division

Stephen A. Walker
Kathy L. Walker

: Clearfield County

Defendants

: No. 07-910-CD

CERTIFICATION OF SERVICE

I hereby certify that a true and correct copy of the Court's November 14, 2007 Rule directing the Defendants to show cause as to why Plaintiff's Motion to Reassess Damages should not be granted was served upon the following individuals on the date indicated below.

Stephen A. Walker
Kathy L. Walker
600 Curtin Street
Osceola Mills, PA 16666

Stephen A. Walker
Kathy L. Walker
301 Rolling Ridge Drive, Apt. 209
State College, PA 16801

DATE: 11/20/07

Phelan Hallinan & Schmieg, LLP

By

Michele M. Bradford, Esquire
Attorney for Plaintiff

PHELAN HALLINAN & SCHMIEG, LLP

by: Michele M. Bradford, Esquire, Atty. I.D. No. 69849
1617 John F. Kennedy Boulevard, Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

Washington Mutual Bank, F.A., S/B/M to
Washington Mutual Home Loans, Inc., F/K/A
PNC Mortgage Corp. of America
Plaintiff

: Court of Common Pleas

: Civil Division

vs. : Clearfield County

Stephen A. Walker : No. 07-910-CD
Kathy L. Walker

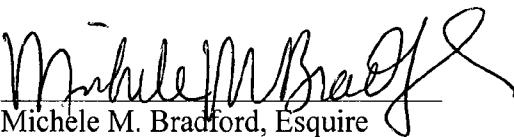
Defendants

PRAECIPE

TO THE PROTHONOTARY:

Plaintiff hereby withdraws its Motion to Reassess Damages, filed on November 5, 2007
in the above referenced action.

12/11/07
Date


Michele M. Bradford, Esquire
Attorney for Plaintiff

FILED NOCC
m 11/16/2007
DEC 12 2007
6K

William A. Shaw
Prothonotary/Clerk of Courts

PHELAN HALLINAN & SCHMIEG, LLP

by: Michele M. Bradford, Esquire, Atty. I.D. No. 69849
1617 John F. Kennedy Boulevard, Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

Washington Mutual Bank, F.A., S/B/M to
Washington Mutual Home Loans, Inc., F/K/A
PNC Mortgage Corp. of America
Plaintiff

: Court of Common Pleas

: Civil Division

vs. : Clearfield County

Stephen A. Walker : No. 07-910-CD
Kathy L. Walker

Defendants

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of Plaintiff's Praecipe to withdraw its Motion to Reassess Damages was served upon the following interested parties on the date indicated below.

Stephen A. Walker
Kathy L. Walker
600 Curtin Street
Osceola Mills, PA 16666

Stephen A. Walker
Kathy L. Walker
301 Rolling Ridge Drive, Apt. 209
State College, PA 16801

12/11/07
Date


Michele M. Bradford, Esquire
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20645
NO: 07-910-CD

PLAINTIFF: WASHINGTON MUTUAL BANK, F/A/ S/B/M TO WASHINGTON MUTUAL HOME LOANS, INC., F/K/A PNC MORTGAGE CORP OF AMERICA

VS.

DEFENDANT: STEPHEN A. WALKER AND KATHY L. WALKER

Execution REAL ESTATE

SHERIFF RETURN

DATE RECEIVED WRIT: 8/15/2007

LEVY TAKEN 8/29/2007 @ 1:52 PM

POSTED 8/29/2007 @ 1:52 PM

SALE HELD 12/7/2007

SOLD TO WELLS FARGO BANK, NA

SOLD FOR AMOUNT \$12,000.00 PLUS COSTS

WRIT RETURNED 1/11/2008

DATE DEED FILED 1/11/2008

PROPERTY ADDRESS 600 CURTIN STREET OSCEOLA MILLS , PA 16666

FILED

JAN 11 2008

01/11/08

William A. Shaw
Prothonotary/Clerk of Courts

PP
5

SERVICES

@ SERVED STEPHEN A. WALKER

DEPUTIES UNABLE TO SERVE STEPHEN A. WALKER, DEFENDANT AT 600 CURTIN STREET, OSCEOLA MILLS, PA 16666. OCTOBER 1, 2007 DEPUTIZED CENTRE COUNTY TO SERVE.

