

MARTHA E. VON ROSENSTIEL, ESQUIRE  
 Martha E. Von Rosenstiel  
 649 SOUTH AVENUE  
 UNIT 7  
 SECANE, PA 19018  
 (610) 328-2887  
 Attorney ID # 52634

Attorney for Plaintiff

LASALLE BANK, N.A. AS TRUSTEE : COURT OF COMMON PLEAS  
 FOR THE MLMI TRUST SERIES 2006- : CLEARFIELD COUNTY  
 HE6 :  
 14523 SW Millikan Way, Suite :  
 200 :  
 Beaverton, OR 97005 : Case No: 07-1802-CD

Plaintiff

vs.

KIMBERLY BARANICK  
 907 West Long Avenue  
 Du Bois, PA 15801

Defendants

**FILED** Pd \$85.00 Att  
 m/12:11cm 4cc Shff  
 NOV -6 2007 1cc Att.  
 (LM)

William A. Shaw  
 Prothonotary/Clerk of Courts

### CIVIL ACTION - MORTGAGE FORECLOSURE

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

#### 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 ELEGIBLE PERSONS AT A REDUCED FEE OR NO FEE.**

#### ADVISO

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha de la demanda y la notificacion. Hace falta a sentar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea a visado que si usted no se defiende, la corte toma ra medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademas, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades o otros de rechos importantes para usted.

**LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGADO VAYA EN PERSONA O TELEFONA A LA OFICINA ESCRITA ABAJO. ESTA OFICINA LE PUEDE PROVEER INFORMACION SOBRE COMO CONTRATAR A UN ABOGADO. SI USTED NO TIENE EL DINERO SUFICIENTE PARA CONTRATAR A UN ABOGADO, LE PODEMOS DAR INFORMACION SOBRE AGENCIAS QUE PROVEEN SERVICIO LEGAL A PERSONAS ELEGIBLE PARA SERVICIOS A COSTO REDUCIDO O GRATUITO.**

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

1-9-2008 Document 3cc  
 Reinstated/Reissued to Sheriff/Attorney  
 for service.

Deputy Prothonotary

December 12, 2007 Document 1cc  
 Reinstated/Reissued to Sheriff/Attorney  
 for service.

Deputy Prothonotary

**THIS IS AN ATTEMPT TO COLLECT A DEBT  
ANY INFORMATION OBTAINED MAY BE  
USED FOR THAT PURPOSE**

**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.***

MARTHA E. VON ROSENSTIEL, ESQUIRE  
Martha E. Von Rosenstiel  
649 SOUTH AVENUE  
UNIT 7  
SECANE, PA 19018  
(610) 328-2887  
Attorney ID# 52634

Attorney for Plaintiff

LASALLE BANK, N.A. AS TRUSTEE : COURT OF COMMON PLEAS  
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:  
Plaintiff :  
:  
vs. :  
KIMBERLY BARANICK :  
907 West Long Avenue :  
Du Bois, PA 15801 :  
:  
Defendant

**CIVIL ACTION - MORTGAGE FORECLOSURE**

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

1. Plaintiff is LaSalle Bank, N.A. as Trustee for the MLMI Trust Series 2006-HE6, a bank organized and existing under federal law, with offices for the conduct of business at 14523 SW Millikan Way, Suite 200, Beaverton, OR 97005.

2. Defendant, Kimberly Baranick is the mortgagor and real owner of premises 907 West Long Avenue, Du Bois, PA 15801, hereinafter described, whose last known address is listed in the above caption.

3. Plaintiff brings this action in mortgage foreclosure against defendant, mortgagor and real owner, to foreclose a certain indenture of mortgage made, executed and delivered by the above

named defendant, mortgagor and real owner to Mortgage Electronic Registration Systems, Inc. as Nominee for Novastar Mortgage, Inc. on July 18, 2006, which mortgage is recorded on July 21, 2006 in the Office of the Recorder of Deeds of Clearfield County in Instrument #200612170, secured on premises 907 West Long Avenue, Du Bois, PA 15801 a true and correct description of which is attached hereto as Exhibit I.

4. The mortgage has since been assigned to the Plaintiff herein.

5. Plaintiff alleges each and every term, condition and covenant in the aforesaid mortgage, and hereby incorporates them herein by reference thereto.

6. The aforesaid mortgage is in default in that monthly installments of principal and interest have not been made in conformity with the terms of the mortgage, from July 2007 and each month thereafter, up to and including the present time.

7. Under the terms of the aforesaid mortgage, upon default of payments set forth in the mortgage documents, the entire principal balance and all interest due thereon are collectible forthwith.

8. The following is an itemized statement of the amount due plaintiff under the terms of the aforesaid mortgage:

|                                     |             |
|-------------------------------------|-------------|
| Principal Balance                   | \$54,231.50 |
| Interest from 6/1/2007 to 11/5/2007 |             |
| At \$ 14.93 per diem                | \$ 2,358.94 |
| Accrued late charges                | \$ 13.01    |
| Corporate Advances                  | \$ 237.04   |


|  |             |
|--|-------------|
| Attorney's fee (5% of unpaid<br>Principal Balance) | \$ 2,711.58 |
| Title Information Certificate                      | \$ 515.00   |
| Release Documents                                  | \$ 28.50    |
| Suspense   | (\$ 459.13) |

|              |                     |
|--------------|---------------------|
| <b>TOTAL</b> | <b>\$ 59,636.44</b> |
|--------------|---------------------|

9. The attorney's fees set forth above are in conformity with the mortgage documents and Pennsylvania Law and will be collected in the event of a third party purchaser at Sheriff's sale. If the mortgage is reinstated prior to the Sheriff's sale, reasonable attorney's fees will be charged based on work actually performed.

10. Plaintiff sent to defendant, mortgagor and real owner a combined Notice and Warning of Intention to Foreclose and Notices of Homeowners' Emergency Mortgage Assistance Act of 1983 advising of rights available under the statutes. To date payments have not been received and Act 91 assistance has not been granted although the applicable time periods provided by statute have expired (Exhibit II).

**WHEREFORE,** plaintiff demands judgment for foreclosure and sale of the mortgaged premises in the amount of \$59,636.44, plus per diem interest at \$14.93 from November 06, 2007 to the date of judgment plus costs thereon.



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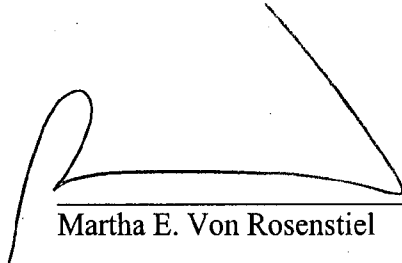
Martha E. Von Rosenstiel  
Attorney for Plaintiff

**VERIFICATION**

MARTHA E. VON ROSENSTIEL, ESQUIRE, of full age, verifies that she is the attorney for the plaintiff in the foregoing action; that she is authorized to make this verification on behalf of plaintiff; and that the statements made in the foregoing Complaint in Mortgage Foreclosure are true and correct to the best of her knowledge, information and belief.

This verification is being executed by the attorney for plaintiff in accordance with Pa R.C.P. 1024( c ) as a signed verification could not be obtained by plaintiff within the time allowed for filing of the pleading.

I understand that false statements herein are made subject to penalties of 18 Pa C.S. Section 4904 relating to unsworn falsification to authorities.

  
\_\_\_\_\_  
Martha E. Von Rosenstiel

## LEGAL DESCRIPTION

ALL THAT CERTAIN ALL THAT CERTAIN lot or piece of land situate in the Township of Sandy, County of Clearfield and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at an iron pipe in the Southerly line of West Long Avenue, said pipe being North 71 degrees 18' West 58.4 feet from the intersection of the Westerly line of a 16 foot alley and the Southerly line of West Long Avenue; thence South 49 degrees 48' West 150 feet to an iron pipe in the Northerly line of a 12 foot alley; thence along said alley North 71 degrees 18' West 49.6 feet to an iron pipe; thence North 31 degrees 08' East 54 feet to an iron pipe; thence North 26 degrees 28' West 41.3 feet to an iron pipe in the Easterly line of First Street; thence along First Street North 49 degrees 48' East 54.3 feet to an iron pipe in line of West Long Avenue; thence along the Southerly line of West Long Avenue South 71 degrees 18' East 116.8 feet to the place of beginning.

THE above described parcel of ground being part of Lot No. 43 and part of Lot No. 44 of the Edgemont Plan of Lots and having thereon erected a large two-story-frame dwelling house known as 907 West Long Avenue.

SUBJECT to right-of-way for sewer, water and gas, with the right to maintain and repair the same for the benefit of the owners, their heirs and assigns, of Lots Nos. 43 and 44 of the Edgemont Plan of Lots.

FURTHER GRANTING AND CONVEYING unto the Grantee, her heirs and assigns forever, all of the rights with regard to the location of the driveway, which rights are more particularly set forth in an Agreement dated January 17, 1992, entered into between Phyllis Jane Kessler, Executrix of the Estate of John H. Shilling, a/k/a John L. Shilling, deceased, and John Oliver Delp and Ann Marie Delp, husband and wife, which Agreement was recorded in the Office of the Register and Recorder of Deeds of Clearfield County, Pennsylvania, in Deed and Records Book Vol. 1438, Page 567, on January 22, 1992.

TITLE TO SAID PREMISES IS VESTED IN Kimberly R. Baranick by Deed from Jacqueline Delp Benamati, now intermarried with Dwyane F. Virgint and known as Jacqueline Delp Virgint, and Dwayne F. Virgint, dated 7/10/2006 and recorded 7/21/2006 in Instrument #200612169.

Premises being known as 907 West Long Avenue, Du Bois, PA 15801

EXHIBIT I



**Wilshire Credit Corporation**

July 31, 2007

BARANICK, KIMBERLY  
907 W LONG AVE  
DU BOIS, PA 15801

L178E

Payments  
P.O. Box 7195, Pasadena, CA 91109-7195

Correspondence  
P.O. Box 8517, Portland, OR 97207-8517

Phone  
888.917.1052

Fax  
503.952.7476

Web Site  
[www.wcc.mt.com](http://www.wcc.mt.com)

# ACT 91/6 NOTICE TAKE ACTION TO SAVE YOUR HOME FROM FORECLOSURE

This is an official notice that the mortgage on your home is in default, and the lender intends to foreclose. Specific information about the nature of the default is provided in the attached pages.

The HOMEOWNER'S MORTGAGE ASSISTANCE PROGRAM (HEMAP) may be able to help to save your home. This Notice explains how the program works.

To see if HEMAP can help, you must MEET WITH A CONSUMER CREDIT COUNSELING AGENCY WITHIN 30 DAYS OF THE DATE OF THIS NOTICE. Take this notice with you when you meet with the Counseling Agency.

The name, address and phone number of Consumer Credit Counseling Agencies serving your County are listed at the end of this Notice. If you have any questions, you may call the Pennsylvania Housing Finance Agency toll-free at 1.800.342.2397. (Persons with impaired hearing can call 717.780.1869.)

This notice contains important legal information. If you have any questions, representatives at the Consumer Credit Counseling Agency may be able to help explain it. You may also want to contact an attorney in your area. The local bar association may be able to help you find a lawyer.

LA NOTIFICACIÓN EN ADJUNTO ES DE SUMA IMPORTANCIA, PUES AFECTA SU DERECHO A CONTINUAR VIVIENDO EN SU CASA. SI NO COMPRENDE EL CONTENIDO DE ESTA NOTIFICACIÓN OBTenga UNA TRADUCCIÓN INÉDITAMENTE LLAMANDO ESTA AGENCIA (PENNSYLVANIA HOUSING FINANCE AGENCY) SIN CARGOS AL NUMERO MENCIONADO ARRIBA. PUEDES SER ELEGIBLE PARA UN PRÉSTAMO POR EL PROGRAMA LLAMADO "HOMEOWNER'S EMERGENCY MORTGAGE ASSISTANCE PROGRAM" EL CUAL PUEDE SALVAR SU CASA DE LA

(Continued)

YOU SHOULD CONSIDER THIS LETTER AS COMING FROM A DEBT COLLECTOR AS WE SOMETIMES ACT AS A DEBT COLLECTOR. ANY INFORMATION PROVIDED BY YOU WILL BE USED TO COLLECT THIS DEBT. HOWEVER, IF YOU ARE IN BANKRUPTCY OR RECEIVED A BANKRUPTCY DISCHARGE OF THIS DEBT, THIS LETTER IS NOT AN ATTEMPT TO COLLECT THE DEBT, BUT NOTICE OF POSSIBLE ENFORCEMENT OF OUR LIEN AGAINST THE COLLATERAL PROPERTY. COLORADO: FOR INFORMATION ABOUT THE COLORADO FAIR DEBT COLLECTION PRACTICES ACT, SEE <http://www.ago.state.co.us/cado/cadomain.cfm>. NEW YORK CITY: License 1032551. NORTH CAROLINA: Permit 3840. TENNESSEE: This collection agency is licensed by the Collection Service Board of the Department of Commerce and Insurance. Wilshire Credit Corporation is licensed to do business at 14523 S.W. Millikan Way, Beaverton, OR. Wilshire's office hours are Monday - Friday 6:00 am to 5:00 pm Pacific time, holidays excluded.

L178E

EXHIBIT

II

BARANICK, KIMBERLY

Loan No.:2930504

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July 31, 2007

**PERDIDA DEL DERECHO A REDIMIR SU HIPOTECA.**

HOMEOWNERS' NAME : BARANICK, KIMBERLY

PROPERTY ADDRESS : 907 W LONG AVE  
DU BOIS, PA 158013511

LOAN ACCT. NO. : 2930504

ORIGINAL LENDER : NOVASTAR

CURRENT SERVICER : Wilshire Credit Corporation

**HOMEOWNER'S EMERGENCY MORTGAGE ASSISTANCE PROGRAM**

YOU MAY BE ELIGIBLE FOR FINANCIAL ASSISTANCE WHICH CAN SAVE YOUR HOME FROM FORECLOSURE AND HELP YOU MAKE FUTURE MORTGAGE PAYMENTS.

IF YOU COMPLY WITH THE PROVISIONS OF THE HOMEOWNER'S EMERGENCY MORTGAGE ASSISTANCE ACT OF 1983 (THE "ACT"), YOU MAY BE ELIGIBLE FOR EMERGENCY MORTGAGE ASSISTANCE:

IF YOUR DEFAULT HAS BEEN CAUSED BY CIRCUMSTANCES BEYOND YOUR CONTROL,

IF YOU HAVE A REASONABLE PROSPECT OF BEING ABLE TO PAY YOUR MORTGAGE PAYMENTS, AND

IF YOU MEET OTHER ELIGIBILITY REQUIREMENTS ESTABLISHED BY THE PENNSYLVANIA HOUSING FINANCE AGENCY.

**TEMPORARY STAY OF FORECLOSURE** - Under the Act, you are entitled to a temporary stay of foreclosure on your mortgage for thirty (30) days from the date of this Notice. During that time you must arrange and attend a "face-to-face" meeting with one of the consumer credit counseling agencies listed at the end of this Notice.

**THIS MEETING MUST OCCUR WITHIN THE NEXT (30) DAYS. IF YOU DO NOT APPLY FOR EMERGENCY MORTGAGE ASSISTANCE, YOU MUST BRING YOUR MORTGAGE UP TO DATE. THE PART OF THIS NOTICE CALLED "HOW TO CURE YOUR MORTGAGE DEFAULT", EXPLAINS HOW TO BRING YOUR MORTGAGE UP TO DATE.**

**CONSUMER CREDIT COUNSELING AGENCIES** - If you meet with one of the consumer credit counseling agencies listed at the end of this notice, the lender may NOT take action against you for thirty(30) days after the date of this meeting. The names, addresses and telephone numbers of designated consumer credit counseling agencies for the county in which the property is located are set forth at the end of this Notice. It is only necessary to schedule one face-to-face meeting. Advise your lender immediately of your intentions.

(Continued)

YOU SHOULD CONSIDER THIS LETTER AS COMING FROM A DEBT COLLECTOR AS WE SOMETIMES ACT AS A DEBT COLLECTOR. ANY INFORMATION PROVIDED BY YOU WILL BE USED TO COLLECT THIS DEBT. HOWEVER, IF YOU ARE IN BANKRUPTCY OR RECEIVED A BANKRUPTCY DISCHARGE OF THIS DEBT, THIS LETTER IS NOT AN ATTEMPT TO COLLECT THE DEBT, BUT NOTICE OF POSSIBLE ENFORCEMENT OF OUR LIEN AGAINST THE COLLATERAL PROPERTY. COLORADO: FOR INFORMATION ABOUT THE COLORADO FAIR DEBT COLLECTION PRACTICES ACT, SEE <http://www.ago.state.co.us/cadc/cadcmain.cfm>. NEW YORK CITY: License 1032551. NORTH CAROLINA: Permit 3840. TENNESSEE: This collection agency is licensed by the Collection Service Board of the Department of Commerce and Insurance. Wilshire Credit Corporation is licensed to do business at 14523 S.W. Millikan Way, Beaverton, OR. Wilshire's office hours are Monday - Friday 6:00 am to 5:00 pm Pacific time, holidays excluded.

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BARANICK, KIMBERLY

Loan No.:2930504

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July 31, 2007

**APPLICATION FOR MORTGAGE ASSISTANCE** - Your mortgage is in default for the reasons set forth later in this Notice (see following pages for specific information about the nature of your default.) If you have tried and are unable to resolve this problem with the lender, you have the right to apply for financial assistance from the Homeowner's Emergency Mortgage Assistance Program. To do so, you must fill out, sign and file a completed Homeowner's Emergency Assistance Program Application with one of the designated consumer credit counseling agencies listed at the end of this Notice. Only consumer credit counseling agencies have applications for the program and they will assist you in submitting a complete application to the Pennsylvania Housing Finance Agency. Your application MUST be filed or postmarked within thirty(30) days of your face-to-face meeting.

**YOU MUST FILE YOUR APPLICATION PROMPTLY. IF YOU FAIL TO DO SO OR IF YOU DO NOT FOLLOW THE OTHER TIME PERIODS SET FORTH IN THIS LETTER, FORECLOSURE MAY PROCEED AGAINST YOUR HOME IMMEDIATELY AND YOUR APPLICATION FOR MORTGAGE ASSISTANCE WILL BE DENIED.**

**AGENCY ACTION** - Available funds for emergency mortgage assistance are very limited. They will be disbursed by the Agency under the eligibility criteria established by the Act. The Pennsylvania Housing Finance Agency has sixty (60) days to make a decision after they receive your application. During that time, no foreclosure proceedings will be pursued against you if you have met the time requirements set forth above. You will be notified directly by the Pennsylvania Housing Finance Agency of its decision on your application.

**NOTE: IF YOU ARE CURRENTLY PROTECTED BY THE FILING OF A PETITION IN BANKRUPTCY, THE FOLLOWING PART OF THIS NOTICE IS FOR INFORMATION PURPOSES ONLY AND SHOULD NOT BE CONSIDERED AS AN ATTEMPT TO COLLECT THE DEBT.**

(If you have filed bankruptcy you can still apply for Emergency Mortgage Assistance.)

**HOW TO CURE YOUR MORTGAGE DEFAULT (Bring it up to date.)**

**NATURE OF THE DEFAULT** - The MORTGAGE debt held by the above lender on your property located at:  
907 W LONG AVE  
DU BOIS, PA 158013511

IS SERIOUSLY IN DEFAULT because:

YOU HAVE NOT MADE MONTHLY PAYMENTS and the following amounts are past due:

|                 |                   |
|-----------------|-------------------|
| Delinquency     | \$960.58          |
| Late Charges    | \$107.04          |
| Other Charges   | \$9.50            |
| Suspense Amount | \$39.42           |
| <b>TOTAL</b>    | <b>\$1,037.70</b> |

**HOW TO CURE THE DEFAULT** - You may cure the default within THIRTY (30) DAYS of the date of this notice **BY PAYING THE TOTAL AMOUNT PAST DUE TO THE LENDER, WHICH IS \$1,037.70 PLUS**

(Continued)

YOU SHOULD CONSIDER THIS LETTER AS COMING FROM A DEBT COLLECTOR AS WE SOMETIMES ACT AS A DEBT COLLECTOR. ANY INFORMATION PROVIDED BY YOU WILL BE USED TO COLLECT THIS DEBT. HOWEVER, IF YOU ARE IN BANKRUPTCY OR RECEIVED A BANKRUPTCY DISCHARGE OF THIS DEBT, THIS LETTER IS NOT AN ATTEMPT TO COLLECT THE DEBT, BUT NOTICE OF POSSIBLE ENFORCEMENT OF OUR LIEN AGAINST THE COLLATERAL PROPERTY. COLORADO: FOR INFORMATION ABOUT THE COLORADO FAIR DEBT COLLECTION PRACTICES ACT, SEE <http://www.ago.state.co.us/cadc/cadomain.cfm>. NEW YORK CITY: License 1032551. NORTH CAROLINA: Permit 3840. TENNESSEE: This collection agency is licensed by the Collection Service Board of the Department of Commerce and Insurance. Wilshire Credit Corporation is licensed to do business at 14523 S.W. Millikan Way, Beaverton, OR. Wilshire's office hours are Monday - Friday 6:00 am to 5:00 pm Pacific time, holidays excluded.

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BARANICK, KIMBERLY

Loan No.:2930504

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July 31, 2007

ANY MORTGAGE PAYMENTS AND LATE CHARGES WHICH BECOME DUE DURING THE THIRTY (30) DAY PERIOD. Payments must be made either by cashier's check certified check or money order made payable and sent to: Wilshire Credit Corporation, P.O. Box 7195, Pasadena, CA 91109-7195.

**IF YOU DO NOT CURE THE DEFAULT** - If you do not cure the default within THIRTY (30) DAYS of the date of this Notice, the lender intends to exercise it's rights to accelerate the mortgage debt. This means that the entire outstanding balance of the debt will be considered due immediately and you may lose the chance to pay the mortgage in monthly installments. If full payment of the total amount past due is not made within THIRTY (30) DAYS, the lender also intends to instruct it's attorneys to start legal action to foreclose upon your mortgaged property.

**IF THE MORTGAGE IS FORECLOSED UPON** - The mortgaged property will be sold by the Sheriff to pay off the mortgage debt. If the lender refers your case to it's attorneys, but you cure the delinquency before the lender begins legal proceedings against you, you will still be required to pay the reasonable attorney's fees that were actually incurred, up to \$50.00. However, if legal proceedings are started against you, you will have to actually incurred by the lender even if they exceed \$50.00. The attorney's fees will be added to the amount you owe the lender, which may also include other reasonable costs. If you cure the default within the THIRTY (30) DAY period, you will not be required to pay attorney's fees.

**OTHER LENDER REMEDIES** - The lender may also sue you personally for the unpaid principal balance and all other sums due under the mortgage.

**RIGHT TO CURE THE DEFAULT PRIOR TO SHERIFF'S SALE** - If you have not cured the default within the THIRTY (30) DAY period and foreclosure proceedings have begun, you still have the right to cure the default and prevent the sale at any time up to one hour before the Sheriff's Sale. You may do so by paying the total amount then past due, any late or other charges then due, reasonable attorney's fees any costs connected with the foreclosure sale, any other costs connected with the Sheriff's Sale as specified in writing by the lender, and by performing any other requirements under the mortgage. Curing your default in the manner set forth in this notice will restore your mortgage to the same position as if you had never defaulted.

**EARLIEST POSSIBLE SHERIFF'S SALE DATE** - It is estimated that the earliest date that such a Sheriff's Sale of the mortgaged property could be held would be approximately 6 months from the date of this Notice. A notice of the actual date of the Sheriff's Sale will be sent to you before the sale. Of course, the amount needed to cure the default will increase the longer you wait. You may find out at any time exactly what the required payment of action will be by contacting the lender.

**HOW TO CONTACT THE LENDER:**

Name of Lender : Wilshire Credit Corporation

Address : Payments: P.O. Box 7195, Pasadena, CA 91109-7195  
Correspondence: P.O. Box 8517, Portland, OR 97207-8517

Phone : Toll-Free: 888.917.1052  
Fax Number : 503.952.7476

(Continued)

YOU SHOULD CONSIDER THIS LETTER AS COMING FROM A DEBT COLLECTOR AS WE SOMETIMES ACT AS A DEBT COLLECTOR. ANY INFORMATION PROVIDED BY YOU WILL BE USED TO COLLECT THIS DEBT. HOWEVER, IF YOU ARE IN BANKRUPTCY OR RECEIVED A BANKRUPTCY DISCHARGE OF THIS DEBT, THIS LETTER IS NOT AN ATTEMPT TO COLLECT THE DEBT, BUT NOTICE OF POSSIBLE ENFORCEMENT OF OUR LIEN AGAINST THE COLLATERAL PROPERTY. COLORADO: FOR INFORMATION ABOUT THE COLORADO FAIR DEBT COLLECTION PRACTICES ACT, SEE <http://www.ago.state.co.us/cadd/caddmain.cfm>. NEW YORK CITY: License 1032551. NORTH CAROLINA: Permit 3840. TENNESSEE: This collection agency is licensed by the Collection Service Board of the Department of Commerce and Insurance. Wilshire Credit Corporation is licensed to do business at 14523 S.W. Millikan Way, Beaverton, OR. Wilshire's office hours are Monday - Friday 6:00 am to 5:00 pm Pacific time, holidays excluded.

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BARANICK, KIMBERLY

Loan No.:2930504

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Contact : Loan Servicing

**EFFECT OF SHERIFF'S SALE** - You should realize that a Sheriff's Sale will end your ownership of the mortgaged property and your right to occupy it. If you continue to live in the property after the Sheriff's Sale, a lawsuit to remove you and your furnishings and other belongings could be started by the lender at any time.

**ASSUMPTION OF MORTGAGE** - You may or may not sell or transfer your home to a buyer or transferee who will assume the mortgage debt, provided that all the outstanding payments, charges and attorney's fees and costs are paid prior to or at the sale and that the other requirements of the mortgage are satisfied.

**YOU MAY ALSO HAVE THE RIGHT:**

TO SELL THE PROPERTY TO OBTAIN MONEY TO PAY OFF THE MORTGAGE DEBT OR TO BORROW MONEY FROM ANOTHER LENDING INSTITUTION TO PAY OFF THE MORTGAGE DEBT.

TO HAVE THIS DEFAULT CURED BY ANY THIRD PARTY ACTING ON YOUR BEHALF.

TO HAVE THE MORTGAGE RESTORED TO THE SAME POSITION AS IF NO DEFAULT HAD OCCURRED, IF YOU CURE THE DEFAULT. (HOWEVER, YOU DO NOT HAVE THIS RIGHT TO CURE YOUR DEFAULT MORE THAN THREE TIMES IN ANY CALENDAR YEAR.)

TO ASSERT THE NONEXISTENCE OF A DEFAULT IN ANY FORECLOSURE PROCEEDING OR ANY OTHER LAWSUIT INSTITUTED UNDER THE MORTGAGE DOCUMENTS.

TO ASSERT ANY OTHER DEFENSE YOU BELIEVE YOU MAY HAVE TO SUCH ACTION BY THE LENDER.

TO SEEK PROTECTION UNDER THE FEDERAL BANKRUPTCY LAW.

**ATTACHED IS THE CONSUMER CREDIT COUNSELING AGENCIES SERVING YOUR COUNTY**

If you have any questions, please contact us at our toll-free number above.

Sincerely,

Loan Servicing

Enclosures: PA CCCS List, How to Avoid Foreclosure

YOU SHOULD CONSIDER THIS LETTER AS COMING FROM A DEBT COLLECTOR AS WE SOMETIMES ACT AS A DEBT COLLECTOR. ANY INFORMATION PROVIDED BY YOU WILL BE USED TO COLLECT THIS DEBT. HOWEVER, IF YOU ARE IN BANKRUPTCY OR RECEIVED A BANKRUPTCY DISCHARGE OF THIS DEBT, THIS LETTER IS NOT AN ATTEMPT TO COLLECT THE DEBT, BUT NOTICE OF POSSIBLE ENFORCEMENT OF OUR LIEN AGAINST THE COLLATERAL PROPERTY. COLORADO: FOR INFORMATION ABOUT THE COLORADO FAIR DEBT COLLECTION PRACTICES ACT, SEE <http://www.ago.state.co.us/cado/cadomain.cfm>. NEW YORK CITY: License 1032551. NORTH CAROLINA: Permit 3840. TENNESSEE: This collection agency is licensed by the Collection Service Board of the Department of Commerce and Insurance. Wilshire Credit Corporation is licensed to do business at 14523 S.W. Millikan Way, Beaverton, OR. Wilshire's office hours are Monday - Friday 6:00 am to 5:00 pm Pacific time, holidays excluded.

LI78E

Martha E. Von Rosenstiel, P.C.  
Martha E. Von Rosenstiel  
649 South Avenue, Suite 7  
P.O. Box 307  
Secane, PA 19018  
610 328-2887  
Attorney I.D.# 52634

Attorney for Plaintiff

LASALLE BANK, N.A. AS TRUSTEE FOR : COURT OF COMMON PLEAS  
THE MLMI TRUST SERIES 2006-HE6 : CLEARFIELD COUNTY

Plaintiff

vs.

Case No: 07-1802-CD

KIMBERLY BARANICK

Defendant(s)

**PRAECIPE TO REINSTATE COMPLAINT IN MORTGAGE FORECLOSURE**

To the Prothonotary:

Kindly reinstate the Complaint in Mortgage Foreclosure in the above matter.

  
Martha E. Von Rosenstiel  
Attorney for Plaintiff

DATED: December 11, 2007

**FILED**

DEC 12 2007

William A. Shaw  
Prothonotary/Clerk of Courts

3 CE to Atty  
reinstated  
Complaints to  
Shiff.  
reinstated  
Complaint  
to Atty.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY

|                                   |   |                       |
|-----------------------------------|---|-----------------------|
| LASALLE BANK, N.A. AS TRUSTEE FOR | : | COURT OF COMMON PLEAS |
| THE MLMI TRUST SERIES 2006-HE6    | : | CLEARFIELD COUNTY     |
| Plaintiff                         | : |                       |
|                                   | : |                       |
| VS.                               | : |                       |
|                                   | : |                       |
|                                   | : | NO: 07-1802-CD        |
| KIMBERLY BARANICK                 |   |                       |
| Defendant                         |   |                       |

---

**ORDER**

AND NOW, this      day of                      , 2007, upon consideration of Plaintiff's Motion for Special Service and any response thereto (if any), it is hereby:

ORDERED and DECREED that Plaintiff may obtain service on Kimberly Baranick by mailing a true and correct copy of the Complaint in Mortgage Foreclosure and all subsequent notices, including but not limited to notice of sheriff's sale, by certified mail and regular, first class mail at the last known address of **917 West Long Avenue, Du Bois, PA 15801** and by posting the premises of **907 West Long Avenue, Du Bois, PA 15801**.

