

07-2029-CD
Wells Fargo vs Thomas Hullihen

Current Judge: Fredric Joseph Ammerman

Wells Fargo Bank, N.A. vs. Thomas M. Hullihen, et al

Mortgage Foreclosures

Date		Judge
12/13/2007	New Case Filed.	No Judge
	X Filing: Complaint in Mortgage Foreclosure, situated in the Borough of Mahaffey Paid by: Davey, Jenine R. Esq (attorney for Wells Fargo Bank, N.A.) Receipt number: 1921826 Dated: 12/13/2007 Amount: \$85.00 (Check) 2CC shff.	No Judge
1/28/2008	X Motion to Direct The Sheriff to File Affidavit of Service, filed by s/ Jenine R. Davey, Esquire. No CC	No Judge
	X Certificate of Service, filed. That true and correct copies of Plaintiff's Motion to Direct Sheriff to File Affidavit of Service and Brief in Support thereof were served via first class mail to Chester A. Hawkins-shff., Peter F. Smith Esq., Thomas M. Hullihen and Vicki L. Hullihen. No CC.	No Judge
1/30/2008	X Order, this 29th day of Jan., 2008, it is Ordered that the Sheriff of Clfd. Co. i Fredric Joseph Ammerman directed to complete and file an Affidavit of Service of the foreclosure Complaint within 7 days of the date of this Order. by The Court, /s/ Fredric J. Ammerman, Pres. Judge. 2CC Atty. Davey; 1CC Sheriff (without memo)	
1/31/2008	X Sheriff Return, January 2, 2008 at 10:51 Served the within Complaint in Mortgage Foreclosure on Thomas M. Hullihen by handing to Vicki L. Hullihen January 8, 2008 at 10:51 am Served the within Complaint in Mortgage Foreclosure on Vicki L. Hullihen by handing to Vicki L. Hullihen. So Answers, Chester A. Hawkins, Sheriff by s/Marilyn Hamm Shff Hawkins costs pd by Phelan \$87.56	No Judge
2/28/2008	X Filing: Judgment Paid by: Davey, Jenine R. Esq (attorney for Wells Fargo Bank, N.A.) Receipt number: 1922864 Dated: 02/28/2008 Amount: \$20.00 (Check) In Rem Judgment in favor of Plaintiff and against Defendants in the amount of \$95,943.50. filed by s/ Daniel G. Schmieg, Esquire. 1CC & Notice to Defs., Statement to Atty.	No Judge
	X Filing: Writ of Execution / Possession Paid by: Davey, Jenine R. Esq (attorney for Wells Fargo Bank, N.A.) Receipt number: 1922864 Dated: 02/28/2008 Amount: \$20.00 (Check) Writ of Execution in the amount of \$95,943.50. Filed by s/ Daniel G. Schmieg, Esquire. 1CC & 6 Writs w/prop descr. to sheriff	No Judge
	X Praeclipe to Substitute Verification, filed by s/ Francis S. Hallinan, Esquire. No CC	No Judge
3/28/2008	X Praeclipe to File Affidavit of Service, filed. Served Thomas M Hullihen and Vicki L. Hullihen on the 18th day of March 2008 a true and correct copy of the Notice of Sheriff's Sale served by D.M. Ellis, filed by s/ Daniel G. Schmieg Esq. No CC.	No Judge
	X Affidavit of Service Pursuant to Rule 3129, filed by s/ Daniel G. Schmieg Esq. No CC.	No Judge
1/12/2009	X Sheriff Return, NOT SOLD So Answers, Chester A. Hawkins, Sheriff by s/Cynthia Butler-Aughenbaugh. Shff Hawkins costs pd by Atty \$296.00	No Judge
5/26/2009	X Filing: Writ of Execution / Possession Paid by: Davey, Jenine R. Esq (attorney for Wells Fargo Bank, N.A.) Receipt number: 1929619 Dated: 5/26/2009 Amount: \$20.00 (Check) For: Wells Fargo Bank, N.A. (plaintiff) Writ of Execution in the amount of \$95,943.50. filed by s/ Daniel G. Schmieg, Esquire. 1CC & 6 Writs w/prop. desc. to Sheriff	No Judge
7/1/2009	X Plaintiff's Motion to Reassess Damages, filed by s/ Jenine E. Davey Esq. No C.C.	No Judge

Civil Other-COUNT

Date	Judge
3/30/2007	Certificate of Service, filed. That on this 28th day of March 2007, a true and correct copy of Defendant's Answers to Plaintiff's First Set of Interrogatories Request for Production of Documents and Request for Admissions was served upon Maurice A. Nerberg Esq., filed by s/ Toni M. Cherry Esq. NO CC. Fredric Joseph Ammerman
4/27/2007	Motion To Compel Discovery Responses, filed by s/Joshua A. Lyons, Esquire. No CC Fredric Joseph Ammerman
5/1/2007	Order, NOW, this 30th day of April, 2007, upon consideration of the foregoing motion, it is Ordered that: A rule is issued upon the respondent. The Respondent shall file an answer to the Motion within 20 days of this date. Argument shall be held on May 30, 2007, in Courtroom 1 @ 9:30 a.m. By The Court, /s/ Fredric J. Ammerman, Pres. Judge. 3CC Atty. Lyons Fredric Joseph Ammerman
5/17/2007	Defendant's Answer to Plaintiff's Motion to Compel Discovery Responses, filed by s/ Toni M. Cherry, Esquire. 5 CC to Atty. Fredric Joseph Ammerman
5/22/2007	Defendant's Motion for Continuance of Argument Scheduled for May 30, 2007, filed by s/Toni M. Cherry, Esq. Three CC Attorney T. Cherry Order, this 22nd day of May, 2007 in consideration of the Motion for Continuance filed by Defendant's counsel said Motion is granted and argument on Plaintiff's Motion to Compel Discovery Responses shall be held on the 18th day of June, 2007, at 11:00 a.m. in Courtroom 1. By The Court, /s/ Fredric J. Ammerman, Pres. Judge. 3CC Atty. T. Cherry Fredric Joseph Ammerman
6/15/2007	Praecept for Briefing Schedule and Argument on Motion for the Coordination of Actions in Different Counties Pursuant to Pa. R.C.P. 213.1 filed by Atty. for Defendants Randy Buesink and Nussbaumer & Clarke, Inc. no cert. copies. Motion For the Coordination of Actions in Different Counties Pursuant to Pa. Fredric Joseph Ammerman R.C.P. 213.1, filed by Atty. Defendants Randy Buesink and Nussbaumer & Clarke, Inc. no cert. copies. Fredric Joseph Ammerman
6/21/2007	Order, this 21st day of June 2007, argument on Defendant, Randy Buesink and Mussbaumer & Clarke, Inc.'s Motion for Coordination of Actions in Different Counties Pursuant to Pa R.C.P. 213.1 shall be heard by the Honorable Fredric J. Ammerman on 6th day of August, 2007, at 9:30 a.m. in Courtroom 1. By The Court, /s/ Fredric J. Ammerman, Pres. Judge. 1OC to Atty. Order, this 21st day of June, 2007 relative the Motion to Compel Discovery Responses filed on behalf of the Plaintiff on April 27, 2007, it is Ordered as follows: (see original). By The Court, /s/Fredric J. Ammerman, Pres. Judge. CC to Atty. J. Lyons & T. Cherry & M. Nernberg Fredric Joseph Ammerman
7/5/2007	Motion For Leave to Amend Action for Declaratory Judgment, Damages and Equitable Relief, filed by s/ Joshua A. Lyons Esq. No CC. Fredric Joseph Ammerman
7/10/2007	Order, this 10th day of July, 2007, a rule is issued upon the respondent. Argument shall be held on Sept. 14, 2007, in Courtroom 1 at 9:30 a.m. By The Court, /s/ Fredric J. Ammerman, Pres. Judge. 3CC Atty. Lyons Fredric Joseph Ammerman
7/23/2007	Certificate of Service, filed. That on this 23rd day of July 2007, a true and correct copy of Defendant's Amended Answers to Plaintiff's First Set of Interrogatories, Request for Production of Documents and Request for Admissions was served upon Maurice A. Nernberg Esq., filed by s/ Toni M. Cherry Esq. 3CC Atty T. Cherry. Fredric Joseph Ammerman