@ SERVED KATHY L. WALKER

DEPUTIES UNABLE TO SERVE KATHY L. WALKER, DEFENDANT, ATY 600 CURTIN STREET, OSCEOLA MILLS, PA 16666. OCTOBER 1, 2007 DEPUTIZED CENTRE COUNTY TO SERVE.

10/4/2007 @ 2:10 PM SERVED STEPHEN A. WALKER

CENTRE COUNTY SERVED STEPHEN A. WALKER, DEFENDANT, AT HIS RESIDENCE 301 ROLLING RIDGE DRIVE, APT 209, STATE COLLEGE, PA BY HANDING TO STEPHEN A. WALKER

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE, AND COPY OF THE LEVY AND BY MAKING KNOW TO HIM / HER THE CONTENTS THEREOF.

10/4/2007 @ 2:10 PM SERVED KATHY L. WALKER

CENTRE COUNTY SERVED KATHY L. WALKER, DEFENDANT, AT HER RESIDENCE 301 ROLLING RIDGE DRIVE, APT. 209, STATE COLLEGE, PA BY HANDING TO STEPHEN A. WALKER, HUSAND/CO-DEFENDANT

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE, AND COPY OF THE LEVY AND BY MAKING KNOW TO HIM / HER THE CONTENTS THEREOF.

@ SERVED

NOW, OCTOBER 26, 2007 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO CONTINUE THE SHERIFF SALE SCHEDULED FOR NOVEMBER 2, 2007 TO DECEMBER 7, 2007.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20645

NO: 07-910-CD

PLAINTIFF: WASHINGTON MUTUAL BANK, F/A S/B/M TO WASHINGTON MUTUAL HOME LOANS, INC., F/K/A PNC MORTGAGE CORP OF AMERICA

VS.

DEFENDANT: STEPHEN A. WALKER AND KATHY L. WALKER

Execution REAL ESTATE

SHERIFF RETURN

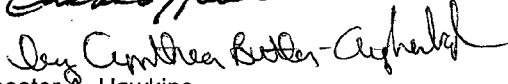
SHERIFF HAWKINS \$604.72

SURCHARGE \$40.00 PAID BY ATTORNEY

Sworn to Before Me This

So Answers,

____ Day of _____ 2006



Chester A. Hawkins
Sheriff

WRIT OF EXECUTION – (MORTGAGE FORECLOSURE)
P.R.C.P. 3180-3183 and Rule 3257

WASHINGTON MUTUAL BANK,
F.A., S/B/M..TO. WASHINGTON
MUTUAL HOME LOANS, INC.,
F/K/A PNC MORTGAGE..CORP.
OF AMERICA

vs.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

No. Term 20
No. 07-910-CD.. Term 20 05
No. Term 20

WRIT OF EXECUTION
(Mortgage Foreclosure)

STEPHEN A. WALKER

KATHY L. WALKER

Commonwealth of Pennsylvania:

County of Clearfield

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

To satisfy the judgment, interest and costs in the above matter you are directed to levy upon and sell the following property (specifically described property below):

PREMISES: 600 CURTIN STREET, OSCEOLA MILLS, PA 16666
(See Legal Description attached)

Amount Due \$44,381.04

Interest from AUGUST 13, 2007 to Sale \$-----
per diem \$7.30

Total \$-----

Add'l Costs \$ 3,231.70 *Prothonotary costs*
125.00

(Clerk) Office of the Prothonotary, Common Pleas Court
of CLEARFIELD County, Penna.

Dated 8/15/07
(SEAL)

155330

Received this writ this 15th day of August A.D. 2007
At 3:00 A.M./P.M.

Carter A. Hawke
Sheriff Deputy Sheriff - Clearfield

No. 07-910-CD..... Term 20 05 A.D.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

WASHINGTON MUTUAL BANK, F.A., S/B/M TO
WASHINGTON MUTUAL HOME LOANS, INC.,
F/K/A PNC MORTGAGE CORP. OF AMERICA

V51

STEPHEN A. WALKER
KATHY L. WALKER

WRIT OF EXECUTION (Mortgage Foreclosure)

Real Debt	
Costs	\$44,381.04

Int. from AUGUST 13, 2007
To Date of Sale (\$7.30 per diem)

Costs

125.00

Jane M. Johnson
Sheriff
Attorney for Plaintiff(s)

Address: STEPHENA A. WALKER
600 CURTIN STREET
OSCEOLA MILLS, PA 166666
KATHY L. WALKER
600 CURTIN STREET
OSCEOLA MILLS, PA 166666
Attorney for Plaintiff(s)

DESCRIPTION

ALL that certain messuage or tenement and lot of ground situate in the Borough of Osceola, County of Clearfield and State of Pennsylvania, marked and numbered on plan thereof said Borough as Lot No. 313, on the Northwesterly corner of Curtin and Elizabeth Streets, continuing in front of said Curtin Street Fifty (50) feet and extending in length or depth One Hundred Fifty (150) feet. Bounded Northerly by Mays Alley; Southerly by said Curtin Street; Easterly by said Elizabeth Street and Westerly by Lot No. 314.

