

07-1837-CD  
LVNV vs Charles Pounds

98229

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA

LVNV Funding  
(Plaintiff)

CIVIL ACTION

c/o 2417 Welsh Road Suite 21 #520  
(Street Address)

No.

07-1837-C

Phila., PA 19114  
(City, State ZIP)

Type of Case: CIVIL COMPLAINT

Type of Pleading: C

vs.

Charles Pounds  
(Defendant)

Filed on Behalf of:

LVNV Funding LLC  
(Plaintiff/Defendant)

9905 Tyler Rd  
(Street Address)

Penfield PA 15849  
(City, State ZIP)

David J. Apotheker, Esquire  
(Filed by)

2417 Welsh Road Suite 21 #520 Phila., PA 19114

(Address)

215-634-8920

(Phone)

(Signature)

FILED  
M 13 22 2007  
NOV 9 2007  
Atty pd \$5.00  
cc Sheriff

William A. Shaw  
Prothonotary/Clerk of Courts

Our File No.: 98229  
APOTHAKER & ASSOCIATES, P.C.  
BY: David J. Apothaker, Esq.  
Attorney I.D.#38423  
2417 Welsh Road, Suite 21 #520  
Philadelphia, PA 19114  
(215) 634-8920  
Attorneys for Plaintiff

LVNV FUNDING, LLC ) COURT OF COMMON PLEAS  
c/o Apothaker & Associates, P.C. ) CLEARFIELD COUNTY  
2417 Welsh Road, Suite 21 #520 )  
Philadelphia, PA 19114 ) NO.:  
Plaintiff, )  
vs. )  
CHARLES POUNDS )  
9905 TYLER RD )  
PENFIELD, PA 15849 )  
Defendant. )  
)

## 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 OR  
CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN  
GET LEGAL HELP.

CLEARFIELD COUNTY BAR ASSOCIATION  
Lawyer Referral and Information Service  
814-765-2641

## AVISO

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 asentar una comparencia escrita o con un abogado y entregar a la corte en forma escrita sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomara 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 compla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFFICIENTE DE PAGAR TAL SERVICIO. VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL.

**CLEARFIELD COUNTY BAR ASSOCIATION**  
Lawyer Referral and Information Service  
814-765-2641

APOTHAKER & ASSOCIATES, P.C.  
BY: David J. Apothaker, Esq.  
Attorney I.D.#38423  
2417 Welsh Road, Suite 21 #520  
Philadelphia, PA 19114  
(215) 634-8920  
Attorneys for Plaintiff

---

LVNV FUNDING, LLC ) COURT OF COMMON PLEAS  
c/o Apothaker & Associates, P.C. ) CLEARFIELD COUNTY  
2417 Welsh Road, Suite 21 #520 )  
Philadelphia, PA 19114 ) NO.:  
Plaintiff, )  
vs. )  
CHARLES POUNDS )  
9905 TYLER RD )  
PENFIELD, PA 15849 )  
Defendant. )  
)

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**CIVIL ACTION COMPLAINT  
FIRST COUNT**

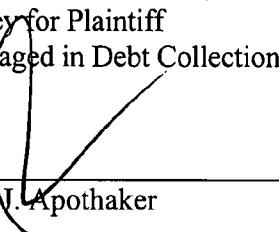
1. Plaintiff, LVNV FUNDING, LLC, is a company with its principal place of business located at c/o Apothaker & Associates, P.C., 2417 Welsh Road, Suite 21 #520, Philadelphia, PA 19114.
2. Defendant is CHARLES POUNDS, an adult individual residing at 9905 TYLER RD PENFIELD, PA 15849.
3. At the special instance and request of Defendant, Plaintiff sold and delivered to Defendant goods and/or services at the times, of the kinds, in the quantities, and for the prices set forth in Plaintiff's records. A true and correct copy of which is attached hereto, incorporated herein by reference and designated Exhibit "A".
4. Defendant received and accepted the goods and/or services described in Exhibit "A".
5. The prices set forth in Exhibit "A" are the fair, reasonable and market prices for said goods and/or services, and the prices which Defendant agreed to pay.
6. All credits, if any, to which Defendant is entitled, are set forth in Exhibit "A".
7. In addition, Plaintiff avers that Defendant has failed and continues to fail to make any payments, leaving a balance due and owing of \$5,069.57.