Mortgage Foreclosures

Date	Judge
7/2/2009	✓ Rule, this 2nd day of July, 2009, a rule is entered upon Defendants. Rule Fredric Joseph Ammerman ✓ Returnable the 18th of August, 2009 at 9:30 a.m. Courtroom 1. By The Court, /s/ Fredric J. Ammerman, Pres Judge. 1CC Atty. Davey
7/9/2009	✓ Certification of Service, filed. That a true and correct copy of the Court's July Fredric Joseph Ammerman ✓ 2, 2009 Rule was served upon Thomas M. Hullihen and Vicki L. Hullihen on 7/8/09, filed by s/ Andrew L. Spivack Esq. No CC.
7/14/2009	✓ Affidavit of Service filed. Served and made known to Vicki L. Hullihen on the Fredric Joseph Ammerman ✓ 30th day of June 2009 at 9:10 am by handing a true and correct copy of the Notice of Sheriff's Sale, signed by s/ D.M. Ellis. No CC.
8/6/2009	✓ Affidavit of Service filed. Served and made known to Thomas M. Hullihen or Fredric Joseph Ammerman ✓ the 30th day of June 2009 at 9:10 am by handing a true and correct copy of the Notice of Sheriff's Sale, signed by s/ D.M. Ellis. No CC.
	✓ Affidavit of Service pursuant to Rule 3129.1, filed by s/ Courtenay R. Dunn Fredric Joseph Ammerman ✓ Esq. No CC.

Civil Other-COUNT

Date	Judge
9/17/2007	Order, this 14th day of Sept., 2007, following argument on the Motion for the Fredric Joseph Ammerman Coordination of Actions in Different Counties, it is Ordered that said Motion is granted and that the Proth. of Westmoreland County shall cause the case a the Westmoreland Docket No. 2007-780 to be sent to the Court of Common Pleas of Clfd. Co. The case in Westmoreland County being Kukurin Construction, Inc., versus Randy Buesmimk, a Pennsylvania resident, and Nussbaumer & Clarke, Inc., a New York Corporation. By The Court, /s/ Fredric J. Ammerman, Pres. Judge. 2CC Atty. T. Cherry, Lyons & Nernberg
9/24/2007	Filing: Appeal to High Court Paid by: Nernberg, Maurice A. (attorney for Kukurin Contracting, Inc.) Receipt number: 1920787 Dated: 09/24/2007 Amount: \$45.00 (Check) filed by s/Joshua A. Lyons, Esquire. 1CC w/ \$60.00 check to Superior Court. Request For Transcript, filed by s/ Joshua A. Lyons, Esquire. No CC Fredric Joseph Ammerman Amended Action For Declaratory Judgment, Damages And Equitable Relief filed by s/ Joshua A. Lyons, Esquire. No CC Fredric Joseph Ammerman
10/1/2007	Appeal Docket Sheet, 1736 WDA 2007, filed. No CC Fredric Joseph Ammerman
10/2/2007	Order, this 2nd day of Oct., 2007, this Court having been notified of Appeal to the superior Court of Pennsylvania; it is Ordered that Plaintiff file a concise statement of the matters complained of on said Appeal no later than 21 days herefrom, as set forth in Rule 1925(b) of the Rules of Appellate Procedure. By The Court, /s/ Fredric J. Ammerman, Pres. Judge. CC to Atty. Cherry, Lyons
10/4/2007	Updated Appeal Docket Sheet, 1736 WDA 2007, filed. No CC Fredric Joseph Ammerman
10/5/2007	Original Verification to Amended Action For Declaratory Judgment, Damage and Equitable Relief, filed by s/ Maurice A. Nernberg, Esquire. No CC Fredric Joseph Ammerman
10/15/2007	Concise Statement of Matters Complained of on Appeal, filed by s/ Joshua A. Lyons, Esquire. No CC Fredric Joseph Ammerman Order, this 14th day of Sept., 2007, Plaintiff's Motion for Leave to Amend Action for Declaratory Judgment, Damages, and Equitable Relief is Granted. The Amendment shall be filed within no more than 10 days from today. by The Court, /s/ Fredric J. Ammerman, Pres. Judge. 3CC Atty. Nernberg; 1 copy faxed to Atty. Nernberg Fredric Joseph Ammerman
10/16/2007	Motion to Have Record of Westmoreland County Action Made Part of the Record of the within Clearfield County Action, filed by Atty. McGoveren no cert. copies. Fredric Joseph Ammerman Order, filed Cert. to Atty. Marquis, Lyons & Cherry. Fredric Joseph Ammerman NOW, this 16th day of October, 2007, RE: Records of Westmoreland County docket # 780 of 2007 made a part of Clearfield County docket # 2006-1501-CD and attached.
11/6/2007	Opinion, November 5, 2007. BY THE COURT: /s/Fredric J. Ammerman, P., Fredric Joseph Ammerman Two CC Attorneys Lyons & Nernberg. T. Cherry, Marquis One CC Law Library and D. Mikesell
11/7/2007	November 7, 2007. Mailed Appeal to Superior Court. November 7, 2007. Letters, Re: Notification of mailing appeal mailed to Joshua A. Lyons, Esq.; Maurice A. Nernberg, Esq.; Toni M. Cherry, Esq.; Christian D. Marquis, Esq. with certified copies of docket sheet and Document listing required by Pa.R.A.P. 1931(c). Fredric Joseph Ammerman Letter to Superior Court, Appeal mailed November 7, 2007. Fredric Joseph Ammerman

File # 160171 *Atty pd. 85.00*
m12.17.07
DEC 13 2007 2CC Sheriff
William A. Shaw
Prothonotary/Clerk of Courts

PHELAN HALLINAN & SCHMIEG, LLP
FRANCIS S. HALLINAN, ESQ., Id. No. 62695
DANIEL G. SCHMIEG, ESQ., Id. No. 62205
MICHELE M. BRADFORD, ESQ., Id. No. 69849
SHEETAL SHAH-JANI, ESQ., Id. No. 81760
JUDITH T. ROMANO, ESQ., Id. No. 58745
JENINE R. DAVEY, ESQ., Id. No. 87077
MICHAEL E. CARLETON, ESQ., Id. No. 203009
ONE PENN CENTER PLAZA, SUITE 1400
PHILADELPHIA, PA 19103
(215) 563-7000 160171

ATTORNEY FOR PLAINTIFF

WELLS FARGO BANK, N.A
3476 STATEVIEW BOULEVARD
FORT MILL, SC 29715

Plaintiff

v.

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

NO. 07-2029-CD

CLEARFIELD COUNTY

THOMAS M. HULLIHEN
VICKI L. HULLIHEN
271 EAST MAIN STREET
MAHAFFEY, PA 15757

Defendants

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

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.

Lawyer Referral Service:
Pennsylvania Lawyer Referral Service
Pennsylvania Bar Association
100 South Street
PO Box 186
Harrisburg, PA 17108
800-692-7375

Notice to Defend:
David S. Meholick, Court Administrator
Clearfield County Courthouse
2nd and Market Streets
Clearfield, PA 16830
814-765-2641 x 5982

**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.

1. Plaintiff is

WELLS FARGO BANK, N.A
3476 STATEVIEW BOULEVARD
FORT MILL, SC 29715

2. The name(s) and last known address(es) of the Defendant(s) are:

THOMAS M. HULLIHEN
VICKI L. HULLIHEN
271 EAST MAIN STREET
MAHAFFEY, PA 15757

who is/are the mortgagor(s) and/or real owner(s) of the property hereinafter described.

3. On 02/28/2007 mortgagor(s) made, executed, and delivered a mortgage upon the premises hereinafter described to PLAINTIFF which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Instrument No: 200703875. The mortgage and assignment(s), if any, are matters of public record and are incorporated herein by reference in accordance with Pa.R.C.P. 1019(g); which Rule relieves the Plaintiff from its obligations to attach documents to pleadings if those documents are of public record.
4. The premises subject to said mortgage is described as attached.
5. The mortgage is in default because monthly payments of principal and interest upon said mortgage due 04/01/2007 and each month thereafter are due and unpaid, and by the terms of said mortgage, upon failure of mortgagor to make such payments after a date specified by written notice sent to Mortgagor, the entire principal balance and all interest due thereon are collectible forthwith.

