

07-1070-CD
Nat'l City Bank vs Carmen Barba

National city Bank vs Carmen Barba et al
2007-1070-CD

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

NATIONAL CITY BANK,

Plaintiff,

vs.

CARMEN A. BARBA AND
OCCUPANT,

Defendants.

Civil Action No. 07-1070-CD

COMPLAINT IN EJECTMENT


FILED ON BEHALF OF
Plaintiff
COUNSEL OF RECORD OF
THIS PARTY:

LORI A. GIBSON, ESQ.
PA I.D. #68013
DEBORAH R. ERBSTEIN, ESQ.
PA I.D. #86470
Bernstein Law Firm, P.C.
Firm #718
Suite 2200 Gulf Tower
Pittsburgh, PA 15219
412-456-8100

BERNSTEIN FILE NO. F0065029

February 6, 2008 Document
Reinstated/Reissued to Sheriff/Attorney
for service.


Deputy Prothonotary

FILED Atty. pd. 85.00
m/2:00pm
JUL 09 2007
2cc Sheriff

William A. Shaw
Prothonotary/Clerk of Courts

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

NATIONAL CITY BANK,

Plaintiff,

vs.

Civil Action No.

CARMEN A. BARBA and
OCCUPANT,

Defendant.

NOTICE AND COMPLAINT IN EJECTMENT

NOTICE TO DEFEND

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served upon you, 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 OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

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Lawyer Referral Service
PA Bar Association
P.O. Box 186
Harrisburg, PA 17108
1-800-692-7375

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

NATIONAL CITY BANK,

Plaintiff,

vs.

Civil Action No.

CARMEN A. BARBA and
OCCUPANT,

Defendant.

COMPLAINT IN EJECTMENT

1. Plaintiff, National City Bank (hereinafter "Plaintiff"), is a corporation with offices located at 3232 Newmark Drive, Miamisburg, OH 45342.

2. Defendants, Carmen A. Barba and Occupant (hereinafter "Defendants"), are adult individuals residing at 406 East 11th Street, Clearfield, Clearfield County, Pennsylvania 16830.

3. Plaintiff avers that it is the lawful owner of the property more specifically described by virtue of a Sheriff's Sale conducted on June 1, 2007, by the Clearfield County Sheriff at Civil Action No. 2006-1846CD:

ALL those two certain lots or pieces of ground situate in the Borough of Clearfield, County of Clearfield and Commonwealth of Pennsylvania, bounded and described as follows:

FIRST THEREOF: On the north by lot, now or formerly of Hester A. Cowdrick, on the east by Barrett Street; on the south by an alley, and on the west by Lot. No. 9, being forty-six (46) feet front on Barrett Street and extending back along said alley a distance of fifty (50) feet to Lot No. 9, and being a part of Lot No. 10 in Barrett's Addition to the Borough of Clearfield.

THE SECOND THEREOF: Beginning at a post on alley on line between Lots No. 9 and 10 in Barrett's Addition to Clearfield Borough, thence along said line north forty-six (46) feet to a post; thence west seven (7) feet to a post and place of beginning.

HAVING erected thereon a dwelling known as 406 E. 11th Street, Clearfield, PA 16830.

TAX PARCEL #004.4-K08-248-00097

BEING the same premises which Ernest C. Cartwright, Jr. by his court appointed guardian John O. Bumbarger and Dorothy V. Cartwright, his wife, by deed dated March 8, 1994 and recorded March 8, 1994 in the office of the Clearfield County Recorder of Deeds in Deed Book Volume 1591, Page 193 granted and conveyed to Carmen A. Barba.

4. Plaintiff avers that the Defendants have unlawfully remained on said property without right or authority.
5. Plaintiff avers that the Defendants have no rights which are superior to those of the Plaintiff.
6. Plaintiff has the right to immediate possession of the aforementioned lot or piece of ground together with the buildings and improvements thereon.

WHEREFORE, Plaintiff, National City Bank, demands Judgment in Ejectment against Defendants, Carmen A. Barba and Occupant, jointly and severally, for possession of the premises at 406 East 11th Street, Clearfield, Pennsylvania 16830.

