



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CSGA, LLC : CIVIL ACTION - LAW  
2200 Fletcher Avenue, 5<sup>th</sup> Floor :  
Fort Lee, NJ 07024 :  
Plaintiff : NO. 07-2006-CD  
v. :  
Jendy McElhinney :  
862 Brink Rd :  
Irsvona, PA 16656-9308 :  
Defendant :  
:

**NOTICE TO DEFEND**

YOU have been sued in Court. If you wish to defend against the claim 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 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. 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.**

**COURT ADMINISTRATOR**  
Clearfield County Courthouse  
Second & Market Streets  
Clearfield, PA 16830  
(814) 765-2641 x.50-51

BRONSON & MIGLIACCIO, LLP

By: Jordan W. Felzer, Esquire  
Attorney ID # 38670  
jfelzer@lobmlaw.com  
Three Neshaminy Interplex, Suite 301  
Trevose, PA 19053  
Telephone (800) 834-4066

Atty pd. \$5.00  
M 12:47 PM  
DEC 10 2007  
ICC Sheriff  
L  
William A. Shaw  
Prothonotary/Clerk of Courts

**CIVIL ACTION - COMPLAINT**

Plaintiff, CSGA, LLC, as Assignee of METRIS BANK, by and through its attorneys, Bronson and Migliaccio, LLP, represents as follows:

1. Plaintiff, CSGA, LLC, is a limited liability company organized and existing under the laws of the State of New York with a principal place of business at 2200 Fletcher Avenue, 5<sup>th</sup> Floor, Fort Lee, NJ 07024.
2. Defendant, Jendy McElhinney, is an adult individual residing at 862 Brink Rd, Irvona, Pennsylvania 16656-9308.
3. Plaintiff, CSGA, LLC purchased certain accounts by which it is the lawful successor in interest to METRIS BANK , and thereby possesses all rights pertaining thereto, including all rights to an account belonging to Defendant, as more specifically described below.

**COUNT I – BREACH OF CONTRACT**  
**CSGA, LLC v. Jendy McElhinney**

4. Defendant utilized an extension of credit made available by METRIS BANK, bearing account 5123003044386402, whereby Defendant would from time to time be advanced credit for purchases or expenditures in exchange for the promise to repay funds so utilized at an agreed upon rate of interest. All of the above was done at the specific request therefore by the Defendant.

5. There is a principal balance due and owing on the account in the amount of **\$11,480.21** plus accrued interest. A statement of account is attached hereto and marked as Exhibit "A" and is incorporated herein by reference.

6. There is an interest balance due and owing on the account in the amount of **\$967.37**. A statement of account is attached hereto and marked as Exhibit "A" and is incorporated herein by reference.

7. Plaintiff has made demand upon the Defendant for payment. More specifically, a written demand was made at least thirty (30) days prior to the filing of this Complaint.

8. Defendant is in breach of the terms of the agreement for the extension of credit and has neglected and refused to pay the outstanding balance. No recent payments have been received on the account.

WHEREFORE, Plaintiff CSGA, LLC respectfully requests judgment against the Defendant, Jendy McElhinney, in an amount not exceeding the limits for mandatory arbitration, as follows:

- a. The principal sum of \$11,480.21, plus;
- b. Interest accrued in the amount of \$967.37;
- c. Costs and interest at the legal rate; or
- d. For such other and further relief as this Court deems just and proper.

**COUNT II – UNJUST ENRICHMENT**  
**CSGA, LLC v. Jendy McElhinney**

9. Plaintiff hereby incorporates paragraphs one through eight above as though more fully set forth at length hereinafter.

10. The principal balance of \$11,480.21 represents the reasonable value of goods and

services, the benefit of which is inured to the Defendant at the expense of METRIS BANK, creating an equitable claim which Plaintiff now holds as successor in interest.