6. The following amounts are due on the mortgage:

Principal Balance	\$86,360.00
Interest	\$6,412.12
03/01/2007 through 12/11/2007	
(Per Diem \$22.42)	
Attorney's Fees	\$1,250.00
Cumulative Late Charges	\$0.00
02/28/2007 to 12/11/2007	
Cost of Suit and Title Search	<u>\$550.00</u>
Subtotal	\$94,572.12
Escrow	
Credit	(\$377.38)
Deficit	\$0.00
Subtotal	<u>(\$377.38)</u>
TOTAL	\$94,194.74

7. If the mortgage is reinstated prior to a Sheriff's Sale, the attorney's fee set forth above may be less than the amount demanded based on work actually performed. The attorney's fees requested are in conformity with the mortgage and Pennsylvania law. Plaintiff reserves its right to collect attorney's fees up to 5% of the remaining principal balance in the event the property is sold to a third party purchaser at Sheriff's Sale, or if the complexity of the action requires additional fees in excess of the amount demanded in the Action.

8. Plaintiff is not seeking a judgment of personal liability (or an in personam judgment) against the Defendant(s) in the Action; however, Plaintiff reserves its right to bring a separate Action to establish that right, if such right exists. If Defendant(s) has/have received a discharge of personal liability in a bankruptcy proceeding, this Action of Mortgage Foreclosure is in no way an attempt to reestablish such personal liability discharged in bankruptcy, but only to foreclose the mortgage and sell the mortgaged premises pursuant to Pennsylvania Law.

9. Notice of Intention to Foreclose as set forth in Act 6 of 1974, Notice of Homeowner's Emergency Assistance Program pursuant to Act 91 of 1983, as amended in 1998, and/or Notice of Default as required by the mortgage document, as applicable, have been sent to the Defendant(s) on the date(s) set forth thereon, and the temporary stay as provided by said notice has terminated because Defendant(s) has/have failed to meet with the Plaintiff or an authorized consumer credit counseling agency, or has/have been denied assistance by the Pennsylvania Housing Finance Agency.
10. This action does not come under Act 6 of 1974 because the original mortgage amount exceeds \$50,000.
11. Defendants' application for assistance under Act 91 of 1983 has been rejected by the Pennsylvania Housing Finance Agency.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$94,194.74, together with interest from 12/11/2007 at the rate of \$22.42 per diem to the date of Judgment, and other costs and charges collectible under the mortgage and for the foreclosure and sale of the mortgaged property.

PHELAN HALLINAN & SCHMIEG, LLP

By: Jenine R. Davey 87677
FRANCIS S. HALLINAN, ESQUIRE
DANIEL G. SCHMIEG, ESQUIRE
MICHELE M. BRADFORD, ESQUIRE
SHEETAL SHAH-JANI, ESQUIRE
JUDITH T. ROMANO, ESQUIRE
JENINE R. DAVEY, ESQUIRE
MICHAEL E. CARLETON, ESQUIRE
Attorneys for Plaintiff

LEGAL DESCRIPTION

All that certain piece, parcel or lot of land situate in the Borough of Mahaffey, Clearfield County, Commonwealth of Pennsylvania, bounded and described as follows, to-wit:

Beginning at a point along the Southern side of Main Street, said beginning point being the Northeastern corner of the parcel herein described, said beginning point furthermore being at the Northwestern corner of lands of Daniel L. and Carol A. Wright; thence South 49 degrees 35 minutes West along the Western boundary line of Daniel L. and Carol A. Wright for a distance of 180 feet to a point along the Northern side of Walnut Street; thence North 39 degrees 28 minutes 40 seconds West along the Northern side of Walnut Street for a distance of 120 feet to a point; thence North 49 degrees 35 minutes East along the Eastern side of a 15-foot alley for a distance of 180 feet to a point along the Southern side of Main Street; thence South 39 degrees 28 minutes 40 seconds along the Southern side of Main Street for a distance of 120 feet to the place of beginning.

Being designated as tax parcel #13-C12-300 in the records of the Deed Registry Office of Clearfield County, Pennsylvania.

Being the same premises conveyed to Thomas M. Hullihen and Vicki L. Hullihen, husband and wife, from Ronald M. Wright, Jr. and Jacqueline S. Wright, husband and wife, by deed dated February 27, 2007 and recorded March 12, 2007, in the Instrument Number: 200703874.

PROPERTY BEING: 271 EAST MAIN STREET

VERIFICATION

I hereby state that I am the attorney for Plaintiff in this matter, that Plaintiff is outside the jurisdiction of the court and/or the verification could not be obtained within the time allowed for the filing of the pleading, that I am authorized to make this verification pursuant to Pa.R.C.P. 1024 (c), and that the statements made in the foregoing Civil Action in Mortgage Foreclosure are based upon information supplied by Plaintiff and are true and correct to the best of my knowledge, information and belief. Furthermore, counsel intends to substitute a verification from Plaintiff upon receipt.

The undersigned understands that this statement is made subject to the penalties of 18 Pa.C.S. Sec. 4904 relating to unsworn falsifications to authorities.

Jenuday 87077

Attorney for Plaintiff

DATE: 12/12/07

12/13/2007

DEC 13 2007

William A. Shaw
Prothonotary/Clerk of Courts

7/10/2001 NO CC
Michele A. Bradford
Kreutel, Lutz & Associates

PHELAN HALLINAN & SCHMIEG, LLP
BY: Michele M. Bradford, Esquire, ID No. 69849
Jenine R. Davey, Esquire, ID No. 87077
One Penn Center at Suburban Station
1617 JFK Boulevard, Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

Wells Fargo Bank, NA
3476 Stateview Boulevard
Fort Mill, SC 29715

Plaintiff

vs.

Thomas M. Hullihen
Vicki L. Hullihen
271 East Main Street
Mahaffey, PA 15757
Defendant(s)

ATTORNEYS FOR PLAINTIFF

Court of Common Pleas

Civil Division

Clearfield County

No. 07-2029-CD

CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of Plaintiff's Motion to Direct Sheriff to File
Affidavit of Service and Brief in Support thereof were served upon the following interested
parties via first class mail on the date indicated below:

Chester A. Hawkins
Sheriff of Clearfield County
230 East Market Street
Clearfield, Pennsylvania 16830

Peter F. Smith, Esquire
30 South 2nd Street
PO Box 130
Clearfield, PA 16830-2347
(Sheriff's Solicitor)

Thomas M. Hullihen
Vicki L. Hullihen
271 East Main Street
Mahaffey, PA 15757

PHELAN HALLINAN & SCHMIEG, LLP

1/15/08
Date

Jenine R. Davey
Michele M. Bradford, Esquire
Jenine R. Davey, Esquire
Attorneys for Plaintiff



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

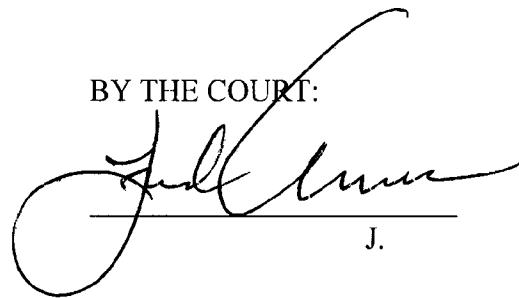
Wells Fargo Bank, NA	:	Court of Common Pleas
3476 Stateview Boulevard	:	
Fort Mill, SC 29715	:	
Plaintiff	:	Civil Division
vs.	:	
Thomas M. Hullihen	:	Clearfield County
Vicki L. Hullihen	:	
271 East Main Street	:	No. 07-2029-CD
Mahaffey, PA 15757	:	
Defendant(s)	:	

ORDER

AND NOW, this 29 day of January, 2008, upon consideration of Plaintiff's Motion to Direct Sheriff to File Affidavit of Service, and any response thereto, it is hereby:

ORDERED and DECREED that the Sheriff of Clearfield County is hereby directed to complete and file an Affidavit of Service of the foreclosure Complaint within seven days of the date of this Order.

BY THE COURT:



J.

01.31.08
2CC Abby
Daley
1CC Sheriff
(without memo)
WILLIAM A. DANE
MAGISTERIAL COURT OF CLEARFIELD
Clerk
GK

DATE: 11/30/08



You are responsible for serving all appropriate parties.

