

07-1191-CD
Midland Credit vs Jeffrey Zellner

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

MIDLAND CREDIT MANAGEMENT, INC.
AS SERVICER FOR MIDLAND FUNDING LLC
ASSIGNEE OF ASPIRE

Plaintiff

No. 07-1191-CJ

VS

CIVIL ACTION - LAW

JEFFREY ZELLNER
Defendant(s)

PRAECIPE FOR JUDGMENT

Please enter Judgment in favor of Plaintiff and against Defendant(s), JEFFREY ZELLNER, for want of pursuant to the District Justice Transcript.

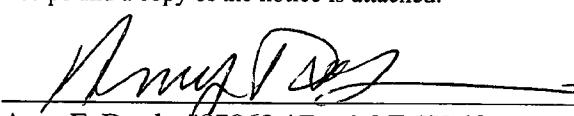
(X)	Amount due	\$1,393.76
	TOTAL	\$1,393.76, plus interest and costs

(X) I certify that the foregoing assessment of damages is for specified amounts alleged to be due in the complaint and is calculable as a sum certain from the complaint.

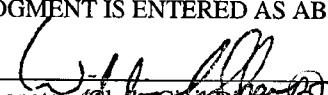
(X) Pursuant to Pa.R.C.P. 237 (Notice of Praecipe for final judgment or decree), I certify that a copy of this praecipe has been mailed to each other party who has appeared in the action or to his/her Attorney of Record.

() Pursuant to Pa.R.C.P. 237.1, I certify that written notice of the intention to file this praecipe was mailed or delivered to the party against whom judgment is to be entered and to his/her Attorney of Record, if any, after the default occurred and at least ten days prior to the date of the filing of this praecipe and a copy of the notice is attached.

Date: 7/18/07


Amy F. Doyle #87062 / Daniel F. Wolfson #20617
Philip C. Warholic #86341 / David R. Galloway #87326
Tonilyn M. Chippie #87852 / Sarah E. Ehasz #86469
Robert N. Polas, Jr. #201259 / Bruce H. Cherkis #18837
Ronald S. Canter #94000 / Ronald M. Abramson #94266
Wolpoff & Abramson, L.L.P.
Attorneys in the Practice of Debt Collection
4660 Trindle Road, Suite 300
Camp Hill, PA 17011
Telephone: (717) 303-6700
Counsel for Plaintiff

NOW, July 26, 2007, JUDGMENT IS ENTERED AS ABOVE.


Prothonotary Clerk, CIVIL DIVISION

By:

Deputy

FILED Atty pd.
M102-35764 00.00
JUL 26 2007
William A. Shaw
Prothonotary/Clerk of Courts
Notice to Def.

Statement to
Atty

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:

46-3-02

MDJ Name: Hon.

RICHARD A. IRELAND
Address: **650 LEONARD ST**
STE 113
CLEARFIELD, PA

Telephone: **(814) 765-5335** 16830

C/O WOLPOFF & ABRAMSON, LLP
4660 TRINDLE RD APT/STE 300
CAMP HILL, PA 17011

5-24-07
**NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE**

PLAINTIFF:

MIDLAND CREDIT MANAGEMENT, INC
4660 TRINDLE RD APT/STE 300
CAMP HILL, PA 17011

NAME and ADDRESS

DEFENDANT:

ZELLNER, JEFFREY A.
475 E 8TH ST APT/STE B
CLEARFIELD, PA 16830

NAME and ADDRESS

VS.

Docket No.: **CV-0000108-07**
Date Filed: **3/19/07**



THIS IS TO NOTIFY YOU THAT:

Judgment: **DEFAULT JUDGMENT PLTF**

(Date of Judgment) **4/19/07**

<input checked="" type="checkbox"/> Judgment was entered for: (Name) MIDLAND CREDIT MANAGEMENT, INC	
<input checked="" type="checkbox"/> Judgment was entered against: (Name) ZELLNER, JEFFREY A. in the amount of \$ 1,393.76	
<input type="checkbox"/> Defendants are jointly and severally liable.	Amount of Judgment \$ 1,316.26
<input type="checkbox"/> Damages will be assessed on Date & Time _____	Judgment Costs \$ 77.50
<input type="checkbox"/> This case dismissed without prejudice.	Interest on Judgment \$.00
<input type="checkbox"/> Amount of Judgment Subject to Attachment/42 Pa.C.S. § 8127 \$ _____	Attorney Fees \$.00
<input type="checkbox"/> Portion of Judgment for physical damages arising out of residential lease \$ _____	Total \$ 1,393.76
	Post Judgment Credits \$ _____
	Post Judgment Costs \$ _____
	Certified Judgment Total \$ _____

ANY PARTY HAS THE RIGHT TO APPEAL WITHIN 30 DAYS AFTER THE ENTRY OF JUDGMENT BY FILING A NOTICE OF APPEAL WITH THE PROTHONOTARY/CLERK OF THE COURT OF COMMON PLEAS, CIVIL DIVISION. YOU MUST INCLUDE A COPY OF THIS NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH YOUR NOTICE OF APPEAL.