BEING the same premises which became vested in the Grantors herein by deed dated the 1st day January, 1997, recorded in Clearfield County Deed Book Volume 1384, at Page 107.

PARCEL IDENTIFICATION NO: 013-382-00010 Control #: 016008104

Premises: 600 Curtin Street, Osceola Mills, PA 16666
Borough of Osceola
Clearfield County
Pennsylvania

TITLE TO SAID PREMISES IS VESTED IN Stephen A. Walker and Kathy L. Walker, his wife, as tenants by the entireties, by Deed from David B. Wagner and Christine R. Wagner, his wife, dated 11/05/1997, recorded 11/12/1997, in Deed Book 1886, page 551.

**REAL ESTATE SALE
SCHEDULE OF DISTRIBUTION**

NAME STEPHEN A. WALKER NO. 07-910-CD

NOW, January 11, 2008, by virtue of the Writ of Execution hereunto attached, after having given due and legal notice of time and place of sale by publication in a newspaper published in this County and by handbills posted on the premises setting for the date, time and place of sale at the Court House in Clearfield on December 07, 2007, I expose the within described real estate of Stephen A. Walker And Kathy L. Walker to public venue or outcry at which time and place I sold the same to WELLS FARGO BANK, NA he/she being the highest bidder, for the sum of \$12,000.00 plus costs and made the following appropriations, viz:

SHERIFF COSTS:

RDR	15.00
SERVICE	15.00
MILEAGE	19.40
LEVY	15.00
MILEAGE	19.40
POSTING	15.00
CSDS	10.00
COMMISSION	240.00
POSTAGE	4.92
HANDBILLS	15.00
DISTRIBUTION	25.00
ADVERTISING	15.00
ADD'L SERVICE	15.00
DEED	30.00
ADD'L POSTING	
ADD'L MILEAGE	97.00
ADD'L LEVY	
BID AMOUNT	12,000.00
RETURNS/DEPUTIZE	9.00
COPIES	15.00
	5.00
BILLING/PHONE/FAX	5.00
CONTINUED SALES	20.00
MISCELLANEOUS	
TOTAL SHERIFF COSTS	\$604.72

DEED COSTS:

ACKNOWLEDGEMENT	5.00
REGISTER & RECORDER	30.00
TRANSFER TAX 2%	0.00
TOTAL DEED COSTS	\$30.00

PLAINTIFF COSTS, DEBT AND INTEREST:

DEBT-AMOUNT DUE	44,381.04
INTEREST @ 7.3000 %	846.80
FROM 08/13/2007 TO 12/07/2007	
PROTH SATISFACTION	
LATE CHARGES AND FEES	
COST OF SUIT-TO BE ADDED	
FORECLOSURE FEES	
ATTORNEY COMMISSION	
REFUND OF ADVANCE	
REFUND OF SURCHARGE	40.00
SATISFACTION FEE	
ESCROW DEFICIENCY	
PROPERTY INSPECTIONS	
INTEREST	
MISCELLANEOUS	
TOTAL DEBT AND INTEREST	\$45,267.84
COSTS:	
ADVERTISING	352.42
TAXES - COLLECTOR	888.17
TAXES - TAX CLAIM	
DUE	
LIEN SEARCH	100.00
ACKNOWLEDGEMENT	5.00
DEED COSTS	30.00
SHERIFF COSTS	604.72
LEGAL JOURNAL COSTS	144.00
PROTHONOTARY	125.00
MORTGAGE SEARCH	40.00
MUNICIPAL LIEN	
TOTAL COSTS	\$2,289.31

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



CHESTER A. HAWKINS
SHERIFF

Sheriff's Office Clearfield County

COURTHOUSE
1 NORTH SECOND STREET, SUITE 116
CLEARFIELD, PENNSYLVANIA 16830

OFFICE (814) 765-2641 EXT. ~~6986~~

FAX (814) 765-5915

ROBERT SNYDER

CHIEF DEPUTY

MARILYN HAMM
DEPT. CLERK

CYNTHIA AUCHENBAUGH
OFFICE MANAGER

KAREN BAUGHMAN
CLERK TYPIST

PETER F. SMITH
SOLICITOR

DEPUTATION

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

PAGE 20645

TERM & NO. 07-910-CD

WASHINGTON MUTUAL BANK, F/A S/B/M TO WASHINGTON MUTUAL HOME LOANS, INC., F/K/A PNC MORTGAGE CORP
OF AMERICA

VS.