The Prothonotary's office has provided service to the following parties:

Plaintiff(s) Plaintiff(s) Attorney Other

Defendant(s) Defendant(s) Attorney

Special Instructions:

*m/10/24/08 NO CC
(GP)*

William A. Clegg
Prothonotary, Clearfield County

PHELAN HALLINAN & SCHMIEG, LLP
BY: Michele M. Bradford, Esquire, ID No. 69849
Jenine R. Davey, Esquire, ID No. 87077
One Penn Center at Suburban Station
1617 JFK Boulevard, Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

Wells Fargo Bank, NA :
3476 Stateview Boulevard :
Fort Mill, SC 29715 :
Plaintiff :
:

VS. :

Thomas M. Hullihen :
Vicki L. Hullihen :
271 East Main Street :
Mahaffey, PA 15757 :
Defendants :

ATTORNEYS FOR PLAINTIFF

Court of Common Pleas
Civil Division
Clearfield County
No. 07-2029-CD

MOTION TO DIRECT THE SHERIFF TO FILE AFFIDAVIT OF SERVICE

1. Plaintiff commenced the instant mortgage foreclosure action by filing a Complaint on December 13, 2007. A true and correct copy of the Complaint is attached hereto, made part hereof, and marked as Exhibit "A".

2. The Sheriff of Clearfield County was requested to serve the Complaint upon the Defendants.

3. On January 4, 2008, the Sheriff's Office verbally advised counsel for Plaintiff that Vicki L. Hullihen accepted service on behalf of both Defendants on January 2, 2008.

4. On January 23, 2008, Plaintiff sent the Defendants a ten day letters notifying them of its intention to file a default judgment.

5. To date, the Clearfield County Sheriff's Office has not filed the Affidavit of Service, which was made on January 2, 2008.

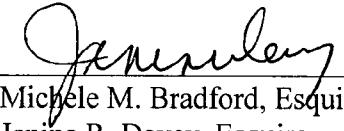
6. Plaintiff is unable to enter judgment and praecipe for a writ of execution until the Sheriff's Office files the Affidavit of Service of the Complaint with the Prothonotary. Interest accrues at the rate of \$22.42 per day on this mortgage account. Additionally, the Plaintiff continues to advance funds for real estate taxes and hazard insurance at its own expense.

7. The Plaintiff is greatly prejudiced by the delay in the filing of the Sheriff's Affidavit of Service.

WHEREFORE, Plaintiff respectfully requests that the Court enter an Order directing the Sheriff of Clearfield County to file the Affidavit of Service of the Complaint with the Prothonotary within seven days.

Respectfully submitted,
PHELAN HALLINAN & SCHMIEG, LLP

1/25/08
Date



Michele M. Bradford, Esquire
Jenine R. Davey, Esquire
Attorneys for Plaintiff

EXHIBIT A

PHELAN HALLINAN & SCHMIEG, LLP
FRANCIS S. HALLINAN, ESQ., Id. No. 62695
DANIEL G. SCHMIEG, ESQ., Id. No. 62205
MICHELE M. BRADFORD, ESQ., Id. No. 69849
SHEETAL SHAH-JANI, ESQ., Id. No. 81760
JUDITH T. ROMANO, ESQ., Id. No. 58745
JENINE R. DAVEY, ESQ., Id. No. 87077
MICHAEL E. CARLETON, ESQ., Id. No. 203009
ONE PENN CENTER PLAZA, SUITE 1400
PHILADELPHIA, PA 19103
(215) 563-7000

160171

ATTORNEY FOR PLAINTIFF

WELLS FARGO BANK, N.A
3476 STATEVIEW BOULEVARD
FORT MILL, SC 29715

Plaintiff
v.

THOMAS M. HULLIHEN
VICKI L. HULLIHEN
271 EAST MAIN STREET
MAHAFFEY, PA 15757

Defendants

COURT OF COMMON PLEAS
CIVIL DIVISION

TERM

NO. 07-2024-CD

CLEARFIELD COUNTY


FILED
DEC 13 2007

William A. Shaw
Prothonotary/Clerk of Courts

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

ATTORNEY FILE COPY
PLEASE RETURN

We hereby certify the
within to be a true and
correct copy of the
original filed of record

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.

Lawyer Referral Service:
Pennsylvania Lawyer Referral Service
Pennsylvania Bar Association
100 South Street
PO Box 186
Harrisburg, PA 17108
800-692-7375

Notice to Defend:
David S. Meholic, Court Administrator
Clearfield County Courthouse
2nd and Market Streets
Clearfield, PA 16830
814-765-2641 x 5982

**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.

1. Plaintiff is

WELLS FARGO BANK, N.A
3476 STATEVIEW BOULEVARD
FORT MILL, SC 29715

2. The name(s) and last known address(es) of the Defendant(s) are:

THOMAS M. HULLIHEN
VICKI L. HULLIHEN
271 EAST MAIN STREET
MAHAFFEY, PA 15757

who is/are the mortgagor(s) and/or real owner(s) of the property hereinafter described.

3. On 02/28/2007 mortgagor(s) made, executed, and delivered a mortgage upon the premises hereinafter described to PLAINTIFF which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Instrument No: 200703875. The mortgage and assignment(s), if any, are matters of public record and are incorporated herein by reference in accordance with Pa.R.C.P. 1019(g); which Rule relieves the Plaintiff from its obligations to attach documents to pleadings if those documents are of public record.
4. The premises subject to said mortgage is described as attached.
5. The mortgage is in default because monthly payments of principal and interest upon said mortgage due 04/01/2007 and each month thereafter are due and unpaid, and by the terms of said mortgage, upon failure of mortgagor to make such payments after a date specified by written notice sent to Mortgagor, the entire principal balance and all interest due thereon are collectible forthwith.

6. The following amounts are due on the mortgage:

Principal Balance	\$86,360.00
Interest 03/01/2007 through 12/11/2007 (Per Diem \$22.42)	\$6,412.12
Attorney's Fees	\$1,250.00
Cumulative Late Charges 02/28/2007 to 12/11/2007	\$0.00
Cost of Suit and Title Search	<u>\$550.00</u>
Subtotal	\$94,572.12
Escrow	
Credit	(\$377.38)
Deficit	\$0.00
Subtotal	<u>(\$377.38)</u>
TOTAL	\$94,194.74

7. If the mortgage is reinstated prior to a Sheriff's Sale, the attorney's fee set forth above may be less than the amount demanded based on work actually performed. The attorney's fees requested are in conformity with the mortgage and Pennsylvania law. Plaintiff reserves its right to collect attorney's fees up to 5% of the remaining principal balance in the event the property is sold to a third party purchaser at Sheriff's Sale, or if the complexity of the action requires additional fees in excess of the amount demanded in the Action.

8. Plaintiff is not seeking a judgment of personal liability (or an in personam judgment) against the Defendant(s) in the Action; however, Plaintiff reserves its right to bring a separate Action to establish that right, if such right exists. If Defendant(s) has/have received a discharge of personal liability in a bankruptcy proceeding, this Action of Mortgage Foreclosure is in no way an attempt to reestablish such personal liability discharged in bankruptcy, but only to foreclose the mortgage and sell the mortgaged premises pursuant to Pennsylvania Law.

9. Notice of Intention to Foreclose as set forth in Act 6 of 1974, Notice of Homeowner's Emergency Assistance Program pursuant to Act 91 of 1983, as amended in 1998, and/or Notice of Default as required by the mortgage document, as applicable, have been sent to the Defendant(s) on the date(s) set forth thereon, and the temporary stay as provided by said notice has terminated because Defendant(s) has/have failed to meet with the Plaintiff or an authorized consumer credit counseling agency, or has/have been denied assistance by the Pennsylvania Housing Finance Agency.
10. This action does not come under Act 6 of 1974 because the original mortgage amount exceeds \$50,000.
11. Defendants' application for assistance under Act 91 of 1983 has been rejected by the Pennsylvania Housing Finance Agency.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$94,194.74, together with interest from 12/11/2007 at the rate of \$22.42 per diem to the date of Judgment, and other costs and charges collectible under the mortgage and for the foreclosure and sale of the mortgaged property.