BERNSTEIN LAW FIRM, P.C.

BY: 

Attorney for Plaintiff(s)

Suite 2200 Gulf Tower

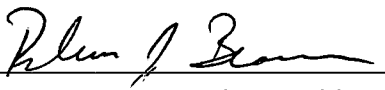
Pittsburgh, PA 15219

BERNSTEIN FILE NO. F0065029

(412) 456-8100

VERIFICATION

The undersigned does hereby verify subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities, that he\she is the Banking Officer for the Plaintiff herein, that he\she is duly authorized to make this Verification, and that the facts set forth in the foregoing Complaint in ~~Ejectment~~ ~~Mortgage Foreclosure~~ are true and correct to the best of his\her knowledge, information and belief.



Rebecca J. Brown, Asst. Vice President

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 1 of 2 Services

Sheriff Docket # **102980**

NATIONAL CITY BANK

Case # 07-1070-CD

vs.

CARMEN A. BARBA and OCCUPANT

TYPE OF SERVICE COMPLAINT IN EJECTMENT

SHERIFF RETURNS

NOW August 09, 2007 RETURNED THE WITHIN COMPLAINT IN EJECTMENT "NOT SERVED, TIME EXPIRED" AS TO CARMEN A. BARBA, DEFENDANT. NO CONTACT BY CELL PHONE OR AT 605 E. 11TH ST., CLEARFIELD, PA.

SERVED BY: /

FILED
012:01/201
AUG 10 2007
um

William A. Shaw
Prothonotary/Clerk of Courts

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 2 of 2 Services

Sheriff Docket # **102980**

NATIONAL CITY BANK

Case # **07-1070-CD**

vs.

CARMEN A. BARBA and OCCUPANT

TYPE OF SERVICE COMPLAINT IN EJECTMENT

SHERIFF RETURNS

NOW August 09, 2007 RETURNED THE WITHIN COMPLAINT IN EJECTMENT "NOT SERVED, TIME EXPIRED" AS TO OCCUPANT (BARBA PROPERTY), DEFENDANT. LINDA BARBA STATED SHE ONLY IS AT THE RESIDENCE TO CLEAN.

SERVED BY: /

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102980
NO: 07-1070-CD
SERVICES 2
COMPLAINT IN EJECTMENT

PLAINTIFF: NATIONAL CITY BANK
vs.
DEFENDANT: CARMEN A. BARBA and OCCUPANT

SHERIFF RETURN

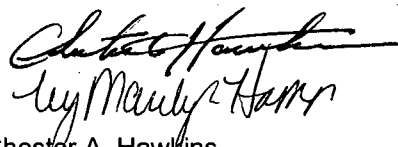
RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	BERNSTEIN	104815	20.00
SHERIFF HAWKINS	BERNSTEIN	104815	25.41

Sworn to Before Me This

_____ Day of _____ 2007

So Answers,



Chester A. Hawkins
Sheriff

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

NATIONAL CITY BANK,

Plaintiff,

vs.

CARMEN A. BARBA AND
OCCUPANT,

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Civil Action No. 07-1070-CD

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FILED ON BEHALF OF
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COUNSEL OF RECORD OF
THIS PARTY:

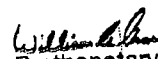
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Suite 2200 Gulf Tower
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BERNSTEIN FILE NO. F0065029

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

JUL 09 2007

Attest.


Prothonotary/
Clerk of Courts

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BERNSTEIN LAW FIRM, P.C.

BY: 

Attorney for Plaintiff(s)

Suite 2200 Gulf Tower

Pittsburgh, PA 15219

BERNSTEIN FILE NO. F0065029

(412) 456-8100

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Rebecca J. Brown, Asst. Vice President

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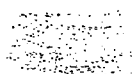
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Prothonotary/
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BERNSTEIN LAW FIRM, P.C.