EXCEPT AS OTHERWISE PROVIDED IN THE RULES OF CIVIL PROCEDURE FOR MAGISTERIAL DISTRICT JUDGES, IF THE JUDGEMENT HOLDER ELECTS TO ENTER THE JUDGMENT IN THE COURT OF COMMON PLEAS, ALL FURTHER PROCESS MUST COME FROM THE COURT OF COMMON PLEAS AND NO FURTHER PROCESS MAY BE ISSUED BY THE MAGISTERIAL DISTRICT JUDGE.

UNLESS THE JUDGMENT IS ENTERED IN THE COURT OF COMMON PLEAS, ANYONE INTERESTED IN THE JUDGMENT MAY FILE A REQUEST FOR ENTRY OF SATISFACTION WITH THE MAGISTERIAL DISTRICT JUDGE IF THE JUDGMENT DEBTOR PAYS IN FULL, SETTLES, OR OTHERWISE COMPLIES WITH THE JUDGMENT.

APR 20 2007 Date Richard Ireland, Magisterial District Judge

I certify that this is a true and correct copy of the record of the proceedings containing the judgment.

JUN 11 2007 Date Richard Ireland, Magisterial District Judge

My commission expires first Monday of January, **2012**

AOPC 315-06

DATE PRINTED: **4/20/07 11:26:00 AM**

SEAL

171829453

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

MIDLAND CREDIT MANAGEMENT, INC.
AS SERVICER FOR MIDLAND FUNDING LLC
ASSIGNEE OF ASPIRE
Plaintiff

No.

VS

CIVIL ACTION - LAW

JEFFREY ZELLNER
Defendant(s)

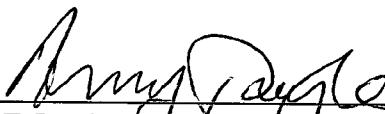
AFFIDAVIT OF NON-MILITARY SERVICE

COMMONWEALTH OF PENNSYLVANIA :

COUNTY OF CLEARFIELD :

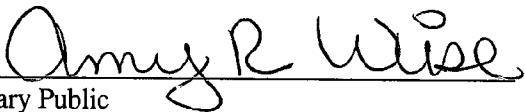
The undersigned counsel, being duly sworn according to law, depose and say that I am the Attorney for the Plaintiff in the above-captioned matter, and that to the best of my knowledge, information and belief Defendant, Jeffrey Zellner, above-named, is over 21 years of age; is last known to reside at 475 E 8Th St #B Clearfield, County of Clearfield, Pennsylvania; is not in the military service of the United States or its Allies, or otherwise within the provisions of the Servicemembers Civil Relief Act and its Amendments.

Date: 7/18/07


Amy F. Doyle #87062 / Daniel F. Wolfson #20617
Philip C. Warholc #86341 / David R. Galloway #87326
Tonilyn M. Chippie #87852 / Sarah E. Ehasz #86469
Robert N. Polas, Jr. #201259 / Bruce H. Cherkis #18837
Ronald S. Canter #94000 / Ronald M. Abramson #94266
Wolpoff & Abramson, L.L.P.
Attorneys in the Practice of Debt Collection
4660 Trindle Road, Suite 300
Camp Hill, PA 17011
Telephone: (717) 303-6700
Counsel for Plaintiff

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Amy R. Wise, Notary Public
Hampden Twp., Cumberland County
My Commission Expires Nov. 30, 2010
Member, Pennsylvania Association of Notaries

SWORN and SUBSCRIBED to before me this 18th day of July, 2007


Amy R. Wise
Notary Public

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

MIDLAND CREDIT MANAGEMENT, INC.
AS SERVICER FOR MIDLAND FUNDING LLC
ASSIGNEE OF ASPIRE
Plaintiff

No.

VS

CIVIL ACTION - LAW

JEFFREY ZELLNER
Defendant(s)

CERTIFICATE OF RESIDENCE
PA. R.C.P. 236

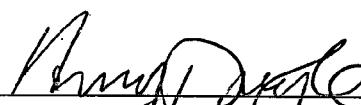
I hereby certify that the precise address of Plaintiff is:

Midland Credit Management, Inc.
8875 Aero Drive Suite 200
San Diego CA 92123

and certify that the last known address of the within Defendant(s) is:

Jeffrey Zellner
475 E 8Th St
#B
Clearfield PA 16830

Date: 7/8/07



Amy F. Doyle #87062 / Daniel F. Wolfson #20617
Philip C. Warkolic #86341 / David R. Galloway #87326
Tonilyn M. Chippie #87852 / Sarah E. Ehasz #86469
Robert N. Polas, Jr. #201259 / Bruce H. Cherkis #18837
Ronald S. Canter #94000 / Ronald M. Abramson #94266
Wolpoff & Abramson, L.L.P.
Attorneys in the Practice of Debt Collection
4660 Trindle Road, Suite 300
Camp Hill, PA 17011
Telephone: (717) 303-6700
Counsel for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