BY THE COURT:

---

J.

Martha E. Von Rosenstiel, P.C.  
Martha E. Von Rosenstiel, Esquire  
649 South Avenue, Unit 7  
P.O. Box 307  
Secane, PA 19018  
(610) 328-2887  
Attorney I.D. # 52634

#21736CMS-PN  
Attorney for Plaintiff

LASALLE BANK, N.A. AS TRUSTEE FOR : COURT OF COMMON PLEAS  
THE MLMI TRUST SERIES 2006-HE6 : CLEARFIELD COUNTY

Plaintiff

VS.

: NO: 07-1802-CD

KIMBERLY BARANICK  
Defendant

**FILED**

DEC 31 2007

W/12/05/WM  
William A. Shaw  
Prothonotary/Clerk of Courts  
2 CEN to HALL

### MOTION FOR SPECIAL SERVICE

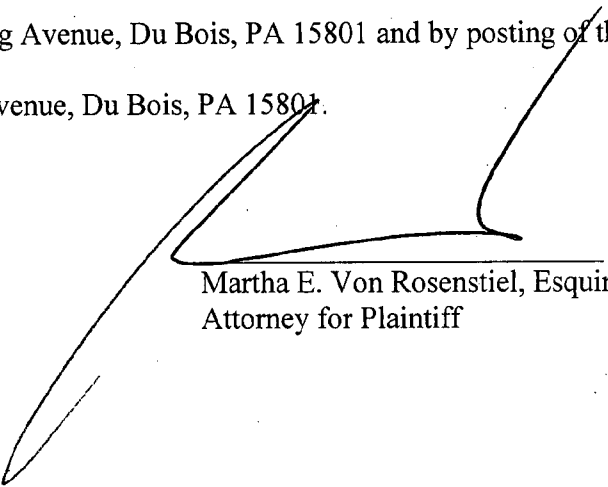
Movant, by its counsel, Martha E. Von Rosenstiel, Esquire, moves this Honorable Court for an Order directing service of the Complaint and all subsequent notices upon the above captioned defendant, Kimberly Baranick, by regular mail and certified mail at the last known address of **917 West Long Avenue, Du Bois, PA 15801** and by posting of the premises located at **907 West Long Avenue Du Bois, PA 15801** (hereinafter "Subject Premises") and in support thereof avers the following:

1. The Plaintiff filed its Complaint in Mortgage Foreclosure against Kimberly Baranick on or about November 6, 2007, for the defendant's failure to make monthly mortgage payments from July 1, 2007 for the property located at 907 West Long Avenue Du Bois, PA 15801 (hereinafter "Subject Premises").
2. Plaintiff attempted service via the Sheriff of Clearfield County at the Subject Premises. Per verbal from Marilyn in the Office of the Sheriff of Clearfield County, the Sheriff was unable to effectuate service of the Complaint. A Return

of service is being prepared for filing with the prothonotary.

3. Plaintiff attempted Service via the Sheriff of Clearfield County at the last known address located at 917 West Long Avenue Du Bois, PA 15801. Per verbal from Marilyn in the Office of the Sheriff of Clearfield County, the Sheriff was unable to effectuate service of the Complaint. A Return of Service is being prepared for filing with the prothonotary.
4. Pursuant to Pennsylvania Rules of Civil Procedure 430, Plaintiff has made a good faith effort to locate the defendant.
5. An Affidavit of Reasonable Investigation setting forth the specific inquiries made and the results therefore is attached hereto made part hereof and marked as Exhibit A.

WHEREFORE, as Plaintiff respectfully requests this Honorable Court enter an Order pursuant to Pennsylvania Rule of Civil Procedure 430 directing service of the Complaint in Mortgage Foreclosure and all subsequent notices by certified and regular mail at the last known address of 917 West Long Avenue, Du Bois, PA 15801 and by posting of the Subject Premises, 907 West Long Avenue, Du Bois, PA 15801.



Martha E. Von Rosenstiel, Esquire  
Attorney for Plaintiff

Dated: 12-27-2007

Martha E. Von Rosenstiel, P.C.  
Martha E. Von Rosenstiel, Esquire  
649 South Avenue, Unit 7  
P.O. Box 307  
Secane, PA 19018  
(610) 328-2887  
Attorney I.D. # 52634

#21736CMS-PN  
Attorney for Plaintiff

|                                   |   |                       |
|-----------------------------------|---|-----------------------|
| LASALLE BANK, N.A. AS TRUSTEE FOR | : | COURT OF COMMON PLEAS |
| THE MLMI TRUST SERIES 2006-HE6    | : | CLEARFIELD COUNTY     |
| Plaintiff                         | : |                       |
|                                   | : |                       |
| VS.                               | : |                       |
|                                   | : |                       |
|                                   | : | NO: 07-1802-CD        |
| KIMBERLY BARANICK                 | : |                       |
| Defendant                         | : |                       |

---

**BRIEF IN SUPPORT OF ITS MOTION FOR SPECIAL SERVICE**

Movant, by its counsel, Martha E. Von Rosenstiel, Esquire, moves this Honorable Court for an Order directing service of the Complaint in Mortgage Foreclosure and all subsequent notices upon the above captioned defendant, Kimberly Baranick, by regular mail and certified mail at the last known address of **917 West Long Avenue, Du Bois, PA 15801** and by posting of the premises located at **907 West Long Avenue Du Bois, PA 15801** (hereinafter "Subject Premises") and in support thereof avers the following:

**I. FACTS**

The Plaintiff filed its Complaint in Mortgage Foreclosure against Kimberly Baranick on or about November 6, 2007, for the defendant's failure to make monthly mortgage payments due July 1, 2007 for the property located at 907 West Long Avenue Du Bois, PA 15801 (hereinafter "Subject Premises").

## II. ARGUMENT

Pennsylvania Rule of Civil Procedure 430(a) specifically provides:

(a) If service cannot be made under the applicable rule the plaintiff may move the Court for a special order directing the method of service. The Motion shall be accompanied by an Affidavit stating the nature and extent of the investigation, which has been made to determine the whereabouts of the defendant and the reasons why service cannot be made.

The Court in Romeo v. Looks, 369 Pa. Super 608 (1982) stated that "Before resort to substituted service maybe had, however, a plaintiff must have demonstrated a good faith effort to locate the defendant through more direct means."

An illustration of good faith effort to locate the defendant includes (1) inquiries of postal authorities including inquiries pursuant to the Freedom of Information Act, 39 C.F.R. Part 265, (2) inquiries of relatives, neighbors, friends and employers of the Defendant and (3) examination of local telephone directories, voter registration records, local tax records, and motor vehicle records. Kittanning Coal Co., Inc. v. International Mining Co., Inc. 551 F. Supp. 834 (1982), Romeo v. Looks, 369 Pa. Super 608 (1987).

Per verbal from Marilyn in the Office of the Sheriff of Clearfield County, the Sheriff was unable to effectuate service of the Complaint at either address of 917 West Long Avenue, Du Bois, PA 15801 and 907 West Long Avenue, Du Bois, PA 15801. A Return of Service is being prepared for filing with the prothonotary. A good faith effort to discover the whereabouts of the defendant has been made as evidenced by the attached Affidavit of Reasonable Investigation, marked Exhibit A.

The Plaintiff submits that it has made a good faith effort to locate and serve the defendant and has been unable to do so.

WHEREFORE, Plaintiff respectfully requests service of the Complaint in Mortgage Foreclosure and all subsequent notices by certified and regular mail to the last known address of 917 West Long Avenue, Du Bois, PA 15801 and by posting of the Subject Premises, 907 West Long Avenue, Du Bois, PA 15801

Respectfully submitted,

Martha E. Von Rosenstiel, Esquire  
Attorney for Plaintiff

Dated: 12/27/2007

**VERIFICATION**

MARTHA E. VON ROSENSTIEL, ESQUIRE, of full age, being duly sworn according to law deposes and says that she is the attorney for the Plaintiff in the foregoing action; that she is duly authorized to make this verification on behalf of the Plaintiff; that she is fully familiar with the facts in this matter; and that the statements made in the foregoing Motion for Special Service are true and correct to the best of her knowledge, information and belief.



---

Martha E. Von Rosenstiel, Esquire

Dated: December 28, 2007

#21736CMS-PN

Martha E. Von Rosenstiel, P.C.  
Martha E. Von Rosenstiel  
649 South Avenue, Unit 7  
P.O. Box 307  
Secane, PA 19018  
(610) 328-2887  
Attorney I.D. # 52634

Attorney for Plaintiff

LASALLE BANK, N.A. AS TRUSTEE FOR THE : COURT OF COMMON PLEAS  
MLMI TRUST SERIES 2006-HE6 : CLEARFIELD COUNTY  
Plaintiff :

VS. :

NO: 07-1802-CD

KIMBERLY BARANICK  
Defendant

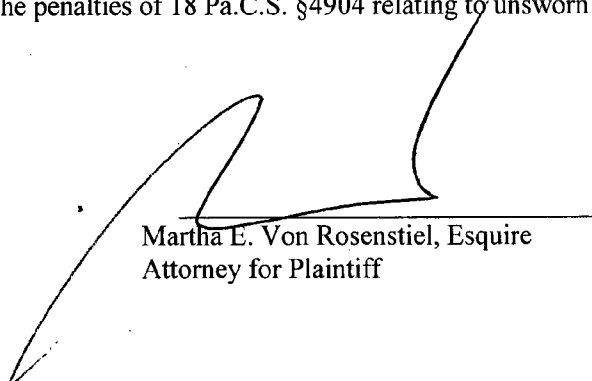
**CERTIFICATE OF SERVICE**

Martha E. Von Rosenstiel, Esquire hereby certifies that she is the attorney for the Plaintiff herein,  
and that service of the Motion for Special Service, Brief in support thereof, attached exhibits, and  
proposed Order in the above matter was made upon the following by regular first class mail,  
postage prepaid, deposited with the United States Postal Service on 12/28/07:

Kimberly Baranick  
907 West Long Avenue  
Du Bois, PA 15801

Kimberly Baranick  
917 West Long Avenue  
Du Bois, Pa 15801

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

  
Martha E. Von Rosenstiel, Esquire  
Attorney for Plaintiff

Dated: 12/28/07

**FULL SPECTRUM LEGAL SERVICES, INC.  
AFFIDAVIT OF GOOD FAITH INVESTIGATION**

File Number: 21736-BP  
Attorney Firm: **Law Offices of Marty Von Rosenstiel**  
Subject: Kimberly Baranick

Property Address: 907 West Long Avenue, Du Bois, PA 15801  
Possible Mailing Address: 917 West Long Avenue, Du Bois, PA 15801

**I, Kerri Smith, being duly sworn according to law, do hereby depose and state as follows, I have conducted an investigation into the whereabouts of the above-noted individual(s) and have discovered the following:**

**I. CREDIT INFORMATION**

**A. SOCIAL SECURITY NUMBER**

Our search verified the following information to be true and correct  
Kimberly Baranick - xxx-xx-5420

**B. EMPLOYMENT SEARCH**

Kimberly Baranick - A review of the credit reporting agencies provided no employment information.

**C. INQUIRY OF CREDITORS**

Our inquiry of creditors indicated that Kimberly Baranick reside(s) at: 917 West Long Avenue, Du Bois, PA 15801.

**II. INQUIRY OF TELEPHONE COMPANY**

**A. DIRECTORY ASSISTANCE SEARCH**

Our office contacted directory assistance, which had no listing for Kimberly Baranick.

**III. INQUIRY OF NEIGHBORS**

On 10-25-07 our office made a phone call in an attempt to contact Nancy Defazio (814) 371-6485, 1005 West Long Avenue, Du Bois, PA 15801: spoke with an unidentified female who could not confirm that the subject reside(s) at 907 & 917 West Long Avenue, Du Bois, PA 15801.

On 10-25-07 through 10-26-07 our office made several phone calls in an attempt to contact Heather Barber & Scott M. Barber (814) 372-4674, 1006 West Long Avenue, Du Bois, PA 15801: answering machine.

On 10-25-07 through 10-26-07 our office made several phone calls in an attempt to contact Paul J. Glowacki (814) 371-2767, 1015 West Long Avenue, Du Bois, PA 15801: no answer.

**IV. ADDRESS INQUIRY**

**A. NATIONAL ADDRESS UPDATE**

On 10-26-07 we reviewed the National Address database and found the following information: Kimberly Baranick - 907 West Long Avenue, Du Bois, PA 15801.

EXHIBIT   A

**B. ADDITIONAL ACTIVE MAILING ADDRESSES**

Per our inquiry of creditors, the following is a possible mailing address: 917 West Long Avenue, Du Bois, PA 15801.

**V. OTHER INQUIRIES**

**A. DEATH RECORDS**

As of 10-26-07 Vital Records and all public databases have no death record on file for Kimberly Baranick.

**B. COUNTY VOTER REGISTRATION**

The county voter registration was unable to confirm a registration for Kimberly Baranick residing at: last registered address.

**VI. ADDITIONAL INFORMATION OF SUBJECT**

**A. DATE OF BIRTH**

Kimberly Baranick - 09-1979

**B. A.K.A.**

Kimberly R. Baranick

**\* Our accessible databases have been checked and cross-referenced for the above named individual(s).**

**\* Please be advised our database information indicates the subject resides at the current address.**

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing states made by me are willfully false, I am subject to punishment.

I hereby verify that the statements made herein are true and correct to the best of my knowledge, information and belief and that this affidavit of investigation is made subject to the penalties of 18 Pa C.S. Sec. 4904 relating to unsworn falsification to authorities.

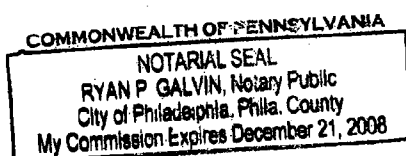
*Kerri Smith*

AFFIANT - Kerri Smith  
Full Spectrum Legal Services, Inc.

Sworn to and subscribed before me this 26<sup>th</sup> day of October, 2007.

The above information is obtained from available public records  
and we are only liable for the cost of the affidavit.

klb



*Ryan P. Galvin*

6A

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

LASALLE BANK, N.A. AS TRUSTEE FOR  
THE MLMI TRUST SERIES 2006-HE6,  
Plaintiff

vs.

KIMBERLY BARANICK,  
Defendant

\*  
\*  
\*  
\*  
\*  
\*

NO. 07-1802-CD

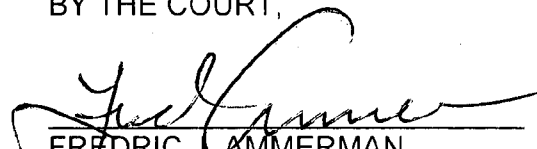
**ORDER**

NOW, this 2nd day of January, 2008, the Plaintiff is granted leave to  
serve the Complaint in Mortgage Foreclosure upon the Defendant **KIMBERLY  
BARANICK** by:

1. Publication one time in The Courier Express (DuBois) and the Clearfield  
County Legal Journal;
2. By first class mail and by certified mail, return receipt requested, at the  
Defendant's last known address, 917 W. Long Avenue, DuBois, PA 15801 and  
to the mortgaged premises, 907 W. Long Avenue, DuBois, PA 15801; and
3. By posting the mortgaged premises known in this herein action as 907 W. Long  
Ave, DuBois, PA 15801.

Service by the aforementioned means is to be done by Plaintiff's attorney, who will  
file with the Prothonotary's Office an Affidavit of Service.

BY THE COURT,

  
FREDRIC J. AMMERMAN  
President Judge

FILED 300

01/04/08  
JAN 02 2008  
Atty VanKosenstiel

William A. Shaw  
Prothonotary/Clerk of Courts

Martha E. Von Rosenstiel, P.C.  
Martha E. Von Rosenstiel  
649 South Avenue, Suite 7  
P.O. Box 307  
Secane, PA 19018  
610 328-2887  
Attorney I.D.# 52634

Attorney for Plaintiff

LASALLE BANK, N.A. AS TRUSTEE FOR : COURT OF COMMON PLEAS  
THE MLMI TRUST SERIES 2006-HE6 : CLEARFIELD COUNTY

Plaintiff

vs.

Case No: 07-1802-CD


KIMBERLY BARANICK

Defendant(s)

**PRAECIPE TO REINSTATE COMPLAINT IN MORTGAGE FORECLOSURE**

To the Prothonotary:

Kindly reinstate the Complaint in Mortgage Foreclosure in the above matter.

  
Martha E. Von Rosenstiel  
Attorney for Plaintiff

DATED: January 8, 2008

**FILED** *pd \$7.00 Att*  
*m/12:10 am 3cc to Att*  
**JAN 09 2008** *1 reinstated to*  
*Shel*  
*3 reinstated to*  
*Att*  
William A. Shaw  
Prothonotary/Clerk of Courts

Martha E. Von Rosenstiel, P.C.  
 Martha E. Von Rosenstiel, Esquire  
 649 South Avenue, Unit 6  
 Secane, PA 19013  
 610 328-2887  
 Attorney I.D. # 52634

Attorney for Plaintiff

|                                   |   |                       |
|-----------------------------------|---|-----------------------|
| LASALLE BANK, N.A. AS TRUSTEE FOR | : | COURT OF COMMON PLEAS |
| THE MLMI TRUST SERIES 2006-HE6    | : | CLEARFIELD COUNTY     |
| Plaintiff                         | : |                       |
| vs.                               | : |                       |
| KIMBERLY BARANICK                 | : | Case No: 07-1802-CD   |
| Defendant(s)                      | : |                       |

**CERTIFICATION OF SERVICE**

Martha E. Von Rosenstiel, Esquire, hereby certifies that she is the attorney for the plaintiff herein and that service of the Civil Action in Mortgage Foreclosure in the above matter was made upon on the defendant **KIMBERLY BARANICK**, by certified mail and by regular mail, pursuant to Court Order on January 14, 2008, and by publication in Clearfield County Legal Journal on January 18, 2008 and in the Courier-Express/ Tri County Sunday/Jefferson Democrat on January 31, 2008.

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

\_\_\_\_\_  
 Martha E. Von Rosenstiel  
 Attorney for Plaintiff

DATED: February 14, 2008

**FILED** CC Atty.  
 m/12:00pm  
**FEB 19 2008**

William A. Shaw  
 Prothonotary/Clerk of Courts

7006 0810 0000 9808 9378

**U.S. Postal Service**  
**CERTIFIED MAIL RECEIPT**  
 (Domestic Mail Only, No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

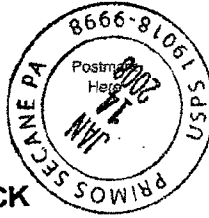
**OFFICIAL USE**

|  |    |
|--|----|
| Postage  | \$ |
| Certified Fee                                  |    |
| Return Receipt Fee (Endorsement Required)      |    |
| Restricted Delivery Fee (Endorsement Required) |    |
| Total Postage & Fees                           | \$ |

**KIMBERLY BARANICK**  
 Sent To **917 West Long Avenue**  
**Du Bois, PA 15801**

Street, Apt. No. or PO Box No.  
 City, State, ZIP+4

PS Form 3800, June 2002 See Reverse for Instructions



7006 0810 0000 9808 9361

**U.S. Postal Service**  
**CERTIFIED MAIL RECEIPT**  
 (Domestic Mail Only, No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

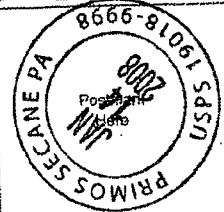
**OFFICIAL USE**

|  |    |
|--|----|
| Postage  | \$ |
| Certified Fee                                  |    |
| Return Receipt Fee (Endorsement Required)      |    |
| Restricted Delivery Fee (Endorsement Required) |    |
| Total Postage & Fees                           | \$ |

**KIMBERLY BARANICK**  
 Sent To **907 West Long Avenue**  
**Du Bois, PA 15801**

Street, Apt. No. or PO Box No.  
 City, State, ZIP+4

PS Form 3800, June 2002 See Reverse for Instructions



**U.S. POSTAL SERVICE**  
**CERTIFICATE OF MAILING**  
 MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL. DOES NOT PROVIDE FOR INSURANCE—POSTMASTER USE ONLY

Received From:

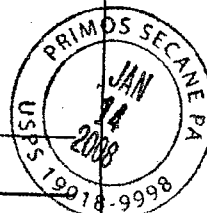
**MARTHA VON ROSENSTHEL**  
 649 SOUTH AVENUE  
 UNIT 7  
 SECANE, PA 19018

One piece of ordinary mail addressed to:

**KIMBERLY BARANICK**  
 907 West Long Avenue  
 Du Bois, PA 15801

UNITED STATES POSTAGE  
 02 1P \$001.050  
 0002664019 JAN 14 2008  
 MAILED FROM ZIP CODE 19018

PS Form 3817, Mar.1989



Affix fee here in stamp  
 Or meter postage and  
 Postmark. Inquire of  
 Postmaster for current

**U.S. POSTAL SERVICE**  
**CERTIFICATE OF MAILING**  
 MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL. DOES NOT PROVIDE FOR INSURANCE—POSTMASTER USE ONLY

Received From:

**MARTHA VON ROSENSTHEL**  
 649 SOUTH AVENUE  
 UNIT 7  
 SECANE, PA 19018

One piece of ordinary mail addressed to:

**KIMBERLY BARANICK**  
 917 West Long Avenue  
 Du Bois, PA 15801

UNITED STATES POSTAGE  
 02 1P \$001.050  
 0002664019 JAN 14 2008  
 MAILED FROM ZIP CODE 19018

PS Form 3817, Mar.1989



Affix fee here in stamp  
 Or meter postage and  
 Postmark. Inquire of  
 Postmaster for current

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY  
Case No: 07-1802-CD

MARTHA E. VON ROSENSTIEL, P.C.,  
Attorney for Plaintiff, Martha E. Von  
Rosenstiel, Esquire, 649 South Avenue,  
Suite 6, Secane, PA 19018, (610) 328-  
887, Attorney ID # 52634  
LASALLE BANK, N.A. AS TRUSTEE  
OF THE MLMT TRUST SERIES 2006-HEB,  
45203 SW American Way, Suite 200,  
Leaverton, OR 97005, Plaintiff vs.  
JIMBERLY BARANICK, 917 West Long  
venue, DuBois, PA 15801 Defendant(s)  
Type of Action: CIVIL ACTION  
MORTGAGE FORECLOSURE  
Premises Subject to Foreclosure: 907  
West Long Avenue, DuBois, PA 15801.

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.  
CLEARFIELD COUNTY, PENNSYL-  
VANIA BAR ASSOCIATION, P.O. BOX 186,  
HARRISBURG PA 17108, 800-692-7375.  
DAVID S. MEHOLICK, COURT  
ADMINISTRATOR, CLEARFIELD COUNTY  
COURT HOUSE, CLEARFIELD, PA 16830.

STATE OF PENNSYLVANIA :

COUNTY OF CLEARFIELD :

On this 18th day of January AD 2008, before me, the subscriber, a Notary  
Public in and for said County and State, personally appeared Gary A.  
Knaresboro editor of the Clearfield County Legal Journal of the Courts of  
Clearfield County, and that the annexed is a true copy of the notice or  
advertisement published in said publication in the regular issues of Week of  
January 18, 2008, Vol. 20 No. 3. And that all of the allegations of this statement  
as to the time, place, and character of the publication are true.

  
Gary A. Knaresboro, Esquire  
Editor

Sworn and subscribed to before me the day and year aforesaid.

Notary Public  
My Commission Expires

NOTARIAL SEAL  
SHARON J. PUSEY, Notary Public  
Houtzdale, Clearfield County, PA  
My Commission Expires, April 7, 2011

MARTHA E. VON ROSENSTIEL P.C.

PROOF OF PUBLICATION OF NOTICE APPEARING IN THE  
COURIER EXPRESS/TRI-COUNTY SUNDAY/JEFFERSONIAN DEMOCRAT  
PUBLISHED BY McLEAN PUBLISHING COMPANY,  
DUBOIS PENNSYLVANIA

21736  
CPS

Under act 587, Approved May 16, 1929, P.L. 1784

STATE OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

SS:

Linda Smith, Advertising Director of Dory Ferra, Classified Advertising Supervisor of the Courier-Express/Tri-County Sunday/Jeffersonian Democrat of the County and State aforesaid, being duly sworn, deposes and says that the Courier Express, a daily newspaper, the Tri-County Sunday, a weekly newspaper and Jeffersonian Democrat, a weekly newspaper published by McLean Publishing Company at 500 Jeffers Street, City of DuBois, County and State aforesaid, which was established in the year 1879, since which date said, the daily publication and the weekly publications, has been regularly issued in said County; and that a copy of the printed notice of publication is attached hereto exactly as the same was printed and published in the regular editions of the paper on the following dates, viz: the

31st day of January A.D., 2008

Affiant further deposes that he is an officer duly authorized by the Courier-Express, a daily newspaper, Tri-County Sunday, a weekly newspaper, and/or Jeffersonian Democrat, a weekly newspaper to verify the foregoing statement under oath and also declared that affiant is not interested in the subject matter of the aforesaid notice of publication, and that all allegations in the foregoing statement as to time, place and character of publication are true.

McLEAN PUBLISHING COMPANY Publisher of  
COURIER-EXPRESS/TRI-COUNTY SUNDAY/JEFFERSONIAN DEMOCRAT

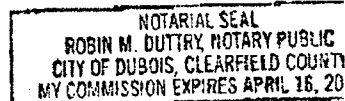
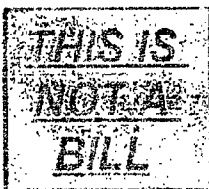
By

Sworn and subscribed to before me this 11th day of Feb., 2008

NOTARY PUBLIC

Statement of Advertising Cost  
McLEAN PUBLISHING COMPANY  
Publisher of

COURIER-EXPRESS/TRI-COUNTY SUNDAY/  
JEFFERSONIAN DEMOCRAT  
DuBois, PA



TO

Martha E. VonRosenstiel, PC

|  |          |
|--|----------|
| For publishing the notice or advertisement attached hereto on the above stated dates | \$249.08 |
| Probating same   | \$7.50   |
| Total  | \$256.58 |

Publisher's Receipt for Advertising Costs

The Courier-Express, a daily newspaper, Tri-County Sunday, a weekly newspaper, and/or Jeffersonian Democrat, a weekly newspaper, hereby acknowledges receipt of the aforesaid advertising and publication costs, and certifies that the same have been fully paid.

Office: Jeffers Street and Beaver Drive, DuBois, PA 15801  
Established 1879, Phone 814-371-4200  
McLEAN PUBLISHING COMPANY  
Publisher of

COURIER-EXPRESS/TRI-COUNTY SUNDAY/JEFFERSONIAN DEMOCRAT

By

I hereby certify that the foregoing is the original Proof of Publication and receipt for the Advertising costs in the subject matter of said notice.

ATTORNEY FOR

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY  
Case No. 07-1832-CD

Attorney for Plaintiff  
MARTHA E. VON ROSENSTIEL, P.C.  
Martha E. Von Rosenstiel, Esquire  
649 South Avenue, Suite 6  
Secane, PA 19018  
(610) 325-2897  
Attorney ID # 52634

LASALLE BANK N.A. AS TRUSTEE FOR THE  
MLMI TRUST SERIES 2006-MEE  
14523 SW Miliken Way, Suite 200  
Beaverton, OR 97005

Plaintiff

vs.

KIMBERLY BARANICK  
917 West Long Avenue  
DuBois, PA 15801

Defendant(s)

Defendant(s): Kimberly Baranick

Type of Action: CIVIL ACTION - MORTGAGE FORECLOSURE

Premises Subject to Foreclosure: 907 West Long Avenue,  
DuBois, PA 15801

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.**

CLEARFIELD COUNTY  
PENNSYLVANIA BAR ASSOCIATION  
P.O. BOX 186  
HARRISBURG PA 17108  
800-692-7375

DAVID S. MEHOLICK  
COURT ADMINISTRATOR  
CLEARFIELD COUNTY COURT HOUSE  
CLEARFIELD, PA 16830

1/31/08

**In The Court of Common Pleas of Clearfield County, Pennsylvania**

Service # 1 of 2 Services

Sheriff Docket # **103402**

LASALLE BANK, N.A. as Trustee

Case # 07-1802-CD

vs.

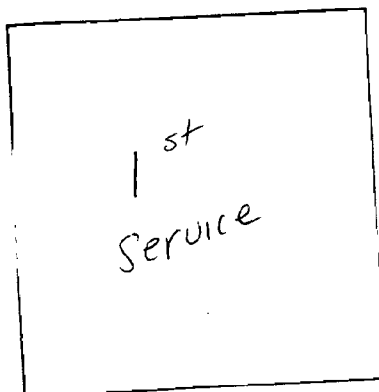
KIMBERLY BARANICK

TYPE OF SERVICE COMPLAINT IN MORTGAGE FORECLOSURE

**SHERIFF RETURNS**

NOW February 20, 2008 RETURNED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE "NOT SERVED, TIME EXPIRED" AS TO KIMBERLY BARANICK, DEFENDANT. SEVERAL ATTEMPTS

SERVED BY: /



**FILED**  
01/21/08  
FEB 20 2008  
William A. Shaw  
Prothonotary/Clerk of Courts

**In The Court of Common Pleas of Clearfield County, Pennsylvania**

Service # 2 of 2 Services

Sheriff Docket # **103402**

LASALLE BANK, N.A. as Trustee

Case # 07-1802-CD

vs.

KIMBERLY BARANICK

TYPE OF SERVICE COMPLAINT IN MORTGAGE FORECLOSURE

**SHERIFF RETURNS**

NOW February 20, 2008 RETURNED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE "NOT SERVED, TIME EXPIRED" AS TO KIMBERLY BARANICK, DEFENDANT. SEVERAL ATTEMPTS

SERVED BY: /

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103402  
NO: 07-1802-CD  
SERVICES 2  
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: LASALLE BANK, N.A. as Trustee  
vs.  
DEFENDANT: KIMBERLY BARANICK

SHERIFF RETURN

RETURN COSTS

| Description     | Paid By    | CHECK # | AMOUNT |
|-----------------|------------|---------|--------|
| SURCHARGE       | ROSENSTIEL | 24478   | 20.00  |
| SHERIFF HAWKINS | ROSENSTIEL | 24478   | 55.86  |

Sworn to Before Me This

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

So Answers,



Chester A. Hawkins  
Sheriff

MARTHA E. VON ROSENSTIEL, ESQUIRE  
 Martha E. Von Rosenstiel  
 649 SOUTH AVENUE  
 UNIT 7  
 SECANE, PA 19018  
 (610) 328-2887  
 Attorney ID #: 52634

Attorney for Plaintiff

LASALLE BANK, N.A. AS TRUSTEE : COURT OF COMMON PLEAS  
 FOR THE MLMI TRUST SERIES 2006- : CLEARFIELD COUNTY  
 HE6 :  
 14523 SW Millikan Way, Suite :  
 200 :  
 Beaverton, OR 97005 : Case No: 07-1802-CD

Plaintiff

vs.