BY: 

Attorney for Plaintiff(s)

Suite 2200 Gulf Tower
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BERNSTEIN FILE NO. F0065029

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Rebecca J. Brown, Asst. Vice President

CA

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

NATIONAL CITY BANK,

Plaintiff,

vs.

CARMEN A. BARBA and
OCCUPANT,

Defendants.

CIVIL ACTION NO. 07-1070-CD

MOTION FOR ALTERNATE SERVICE
IN ACCORDANCE WITH PA R.C.P. 430

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD FOR
THIS PARTY:

ROBERT S. BERNSTEIN, ESQUIRE
PA ID#34308
NICHOLAS D. KRAWEC, ESQUIRE
PA ID#38527
Bernstein Law Firm, P.C.
Firm #718
2200 Gulf Tower
Pittsburgh, PA 15219
412-456-8100

BERNSTEIN FILE NO. F0065029

FILED *icc*
10:48 AM
JAN 25 2008 *Atty Bernstein*
William A. Shaw
Prothonotary/Clerk of Courts *(S)*

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

NATIONAL CITY BANK,

Plaintiff,

CIVIL ACTION NO. 07-1070-CD

vs.

CARMEN A. BARBA and
OCCUPANT,

Defendants.

NOTICE OF PRESENTATION

TAKE NOTICE that the within Motion For Alternate Service In Accordance With Pennsylvania Rule Of Civil Procedure 430 will be presented to the Motions Judge at the Clearfield County Courthouse, Clearfield, PA 16830 on JAN 25, 2008 at 9:30 a.m. prevailing time, or as soon thereafter as the Court shall permit.



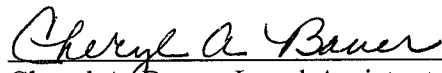
ROBERT S. BERNSTEIN, ESQUIRE
NICHOLAS D. KRAWEC, ESQUIRE

CERTIFICATE OF SERVICE

I, Cheryl A. Bauer, do hereby certify that a true and correct copy of the foregoing Motion was served upon the following parties on January 23rd, 2008 by first class, U.S. Mail, postage pre-paid:

Carmen A. Barba
605 E. 11th Street
Clearfield PA 16830

Occupant and Linda Barba
406 E. 11th Street
Clearfield, PA 16830



Cheryl A. Bauer, Legal Assistant
Bernstein Law Firm, P.C.

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

NATIONAL CITY BANK,

Plaintiff,

CIVIL ACTION NO. 07-1070-CD

vs.

CARMEN A. BARBA and
OCCUPANT,

Defendants.

**MOTION FOR ALTERNATE SERVICE IN ACCORDANCE WITH THE
PENNSYLVANIA RULE OF CIVIL PROCEDURE 430**

AND NOW, comes Plaintiff, National City Bank, (hereinafter referred to as "Plaintiff") and prays this Honorable Court as follows:

1. Plaintiff filed a Complaint in Ejectment on July 9, 2007 and has been unable to obtain service of the Notice and Complaint on the Defendants through the office of the Sheriff of Clearfield County, Pennsylvania.
2. Plaintiff has made diligent search for the Defendants as is more fully set forth in the Supporting Affidavit, which is attached hereto, marked as Exhibit "A" and made a part hereof.
3. Plaintiff prays that this Honorable Court will enter an appropriate Order of Court authorizing alternative service by posting a copy of the Complaint to the mortgaged premises, and by regular mail to Defendants' last known address.

WHEREFORE, Plaintiff motions this Honorable Court to enter an Order, pursuant to Pa.R.C.P. 430, authorizing the Plaintiff to serve the Defendants, by posting the premises located at 406 East Eleventh Street, Clearfield, PA 16830 and by regular mail to Defendants' last known addresses of 605 E. Eleventh Street, Clearfield, PA 16830 and 406 East Eleventh Street, Clearfield, PA 16830 in accordance with PA. R.C.P. 430.

Respectfully Submitted,

BERNSTEIN LAW FIRM, P.C.