8. Although demand has been made, Defendant has failed to make payment of the amount due as above.

9. The original creditor is SEARS.

WHEREFORE, Plaintiff demands judgment in favor of Plaintiff and against Defendant(s) for the sum of \$5,069.57. The Plaintiff requests that the Court award Plaintiff its attorney's fees and costs to the extent permitted by applicable law.

APOTHAKER & ASSOCIATES, P.C.  
Attorney for Plaintiff  
A Law Firm Engaged in Debt Collection

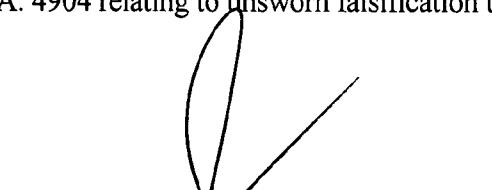
BY:   
David J. Apothaker

Dated: 10/30/2007

Our File No.: 98229

**VERIFICATION**

David J. Apothaker, Esq. hereby states that I am counsel for plaintiff in this action, and that I am authorized to take this Verification, and that the statements made in the foregoing Civil Action Complaint are true and correct to the best of my knowledge, information, and belief. The undersigned understands that the statements therein are made subject to the penalties of 18 Pa.C.S.A. 4904 relating to unsworn falsification to authorities.



\_\_\_\_\_  
David J. Apothaker  
Attorney for Plaintiff

DATE: 10/30/2007

LVNV FUNDING, LLC  
c/o Apothaker & Associates, P.C.  
2417 Welsh Road, Suite 21 #520  
Philadelphia, PA 19114

CHARLES POUNDS  
9905 TYLER RD  
PENFIELD, PA 15849

STATEMENT OF ACCOUNT

Debtor's Name: CHARLES POUNDS  
Account Number: 5121075005513929  
Original Creditor: SEARS  
Balance Due: \$5,069.57

Our File No.: 98229

EXHIBIT "A"

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103425  
NO: 07-1837-CD  
SERVICE # 1 OF 1  
COMPLAINT

PLAINTIFF: LVNV FUNDING, LLC  
vs.  
DEFENDANT: CHARLES POUNDS

**SHERIFF RETURN**

NOW, November 28, 2007 AT 3:00 PM SERVED THE WITHIN COMPLAINT ON CHARLES POUNDS DEFENDANT AT 9905 TYLER RD, PENFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO MARTHA POUNDS, WIFE A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: COUDRIET / NEVLING

**FILED**

01/21/08  
FEB 20 2008

William A. Shaw  
Prothonotary/Clerk of Courts

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	APOTHAKER	63938	10.00
SHERIFF HAWKINS	APOTHAKER	63938	33.52

Sworn to Before Me This

Day of 2008  
2007

So Answers,

*Chester A. Hawkins*  
*by Marilyn Harris*  
Chester A. Hawkins  
Sheriff

Our File No.: 98229  
APOTHAKER & ASSOCIATES, P.C.  
BY: David J. Apothaker  
Attorney I.D.# 38423  
520 Fellowship Road C306  
Mount Laurel, NJ 08054  
(800) 672-0215  
Attorney for Plaintiff

*S* FILED *Atty fil 20.00*  
*in 1:44 P.M. GL* *CC & Statement Atty.*  
**FEB 20 2009** *CC & Notice Def.*  
William A. Shaw   
Prothonotary/Clerk of Courts

LVNV FUNDING, LLC

Plaintiff,

vs.

CHARLES POUNDS

Defendant.

) COURT OF COMMON PLEAS OF  
 ) CLEARFIELD COUNTY  
 )  
 )  
 ) NO.: 07-1837-CD  
 )  
 ) Civil Action  
 )  
 )

**PRAECIPE TO ENTER DEFAULT JUDGMENT**

TO THE PROTHONOTARY:

Please enter a default judgment in favor of plaintiff, LVNV FUNDING, LLC, and against Defendant, CHARLES POUNDS, for failure to answer or otherwise respond to the Complaint - Civil Action.