KIMBERLY BARANICK  
 907 West Long Avenue  
 Du Bois, PA 15801

Defendants

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

NOV -6 2007

Attest.

*William E. Shaw*  
 Prothonotary/  
 Clerk of Courts

**CIVIL ACTION - MORTGAGE FORECLOSURE**

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

**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 ELEGIBLE PERSONS AT A REDUCED FEE OR NO FEE.**

**ADVISO**

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha de la demanda y la notificacion. Hace falta a sentar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea a visado que si usted no se defiende, la corte toma ra medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademas, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades o otros de rechos importantes para usted.

**LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGADO VAYA EN PERSONA O TELEFONA A LA OFICINA ESCRITA ABAJO. ESTA OFICINA LE PUEDE PROVEER INFORMACION SOBRE COMO CONTRATAR A UN ABOGADO. SI USTED NO TIENE EL DINERO SUFICIENTE PARA CONTRATAR A UN ABOGADO, LE PODEMOS DAR INFORMACION SOBRE AGENCIAS QUE PROVEEN SERVICIO LEGAL A PERSONAS ELEGIBLE PARA SERVICIOS A COSTO REDUCIDO O GRATUITO.**

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

**THIS IS AN ATTEMPT TO COLLECT A DEBT  
ANY INFORMATION OBTAINED MAY BE  
USED FOR THAT PURPOSE**

**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.**

MARTHA E. VON ROSENSTIEL, ESQUIRE  
Martha E. Von Rosenstiel  
649 SOUTH AVENUE  
UNIT 7  
SECANE, PA 19018  
(610) 328-2887  
Attorney ID# 52634

Attorney for Plaintiff

LASALLE BANK, N.A. AS TRUSTEE : COURT OF COMMON PLEAS  
FOR THE MLMI TRUST SERIES 2006- : CLEARFIELD COUNTY  
HE6 :  
14523 SW Millikan Way, Suite :  
200 :  
Beaverton, OR 97005 : Case No:

Plaintiff

vs.

KIMBERLY BARANICK  
907 West Long Avenue  
Du Bois, PA 15801

Defendant

#### CIVIL ACTION - MORTGAGE FORECLOSURE

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

1. Plaintiff is LaSalle Bank, N.A. as Trustee for the MLMI Trust Series 2006-HE6, a bank organized and existing under federal law, with offices for the conduct of business at 14523 SW Millikan Way, Suite 200, Beaverton, OR 97005.

2. Defendant, Kimberly Baranick is the mortgagor and real owner of premises 907 West Long Avenue, Du Bois, PA 15801, hereinafter described, whose last known address is listed in the above caption.

3. Plaintiff brings this action in mortgage foreclosure against defendant, mortgagor and real owner, to foreclose a certain indenture of mortgage made, executed and delivered by the above

named defendant, mortgagor and real owner to Mortgage Electronic Registration Systems, Inc. as Nominee for Novastar Mortgage, Inc. on July 18, 2006, which mortgage is recorded on July 21, 2006 in the Office of the Recorder of Deeds of Clearfield County in Instrument #200612170, secured on premises 907 West Long Avenue, Du Bois, PA 15801 a true and correct description of which is attached hereto as Exhibit I.

4. The mortgage has since been assigned to the Plaintiff herein.

5. Plaintiff alleges each and every term, condition and covenant in the aforesaid mortgage, and hereby incorporates them herein by reference thereto.

6. The aforesaid mortgage is in default in that monthly installments of principal and interest have not been made in conformity with the terms of the mortgage, from July 2007 and each month thereafter, up to and including the present time.

7. Under the terms of the aforesaid mortgage, upon default of payments set forth in the mortgage documents, the entire principal balance and all interest due thereon are collectible forthwith.

8. The following is an itemized statement of the amount due plaintiff under the terms of the aforesaid mortgage:

|                                     |             |
|-------------------------------------|-------------|
| Principal Balance                   | \$54,231.50 |
| Interest from 6/1/2007 to 11/5/2007 |             |
| At \$ 14.93 per diem                | \$ 2,358.94 |
| Accrued late charges                | \$ 13.01    |
| Corporate Advances                  | \$ 237.04   |

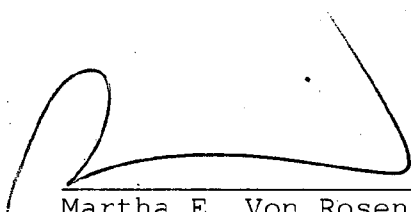
|  |             |
|--|-------------|
| Attorney's fee (5% of unpaid<br>Principal Balance) | \$ 2,711.58 |
| Title Information Certificate                      | \$ 515.00   |
| Release Documents                                  | \$ 28.50    |
| Suspense   | (\$ 459.13) |

|              |                     |
|--------------|---------------------|
| <b>TOTAL</b> | <b>\$ 59,636.44</b> |
|--------------|---------------------|

9. The attorney's fees set forth above are in conformity with the mortgage documents and Pennsylvania Law and will be collected in the event of a third party purchaser at Sheriff's sale. If the mortgage is reinstated prior to the Sheriff's sale, reasonable attorney's fees will be charged based on work actually performed.

10. Plaintiff sent to defendant, mortgagor and real owner a combined Notice and Warning of Intention to Foreclose and Notices of Homeowners' Emergency Mortgage Assistance Act of 1983 advising of rights available under the statutes. To date payments have not been received and Act 91 assistance has not been granted although the applicable time periods provided by statute have expired (Exhibit II).

**WHEREFORE**, plaintiff demands judgment for foreclosure and sale of the mortgaged premises in the amount of \$59,636.44, plus per diem interest at \$14.93 from November 06, 2007 to the date of judgment plus costs thereon.



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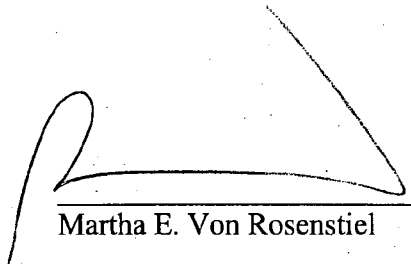
Martha E. Von Rosenstiel  
Attorney for Plaintiff

**VERIFICATION**

MARTHA E. VON ROSENSTIEL, ESQUIRE, of full age, verifies that she is the attorney for the plaintiff in the foregoing action; that she is authorized to make this verification on behalf of plaintiff; and that the statements made in the foregoing Complaint in Mortgage Foreclosure are true and correct to the best of her knowledge, information and belief.

This verification is being executed by the attorney for plaintiff in accordance with Pa R.C.P. 1024( c ) as a signed verification could not be obtained by plaintiff within the time allowed for filing of the pleading.

I understand that false statements herein are made subject to penalties of 18 Pa C.S. Section 4904 relating to unsworn falsification to authorities.

  
Martha E. Von Rosenstiel

## LEGAL DESCRIPTION

ALL THAT CERTAIN ALL THAT CERTAIN lot or piece of land situate in the Township of Sandy, County of Clearfield and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at an iron pipe in the Southerly line of West Long Avenue, said pipe being North 71 degrees 18' West 58.4 feet from the intersection of the Westerly line of a 16 foot alley and the Southerly line of West Long Avenue; thence South 49 degrees 48' West 150 feet to an iron pipe in the Northerly line of a 12 foot alley; thence along said alley North 71 degrees 18' West 49.6 feet to an iron pipe; thence North 31 degrees 08' East 54 feet to an iron pipe; thence North 26 degrees 28' West 41.3 feet to an iron pipe in the Easterly line of First Street; thence along First Street North 49 degrees 48' East 54.3 feet to an iron pipe in line of West Long Avenue; thence along the Southerly line of West Long Avenue South 71 degrees 18' East 116.8 feet to the place of beginning.

THE above described parcel of ground being part of Lot No. 43 and part of Lot No. 44 of the Edgemont Plan of Lots and having thereon erected a large two-story-frame dwelling house known as 907 West Long Avenue.

SUBJECT to right-of-way for sewer, water and gas, with the right to maintain and repair the same for the benefit of the owners, their heirs and assigns, of Lots Nos. 43 and 44 of the Edgemont Plan of Lots.

FURTHER GRANTING AND CONVEYING unto the Grantee, her heirs and assigns forever, all of the rights with regard to the location of the driveway, which rights are more particularly set forth in an Agreement dated January 17, 1992, entered into between Phyllis Jane Kessler, Executrix of the Estate of John H. Shilling, a/k/a John L. Shilling, deceased, and John Oliver Delp and Ann Marie Delp, husband and wife, which Agreement was recorded in the Office of the Register and Recorder of Deeds of Clearfield County, Pennsylvania, in Deed and Records Book Vol. 1438, Page 567, on January 22, 1992.

TITLE TO SAID PREMISES IS VESTED IN Kimberly R. Baranick by Deed from Jacqueline Delp Benamati, now intermarried with Dwyane F. Virgint and known as Jacqueline Delp Virgint, and Dwayne F. Virgint, dated 7/10/2006 and recorded 7/21/2006 in Instrument #200612169.

Premises being known as 907 West Long Avenue, Du Bois, PA 15801

EXHIBIT I



**Wilshire Credit Corporation**

July 31, 2007

BARANICK, KIMBERLY  
907 W LONG AVE  
DU BOIS, PA 15801

L178E

Payments  
P.O. Box 7195, Pasadena, CA 91109-7195

Correspondence  
P.O. Box 8517, Portland, OR 97207-8517

Phone  
888.917.1052

Fax  
503.952.7476

Web Site  
[www.wcc.ml.com](http://www.wcc.ml.com)

# ACT 91/6 NOTICE TAKE ACTION TO SAVE YOUR HOME FROM FORECLOSURE

This is an official notice that the mortgage on your home is in default, and the lender intends to foreclose. Specific information about the nature of the default is provided in the attached pages.

The HOMEOWNER'S MORTGAGE ASSISTANCE PROGRAM (HEMAP) may be able to help to save your home. This Notice explains how the program works.

To see if HEMAP can help, you must MEET WITH A CONSUMER CREDIT COUNSELING AGENCY WITHIN 30 DAYS OF THE DATE OF THIS NOTICE. Take this notice with you when you meet with the Counseling Agency.

The name, address and phone number of Consumer Credit Counseling Agencies serving your County are listed at the end of this Notice. If you have any questions, you may call the Pennsylvania Housing Finance Agency toll-free at 1.800.342.2397. (Persons with impaired hearing can call 717.780.1869.)

This notice contains important legal information. If you have any questions, representatives at the Consumer Credit Counseling Agency may be able to help explain it. You may also want to contact an attorney in your area. The local bar association may be able to help you find a lawyer.

LA NOTIFICACIÓN EN ADJUNTO ES DE SUMA IMPORTANCIA, PUES AFECTA SU DERECHO A CONTINUAR VIVIENDO EN SU CASA. SI NO COMPRENDE EL CONTENIDO DE ESTA NOTIFICACIÓN OBTenga UNA TRADUCCIÓN INÉDITAMENTE LLAMANDO ESTA AGENCIA (PENNSYLVANIA HOUSING FINANCE AGENCY) SIN CARGOS AL NUMERO MENCIONADO ARRIBA. PUEDES SER ELEGIBLE PARA UN PRÉSTAMO POR EL PROGRAMA LLAMADO "HOMEOWNER'S EMERGENCY MORTGAGE ASSISTANCE PROGRAM" EL CUAL PUEDE SALVAR SU CASA DE LA

(Continued)

YOU SHOULD CONSIDER THIS LETTER AS COMING FROM A DEBT COLLECTOR AS WE SOMETIMES ACT AS A DEBT COLLECTOR. ANY INFORMATION PROVIDED BY YOU WILL BE USED TO COLLECT THIS DEBT. HOWEVER, IF YOU ARE IN BANKRUPTCY OR RECEIVED A BANKRUPTCY DISCHARGE OF THIS DEBT, THIS LETTER IS NOT AN ATTEMPT TO COLLECT THE DEBT, BUT NOTICE OF POSSIBLE ENFORCEMENT OF OUR LIEN AGAINST THE COLLATERAL PROPERTY. COLORADO: FOR INFORMATION ABOUT THE COLORADO FAIR DEBT COLLECTION PRACTICES ACT, SEE <http://www.ago.state.co.us/cadc/cadmain.cfm>. NEW YORK CITY: License 1032551. NORTH CAROLINA: Permit 3840. TENNESSEE: This collection agency is licensed by the Collection Service Board of the Department of Commerce and Insurance. Wilshire Credit Corporation is licensed to do business at 14523 S.W. Millikan Way, Beaverton, OR. Wilshire's office hours are Monday - Friday 6:00 am to 5:00 pm Pacific time, holidays excluded.

L178E

EXHIBIT

II

BARANICK, KIMBERLY

Loan No.:2930504

Page 2

July 31, 2007

**PERDIDA DEL DERECHO A REDIMIR SU HIPOTECA.**

HOMEOWNERS' NAME : BARANICK, KIMBERLY

PROPERTY ADDRESS : 907 W LONG AVE  
DU BOIS, PA 158013511

LOAN ACCT. NO. : 2930504

ORIGINAL LENDER : NOVASTAR

CURRENT SERVICER : Wilshire Credit Corporation

**HOMEOWNER'S EMERGENCY MORTGAGE ASSISTANCE PROGRAM**

YOU MAY BE ELIGIBLE FOR FINANCIAL ASSISTANCE WHICH CAN SAVE YOUR HOME FROM FORECLOSURE AND HELP YOU MAKE FUTURE MORTGAGE PAYMENTS.

IF YOU COMPLY WITH THE PROVISIONS OF THE HOMEOWNER'S EMERGENCY MORTGAGE ASSISTANCE ACT OF 1983 (THE "ACT"), YOU MAY BE ELIGIBLE FOR EMERGENCY MORTGAGE ASSISTANCE:

IF YOUR DEFAULT HAS BEEN CAUSED BY CIRCUMSTANCES BEYOND YOUR CONTROL,

IF YOU HAVE A REASONABLE PROSPECT OF BEING ABLE TO PAY YOUR MORTGAGE PAYMENTS, AND

IF YOU MEET OTHER ELIGIBILITY REQUIREMENTS ESTABLISHED BY THE PENNSYLVANIA HOUSING FINANCE AGENCY.

**TEMPORARY STAY OF FORECLOSURE** - Under the Act, you are entitled to a temporary stay of foreclosure on your mortgage for thirty (30) days from the date of this Notice. During that time you must arrange and attend a "face -to-face" meeting with one of the consumer credit counseling agencies listed at the end of this Notice.

**THIS MEETING MUST OCCUR WITHIN THE NEXT (30) DAYS. IF YOU DO NOT APPLY FOR EMERGENCY MORTGAGE ASSISTANCE, YOU MUST BRING YOUR MORTGAGE UP TO DATE. THE PART OF THIS NOTICE CALLED "HOW TO CURE YOUR MORTGAGE DEFAULT", EXPLAINS HOW TO BRING YOUR MORTGAGE UP TO DATE.**

**CONSUMER CREDIT COUNSELING AGENCIES** - If you meet with one of the consumer credit counseling agencies listed at the end of this notice, the lender may NOT take action against you for thirty(30) days after the date of this meeting. The names, addresses and telephone numbers of designated consumer credit counseling agencies for the county in which the property is located are set forth at the end of this Notice. It is only necessary to schedule one face-to-face meeting. Advise your lender immediately of your intentions.

(Continued)

YOU SHOULD CONSIDER THIS LETTER AS COMING FROM A DEBT COLLECTOR AS WE SOMETIMES ACT AS A DEBT COLLECTOR. ANY INFORMATION PROVIDED BY YOU WILL BE USED TO COLLECT THIS DEBT. HOWEVER, IF YOU ARE IN BANKRUPTCY OR RECEIVED A BANKRUPTCY DISCHARGE OF THIS DEBT, THIS LETTER IS NOT AN ATTEMPT TO COLLECT THE DEBT, BUT NOTICE OF POSSIBLE ENFORCEMENT OF OUR LIEN AGAINST THE COLLATERAL PROPERTY. COLORADO: FOR INFORMATION ABOUT THE COLORADO FAIR DEBT COLLECTION PRACTICES ACT, SEE <http://www.ago.state.co.us/cadc/cadcmain.cfm>. NEW YORK CITY: License 1032551. NORTH CAROLINA: Permit 3840. TENNESSEE: This collection agency is licensed by the Collection Service Board of the Department of Commerce and Insurance. Wilshire Credit Corporation is licensed to do business at 14523 S.W. Millikan Way, Beaverton, OR. Wilshire's office hours are Monday - Friday 6:00 am to 5:00 pm Pacific time, holidays excluded.

L178E

BARANICK, KIMBERLY

Loan No.:2930504

Page 3

July 31, 2007

**APPLICATION FOR MORTGAGE ASSISTANCE** - Your mortgage is in default for the reasons set forth later in this Notice (see following pages for specific information about the nature of your default.) If you have tried and are unable to resolve this problem with the lender, you have the right to apply for financial assistance from the Homeowner's Emergency Mortgage Assistance Program. To do so, you must fill out, sign and file a completed Homeowner's Emergency Assistance Program Application with one of the designated consumer credit counseling agencies listed at the end of this Notice. Only consumer credit counseling agencies have applications for the program and they will assist you in submitting a complete application to the Pennsylvania Housing Finance Agency. Your application MUST be filed or postmarked within thirty (30) days of your face-to-face meeting.

**YOU MUST FILE YOUR APPLICATION PROMPTLY. IF YOU FAIL TO DO SO OR IF YOU DO NOT FOLLOW THE OTHER TIME PERIODS SET FORTH IN THIS LETTER, FORECLOSURE MAY PROCEED AGAINST YOUR HOME IMMEDIATELY AND YOUR APPLICATION FOR MORTGAGE ASSISTANCE WILL BE DENIED.**

**AGENCY ACTION** - Available funds for emergency mortgage assistance are very limited. They will be disbursed by the Agency under the eligibility criteria established by the Act. The Pennsylvania Housing Finance Agency has sixty (60) days to make a decision after they receive your application. During that time, no foreclosure proceedings will be pursued against you if you have met the time requirements set forth above. You will be notified directly by the Pennsylvania Housing Finance Agency of its decision on your application.

**NOTE: IF YOU ARE CURRENTLY PROTECTED BY THE FILING OF A PETITION IN BANKRUPTCY, THE FOLLOWING PART OF THIS NOTICE IS FOR INFORMATION PURPOSES ONLY AND SHOULD NOT BE CONSIDERED AS AN ATTEMPT TO COLLECT THE DEBT.**

(If you have filed bankruptcy you can still apply for Emergency Mortgage Assistance.)

**HOW TO CURE YOUR MORTGAGE DEFAULT (Bring it up to date.)**

**NATURE OF THE DEFAULT** - The MORTGAGE debt held by the above lender on your property located at:  
907 W LONG AVE  
DU BOIS, PA 158013511

**IS SERIOUSLY IN DEFAULT** because:

**YOU HAVE NOT MADE MONTHLY PAYMENTS** and the following amounts are past due:

|                 |                   |
|-----------------|-------------------|
| Delinquency     | \$960.58          |
| Late Charges    | \$107.04          |
| Other Charges   | \$9.50            |
| Suspense Amount | \$39.42           |
| <b>TOTAL</b>    | <b>\$1,037.70</b> |

**HOW TO CURE THE DEFAULT** - You may cure the default within THIRTY (30) DAYS of the date of this notice **BY PAYING THE TOTAL AMOUNT PAST DUE TO THE LENDER, WHICH IS \$1,037.70 PLUS**

(Continued)

YOU SHOULD CONSIDER THIS LETTER AS COMING FROM A DEBT COLLECTOR AS WE SOMETIMES ACT AS A DEBT COLLECTOR. ANY INFORMATION PROVIDED BY YOU WILL BE USED TO COLLECT THIS DEBT. HOWEVER, IF YOU ARE IN BANKRUPTCY OR RECEIVED A BANKRUPTCY DISCHARGE OF THIS DEBT, THIS LETTER IS NOT AN ATTEMPT TO COLLECT THE DEBT, BUT NOTICE OF POSSIBLE ENFORCEMENT OF OUR LIEN AGAINST THE COLLATERAL PROPERTY. COLORADO: FOR INFORMATION ABOUT THE COLORADO FAIR DEBT COLLECTION PRACTICES ACT, SEE <http://www.ago.state.co.us/cad/cadmain.cfm>. NEW YORK CITY: License 1032551. NORTH CAROLINA: Permit 3840. TENNESSEE: This collection agency is licensed by the Collection Service Board of the Department of Commerce and Insurance. Wilshire Credit Corporation is licensed to do business at 14523 S.W. Millikan Way, Beaverton, OR. Wilshire's office hours are Monday - Friday 6:00 am to 5:00 pm Pacific time, holidays excluded.

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BARANICK, KIMBERLY

Loan No.:2930504

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July 31, 2007

ANY MORTGAGE PAYMENTS AND LATE CHARGES WHICH BECOME DUE DURING THE THIRTY (30) DAY PERIOD. Payments must be made either by cashier's check certified check or money order made payable and sent to: Wilshire Credit Corporation, P.O. Box 7195, Pasadena, CA 91109-7195.

**IF YOU DO NOT CURE THE DEFAULT** - If you do not cure the default within THIRTY (30) DAYS of the date of this Notice, the lender intends to exercise it's rights to accelerate the mortgage debt. This means that the entire outstanding balance of the debt will be considered due immediately and you may lose the chance to pay the mortgage in monthly installments. If full payment of the total amount past due is not made within THIRTY (30) DAYS, the lender also intends to instruct it's attorneys to start legal action to foreclose upon your mortgaged property.

**IF THE MORTGAGE IS FORECLOSED UPON** - The mortgaged property will be sold by the Sheriff to pay off the mortgage debt. If the lender refers your case to it's attorneys, but you cure the delinquency before the lender begins legal proceedings against you, you will still be required to pay the reasonable attorney's fees that were actually incurred, up to \$50.00. However, if legal proceedings are started against you, you will have to actually incurred by the lender even if they exceed \$50.00. The attorney's fees will be added to the amount you owe the lender, which may also include other reasonable costs. If you cure the default within the THIRTY (30) DAY period, you will not be required to pay attorney's fees.

**OTHER LENDER REMEDIES** - The lender may also sue you personally for the unpaid principal balance and all other sums due under the mortgage.

**RIGHT TO CURE THE DEFAULT PRIOR TO SHERIFF'S SALE** - If you have not cured the default within the THIRTY (30) DAY period and foreclosure proceedings have begun, you still have the right to cure the default and prevent the sale at any time up to one hour before the Sheriff's Sale. You may do so by paying the total amount then past due, any late or other charges then due, reasonable attorney's fees any costs connected with the foreclosure sale, any other costs connected with the Sheriff's Sale as specified in writing by the lender, and by performing any other requirements under the mortgage. Curing your default in the manner set forth in this notice will restore your mortgage to the same position as if you had never defaulted.

**EARLIEST POSSIBLE SHERIFF'S SALE DATE** - It is estimated that the earliest date that such a Sheriff's Sale of the mortgaged property could be held would be approximately 6 months from the date of this Notice. A notice of the actual date of the Sheriff's Sale will be sent to you before the sale. Of course, the amount needed to cure the default will increase the longer you wait. You may find out at any time exactly what the required payment of action will be by contacting the lender.

**HOW TO CONTACT THE LENDER:**

Name of Lender : Wilshire Credit Corporation

Address : Payments: P.O. Box 7195, Pasadena, CA 91109-7195  
Correspondence: P.O. Box 8517, Portland, OR 97207-8517

Phone : Toll-Free: 888.917.1052  
Fax Number : 503.952.7476

(Continued)

YOU SHOULD CONSIDER THIS LETTER AS COMING FROM A DEBT COLLECTOR AS WE SOMETIMES ACT AS A DEBT COLLECTOR. ANY INFORMATION PROVIDED BY YOU WILL BE USED TO COLLECT THIS DEBT. HOWEVER, IF YOU ARE IN BANKRUPTCY OR RECEIVED A BANKRUPTCY DISCHARGE OF THIS DEBT, THIS LETTER IS NOT AN ATTEMPT TO COLLECT THE DEBT, BUT NOTICE OF POSSIBLE ENFORCEMENT OF OUR LIEN AGAINST THE COLLATERAL PROPERTY. COLORADO: FOR INFORMATION ABOUT THE COLORADO FAIR DEBT COLLECTION PRACTICES ACT, SEE <http://www.ago.state.co.us/cadc/cadcmmain.cfm>. NEW YORK CITY: License 1032551. NORTH CAROLINA: Permit 3840. TENNESSEE: This collection agency is licensed by the Collection Service Board of the Department of Commerce and Insurance. Wilshire Credit Corporation is licensed to do business at 14523 S.W. Millikan Way, Beaverton, OR. Wilshire's office hours are Monday - Friday 6:00 am to 5:00 pm Pacific time, holidays excluded.

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BARANICK, KIMBERLY

Loan No.:2930504

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July 31, 2007

Contact : Loan Servicing

**EFFECT OF SHERIFF'S SALE** - You should realize that a Sheriff's Sale will end your ownership of the mortgaged property and your right to occupy it. If you continue to live in the property after the Sheriff's Sale, a lawsuit to remove you and your furnishings and other belongings could be started by the lender at any time.

**ASSUMPTION OF MORTGAGE** - You may or may not sell or transfer your home to a buyer or transferee who will assume the mortgage debt, provided that all the outstanding payments, charges and attorney's fees and costs are paid prior to or at the sale and that the other requirements of the mortgage are satisfied.

**YOU MAY ALSO HAVE THE RIGHT:**

TO SELL THE PROPERTY TO OBTAIN MONEY TO PAY OFF THE MORTGAGE DEBT OR TO BORROW MONEY FROM ANOTHER LENDING INSTITUTION TO PAY OFF THE MORTGAGE DEBT.

TO HAVE THIS DEFAULT CURED BY ANY THIRD PARTY ACTING ON YOUR BEHALF.

TO HAVE THE MORTGAGE RESTORED TO THE SAME POSITION AS IF NO DEFAULT HAD OCCURRED, IF YOU CURE THE DEFAULT. (HOWEVER, YOU DO NOT HAVE THIS RIGHT TO CURE YOUR DEFAULT MORE THAN THREE TIMES IN ANY CALENDAR YEAR.)

TO ASSERT THE NONEXISTENCE OF A DEFAULT IN ANY FORECLOSURE PROCEEDING OR ANY OTHER LAWSUIT INSTITUTED UNDER THE MORTGAGE DOCUMENTS.

TO ASSERT ANY OTHER DEFENSE YOU BELIEVE YOU MAY HAVE TO SUCH ACTION BY THE LENDER.

TO SEEK PROTECTION UNDER THE FEDERAL BANKRUPTCY LAW.

**ATTACHED IS THE CONSUMER CREDIT COUNSELING AGENCIES SERVING YOUR COUNTY**

If you have any questions, please contact us at our toll-free number above.

Sincerely,

Loan Servicing

Enclosures: PA CCCS List, How to Avoid Foreclosure

YOU SHOULD CONSIDER THIS LETTER AS COMING FROM A DEBT COLLECTOR AS WE SOMETIMES ACT AS A DEBT COLLECTOR. ANY INFORMATION PROVIDED BY YOU WILL BE USED TO COLLECT THIS DEBT. HOWEVER, IF YOU ARE IN BANKRUPTCY OR RECEIVED A BANKRUPTCY DISCHARGE OF THIS DEBT, THIS LETTER IS NOT AN ATTEMPT TO COLLECT THE DEBT, BUT NOTICE OF POSSIBLE ENFORCEMENT OF OUR LIEN AGAINST THE COLLATERAL PROPERTY. COLORADO: FOR INFORMATION ABOUT THE COLORADO FAIR DEBT COLLECTION PRACTICES ACT, SEE <http://www.ago.state.co.us/cadc/cadcmain.cfm>. NEW YORK CITY: License 1032551. NORTH CAROLINA: Permit 3840. TENNESSEE: This collection agency is licensed by the Collection Service Board of the Department of Commerce and Insurance. Wilshire Credit Corporation is licensed to do business at 14523 S.W. Millikan Way, Beaverton, OR. Wilshire's office hours are Monday - Friday 6:00 am to 5:00 pm Pacific time, holidays excluded.

L178E

MARTHA E. VON ROSENSTIEL, ESQUIRE  
 Martha E. Von Rosenstiel  
 649 SOUTH AVENUE  
 UNIT 7  
 SECANE, PA 19018  
 (610) 328-2887  
 Attorney ID # 52634

Attorney for Plaintiff

LASALLE BANK, N.A. AS TRUSTEE : COURT OF COMMON PLEAS  
 FOR THE MLMI TRUST SERIES 2006- : CLEARFIELD COUNTY  
 HE6 :  
 14523 SW Millikan Way, Suite :  
 200 :  
 Beaverton, OR 97005 : Case No:

Plaintiff

vs.

KIMBERLY BARANICK  
 907 West Long Avenue  
 Du Bois, PA 15801

Defendants

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

NOV -6 2007

Attest.

*William A. B...*  
 Prothonotary/  
 Clerk of Courts

### CIVIL ACTION - MORTGAGE FORECLOSURE

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

#### 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 ELEGIBLE PERSONS AT A REDUCED FEE OR NO FEE.**

#### ADVISO

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha de la demanda y la notificacion. Hace falta a sentar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea a visado que si usted no se defiende, la corte toma ra medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademas, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades o otros de rechos importantes para usted.

**LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGADO VAYA EN PERSONA O TELEFONA A LA OFICINA ESCRITA ABAJO. ESTA OFICINA LE PUEDE PROVEER INFORMACION SOBRE COMO CONTRATAR A UN ABOGADO. SI USTED NO TIENE EL DINERO SUFICIENTE PARA CONTRATAR A UN ABOGADO, LE PODEMOS DAR INFORMACION SOBRE AGENCIAS QUE PROVEEN SERVICIO LEGAL A PERSONAS ELEGIBLE PARA SERVICIOS A COSTO REDUCIDO O GRATUITO.**

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

**THIS IS AN ATTEMPT TO COLLECT A DEBT  
ANY INFORMATION OBTAINED MAY BE  
USED FOR THAT PURPOSE**

**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 ANYT 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 REUQUEST 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 RECFEIPT 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.**

MARTHA E. VON ROSENSTIEL, ESQUIRE  
Martha E. Von Rosenstiel  
649 SOUTH AVENUE  
UNIT 7  
SECANE, PA 19018  
(610) 328-2887  
Attorney ID# 52634

Attorney for Plaintiff

LASALLE BANK, N.A. AS TRUSTEE : COURT OF COMMON PLEAS  
FOR THE MLMI TRUST SERIES 2006- : CLEARFIELD COUNTY  
HE6 :  
14523 SW Millikan Way, Suite :  
200 :  
Beaverton, OR 97005 : Case No:

Plaintiff

vs.