MIDLAND CREDIT MANAGEMENT, INC.
AS SERVICER FOR MIDLAND FUNDING LLC
ASSIGNEE OF ASPIRE
Plaintiff

No. 07-1191-CD

VS

CIVIL ACTION - LAW

JEFFREY ZELLNER
Defendant(s)

COPY

NOTICE OF ORDER, DECREE OR JUDGMENT

TO: JEFFREY ZELLNER
475 E 8TH ST
#B
CLEARFIELD, PA 16830

You are hereby notified that the following ORDER, DECREE or JUDGMENT has been entered against you on
July 26, 2007, in accordance with the provisions of Pa. R.C.P. 236.

Decree Nisi in Equity Final Decree in Equity Judgment of Confession Verdict
 Default Non-suit Non-pros Arbitration Award
 Judgment is in the amount of \$1,393.76, plus costs.
 District Justice transcript of judgment in civil action in the amount of \$1,231.26, attorney's fees in the amount of \$0.00, interest in the amount of \$85.00, plus costs.
 If not satisfied within sixty (60) days, your motor vehicle operator's license will be suspended by the Pennsylvania Department of Transportation.

By: Willie Wolfson BT
Prothonotary

If you have any questions regarding this Notice, please contact the filing party.

Date: 7/18/07

Amy F. Doyle
Amy F. Doyle #87062 / Daniel F. Wolfson #20617
Philip C. Warholic #86341 / David R. Galloway #87326
Tonilyn M. Chippie #87852 / Sarah E. Ehasz #86469
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Ronald S. Canter #94000 / Ronald M. Abramson #94266
Wolpoff & Abramson, L.L.P.
Attorneys in the Practice of Debt Collection
4660 Trindle Road, Suite 300
Camp Hill, PA 17011
Telephone: (717) 303-6700
Counsel for Plaintiff

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

COPY

Midland Credit Management, Inc.
Plaintiff(s)

No.: 2007-01191-CD

Real Debt: \$1,393.76

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Jeffrey Zellner
Defendant(s)

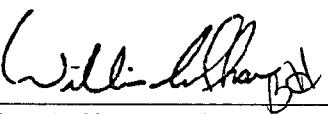
Entry: \$20.00

Instrument: DJ Judgment

Date of Entry: July 26, 2007

Expires: July 26, 2012

Certified from the record this 26th day of July, 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 (MONEY JUDGMENT)
P.R.C.P. 3101 to 3149

MIDLAND CREDIT MANAGEMENT, INC.
AS SERVICER FOR MIDLAND FUNDING LLC
ASSIGNEE OF ASPIRE

Plaintiff

vs.

JEFFREY ZELLNER

Defendant(s)

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

JUDGMENT NO. 07-1191-CD

PRAECIPE FOR WRIT OF EXECUTION
(MONEY JUDGMENT)

To the Prothonotary: Please issue the Writ of Execution in the above-captioned matter, in the amount of \$1,393.76.

- (1) Directed to the Sheriff of CLEARFIELD County, Pennsylvania;
- (2) against, JEFFREY ZELLNER located at 475 E 8TH ST #B, CLEARFIELD, PA 16830, Defendant(s)
- (3) and against, FIRST COMMONWEALTH located at 14303 CLEARFIELD SHAWVILLE HWY, CLEARFIELD, PA 16830, Garnishee(s);
- (4) and index this writ
 - (a) against, JEFFREY ZELLNER , Defendant(s) and
 - (b) against, FIRST COMMONWEALTH, Garnishee(s),

as a lis pendens against the real property of the Defendant(s) in the name of the Garnishee(s) as follows:
(Specifically describe property) ***GARNISH ONLY***

You are directed to attach the property of the Defendant(s) not levied upon in the possession of FIRST COMMONWEALTH located at 14303 CLEARFIELD SHAWVILLE HWY, CLEARFIELD, PA 16830, Garnishee(s).

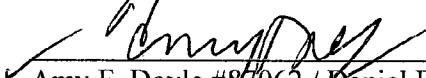
All accounts including but not limited to all savings, checking and other accounts, certificates of deposit, notes receivables, collateral, pledges, documents of title, securities, coupons and safe deposit boxes.

Amount due	\$1,393.76
Interest from 07/26/2007	To Be Determined
At an interest rate of 6% per year	

Total \$1,393.76 Plus costs & interest

40.00 Prothonotary costs

Date: 10/2/07


Amy F. Doyle #87062 / Daniel F. Wolfson #20617
Philip C. Warholic #86341 / David R. Galloway #87326
Tonilyn M. Chippie #87852 / Sarah E. Ehasz #86469
Robert N. Polas, Jr. #201259 / Ronald S. Canter #94000
Wolpoff & Abramson, L.L.P.
Attorneys in the Practice of Debt Collection
4660 Trindle Road, Suite 300
Camp Hill, PA 17011
Telephone: (717) 303-6700
Counsel for Plaintiff

FILED Atty pd
m 10/5/2007 20.00
OCT 05 2007 2000
wnts to
William A. Shaw Sheriff
Prothonotary/Clerk of Courts
60

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

Midland Credit Management, Inc.,
as Servicer for Midland Funding LLC,
Assignee of Aspire

Vs.