11. The balance of \$967.37 represents interest accrued as of the date of this filing.

WHEREFORE, Plaintiff CSGA, LLC respectfully requests judgment against the Defendant, Jendy Mcelhinney, in an amount not exceeding the limits for mandatory arbitration, as follows:

- a. The principal sum of \$11,480.21, plus;
- b. An amount of interest on the principal balance equal to the legal rate and running from the date the account was closed by the Original Creditor until present, representing the time-value of money on the credit extension utilized by the Defendant.
- c. Costs and interest at the legal rate going forward from today; or
- d. For such other and further relief as this Court deems just and proper.



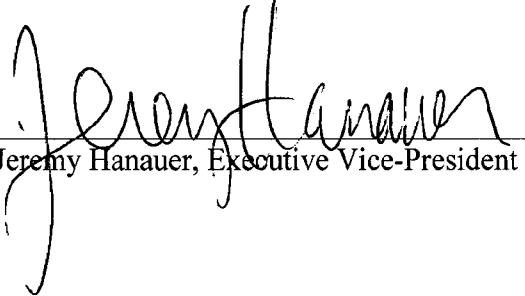
BRONSON & MIGLIACCIO, LLP  
*Attorneys for Plaintiff*  
By: Jordan W. Felzer, Esq., ID# 38670  
jfelzer@lobmlaw.com  
Three Neshaminy Interplex  
Suite 301  
Trevose, PA 19053  
(800) 834-4066

**VERIFICATION**

I, Jeremy Hanauer, in my capacity as a Corporate Officer of CSGA, L.L.C., verify that the averments of fact contained in the foregoing *Complaint* are true and correct to the best of my knowledge information and belief. This statement is made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

CSGA, LLC

Date: 12-5-07

  
\_\_\_\_\_  
Jeremy Hanauer, Executive Vice-President

## ACCOUNT INFORMATION REPORT

ACCOUNT#: 13957335061204796

## FINANCIAL

Forwarder: CSGA, LLC  
 Acct#: 5123003044386402

Placement  
 12/06/2006 \$11,480.21

Original Creditor: HOUSEHOLD METRIS  
 Debt Type: CC

Last Payment

\$0.00

STATUS: PRE-LEGAL

WIP# Days Left

Principal	\$11,480.21
Interest	\$967.37
Attorney	\$0.00
Court	\$185.00
Misc	\$0.00

Assigned to: LPASTEVENS

0 0

BALANCE \$12,632.58

## Personal Information

Debtor 1	First JENDY	MI	Last Name MCELHINNEY
Address 862 BRINK RD		ST PA	Zip 16656-9308
City IRVONA		Province	
Country USA			
Work Tel		Home Tel	(814) 672-3120
Ext		Fax	
SS# [REDACTED]		Driver's License #	
DOB 01/22/1967		State	
Spouse			

## Bank and Asset

There is no bank information on this account.

## Debt

## Service Provided CREDIT CARD

## Placement Breakdown

Principal	\$11,480.21	Debt Type	Credit Cards
Awarded Int			
Attorney Fees			
Court Costs		Last Payment Date	08/22/2005
Misc Costs		Last Payment Amount	
Accrued Int	\$469.90	Last Charge Date	
Total Placement	\$11,480.21	Last Charge Amount	

## Original Loan Terms

Contract Date		Original Loan Amount
Number of Payments		Amount of Payments
Interest Rate %	6.00	Serial/Vin Number
Collateral		

"A"

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103522  
NO: 07-2006-CD  
SERVICE # 1 OF 1  
COMPLAINT

PLAINTIFF: CSGA, LLC  
VS.  
DEFENDANT: JENDY McELHINNEY

**SHERIFF RETURN**

NOW, January 04, 2008 AT 2:13 PM SERVED THE WITHIN COMPLAINT ON JENDY McELHINNEY DEFENDANT AT 862 BRINK ROAD, IRVONA, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO JENDY MCELHINNEY, DEFENDANT A TRUE AND ATTESTED COPY CF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: DAVIS / MORGILLO

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	BRONSON	26681	10.00
SHERIFF HAWKINS	BRONSON	26681	71.46