KIMBERLY BARANICK  
907 West Long Avenue  
Du Bois, PA 15801

Defendant

#### **CIVIL ACTION - MORTGAGE FORECLOSURE**

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

1. Plaintiff is LaSalle Bank, N.A. as Trustee for the MLMI Trust Series 2006-HE6, a bank organized and existing under federal law, with offices for the conduct of business at 14523 SW Millikan Way, Suite 200, Beaverton, OR 97005.

2. Defendant, Kimberly Baranick is the mortgagor and real owner of premises 907 West Long Avenue, Du Bois, PA 15801, hereinafter described, whose last known address is listed in the above caption.

3. Plaintiff brings this action in mortgage foreclosure against defendant, mortgagor and real owner, to foreclose a certain indenture of mortgage made, executed and delivered by the above

named defendant, mortgagor and real owner to Mortgage Electronic Registration Systems, Inc. as Nominee for Novastar Mortgage, Inc. on July 18, 2006, which mortgage is recorded on July 21, 2006 in the Office of the Recorder of Deeds of Clearfield County in Instrument #200612170, secured on premises 907 West Long Avenue, Du Bois, PA 15801 a true and correct description of which is attached hereto as Exhibit I.

4. The mortgage has since been assigned to the Plaintiff herein.

5. Plaintiff alleges each and every term, condition and covenant in the aforesaid mortgage, and hereby incorporates them herein by reference thereto.

6. The aforesaid mortgage is in default in that monthly installments of principal and interest have not been made in conformity with the terms of the mortgage, from July 2007 and each month thereafter, up to and including the present time.

7. Under the terms of the aforesaid mortgage, upon default of payments set forth in the mortgage documents, the entire principal balance and all interest due thereon are collectible forthwith.

8. The following is an itemized statement of the amount due plaintiff under the terms of the aforesaid mortgage:

|                                     |             |
|-------------------------------------|-------------|
| Principal Balance                   | \$54,231.50 |
| Interest from 6/1/2007 to 11/5/2007 |             |
| At \$ 14.93 per diem                | \$ 2,358.94 |
| Accrued late charges                | \$ 13.01    |
| Corporate Advances                  | \$ 237.04   |

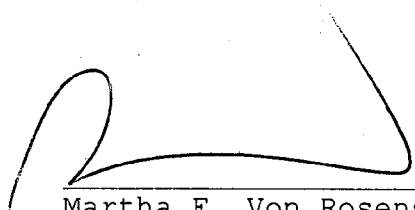
|  |             |
|--|-------------|
| Attorney's fee (5% of unpaid<br>Principal Balance) | \$ 2,711.58 |
| Title Information Certificate                      | \$ 515.00   |
| Release Documents                                  | \$ 28.50    |
| Suspense   | (\$ 459.13) |

**TOTAL** **\$ 59,636.44**

9. The attorney's fees set forth above are in conformity with the mortgage documents and Pennsylvania Law and will be collected in the event of a third party purchaser at Sheriff's sale. If the mortgage is reinstated prior to the Sheriff's sale, reasonable attorney's fees will be charged based on work actually performed.

10. Plaintiff sent to defendant, mortgagor and real owner a combined Notice and Warning of Intention to Foreclose and Notices of Homeowners' Emergency Mortgage Assistance Act of 1983 advising of rights available under the statutes. To date payments have not been received and Act 91 assistance has not been granted although the applicable time periods provided by statute have expired (Exhibit II).

**WHEREFORE**, plaintiff demands judgment for foreclosure and sale of the mortgaged premises in the amount of \$59,636.44, plus per diem interest at \$14.93 from November 06, 2007 to the date of judgment plus costs thereon.



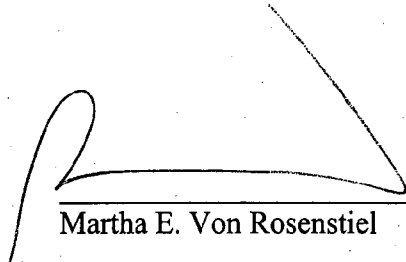
Martha E. Von Rosenstiel  
Attorney for Plaintiff

**VERIFICATION**

MARTHA E. VON ROSENSTIEL, ESQUIRE, of full age, verifies that she is the attorney for the plaintiff in the foregoing action; that she is authorized to make this verification on behalf of plaintiff; and that the statements made in the foregoing Complaint in Mortgage Foreclosure are true and correct to the best of her knowledge, information and belief.

This verification is being executed by the attorney for plaintiff in accordance with Pa R.C.P. 1024( c ) as a signed verification could not be obtained by plaintiff within the time allowed for filing of the pleading.

I understand that false statements herein are made subject to penalties of 18 Pa C.S. Section 4904 relating to unsworn falsification to authorities.

  
\_\_\_\_\_  
Martha E. Von Rosenstiel

## LEGAL DESCRIPTION

ALL THAT CERTAIN ALL THAT CERTAIN lot or piece of land situate in the Township of Sandy, County of Clearfield and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at an iron pipe in the Southerly line of West Long Avenue, said pipe being North 71 degrees 18' West 58.4 feet from the intersection of the Westerly line of a 16 foot alley and the Southerly line of West Long Avenue; thence South 49 degrees 48' West 150 feet to an iron pipe in the Northerly line of a 12 foot alley; thence along said alley North 71 degrees 18' West 49.6 feet to an iron pipe; thence North 31 degrees 08' East 54 feet to an iron pipe; thence North 26 degrees 28' West 41.3 feet to an iron pipe in the Easterly line of First Street; thence along First Street North 49 degrees 48' East 54.3 feet to an iron pipe in line of West Long Avenue; thence along the Southerly line of West Long Avenue South 71 degrees 18' East 116.8 feet to the place of beginning.

THE above described parcel of ground being part of Lot No. 43 and part of Lot No. 44 of the Edgemont Plan of Lots and having thereon erected a large two-story-frame dwelling house known as 907 West Long Avenue.

SUBJECT to right-of-way for sewer, water and gas, with the right to maintain and repair the same for the benefit of the owners, their heirs and assigns, of Lots Nos. 43 and 44 of the Edgemont Plan of Lots.

FURTHER GRANTING AND CONVEYING unto the Grantee, her heirs and assigns forever, all of the rights with regard to the location of the driveway, which rights are more particularly set forth in an Agreement dated January 17, 1992, entered into between Phyllis Jane Kessler, Executrix of the Estate of John H. Shilling, a/k/a John L. Shilling, deceased, and John Oliver Delp and Ann Marie Delp, husband and wife, which Agreement was recorded in the Office of the Register and Recorder of Deeds of Clearfield County, Pennsylvania, in Deed and Records Book Vol. 1438, Page 567, on January 22, 1992.

TITLE TO SAID PREMISES IS VESTED IN Kimberly R. Baranick by Deed from Jacqueline Delp Benamati, now intermarried with Dwyane F. Virgint and known as Jacqueline Delp Virgint, and Dwayne F. Virgint, dated 7/10/2006 and recorded 7/21/2006 in Instrument #200612169.

Premises being known as 907 West Long Avenue, Du Bois, PA 15801

EXHIBIT I



Wilshire Credit Corporation

July 31, 2007

Payments  
P.O. Box 7195, Pasadena, CA 91109-7195

Correspondence  
P.O. Box 8517, Portland, OR 97207-8517

Phone  
888.917.1052

Fax  
503.952.7476

Web Site  
www.wcc.ml.com

BARANICK, KIMBERLY  
907 W LONG AVE  
DU BOIS, PA 15801

L178E

# ACT 91/6 NOTICE TAKE ACTION TO SAVE YOUR HOME FROM FORECLOSURE

This is an official notice that the mortgage on your home is in default, and the lender intends to foreclose.  
Specific information about the nature of the default is provided in the attached pages.

The HOMEOWNER'S MORTGAGE ASSISTANCE PROGRAM (HEMAP) may be able to help to save your  
home. This Notice explains how the program works.

To see if HEMAP can help, you must MEET WITH A CONSUMER CREDIT COUNSELING AGENCY  
WITHIN 30 DAYS OF THE DATE OF THIS NOTICE. Take this notice with you when you meet with the  
Counseling Agency.

The name, address and phone number of Consumer Credit Counseling Agencies serving your County are listed at  
the end of this Notice. If you have any questions, you may call the Pennsylvania Housing Finance Agency  
toll-free at 1.800.342.2397. (Persons with impaired hearing can call 717.780.1869.)

This notice contains important legal information. If you have any questions, representatives at the Consumer  
Credit Counseling Agency may be able to help explain it. You may also want to contact an attorney in your area.  
The local bar association may be able to help you find a lawyer.

LA NOTIFICACIÓN EN ADJUNTO ES DE SUMA IMPORTANCIA, PUES AFECTA SU DERECHO A  
CONTINUAR VIVIENDO EN SU CASA. SI NO COMPRENDE EL CONTENIDO DE ESTA  
NOTIFICACIÓN OBTENGA UNA TRADUCCIÓN INÉDITAMENTE LLAMANDO ESTA AGENCIA  
(PENNSYLVANIA HOUSING FINANCE AGENCY) SIN CARGOS AL NUMERO MENCIONADO ARRIBA.  
PUEDES SER ELEGIBLE PARA UN PRÉSTAMO POR EL PROGRAMA LLAMADO "HOMEOWNER'S  
EMERGENCY MORTGAGE ASSISTANCE PROGRAM" EL CUAL PUEDE SALVAR SU CASA DE LA

(Continued)

YOU SHOULD CONSIDER THIS LETTER AS COMING FROM A DEBT COLLECTOR AS WE SOMETIMES ACT AS A DEBT COLLECTOR. ANY  
INFORMATION PROVIDED BY YOU WILL BE USED TO COLLECT THIS DEBT. HOWEVER, IF YOU ARE IN BANKRUPTCY OR RECEIVED A BANKRUPTCY  
DISCHARGE OF THIS DEBT, THIS LETTER IS NOT AN ATTEMPT TO COLLECT THE DEBT, BUT NOTICE OF POSSIBLE ENFORCEMENT OF OUR LIEN  
AGAINST THE COLLATERAL PROPERTY. COLORADO: FOR INFORMATION ABOUT THE COLORADO FAIR DEBT COLLECTION PRACTICES ACT, SEE  
<http://www.ago.state.co.us/cadc/cadmain.cfm>. NEW YORK CITY: License 1032551. NORTH CAROLINA: Permit 3840. TENNESSEE: This collection agency is  
licensed by the Collection Service Board of the Department of Commerce and Insurance. Wilshire Credit Corporation is licensed to do business at 14523 S.W. Millikan  
Way, Beaverton, OR. Wilshire's office hours are Monday - Friday 6:00 am to 5:00 pm Pacific time, holidays excluded.

L178E

EXHIBIT

II

BARANICK, KIMBERLY

Loan No.:2930504

Page 2

July 31, 2007

**PERDIDA DEL DERECHO A REDIMIR SU HIPOTECA.**

HOMEOWNERS' NAME : BARANICK, KIMBERLY

PROPERTY ADDRESS : 907 W LONG AVE  
DU BOIS, PA 158013511

LOAN ACCT. NO. : 2930504

ORIGINAL LENDER : NOVASTAR

CURRENT SERVICER : Wilshire Credit Corporation

**HOMEOWNER'S EMERGENCY MORTGAGE ASSISTANCE PROGRAM**

YOU MAY BE ELIGIBLE FOR FINANCIAL ASSISTANCE WHICH CAN SAVE YOUR HOME FROM FORECLOSURE AND HELP YOU MAKE FUTURE MORTGAGE PAYMENTS.

IF YOU COMPLY WITH THE PROVISIONS OF THE HOMEOWNER'S EMERGENCY MORTGAGE ASSISTANCE ACT OF 1983 (THE "ACT"), YOU MAY BE ELIGIBLE FOR EMERGENCY MORTGAGE ASSISTANCE:

IF YOUR DEFAULT HAS BEEN CAUSED BY CIRCUMSTANCES BEYOND YOUR CONTROL,

IF YOU HAVE A REASONABLE PROSPECT OF BEING ABLE TO PAY YOUR MORTGAGE PAYMENTS, AND

IF YOU MEET OTHER ELIGIBILITY REQUIREMENTS ESTABLISHED BY THE PENNSYLVANIA HOUSING FINANCE AGENCY.

**TEMPORARY STAY OF FORECLOSURE** - Under the Act, you are entitled to a temporary stay of foreclosure on your mortgage for thirty (30) days from the date of this Notice. During that time you must arrange and attend a "face-to-face" meeting with one of the consumer credit counseling agencies listed at the end of this Notice.

**THIS MEETING MUST OCCUR WITHIN THE NEXT (30) DAYS. IF YOU DO NOT APPLY FOR EMERGENCY MORTGAGE ASSISTANCE, YOU MUST BRING YOUR MORTGAGE UP TO DATE. THE PART OF THIS NOTICE CALLED "HOW TO CURE YOUR MORTGAGE DEFAULT", EXPLAINS HOW TO BRING YOUR MORTGAGE UP TO DATE.**

**CONSUMER CREDIT COUNSELING AGENCIES** - If you meet with one of the consumer credit counseling agencies listed at the end of this notice, the lender may NOT take action against you for thirty(30) days after the date of this meeting. The names, addresses and telephone numbers of designated consumer credit counseling agencies for the county in which the property is located are set forth at the end of this Notice. It is only necessary to schedule one face-to-face meeting. Advise your lender immediately of your intentions.

(Continued)

YOU SHOULD CONSIDER THIS LETTER AS COMING FROM A DEBT COLLECTOR AS WE SOMETIMES ACT AS A DEBT COLLECTOR. ANY INFORMATION PROVIDED BY YOU WILL BE USED TO COLLECT THIS DEBT. HOWEVER, IF YOU ARE IN BANKRUPTCY OR RECEIVED A BANKRUPTCY DISCHARGE OF THIS DEBT, THIS LETTER IS NOT AN ATTEMPT TO COLLECT THE DEBT, BUT NOTICE OF POSSIBLE ENFORCEMENT OF OUR LIEN AGAINST THE COLLATERAL PROPERTY. COLORADO: FOR INFORMATION ABOUT THE COLORADO FAIR DEBT COLLECTION PRACTICES ACT, SEE <http://www.ago.state.co.us/cadc/cadcmmain.cfm>. NEW YORK CITY: License 1032551. NORTH CAROLINA: Permit 3840. TENNESSEE: This collection agency is licensed by the Collection Service Board of the Department of Commerce and Insurance. Wilshire Credit Corporation is licensed to do business at 14523 S.W. Millikan Way, Beaverton, OR. Wilshire's office hours are Monday - Friday 6:00 am to 5:00 pm Pacific time, holidays excluded.

L178E

BARANICK, KIMBERLY

Loan No.:2930504

Page 3

July 31, 2007

**APPLICATION FOR MORTGAGE ASSISTANCE** - Your mortgage is in default for the reasons set forth later in this Notice (see following pages for specific information about the nature of your default.) If you have tried and are unable to resolve this problem with the lender, you have the right to apply for financial assistance from the Homeowner's Emergency Mortgage Assistance Program. To do so, you must fill out, sign and file a completed Homeowner's Emergency Assistance Program Application with one of the designated consumer credit counseling agencies listed at the end of this Notice. Only consumer credit counseling agencies have applications for the program and they will assist you in submitting a complete application to the Pennsylvania Housing Finance Agency. Your application MUST be filed or postmarked within thirty(30) days of your face-to-face meeting.

**YOU MUST FILE YOUR APPLICATION PROMPTLY. IF YOU FAIL TO DO SO OR IF YOU DO NOT FOLLOW THE OTHER TIME PERIODS SET FORTH IN THIS LETTER, FORECLOSURE MAY PROCEED AGAINST YOUR HOME IMMEDIATELY AND YOUR APPLICATION FOR MORTGAGE ASSISTANCE WILL BE DENIED.**

**AGENCY ACTION** - Available funds for emergency mortgage assistance are very limited. They will be disbursed by the Agency under the eligibility criteria established by the Act. The Pennsylvania Housing Finance Agency has sixty (60) days to make a decision after they receive your application. During that time, no foreclosure proceedings will be pursued against you if you have met the time requirements set forth above. You will be notified directly by the Pennsylvania Housing Finance Agency of its decision on your application.

**NOTE: IF YOU ARE CURRENTLY PROTECTED BY THE FILING OF A PETITION IN BANKRUPTCY, THE FOLLOWING PART OF THIS NOTICE IS FOR INFORMATION PURPOSES ONLY AND SHOULD NOT BE CONSIDERED AS AN ATTEMPT TO COLLECT THE DEBT.**

(If you have filed bankruptcy you can still apply for Emergency Mortgage Assistance.)

**HOW TO CURE YOUR MORTGAGE DEFAULT (Bring it up to date.)**

**NATURE OF THE DEFAULT** - The MORTGAGE debt held by the above lender on your property located at:  
907 W LONG AVE  
DU BOIS, PA 158013511

IS SERIOUSLY IN DEFAULT because:

YOU HAVE NOT MADE MONTHLY PAYMENTS and the following amounts are past due:

|                 |                   |
|-----------------|-------------------|
| Delinquency     | \$960.58          |
| Late Charges    | \$107.04          |
| Other Charges   | \$9.50            |
| Suspense Amount | -\$39.42          |
| <b>TOTAL</b>    | <b>\$1,037.70</b> |

**HOW TO CURE THE DEFAULT** - You may cure the default within THIRTY (30) DAYS of the date of this notice **BY PAYING THE TOTAL AMOUNT PAST DUE TO THE LENDER, WHICH IS \$1,037.70 PLUS**

(Continued)

YOU SHOULD CONSIDER THIS LETTER AS COMING FROM A DEBT COLLECTOR AS WE SOMETIMES ACT AS A DEBT COLLECTOR. ANY INFORMATION PROVIDED BY YOU WILL BE USED TO COLLECT THIS DEBT. HOWEVER, IF YOU ARE IN BANKRUPTCY OR RECEIVED A BANKRUPTCY DISCHARGE OF THIS DEBT, THIS LETTER IS NOT AN ATTEMPT TO COLLECT THE DEBT, BUT NOTICE OF POSSIBLE ENFORCEMENT OF OUR LIEN AGAINST THE COLLATERAL PROPERTY. COLORADO: FOR INFORMATION ABOUT THE COLORADO FAIR DEBT COLLECTION PRACTICES ACT, SEE <http://www.ago.state.co.us/cadc/cadcmain.cfm>. NEW YORK CITY: License 1032551. NORTH CAROLINA: Permit 3840. TENNESSEE: This collection agency is licensed by the Collection Service Board of the Department of Commerce and Insurance. Wilshire Credit Corporation is licensed to do business at 14523 S.W. Millikan Way, Beaverton, OR. Wilshire's office hours are Monday - Friday 6:00 am to 5:00 pm Pacific time, holidays excluded.

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BARANICK, KIMBERLY

Loan No.:2930504

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July 31, 2007

ANY MORTGAGE PAYMENTS AND LATE CHARGES WHICH BECOME DUE DURING THE THIRTY (30) DAY PERIOD. Payments must be made either by cashier's check certified check or money order made payable and sent to: Wilshire Credit Corporation, P.O. Box 7195, Pasadena, CA 91109-7195.

**IF YOU DO NOT CURE THE DEFAULT** - If you do not cure the default within THIRTY (30) DAYS of the date of this Notice, the lender intends to exercise it's rights to accelerate the mortgage debt. This means that the entire outstanding balance of the debt will be considered due immediately and you may lose the chance to pay the mortgage in monthly installments. If full payment of the total amount past due is not made within THIRTY (30) DAYS, the lender also intends to instruct it's attorneys to start legal action to foreclose upon your mortgaged property.

**IF THE MORTGAGE IS FORECLOSED UPON** - The mortgaged property will be sold by the Sheriff to pay off the mortgage debt. If the lender refers your case to it's attorneys, but you cure the delinquency before the lender begins legal proceedings against you, you will still be required to pay the reasonable attorney's fees that were actually incurred, up to \$50.00. However, if legal proceedings are started against you, you will have to actually incurred by the lender even if they exceed \$50.00. The attorney's fees will be added to the amount you owe the lender, which may also include other reasonable costs. If you cure the default within the THIRTY (30) DAY period, you will not be required to pay attorney's fees.

**OTHER LENDER REMEDIES** - The lender may also sue you personally for the unpaid principal balance and all other sums due under the mortgage.

**RIGHT TO CURE THE DEFAULT PRIOR TO SHERIFF'S SALE** - If you have not cured the default within the THIRTY (30) DAY period and foreclosure proceedings have begun, you still have the right to cure the default and prevent the sale at any time up to one hour before the Sheriff's Sale. You may do so by paying the total amount then past due, any late or other charges then due, reasonable attorney's fees any costs connected with the foreclosure sale, any other costs connected with the Sheriff's Sale as specified in writing by the lender, and by performing any other requirements under the mortgage. Curing your default in the manner set forth in this notice will restore your mortgage to the same position as if you had never defaulted.

**EARLIEST POSSIBLE SHERIFF'S SALE DATE** - It is estimated that the earliest date that such a Sheriff's Sale of the mortgaged property could be held would be approximately 6 months from the date of this Notice. A notice of the actual date of the Sheriff's Sale will be sent to you before the sale. Of course, the amount needed to cure the default will increase the longer you wait. You may find out at any time exactly what the required payment of action will be by contacting the lender.

**HOW TO CONTACT THE LENDER:**

Name of Lender : Wilshire Credit Corporation

Address : Payments: P.O. Box 7195, Pasadena, CA 91109-7195  
Correspondence: P.O. Box 8517, Portland, OR 97207-8517

Phone : Toll-Free: 888.917.1052  
Fax Number : 503.952.7476

(Continued)

YOU SHOULD CONSIDER THIS LETTER AS COMING FROM A DEBT COLLECTOR AS WE SOMETIMES ACT AS A DEBT COLLECTOR. ANY INFORMATION PROVIDED BY YOU WILL BE USED TO COLLECT THIS DEBT. HOWEVER, IF YOU ARE IN BANKRUPTCY OR RECEIVED A BANKRUPTCY DISCHARGE OF THIS DEBT, THIS LETTER IS NOT AN ATTEMPT TO COLLECT THE DEBT, BUT NOTICE OF POSSIBLE ENFORCEMENT OF OUR LIEN AGAINST THE COLLATERAL PROPERTY. COLORADO: FOR INFORMATION ABOUT THE COLORADO FAIR DEBT COLLECTION PRACTICES ACT, SEE <http://www.ago.state.co.us/cadc/cadmain.cfm>. NEW YORK CITY: License 1032551. NORTH CAROLINA: Permit 3840. TENNESSEE: This collection agency is licensed by the Collection Service Board of the Department of Commerce and Insurance. Wilshire Credit Corporation is licensed to do business at 14523 S.W. Millikan Way, Beaverton, OR. Wilshire's office hours are Monday - Friday 6:00 am to 5:00 pm Pacific time, holidays excluded.

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BARANICK, KIMBERLY

Loan No.:2930504

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July 31, 2007

Contact : Loan Servicing

**EFFECT OF SHERIFF'S SALE** - You should realize that a Sheriff's Sale will end your ownership of the mortgaged property and your right to occupy it. If you continue to live in the property after the Sheriff's Sale, a lawsuit to remove you and your furnishings and other belongings could be started by the lender at any time.

**ASSUMPTION OF MORTGAGE** - You may or may not sell or transfer your home to a buyer or transferee who will assume the mortgage debt, provided that all the outstanding payments, charges and attorney's fees and costs are paid prior to or at the sale and that the other requirements of the mortgage are satisfied.

**YOU MAY ALSO HAVE THE RIGHT:**

TO SELL THE PROPERTY TO OBTAIN MONEY TO PAY OFF THE MORTGAGE DEBT OR TO BORROW MONEY FROM ANOTHER LENDING INSTITUTION TO PAY OFF THE MORTGAGE DEBT.

TO HAVE THIS DEFAULT CURED BY ANY THIRD PARTY ACTING ON YOUR BEHALF.

TO HAVE THE MORTGAGE RESTORED TO THE SAME POSITION AS IF NO DEFAULT HAD OCCURRED, IF YOU CURE THE DEFAULT. (HOWEVER, YOU DO NOT HAVE THIS RIGHT TO CURE YOUR DEFAULT MORE THAN THREE TIMES IN ANY CALENDAR YEAR.)

TO ASSERT THE NONEXISTENCE OF A DEFAULT IN ANY FORECLOSURE PROCEEDING OR ANY OTHER LAWSUIT INSTITUTED UNDER THE MORTGAGE DOCUMENTS.

TO ASSERT ANY OTHER DEFENSE YOU BELIEVE YOU MAY HAVE TO SUCH ACTION BY THE LENDER.

TO SEEK PROTECTION UNDER THE FEDERAL BANKRUPTCY LAW.

**ATTACHED IS THE CONSUMER CREDIT COUNSELING AGENCIES SERVING YOUR COUNTY**

If you have any questions, please contact us at our toll-free number above.

Sincerely,

Loan Servicing

Enclosures: PA CCCS List, How to Avoid Foreclosure

YOU SHOULD CONSIDER THIS LETTER AS COMING FROM A DEBT COLLECTOR AS WE SOMETIMES ACT AS A DEBT COLLECTOR. ANY INFORMATION PROVIDED BY YOU WILL BE USED TO COLLECT THIS DEBT. HOWEVER, IF YOU ARE IN BANKRUPTCY OR RECEIVED A BANKRUPTCY DISCHARGE OF THIS DEBT, THIS LETTER IS NOT AN ATTEMPT TO COLLECT THE DEBT, BUT NOTICE OF POSSIBLE ENFORCEMENT OF OUR LIEN AGAINST THE COLLATERAL PROPERTY. COLORADO: FOR INFORMATION ABOUT THE COLORADO FAIR DEBT COLLECTION PRACTICES ACT, SEE <http://www.ago.state.co.us/cado/cadomain.cfm>. NEW YORK CITY: License 1032551. NORTH CAROLINA: Permit 3840. TENNESSEE: This collection agency is licensed by the Collection Service Board of the Department of Commerce and Insurance. Wilshire Credit Corporation is licensed to do business at 14523 S.W. Millikan Way, Beaverton, OR. Wilshire's office hours are Monday - Friday 6:00 am to 5:00 pm Pacific time, holidays excluded.

L178E

MARTHA E. VON ROSENSTIEL, ESQUIRE  
 Martha E. Von Rosenstiel  
 649 SOUTH AVENUE  
 UNIT 7  
 SECANE, PA 19018  
 (610) 328-2887  
 Attorney ID # 52634

Attorney for Plaintiff

COPY

LASALLE BANK, N.A. AS TRUSTEE : COURT OF COMMON PLEAS  
 FOR THE MLMI TRUST SERIES 2006- : CLEARFIELD COUNTY  
 HE6 :  
 14523 SW Millikan Way, Suite :  
 200 :  
 Beaverton, OR 97005 : Case No:

Plaintiff

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

NOV -6 2007

vs.

KIMBERLY BARANICK  
 907 West Long Avenue  
 Du Bois, PA 15801

Attest.

*William L. Shaw*  
 Prothonotary/  
 Clerk of Courts

Defendants

**CIVIL ACTION - MORTGAGE FORECLOSURE**

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

**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 ELEGIBLE PERSONS AT A REDUCED FEE OR NO FEE.**

**ADVISO**

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha de la demanda y la notificacion. Hace falta a sentar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea a visado que si usted no se defiende, la corte toma ra medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademas, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades o otros de rechos importantes para usted.

**LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGADO VAYA EN PERSONA O TELEFONA A LA OFICINA ESCRITA ABAJO. ESTA OFICINA LE PUEDE PROVEER INFORMACION SOBRE COMO CONTRATAR A UN ABOGADO. SI USTED NO TIENE EL DINERO SUFICIENTE PARA CONTRATAR A UN ABOGADO, LE PODEMOS DAR INFORMACION SOBRE AGENCIAS QUE PROVEEN SERVICIO LEGAL A PERSONAS ELEGIBLE PARA SERVICIOS A COSTO REDUCIDO O GRATUITO.**

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

**THIS IS AN ATTEMPT TO COLLECT A DEBT  
ANY INFORMATION OBTAINED MAY BE  
USED FOR THAT PURPOSE**

**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.**

MARTHA E. VON ROSENSTIEL, ESQUIRE  
Martha E. Von Rosenstiel  
649 SOUTH AVENUE  
UNIT 7  
SECANE, PA 19018  
(610) 328-2887  
Attorney ID# 52634

Attorney for Plaintiff

LASALLE BANK, N.A. AS TRUSTEE : COURT OF COMMON PLEAS  
FOR THE MLMI TRUST SERIES 2006- : CLEARFIELD COUNTY  
HE6 :  
14523 SW Millikan Way, Suite :  
200 :  
Beaverton, OR 97005 : Case No:

Plaintiff

vs.

KIMBERLY BARANICK  
907 West Long Avenue  
Du Bois, PA 15801

Defendant

#### CIVIL ACTION - MORTGAGE FORECLOSURE

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

1. Plaintiff is LaSalle Bank, N.A. as Trustee for the MLMI Trust Series 2006-HE6, a bank organized and existing under federal law, with offices for the conduct of business at 14523 SW Millikan Way, Suite 200, Beaverton, OR 97005.

2. Defendant, Kimberly Baranick is the mortgagor and real owner of premises 907 West Long Avenue, Du Bois, PA 15801, hereinafter described, whose last known address is listed in the above caption.

3. Plaintiff brings this action in mortgage foreclosure against defendant, mortgagor and real owner, to foreclose a certain indenture of mortgage made, executed and delivered by the above

named defendant, mortgagor and real owner to Mortgage Electronic Registration Systems, Inc. as Nominee for Novastar Mortgage, Inc. on July 18, 2006, which mortgage is recorded on July 21, 2006 in the Office of the Recorder of Deeds of Clearfield County in Instrument #200612170, secured on premises 907 West Long Avenue, Du Bois, PA 15801 a true and correct description of which is attached hereto as Exhibit I.

4. The mortgage has since been assigned to the Plaintiff herein.

5. Plaintiff alleges each and every term, condition and covenant in the aforesaid mortgage, and hereby incorporates them herein by reference thereto.

6. The aforesaid mortgage is in default in that monthly installments of principal and interest have not been made in conformity with the terms of the mortgage, from July 2007 and each month thereafter, up to and including the present time.

7. Under the terms of the aforesaid mortgage, upon default of payments set forth in the mortgage documents, the entire principal balance and all interest due thereon are collectible forthwith.