PHELAN HALLINAN & SCHMIEG, LLP

By: Jennine R. Davey 87677
FRANCIS S. HALLINAN, ESQUIRE
DANIEL G. SCHMIEG, ESQUIRE
MICHELE M. BRADFORD, ESQUIRE
SHEETAL SHAH-JANI, ESQUIRE
JUDITH T. ROMANO, ESQUIRE
JENINE R. DAVEY, ESQUIRE
MICHAEL E. CARLETON, ESQUIRE
Attorneys for Plaintiff

LEGAL DESCRIPTION

All that certain piece, parcel or lot of land situate in the Borough of Mahaffey, Clearfield County, Commonwealth of Pennsylvania, bounded and described as follows, to-wit:

Beginning at a point along the Southern side of Main Street, said beginning point being the Northeastern corner of the parcel herein described, said beginning point furthermore being at the Northwestern corner of lands of Daniel L. and Carol A. Wright; thence South 49 degrees 35 minutes West along the Western boundary line of Daniel L. and Carol A. Wright for a distance of 180 feet to a point along the Northern side of Walnut Street; thence North 39 degrees 28 minutes 40 seconds West along the Northern side of Walnut Street for a distance of 120 feet to a point; thence North 49 degrees 35 minutes East along the Eastern side of a 15-foot alley for a distance of 180 feet to a point along the Southern side of Main Street; thence South 39 degrees 28 minutes 40 seconds along the Southern side of Main Street for a distance of 120 feet to the place of beginning.

Being designated as tax parcel #13-C12-300 in the records of the Deed Registry Office of Clearfield County, Pennsylvania.

Being the same premises conveyed to Thomas M. Hullihen and Vicki L. Hullihen, husband and wife, from Ronald M. Wright, Jr. and Jacqueline S. Wright, husband and wife, by deed dated February 27, 2007 and recorded March 12, 2007, in the Instrument Number: 200703874.

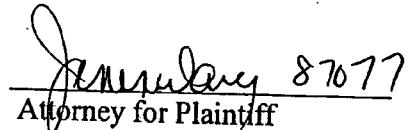
PROPERTY BEING: 271 EAST MAIN STREET

VERIFICATION

I hereby state that I am the attorney for Plaintiff in this matter, that Plaintiff is outside the jurisdiction of the court and/or the verification could not be obtained within the time allowed for the filing of the pleading, that I am authorized to make this verification pursuant to Pa.R.C.P. 1024 (c), and that the statements made in the foregoing Civil Action in Mortgage Foreclosure are based upon information supplied by Plaintiff and are true and correct to the best of my knowledge, information and belief.

Furthermore, counsel intends to substitute a verification from Plaintiff upon receipt.

The undersigned understands that this statement is made subject to the penalties of 18 Pa.C.S. Sec. 4904 relating to unsworn falsifications to authorities.



Attorney for Plaintiff

DATE: 12/12/07

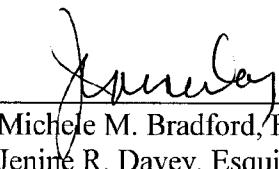
VERIFICATION

The undersigned hereby state that they are the attorneys for the Plaintiff in this action, that they are authorized to make this Verification, and that the statements made in the foregoing Motion to Direct Sheriff to file Affidavit of Service and Brief in support thereof are true and correct to the best of their knowledge, information and belief. The undersigned understands that this statement herein is made subject to the penalties of 18 Pa. C.S. 4904 relating to unsworn falsification to authorities.

PHELAN HALLINAN & SCHMIEG, LLP

Date

1/25/08



Michele M. Bradford, Esquire
Jenine R. Davey, Esquire
Attorneys for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103539
NO: 07-2029-CD
SERVICE # 1 OF 2
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: WELLS FARGO BANK, N.A.
vs.

DEFENDANT: THOMAS M. HULLIHEN and VICKI L. HULLIHEN

SHERIFF RETURN

NOW, January 02, 2008 AT 10:51 AM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON THOMAS M. HULLIHEN DEFENDANT AT 271 EAST MAIN ST., MAHAFFEY, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO VICKI L HULLIHEN, WIFE A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: DAVIS / MORGILLO

RECEIVED
03:45 pm
JAN 31 2008
WAS
William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103539
NO: 07-2029-CD
SERVICE # 2 OF 2
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: WELLS FARGO BANK, N.A.
vs.
DEFENDANT: THOMAS M. HULLIHEN and VICKI L. HULLIHEN

SHERIFF RETURN

NOW, January 02, 2008 AT 10:51 AM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON VICKI L. HULLIHEN DEFENDANT AT 271 EAST MAIN ST., MAHAFFEY, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO VICKI L HULLIHEN, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: DAVIS / MORGILLO

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103539
NO: 07-2029-CD
SERVICES 2
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: WELLS FARGO BANK, N.A.

VS.

DEFENDANT: THOMAS M. HULLIHEN and VICKI L. HULLIHEN

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	PHELAN	650721	20.00
SHERIFF HAWKINS	PHELAN	650721	67.56

Sworn to Before Me This

So Answers,

____ Day of _____ 2008

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

RECEIVED
PROTHONOTARY
JAN 31 2000

JAN 31 2000

William A. Shaw
Prothonotary/Clerk of Courts

PHELAN HALLINAN & SCHMIEG

By: DANIEL G. SCHMIEG

Identification No. 62205

One Penn Center at Suburban Station - Suite 1400

1617 John F. Kennedy Boulevard

Philadelphia, PA 19103-1814

(215) 563-7000

Attorney for Plaintiff

m 12/11/07 Atty pd. 20.00
FEB 28 2008 ICC & Notice
to Defs.
William A. Shaw
Prothonotary/Clerk of Courts

Statement to
Atty
OK

WELLS FARGO BANK, N.A
3476 STATEVIEW BOULEVARD
FORT MILL, SC 29715

Plaintiff,

v.

THOMAS M. HULLIHEN
VICKI L. HULLIHEN
271 EAST MAIN STREET
MAHAFFEY, PA 15757

Defendant(s).

:
: **CLEARFIELD COUNTY**
: **COURT OF COMMON PLEAS**
:
: **CIVIL DIVISION**
:
: **NO. 07-2029-CD**
:
:
:

**PRAECIPE FOR IN REM JUDGMENT FOR FAILURE TO
ANSWER AND ASSESSMENT OF DAMAGES**

TO THE OFFICE OF THE PROTHONOTARY:

Kindly enter an in rem judgment in favor of the Plaintiff and against **THOMAS M. HULLIHEN and VICKI L. HULLIHEN**, Defendant(s) for failure to file an Answer to Plaintiff's Complaint within 20 days from service thereof and for foreclosure and sale of the mortgaged premises, and assess Plaintiff's damages as follows:

As set forth in the Complaint	\$ 94,194.74
Interest - 12/12/07 TO 02/27/08	\$ 1,748.76
TOTAL	<u>\$ 95,943.50</u>

I hereby certify that (1) the addresses of the Plaintiff and Defendant(s) are as shown above, and (2) notice has been given in accordance with Rule 237.1, copy attached.

Daniel G. Schmieg
DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

DAMAGES ARE HEREBY ASSESSED AS INDICATED.

DATE: 2/28/08

W.A. Shaw
PRO PROTHY

PHELAN HALLINAN AND SCHMIEG
By: Lawrence T. Phelan, Esq., Id. No. 32227
Francis S. Hallinan, Esq., Id. No. 62695
Daniel G. Schmieg, Esq., Id. No. 62205
One Penn Center Plaza, Suite 1400
Philadelphia, PA 19103
(215) 563-7000

WELLS FARGO BANK, N.A.
Plaintiff

Vs.

THOMAS M. HULLIHEN
VICKI L. HULLIHEN
Defendants

ATTORNEY FOR PLAINTIFF

: COURT OF COMMON PLEAS

: CIVIL DIVISION

: CLEARFIELD COUNTY

: NO. 07-2029-CD

TO: THOMAS M. HULLIHEN
271 EAST MAIN STREET
MAHAFFEY, PA 15757

DATE OF NOTICE: JANUARY 23, 2008

THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. THIS NOTICE IS SENT TO YOU IN AN ATTEMPT TO COLLECT THE INDEBTEDNESS REFERRED TO HEREIN, AND ANY INFORMATION OBTAINED FROM YOU WILL BE USED FOR THAT PURPOSE. IF YOU HAVE PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY, THIS CORRESPONDENCE IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY AS ENFORCEMENT OF LIEN AGAINST PROPERTY.