BY: 

ROBERT S. BERNSTEIN, ESQUIRE

PA ID#34308

NICHOLAS D. KRAWEC, ESQUIRE

PA ID#38527

Firm #718

2200 Gulf Tower

Pittsburgh, PA 15219

(412) 456-8100

BERNSTEIN FILE NO. F0065029

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

NATIONAL CITY BANK,

Plaintiff,

CIVIL ACTION NO. 07-1070-CD

vs.

CARMEN A. BARBA and
OCCUPANT,

Defendants.

AFFIDAVIT IN SUPPORT OF MOTION FOR ALTERNATE SERVICE
PURSUANT TO PA R.C.P. 430

AND NOW, comes Robert S. Bernstein, Esquire, who upon being duly sworn according to law deposes and says as follows:

1. That he is an attorney at law duly licensed to practice in the Commonwealth of Pennsylvania.

2. That he is the attorney representing the Plaintiff, National City Bank, (hereinafter referred to as "Plaintiff").

3. That after filing of the Complaint, the Sheriff of Clearfield County made a Return Of Service, in which he advised that he had been unable to make service upon the Defendants, (hereinafter referred to as "Defendants") at their last known addresses of 406 E. Eleventh Street, Clearfield, PA 16830 and 605 E. Eleventh Street Clearfield PA 16830, because Linda Barba stated to the deputy that she was only at the premises, at 406 E. Eleventh Street, Clearfield, PA

16830, to clean and Carmen Barba stated he does not live there. A true and correct copy of the Return of Service is attached hereto, marked as Exhibit "A-1" and made a part hereof.

4. That Plaintiff's counsel made inquiry of the U.S. Post Office for confirmation of address information.

5. The postal authorities advised that 406 E. Eleventh Street, Clearfield, PA 16830 is the correct address for the Occupant, Linda Barba, as evidenced by the Post Office response attached hereto, marked as Exhibit "A-2" and made a part hereof.

6. That Directory Assistance was able to confirm a street address for the Occupant, Linda Barba, of 406 E. Eleventh Street, Clearfield, PA 16830, but was unable to confirm a street address for Defendant, Carmen Barba. A true and correct copy of the telephone listing is attached hereto, marked as Exhibit "A-3" and made part hereof.

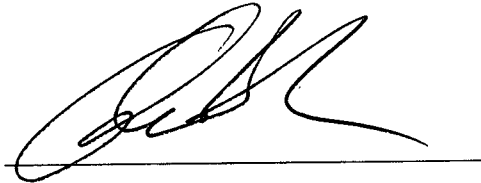
7. That Directory Assistance was unable to confirm a street address for Defendant, Carmen Barba.

8. That Voter Registration for Clearfield County, was unable to confirm that Defendant, Carmen A. Barba, and Occupant, Linda Barba, are registered to vote in Clearfield County.


9. That Plaintiff's counsel received a copy of Defendants' credit reports, which indicate 605 E. Eleventh Street, Clearfield, PA 16830 as the current address for Defendant, Carmen Barba, and 406 E. Eleventh Street, Clearfield, PA 16830 as the current address for Occupant, Linda Barba.

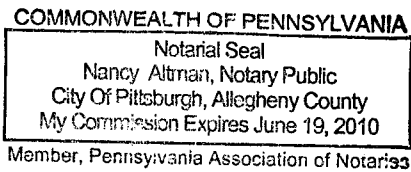
10. That Plaintiff's counsel obtained an internet search for the Defendants, which indicates 605 E. Eleventh Street, Clearfield, PA 16830 as the Defendant Carmen Barba and 406 E. Eleventh Street, Clearfield, PA 16830 for the Occupant, Linda Barba current address.

And further the Affiant sayeth naught.



Sworn to and subscribed
before me this 23rd day
of JAN, 2008


Notary Public



In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 1 of 2 Services

Sheriff Docket # **102980**

Case # **07-1070-CD**

NATIONAL CITY BANK

vs.

CARMEN A. BARBA and OCCUPANT

COPY

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SERVED BY: /

EXHIBIT A-1

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 2 of 2 Services

Sheriff Docket # **102980**

Case # **07-1070-CD**

NATIONAL CITY BANK

vs.