8. The following is an itemized statement of the amount due plaintiff under the terms of the aforesaid mortgage:

|                                     |             |
|-------------------------------------|-------------|
| Principal Balance                   | \$54,231.50 |
| Interest from 6/1/2007 to 11/5/2007 |             |
| At \$ 14.93 per diem                | \$ 2,358.94 |
| Accrued late charges                | \$ 13.01    |
| Corporate Advances                  | \$ 237.04   |

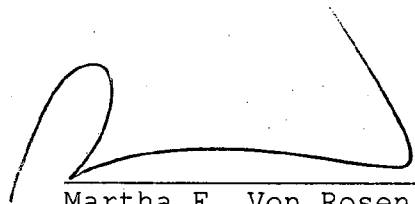
|  |             |
|--|-------------|
| Attorney's fee (5% of unpaid<br>Principal Balance) | \$ 2,711.58 |
| Title Information Certificate                      | \$ 515.00   |
| Release Documents                                  | \$ 28.50    |
| Suspense   | (\$ 459.13) |

|              |                     |
|--------------|---------------------|
| <b>TOTAL</b> | <b>\$ 59,636.44</b> |
|--------------|---------------------|

9. The attorney's fees set forth above are in conformity with the mortgage documents and Pennsylvania Law and will be collected in the event of a third party purchaser at Sheriff's sale. If the mortgage is reinstated prior to the Sheriff's sale, reasonable attorney's fees will be charged based on work actually performed.

10. Plaintiff sent to defendant, mortgagor and real owner a combined Notice and Warning of Intention to Foreclose and Notices of Homeowners' Emergency Mortgage Assistance Act of 1983 advising of rights available under the statutes. To date payments have not been received and Act 91 assistance has not been granted although the applicable time periods provided by statute have expired (Exhibit II).

**WHEREFORE**, plaintiff demands judgment for foreclosure and sale of the mortgaged premises in the amount of \$59,636.44, plus per diem interest at \$14.93 from November 06, 2007 to the date of judgment plus costs thereon.



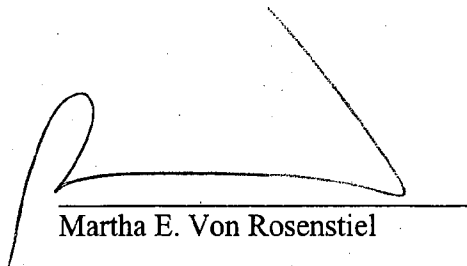
Martha E. Von Rosenstiel  
Attorney for Plaintiff

**VERIFICATION**

MARTHA E. VON ROSENSTIEL, ESQUIRE, of full age, verifies that she is the attorney for the plaintiff in the foregoing action; that she is authorized to make this verification on behalf of plaintiff; and that the statements made in the foregoing Complaint in Mortgage Foreclosure are true and correct to the best of her knowledge, information and belief.

This verification is being executed by the attorney for plaintiff in accordance with Pa R.C.P. 1024( c ) as a signed verification could not be obtained by plaintiff within the time allowed for filing of the pleading.

I understand that false statements herein are made subject to penalties of 18 Pa C.S. Section 4904 relating to unsworn falsification to authorities.

  
Martha E. Von Rosenstiel

## LEGAL DESCRIPTION

ALL THAT CERTAIN ALL THAT CERTAIN lot or piece of land situate in the Township of Sandy, County of Clearfield and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at an iron pipe in the Southerly line of West Long Avenue, said pipe being North 71 degrees 18' West 58.4 feet from the intersection of the Westerly line of a 16 foot alley and the Southerly line of West Long Avenue; thence South 49 degrees 48' West 150 feet to an iron pipe in the Northerly line of a 12 foot alley; thence along said alley North 71 degrees 18' West 49.6 feet to an iron pipe; thence North 31 degrees 08' East 54 feet to an iron pipe; thence North 26 degrees 28' West 41.3 feet to an iron pipe in the Easterly line of First Street; thence along First Street North 49 degrees 48' East 54.3 feet to an iron pipe in line of West Long Avenue; thence along the Southerly line of West Long Avenue South 71 degrees 18' East 116.8 feet to the place of beginning.

THE above described parcel of ground being part of Lot No. 43 and part of Lot No. 44 of the Edgemont Plan of Lots and having thereon erected a large two-story-frame dwelling house known as 907 West Long Avenue.

SUBJECT to right-of-way for sewer, water and gas, with the right to maintain and repair the same for the benefit of the owners, their heirs and assigns, of Lots Nos. 43 and 44 of the Edgemont Plan of Lots.

FURTHER GRANTING AND CONVEYING unto the Grantee, her heirs and assigns forever, all of the rights with regard to the location of the driveway, which rights are more particularly set forth in an Agreement dated January 17, 1992, entered into between Phyllis Jane Kessler, Executrix of the Estate of John H. Shilling, a/k/a John L. Shilling, deceased, and John Oliver Delp and Ann Marie Delp, husband and wife, which Agreement was recorded in the Office of the Register and Recorder of Deeds of Clearfield County, Pennsylvania, in Deed and Records Book Vol. 1438, Page 567, on January 22, 1992.

TITLE TO SAID PREMISES IS VESTED IN Kimberly R. Baranick by Deed from Jacqueline Delp Benamati, now intermarried with Dwyane F. Virgint and known as Jacqueline Delp Virgint, and Dwayne F. Virgint, dated 7/10/2006 and recorded 7/21/2006 in Instrument #200612169.

Premises being known as 907 West Long Avenue, Du Bois, PA 15801

EXHIBIT I



## Wilshire Credit Corporation

July 31, 2007

BARANICK, KIMBERLY  
907 W LONG AVE  
DU BOIS, PA 15801

L178E

Payments  
P.O. Box 7195, Pasadena, CA 91109-7195

Correspondence  
P.O. Box 8517, Portland, OR 97207-8517

Phone  
888.917.1052

Fax  
503.952.7476

Web Site  
[www.wcc.ml.com](http://www.wcc.ml.com)

# ACT 91/6 NOTICE TAKE ACTION TO SAVE YOUR HOME FROM FORECLOSURE

This is an official notice that the mortgage on your home is in default, and the lender intends to foreclose. Specific information about the nature of the default is provided in the attached pages.

The HOMEOWNER'S MORTGAGE ASSISTANCE PROGRAM (HEMAP) may be able to help to save your home. This Notice explains how the program works.

To see if HEMAP can help, you must MEET WITH A CONSUMER CREDIT COUNSELING AGENCY WITHIN 30 DAYS OF THE DATE OF THIS NOTICE. Take this notice with you when you meet with the Counseling Agency.

The name, address and phone number of Consumer Credit Counseling Agencies serving your County are listed at the end of this Notice. If you have any questions, you may call the Pennsylvania Housing Finance Agency toll-free at 1.800.342.2397. (Persons with impaired hearing can call 717.780.1869.)

This notice contains important legal information. If you have any questions, representatives at the Consumer Credit Counseling Agency may be able to help explain it. You may also want to contact an attorney in your area. The local bar association may be able to help you find a lawyer.

LA NOTIFICACIÓN EN ADJUNTO ES DE SUMA IMPORTANCIA, PUES AFECTA SU DERECHO A CONTINUAR VIVIENDO EN SU CASA. SI NO COMPRENDE EL CONTENIDO DE ESTA NOTIFICACIÓN OBTENGA UNA TRADUCCIÓN INÉDITAMENTE LLAMANDO ESTA AGENCIA (PENNSYLVANIA HOUSING FINANCE AGENCY) SIN CARGOS AL NUMERO MENCIONADO ARRIBA. PUEDES SER ELEGIBLE PARA UN PRÉSTAMO POR EL PROGRAMA LLAMADO "HOMEOWNER'S EMERGENCY MORTGAGE ASSISTANCE PROGRAM" EL CUAL PUEDE SALVAR SU CASA DE LA

(Continued)

YOU SHOULD CONSIDER THIS LETTER AS COMING FROM A DEBT COLLECTOR AS WE SOMETIMES ACT AS A DEBT COLLECTOR. ANY INFORMATION PROVIDED BY YOU WILL BE USED TO COLLECT THIS DEBT. HOWEVER, IF YOU ARE IN BANKRUPTCY OR RECEIVED A BANKRUPTCY DISCHARGE OF THIS DEBT, THIS LETTER IS NOT AN ATTEMPT TO COLLECT THE DEBT, BUT NOTICE OF POSSIBLE ENFORCEMENT OF OUR LIEN AGAINST THE COLLATERAL PROPERTY. COLORADO: FOR INFORMATION ABOUT THE COLORADO FAIR DEBT COLLECTION PRACTICES ACT, SEE <http://www.ago.state.co.us/cado/cadomain.cfm>. NEW YORK CITY: License 1032551. NORTH CAROLINA: Permit 3840. TENNESSEE: This collection agency is licensed by the Collection Service Board of the Department of Commerce and Insurance. Wilshire Credit Corporation is licensed to do business at 14523 S.W. Millikan Way, Beaverton, OR. Wilshire's office hours are Monday - Friday 6:00 am to 5:00 pm Pacific time, holidays excluded.

L178E

EXHIBIT

II

BARANICK, KIMBERLY

Loan No.:2930504

Page 2

July 31, 2007

**PERDIDA DEL DERECHO A REDIMIR SU HIPOTECA.**

HOMEOWNERS' NAME : BARANICK, KIMBERLY

PROPERTY ADDRESS : 907 W LONG AVE  
DU BOIS, PA 158013511

LOAN ACCT. NO. : 2930504

ORIGINAL LENDER : NOVASTAR

CURRENT SERVICER : Wilshire Credit Corporation

**HOMEOWNER'S EMERGENCY MORTGAGE ASSISTANCE PROGRAM**

YOU MAY BE ELIGIBLE FOR FINANCIAL ASSISTANCE WHICH CAN SAVE YOUR HOME FROM FORECLOSURE AND HELP YOU MAKE FUTURE MORTGAGE PAYMENTS.

IF YOU COMPLY WITH THE PROVISIONS OF THE HOMEOWNER'S EMERGENCY MORTGAGE ASSISTANCE ACT OF 1983 (THE "ACT"), YOU MAY BE ELIGIBLE FOR EMERGENCY MORTGAGE ASSISTANCE:

IF YOUR DEFAULT HAS BEEN CAUSED BY CIRCUMSTANCES BEYOND YOUR CONTROL,

IF YOU HAVE A REASONABLE PROSPECT OF BEING ABLE TO PAY YOUR MORTGAGE PAYMENTS, AND

IF YOU MEET OTHER ELIGIBILITY REQUIREMENTS ESTABLISHED BY THE PENNSYLVANIA HOUSING FINANCE AGENCY.

**TEMPORARY STAY OF FORECLOSURE** - Under the Act, you are entitled to a temporary stay of foreclosure on your mortgage for thirty (30) days from the date of this Notice. During that time you must arrange and attend a "face -to-face" meeting with one of the consumer credit counseling agencies listed at the end of this Notice.

**THIS MEETING MUST OCCUR WITHIN THE NEXT (30) DAYS. IF YOU DO NOT APPLY FOR EMERGENCY MORTGAGE ASSISTANCE, YOU MUST BRING YOUR MORTGAGE UP TO DATE. THE PART OF THIS NOTICE CALLED "HOW TO CURE YOUR MORTGAGE DEFAULT", EXPLAINS HOW TO BRING YOUR MORTGAGE UP TO DATE.**

**CONSUMER CREDIT COUNSELING AGENCIES** - If you meet with one of the consumer credit counseling agencies listed at the end of this notice, the lender may NOT take action against you for thirty(30) days after the date of this meeting. The names, addresses and telephone numbers of designated consumer credit counseling agencies for the county in which the property is located are set forth at the end of this Notice. It is only necessary to schedule one face-to-face meeting. Advise your lender immediately of your intentions.

(Continued)

YOU SHOULD CONSIDER THIS LETTER AS COMING FROM A DEBT COLLECTOR AS WE SOMETIMES ACT AS A DEBT COLLECTOR. ANY INFORMATION PROVIDED BY YOU WILL BE USED TO COLLECT THIS DEBT. HOWEVER, IF YOU ARE IN BANKRUPTCY OR RECEIVED A BANKRUPTCY DISCHARGE OF THIS DEBT, THIS LETTER IS NOT AN ATTEMPT TO COLLECT THE DEBT, BUT NOTICE OF POSSIBLE ENFORCEMENT OF OUR LIEN AGAINST THE COLLATERAL PROPERTY. COLORADO: FOR INFORMATION ABOUT THE COLORADO FAIR DEBT COLLECTION PRACTICES ACT, SEE <http://www.ago.state.co.us/cade/cademain.cfm>. NEW YORK CITY: License 1032551. NORTH CAROLINA: Permit 3840. TENNESSEE: This collection agency is licensed by the Collection Service Board of the Department of Commerce and Insurance. Wilshire Credit Corporation is licensed to do business at 14523 S.W. Millikan Way, Beaverton, OR. Wilshire's office hours are Monday - Friday 6:00 am to 5:00 pm Pacific time, holidays excluded.

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BARANICK, KIMBERLY

Loan No.:2930504

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July 31, 2007

**APPLICATION FOR MORTGAGE ASSISTANCE** - Your mortgage is in default for the reasons set forth later in this Notice (see following pages for specific information about the nature of your default.) If you have tried and are unable to resolve this problem with the lender, you have the right to apply for financial assistance from the Homeowner's Emergency Mortgage Assistance Program. To do so, you must fill out, sign and file a completed Homeowner's Emergency Assistance Program Application with one of the designated consumer credit counseling agencies listed at the end of this Notice. Only consumer credit counseling agencies have applications for the program and they will assist you in submitting a complete application to the Pennsylvania Housing Finance Agency. Your application **MUST** be filed or postmarked within thirty(30) days of your face-to-face meeting.

**YOU MUST FILE YOUR APPLICATION PROMPTLY. IF YOU FAIL TO DO SO OR IF YOU DO NOT FOLLOW THE OTHER TIME PERIODS SET FORTH IN THIS LETTER, FORECLOSURE MAY PROCEED AGAINST YOUR HOME IMMEDIATELY AND YOUR APPLICATION FOR MORTGAGE ASSISTANCE WILL BE DENIED.**

**AGENCY ACTION** - Available funds for emergency mortgage assistance are very limited. They will be disbursed by the Agency under the eligibility criteria established by the Act. The Pennsylvania Housing Finance Agency has sixty (60) days to make a decision after they receive your application. During that time, no foreclosure proceedings will be pursued against you if you have met the time requirements set forth above. You will be notified directly by the Pennsylvania Housing Finance Agency of its decision on your application.

**NOTE: IF YOU ARE CURRENTLY PROTECTED BY THE FILING OF A PETITION IN BANKRUPTCY, THE FOLLOWING PART OF THIS NOTICE IS FOR INFORMATION PURPOSES ONLY AND SHOULD NOT BE CONSIDERED AS AN ATTEMPT TO COLLECT THE DEBT.**

(If you have filed bankruptcy you can still apply for Emergency Mortgage Assistance.)

**HOW TO CURE YOUR MORTGAGE DEFAULT (Bring it up to date.)**

**NATURE OF THE DEFAULT** - The MORTGAGE debt held by the above lender on your property located at:  
907 W LONG AVE  
DU BOIS, PA 158013511

IS SERIOUSLY IN DEFAULT because:

YOU HAVE NOT MADE MONTHLY PAYMENTS and the following amounts are past due:

|                   |                   |
|-------------------|-------------------|
| Delinquency       | \$960.58          |
| Late Charges      | \$107.04          |
| Other Charges     | \$9.50            |
| Suspense Amount - | \$39.42           |
| <b>TOTAL</b>      | <b>\$1,037.70</b> |

**HOW TO CURE THE DEFAULT** - You may cure the default within THIRTY (30) DAYS of the date of this notice **BY PAYING THE TOTAL AMOUNT PAST DUE TO THE LENDER, WHICH IS \$1,037.70 PLUS**

(Continued)

YOU SHOULD CONSIDER THIS LETTER AS COMING FROM A DEBT COLLECTOR AS WE SOMETIMES ACT AS A DEBT COLLECTOR. ANY INFORMATION PROVIDED BY YOU WILL BE USED TO COLLECT THIS DEBT. HOWEVER, IF YOU ARE IN BANKRUPTCY OR RECEIVED A BANKRUPTCY DISCHARGE OF THIS DEBT, THIS LETTER IS NOT AN ATTEMPT TO COLLECT THE DEBT, BUT NOTICE OF POSSIBLE ENFORCEMENT OF OUR LIEN AGAINST THE COLLATERAL PROPERTY. COLORADO: FOR INFORMATION ABOUT THE COLORADO FAIR DEBT COLLECTION PRACTICES ACT, SEE <http://www.ago.state.co.us/cade/cademain.cfm>. NEW YORK CITY: License 1032551. NORTH CAROLINA: Permit 3840. TENNESSEE: This collection agency is licensed by the Collection Service Board of the Department of Commerce and Insurance. Wilshire Credit Corporation is licensed to do business at 14523 S.W. Millikan Way, Beaverton, OR. Wilshire's office hours are Monday - Friday 6:00 am to 5:00 pm Pacific time, holidays excluded.

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BARANICK, KIMBERLY

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ANY MORTGAGE PAYMENTS AND LATE CHARGES WHICH BECOME DUE DURING THE THIRTY (30) DAY PERIOD. Payments must be made either by cashier's check certified check or money order made payable and sent to: Wilshire Credit Corporation, P.O. Box 7195, Pasadena, CA 91109-7195.

**IF YOU DO NOT CURE THE DEFAULT** - If you do not cure the default within THIRTY (30) DAYS of the date of this Notice, the lender intends to exercise it's rights to accelerate the mortgage debt. This means that the entire outstanding balance of the debt will be considered due immediately and you may lose the chance to pay the mortgage in monthly installments. If full payment of the total amount past due is not made within THIRTY (30) DAYS, the lender also intends to instruct it's attorneys to start legal action to foreclose upon your mortgaged property.

**IF THE MORTGAGE IS FORECLOSED UPON** - The mortgaged property will be sold by the Sheriff to pay off the mortgage debt. If the lender refers your case to it's attorneys, but you cure the delinquency before the lender begins legal proceedings against you, you will still be required to pay the reasonable attorney's fees that were actually incurred, up to \$50.00. However, if legal proceedings are started against you, you will have to actually incurred by the lender even if they exceed \$50.00. The attorney's fees will be added to the amount you owe the lender, which may also include other reasonable costs. If you cure the default within the THIRTY (30) DAY period, you will not be required to pay attorney's fees.

**OTHER LENDER REMEDIES** - The lender may also sue you personally for the unpaid principal balance and all other sums due under the mortgage.

**RIGHT TO CURE THE DEFAULT PRIOR TO SHERIFF'S SALE** - If you have not cured the default within the THIRTY (30) DAY period and foreclosure proceedings have begun, you still have the right to cure the default and prevent the sale at any time up to one hour before the Sheriff's Sale. You may do so by paying the total amount then past due, any late or other charges then due, reasonable attorney's fees any costs connected with the foreclosure sale, any other costs connected with the Sheriff's Sale as specified in writing by the lender, and by performing any other requirements under the mortgage. Curing your default in the manner set forth in this notice will restore your mortgage to the same position as if you had never defaulted.

**EARLIEST POSSIBLE SHERIFF'S SALE DATE** - It is estimated that the earliest date that such a Sheriff's Sale of the mortgaged property could be held would be approximately 6 months from the date of this Notice. A notice of the actual date of the Sheriff's Sale will be sent to you before the sale. Of course, the amount needed to cure the default will increase the longer you wait. You may find out at any time exactly what the required payment of action will be by contacting the lender.

**HOW TO CONTACT THE LENDER:**

Name of Lender : Wilshire Credit Corporation

Address : Payments: P.O. Box 7195, Pasadena, CA 91109-7195  
Correspondence: P.O. Box 8517, Portland, OR 97207-8517

Phone : Toll-Free: 888.917.1052  
Fax Number : 503.952.7476

(Continued)

YOU SHOULD CONSIDER THIS LETTER AS COMING FROM A DEBT COLLECTOR AS WE SOMETIMES ACT AS A DEBT COLLECTOR. ANY INFORMATION PROVIDED BY YOU WILL BE USED TO COLLECT THIS DEBT. HOWEVER, IF YOU ARE IN BANKRUPTCY OR RECEIVED A BANKRUPTCY DISCHARGE OF THIS DEBT, THIS LETTER IS NOT AN ATTEMPT TO COLLECT THE DEBT, BUT NOTICE OF POSSIBLE ENFORCEMENT OF OUR LIEN AGAINST THE COLLATERAL PROPERTY. COLORADO: FOR INFORMATION ABOUT THE COLORADO FAIR DEBT COLLECTION PRACTICES ACT, SEE <http://www.ago.state.co.us/cadc/cadmain.cfm>. NEW YORK CITY: License 1032551. NORTH CAROLINA: Permit 3840. TENNESSEE: This collection agency is licensed by the Collection Service Board of the Department of Commerce and Insurance. Wilshire Credit Corporation is licensed to do business at 14523 S.W. Millikan Way, Beaverton, OR. Wilshire's office hours are Monday - Friday 6:00 am to 5:00 pm Pacific time, holidays excluded.

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Contact : Loan Servicing

**EFFECT OF SHERIFF'S SALE** - You should realize that a Sheriff's Sale will end your ownership of the mortgaged property and your right to occupy it. If you continue to live in the property after the Sheriff's Sale, a lawsuit to remove you and your furnishings and other belongings could be started by the lender at any time.

**ASSUMPTION OF MORTGAGE** - You may or may not sell or transfer your home to a buyer or transferee who will assume the mortgage debt, provided that all the outstanding payments, charges and attorney's fees and costs are paid prior to or at the sale and that the other requirements of the mortgage are satisfied.

**YOU MAY ALSO HAVE THE RIGHT:**

TO SELL THE PROPERTY TO OBTAIN MONEY TO PAY OFF THE MORTGAGE DEBT OR TO BORROW MONEY FROM ANOTHER LENDING INSTITUTION TO PAY OFF THE MORTGAGE DEBT.

TO HAVE THIS DEFAULT CURED BY ANY THIRD PARTY ACTING ON YOUR BEHALF.

TO HAVE THE MORTGAGE RESTORED TO THE SAME POSITION AS IF NO DEFAULT HAD OCCURRED, IF YOU CURE THE DEFAULT. (HOWEVER, YOU DO NOT HAVE THIS RIGHT TO CURE YOUR DEFAULT MORE THAN THREE TIMES IN ANY CALENDAR YEAR.)

TO ASSERT THE NONEXISTENCE OF A DEFAULT IN ANY FORECLOSURE PROCEEDING OR ANY OTHER LAWSUIT INSTITUTED UNDER THE MORTGAGE DOCUMENTS.

TO ASSERT ANY OTHER DEFENSE YOU BELIEVE YOU MAY HAVE TO SUCH ACTION BY THE LENDER.

TO SEEK PROTECTION UNDER THE FEDERAL BANKRUPTCY LAW.

**ATTACHED IS THE CONSUMER CREDIT COUNSELING AGENCIES SERVING YOUR COUNTY**

If you have any questions, please contact us at our toll-free number above.

Sincerely,

Loan Servicing

Enclosures: PA CCCS List, How to Avoid Foreclosure

YOU SHOULD CONSIDER THIS LETTER AS COMING FROM A DEBT COLLECTOR AS WE SOMETIMES ACT AS A DEBT COLLECTOR. ANY INFORMATION PROVIDED BY YOU WILL BE USED TO COLLECT THIS DEBT. HOWEVER, IF YOU ARE IN BANKRUPTCY OR RECEIVED A BANKRUPTCY DISCHARGE OF THIS DEBT, THIS LETTER IS NOT AN ATTEMPT TO COLLECT THE DEBT, BUT NOTICE OF POSSIBLE ENFORCEMENT OF OUR LIEN AGAINST THE COLLATERAL PROPERTY. COLORADO: FOR INFORMATION ABOUT THE COLORADO FAIR DEBT COLLECTION PRACTICES ACT, SEE <http://www.ago.state.co.us/cadc/cadcmain.cfm>. NEW YORK CITY: License 1032551. NORTH CAROLINA: Permit 3840. TENNESSEE: This collection agency is licensed by the Collection Service Board of the Department of Commerce and Insurance. Wilshire Credit Corporation is licensed to do business at 14523 S.W. Millikan Way, Beaverton, OR. Wilshire's office hours are Monday - Friday 6:00 am to 5:00 pm Pacific time, holidays excluded.

L178E

MARTHA E. VON ROSENSTIEL, ESQUIRE  
 Martha E. Von Rosenstiel  
 649 SOUTH AVENUE  
 UNIT 7  
 SECANE, PA 19018  
 (610) 328-2887  
 Attorney ID # 52634

Attorney for Plaintiff

CC 7

LASALLE BANK, N.A. AS TRUSTEE : COURT OF COMMON PLEAS  
 FOR THE MLMI TRUST SERIES 2006- : CLEARFIELD COUNTY  
 HE6 :  
 14523 SW Millikan Way, Suite :  
 200 :  
 Beaverton, OR 97005 : Case No: 07-1802-CD

Plaintiff

vs.

KIMBERLY BARANICK  
 907 West Long Avenue  
 Du Bois, PA 15801

Defendants

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

NOV -6 2007

Attest.

*William A. Brown*  
 Prothonotary/  
 Clerk of Courts

**CIVIL ACTION - MORTGAGE FORECLOSURE**

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

**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 ELEGIBLE PERSONS AT A REDUCED FEE OR NO FEE.**

**ADVISO**

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha de la demanda y la notificacion. Hace falta a sentar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea a visado que si usted no se defiende, la corte toma ra medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademas, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades o otros de rechos importantes para usted.

**LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGADO VAYA EN PERSONA O TELEFONA A LA OFICINA ESCRITA ABAJO. ESTA OFICINA LE PUEDE PROVEER INFORMACION SOBRE COMO CONTRATAR A UN ABOGADO. SI USTED NO TIENE EL DINERO SUFICIENTE PARA CONTRATAR A UN ABOGADO, LE PODEMOS DAR INFORMACION SOBRE AGENCIAS QUE PROVEEN SERVICIO LEGAL A PERSONAS ELEGIBLE PARA SERVICIOS A COSTO REDUCIDO O GRATUITO.**

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

**THIS IS AN ATTEMPT TO COLLECT A DEBT  
ANY INFORMATION OBTAINED MAY BE  
USED FOR THAT PURPOSE**

**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 ANYT 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 REUQUEST 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 RECFEIPT 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.**

MARTHA E. VON ROSENSTIEL, ESQUIRE  
Martha E. Von Rosenstiel  
649 SOUTH AVENUE  
UNIT 7  
SECANE, PA 19018  
(610) 328-2887  
Attorney ID# 52634

Attorney for Plaintiff

LASALLE BANK, N.A. AS TRUSTEE : COURT OF COMMON PLEAS  
FOR THE MLMI TRUST SERIES 2006- : CLEARFIELD COUNTY  
HE6 :  
14523 SW Millikan Way, Suite :  
200 :  
Beaverton, OR 97005 : Case No:

Plaintiff

vs.

KIMBERLY BARANICK  
907 West Long Avenue  
Du Bois, PA 15801

Defendant

**CIVIL ACTION - MORTGAGE FORECLOSURE**

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

1. Plaintiff is LaSalle Bank, N.A. as Trustee for the MLMI Trust Series 2006-HE6, a bank organized and existing under federal law, with offices for the conduct of business at 14523 SW Millikan Way, Suite 200, Beaverton, OR 97005.

2. Defendant, Kimberly Baranick is the mortgagor and real owner of premises 907 West Long Avenue, Du Bois, PA 15801, hereinafter described, whose last known address is listed in the above caption.

3. Plaintiff brings this action in mortgage foreclosure against defendant, mortgagor and real owner, to foreclose a certain indenture of mortgage made, executed and delivered by the above

named defendant, mortgagor and real owner to Mortgage Electronic Registration Systems, Inc. as Nominee for Novastar Mortgage, Inc. on July 18, 2006, which mortgage is recorded on July 21, 2006 in the Office of the Recorder of Deeds of Clearfield County in Instrument #200612170, secured on premises 907 West Long Avenue, Du Bois, PA 15801 a true and correct description of which is attached hereto as Exhibit I.

4. The mortgage has since been assigned to the Plaintiff herein.

5. Plaintiff alleges each and every term, condition and covenant in the aforesaid mortgage, and hereby incorporates them herein by reference thereto.

6. The aforesaid mortgage is in default in that monthly installments of principal and interest have not been made in conformity with the terms of the mortgage, from July 2007 and each month thereafter, up to and including the present time.

7. Under the terms of the aforesaid mortgage, upon default of payments set forth in the mortgage documents, the entire principal balance and all interest due thereon are collectible forthwith.

8. The following is an itemized statement of the amount due plaintiff under the terms of the aforesaid mortgage:

|                                     |             |
|-------------------------------------|-------------|
| Principal Balance                   | \$54,231.50 |
| Interest from 6/1/2007 to 11/5/2007 |             |
| At \$ 14.93 per diem                | \$ 2,358.94 |
| Accrued late charges                | \$ 13.01    |
| Corporate Advances                  | \$ 237.04   |

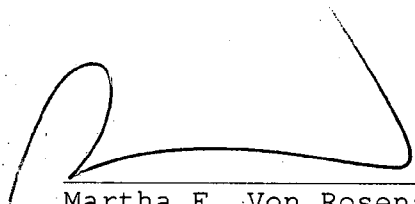
|  |             |
|--|-------------|
| Attorney's fee (5% of unpaid<br>Principal Balance) | \$ 2,711.58 |
| Title Information Certificate                      | \$ 515.00   |
| Release Documents                                  | \$ 28.50    |
| Suspense   | (\$ 459.13) |

**TOTAL** **\$ 59,636.44**

9. The attorney's fees set forth above are in conformity with the mortgage documents and Pennsylvania Law and will be collected in the event of a third party purchaser at Sheriff's sale. If the mortgage is reinstated prior to the Sheriff's sale, reasonable attorney's fees will be charged based on work actually performed.

10. Plaintiff sent to defendant, mortgagor and real owner a combined Notice and Warning of Intention to Foreclose and Notices of Homeowners' Emergency Mortgage Assistance Act of 1983 advising of rights available under the statutes. To date payments have not been received and Act 91 assistance has not been granted although the applicable time periods provided by statute have expired (Exhibit II).

**WHEREFORE**, plaintiff demands judgment for foreclosure and sale of the mortgaged premises in the amount of \$59,636.44, plus per diem interest at \$14.93 from November 06, 2007 to the date of judgment plus costs thereon.