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

PENNSYLVANIA LAWYER REFERRAL
SERVICE
PENNSYLVANIA BAR ASSOCIATION
100 SOUTH STREET
P.O. BOX 186
HARRISBURG, PA 17108
800-692-7375



FRANCIS S. HALLINAN, ESQUIRE
Attorneys for Plaintiff

PHELAN HALLINAN AND SCHMIEG
By: Lawrence T. Phelan, Esq., Id. No. 32227
Francis S. Hallinan, Esq., Id. No. 62695
Daniel G. Schmieg, Esq., Id. No. 62205
One Penn Center Plaza, Suite 1400
Philadelphia, PA 19103
(215) 563-7000

ATTORNEY FOR PLAINTIFF

WELLS FARGO BANK, N.A.

Plaintiff

: COURT OF COMMON PLEAS

Vs.

: CIVIL DIVISION

THOMAS M. HULLIHEN

VICKI L. HULLIHEN

Defendants

: CLEARFIELD COUNTY

: NO. 07-2029-CD

FILED 01/23/2008

TO: VICKI L. HULLIHEN
271 EAST MAIN STREET
MANAFFEY, PA 15757

DATE OF NOTICE: JANUARY 23, 2008

THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. THIS NOTICE IS SENT TO YOU IN AN ATTEMPT TO COLLECT THE INDEBTEDNESS REFERRED TO HEREIN, AND ANY INFORMATION OBTAINED FROM YOU WILL BE USED FOR THAT PURPOSE. IF YOU HAVE PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY, THIS CORRESPONDENCE IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY AS ENFORCEMENT OF LIEN AGAINST PROPERTY.

IMPORTANT NOTICE

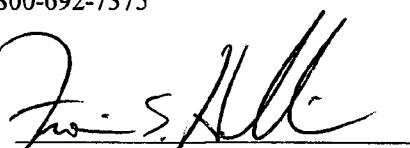
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YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

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

PENNSYLVANIA LAWYER REFERRAL
SERVICE
PENNSYLVANIA BAR ASSOCIATION
100 SOUTH STREET
P.O. BOX 186
HARRISBURG, PA 17108
800-692-7375


FRANCIS S. HALLINAN, ESQUIRE
Attorneys for Plaintiff

PHELAN HALLINAN & SCHMIEG

By: DANIEL G. SCHMIEG

Identification No. 62205

ATTORNEY FOR PLAINTIFF

Suite 1400

One Penn Center at Suburban Station

1617 John F. Kennedy Boulevard

Philadelphia, PA 19103-1814

(215) 563-7000

WELLS FARGO BANK, N.A

3476 STATEVIEW BOULEVARD

FORT MILL, SC 29715

Plaintiff,

v.

THOMAS M. HULLIHEN

VICKI L. HULLIHEN

271 EAST MAIN STREET

MAHAFFEY, PA 15757

Defendant(s).

:
: CLEARFIELD COUNTY
: COURT OF COMMON PLEAS
: CIVIL DIVISION
: NO. 07-2029-CD
:
:
:
:
:

VERIFICATION OF NON-MILITARY SERVICE

DANIEL G. SCHMIEG, ESQUIRE, hereby verifies that he is attorney for the Plaintiff in the above-captioned matter, and that on information and belief, he has knowledge of the following facts, to wit:

(a) that the defendant(s) is/are 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.

(b) that defendant **THOMAS M. HULLIHEN** is over 18 years of age and resides at **271 EAST MAIN STREET, MAHAFFEY, PA 15757**.

(c) that defendant **VICKI L. HULLIHEN** is over 18 years of age, and resides at **271 EAST MAIN STREET, MAHAFFEY, PA 15757**.

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



DANIEL G. SCHMIEG, ESQUIRE

(Rule of Civil Procedure No. 236 - Revised

IN THE COURT OF COMMON PLEAS
CLEARFIELD PENNSYLVANIA

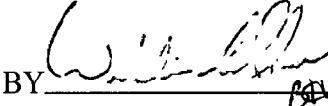
WELLS FARGO BANK, N.A :
3476 STATEVIEW BOULEVARD :
FORT MILL, SC 29715 :

Plaintiff, :
v. :

THOMAS M. HULLIHEN :
VICKI L. HULLIHEN :
271 EAST MAIN STREET :
MAHAFFEY, PA 15757 :

Defendant(s). :
:

Notice is given that a Judgment in the above captioned matter has been entered against you
on February 28, 2008.

BY  DEPUTY

If you have any questions concerning this matter, please contact:

DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff
One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

This firm is a debt collector attempting to collect a debt. Any information we obtain will be used for that purpose. If you have previously received a discharge in bankruptcy, this correspondence is not and should not be construed to be an attempt to collect a debt, but only enforcement of a lien against property.

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

Wells Fargo Bank, N.A.
Plaintiff(s)

No.: 2007-02029-CD

Real Debt: \$95,943.50

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Thomas M. Hullihen
Vicki L. Hullihen
Defendant(s)

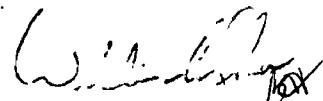
Entry: \$20.00

Instrument: In Rem Judgment

Date of Entry: February 28, 2008

Expires: February 28, 2013

Certified from the record this 28th day of February, 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

WRIT OF EXECUTION – (MORTGAGE FORECLOSURE)
P.R.C.P. 3180-3183 and Rule 3257

WELLS FARGO BANK, N.A

vs.

THOMAS M. HULLIHEN

VICKI L. HULLIHEN

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

No. Term 20
No. 07-2029-CD Term 20
No. Term 20

WRIT OF EXECUTION
(Mortgage Foreclosure)

Commonwealth of Pennsylvania:

County of Clearfield

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

To satisfy the judgment, interest and costs in the above matter you are directed to levy upon and sell the following property (specifically described property below):

PREMISES: 271 EAST MAIN STREET, MAHAFFEY, PA 15757

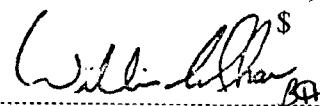
(See Legal Description attached)

Amount Due	
Interest from 02/28/08 to Sale	\$95,943.50
Per diem \$15.77	125.00
Add'l Costs	\$ _____
Writ Total	\$3,770.00

Prothonotary costs
\$ _____

\$ _____

\$3,770.00



(Clerk) Office of the Prothonotary, Common Pleas Court
of CLEARFIELD County, Penna.

Dated 2/28/08
(SEAL)

160171

No. 07-2029-CD Term 20 ...A.D.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

WELLS FARGO BANK, N.A

vs.

THOMAS M. HULLIHEN
VICKI L. HULLIHEN

WRIT OF EXECUTION
(Mortgage Foreclosure)

Costs

Real Debt \$95,943.50

Int. from 02/28/08
To Date of Sale (\$15.77 per diem)

Costs

Prothy Pd. 125.00

Sheriff James D. Delaney

Attorney for Plaintiff(s)

Address: THOMAS M. HULLIHEN
271 EAST MAIN STREET
MAHAFFEY, PA 15757

VICKI L. HULLIHEN
271 EAST MAIN STREET
MAHAFFEY, PA 15757

LEGAL DESCRIPTION

All that certain piece, parcel or lot of land situate in the Borough of Mahaffey, Clearfield County, Commonwealth of Pennsylvania, bounded and described as follows, to-wit:

Beginning at a point along the Southern side of Main Street, said beginning point being the Northeastern corner of the parcel herein described, said beginning point furthermore being at the Northwestern corner of lands of Daniel L. and Carol A. Wright; thence South 49 degrees 35 minutes West along the Western boundary line of Daniel L. and Carol A. Wright for a distance of 180 feet to a point along the Northern side of Walnut Street; thence North 39 degrees 28 minutes 40 seconds West along the Northern side of Walnut Street for a distance of 120 feet to a point; thence North 49 degrees 35 minutes East along the Eastern side of a 15-foot alley for a distance of 180 feet to a point along the Southern side of Main Street; thence South 39 degrees 28 minutes 40 seconds along the Southern side of Main Street for a distance of 120 feet to the place of beginning.

Being designated as tax parcel #13-C12-300 in the records of the Deed Registry Office of Clearfield County, Pennsylvania.

Being the same premises conveyed to Thomas M. Hullihen and Vicki L. Hullihen, husband and wife, from Ronald M. Wright, Jr. and Jacqueline S. Wright, husband and wife, by deed dated February 27, 2007 and recorded March 12, 2007, in the Instrument Number: 200703874.