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SERVED BY: /

BERNSTEIN

Law Firm

A BUSINESS APPROACH
TO LEGAL SERVICESM

CREDITORS' RIGHTS AT BERNSTEIN LAW FIRM

WWW.BERNSTEINLAW.COM

CREDITORS' RIGHTS • BANKRUPTCY • RESTRUCTURING • BUSINESS LAW

707 GRANT STREET • SUITE 2200 GULF TOWER • PITTSBURGH, PA 15219 • 412-456-8100 • FAX 412-456-8135

Postmaster,
Clearfield PA 16830

October 24, 2007

Subject: Request for Information

Re: National City Mortgage
Vs: Carmen A. Barba
BERNSTEIN FILE NO. F0065029

Sir:

**Request for Change of Address or Boxholder
Information Needed for Service of Legal Process**

Please furnish the new address or the name and address (if a boxholder) for the following:

Name: Linda Barba

Address: 406 E. 11th Street Clearfield PA 16830

NOTE: The name and last known address are required for change of address information. The name, if known, and post office box address are required for boxholder information.

The following information is provided in accordance with 39 CFR 265.6(d)(6)(ii). There is no fee for providing boxholder information. The fee for providing change of address information is waived in accordance with 39 CFR 265.6(d)(1) and (2) and corresponding Administrative Support Manual 352.44a and b.

1. Capacity of requester (e.g. process server, attorney, party representing himself): ATTORNEY
2. State or regulation that empower me to serve process (not required when requester is an attorney or a party acting *pro se* must cite statute): _____
3. The name of all known parties to the litigation: National City Mortgage VS. Carmen A. Barba and Occupant
4. The court in which the case has been or will be heard: COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA, CIVIL DIVISION
5. The docket or other identifying number if one has been issued: 07-1070-CD
6. The capacity in which this individual is to be served (e.g. defendant or witness): DEFENDANT

EXHIBIT A-2

WARNING

THE SUBMISSION OF FALSE INFORMATION TO OBTAIN AND USE CHANGE OF ADDRESS INFORMATION OR BOXHOLDER INFORMATION FOR ANY PURPOSE OTHER THAN THE SERVICE OF LEGAL PROCESS IN CONNECTION WITH ACTUAL OR PROSPECTIVE LITIGATION COULD RESULT IN CRIMINAL PENALTIES INCLUDING A FINE OF UP TO \$10,000 OR IMPRISONMENT OR (2) TO AVOID PAYMENT OF THE FEE FOR CHANGE OF ADDRESS INFORMATION OF NOT MORE THAN 5 YEARS, OR BOTH (TITLE 18 U.S.C. SECTION 1001).

I certify that the above information is true and that the address information is needed and will be used solely for service of legal process in connection with actual or prospective litigation.

Cheryl A. Bauer
Signature

Suite 2200 Gulf Tower
Address

Cheryl A. Bauer
Printed Name

PITTSBURGH, PA 15219
City, State, ZIP Code

FOR POST OFFICE USE ONLY

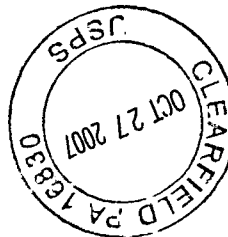
POSTMARK

- ☐ Not known at address given.
☐ Moved, left no forwarding address.
☐ No such address.
☐ Correct address.
☐ New address
☐ Box holder's name and address

NAME and STREET ADDRESS

File No. F0065029

Good Forward



[illegible]

SCANNED
OCT 29 2007

BERNSTEIN

Law Firm

A BUSINESS APPROACH
TO LEGAL SERVICESM

CREDITORS' RIGHTS AT BERNSTEIN LAW FIRM

WWW.BERNSTEINLAW.COM

CREDITORS' RIGHTS · BANKRUPTCY · RESTRUCTURING · BUSINESS LAW

707 GRANT STREET * SUITE 2200 GULF TOWER * PITTSBURGH, PA 15219 * 412-456-8100 * FAX 412-456-8135

Postmaster,
Clearfield PA 16830

October 24, 2007

Subject: Request for Information

Re: National City Mortgage

Vs: Carmen A. Barba

BERNSTEIN FILE NO. F0065029

Sir:

**Request for Change of Address or Boxholder
Information Needed for Service of Legal Process**

Please furnish the new address or the name and address (if a boxholder) for the following:

Name: Carmen A. Barba

Address: 605 E. 11th Street Clearfield PA 16830

NOTE: The name and last known address are required for change of address information. The name, if known, and post office box address are required for boxholder information.