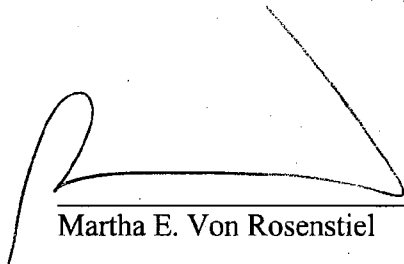
Martha E. Von Rosenstiel  
Attorney for Plaintiff

**VERIFICATION**

MARTHA E. VON ROSENSTIEL, ESQUIRE, of full age, verifies that she is the attorney for the plaintiff in the foregoing action; that she is authorized to make this verification on behalf of plaintiff; and that the statements made in the foregoing Complaint in Mortgage Foreclosure are true and correct to the best of her knowledge, information and belief.

This verification is being executed by the attorney for plaintiff in accordance with Pa R.C.P. 1024( c ) as a signed verification could not be obtained by plaintiff within the time allowed for filing of the pleading.

I understand that false statements herein are made subject to penalties of 18 Pa C.S. Section 4904 relating to unsworn falsification to authorities.

  
\_\_\_\_\_  
Martha E. Von Rosenstiel

## LEGAL DESCRIPTION

ALL THAT CERTAIN ALL THAT CERTAIN lot or piece of land situate in the Township of Sandy, County of Clearfield and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at an iron pipe in the Southerly line of West Long Avenue, said pipe being North 71 degrees 18' West 58.4 feet from the intersection of the Westerly line of a 16 foot alley and the Southerly line of West Long Avenue; thence South 49 degrees 48' West 150 feet to an iron pipe in the Northerly line of a 12 foot alley; thence along said alley North 71 degrees 18' West 49.6 feet to an iron pipe; thence North 31 degrees 08' East 54 feet to an iron pipe; thence North 26 degrees 28' West 41.3 feet to an iron pipe in the Easterly line of First Street; thence along First Street North 49 degrees 48' East 54.3 feet to an iron pipe in line of West Long Avenue; thence along the Southerly line of West Long Avenue South 71 degrees 18' East 116.8 feet to the place of beginning.

THE above described parcel of ground being part of Lot No. 43 and part of Lot No. 44 of the Edgemont Plan of Lots and having thereon erected a large two-story-frame dwelling house known as 907 West Long Avenue.

SUBJECT to right-of-way for sewer, water and gas, with the right to maintain and repair the same for the benefit of the owners, their heirs and assigns, of Lots Nos. 43 and 44 of the Edgemont Plan of Lots.

FURTHER GRANTING AND CONVEYING unto the Grantee, her heirs and assigns forever, all of the rights with regard to the location of the driveway, which rights are more particularly set forth in an Agreement dated January 17, 1992, entered into between Phyllis Jane Kessler, Executrix of the Estate of John H. Shilling, a/k/a John L. Shilling, deceased, and John Oliver Delp and Ann Marie Delp, husband and wife, which Agreement was recorded in the Office of the Register and Recorder of Deeds of Clearfield County, Pennsylvania, in Deed and Records Book Vol. 1438, Page 567, on January 22, 1992.

TITLE TO SAID PREMISES IS VESTED IN Kimberly R. Baranick by Deed from Jacqueline Delp Benamati, now intermarried with Dwyane F. Virgint and known as Jacqueline Delp Virgint, and Dwayne F. Virgint, dated 7/10/2006 and recorded 7/21/2006 in Instrument #200612169.

Premises being known as 907 West Long Avenue, Du Bois, PA 15801

EXHIBIT I



## Wilshire Credit Corporation

July 31, 2007

BARANICK, KIMBERLY  
907 W LONG AVE  
DU BOIS, PA 15801

L178E

Payments  
P.O. Box 7195, Pasadena, CA 91109-7195

Correspondence  
P.O. Box 8517, Portland, OR 97207-8517

Phone  
888.917.1052

Fax  
503.952.7476

Web Site  
[www.wcc.ml.com](http://www.wcc.ml.com)

# ACT 91/6 NOTICE TAKE ACTION TO SAVE YOUR HOME FROM FORECLOSURE

This is an official notice that the mortgage on your home is in default, and the lender intends to foreclose. Specific information about the nature of the default is provided in the attached pages.

The HOMEOWNER'S MORTGAGE ASSISTANCE PROGRAM (HEMAP) may be able to help to save your home. This Notice explains how the program works.

To see if HEMAP can help, you must MEET WITH A CONSUMER CREDIT COUNSELING AGENCY WITHIN 30 DAYS OF THE DATE OF THIS NOTICE. Take this notice with you when you meet with the Counseling Agency.

The name, address and phone number of Consumer Credit Counseling Agencies serving your County are listed at the end of this Notice. If you have any questions, you may call the Pennsylvania Housing Finance Agency toll-free at 1.800.342.2397. (Persons with impaired hearing can call 717.780.1869.)

This notice contains important legal information. If you have any questions, representatives at the Consumer Credit Counseling Agency may be able to help explain it. You may also want to contact an attorney in your area. The local bar association may be able to help you find a lawyer.

LA NOTIFICACIÓN EN ADJUNTO ES DE SUMA IMPORTANCIA, PUES AFECTA SU DERECHO A CONTINUAR VIVIENDO EN SU CASA. SI NO COMPRENDE EL CONTENIDO DE ESTA NOTIFICACIÓN OBTenga UNA TRADUCCIÓN INÉDITAMENTE LLAMANDO ESTA AGENCIA (PENNSYLVANIA HOUSING FINANCE AGENCY) SIN CARGOS AL NUMERO MENCIONADO ARRIBA. PUEDES SER ELEGIBLE PARA UN PRÉSTAMO POR EL PROGRAMA LLAMADO "HOMEOWNER'S EMERGENCY MORTGAGE ASSISTANCE PROGRAM" EL CUAL PUEDE SALVAR SU CASA DE LA

(Continued)

YOU SHOULD CONSIDER THIS LETTER AS COMING FROM A DEBT COLLECTOR AS WE SOMETIMES ACT AS A DEBT COLLECTOR. ANY INFORMATION PROVIDED BY YOU WILL BE USED TO COLLECT THIS DEBT. HOWEVER, IF YOU ARE IN BANKRUPTCY OR RECEIVED A BANKRUPTCY DISCHARGE OF THIS DEBT, THIS LETTER IS NOT AN ATTEMPT TO COLLECT THE DEBT, BUT NOTICE OF POSSIBLE ENFORCEMENT OF OUR LIEN AGAINST THE COLLATERAL PROPERTY. COLORADO: FOR INFORMATION ABOUT THE COLORADO FAIR DEBT COLLECTION PRACTICES ACT, SEE <http://www.ago.state.co.us/cad/cadmain.cfm>. NEW YORK CITY: License 1032551. NORTH CAROLINA: Permit 3840. TENNESSEE: This collection agency is licensed by the Collection Service Board of the Department of Commerce and Insurance. Wilshire Credit Corporation is licensed to do business at 14523 S.W. Millikan Way, Beaverton, OR. Wilshire's office hours are Monday - Friday 6:00 am to 5:00 pm Pacific time, holidays excluded.

L178E

EXHIBIT

II

BARANICK, KIMBERLY

Loan No.:2930504

Page 2

July 31, 2007

**PERDIDA DEL DERECHO A REDIMIR SU HIPOTECA.**

HOMEOWNERS' NAME : BARANICK, KIMBERLY

PROPERTY ADDRESS : 907 W LONG AVE  
DU BOIS, PA 158013511

LOAN ACCT. NO. : 2930504

ORIGINAL LENDER : NOVASTAR

CURRENT SERVICER : Wilshire Credit Corporation

**HOMEOWNER'S EMERGENCY MORTGAGE ASSISTANCE PROGRAM**

YOU MAY BE ELIGIBLE FOR FINANCIAL ASSISTANCE WHICH CAN SAVE YOUR HOME FROM FORECLOSURE AND HELP YOU MAKE FUTURE MORTGAGE PAYMENTS.

IF YOU COMPLY WITH THE PROVISIONS OF THE HOMEOWNER'S EMERGENCY MORTGAGE ASSISTANCE ACT OF 1983 (THE "ACT"), YOU MAY BE ELIGIBLE FOR EMERGENCY MORTGAGE ASSISTANCE:

IF YOUR DEFAULT HAS BEEN CAUSED BY CIRCUMSTANCES BEYOND YOUR CONTROL,

IF YOU HAVE A REASONABLE PROSPECT OF BEING ABLE TO PAY YOUR MORTGAGE PAYMENTS, AND

IF YOU MEET OTHER ELIGIBILITY REQUIREMENTS ESTABLISHED BY THE PENNSYLVANIA HOUSING FINANCE AGENCY.

**TEMPORARY STAY OF FORECLOSURE** - Under the Act, you are entitled to a temporary stay of foreclosure on your mortgage for thirty (30) days from the date of this Notice. During that time you must arrange and attend a "face -to-face" meeting with one of the consumer credit counseling agencies listed at the end of this Notice.

**THIS MEETING MUST OCCUR WITHIN THE NEXT (30) DAYS. IF YOU DO NOT APPLY FOR EMERGENCY MORTGAGE ASSISTANCE, YOU MUST BRING YOUR MORTGAGE UP TO DATE. THE PART OF THIS NOTICE CALLED "HOW TO CURE YOUR MORTGAGE DEFAULT", EXPLAINS HOW TO BRING YOUR MORTGAGE UP TO DATE.**

**CONSUMER CREDIT COUNSELING AGENCIES** - If you meet with one of the consumer credit counseling agencies listed at the end of this notice, the lender may NOT take action against you for thirty(30) days after the date of this meeting. The names, addresses and telephone numbers of designated consumer credit counseling agencies for the county in which the property is located are set forth at the end of this Notice. It is only necessary to schedule one face-to-face meeting. Advise your lender immediately of your intentions.

(Continued)

YOU SHOULD CONSIDER THIS LETTER AS COMING FROM A DEBT COLLECTOR AS WE SOMETIMES ACT AS A DEBT COLLECTOR. ANY INFORMATION PROVIDED BY YOU WILL BE USED TO COLLECT THIS DEBT. HOWEVER, IF YOU ARE IN BANKRUPTCY OR RECEIVED A BANKRUPTCY DISCHARGE OF THIS DEBT, THIS LETTER IS NOT AN ATTEMPT TO COLLECT THE DEBT, BUT NOTICE OF POSSIBLE ENFORCEMENT OF OUR LIEN AGAINST THE COLLATERAL PROPERTY. COLORADO: FOR INFORMATION ABOUT THE COLORADO FAIR DEBT COLLECTION PRACTICES ACT, SEE <http://www.ago.state.co.us/cadc/cadcmmain.cfm>. NEW YORK CITY: License 1032551. NORTH CAROLINA: Permit 3840. TENNESSEE: This collection agency is licensed by the Collection Service Board of the Department of Commerce and Insurance. Wilshire Credit Corporation is licensed to do business at 14523 S.W. Millikan Way, Beaverton, OR. Wilshire's office hours are Monday - Friday 6:00 am to 5:00 pm Pacific time, holidays excluded.

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BARANICK, KIMBERLY

Loan No.:2930504

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July 31, 2007

**APPLICATION FOR MORTGAGE ASSISTANCE** - Your mortgage is in default for the reasons set forth later in this Notice (see following pages for specific information about the nature of your default.) If you have tried and are unable to resolve this problem with the lender, you have the right to apply for financial assistance from the Homeowner's Emergency Mortgage Assistance Program. To do so, you must fill out, sign and file a completed Homeowner's Emergency Assistance Program Application with one of the designated consumer credit counseling agencies listed at the end of this Notice. Only consumer credit counseling agencies have applications for the program and they will assist you in submitting a complete application to the Pennsylvania Housing Finance Agency. Your application MUST be filed or postmarked within thirty(30) days of your face-to-face meeting.

**YOU MUST FILE YOUR APPLICATION PROMPTLY. IF YOU FAIL TO DO SO OR IF YOU DO NOT FOLLOW THE OTHER TIME PERIODS SET FORTH IN THIS LETTER, FORECLOSURE MAY PROCEED AGAINST YOUR HOME IMMEDIATELY AND YOUR APPLICATION FOR MORTGAGE ASSISTANCE WILL BE DENIED.**

**AGENCY ACTION** - Available funds for emergency mortgage assistance are very limited. They will be disbursed by the Agency under the eligibility criteria established by the Act. The Pennsylvania Housing Finance Agency has sixty (60) days to make a decision after they receive your application. During that time, no foreclosure proceedings will be pursued against you if you have met the time requirements set forth above. You will be notified directly by the Pennsylvania Housing Finance Agency of its decision on your application.

**NOTE: IF YOU ARE CURRENTLY PROTECTED BY THE FILING OF A PETITION IN BANKRUPTCY, THE FOLLOWING PART OF THIS NOTICE IS FOR INFORMATION PURPOSES ONLY AND SHOULD NOT BE CONSIDERED AS AN ATTEMPT TO COLLECT THE DEBT.**

(If you have filed bankruptcy you can still apply for Emergency Mortgage Assistance.)

**HOW TO CURE YOUR MORTGAGE DEFAULT (Bring it up to date.)**

**NATURE OF THE DEFAULT** - The MORTGAGE debt held by the above lender on your property located at:  
907 W LONG AVE  
DU BOIS, PA 158013511

IS SERIOUSLY IN DEFAULT because:

YOU HAVE NOT MADE MONTHLY PAYMENTS and the following amounts are past due:

|                 |                   |
|-----------------|-------------------|
| Delinquency     | \$960.58          |
| Late Charges    | \$107.04          |
| Other Charges   | \$9.50            |
| Suspense Amount | \$39.42           |
| <b>TOTAL</b>    | <b>\$1,037.70</b> |

**HOW TO CURE THE DEFAULT** - You may cure the default within THIRTY (30) DAYS of the date of this notice **BY PAYING THE TOTAL AMOUNT PAST DUE TO THE LENDER, WHICH IS \$1,037.70 PLUS**

(Continued)

YOU SHOULD CONSIDER THIS LETTER AS COMING FROM A DEBT COLLECTOR AS WE SOMETIMES ACT AS A DEBT COLLECTOR. ANY INFORMATION PROVIDED BY YOU WILL BE USED TO COLLECT THIS DEBT. HOWEVER, IF YOU ARE IN BANKRUPTCY OR RECEIVED A BANKRUPTCY DISCHARGE OF THIS DEBT, THIS LETTER IS NOT AN ATTEMPT TO COLLECT THE DEBT, BUT NOTICE OF POSSIBLE ENFORCEMENT OF OUR LIEN AGAINST THE COLLATERAL PROPERTY. COLORADO: FOR INFORMATION ABOUT THE COLORADO FAIR DEBT COLLECTION PRACTICES ACT, SEE <http://www.ago.state.co.us/cadc/cadcmmain.cfm>. NEW YORK CITY: License 1032551. NORTH CAROLINA: Permit 3840. TENNESSEE: This collection agency is licensed by the Collection Service Board of the Department of Commerce and Insurance. Wilshire Credit Corporation is licensed to do business at 14523 S.W. Millikan Way, Beaverton, OR. Wilshire's office hours are Monday - Friday 6:00 am to 5:00 pm Pacific time, holidays excluded.

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BARANICK, KIMBERLY

Loan No.:2930504

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July 31, 2007

ANY MORTGAGE PAYMENTS AND LATE CHARGES WHICH BECOME DUE DURING THE THIRTY (30) DAY PERIOD. Payments must be made either by cashier's check certified check or money order made payable and sent to: Wilshire Credit Corporation, P.O. Box 7195, Pasadena, CA 91109-7195.

**IF YOU DO NOT CURE THE DEFAULT** - If you do not cure the default within THIRTY (30) DAYS of the date of this Notice, the lender intends to exercise it's rights to accelerate the mortgage debt. This means that the entire outstanding balance of the debt will be considered due immediately and you may lose the chance to pay the mortgage in monthly installments. If full payment of the total amount past due is not made within THIRTY (30) DAYS, the lender also intends to instruct it's attorneys to start legal action to foreclose upon your mortgaged property.

**IF THE MORTGAGE IS FORECLOSED UPON** - The mortgaged property will be sold by the Sheriff to pay off the mortgage debt. If the lender refers your case to it's attorneys, but you cure the delinquency before the lender begins legal proceedings against you, you will still be required to pay the reasonable attorney's fees that were actually incurred, up to \$50.00. However, if legal proceedings are started against you, you will have to actually incurred by the lender even if they exceed \$50.00. The attorney's fees will be added to the amount you owe the lender, which may also include other reasonable costs. If you cure the default within the THIRTY (30) DAY period, you will not be required to pay attorney's fees.

**OTHER LENDER REMEDIES** - The lender may also sue you personally for the unpaid principal balance and all other sums due under the mortgage.

**RIGHT TO CURE THE DEFAULT PRIOR TO SHERIFF'S SALE** - If you have not cured the default within the THIRTY (30) DAY period and foreclosure proceedings have begun, you still have the right to cure the default and prevent the sale at any time up to one hour before the Sheriff's Sale. You may do so by paying the total amount then past due, any late or other charges then due, reasonable attorney's fees any costs connected with the foreclosure sale, any other costs connected with the Sheriff's Sale as specified in writing by the lender, and by performing any other requirements under the mortgage. Curing your default in the manner set forth in this notice will restore your mortgage to the same position as if you had never defaulted.

**EARLIEST POSSIBLE SHERIFF'S SALE DATE** - It is estimated that the earliest date that such a Sheriff's Sale of the mortgaged property could be held would be approximately 6 months from the date of this Notice. A notice of the actual date of the Sheriff's Sale will be sent to you before the sale. Of course, the amount needed to cure the default will increase the longer you wait. You may find out at any time exactly what the required payment of action will be by contacting the lender.

**HOW TO CONTACT THE LENDER:**

Name of Lender : Wilshire Credit Corporation

Address : Payments: P.O. Box 7195, Pasadena, CA 91109-7195  
Correspondence: P.O. Box 8517, Portland, OR 97207-8517

Phone : Toll-Free: 888.917.1052  
Fax Number : 503.952.7476

(Continued)

YOU SHOULD CONSIDER THIS LETTER AS COMING FROM A DEBT COLLECTOR AS WE SOMETIMES ACT AS A DEBT COLLECTOR. ANY INFORMATION PROVIDED BY YOU WILL BE USED TO COLLECT THIS DEBT. HOWEVER, IF YOU ARE IN BANKRUPTCY OR RECEIVED A BANKRUPTCY DISCHARGE OF THIS DEBT, THIS LETTER IS NOT AN ATTEMPT TO COLLECT THE DEBT, BUT NOTICE OF POSSIBLE ENFORCEMENT OF OUR LIEN AGAINST THE COLLATERAL PROPERTY. COLORADO: FOR INFORMATION ABOUT THE COLORADO FAIR DEBT COLLECTION PRACTICES ACT, SEE <http://www.ago.state.co.us/cado/cadcmmain.cfm>. NEW YORK CITY: License 1032551. NORTH CAROLINA: Permit 3840. TENNESSEE: This collection agency is licensed by the Collection Service Board of the Department of Commerce and Insurance. Wilshire Credit Corporation is licensed to do business at 14523 S.W. Millikan Way, Beaverton, OR. Wilshire's office hours are Monday - Friday 6:00 am to 5:00 pm Pacific time, holidays excluded.

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BARANICK, KIMBERLY  
Loan No.:2930504  
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July 31, 2007

Contact : Loan Servicing

**EFFECT OF SHERIFF'S SALE** - You should realize that a Sheriff's Sale will end your ownership of the mortgaged property and your right to occupy it. If you continue to live in the property after the Sheriff's Sale, a lawsuit to remove you and your furnishings and other belongings could be started by the lender at any time.

**ASSUMPTION OF MORTGAGE** - You may or may not sell or transfer your home to a buyer or transferee who will assume the mortgage debt, provided that all the outstanding payments, charges and attorney's fees and costs are paid prior to or at the sale and that the other requirements of the mortgage are satisfied.

**YOU MAY ALSO HAVE THE RIGHT:**

TO SELL THE PROPERTY TO OBTAIN MONEY TO PAY OFF THE MORTGAGE DEBT OR TO BORROW MONEY FROM ANOTHER LENDING INSTITUTION TO PAY OFF THE MORTGAGE DEBT.

TO HAVE THIS DEFAULT CURED BY ANY THIRD PARTY ACTING ON YOUR BEHALF.

TO HAVE THE MORTGAGE RESTORED TO THE SAME POSITION AS IF NO DEFAULT HAD OCCURRED, IF YOU CURE THE DEFAULT. (HOWEVER, YOU DO NOT HAVE THIS RIGHT TO CURE YOUR DEFAULT MORE THAN THREE TIMES IN ANY CALENDAR YEAR.)

TO ASSERT THE NONEXISTENCE OF A DEFAULT IN ANY FORECLOSURE PROCEEDING OR ANY OTHER LAWSUIT INSTITUTED UNDER THE MORTGAGE DOCUMENTS.

TO ASSERT ANY OTHER DEFENSE YOU BELIEVE YOU MAY HAVE TO SUCH ACTION BY THE LENDER.

TO SEEK PROTECTION UNDER THE FEDERAL BANKRUPTCY LAW.

**ATTACHED IS THE CONSUMER CREDIT COUNSELING AGENCIES SERVING YOUR COUNTY**

If you have any questions, please contact us at our toll-free number above.

Sincerely,

Loan Servicing

Enclosures: PA CCCS List, How to Avoid Foreclosure

YOU SHOULD CONSIDER THIS LETTER AS COMING FROM A DEBT COLLECTOR AS WE SOMETIMES ACT AS A DEBT COLLECTOR. ANY INFORMATION PROVIDED BY YOU WILL BE USED TO COLLECT THIS DEBT. HOWEVER, IF YOU ARE IN BANKRUPTCY OR RECEIVED A BANKRUPTCY DISCHARGE OF THIS DEBT, THIS LETTER IS NOT AN ATTEMPT TO COLLECT THE DEBT, BUT NOTICE OF POSSIBLE ENFORCEMENT OF OUR LIEN AGAINST THE COLLATERAL PROPERTY. COLORADO: FOR INFORMATION ABOUT THE COLORADO FAIR DEBT COLLECTION PRACTICES ACT, SEE <http://www.ago.state.co.us/cado/cadomain.cfm>. NEW YORK CITY: License 1032551. NORTH CAROLINA: Permit 3840. TENNESSEE: This collection agency is licensed by the Collection Service Board of the Department of Commerce and Insurance. Wilshire Credit Corporation is licensed to do business at 14523 S.W. Millikan Way, Beaverton, OR. Wilshire's office hours are Monday - Friday 6:00 am to 5:00 pm Pacific time, holidays excluded.

L178E

2nd  
Service

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103530  
NO: 07-1802-CD  
SERVICE # 1 OF 2  
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: LASALLE BANK, N.A. As Trustee  
vs.  
DEFENDANT: KIMBERLY BARANICK

SHERIFF RETURN

NOW, December 19, 2007 AT 9:58 AM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON KIMBERLY BARANICK DEFENDANT AT 907 WEST LONG AVE., DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO KIMBERLY BARANICK, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: NEVLING /

FILED  
012:49/61  
FEB 20 2008

William A. Shaw  
Prothonotary/Clerk of Courts

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

DOCKET # 103530  
NO: 07-1802-CD  
SERVICE # 2 OF 2  
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: LASALLE BANK, N.A. As Trustee  
vs.  
DEFENDANT: KIMBERLY BARANICK

**SHERIFF RETURN**

NOW, December 19, 2007 AT 9:58 AM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON KIMBERLY BARANICK DEFENDANT AT 907 WEST LONG AVE., DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO KIMBERLY BARANICK, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: NEVLING /

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103530  
NO: 07-1802-CD  
SERVICES 2  
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: LASALLE BANK, N.A. As Trustee  
vs.  
DEFENDANT: KIMBERLY BARANICK

SHERIFF RETURN

RETURN COSTS

| Description     | Paid By    | CHECK # | AMOUNT |
|-----------------|------------|---------|--------|
| SURCHARGE       | ROSENSTIEL | 25172   | 20.00  |
| SHERIFF HAWKINS | ROSENSTIEL | 25172   | 33.43  |

Sworn to Before Me This

\_\_\_\_ Day of \_\_\_\_\_ 2008  
2007

So Answers,



Chester A. Hawkins  
Sheriff

MARTHA E. VON ROSENSTIEL, ESQUIRE  
 Martha E. Von Rosenstiel  
 649 SOUTH AVENUE  
 UNIT 7  
 SECANE, PA 19018  
 (610) 328-2887  
 Attorney ID # 52634

Attorney for Plaintiff

COPY

FILE COPY

LASALLE BANK, N.A. AS TRUSTEE : COURT OF COMMON PLEAS  
 FOR THE MLMI TRUST SERIES 2006- : CLEARFIELD COUNTY  
 HE6 :  
 14523 SW Millikan Way, Suite :  
 200 :  
 Beaverton, OR 97005 : Case No:

Plaintiff

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

NOV -6 2007

vs.

KIMBERLY BARANICK  
 907 West Long Avenue  
 Du Bois, PA 15801

Attest.

*William L. Ham*  
 Prothonotary/  
 Clerk of Courts

Defendants

## CIVIL ACTION - MORTGAGE FORECLOSURE

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

## 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 ELEGIBLE PERSONS AT A REDUCED FEE OR NO FEE.**

## ADVISO

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha de la demanda y la notificacion. Hace falta a sentar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea a visado que si usted no se defiende, la corte toma ra medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademas, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades o otros de rechos importantes para usted.

**LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGADO VAYA EN PERSONA O TELEFONA A LA OFICINA ESCRITA ABAJO. ESTA OFICINA LE PUEDE PROVEER INFORMACION SOBRE COMO CONTRATAR A UN ABOGADO. SI USTED NO TIENE EL DINERO SUFICIENTE PARA CONTRATAR A UN ABOGADO, LE PODEMOS DAR INFORMACION SOBRE AGENCIAS QUE PROVEEN SERVICIO LEGAL A PERSONAS ELEGIBLE PARA SERVICIOS A COSTO REDUCIDO O GRATUITO.**

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

December 12, 2007 Document  
 Reinstated/Reissued to Sheriff, A...  
 for service.

*William L. Ham*  
 Deputy Prothonotary

MARTHA E. VON ROSENSTIEL, ESQUIRE  
Martha E. Von Rosenstiel  
649 SOUTH AVENUE  
UNIT 7  
SECANE, PA 19018  
(610) 328-2887  
Attorney ID# 52634

Attorney for Plaintiff

LASALLE BANK, N.A. AS TRUSTEE : COURT OF COMMON PLEAS  
FOR THE MLMI TRUST SERIES 2006- : CLEARFIELD COUNTY  
HE6 :  
14523 SW Millikan Way, Suite :  
200 :  
Beaverton, OR 97005 : Case No: 07-1802-CD

Plaintiff

vs.

KIMBERLY BARANICK  
907 West Long Avenue  
Du Bois, PA 15801

Defendant

**CIVIL ACTION - MORTGAGE FORECLOSURE**

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

1. Plaintiff is LaSalle Bank, N.A. as Trustee for the MLMI Trust Series 2006-HE6, a bank organized and existing under federal law, with offices for the conduct of business at 14523 SW Millikan Way, Suite 200, Beaverton, OR 97005.

2. Defendant, Kimberly Baranick is the mortgagor and real owner of premises 907 West Long Avenue, Du Bois, PA 15801, hereinafter described, whose last known address is listed in the above caption.

3. Plaintiff brings this action in mortgage foreclosure against defendant, mortgagor and real owner, to foreclose a certain indenture of mortgage made, executed and delivered by the above

**THIS IS AN ATTEMPT TO COLLECT A DEBT  
ANY INFORMATION OBTAINED MAY BE  
USED FOR THAT PURPOSE**

**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.**

named defendant, mortgagor and real owner to Mortgage Electronic Registration Systems, Inc. as Nominee for Novastar Mortgage, Inc. on July 18, 2006, which mortgage is recorded on July 21, 2006 in the Office of the Recorder of Deeds of Clearfield County in Instrument #200612170, secured on premises 907 West Long Avenue, Du Bois, PA 15801 a true and correct description of which is attached hereto as Exhibit I.

4. The mortgage has since been assigned to the Plaintiff herein.

5. Plaintiff alleges each and every term, condition and covenant in the aforesaid mortgage, and hereby incorporates them herein by reference thereto.

6. The aforesaid mortgage is in default in that monthly installments of principal and interest have not been made in conformity with the terms of the mortgage, from July 2007 and each month thereafter, up to and including the present time.

7. Under the terms of the aforesaid mortgage, upon default of payments set forth in the mortgage documents, the entire principal balance and all interest due thereon are collectible forthwith.

8. The following is an itemized statement of the amount due plaintiff under the terms of the aforesaid mortgage:

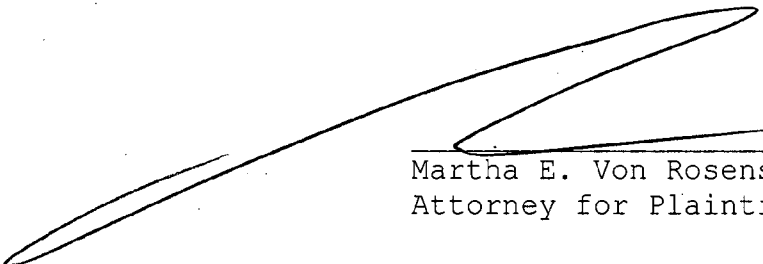
|                                     |             |
|-------------------------------------|-------------|
| Principal Balance                   | \$54,231.50 |
| Interest from 6/1/2007 to 11/5/2007 |             |
| At \$ 14.93 per diem                | \$ 2,358.94 |
| Accrued late charges                | \$ 13.01    |
| Corporate Advances                  | \$ 237.04   |

|  |                     |
|--|---------------------|
| Attorney's fee (5% of unpaid<br>Principal Balance) | \$ 2,711.58         |
| Title Information Certificate                      | \$ 515.00           |
| Release Documents                                  | \$ 28.50            |
| Suspense   | (\$ 459.13)         |
| <b>TOTAL</b>                                       | <b>\$ 59,636.44</b> |

9. The attorney's fees set forth above are in conformity with the mortgage documents and Pennsylvania Law and will be collected in the event of a third party purchaser at Sheriff's sale. If the mortgage is reinstated prior to the Sheriff's sale, reasonable attorney's fees will be charged based on work actually performed.

10. Plaintiff sent to defendant, mortgagor and real owner a combined Notice and Warning of Intention to Foreclose and Notices of Homeowners' Emergency Mortgage Assistance Act of 1983 advising of rights available under the statutes. To date payments have not been received and Act 91 assistance has not been granted although the applicable time periods provided by statute have expired (Exhibit II).