STEPHEN A. WALKER AND KATHY L. WALKER

DOCUMENTS TO BE SERVED:
NOTICE OF SALE
WRIT OF EXECUTION
COPY OF LEVY

SERVE BY: ASAP

**MAKE REFUND PAYABLE TO
RETURN TO BE SENT TO THIS OFFICE**

SERVE: KATHY L. WALKER

ADDRESS: 301 ROLLING RIDGE DRIVE, APT. 209
STATE COLLEGE, PA 16801

Know all men by these presents, that I, CHESTER A. HAWKINS, HIGH SHERIFF OF CLEARFIELD COUNTY, State of Pennsylvania, do hereby depelize the SHERIFF OF CENTRE COUNTY, Pennsylvania to execute this writ. This Deputation being made at the request and risk of the Plaintiff this day, Monday, October 1, 2007.

RESPECTFULLY,

A handwritten signature in black ink, appearing to read "Chester A. Hawkins".

CHESTER A. HAWKINS,
SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA



CHESTER A. HAWKINS
SHERIFF

Sheriff's Office Clearfield County

OFFICE (814) 765-2641 EXT. 6986

FAX (814) 765-5915

ROBERT SNYDER
CHIEF DEPUTY

MARILYN HAMM
DEPT. CLERK

CYNTHIA AUGHENBAUGH
OFFICE MANAGER

KAREN BAUGHMAN
CLERK TYPIST

PETER F. SMITH
SOLICITOR

COURTHOUSE

1 NORTH SECOND STREET, SUITE 116
CLEARFIELD, PENNSYLVANIA 16830

DEPUTATION

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

PAGE 20645

TERM & NO. 07-910-CD

WASHINGTON MUTUAL BANK, F/A S/B/M TO WASHINGTON MUTUAL HOME LOANS, INC., F/K/A PNC MORTGAGE CORP
OF AMERICA

VS.

STEPHEN A. WALKER AND KATHY L. WALKER

DOCUMENTS TO BE SERVED:
NOTICE OF SALE
WRIT OF EXECUTION
COPY OF LEVY

SERVE BY: ASAP

**MAKE REFUND PAYABLE TO
RETURN TO BE SENT TO THIS OFFICE**

SERVE: STEPHEN A. WALKER

ADDRESS: 301 ROLLING RIDGE DRIVE, APT. 209
STATE COLLEGE, PA 16801

Know all men by these presents, that I, CHESTER A. HAWKINS, HIGH SHERIFF OF CLEARFIELD COUNTY, State of Pennsylvania, do hereby depelize the SHERIFF OF CENTRE COUNTY, Pennsylvania to execute this writ. This Deputation being made at the request and risk of the Plaintiff this day, Monday, October 1, 2007.

RESPECTFULLY,

A handwritten signature in black ink, appearing to read "Chester A. Hawkins".

CHESTER A. HAWKINS,
SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA

SHERIFF'S OFFICE

CENTRE COUNTY

PHELAN, HALLINAN & SCHMI

Rm 101 Court House, Bellefonte, Pennsylvania, 16823 (814) 355-6803

SHERIFF SERVICE PROCESS RECEIPT, AND AFFIDAVIT OF RETURN

INSTRUCTIONS FOR SERVICE OF PROCESS: You must file one instruction sheet for each defendant. Please type or print legibly. Do not detach any copies.