The following information is provided in accordance with 39 CFR 265.6(d)(6)(ii). There is no fee for providing boxholder information. The fee for providing change of address information is waived in accordance with 39 CFR 265.6(d)(1) and (2) and corresponding Administrative Support Manual 352.44a and b.

1. Capacity of requester (e.g. process server, attorney, party representing himself): ATTORNEY
2. State or regulation that empower me to serve process (not required when requester is an attorney or a party acting *pro se* must cite statute): _____
3. The name of all known parties to the litigation: National City Mortgage VS. Carmen A. Barba and Occupant
4. The court in which the case has been or will be heard: COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA, CIVIL DIVISION
5. The docket or other identifying number if one has been issued: 07-1070-CD
6. The capacity in which this individual is to be served (e.g. defendant or witness): DEFENDANT

EXHIBIT

A-3

WARNING

THE SUBMISSION OF FALSE INFORMATION TO OBTAIN AND USE CHANGE OF ADDRESS INFORMATION OR BOXHOLDER INFORMATION FOR ANY PURPOSE OTHER THAN THE SERVICE OF LEGAL PROCESS IN CONNECTION WITH ACTUAL OR PROSPECTIVE LITIGATION COULD RESULT IN CRIMINAL PENALTIES INCLUDING A FINE OF UP TO \$10,000 OR IMPRISONMENT OR (2) TO AVOID PAYMENT OF THE FEE FOR CHANGE OF ADDRESS INFORMATION OF NOT MORE THAN 5 YEARS, OR BOTH (TITLE 18 U.S.C. SECTION 1001).

I certify that the above information is true and that the address information is needed and will be used solely for service of legal process in connection with actual or prospective litigation.

Cheryl A. Bauer
Signature

Suite 2200 Gulf Tower
Address

Cheryl A. Bauer
Printed Name

PITTSBURGH, PA 15219
City, State, ZIP Code

FOR POST OFFICE USE ONLY

POSTMARK

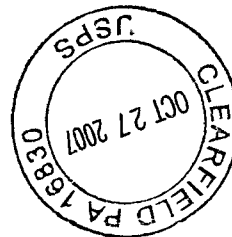
- ☒ Not known at address given.
☐ Moved, left no forwarding address.
☐ No such address.
☐ Correct address.
☐ New address
☐ Box holder's name and address

NAME and STREET ADDRESS

File No. F0065029

FOE

UTF



WhitePages.comTM

search. find. connect.

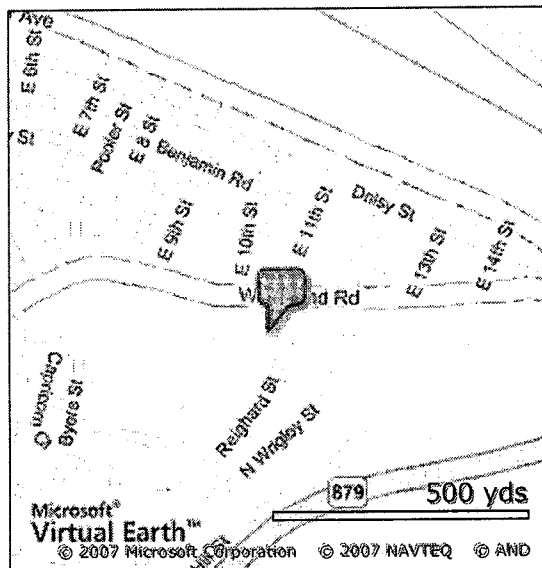
1 Result matching "Linda Barba, Clearfield, PA"**Linda S Barba**

406 E 11th St

Clearfield, PA 16830-2808

(814) 765-4472

Age: 40-44



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[Privacy Policy](#), [Legal Notice](#) and [Terms](#) under which this service is provided to y

EXHIBIT A-3

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

NATIONAL CITY BANK,

Plaintiff,

CIVIL ACTION NO. 07-1070-CD

vs.