The Complaint was served upon the defendants on November 28, 2007 by the CLEARFIELD Sheriff's Department. Copies of the proofs of service are attached hereto as Exhibit "A".

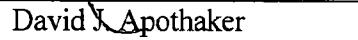
I certify, a copy of the Notice of Intention To Take Default was mailed on February 28, 2008, and also attached hereto.

Assess damages in the amount of:

(a)	Balance:	\$5,069.57
(b)	Interest from October 30, 2007	\$368.43
(c)	Costs	\$128.52
	TOTAL	\$5,566.52

APOTHAKER & ASSOCIATES, P.C.  
Attorneys for Plaintiff  
A Law Firm Engaged in Debt Collection

By:

David J. Apothaker

Dated: 2/10/2009

OFFICE OF THE PROTHONOTARY  
COURT OF COMMON PLEAS

TO: CHARLES POUNDS  
9905 TYLER RD  
PENFIELD, PA 15849

LVNV FUNDING, LLC ) COURT OF COMMON PLEAS OF  
vs. Plaintiff, ) CLEARFIELD COUNTY  
CHARLES POUNDS )  
Defendant. ) NO.: 07-1837-CD  
 ) Civil Action  
 )

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**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.

XX JUDGMENT BY DEFAULT

       JUDGMENT IN REPLEVIN

       JUDGMENT BY CONFESSION

       JUDGMENT FOR POSSESSION

       JUDGMENT ON AWARD OF  
ARBITRATORS

       JUDGMENT ON VERDICT

       JUDGMENT ON COURT FINDINGS

       JUDGMENT ON WRIT OF REVIVAL

IF YOU HAVE ANY QUESTIONS CONCERNING THIS NOTICE, PLEASE CALL:

ATTORNEY David J. Apotheker, Esq. at this telephone number: 215-634-8920

Our File No.: 98229  
APOTHAKER & ASSOCIATES, P.C.  
BY: David J. Apothaker  
Attorney I.D.# 38423  
520 Fellowship Road C306  
Mount Laurel, NJ 08054  
(800) 672-0215  
Attorney for Plaintiff

LVNV FUNDING, LLC	)	COURT OF COMMON PLEAS OF
	)	CLEARFIELD COUNTY
Plaintiff,	)	
vs.	)	
CHARLES POUNDS	)	NO.: 07-1837-CD
	)	
Defendant.	)	Civil Action
	)	

**AFFIDAVIT OF NON-MILITARY SERVICE**

COMMONWEALTH OF PENNSYLVANIA :  
: SS.  
COUNTY OF CLEARFIELD :

David J. Apothaker, being duly sworn according to law, deposes and says that I am the attorney for Plaintiff, and authorized to make this affidavit; that Defendant(s) resides at 9905 TYLER RD PENFIELD, PA 15849.

We inquired with the web site of the Defense Manpower Data Center, located at 1600 Wilson Boulevard, Suite 400, Arlington, VA 22209-2593, if the Defendant(s) is/are in any branch of the military.

Mary M. Snavely-Dixon, Director of the Defense Manpower Data Center has sent back our inquiry indicated that the Defendant(s) is/are not in the military.

\_\_\_\_\_  
David J. Apothaker  
Attorney for Plaintiff

The above signed understands that the statements herein are made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

Department of Defense Manpower Data Center

FEB-10-2009 08:57:16



Military Status Report  
 Pursuant to the Servicemembers Civil Relief Act

◀ Last Name	First/Middle	Begin Date	Active Duty Status	Service/Agency
POUNDS	CHARLES		Based on the information you have furnished, the DMDC does not possess any information indicating that the individual is currently on active duty.	

Upon searching the information data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the current status of the individual as to all branches of the Military.