NO.: 2007-01191-CD

COPY

Jeffrey Zellner

First Commonwealth
Garnishee

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against MIDLAND CREDIT MANAGEMENT, INC., as Servicer for MIDLAND FUNDING LLC, Assignee of ASPIRE, Plaintiff(s) from JEFFREY ZELLNER, Defendant(s):

- (1) You are directed to levy upon the property of the defendant(s) and to sell defendant's interest(s) therein:
Personal Property
- (2) You are also directed to attach the property of the defendant(s) not levied upon in the possession of:
First Commonwealth as garnishee(s): All accounts including but not limited to all savings, checking and other accounts, certificates of deposit, notes receivables, collateral, pledges, documents of title, securities, coupons and safe deposit boxes and to notify the garnishee(s) that: (a) an attachment has been issued; (b) except as provided in paragraph (c), the garnishee(s) is/are enjoined from paying any debt to or for the account of the defendant(s) and from delivering any property of the defendant(s) or otherwise disposing thereof; (c) the attachment shall not include any funds in an account of the defendant with a bank or other financial institution (i) in which funds are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law, or (ii) that total \$300 or less. If multiple accounts are attached, a total of \$300 in all accounts shall not be subject to levy and attachment as determined by the executing officer. The funds shall be set aside pursuant to the defendant's general exemption provided in 42 Pa.C.S. § 8123.
- (3) If property of the defendant(s) not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify such other person that he or she has been added as a garnishee and is enjoined as above stated.
- (4) **If Social Security or Supplemental Income funds are directly deposited into an account of the defendant, the levy and attachment shall not include any funds that may be traced to Social Security direct deposits. In addition, the levy and attachment shall not include \$300.00 in the account of the defendant.**

AMOUNT DUE/PRINCIPAL: \$1,393.76
INTEREST FROM 07/26/2007 at an interest
rate of 6% per year: To Be Determined
DATE: 10/05/2007

PROTH. COSTS PAID: \$40.00
SHERIFF: \$
ATTY'S COMM: \$
OTHER COSTS: \$



William A. Shaw
Prothonotary/Clerk Civil Division

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

Sheriff

Requesting Party: Amy F. Doyle, Esq.
4660 Trindle Road, Ste. 300
Camp Hill, PA 17011
(717) 303-6700

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103276
NO: 07-1191-CD
SERVICE # 1 OF 1
WRIT OF EXECUTION; INTERROGATORIES TO

GARNISHEE

PLAINTIFF: MIDLAND CREDIT MANAGEMENT, INC. as Servicer for Midland Funding
vs.

DEFENDANT: JEFFREY ZELLNER
TO: FIRST COMMONWEALTH, Garnishee

SHERIFF RETURN

NOW, October 12, 2007 AT 2:40 PM SERVED THE WITHIN WRIT OF EXECUTION; INTERROGATORIES TO GARNISHEE ON FIRST COMMONWEALTH, Garnishee DEFENDANT AT 14303 CLEARFIELD SHAWVILLE HWY., CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO MIKE SCHEPIS, SUPERVISOR A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION; INTERROGATORIES TO GARNISHEE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: DEHAVEN / HUNTER

FILED
07/31/2007
OCT 17 2007
William A. Shaw
Prothonotary/Clerk of Courts

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	WOLPOFF	227091	10.00
SHERIFF HAWKINS	WOLPOFF	227091	20.41

Sworn to Before Me This

____ Day of _____ 2007

So Answers,

Chester A. Hawkins
by *Marilyn Hamm*

Chester A. Hawkins
Sheriff

PRAECLP FOR WRIT OF EXECUTION (MONEY JUDGMENT)
P.R.C.P. 3101 to 3149

MIDLAND CREDIT MANAGEMENT, INC.
AS SERVICER FOR MIDLAND FUNDING LLC
ASSIGNEE OF ASPIRE

Plaintiff

vs.

JEFFREY ZELLNER

Defendant(s)

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

JUDGMENT NO. 07-1191-CD

PRAECLP FOR WRIT OF EXECUTION
(MONEY JUDGMENT)

To the Prothonotary: Please issue the Writ of Execution in the above-captioned matter, in the amount of \$1,393.76.