RECORD OWNER

TITLE TO SAID PREMISES IS VESTED IN Thomas M. Hullihen and Vicki L. Hullihen, husband and wife, by Deed from Ronald M. Wright, Jr. and Jacqueline S. Wright, husband and wife, dated 02/27/2007, recorded 03/12/2007, in Deed Mortgage Inst# 200703874.

Premises being: **271 EAST MAIN STREET
MAHAFFEY, PA 15757**

Tax Parcel No. **13-C12-300-006**

PRAECIPE FOR WRIT OF EXECUTION – (MORTGAGE FORECLOSURE)
P.R.C.P. 3180-3183

WELLS FARGO BANK, N.A

vs.

THOMAS M. HULLIHEN

VICKILL HULLIHEN

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

No. 07-2029-CD Term 20.....

PRAECIPE FOR WRIT OF EXECUTION
(Mortgage Foreclosure)

To the Director of the Office of Judicial Support

Issue writ of execution in the above matter:

Amount Due	
	\$95,943.50

Interest from 02/28/08 to Sale	\$ _____
--------------------------------	----------

Per diem \$15.77	\$ _____
------------------	----------

Add'l Costs	\$3,770.00
-------------	------------

Writ Total	\$ _____
------------	----------

Prothonotary costs 125.00

Daniel D. Schmieg

Attorney for the Plaintiff(s)

Note: Please attach description of Property.

160171

m 12:48 (82) Atty pd. 20.00
ICC & Lewnts
William A. Shaw w/prop desc
Prothonotary/Clerk of Court to Sheriff

62

No. 07-2029-CD Term 20A.D.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

WELLS FARGO BANK, N.A

EB 28 7/01

vs.

THOMAS M. HULLIHEN
VICKI L. HULLIHEN

PRAECLPICE FOR WRIT OF EXECUTION
(Mortgage Foreclosure)

Filed:



Attorney for Plaintiff(s)

Address: THOMAS M. HULLIHEN
271 EAST MAIN STREET
MAHAFFEY, PA 15757
VICKI L. HULLIHEN
271 EAST MAIN STREET
MAHAFFEY, PA 15757

PHELAN HALLINAN & SCHMIEG

By: DANIEL G. SCHMIEG

Identification No. 62205

Suite 1400

One Penn Center at Suburban Station

1617 John F. Kennedy Boulevard

Philadelphia, PA 19103-1814

(215) 563-7000

ATTORNEY FOR PLAINTIFF

WELLS FARGO BANK, N.A

3476 STATEVIEW BOULEVARD

FORT MILL, SC 29715

Plaintiff,

v.

THOMAS M. HULLIHEN

VICKI L. HULLIHEN

271 EAST MAIN STREET

MAHAFFEY, PA 15757

Defendant(s).

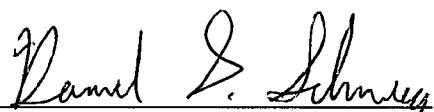
:
: CLEARFIELD COUNTY
: COURT OF COMMON PLEAS
: CIVIL DIVISION
: NO. 07-2029-CD
:
:
:
:
:

CERTIFICATION

DANIEL G. SCHMIEG, ESQUIRE, hereby states that he is the attorney for the Plaintiff in the above captioned matter and that the premises are not subject to the provisions of Act 91 because it is:

- an FHA Mortgage
- non-owner occupied
- vacant
- Act 91 procedures have been fulfilled

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



DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

**WELLS FARGO BANK, N.A
3476 STATEVIEW BOULEVARD
FORT MILL, SC 29715**

Plaintiff,

V.

THOMAS M. HULLIHEN
VICKI L. HULLIHEN
271 EAST MAIN STREET
MAHAFFEY, PA 15757

Defendant(s).

CLEARFIELD COUNTY

COURT OF COMMON PLEAS

CIVIL DIVISION

NO. 07-2029-CD

AFFIDAVIT PURSUANT TO RULE 3129
(Affidavit No.1)

WELLS FARGO BANK, N.A., Plaintiff in the above action, by its attorney, **DANIEL G. SCHMIEG, ESQUIRE**, sets forth as of the date the Praeclipe for the Writ of Execution was filed, the following information concerning the real property located at **271 EAST MAIN STREET, MAHAFFEY, PA 15757**.

1. Name and address of Owner(s) or reputed Owner(s):

NAME LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)

THOMAS M. HULLIHEN 271 EAST MAIN STREET
MAHAFFEY, PA 15757

VICKI L. HULLIHEN **271 EAST MAIN STREET**
MAHAFFEY, PA 15757

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

NAME LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)

Same as Above

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

02/27/08

Date

Daniel G. Schmieg, Esquire
DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

WELLS FARGO BANK, N.A	:	
3476 STATEVIEW BOULEVARD	:	
FORT MILL, SC 29715	:	CLEARFIELD COUNTY
	:	COURT OF COMMON PLEAS
Plaintiff,	:	
v.	:	CIVIL DIVISION
THOMAS M. HULLIHEN	:	
VICKI L. HULLIHEN	:	NO. 07-2029-CD
271 EAST MAIN STREET	:	
MAHAFFEY, PA 15757	:	
Defendant(s).	:	
	:	

AFFIDAVIT PURSUANT TO RULE 3129

WELLS FARGO BANK, N.A, Plaintiff in the above action, by its attorney, **DANIEL G. SCHMIEG, ESQUIRE**, sets forth as of the date the Praeclipe for the Writ of Execution was filed, the following information concerning the real property located at **271 EAST MAIN STREET, MAHAFFEY, PA 15757**.

3. Name and address of every judgment creditor whose judgment is a record lien on the real property to be sold:

NAME	LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)
Clearfield Bank & Trust Company	P.O Box 171, Clearfield, PA 16830

4. Name and address of the last recorded holder of every mortgage of record:

NAME	LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)
Ronald M. Wright, Jr. and Jacqueline S. Wright, husband and wife	112 Belle Grove Drive, LaPlace, LA 70068

5. Name and address of every other person who has any record lien on the property:

NAME	LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)
None	

6. Name and address of every other person who has any record interest in the property and whose interest may be affected by the Sale:

NAME	LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)
None	

7. Name and address of every other person whom the Plaintiff has knowledge who has any interest in the property which may be affected by the Sale:

NAME

LAST KNOWN ADDRESS (If address cannot be reasonably ascertained, please so indicate.)

TENANT/OCCUPANT

**271 EAST MAIN STREET
MAHAFFEY, PA 15757**

**DOMESTIC RELATIONS
CLEARFIELD COUNTY**

**CLEARFIELD COUNTY COURTHOUSE
230 EAST MARKET STREET
CLEARFIELD, PA 16830**

**COMMONWEALTH OF
PENNSYLVANIA**

**DEPARTMENT OF WELFARE
PO BOX 2675
HARRISBURG, PA 17105**

**Commonwealth of Pennsylvania
Bureau of Individual Tax
Inheritance Tax Division**

**6th Floor, Strawberry Sq., Dept 28061
Harrisburg, PA 17128**

**Internal Revenue Service
Federated Investors Tower**

**13TH Floor, Suite 1300
1001 Liberty Avenue
Pittsburgh, PA 15222**

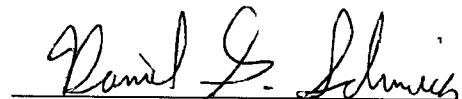
**Department of Public Welfare
TPL Casualty Unit
Estate Recovery Program**

**P.O. Box 8486
Willow Oak Building
Harrisburg, PA 17105**

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

02/27/08

Date


DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

PHELAN HALLINAN & SCHMIEG, LLP
BY: Francis S. Hallinan, Esquire
Identification No. 62695
One Penn Center Plaza
Suite 1400
Philadelphia, PA 19103
(215) 563-7000

Attorney For Plaintiff

WELLS FARGO BANK N.A.

v.