*FILED*  
03/05/08  
APR 25 2008  
*CM*

William A. Shaw  
Prothonotary/Clerk of Courts

Sworn to Before Me This

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

So Answers,

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

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

\_\_\_\_\_  
CSGA, LLC : CIVIL ACTION LAW  
vs. :  
JENDY McELHINNEY : No. 07-2006-CD  
\_\_\_\_\_  
:

FILED Atty pd  
M 10 45 81 \$20.00  
JUL 01 2008 ICC Notice  
William A. Shaw to Def.  
Prothonotary/Clerk of Courts  
ICC Statement  
to Atty  
(60)

**PRAECIPE FOR ENTRY OF JUDGMENT FOR WANT OF AN ANSWER, ASSESSMENT OF  
DAMAGES, VERIFICATION OF ADDRESS AND NONMILITARY SERVICE**

TO THE PROTHONOTARY:

Enter Judgment for want of an answer for Plaintiff and against Defendant, JENDY McELHINNEY, and assess damages certified to be calculable as a sum certain from the complaint, as follows:

**Assess Damages as Follows**

<b>Debt</b>	<b>\$11,480.21</b>
<b>Interest</b>	<b>\$967.37</b>
<b>Court Costs</b>	<b>\$205.00</b>
<b>Total:</b>	<b>\$12,652.58</b>

Understanding that false statements made herein are subject to penalty under 18 Pa. C.S.A. § 4904, Unsworn Falsification to Authorities, I verify that:

1. The above are the precise last known address of the defendant.
2. The annexed notice of intention to file praecipe was mailed to Defendant and to their record attorney, if any, after default occurred, and at least ten days prior to the date of

filng of this praecipe. (Exhibit "A")

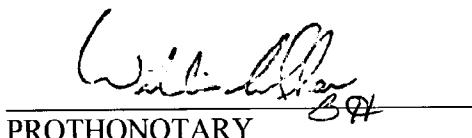
3. The said Defendant is not in the military service of the United States or otherwise within the coverage of the Soldiers and Sailors Relief Act and is over 18 years of age. (Exhibit "B")

BRONSON & MIGLIACCIO, LLP

Date: 6/23/08

  
CORY D. PIONTEK, ESQUIRE  
Attorney for Plaintiff  
ID No. 83299  
2 Walnut Grove Drive, Suite 330  
Horsham, PA 19044  
Telephone (877) 516-1291

This 1<sup>st</sup> day of July, 2008, judgment is entered in favor of Plaintiff and against Defendant, JENDY McELHINNEY, by default for want of an answer and damages assessed at the sum of **\$12,652.58** as per the above certifcation. NOTICE IS GIVEN PURSUANT TO PA.R.C.P. 236.

  
\_\_\_\_\_  
PROTHONOTARY

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CSGA, LLC	:	CIVIL ACTION LAW
vs.	:	
JENDY McELHINNEY	:	No. 07-2006-CD

## **AFFIDAVIT OF NON-MILITARY SERVICE**

The undersigned, being duly sworn, according to law, deposes and says that the Defendant is not in the Military or Naval Service of the United States or its Allies, or otherwise within the provisions of the Soldiers and Sailors Civil Relief Act of Congress of 1940 as amended;

That JENDY McELHINNEY resides at 862 Brink Road, Irvona, PA 16656;

That based on information furnished by the Department of Defense Manpower Data Center, there is no indication that JENDY McELHINNEY is currently on active duty. See Exhibit "B" attached hereto.

## BRONSON & MIGLIACCIO, LLP

CORY D. PIONTEK, ESQUIRE  
Attorney for Plaintiff  
ID No. 83299  
2 Walnut Grove Drive, Suite 330  
Horsham, PA 19044  
Telephone (877) 516-1291

Sworn to and subscribed before me  
this 23<sup>rd</sup> day of June , 2008.