*Mary M. Snavely-Dixon*

Mary M. Snavely-Dixon, Director  
 Department of Defense - Manpower Data Center  
 1600 Wilson Blvd., Suite 400  
 Arlington, VA 22209-2593

The Defense Manpower Data Center (DMDC) is an organization of the Department of Defense that maintains the Defense Enrollment and Eligibility Reporting System (DEERS) database which is the official source of data on eligibility for military medical care and other eligibility systems.

The Department of Defense strongly supports the enforcement of the Servicemembers Civil Relief Act [50 USCS Appx. §§ 501 et seq] (SCRA) (formerly the Soldiers' and Sailors' Civil Relief Act of 1940). DMDC has issued hundreds of thousands of "does not possess any information indicating that the individual is currently on active duty" responses, and has experienced a small error rate. In the event the individual referenced above, or any family member, friend, or representative asserts in any manner that the individual is on active duty, or is otherwise entitled to the protections of the SCRA, you are strongly encouraged to obtain further verification of the person's active duty status by contacting that person's Military Service via the "defenselink.mil" URL provided below. If you have evidence the person is on active-duty and you fail to obtain this additional Military Service verification, provisions of the SCRA may be invoked against you.

If you obtain further information about the person ( e.g., an SSN, improved accuracy of DOB, a middle name), you can submit your request again at this Web site and we will provide a new certificate for that query.

This response reflects current active duty status only. For historical information, please contact the Military Service SCRA points-of-contact.

See: <http://www.defenselink.mil/faq/pis/PC09SLDR.html>

WARNING: This certificate was provided based on a name and Social Security number (SSN) provided

Our File No.: 98229  
APOTHAKER & ASSOCIATES, P.C.  
BY: David J. Apothaker  
Attorney I.D.# 38423  
2417 Welsh Road, Suite 21 #520  
Philadelphia, PA 19114  
(215) 634-8920  
Attorney for Plaintiff

---

LVNV FUNDING, LLC	)	COURT OF COMMON PLEAS
	)	CLEARFIELD COUNTY
Plaintiff,	)	
vs.	)	
	)	
	)	NO. 07-1837-CD
CHARLES POUNDS	)	
9905 TYLER RD	)	
PENFIELD, PA 15849	)	
Defendant.	)	
	)	

---

**NOTICE OF INTENTION**  
**TO TAKE DEFAULT**

TO: CHARLES POUNDS

DATE OF NOTICE: February 28, 2008

**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 (10) days from the date of this notice as set forth above, a judgment may be entered against you without a hearing and you may lose your property or other important rights. You should take this notice to a lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the following office to find out where you can get legal help:

CLEARFIELD COUNTY BAR ASSOCIATION  
Lawyer Referral and Information Service  
814-765-2641

/s/ David J. Apothaker

DAVID J. APOTHAKER, ESQUIRE  
A Law Firm Engaged in Debt Collection  
2417 Welsh Road, Suite 21 #520  
Philadelphia, PA 19114  
(215) 634-8920  
Attorney for Plaintiff  
Attorney ID #38423

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103425  
NO: 07-1837-CD  
SERVICE # 1 OF 1  
COMPLAINT

COPY

PLAINTIFF: LVNV FUNDING, LLC  
vs.  
DEFENDANT: CHARLES POUNDS

**SHERIFF RETURN**

NOW, November 28, 2007 AT 3:00 PM SERVED THE WITHIN COMPLAINT ON CHARLES POUNDS  
DEFENDANT AT 9905 TYLER RD, PENFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO  
MARTHA POUNDS, WIFE A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN  
THE CONTENTS THEREOF.

SERVED BY: COUDRIET / NEVLING

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	APOTHAKER	63938	10.00
SHERIFF HAWKINS	APOTHAKER	63938	33.52

Sworn to Before Me This

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

So Answers,



Chester A. Hawkins  
Sheriff

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

LVNV Funding, LLC  
Plaintiff(s)

No.: 2007-01837-CD

Real Debt: \$5,566.52

Atty's Comm: \$

Vs.

Costs: \$

Charles Pounds  
Defendant(s)

Int. From: \$

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: February 20, 2009

Expires: February 20, 2014

*Copy*

Certified from the record this 20<sup>th</sup> day of February, 2009.

William A. Shaw  
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