CARMEN A. BARBA and
OCCUPANT,

Defendants.

ORDER OF COURT AUTHORIZING ALTERNATE SERVICE
PURSUANT TO PA. R.C.P. 430

AND NOW, to-wit, this 25 day of January, ~~2007~~²⁰⁰⁸, upon consideration of the foregoing Motion and its attached Supporting Affidavit, it is hereby ORDERED, ADJUDGED AND DECREED that the Plaintiff be and is hereby authorized to obtain service on Defendants, Carmen A. Barba, and Occupant, of the Notice and Complaint and any subsequent notices including the Writ of Possession, by posting the premises located at 406 East Eleventh Street, Clearfield, PA 16830 and by regular mail to the Defendants' last known addresses of 605 E. Eleventh Street Clearfield PA 16830, and 406 E. Eleventh Street, Clearfield, PA 16830 in accordance with PA. R.C.P. 430.

BY THE COURT:

Judge: J. C. Cunningham
J.

FILED

JAN 28 2008

William A. Shaw
Prothonotary/Clerk of Courts

icc
Atty
Bernstein

(6)

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

NATIONAL CITY BANK,

Plaintiff,

CIVIL ACTION NO. 07-1070-CD

vs.

CARMEN A. BARBA and
OCCUPANT,

Defendants.

ORDER OF COURT AUTHORIZING ALTERNATE SERVICE
PURSUANT TO PA. R.C.P. 430

AND NOW, to-wit, this ____ day of _____, 2008, upon consideration of the foregoing Motion and its attached Supporting Affidavit, it is hereby ORDERED, ADJUDGED AND DECREED that the Plaintiff be and is hereby authorized to obtain service on Defendants, Carmen A. Barba, and Occupant, of the Notice and Complaint and any subsequent notices including the Writ of Possession, by posting the premises located at 406 East Eleventh Street, Clearfield, PA 16830 and by regular mail to the Defendants' last known addresses of 605 E. Eleventh Street Clearfield PA 16830, and 406 E. Eleventh Street, Clearfield, PA 16830 in accordance with PA. R.C.P. 430.

BY THE COURT:

_____. J.

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

NATIONAL CITY BANK,

Plaintiff,

No. 07-1070-CD

vs.

PRAECIPE TO REINSTATE COMPLAINT
IN EJECTMENT

CARMEN A. BARBA and
OCCUPANT,

Defendants.

FILED ON BEHALF OF
Plaintiff(s)

COUNSEL OF RECORD OF
THIS PARTY:

ROBERT S. BERNSTEIN, ESQUIRE
PA ID#34308
NICHOLAS D. KRAWEC, ESQUIRE
PA ID#38527

Bernstein Law Firm, P.C.
Firm #718
Suite 2200 Gulf Tower
Pittsburgh, PA 15219
412-456-8100
BERNSTEIN FILE NO. F0065029

NOTICE

**THIS IS AN ATTEMPT BY A DEBT COLLECTOR TO COLLECT A DEBT AND ANY
INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.**

FILED pd #7.00 Att
m 11:10 am 2 reinstated
FEB 06 2008 Complaint to
Shff.

William A. Shaw
Prothonotary/Clerk of Courts

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

NATIONAL CITY BANK,

Plaintiff,
vs.

Civil Action No. 07-1070-CD

CARMEN A. BARBA and
OCCUPANT,

Defendants.

PRAECIPE TO REINSTATE COMPLAINT IN EJECTMENT

TO THE PROTHONOTARY:

Kindly reinstate the Complaint in Ejectment in the above-captioned matter.

