

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CSGA, LLC
2200 Fletcher Avenue, 5th Floor
Fort Lee, NJ 07024

Plaintiff

v.

Jendy McElhinney
862 Brink Rd
Irvona, PA 16656-9308

Defendant

: CIVIL ACTION - LAW

:

:

:

: NO. 07-2006-CD

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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.

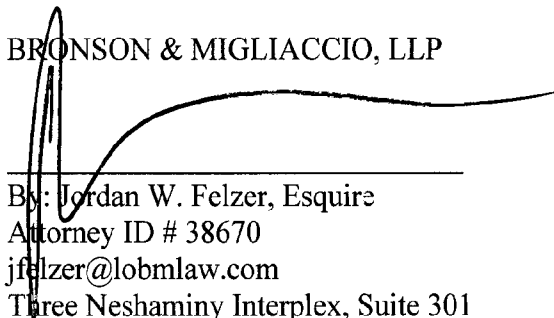
YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

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

DEC 10 2007
William A. Shaw
Prothonotary/Clerk of Courts
Atty pd. 85.00
icc Sheriff

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, 5th 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.



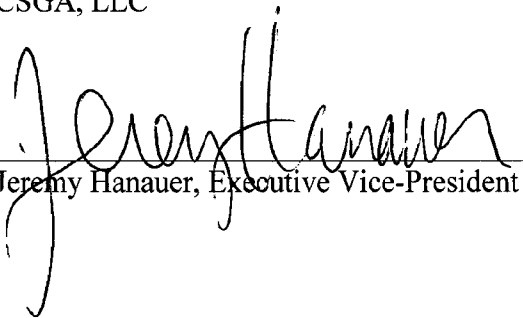
BRONSON & MIGLIACCIO, LLP
Attorneys for Plaintiff
By: Jordan W. Felzer, Esq., ID# 38670
jfelzer@lobmlaw.com
Three Neshaminy Interplex
Suite 301
Trevose, PA 19053
(800) 834-4066

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.

Date: 12-5-07

CSGA, LLC



Jeremy Hanauer, Executive Vice-President

ACCOUNT INFORMATION REPORT

ACCOUNT#: 13957335061204796

FINANCIAL

Forwarder: CSGA, LLC
Acct#: 5123003044386402Placement
12/06/2006 \$11,480.21Original Creditor: HOUSEHOLD METRIS
Debt Type: CCLast Payment
\$0.00Principal \$11,480.21
Interest \$967.37
Attorney \$0.00
Court \$185.00
Misc \$0.00

STATUS: PRE-LEGAL

WIP# Days Left
0 0

Assigned to: LPASTEVEN

BALANCE \$12,632.58

Personal Information

Debtor 1	First	MI	Last Name
	JENDY		MCELHINNEY
Address	862 BRINK RD		
City	IRVONA	ST PA	Zip 16656-9308
Country	USA	Province	
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		Debt Type	Credit Cards
Principal	\$11,480.21		
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 OF 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
0/3:05 LM
APR 25 2008

William A. Shaw
Prothonotary/Clerk of Courts

Sworn to Before Me This

_____ Day of _____ 2008

So Answers,

Chester A. Hawkins
by Mandy Hamr

Chester A. Hawkins
Sheriff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CSGA, LLC

vs.

JENDY McELHINNEY

CIVIL ACTION LAW

No. 07-2006-CD

William A. Shaw
Prothonotary/Clerk of Courts

FILED
m 10:45/81
JUL 01 2008
Att'y pd \$20.00
100% Notice to Def.
ICC & Statement to Att'y
(GRO)

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

Debt	\$11,480.21
Interest	\$967.37
Court Costs	\$205.00
Total:	\$12,652.58

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

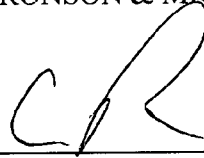
1. The above are the precise last known address of the defendant.
2. The annexed notice of intention to file praecipe was mailed to Defendant and to their record attorney, if any, after default occurred, and at least ten days prior to the date of

filing 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")

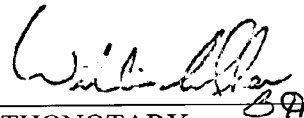
Date: 6 23 08

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

This 1st 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 certification. NOTICE IS GIVEN PURSUANT TO PA.R.C.P. 236.



PROTHONOTARY

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

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

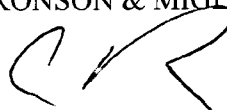
AFFIDAVIT OF NON-MILITARY SERVICE

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;

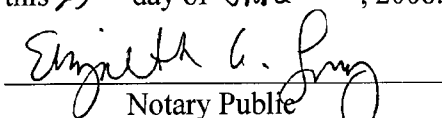
That based on information furnished by the Department of Defense Manpower Data Center, there is no indication that JENDY McELHINNEY is currently on active duty. See Exhibit "B" attached hereto.

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 23rd day of June, 2008.


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

vs.

JENDY McELHINNEY

CIVIL ACTION LAW

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

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

Date: 4-28-08



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, 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 "defenseink.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

CSGA, LLC

vs.

JENDY McELHINNEY


CIVIL ACTION LAW

No. 07-2006-CD

To: Jendy McElhinney
862 Brink Road
Irvona, 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.

 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
Defendant(s)

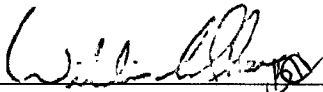
Entry: \$20.00

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

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