- (1) Directed to the Sheriff of CLEARFIELD County, Pennsylvania;
- (2) against, JEFFREY ZELLNER located at 475 E 8TH ST #B, CLEARFIELD, PA 16830, Defendant(s)
- (3) and against, FIRST COMMONWEALTH located at 14303 CLEARFIELD SHAWVILLE HWY, CLEARFIELD, PA 16830, Garnishee(s);
- (4) and index this writ
 - (a) against, JEFFREY ZELLNER, Defendant(s) and
 - (b) against, FIRST COMMONWEALTH, Garnishee(s),

as a lis pendens against the real property of the Defendant(s) in the name of the Garnishee(s) as follows:
(Specifically describe property) ***GARNISH ONLY***

You are directed to attach the property of the Defendant(s) not levied upon in the possession of FIRST COMMONWEALTH located at 14303 CLEARFIELD SHAWVILLE HWY, CLEARFIELD, PA 16830, Garnishee(s).

All accounts including but not limited to all savings, checking and other accounts, certificates of deposit, notes receivables, collateral, pledges, documents of title, securities, coupons and safe deposit boxes.

Amount due	\$1,393.76
Interest from 07/26/2007	To Be Determined
At an interest rate of 6% per year	

Total \$1,393.76 Plus costs & interest
40.00 Prothonotary costs

Date: 10/2/07


Amy F. Doyle #87062 / Daniel F. Wolfson #20617

Philip C. Warholic #86341 / David R. Galloway #87326

Tonilyn M. Chippie #87852 / Sarah E. Ehasz #86469

Robert N. Polas, Jr. #201259 / Ronald S. Canter #94000

Wolpoff & Abramson, L.L.P.

Attorneys in the Practice of Debt Collection and attested copy of the original
4660 Trindle Road, Suite 300 statement filed in this case.

Camp Hill, PA 17011

Telephone: (717) 303-6700

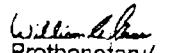
Counsel for Plaintiff

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

OCT 05 2007

Attest.

XXX-XX-4489


William C. Chen
Prothonotary/
Clerk of Courts

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

Midland Credit Management, Inc.,
as Servicer for Midland Funding LLC,
Assignee of Aspire

Vs.

NO.: 2007-01191-CD

Jeffrey Zellner

First Commonwealth
Garnishee

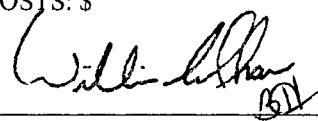
TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against MIDLAND CREDIT MANAGEMENT, INC., as Servicer for MIDLAND FUNDING LLC, Assignee of ASPIRE, Plaintiff(s) from JEFFREY ZELLNER, Defendant(s):

- (1) You are directed to levy upon the property of the defendant(s) and to sell defendant's interest(s) therein:
Personal Property
- (2) You are also directed to attach the property of the defendant(s) not levied upon in the possession of:
First Commonwealth as garnishee(s): All accounts including but not limited to all savings, checking and other accounts, certificates of deposit, notes receivables, collateral, pledges, documents of title, securities, coupons and safe deposit boxes and to notify the garnishee(s) that: (a) an attachment has been issued; (b) except as provided in paragraph (c), the garnishee(s) is/are enjoined from paying any debt to or for the account of the defendant(s) and from delivering any property of the defendant(s) or otherwise disposing thereof; (c) the attachment shall not include any funds in an account of the defendant with a bank or other financial institution (i) in which funds are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law, or (ii) that total \$300 or less. If multiple accounts are attached, a total of \$300 in all accounts shall not be subject to levy and attachment as determined by the executing officer. The funds shall be set aside pursuant to the defendant's general exemption provided in 42 Pa.C.S. § 8123.
- (3) If property of the defendant(s) not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify such other person that he or she has been added as a garnishee and is enjoined as above stated.
- (4) **If Social Security or Supplemental Income funds are directly deposited into an account of the defendant, the levy and attachment shall not include any funds that may be traced to Social Security direct deposits. In addition, the levy and attachment shall not include \$300.00 in the account of the defendant.**

AMOUNT DUE/PRINCIPAL: \$1,393.76
INTEREST FROM 07/26/2007 at an interest
rate of 6% per year: To Be Determined
DATE: 10/05/2007

PROTH. COSTS PAID: \$40.00
SHERIFF: \$
ATTY'S COMM: \$
OTHER COSTS: \$



William A. Shaw
Prothonotary/Clerk Civil Division

Received this writ this 5 day
of OCT A.D. 2007
At 3:00 A.M./P.M.