*Elizabeth A. Lowry*  
Notary Public  
COMMONWEALTH OF PENNSYLVANIA  
NOTARIAL SEAL  
ELIZABETH A. LOWRY, Notary Public  
Bensalem Twp., Bucks County  
My Commission Expires June 21, 2010

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CSGA, LLC	:	CIVIL ACTION LAW
vs.	:	
JENDY McELHINNEY	:	No. 07-2006-CD
	:	

TO: **Jendy McElhinney**  
**862 Brink Road**  
**Irvona, PA 16656**

**IMPORTANT NOTICE**

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO TAKE ACTION REQUIRED OF YOU IN THIS CASE. UNLESS YOU ACT WITHIN TEN (10) DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT 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:

**COURT ADMINISTRATOR**  
Clearfield County Courthouse  
Second & Market Streets  
Clearfield, PA 16830  
(814) 765-2641 x.50-51

Date: 4-28-08

**AVISO IMPORTANTE**

USTED ESTA EN REBELDIA PORQUE HO FALLADO EN TOMAR LA ACION EXIDIDA DE SU PARTE EN ESTE CASO. A MENOS DE LA FECHA DE USTED ACTUE DENTRO DE DIEZ (10) DIAS DE LA FACHA DE ESTE AVISO, SE PUEDE REGISTRAR; UNA SENTENCIA CONTRA USTED SIN EL BENEFICIO DE UNA AUDIENCIA Y PUEDE PERDER SU PROPIEDAD O OTROS DERECHOS IMPORATANTES. USTED DEBE LLEVAR ESTA AVISO A UN ABOGADO ENSEGUIDA. SI USTED NO TIENE UN ABOGADO Y NO PUEDE PAGAR POR LOS SERVICIOS DE UN ABOGADO, DEBE COMUNICARSE CON LA SIGUIENTE OFICINA PARA AVERIGUAR DONDE PUEDE OBTENER AYUDA LEGAL:

**COURT ADMINISTRATOR**  
Clearfield County Courthouse  
Second & Market Streets  
Clearfield, PA 16830  
(814) 765-2641 x.50-51

*CR*

CORY D. PIONTEK, ESQUIRE  
Attorney for Plaintiff  
ID No. 83299  
2 Walnut Grove Drive, Suite 330  
Horsham, PA 19044  
Telephone (800) 834-4066

Department of Defense Manpower Data Center

JUN-24-2008 13:20:05



Military Status Report  
Pursuant to the Servicemembers Civil Relief Act

Last Name	First/Middle	Begin Date	Active Duty Status	Service/Agency
MCELHINNEY	Jendy		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

by the requester. Providing an erroneous name or SSN will cause an erroneous certificate to be provided.

*Report ID:BOEKGQUIRJN*

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

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CSGA, LLC	:	CIVIL ACTION LAW
	:	
vs.	:	
	:	
JENDY McELHINNEY	:	No. 07-2006-CD
	:	

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To: Jendy McElhinney  
862 Brink Road  
Iriona, PA 16656

## 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.

*Will A. Shaw* 7/1/08  
William A. Shaw,  
Prothonotary of Clearfield County

- Judgment by Default
- Money Judgment
- Judgment on Award of Arbitrators
- Judgment on Verdict
- Money Judgment Transferred from other Jurisdiction

If you have any questions concerning this notice, please call:

CORY D. PIONTEK, ESQUIRE  
Attorney for Plaintiff  
2 Walnut Grove Drive, Suite 330  
Horsham, PA 19044  
(877) 516-1291

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

CSGA, LLC  
Plaintiff(s)

No.: 2007-02006-CD

Real Debt: \$12,652.58

Atty's Comm: \$

Vs. Costs: \$

Int. From: \$

Jendy McElhinney Entry: \$20.00  
Defendant(s)

Instrument: Default Judgment

Date of Entry: July 1, 2008

Expires: July 1, 2013

Certified from the record this 1st day of July, 2008.

  
\_\_\_\_\_  
William A. Shaw, Prothonotary

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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