**WHEREFORE**, plaintiff demands judgment for foreclosure and sale of the mortgaged premises in the amount of \$59,636.44, plus per diem interest at \$14.93 from November 06, 2007 to the date of judgment plus costs thereon.



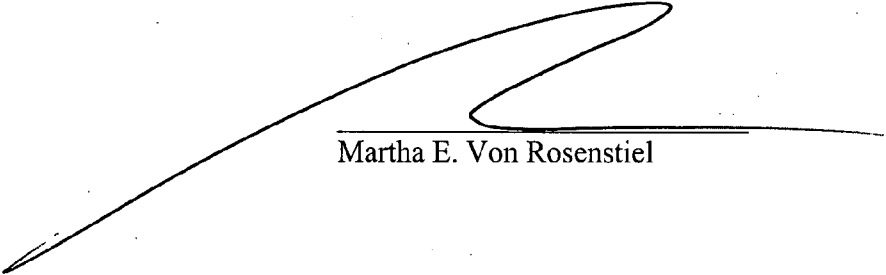
Martha E. Von Rosenstiel  
Attorney for Plaintiff

**VERIFICATION**

MARTHA E. VON ROSENSTIEL, ESQUIRE, of full age, verifies that she is the attorney for the plaintiff in the foregoing action; that she is authorized to make this verification on behalf of plaintiff; and that the statements made in the foregoing Complaint in Mortgage Foreclosure are true and correct to the best of her knowledge, information and belief.

This verification is being executed by the attorney for plaintiff in accordance with Pa R.C.P. 1024( c ) as a signed verification could not be obtained by plaintiff within the time allowed for filing of the pleading.

I understand that false statements herein are made subject to penalties of 18 Pa C.S. Section 4904 relating to unsworn falsification to authorities.



Martha E. Von Rosenstiel

## LEGAL DESCRIPTION

ALL THAT CERTAIN ALL THAT CERTAIN lot or piece of land situate in the Township of Sandy, County of Clearfield and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at an iron pipe in the Southerly line of West Long Avenue, said pipe being North 71 degrees 18' West 58.4 feet from the intersection of the Westerly line of a 16 foot alley and the Southerly line of West Long Avenue; thence South 49 degrees 48' West 150 feet to an iron pipe in the Northerly line of a 12 foot alley; thence along said alley North 71 degrees 18' West 49.6 feet to an iron pipe; thence North 31 degrees 08' East 54 feet to an iron pipe; thence North 26 degrees 28' West 41.3 feet to an iron pipe in the Easterly line of First Street; thence along First Street North 49 degrees 48' East 54.3 feet to an iron pipe in line of West Long Avenue; thence along the Southerly line of West Long Avenue South 71 degrees 18' East 116.8 feet to the place of beginning.

THE above described parcel of ground being part of Lot No. 43 and part of Lot No. 44 of the Edgemont Plan of Lots and having thereon erected a large two-story-frame dwelling house known as 907 West Long Avenue.

SUBJECT to right-of-way for sewer, water and gas, with the right to maintain and repair the same for the benefit of the owners, their heirs and assigns, of Lots Nos. 43 and 44 of the Edgemont Plan of Lots.

FURTHER GRANTING AND CONVEYING unto the Grantee, her heirs and assigns forever, all of the rights with regard to the location of the driveway, which rights are more particularly set forth in an Agreement dated January 17, 1992, entered into between Phyllis Jane Kessler, Executrix of the Estate of John H. Shilling, a/k/a John L. Shilling, deceased, and John Oliver Delp and Ann Marie Delp, husband and wife, which Agreement was recorded in the Office of the Register and Recorder of Deeds of Clearfield County, Pennsylvania, in Deed and Records Book Vol. 1438, Page 567, on January 22, 1992.

TITLE TO SAID PREMISES IS VESTED IN Kimberly R. Baranick by Deed from Jacqueline Delp Benamati, now intermarried with Dwyane F. Virgint and known as Jacqueline Delp Virgint, and Dwayne F. Virgint, dated 7/10/2006 and recorded 7/21/2006 in Instrument #200612169.

Premises being known as 907 West Long Avenue, Du Bois, PA 15801

EXHIBIT I



**Wilshire<sup>SM</sup>**

**Wilshire Credit Corporation**

July 31, 2007

BARANICK, KIMBERLY  
907 W LONG AVE  
DU BOIS, PA 15801

L178E

Payments  
P.O. Box 7195, Pasadena, CA 91109-7195

Correspondence  
P.O. Box 8517, Portland, OR 97207-8517

Phone  
888.917.1052

Fax  
503.952.7476

Web Site  
[www.wcc.ml.com](http://www.wcc.ml.com)

# ACT 91/6 NOTICE TAKE ACTION TO SAVE YOUR HOME FROM FORECLOSURE

This is an official notice that the mortgage on your home is in default, and the lender intends to foreclose. Specific information about the nature of the default is provided in the attached pages.

The HOMEOWNER'S MORTGAGE ASSISTANCE PROGRAM (HEMAP) may be able to help to save your home. This Notice explains how the program works.

To see if HEMAP can help, you must MEET WITH A CONSUMER CREDIT COUNSELING AGENCY WITHIN 30 DAYS OF THE DATE OF THIS NOTICE. Take this notice with you when you meet with the Counseling Agency.

The name, address and phone number of Consumer Credit Counseling Agencies serving your County are listed at the end of this Notice. If you have any questions, you may call the Pennsylvania Housing Finance Agency toll-free at 1.800.342.2397. (Persons with impaired hearing can call 717.780.1869.)

This notice contains important legal information. If you have any questions, representatives at the Consumer Credit Counseling Agency may be able to help explain it. You may also want to contact an attorney in your area. The local bar association may be able to help you find a lawyer.

LA NOTIFICACIÓN EN ADJUNTO ES DE SUMA IMPORTANCIA, PUES AFECTA SU DERECHO A CONTINUAR VIVIENDO EN SU CASA. SI NO COMPRENDE EL CONTENIDO DE ESTA NOTIFICACIÓN OBTENGA UNA TRADUCCIÓN INÉDITAMENTE LLAMANDO ESTA AGENCIA (PENNSYLVANIA HOUSING FINANCE AGENCY) SIN CARGOS AL NUMERO MENCIONADO ARRIBA. PUEDES SER ELEGIBLE PARA UN PRÉSTAMO POR EL PROGRAMA LLAMADO "HOMEOWNER'S EMERGENCY MORTGAGE ASSISTANCE PROGRAM" EL CUAL PUEDE SALVAR SU CASA DE LA

(Continued)

YOU SHOULD CONSIDER THIS LETTER AS COMING FROM A DEBT COLLECTOR AS WE SOMETIMES ACT AS A DEBT COLLECTOR. ANY INFORMATION PROVIDED BY YOU WILL BE USED TO COLLECT THIS DEBT. HOWEVER, IF YOU ARE IN BANKRUPTCY OR RECEIVED A BANKRUPTCY DISCHARGE OF THIS DEBT, THIS LETTER IS NOT AN ATTEMPT TO COLLECT THE DEBT, BUT NOTICE OF POSSIBLE ENFORCEMENT OF OUR LIEN AGAINST THE COLLATERAL PROPERTY. COLORADO: FOR INFORMATION ABOUT THE COLORADO FAIR DEBT COLLECTION PRACTICES ACT, SEE <http://www.ago.state.co.us/cado/cadomain.cfm>. NEW YORK CITY: License 1032551. NORTH CAROLINA: Permit 3840. TENNESSEE: This collection agency is licensed by the Collection Service Board of the Department of Commerce and Insurance. Wilshire Credit Corporation is licensed to do business at 14523 S.W. Millikan Way, Beaverton, OR. Wilshire's office hours are Monday - Friday 6:00 am to 5:00 pm Pacific time, holidays excluded.

L178E

EXHIBIT

II

BARANICK, KIMBERLY

Loan No.:2930504

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July 31, 2007

**PERDIDA DEL DERECHO A REDIMIR SU HIPOTECA.**

HOMEOWNERS' NAME : BARANICK, KIMBERLY

PROPERTY ADDRESS : 907 W LONG AVE  
DU BOIS, PA 158013511

LOAN ACCT. NO. : 2930504

ORIGINAL LENDER : NOVASTAR

CURRENT SERVICER : Wilshire Credit Corporation

**HOMEOWNER'S EMERGENCY MORTGAGE ASSISTANCE PROGRAM**

YOU MAY BE ELIGIBLE FOR FINANCIAL ASSISTANCE WHICH CAN SAVE YOUR HOME FROM FORECLOSURE AND HELP YOU MAKE FUTURE MORTGAGE PAYMENTS.

IF YOU COMPLY WITH THE PROVISIONS OF THE HOMEOWNER'S EMERGENCY MORTGAGE ASSISTANCE ACT OF 1983 (THE "ACT"), YOU MAY BE ELIGIBLE FOR EMERGENCY MORTGAGE ASSISTANCE.

IF YOUR DEFAULT HAS BEEN CAUSED BY CIRCUMSTANCES BEYOND YOUR CONTROL,

IF YOU HAVE A REASONABLE PROSPECT OF BEING ABLE TO PAY YOUR MORTGAGE PAYMENTS, AND

IF YOU MEET OTHER ELIGIBILITY REQUIREMENTS ESTABLISHED BY THE PENNSYLVANIA HOUSING FINANCE AGENCY.

**TEMPORARY STAY OF FORECLOSURE** - Under the Act, you are entitled to a temporary stay of foreclosure on your mortgage for thirty (30) days from the date of this Notice. During that time you must arrange and attend a "face-to-face" meeting with one of the consumer credit counseling agencies listed at the end of this Notice.

**THIS MEETING MUST OCCUR WITHIN THE NEXT (30) DAYS. IF YOU DO NOT APPLY FOR EMERGENCY MORTGAGE ASSISTANCE, YOU MUST BRING YOUR MORTGAGE UP TO DATE. THE PART OF THIS NOTICE CALLED "HOW TO CURE YOUR MORTGAGE DEFAULT", EXPLAINS HOW TO BRING YOUR MORTGAGE UP TO DATE.**

**CONSUMER CREDIT COUNSELING AGENCIES** - If you meet with one of the consumer credit counseling agencies listed at the end of this notice, the lender may NOT take action against you for thirty(30) days after the date of this meeting. The names, addresses and telephone numbers of designated consumer credit counseling agencies for the county in which the property is located are set forth at the end of this Notice. It is only necessary to schedule one face-to-face meeting. Advise your lender immediately of your intentions.

(Continued)

YOU SHOULD CONSIDER THIS LETTER AS COMING FROM A DEBT COLLECTOR AS WE SOMETIMES ACT AS A DEBT COLLECTOR. ANY INFORMATION PROVIDED BY YOU WILL BE USED TO COLLECT THIS DEBT. HOWEVER, IF YOU ARE IN BANKRUPTCY OR RECEIVED A BANKRUPTCY DISCHARGE OF THIS DEBT, THIS LETTER IS NOT AN ATTEMPT TO COLLECT THE DEBT, BUT NOTICE OF POSSIBLE ENFORCEMENT OF OUR LIEN AGAINST THE COLLATERAL PROPERTY. COLORADO: FOR INFORMATION ABOUT THE COLORADO FAIR DEBT COLLECTION PRACTICES ACT, SEE <http://www.ago.state.co.us/cade/cademain.cfm>. NEW YORK CITY: License 1032551. NORTH CAROLINA: Permit 3840. TENNESSEE: This collection agency is licensed by the Collection Service Board of the Department of Commerce and Insurance. Wilshire Credit Corporation is licensed to do business at 14523 S.W. Millikan Way, Beaverton, OR. Wilshire's office hours are Monday - Friday 6:00 am to 5:00 pm Pacific time, holidays excluded.

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BARANICK, KIMBERLY

Loan No.:2930504

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July 31, 2007

**APPLICATION FOR MORTGAGE ASSISTANCE** - Your mortgage is in default for the reasons set forth later in this Notice (see following pages for specific information about the nature of your default.) If you have tried and are unable to resolve this problem with the lender, you have the right to apply for financial assistance from the Homeowner's Emergency Mortgage Assistance Program. To do so, you must fill out, sign and file a completed Homeowner's Emergency Assistance Program Application with one of the designated consumer credit counseling agencies listed at the end of this Notice. Only consumer credit counseling agencies have applications for the program and they will assist you in submitting a complete application to the Pennsylvania Housing Finance Agency. Your application **MUST** be filed or postmarked within thirty (30) days of your face-to-face meeting.

**YOU MUST FILE YOUR APPLICATION PROMPTLY. IF YOU FAIL TO DO SO OR IF YOU DO NOT FOLLOW THE OTHER TIME PERIODS SET FORTH IN THIS LETTER, FORECLOSURE MAY PROCEED AGAINST YOUR HOME IMMEDIATELY AND YOUR APPLICATION FOR MORTGAGE ASSISTANCE WILL BE DENIED.**

**AGENCY ACTION** - Available funds for emergency mortgage assistance are very limited. They will be disbursed by the Agency under the eligibility criteria established by the Act. The Pennsylvania Housing Finance Agency has sixty (60) days to make a decision after they receive your application. During that time, no foreclosure proceedings will be pursued against you if you have met the time requirements set forth above. You will be notified directly by the Pennsylvania Housing Finance Agency of its decision on your application.

**NOTE: IF YOU ARE CURRENTLY PROTECTED BY THE FILING OF A PETITION IN BANKRUPTCY, THE FOLLOWING PART OF THIS NOTICE IS FOR INFORMATION PURPOSES ONLY AND SHOULD NOT BE CONSIDERED AS AN ATTEMPT TO COLLECT THE DEBT.**

(If you have filed bankruptcy you can still apply for Emergency Mortgage Assistance.)

**HOW TO CURE YOUR MORTGAGE DEFAULT (Bring it up to date.)**

**NATURE OF THE DEFAULT** - The MORTGAGE debt held by the above lender on your property located at:  
907 W LONG AVE  
DU BOIS, PA 158013511

IS SERIOUSLY IN DEFAULT because:

YOU HAVE NOT MADE MONTHLY PAYMENTS and the following amounts are past due:

|                 |                   |
|-----------------|-------------------|
| Delinquency     | \$960.58          |
| Late Charges    | \$107.04          |
| Other Charges   | \$9.50            |
| Suspense Amount | \$39.42           |
| <b>TOTAL</b>    | <b>\$1,037.70</b> |

**HOW TO CURE THE DEFAULT** - You may cure the default within THIRTY (30) DAYS of the date of this notice **BY PAYING THE TOTAL AMOUNT PAST DUE TO THE LENDER, WHICH IS \$1,037.70 PLUS**

(Continued)

YOU SHOULD CONSIDER THIS LETTER AS COMING FROM A DEBT COLLECTOR AS WE SOMETIMES ACT AS A DEBT COLLECTOR. ANY INFORMATION PROVIDED BY YOU WILL BE USED TO COLLECT THIS DEBT. HOWEVER, IF YOU ARE IN BANKRUPTCY OR RECEIVED A BANKRUPTCY DISCHARGE OF THIS DEBT, THIS LETTER IS NOT AN ATTEMPT TO COLLECT THE DEBT, BUT NOTICE OF POSSIBLE ENFORCEMENT OF OUR LIEN AGAINST THE COLLATERAL PROPERTY. COLORADO: FOR INFORMATION ABOUT THE COLORADO FAIR DEBT COLLECTION PRACTICES ACT, SEE <http://www.ago.state.co.us/cadc/cadmain.cfm>. NEW YORK CITY: License 1032551. NORTH CAROLINA: Permit 3840. TENNESSEE: This collection agency is licensed by the Collection Service Board of the Department of Commerce and Insurance. Wilshire Credit Corporation is licensed to do business at 14523 S.W. Millikan Way, Beaverton, OR. Wilshire's office hours are Monday - Friday 6:00 am to 5:00 pm Pacific time, holidays excluded.

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BARANICK, KIMBERLY  
Loan No.:2930504  
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July 31, 2007

ANY MORTGAGE PAYMENTS AND LATE CHARGES WHICH BECOME DUE DURING THE THIRTY (30) DAY PERIOD. Payments must be made either by cashier's check certified check or money order made payable and sent to: Wilshire Credit Corporation, P.O. Box 7195, Pasadena, CA 91109-7195.

**IF YOU DO NOT CURE THE DEFAULT** - If you do not cure the default within THIRTY (30) DAYS of the date of this Notice, the lender intends to exercise it's rights to accelerate the mortgage debt. This means that the entire outstanding balance of the debt will be considered due immediately and you may lose the chance to pay the mortgage in monthly installments. If full payment of the total amount past due is not made within THIRTY (30) DAYS, the lender also intends to instruct it's attorneys to start legal action to foreclose upon your mortgaged property.

**IF THE MORTGAGE IS FORECLOSED UPON** - The mortgaged property will be sold by the Sheriff to pay off the mortgage debt. If the lender refers your case to it's attorneys, but you cure the delinquency before the lender begins legal proceedings against you, you will still be required to pay the reasonable attorney's fees that were actually incurred, up to \$50.00. However, if legal proceedings are started against you, you will have to actually incur by the lender even if they exceed \$50.00. The attorney's fees will be added to the amount you owe the lender, which may also include other reasonable costs. If you cure the default within the THIRTY (30) DAY period, you will not be required to pay attorney's fees.

**OTHER LENDER REMEDIES** - The lender may also sue you personally for the unpaid principal balance and all other sums due under the mortgage.

**RIGHT TO CURE THE DEFAULT PRIOR TO SHERIFF'S SALE** - If you have not cured the default within the THIRTY (30) DAY period and foreclosure proceedings have begun, you still have the right to cure the default and prevent the sale at any time up to one hour before the Sheriff's Sale. You may do so by paying the total amount then past due, any late or other charges then due, reasonable attorney's fees any costs connected with the foreclosure sale, any other costs connected with the Sheriff's Sale as specified in writing by the lender, and by performing any other requirements under the mortgage. Curing your default in the manner set forth in this notice will restore your mortgage to the same position as if you had never defaulted.

**EARLIEST POSSIBLE SHERIFF'S SALE DATE** - It is estimated that the earliest date that such a Sheriff's Sale of the mortgaged property could be held would be approximately 6 months from the date of this Notice. A notice of the actual date of the Sheriff's Sale will be sent to you before the sale. Of course, the amount needed to cure the default will increase the longer you wait. You may find out at any time exactly what the required payment of action will be by contacting the lender.

**HOW TO CONTACT THE LENDER:**

Name of Lender : Wilshire Credit Corporation

Address : Payments: P.O. Box 7195, Pasadena, CA 91109-7195  
Correspondence: P.O. Box 8517, Portland, OR 97207-8517

Phone : Toll-Free: 888.917.1052  
Fax Number : 503.952.7476

(Continued)

YOU SHOULD CONSIDER THIS LETTER AS COMING FROM A DEBT COLLECTOR AS WE SOMETIMES ACT AS A DEBT COLLECTOR. ANY INFORMATION PROVIDED BY YOU WILL BE USED TO COLLECT THIS DEBT. HOWEVER, IF YOU ARE IN BANKRUPTCY OR RECEIVED A BANKRUPTCY DISCHARGE OF THIS DEBT, THIS LETTER IS NOT AN ATTEMPT TO COLLECT THE DEBT, BUT NOTICE OF POSSIBLE ENFORCEMENT OF OUR LIEN AGAINST THE COLLATERAL PROPERTY. COLORADO: FOR INFORMATION ABOUT THE COLORADO FAIR DEBT COLLECTION PRACTICES ACT, SEE <http://www.ago.state.co.us/cadc/cadmain.cfm>. NEW YORK CITY: License 1032551. NORTH CAROLINA: Permit 3840. TENNESSEE: This collection agency is licensed by the Collection Service Board of the Department of Commerce and Insurance. Wilshire Credit Corporation is licensed to do business at 14523 S.W. Millikan Way, Beaverton, OR. Wilshire's office hours are Monday - Friday 6:00 am to 5:00 pm Pacific time, holidays excluded.

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BARANICK, KIMBERLY

Loan No.:2930504

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July 31, 2007

Contact : Loan Servicing

**EFFECT OF SHERIFF'S SALE** - You should realize that a Sheriff's Sale will end your ownership of the mortgaged property and your right to occupy it. If you continue to live in the property after the Sheriff's Sale, a lawsuit to remove you and your furnishings and other belongings could be started by the lender at any time.

**ASSUMPTION OF MORTGAGE** - You may or may not sell or transfer your home to a buyer or transferee who will assume the mortgage debt, provided that all the outstanding payments, charges and attorney's fees and costs are paid prior to or at the sale and that the other requirements of the mortgage are satisfied.

**YOU MAY ALSO HAVE THE RIGHT:**

TO SELL THE PROPERTY TO OBTAIN MONEY TO PAY OFF THE MORTGAGE DEBT OR TO BORROW MONEY FROM ANOTHER LENDING INSTITUTION TO PAY OFF THE MORTGAGE DEBT.

TO HAVE THIS DEFAULT CURED BY ANY THIRD PARTY ACTING ON YOUR BEHALF.

TO HAVE THE MORTGAGE RESTORED TO THE SAME POSITION AS IF NO DEFAULT HAD OCCURRED, IF YOU CURE THE DEFAULT. (HOWEVER, YOU DO NOT HAVE THIS RIGHT TO CURE YOUR DEFAULT MORE THAN THREE TIMES IN ANY CALENDAR YEAR.)

TO ASSERT THE NONEXISTENCE OF A DEFAULT IN ANY FORECLOSURE PROCEEDING OR ANY OTHER LAWSUIT INSTITUTED UNDER THE MORTGAGE DOCUMENTS.

TO ASSERT ANY OTHER DEFENSE YOU BELIEVE YOU MAY HAVE TO SUCH ACTION BY THE LENDER.

TO SEEK PROTECTION UNDER THE FEDERAL BANKRUPTCY LAW.

**ATTACHED IS THE CONSUMER CREDIT COUNSELING AGENCIES SERVING YOUR COUNTY**

If you have any questions, please contact us at our toll-free number above.

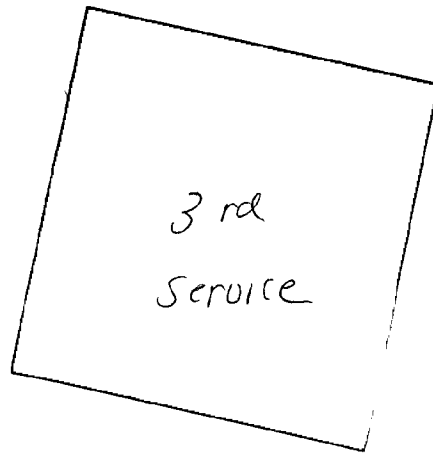
Sincerely,

Loan Servicing

Enclosures: PA CCCS List, How to Avoid Foreclosure

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L178E



3rd  
Service

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

DOCKET # 103629

NO: 07-1802-CD

SERVICE # 1 OF 1

COMPLAINT IN MORTGAGE FORECLOSURE & ORDER

PLAINTIFF: LASALLE BANK, N.A. As Trustee

vs.

DEFENDANT: KIMBERLY BARANICK

**SHERIFF RETURN**

NOW, January 11, 2008 AT 9:46 AM POSTED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE & ORDER FOR KIMBERLY BARANICK AT 907 WEST LONG AVE., DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA.

SERVED BY: NEVLING /

**FILED**  
213-49347  
FEB 20 2008

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103629  
NO: 07-1802-CD  
SERVICES 1  
COMPLAINT IN MORTGAGE FORECLOSURE &

ORDER

PLAINTIFF: LASALLE BANK, N.A. As Trustee  
vs.  
DEFENDANT: KIMBERLY BARANICK

SHERIFF RETURN

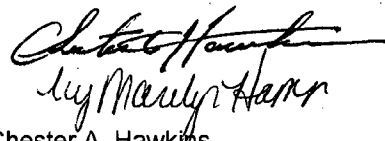
RETURN COSTS

| Description     | Paid By    | CHECK # | AMOUNT |
|-----------------|------------|---------|--------|
| SURCHARGE       | ROSENSTIEL | 25656   | 10.00  |
| SHERIFF HAWKINS | ROSENSTIEL | 25656   | 28.19  |

Sworn to Before Me This

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

So Answers,



Chester A. Hawkins  
Sheriff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

LASALLE BANK, N.A. AS TRUSTEE FOR THE MLMI  
TRUST SERIES 2006-HE6  
14523 SW Millikan Way, Suite 200  
Beaverton, OR 97005

Plaintiff  
V.

NO. 07-1802-CD

KIMBERLY BARANICK  
917 West Long Avenue  
Du Bois, PA 15801

Defendant

**FILED** *Atty pd.*  
*m/240/51 20.00*  
**MAR 03 2008** *cc@Notice*  
William A. Shaw *to Def.*  
Prothonotary/Clerk of Courts  
*Statement*  
*to Atty*  
*(G10)*

**PRAECIPE FOR DEFAULT JUDGMENT**

To the Prothonotary:

(XX) Enter judgment in favor of Plaintiff and against: Kimberly Baranick for want of an answer.

(X) Assess Damages as Follows

|                                 |              |
|---------------------------------|--------------|
| Debt                            | \$ 59,636.44 |
| Interest from 11/6/07 to 3/3/08 |              |
| At \$14.93 per diem             | \$ 1,776.67  |
| Total                           | \$ 61,413.11 |

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. 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 attorney of record, if any, after the default occurred and at least (10) days prior to the date of the filing of this Praecipe. A copy of the Notice is attached. R.C.P. 237.1

\_\_\_\_\_  
Attorney for Plaintiff

Martha E. Von Rosenstiel Attorney I.D. #52634

\_\_\_\_\_  
Print/Type Name and ID Number

\_\_\_\_\_  
Phone: (610) 328-2887

This 3<sup>rd</sup> day of March, 2008 judgment is entered in favor of the Plaintiff and against Defendant(s), Kimberly Baranick by default for want of an answer and damages assessed at the sum of \$61,413.11 as per the above certification.

*William A. Shaw*  
\_\_\_\_\_  
Prothonotary, Clearfield County

Martha E. Von Rosenstiel, P.C. Attorney for Plaintiff  
Martha E. Von Rosenstiel  
649 South Avenue, P.O. Box 307  
Secane, PA 19018  
(610) 328-2887  
Attorney I.D.# 52634

LASALLE BANK, N.A. AS TRUSTEE FOR  
THE MLMI TRUST SERIES 2006-HE6  
14523 SW Millikan Way, Suite 200  
Beaverton, OR 97005  
Plaintiff

vs.  
KIMBERLY BARANICK  
917 West Long Avenue  
Du Bois, PA 15801  
Defendant

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

Case No: 07-1802-CD

TO:

Kimberly Baranick  
907 West Long Avenue  
Du Bois, PA 15801

### IMPORTANT NOTICE

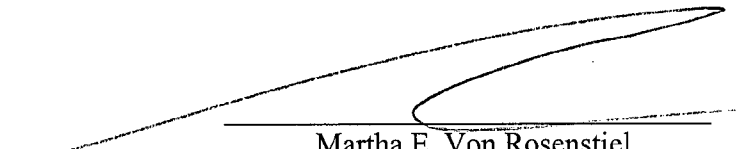
YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT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

YOU SHOULD TAKE THIS NOTICE TO A LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, 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  
PENNSYLVANIA BAR ASSOCIATION  
P.O. BOX 186  
HARRISBURG PA 17108  
800-692-7375

DAVID S. MEHOLICK  
COURT ADMINISTRATOR  
CLEARFIELD COUNTY COURT HOUSE  
CLEARFIELD, PA 16830



Martha E. Von Rosenstiel  
Attorney for Plaintiff

Dated: February 21, 2008

Martha E. Von Rosenstiel, P.C.  
Martha E. Von Rosenstiel  
649 South Avenue, P.O. Box 307  
Secane, PA 19018  
(610) 328-2887  
Attorney I.D.# 52634

Attorney for Plaintiff

|                                     |                       |
|-------------------------------------|-----------------------|
| LASALLE BANK, N.A. AS TRUSTEE FOR : | COURT OF COMMON PLEAS |
| THE MLMI TRUST SERIES 2006-HE6 :    | CLEARFIELD COUNTY     |
| 14523 SW Millikan Way, Suite 200 :  |                       |
| Beaverton, OR 97005 :               |                       |
| Plaintiff :                         |                       |
| vs. :                               | Case No: 07-1802-CD   |
| KIMBERLY BARANICK :                 |                       |
| 917 West Long Avenue :              |                       |
| Du Bois, PA 15801 :                 |                       |
| Defendant :                         |                       |

TO:  
Kimberly Baranick  
917 West Long Avenue  
Du Bois, PA 15801

### IMPORTANT NOTICE


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DAVID S. MEHOLICK  
COURT ADMINISTRATOR  
CLEARFIELD COUNTY COURT HOUSE  
CLEARFIELD, PA 16830



Martha E. Von Rosenstiel  
Attorney for Plaintiff

Dated: February 21, 2008

Martha E. Von Rosenstiel, P.C. Attorney for Plaintiff  
Martha E. Von Rosenstiel  
649 South Avenue, Unit 6  
Secane, PA 19018  
610-328-2887  
Attorney I.D.# 52634

LASALLE BANK, N.A. AS TRUSTEE FOR THE : COURT OF COMMON PLEAS  
MLMI TRUST SERIES 2006-HE6 : CLEARFIELD COUNTY  
14523 SW Millikan Way, Suite 200 :  
Beaverton, OR 97005 :

Plaintiff

No: 07-1802-CD

vs.

KIMBERLY BARANICK  
917 West Long Avenue  
Du Bois, PA 15801

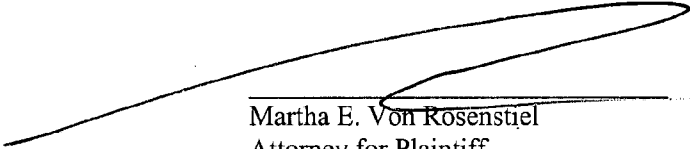
Defendant

**NON MILITARY AFFIDAVIT**

Martha E. Von Rosenstiel, Esquire hereby certifies that:

1. I am the attorney for the plaintiff herein.
2. The individual involved in this action is the owner of the premises described in the mortgage underlying this action.
3. The procedures of the Law Office of Martha E. Von Rosenstiel, P.C. are designed to discover facts concerning the military status of the mortgagor and/or real owner.
4. Said procedures were followed in connection with the instant foreclosure proceeding.
5. Inquiry made with the Department of Defense, has confirmed that the defendant is not in the military.
6. On information and belief, named mortgagor and real owner is not incompetent nor a service member in military service as defined by the Servicemembers Civil Relief Act, 50 U.S.C. Appx. Section 501 et seq.