Chester A. Hawkins
Sheriff
by Maelyn Harris

Requesting Party: Amy F. Doyle, Esq.
4660 Trindle Road, Ste. 300
Camp Hill, PA 17011
(717) 303-6700

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

MIDLAND CREDIT MANAGEMENT, INC.
AS SERVICER FOR MIDLAND FUNDING LLC
ASSIGNEE OF ASPIRE

Plaintiff

No. 07-1191-CD

VS

CIVIL ACTION - LAW

JEFFREY ZELLNER

Defendant(s)

INTERROGATORIES TO GARNISHEE

TO: FIRST COMMONWEALTH
14303 CLEARFIELD SHAWVILLE HWY
CLEARFIELD, PA 16830

PURSUANT TO RULE 3253 OF THE RULES OF CIVIL PROCEDURE, THE FOLLOWING
INTERROGATORIES HAVE BEEN SERVED UPON YOUR INSTITUTION. GARNISHEE IS HEREBY REQUIRED
TO ANSWER EACH OF THE FOLLOWING INTERROGATORIES SEPARATELY AND FULLY. PLEASE
COMPLETE THE FOLLOWING INTERROGATORIES TO ASSIST THE CREDITOR'S EFFORTS TO SATISFY
THE LAWFUL OBLIGATION OF THE ABOVE REFERENCED DEBTOR(S).

IMPORTANT NOTICES AND INSTRUCTIONS TO GARNISHEE

- A. You are required to file answers to the following interrogatories within twenty (20) days after service upon you. Failure to do so may result in judgment against you.
- B. The term "Defendant(s)" means the individual(s) or entity against whom the Writ of Execution was issued.
- C. "You" means the main office and all branch offices, representatives, employees, and agents of your organization.
- D. By service of the Writ of Execution upon you, all property of the Defendant(s) subject to attachment which is in your possession, custody or control is attached, including all property of the Defendant(s) which comes into your possession thereafter.
- E. These Interrogatories are considered to be continuing and therefore should be modified or supplemented as you receive further or additional information.
- F. Where exact information cannot be furnished, estimated information is to be supplied. When an estimate is to be used, it should be identified as such, and an explanation should be given as to the basis on which the estimate is made, and the reason the exact information cannot be furnished.
- G. Where knowledge or information in possession of a party is requested, such request includes knowledge of the party's agents, representatives, and attorneys.

INTERROGATORIES TO GARNISHEE
DEFENDANT(S) - JEFFREY ZELLNER

1. DEPOSITORY ACCOUNTS: At the time you were served or at any subsequent time, state whether or not the Defendant(s) maintains any checking, savings, lines of credit, certificate of deposit's or other depository accounts with your institution. If so, state the identification numbers of those accounts, and the amount or amounts the Defendant(s) has in each account. If the Defendant(s) maintains any of these jointly with any other person, or persons, give their name and address.

1A. DIRECT DEPOSIT ACCOUNTS: Are any of the accounts you have listed above direct deposit accounts? If yes, please state the identification numbers of those accounts.

2. If you are a bank or other financial institution, at the time you were served or at any subsequent time did the defendant have funds on deposit in an account in which funds are deposited electronically on a recurring basis and which are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law? If so, identify each account and state the reason for the exemption, the amount being withheld under each exemption and the entity electronically depositing those funds on a recurring basis.

3. If you are a bank or other financial institution, at the time you were served or at any subsequent time did the defendant have funds on deposit in an account in which the funds on deposit, not including any otherwise exempt funds, did not exceed the amount of the general monetary exemption under 42 Pa.C.S. 8123? If so, identify each account.

4. TRANSFER OF PROPERTY: At any time after you were served did you pay, transfer or deliver any money or property to the defendant or to any person or place pursuant to the defendant's direction or otherwise discharge any claim of the defendant against you?

5. SAFE DEPOSIT BOXES: At the time you were served or at any subsequent time, state whether or not the Defendant(s) maintains any safe deposit box or boxes. If so, include the identification number or other designation of the box or boxes. Include a full description of the contents and also the amount of cash among those contents. If the Defendant(s) maintains any of these jointly with any other person or persons give their full name and address.

6. REAL OR PERSONAL PROPERTY: At the time you were served or at any subsequent time, state whether or not Defendant(s) owns any personal property that was in your possession and/or control. If so, include a full description of all personal property giving full value and present location. State also whether or not there are any encumbrances or liens holders, the present balance of the encumbrance. State where and when the encumbrances or liens was recorded. If the Defendant(s) owns any personal property jointly with any person or persons, give names and address.

7. OTHER ASSETS: At the time you were served or at any subsequent time, did you know of the existence of any other asset(s) of the Defendant(s) which are not disclosed in the preceding Interrogatories. If so, please set forth all details concerning those asset.

8. PROPERTY HELD AS A FIDUCIARY: At the time you were served or at any subsequent time, did you hold as a fiduciary any property in which any Defendant(s) had an interest? If so, please describe for each Defendant(s) the nature of the property including its value and the interest of Defendant(s).

9. FEES OUTSTANDING TO GARNISHEE: Are there any attorneys fees or processing fees charged by you against the Defendant(s) or account(s) of the Defendant(s) for the completion of this Answer. If yes, outline the exact amount of any fees due and owing to the garnishee or the attorney for the garnishee for the preparation of the Answer.