BERNSTEIN LAW FIRM P.C.

By 

Attorney for Plaintiff
Suite 2200 Gulf Tower
Pittsburgh, PA 15219
(412) 456-8100

BERNSTEIN FILE NO. F0065029

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

Plaintiff,
vs.

No. 07-1070-CD

PRAECIPE TO DISCONTINUE
WITHOUT PREJUDICE

CARMEN A. BARBA,

Defendant.

FILED ON BEHALF OF
Plaintiff(s)

COUNSEL OF RECORD OF
THIS PARTY:

ROBERT S. BERNSTEIN, ESQUIRE
PA ID#34308
NICHOLAS D. KRAWEC, ESQUIRE
PA ID#38527
Bernstein Law Firm, P.C.
Firm #718
Suite 2200 Gulf Tower
Pittsburgh, PA 15219
412-456-8100
BERNSTEIN FILE NO. F0065029

NOTICE

THIS IS AN ATTEMPT BY A DEBT COLLECTOR TO COLLECT A DEBT AND ANY
INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

FILED (E)

MAR 10 2008

n (11:00) (C)
William A. Shaw
Prothonotary/Clerk of Courts
No C/C

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

NATIONAL CITY BANK,

Plaintiff,

vs.

Civil Action No. 07-1070-CD

CARMEN A. BARBA,

Defendant.

PRAECIPE TO DISCONTINUE WITHOUT PREJUDICE

TO THE PROTHONOTARY OF CLEARFIELD COUNTY:

Discontinue without prejudice the above-captioned matter upon the records of the Court
and mark the costs paid.

BERNSTEIN LAW FIRM, P.C.

By: 

Attorneys for Plaintiff

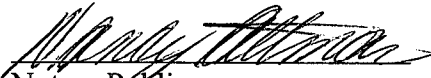
Suite 2200 Gulf Tower

Pittsburgh, PA 15219

(412) 456-8100

BERNSTEIN FILE NO: F0065029

Sworn to and subscribed
before me this 6th
day of MARCH, 2008


Notary Public

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Nancy Altman, Notary Public
City Of Pittsburgh, Allegheny County
My Commission Expires June 19, 2010
Member, Pennsylvania Association of Notaries

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103724
NO: 07-1070-CD
SERVICE # 1 OF 2
COMPLAINT IN EJECTMENT & ORDER

PLAINTIFF: NATIONAL CITY BANK
vs.
DEFENDANT: CARMEN A. BARBA and OCCUPANT

SHERIFF RETURN

NOW, February 13, 2008 AT 9:30 AM POSTED THE WITHIN COMPLAINT IN EJECTMENT & ORDER FOR CARMEN A. BARBA AT 406 EAST ELEVENTH ST., CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA.

SERVED BY: DEHAVEN /

FILED
07332034
MAY 28 2008
William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103724
NO: 07-1070-CD
SERVICE # 2 OF 2
COMPLAINT IN EJECTMENT & ORDER

PLAINTIFF: NATIONAL CITY BANK
vs.
DEFENDANT: CARMEN A. BARBA and OCCUPANT

SHERIFF RETURN

NOW, February 13, 2008 AT 9:30 AM POSTED THE WITHIN COMPLAINT IN EJECTMENT & ORDER FOR
OCCUPANT AT 406 EAST ELEVENTH ST., CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA.

SERVED BY: DEHAVEN /

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103724
NO: 07-1070-CD
SERVICES 2
COMPLAINT IN EJECTMENT & ORDER

PLAINTIFF: NATIONAL CITY BANK
vs.
DEFENDANT: CARMEN A. BARBA and OCCUPANT

SHERIFF RETURN

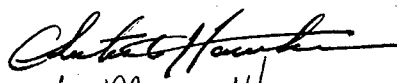
RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	BERNSTEIN	106278	20.00
SHERIFF HAWKINS	BERNSTEIN	106278	17.00

Sworn to Before Me This

_____ Day of _____ 2008

So Answers,


by Marilyn Hamr
Chester A. Hawkins
Sheriff