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

  
Martha E. Von Rosenstiel  
Attorney for Plaintiff

Dated: March 03, 2008



OFFICE OF THE PROTHONOTARY  
COURT OF COMMON PLEAS

Court House, 230 East Market Street, Clearfield, PA 16830

William A. Shaw, Sr., Prothonotary

Kimberly Baranick  
907 West Long Avenue  
Du Bois, PA 15801

LASALLE BANK, N.A. AS TRUSTEE FOR THE  
MLMI TRUST SERIES 2006-HE6  
14523 SW Millikan Way, Suite 200  
Beaverton, OR 97005

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

PLAINTIFF

NO: 07-1802-CD

VS.

KIMBERLY BARANICK  
917 West Long Avenue  
Du Bois, PA 15801

DEFENDANT

Notice

Pursuant to Rule 236 of the Supreme Court of Pennsylvania, you are hereby notified that a Judgment has been entered against you in the above proceeding as indicated below in the amount of \$61,413.11 on March 03, 2008.

William A. Shaw, Sr.

Prothonotary

- ☒ Judgment by Default
- ☐ Money Judgment
- ☐ Judgment in Replevin
- ☐ Judgment for Possession
- ☐ Judgment on Award of Arbitration
- ☐ Judgment on Court Findings

If you have any questions concerning this notice, please call: Attorney Martha E. Von Rosenstiel, Esquire at this telephone number: 610-328-2887.



OFFICE OF THE PROTHONOTARY  
COURT OF COMMON PLEAS

Court House, 230 East Market Street, Clearfield, PA 16830

William A. Shaw, Sr., Prothonotary

Kimberly Baranick  
917 West Long Avenue  
Du Bois, PA 15801

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PLAINTIFF

VS.

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Du Bois, PA 15801

DEFENDANT

: COURT OF COMMON PLEAS  
: CLEARFIELD COUNTY  
:  
:  
:

: NO: 07-1802-CD  
:  
:

Notice

Pursuant to Rule 236 of the Supreme Court of Pennsylvania, you are hereby notified that a Judgment has been entered against you in the above proceeding as indicated below in the amount of \$61,413.11 on March 03, 2008.

William A. Shaw, Sr.

Prothonotary

- ☒ Judgment by Default
- ☐ Money Judgment
- ☐ Judgment in Replevin
- ☐ Judgment for Possession
- ☐ Judgment on Award of Arbitration
- ☐ Judgment on Court Findings

If you have any questions concerning this notice, please call: Attorney Martha E. Von Rosenstiel, Esquire at this telephone number: 610-328-2887.

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

COPY

LaSalle Bank, N.A.  
Mlmi Trust Series 2006-HE6  
Plaintiff(s)

No.: 2007-01802-CD

Real Debt: \$61,413.11

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Kimberly Baranick  
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: March 3, 2008

Expires: March 3, 2013

Certified from the record this 3rd day of March, 2008.



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

# Commonwealth of Pennsylvania

## COUNTY OF CLEARFIELD

LASALLE BANK, N.A. AS TRUSTEE FOR THE MLMI TRUST COURT OF COMMON PLEAS  
 SERIES 2006-HE6

KIMBERLY BARANICK

v.

DOCKET NO. 07-1802-CD  
 ATTORNEY I.D. #52634

## Praecipe for Writ of Execution

TO THE PROTHONOTARY:

Issue Writ of Execution in the above matter:

|                                     |              |
|-------------------------------------|--------------|
| AMOUNT DUE                          | \$ 61,413.11 |
| INTEREST from 3/4/2008 to Sale Date |              |
| At \$10.10 per diem                 | \$           |
| TOTAL*                              | \$           |
| *Plus costs to be endorsed          |              |

Prothonotary costs

139.00

Martha E. Von Rosenstiel  
 Attorney for Plaintiff  
 649 South Avenue, Unit #7  
 Secane, PA 19018  
 (610) 328-2887

PREM: 907 West Long Avenue, Du Bois, PA 15801

**FILED**

MAR 17 2008

William A. Shaw  
 Prothonotary/Clerk of Courts

Any pd. 20.00  
 m 13:50  
 ICC & Lowits  
 w/prop desc.  
 to Sheriff  
 ICC Any

COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY  
NO. 07-1802-CD

LASALLE BANK, N.A. AS TRUSTEE FOR THE  
MLMI TRUST SERIES 2006-HE6

v.  
KIMBERLY BARANICK

**Praecipe for Writ of Execution**  
(Mortgage Foreclosure)

AMOUNT DUE \$ 61,413.11  
INTEREST from 3/4/2008  
to Sale Date \$ \$  
At \$10.10 per diem \$ \$  
TOTAL\* \$ \$  
\*Plus costs to be endorsed  
Prothonotary costs 139.00

Martha E. Von Rosenstiel  
Attorney for Plaintiff  
649 South Avenue, Unit #7  
Secane, PA 19018  
(610) 328-2887

**FILED**

**MAR 17 2008**

William A. Shaw  
Prothonotary/Clerk of Courts

**Commonwealth Of Pennsylvania**  
COUNTY OF CLEARFIELD

LASALLE BANK, N.A. AS TRUSTEE FOR  
THE MLMI TRUST SERIES 2006-HE6  
14523 SW Millikan Way, Suite 200  
Beaverton, OR 97005

COURT OF COMMON PLEAS  
DOCKET NO. 07-1802-CD  
ATTORNEY I.D. #52634

COPY

v

KIMBERLY BARANICK  
917 West Long Avenue  
Du Bois, PA 15801

**Writ Of Execution**  
(Mortgage Foreclosure)

TO THE SHERIFF OF CLEARFIELD  
COUNTY

To satisfy the judgment, interest and costs in the above matter you are directed to levy upon and sell the following described property: 907 West Long Avenue Du Bois PA 15801 (see attached Exhibit I)

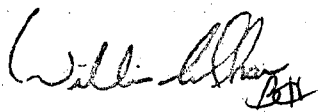
|                                     |              |
|-------------------------------------|--------------|
| AMOUNT DUE                          | \$ 61,413.11 |
| INTEREST FROM 3/4/2008 to Sale Date |              |
| at \$10.10 per diem                 | \$           |

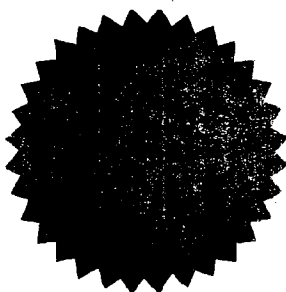
TOTAL\* \$

\*Plus costs to be endorsed  
Prothonotary costs 139.00

William A. Shaw, Sr., Prothonotary

By:

  
3/17/08  
Deputy



COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY  
NO. 07-1802-CD

LASALLE BANK, N.A. AS TRUSTEE FOR  
THE MLMI TRUST SERIES 2006-HE6  
v.  
KIMBERLY BARANICK

---

**Writ of Execution**  
(Mortgage Foreclosure)

|                           |             |                    |
|---------------------------|-------------|--------------------|
| COSTS                     |             |                    |
| Amount due                | \$61,413.11 |                    |
| Interest from 3/4/2008 to |             |                    |
| Sale Date at \$10.10 per  |             |                    |
| diem                      | \$          |                    |
| Attorney                  |             |                    |
| Atty,'s Comm              |             |                    |
| Copies                    |             |                    |
| Prothy                    |             |                    |
| Sat                       |             |                    |
| Sheriff's Costs           |             |                    |
| Foreclosure Costs         |             |                    |
| TOTAL                     | 139.00      | Prothonotary costs |

Martha E. Von Rosenstiel  
Attorney for Plaintiff  
649 South Avenue, Unit #7  
Secane, PA 19018  
(610) 328-2887

Martha E. Von Rosenstiel, P.C.  
 Martha E. Von Rosenstiel, Esquire  
 649 South Avenue, Unit 6  
 Secane, PA 19018  
 610-328-2887  
 Attorney I.D.# 52634

Attorney for Plaintiff

LASALLE BANK, N.A. AS TRUSTEE FOR : COURT OF COMMON PLEAS  
 THE MLMI TRUST SERIES 2006-HE6 : CLEARFIELD COUNTY  
 Plaintiff :

VS. :

NO: 07-1802-CD

KIMBERLY BARANICK :  
 Defendants :

## **LEGAL DESCRIPTION**

ALL THAT CERTAIN lot or piece of land situate in the Township of Sandy, County of Clearfield and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at an iron pipe in the Southerly line of West Long Avenue, said pipe being North 71 degrees 18' West 58.4 feet from the intersection of the Westerly line of a 16 foot alley and the Southerly line of West Long Avenue; thence South 49 degrees 48' West 150 feet to an iron pipe in the Northerly line of a 12 foot alley; thence along said alley North 71 degrees 18' West 49.6 feet to an iron pipe; thence North 31 degrees 08' East 54 feet to an iron pipe; thence North 26 degrees 28' West 41.3 feet to an iron pipe in the Easterly line of First Street; thence along First Street North 49 degrees 48' East 54.3 feet to an iron pipe in line of West Long Avenue; thence along the Southerly line of West Long Avenue South 71 degrees 18' East 116.8 feet to the place of beginning.

THE above described parcel of ground being part of Lot No. 43 and part of Lot No. 44 of the Edgemont Plan of Lots and having thereon erected a large two-story-frame dwelling house known as 907 West Long Avenue.

SUBJECT to right-of-way for sewer, water and gas, with the right to maintain and repair the same for the benefit of the owners, their heirs and assigns, of Lots Nos. 43 and 44 of the Edgemont Plan of Lots.

FURTHER GRANTING AND CONVEYING unto the Grantee, her heirs and assigns forever, all of the rights with regard to the location of the driveway, which rights are more particularly set forth in an Agreement dated January 17, 1992, entered into between Phyllis Jane Kessler, Executrix of the Estate of John H. Shilling, a/k/a John L. Shilling, deceased, and John Oliver Delp and Ann Marie Delp, husband and wife, which Agreement was recorded in the Office of the Register and Recorder of Deeds of Clearfield County, Pennsylvania, in Deed and Records Book Vol. 1438, Page 567, on January 22, 1992.

TITLE TO SAID PREMISES IS VESTED IN Kimberly R. Baranick by Deed from Jacqueline Delp Benamati, now intermarried with Dwyane F. Virgint and known as Jacqueline Delp Virgint, and Dwayne F. Virgint, dated 7/10/2006 and recorded 7/21/2006 in Instrument #200612169.

TAX PARCEL #128-B03-442-000023

IMPROVEMENTS: Residential dwelling

#21736CAM - DK

Attorney for Plaintiff

Martha E. Von Rosenstiel, P.C.  
Martha E. Von Rosenstiel, Esquire  
649 South Avenue, Unit 6  
Secane, PA 19018  
610-328-2887  
Attorney I.D.# 52634

FILED  
7/3:47/61  
MAR 17 2008  
cc  
GP

William A. Shaw  
Prothonotary/Clerk of Courts

LASALLE BANK, N.A. AS TRUSTEE FOR : COURT OF COMMON PLEAS  
THE MLMI TRUST SERIES 2006-HE6 : CLEARFIELD COUNTY

Plaintiff

VS.

NO: 07-1802-CD

KIMBERLY BARANICK

Defendant(s)

### AFFIDAVIT OF NOTICE PURSUANT TO RULE 3129.1

**MARTHA E. VON ROSENSTIEL, ESQUIRE**, attorney for the Plaintiff in the above action, sets forth as of the date the Praecipe for the Writ of Execution was filed the following information concerning the real property located at 907 West Long Avenue, Du Bois, PA 15801:

1. Name and address of owners(s) or reputed owner(s)

Kimberly Baranick  
917 West Long Avenue  
Du Bois, PA 15801

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

Kimberly Baranick  
917 West Long Avenue  
Du Bois, PA 15801

3. Name and address of every other person of whom plaintiff has knowledge who has any interest in the property which may be affected by the sale:

Clearfield County Tax Claim  
230 East Market Street  
Clearfield, PA 16830

Clearfield County Register Wills  
County Courthouse  
Clearfield, PA 16830

Attorney General of U.S.  
C/o Assistant Atty. General Tax Division  
U.S. Department of Justice  
Post Office Box 227  
Washington, DC 20044

PA. Department of Revenue  
Inheritance Tax Bureau  
Strawberry Square, 11th Floor  
Harrisburg, PA 17128

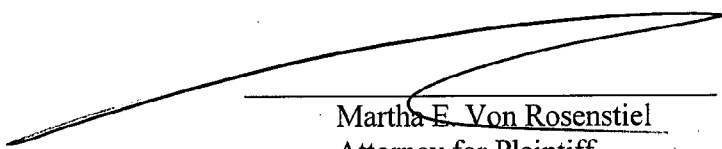
Bureau of Compliance  
Clearance Support Section  
Attn: Sheriff's Sale  
Dept. 281230  
Harrisburg, PA 17129

Family Court/Domestic Relations  
Clearfield County Courthouse  
1 North Second Street  
Clearfield, PA 16830

Department of Public Welfare  
P.O. Box 2675  
Harrisburg, PA 17105

Occupant  
907 West Long Avenue  
Du Bois, PA 15801

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



Martha E. Von Rosenstiel  
Attorney for Plaintiff

Dated: March 13, 2008

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20749  
NO: 07-1802-CD

PLAINTIFF: LASALLE BANK, N.A. AS TRUSTEE FOR THE MLMI TRUST SERIES 2006-HE6

vs.

DEFENDANT: KIMBERLY BARANICK

Execution REAL ESTATE

SHERIFF RETURN

DATE RECEIVED WRIT: 3/18/2008

LEVY TAKEN @

POSTED @

SALE HELD

SOLD TO

SOLD FOR AMOUNT PLUS COSTS

WRIT RETURNED 4/14/2008

DATE DEED FILED **NOT SOLD**

**FILED**

0110:4184  
APR 14 2008

William A. Shaw  
Prothonotary/Clerk of Courts

DETAILS

@

SERVED

NOW, MARCH 18, 2008 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY; REQUESTING US NOT TO ISSUE A SALE DATE, DUE TO A BANKRUPTCY FILING.

@

SERVED

NOW, APRIL 14, 2008 RETURN WRIT AS DOCKETED ONLY. DEFENDANT FILED BANKRUPTCY BEFORE SHERIFF'S OFFICE RECEIVED THE WRIT PACKAGE.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20749  
NO: 07-1802-CD

PLAINTIFF: LASALLE BANK, N.A. AS TRUSTEE FOR THE MLMI TRUST SERIES 2006-HE6

vs.

DEFENDANT: KIMBERLY BARANICK

Execution REAL ESTATE

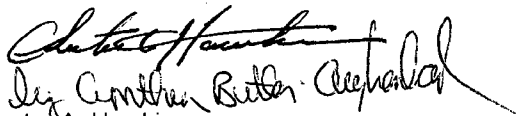
SHERIFF RETURN

---

SHERIFF HAWKINS \$15.56

SURCHARGE \$20.00 PAID BY ATTORNEY

So Answers,

  
Chester A. Hawkins  
Sheriff

# Commonwealth Of Pennsylvania

## COUNTY OF CLEARFIELD

LASALLE BANK, N.A. AS TRUSTEE FOR  
THE MLMI TRUST SERIES 2006-HE6  
14523 SW Millikan Way, Suite 200  
Beaverton, OR 97005

COURT OF COMMON PLEAS  
DOCKET NO. 07-1802-CD  
ATTORNEY I.D. #52634

v

KIMBERLY BARANICK  
917 West Long Avenue  
Du Bois, PA 15801

## Writ Of Execution

(Mortgage Foreclosure)

TO THE SHERIFF OF CLEARFIELD  
COUNTY

To satisfy the judgment, interest and costs in the above matter you are directed to levy upon and sell the following described property: 907 West Long Avenue Du Bois PA 15801 (see attached Exhibit I)

|               |                       |              |
|---------------|-----------------------|--------------|
| AMOUNT DUE    |                       | \$ 61,413.11 |
| INTEREST FROM | 3/4/2008 to Sale Date |              |
|               | at \$10.10 per diem   | \$           |
| TOTAL*        |                       | \$           |

\*Plus costs to be endorsed  
Prothonotary costs 139.00

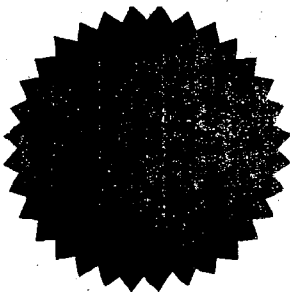
William A. Shaw, Sr., Prothonotary

By:

*William A. Shaw, Sr.*

3/17/08

Deputy



Received this writ this 18<sup>th</sup> day  
of March A.D. 2008  
At 11:00 A.M./P.M.

*Charles A. Henderson*  
Sheriff *Deputy Cynthia Butler-DeGhale*

COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY  
NO. 07-1802-CD

LASALLE BANK, N.A. AS TRUSTEE FOR  
THE MLMI TRUST SERIES 2006-HE6

v.

KIMBERLY BARANICK

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**Writ of Execution**  
(Mortgage Foreclosure)

|                           |                           |
|---------------------------|---------------------------|
| COSTS                     |                           |
| Amount due                | \$61,413.11               |
| Interest from 3/4/2008 to |                           |
| Sale Date at \$10.10 per  |                           |
| diem                      | \$                        |
| Attorney                  |                           |
| Atty.'s Comm              |                           |
| Copies                    |                           |
| Prothy                    |                           |
| Sat                       |                           |
| Sheriff's Costs           |                           |
| Foreclosure Costs         |                           |
| TOTAL                     | 139.00 Prothonotary costs |

Martha E. Von Rosenstiel  
Attorney for Plaintiff  
649 South Avenue, Unit #7  
Secane, PA 19018  
(610) 328-2887

Martha E. Von Rosenstiel, P.C.  
 Martha E. Von Rosenstiel, Esquire  
 649 South Avenue, Unit 6  
 Secane, PA 19018  
 610-328-2887  
 Attorney I.D.# 52634

Attorney for Plaintiff

LASALLE BANK, N.A. AS TRUSTEE FOR : COURT OF COMMON PLEAS  
 THE MLMI TRUST SERIES 2006-HE6 : CLEARFIELD COUNTY  
 Plaintiff :

VS. :

NO: 07-1802-CD

KIMBERLY BARANICK :  
 Defendants :

## **LEGAL DESCRIPTION**

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TITLE TO SAID PREMISES IS VESTED IN Kimberly R. Baranick by Deed from Jacqueline Delp Benamati, now intermarried with Dwyane F. Virgint and known as Jacqueline Delp Virgint, and Dwayne F. Virgint, dated 7/10/2006 and recorded 7/21/2006 in Instrument #200612169.

TAX PARCEL #128-B03-442-000023

IMPROVEMENTS: Residential dwelling

**REAL ESTATE SALE  
SCHEDULE OF DISTRIBUTION**

NAME

NO. 07-1802-CD

NOW, April 14, 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 , I exposed the within described real estate of Kimberly Baranick to public venue or outcry at which time and place I sold the same to he/she being the highest bidder, for the sum of and made the following appropriations, viz:

**SHERIFF COSTS:**

|                       |       |
|-----------------------|-------|
| RDR                   | 15.00 |
| SERVICE               |       |
| MILEAGE               |       |
| LEVY                  |       |
| MILEAGE               |       |
| POSTING               |       |
| CSDS                  |       |
| COMMISSION            | 0.00  |
| POSTAGE               | 0.56  |
| HANDBILLS             |       |
| DISTRIBUTION          |       |
| ADVERTISING           |       |
| ADD'L SERVICE         |       |
| DEED                  |       |
| ADD'L POSTING         |       |
| ADD'L MILEAGE         |       |
| ADD'L LEVY            |       |
| BID/SETTLEMENT AMOUNT |       |
| RETURNS/DEPUTIZE      |       |
| COPIES                |       |

BILLING/PHONE/FAX  
CONTINUED SALES  
MISCELLANEOUS

**TOTAL SHERIFF COSTS                    \$15.56**

**DEED COSTS:**

|                         |               |
|-------------------------|---------------|
| ACKNOWLEDGEMENT         |               |
| REGISTER & RECORDER     |               |
| TRANSFER TAX 2%         | 0.00          |
| <b>TOTAL DEED COSTS</b> | <b>\$0.00</b> |

**PLAINTIFF COSTS, DEBT AND INTEREST:**

|                                |                |
|--------------------------------|----------------|
| DEBT-AMOUNT DUE                |                |
| INTEREST @                     | 0.00           |
| FROM TO                        |                |
| ATTORNEY FEES                  |                |
| PROTH SATISFACTION             |                |
| LATE CHARGES AND FEES          |                |
| COST OF SUIT-TO BE ADDED       |                |
| FORECLOSURE FEES               |                |
| ATTORNEY COMMISSION            |                |
| REFUND OF ADVANCE              |                |
| REFUND OF SURCHARGE            | 20.00          |
| SATISFACTION FEE               |                |
| ESCROW DEFICIENCY              |                |
| PROPERTY INSPECTIONS           |                |
| INTEREST                       |                |
| MISCELLANEOUS                  |                |
| <b>TOTAL DEBT AND INTEREST</b> | <b>\$20.00</b> |

**COSTS:**

|                     |                |
|---------------------|----------------|
| ADVERTISING         | 0.00           |
| TAXES - COLLECTOR   |                |
| TAXES - TAX CLAIM   |                |
| DUE                 |                |
| LIEN SEARCH         |                |
| ACKNOWLEDGEMENT     |                |
| DEED COSTS          | 0.00           |
| SHERIFF COSTS       | 15.56          |
| LEGAL JOURNAL COSTS | 0.00           |
| PROTHONOTARY        |                |
| MORTGAGE SEARCH     |                |
| MUNICIPAL LIEN      |                |
| <b>TOTAL COSTS</b>  | <b>\$15.56</b> |

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

**MARTHA E. VON ROSENSTIEL, P.C.**  
**ATTORNEY AT LAW**  
649 SOUTH AVENUE, UNIT 7  
P.O. BOX 307  
SECANE, PA 19018

PHONE (610) 328-2887  
FAX (610) 328-2649

Martha E. Von Rosenstiel, Esquire  
Keri P. Claes, Esquire

March 18, 2008

Office of the Sheriff of Clearfield County  
Attn: Real Estate Division  
Court House  
230 East Market Street  
Clearfield, PA 16830  
FAX #: 814-765-5915  
ATTN: Cindy

RE: Kimberly Baranick  
907 West Long Avenue Du Bois PA 15801  
Docket No. 07-1802-CD  
Our #21736-MLC-DK (Stay Sale Bankruptcy)

Dear Cindy:

We are awaiting a sale date from your office for this case, however, the defendant has filed a bankruptcy petition on this case. Please do not issue a sale date or advertise for this property. We will re-issue a writ of execution and re-attempt listing for sale once the case is out of bankruptcy. The bankruptcy information is as follows:

Name of Debtor: Kimberly Baranick  
Bankruptcy No.: **08-70264**  
Date Filed: 3/14/2008

Thank you.

Sincerely yours,  
*Trinity McDaniel*  
Trinity McDaniel  
Paralegal Assistant  
Martha E. Von Rosenstiel, P.C.

MARTHA E. VON ROSENSTIEL, P.C.  
 Martha E. Von Rosenstiel, Esquire / No. 52634  
 Jacqueline F. McNally, Esquire / No. 201332  
 649 South Avenue, Suite 7  
 Secane, PA 19018  
 (610) 328-2887

Attorneys for Plaintiff

LASALLE BANK, N.A. AS TRUSTEE FOR :  
 THE MLMI TRUST SERIES 2006-HE6 :  
 Plaintiff

COURT OF COMMON PLEAS  
 CLEARFIELD COUNTY

vs.

KIMBERLY BARANICK  
 Defendant(s)

Case No: 07-1802-CD

**FILED** ICC Att  
 m/11:35am Von Rosenstiel  
 FEB 06 2012 GIC

William A. Shaw  
 Prothonotary/Clerk of Courts

**PRAECIPE TO SUBSTITUTE ATTORNEY**

TO THE PROTHONOTARY:

Kindly withdraw my appearance as attorney for the Plaintiff in the above captioned action.

Respectfully Submitted,  
 MARTHA E. VON ROSENSTIEL, P.C.

BY:

Martha E. Von Rosenstiel, Esquire  
 Jacqueline F. McNally, Esquire  
 Attorneys for Plaintiff

Dated: January 11, 2012

TO THE PROTHONOTARY:

Kindly enter my appearance as attorney for the Plaintiff in the above captioned action.

Respectfully Submitted,  
 MCCABE, WEISBERG & CONWAY, P.C.

BY:

*Marci J. Conway*

Dated: January 11, 2012

McCABE, WEISBERG, CONWAY, P.C.

BY: TERRENCE J. McCABE, ESQUIRE - ID # 16496  
MARC S. WEISBERG, ESQUIRE - ID # 17616  
EDWARD D. CONWAY, ESQUIRE - ID # 34687  
MARGARET GAIRO, ESQUIRE - ID # 34419  
ANDREW L. MARKOWITZ, ESQUIRE - ID # 28009  
HEIDI R. SPIVAK, ESQUIRE - ID # 74770  
MARISA J. COHEN, ESQUIRE - ID # 87830  
KEVIN T. McQUAIL, ESQUIRE - ID # 307169  
CHRISTINE L. GRAHAM, ESQUIRE - ID # 309480  
BRIAN T. LaMANNA, ESQUIRE - ID # 310321

Attorneys for Plaintiff

123 South Broad Street, Suite 2080  
Philadelphia, Pennsylvania 19109  
(215) 790-1010

LASALLE BANK, N.A. AS TRUSTEE  
FOR THE MLMI TRUST SERIES  
2006-HE6

Plaintiff

v.

KIMBERLY BARANICK  
Defendant

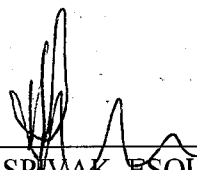
COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

No. 07-1802-CD

**CERTIFICATE OF SERVICE**

I, HEIDI R. SPIVAK, Esquire, Attorney for Plaintiff, hereby certifies that a true and correct copy of the within Praecipe to Substitute Attorney was served on the below parties on the \_\_\_\_ day of January, 2012, by the United States mail, first class:

DATE: 2/1/12

  
HEIDI R. SPIVAK, ESQUIRE  
Attorney for Plaintiff

FILED

**FILED**

**FEB 06 2012**

William A. Shaw  
Prothonotary/Clerk of Courts

**McCABE, WEISBERG AND CONWAY, P.C.**

BY: **TERRENCE J. McCABE, ESQUIRE - ID # 16496**  
**MARC S. WEISBERG, ESQUIRE - ID # 17616**  
**EDWARD D. CONWAY, ESQUIRE - ID # 34687**  
**MARGARET GAIRO, ESQUIRE - ID # 34419**  
**ANDREW L. MARKOWITZ, ESQUIRE - ID # 28009**  
**HEIDI R. SPIVAK, ESQUIRE - ID # 74770**  
**MARISA J. COHEN, ESQUIRE - ID # 87830**  
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**CHRISTINE L. GRAHAM, ESQUIRE - ID # 309480**  
**BRIAN T. LAMANNA, ESQUIRE - ID # 310321**  
**ANN E. SWARTZ, ESQUIRE - ID # 201926**  
**JOSEPH F. RIGA, ESQUIRE - ID # 57716**  
**JOSEPH I. FOLEY, ESQUIRE - ID # 314675**

**Attorneys for Plaintiff**

**FILED** po \$7.00 Atty  
m 12:27pm ICC to Atty  
MAR 18 2013 Weisberg.

William A. Shaw  
Prothonotary/Clerk of Courts

**123 South Broad Street, Suite 1400**  
**Philadelphia, Pennsylvania 19109**  
**(215) 790-1010**

U.S. Bank, National Association, as Successor Trustee to  
Bank of America, N.A., as Successor by Merger to  
LaSalle Bank, N.A. as Trustee for the Certificateholders  
of the MLMI Trust, Mortgage Loan Asset-Backed  
Certificates, Series 2006-HE6  
Plaintiff

**CLEARFIELD COUNTY**  
**COURT OF COMMON PLEAS**

No. 07-1802-CD

v.

Kimberly Baranick  
Defendant

**PRAECIPE TO DISCONTINUE AND END**

TO THE PROTHONOTARY:

Kindly mark the above-captioned matter as Discontinued and Ended, without prejudice, upon  
payment of your costs only.

DATE: 3/14/07

**McCABE, WEISBERG AND CONWAY, P.C.**

BY: Marc S. Weisberg

|   |   |
|---|---|
| <input type="checkbox"/> Terrence J. McCabe, Esquire  | <input checked="" type="checkbox"/> Marc S. Weisberg, Esquire |
| <input type="checkbox"/> Edward D. Conway, Esquire    | <input type="checkbox"/> Margaret Gairo, Esquire              |
| <input type="checkbox"/> Andrew L. Markowitz, Esquire | <input type="checkbox"/> Heidi R. Spivak, Esquire             |
| <input type="checkbox"/> Marisa J. Cohen, Esquire     | <input type="checkbox"/> Kevin T. McQuail, Esquire            |
| <input type="checkbox"/> Christine L. Graham, Esquire | <input type="checkbox"/> Brian T. LaManna, Esquire            |
| <input type="checkbox"/> Ann E. Swartz, Esquire       | <input type="checkbox"/> Joseph F. Riga, Esquire              |
| <input type="checkbox"/> Joseph I. Foley, Esquire     |   |

Attorneys for Plaintiff

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**COURT OF COMMON PLEAS**

No. 07-1802-CD

Kimberly Baranick  
Defendant

**PRAECIPE TO VACATE JUDGMENT**

TO THE PROTHONOTARY:

Kindly vacate, upon payment of your costs only, the default judgment entered in the above-captioned matter against defendant KIMBERLY BARANICK on March 3, 2008. This praecipe to vacate is filed without prejudice to plaintiff's rights in this matter and is without prejudice to plaintiff's right of recovery against defendant on the underlying obligation.

DATE: 3/14/13

**McCABE, WEISBERG AND CONWAY, P.C.**

BY: 

|   |   |
|---|---|
| <input type="checkbox"/> Terrence J. McCabe, Esquire  | <input checked="" type="checkbox"/> Marc S. Weisberg, Esquire |
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Attorneys for Plaintiff

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**COURT OF COMMON PLEAS**

No. 07-1802-CD

v.

Kimberly Baranick  
Defendant

**CERTIFICATE OF SERVICE**

The undersigned Attorney for Plaintiff, hereby certifies that a true and correct copy of the within Praecipe to  
Discontinue and End, as well as Praecipe to Vacate Judgment, was served on the below person by regular first class mail,  
postage prepaid, on the 14 day of March, 2013.

Jason J. Mazzei  
Mazzei & Associates  
432 Boulevard of the Allies  
Professional Office Building  
Pittsburgh, PA 15219

DATE: 3/14/13

**McCABE, WEISBERG AND CONWAY, P.C.**

BY: 

|   |   |
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Attorneys for Plaintiff