1. Plaintiff(s) Washington Mutual	2. Case Number 07-910-CD
3. Defendant(s) Stephen A Walker & Kathy L Walker	4. Type of Writ or Complaint: out of county exec 103552

SERVE **→** { 5. Name of Individual, Company, Corporation, Etc., to Serve or Description of Property to be Levied, Attached or Sold.
Kathy L Walker

AT { 6. Address (Street or RFD, Apartment No., City, Boro, Twp., State and Zip Code)
301 Rolling Ridge Drive Apt. 209, State College, PA 16801

7. Indicate unusual service: Reg Mail Certified Mail Deputize Post Other

Now, 20, I, SHERIFF OF CENTRE COUNTY, PA., do hereby depose the Sheriff of County to execute this Writ and make return thereof according to law. This deputation being made at the request and risk of the plaintiff. Sheriff of Centre County

8. SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE

NOTE ONLY APPLICABLE ON WRIT OF EXECUTION: N.B. WAIVER OF WATCHMAN - Any deputy sheriff levying upon or attaching any property under within writ may leave same without a watchman, in custody of whomever is found in possession, after notifying person of levy or attachment, without liability on the part of such deputy or the sheriff to any plaintiff herein for any loss, destruction or removal of any such property before sheriff's sale thereof.

9. Print/Type Name and Address of Attorney/Originator PHELAN, HALLINAN & SCHMIEG LLP ONE PENN CENTER SUITE 1400 SUITE 1400 PHILADELPHIA, PA 19104	10. Telephone Number (215) 563-7000	11. Date
	12. Signature	

SPACE BELOW FOR USE OF SHERIFF ONLY - DO NOT WRITE BELOW THIS LINE

13. I acknowledge receipt of the writ or complaint as indicated above.	SIGNATURE of Authorized CCSO Deputy of Clerk and Title	14. Date Filed	15. Expiration/Hearing Date
--	--	----------------	-----------------------------

TO BE COMPLETED BY SHERIFF

16. Served and made known to Stephen Walker, on the 4 day of October 2007, at 2:10 PM o'clock, m., at 301 Rolling Ridge Drive Apt. 209, State College, PA 16801, County of Centre

Commonwealth of Pennsylvania, in the manner described below:

Defendant(s) personally served.
 Adult family member with whom said Defendant(s) resides(s). Relationship is co-defendant
 Adult in charge of Defendant's residence.
 Manager/Clerk of place of lodging in which Defendant(s) resides(s).
 Agent or person in charge of Defendant's office or usual place of business.
 and officer of said Defendant company.

Other

On the _____ day of _____, 20____, at _____ o'clock, _____ M.

Defendant not found because:

Moved Unknown No Answer Vacant Other _____

Remarks:

Advance Costs 75.00	Docket 9.00	Service 15.00	Sur Charge 20.00	Affidavit 3.50	Mileage 15.00	Postage	Misc.	Total Costs 62.50	Costs Due or Refund (12.50)
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17. AFFIRMED and subscribed to before me this 12

20 day of Oct. 2007

23 COMMONWEALTH OF PENNSYLVANIA

Notary Seal
Corinne H. Peters, Notary Public
My Commission Expires, Centre County

So Answer.

18. Signature of Dep. Sheriff

21. Signature of Sheriff

19. Date

22. Date

SHERIFF OF CENTRE COUNTY

Amount Pd. Page

24. I AM A NOTARY PUBLIC AND THE SHERIFF'S RETURN SIGNATURE
DE AUTHORIZED AUTHORITY AND TITLE
Pennsylvania Association of Notaries

25. Date Received

Law Offices
PHELAN HALLINAN & SCHMIEG, LLP
One Penn Center at Suburban Station
1617 John F. Kennedy Boulevard
Suite 1400
Philadelphia, PA 19103-1814
Christine.Schoffler@fedphe.com

Christine Schoffler
Judgment Department, Ext. 1286

Representing Lenders in
Pennsylvania and New Jersey

October 26, 2007

Office of the Sheriff
Clearfield County Courthouse
230 East Market Street
Clearfield, PA 16830

ATTENTION: CINDY (814) 765-5915

**Re: WASHINGTON MUTUAL BANK, F.A., S/B/M TO WASHINGTON
MUTUAL HOME LOANS, INC., F/K/A PNC MORTGAGE CORP. OF
AMERICA v. STEPHEN A. WALKER KATHY L. WALKER
No. 07-910-CD
600 CURTIN STREET, OSCEOLA MILLS, PA 16666**

Dear Cindy:

Please postpone the Sheriff's Sale of the above referenced property which is scheduled for NOVEMBER 2, 2007.

The property is to be relisted for the DECEMBER 7, 2007 Sheriff's Sale.

Very truly yours,
CQS
Christine Schoffler

VIA TELECOPY (814) 765-5915