Date: 10/2/07



Amy E. Doyle #87062 / Daniel F. Wolfson #20617
Philip C. Warholic #86341 / David R. Galloway #87326
Tonilyn M. Chippie #87852 / Sarah E. Ehasz #86469
Robert N. Polas, Jr. #201259 / Ronald S. Canter #94000
Wolpoff & Abramson, L.L.P.
Attorneys in the Practice of Debt Collection
4660 Trindle Road, Suite 300
Camp Hill, PA 17011
Telephone: (717) 303-6700
Counsel for Plaintiff

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

Midland Credit Management, Inc.,
as Servicer for Midland Funding LLC,
Assignee of Aspire

Vs.

NO.: 2007-01191-CD

Jeffrey Zellner

First Commonwealth
Garnishee

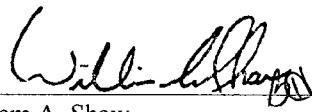
TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against MIDLAND CREDIT MANAGEMENT, INC., as Servicer for MIDLAND FUNDING LLC, Assignee of ASPIRE, Plaintiff(s) from JEFFREY ZELLNER, Defendant(s):

- (1) You are directed to levy upon the property of the defendant(s) and to sell defendant's interest(s) therein:
Personal Property
- (2) You are also directed to attach the property of the defendant(s) not levied upon in the possession of:
First Commonwealth as garnishee(s): All accounts including but not limited to all savings, checking and other accounts, certificates of deposit, notes receivables, collateral, pledges, documents of title, securities, coupons and safe deposit boxes and to notify the garnishee(s) that: (a) an attachment has been issued; (b) except as provided in paragraph (c), the garnishee(s) is/are enjoined from paying any debt to or for the account of the defendant(s) and from delivering any property of the defendant(s) or otherwise disposing thereof; (c) the attachment shall not include any funds in an account of the defendant with a bank or other financial institution (i) in which funds are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law, or (ii) that total \$300 or less. If multiple accounts are attached, a total of \$300 in all accounts shall not be subject to levy and attachment as determined by the executing officer. The funds shall be set aside pursuant to the defendant's general exemption provided in 42 Pa.C.S. § 8123.
- (3) If property of the defendant(s) not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify such other person that he or she has been added as a garnishee and is enjoined as above stated.
- (4) **If Social Security or Supplemental Income funds are directly deposited into an account of the defendant, the levy and attachment shall not include any funds that may be traced to Social Security direct deposits. In addition, the levy and attachment shall not include \$300.00 in the account of the defendant.**

AMOUNT DUE/PRINCIPAL: \$1,393.76
INTEREST FROM 07/26/2007 at an interest
rate of 6% per year: To Be Determined
DATE: 10/05/2007

PROTH. COSTS PAID: \$40.00
SHERIFF: \$
ATTY'S COMM: \$
OTHER COSTS: \$



William A. Shaw
Prothonotary/Clerk Civil Division

Received this writ this 5 day
of OCT A.D. 2007
At 3:00 A.M./P.M.

Chester A. Hawley
Sheriff by Maelyn Hanr

Requesting Party: Amy F. Doyle, Esq.
4660 Trindle Road, Ste. 300
Camp Hill, PA 17011
(717) 303-6700

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

MIDLAND CREDIT MANAGEMENT, INC.
AS SERVICER FOR MIDLAND FUNDING LLC
ASSIGNEE OF ASPIRE

Plaintiff

No. 07-1191-CD

VS

CIVIL ACTION - LAW

FILED

OCT 22 2007

11:40 AM
William A. Shaw

Prothonotary/Clerk of Courts

no 4/C (6K)

JEFFREY ZELLNER
Defendant(s)

INTERROGATORIES TO GARNISHEE

TO: FIRST COMMONWEALTH
14303 CLEARFIELD SHAWVILLE HWY
CLEARFIELD, PA 16830

PURSUANT TO RULE 3253 OF THE RULES OF CIVIL PROCEDURE, THE FOLLOWING
INTERROGATORIES HAVE BEEN SERVED UPON YOUR INSTITUTION. GARNISHEE IS HEREBY REQUIRED
TO ANSWER EACH OF THE FOLLOWING INTERROGATORIES SEPARATELY AND FULLY. PLEASE
COMPLETE THE FOLLOWING INTERROGATORIES TO ASSIST THE CREDITOR'S EFFORTS TO SATISFY
THE LAWFUL OBLIGATION OF THE ABOVE REFERENCED DEBTOR(S).

IMPORTANT NOTICES AND INSTRUCTIONS TO GARNISHEE

- A. You are required to file answers to the following interrogatories within twenty (20) days after service upon you. Failure to do so may result in judgment against you.
- B. The term "Defendant(s)" means the individual(s) or entity against whom the Writ of Execution was issued.
- C. "You" means the main office and all branch offices, representatives, employees, and agents of your organization.
- D. By service of the Writ of Execution upon you, all property of the Defendant(s) subject to attachment which is in your possession, custody or control is attached, including all property of the Defendant(s) which comes into your possession thereafter.
- E. These Interrogatories are considered to be continuing and therefore should be modified or supplemented as you receive further or additional information.
- F. Where exact information cannot be furnished, estimated information is to be supplied. When an estimate is to be used, it should be identified as such, and an explanation should be given as to the basis on which the estimate is made, and the reason the exact information cannot be furnished.
- G. Where knowledge or information in possession of a party is requested, such request includes knowledge of the party's agents, representatives, and attorneys.

INTERROGATORIES TO GARNISHEE
DEFENDANT(S) - JEFFREY ZELLNER

1. DEPOSITORY ACCOUNTS: At the time you were served or at any subsequent time, state whether or not the Defendant(s) maintains any checking, savings, lines of credit, certificate of deposit's or other depository accounts with your institution. If so, state the identification numbers of those accounts, and the amount or amounts the Defendant(s) has in each account. If the Defendant(s) maintains any of these jointly with any other person, or persons, give their name and address.

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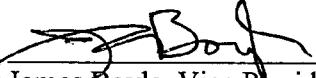
EXHIBIT "A"
ANSWERS TO INTERROGATORIES

1. No
a. N/A
2. No
3. No
4. No
5. No
6. None
7. No
8. No
9. First Commonwealth Bank charges a \$200.00 processing fee.

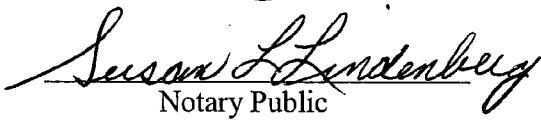
VERIFICATION

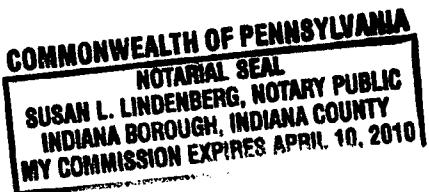
COMMONWEALTH OF PENNSYLVANIA)
COUNTY OF INDIANA)
)

On this 16th day of October 2007 before me, the undersigned officer, a Notary Public in and for said Commonwealth and County, personally appeared JAMES BOYLE, who being duly sworn according to law, acknowledged that he is Vice President of First Commonwealth Bank, and that the facts set forth in the foregoing Interrogatories are true and correct to the best of his knowledge and belief.


James Boyle, Vice President
First Commonwealth Bank

Sworn and subscribed to before me
This 16th day of October 2007


Notary Public



William A. Shaw
Prothonotary/Clerk of Courts

OCT 22 2007
FILED

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

MIDLAND FUNDING LLC
ASSIGNEE OF ASPIRE
Plaintiff

No. 07-1191-CD

VS

CIVIL ACTION - LAW

JEFFREY ZELLNER
Defendant(s)

FILED

JUN 20 2008

011304

William A. Shaw
Prothonotary/Clerk of Courts

1 CERT TO FIRST COMM
2 CERT TO ATTY

PRAECIPE TO DISCONTINUE ATTACHMENT EXECUTION

To the Prothonotary:

Kindly mark the attachment against the Garnishee, FIRST COMMONWEALTH, discontinued, upon payment of your costs only.

Respectfully Submitted,

Date: 4/29/08

Philip C. Warholic

Amy F. Doyle #87062 / Philip C. Warholic #86341 /
David R. Galloway #87326 / Tonilyn M. Chippie #87852 /
Sarah E. Ehasz #86469 / Robert N. Polas, Jr. #201259
Wolpoff & Abramson, L.L.P.
Attorneys in the Practice of Debt Collection
4660 Trindle Road, Suite 300
Camp Hill, PA 17011
Telephone: (717) 303-6700
Counsel for Plaintiff

William A. Shaw

Prothonotary/Clerk of Courts

(61)

FILED

APR 19 2010
M 11:30 A.M. 66 NO 66

FFG File #: 149183

Attorney ID #87326
David R. Gallaway

Date

4/15/10

CURWENSVILLE PA 16833

JEFFREY ZELLNER
110 EAST ST APT 5

first class mail, postage prepaid, addressed as follows:

I hereby certify that a copy of the foregoing Preceipe was served this date by depositing same in the Post Office,

CERTIFICATE OF SERVICE

Tel: (866) 563-0809 Fax: (585) 546-4241

Mechanicsburg, PA 17055

130B Gettysburg Pike

Attorneys in the Practice of Debt Collection

Council for Plaintiff

Fulton Friedman & Guillace, LLP

By: David R. Gallaway #87326

Respectfully Submitted,

Kindly enter the undersigned as counsel for Plaintiff in the captioned matter.

TO THE PROTHONOTARY:

ENTRY OF APPEARANCE

Defendant(s)

JEFFREY ZELLNER

CIVIL ACTION - LAW

NO. 07-1191-CD

Plaintiff

v.

assignee of COLUMBUS BANK AND TRUST
Midland Funding LLC

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

FILED
APR 19 2010
William A. Shaw
Prothonotary/Clerk of Courts