*COURT OF COMMON
PLEAS*

*THOMAS M. HULLIHEN
VICKI L. HULLIHEN*

CIVIL DIVISION

COURT NO. 07-2029-CD

CLEARFIELD COUNTY

PRAECIPE TO SUBSTITUTE VERIFICATION

TO THE PROTHONOTARY:

*Kindly substitute the attached verification for the verification originally filed with the complaint
in the instant matter.*

By: 
Francis S. Hallinan, Esquire
Attorney for Plaintiff

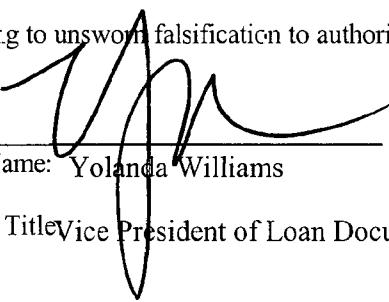
11:42 a.m. CK
FEB 2 2008 No cc

Dated: 2-25-08

William A. Shaw
Prothonotary/Clerk of Court (6)

VERIFICATION

Yolanda Williams hereby states that he/she is
Vice President of Loan Documentation of WELLS FARGO BANK, N.A., servicing agent for Plaintiff
in this matter, that he/she is authorized to take this Verification, and that the statements made in
the foregoing Civil Action in Mortgage Foreclosure are true and correct to the best of his/her
knowledge, information and belief. The undersigned understands that this statement is made
subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.



Name: Yolanda Williams
Title: Vice President of Loan Documentation
Company: WELLS FARGO BANK, N.A.

DATE: December 17, 2007

Loan: 0158500074

File #: 160171

Phelan Hallinan & Schmieg, LLP
By: Francis S. Hallinan, Esquire
Identification No. 62695
One Penn Center Plaza, Suite 1400
Philadelphia, PA 19103
(215) 563-7000
WELLS FARGO BANK N.A.

ATTORNEY FOR PLAINTIFF

Court Of Common Pleas

Civil Division

CLEARFIELD County

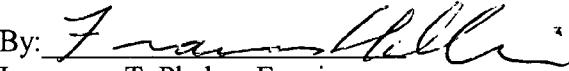
No. 07-2029-CD

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of Plaintiff's Praeclipe to attach
Verification of Complaint was sent via first class mail to the following on the date listed
below:

THOMAS M. HULLIHEN
VICKI L. HULLIHEN
271 East Main Street
Mahaffey, PA 15757

Phelan Hallinan & Schmieg, LLP
Attorney for Plaintiff

By: 
Lawrence T. Phelan, Esquire
Francis S. Hallinan, Esquire
Daniel G. Schmieg, Esquire

Date: February 25, 2008
PHS# 160171

PHELAN HALLINAN & SCHMIEG, LLP
LAWRENCE T. PHELAN, ESQ., Id. No. 32227
FRANCIS S. HALLINAN, ESQ., Id. No. 62695
ONE PENN CENTER PLAZA, SUITE 1400
PLAINTIFF
PHILADELPHIA, PA 19103
(215) 563-7000

ATTORNEY FOR

WELLS FARGO BANK, NA : COURT OF COMMON PLEAS
Plaintiff :
vs. : CIVIL DIVISION
THOMAS M. HULLIHEN : CLEARFIELD COUNTY
VICKI L. HULLIHEN : No. 07-2029-CD
Defendants :
:

PRAECIPE TO FILE AFFIDAVIT OF SERVICE

TO THE PROTHONOTARY:

Kindly file the attached Affidavits of Service with reference to the above captioned matter.

PHELAN HALLINAN & SCHMIEG, LLP
By: Daniel G. Schmieg
DANIEL G. SCHMIEG, ESQUIRE
Attorneys for Plaintiff

Date: March 26, 2008

PAW.
PHS # 160171

4/3/08 No cc.
m/10'40"cm
MAR 28 2008
WS

William A. Shaw
Prothonotary/Clerk of Courts

AFFIDAVIT OF SERVICE

PLAINTIFF	WELLS FARGO BANK, N.A	CLEARFIELD County
DEFENDANT(S)	THOMAS M. HULLIHEN VICKI L. HULLIHEN	No. 07-2029-CD Our File #: 160171
Please serve upon:	THOMAS M. HULLIHEN	Type of Action - Notice of Sheriff's Sale
SERVE AT:	271 EAST MAIN STREET MAHAFFEY, PA 15757	Sale Date: MAY 2 ND , 2008

SERVED

Served and made known to Thomas M. Hullihen, Defendant, on the 18th day of MARCH, 2008, at 2:45, o'clock P.m., at 271 EAST MAIN STREET, MAHAFFEY, PA 15757,

Commonwealth of Pennsylvania, in the manner described below:

Defendant personally served.
 Adult family member with whom Defendant(s) reside(s). Relationship is _____.
 Adult in charge of Defendant(s)'s residence who refused to give name or relationship.
 Manager/Clerk of place of lodging in which Defendant(s) reside(s).
 Agent or person in charge of Defendant(s)'s office or usual place of business.
 _____ an officer of said Defendant(s)'s company.
 Other: _____

Description: Age 40 Height 5'10 Weight 200 lbs Race Cauc Sex M Other

I, D.M. Ellis, a competent adult, being duly sworn according to law, depose and state that I personally handed a true and correct copy of the Notice of Sheriff's Sale in the manner as set forth herein, issued in the captioned case on the date and at the address indicated above.

Sworn to and subscribed
before me this 19th day
of MARCH, 2008

Notary:

By: D.M. Ellis

Marilyn A. Campbell
CO. OF CLEARFIELD
PA
Clerk of Court
by Comm
Member Penn. Bar

NOT SERVED

ATTEMPT SERVICE NLT THREE (3) TIMES

On the _____ day of _____, 200_____, at _____ o'clock ___m., Defendant NOT FOUND because:

Moved Unknown No Answer Vacant
1st attempt Date: _____ Time: _____, 2nd attempt Date: _____ Time: _____, 3rd
attempt Date: _____ Time: _____.
Other: _____

Sworn to and subscribed
before me this _____ day
of _____, 200_____.
Notary:

By:

Attorney for Plaintiff

DANIEL G. SCHMIEG, Esquire - I.D. No. 62205
One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

AFFIDAVIT OF SERVICE

PLAINTIFF **WELLS FARGO BANK, N.A.** CLEARFIELD County
DEFENDANT(S) **THOMAS M. HULLIHEN** No. 07-2029-CD
 VICKI L. HULLIHEN Our File #: 160171
Please serve upon: **VICKI L. HULLIHEN** Type of Action
SERVE AT: **271 EAST MAIN STREET** - Notice of Sheriff's Sale
 MAHAFFEY, PA 15757 Sale Date: MAY 2ND, 2008

SERVED

Served and made known to Vicki L. Hullihen, Defendant, on the 18th day of MARCH, 2008, at 2:45, o'clock P.m., at 271 EAST MAIN STREET, MAHAFFEY, PA 15757,

Commonwealth of Pennsylvania, in the manner described below:

Defendant personally served.

Adult family member with whom Defendant(s) reside(s). Relationship is _____.

Adult in charge of Defendant(s)'s residence who refused to give name or relationship.

Manager/Clerk of place of lodging in which Defendant(s) reside(s).

Agent or person in charge of Defendant(s)'s office or usual place of business.

an officer of said Defendant(s)'s company.

Other: _____

Description: Age 35 Height 5'2 1/2 Weight 200 Race Cauc Sex F Other _____

I, Dm. Ellis, a competent adult, being duly sworn according to law, depose and state that I personally handed a true and correct copy of the Notice of Sheriff's Sale in the manner as set forth herein, issued in the captioned case on the date and at the address indicated above.

Sworn to and subscribed
before me this 19th day
of MARCH, 2008

Notary:

By: Dm Ellis

Marilyn A. Campbell
Marilyn A. Campbell, Notary Public
City of Scranton, Bradford County
My Commission Expires: June 30, 2011
Member, Pennsylvania Notary Public Commission

NOT SERVED

ATTEMPT SERVICE NLT THREE (3) TIMES

On the _____ day of _____, 200_____, at _____ o'clock m., Defendant NOT FOUND because:

Moved Unknown No Answer Vacant

1st attempt Date: _____ Time: _____, 2nd attempt Date: _____ Time: _____, 3rd

attempt Date: _____ Time: _____.

Other: _____

Sworn to and subscribed
before me this _____ day
of _____, 200_____.
Notary:

By:

Attorney for Plaintiff

DANIEL G. SCHMIEG, Esquire - I.D. No. 62205

One Penn Center at Suburban Station, Suite 1400

1617 John F. Kennedy Boulevard

Philadelphia, PA 19103-1814

(215) 563-7000

RECEIVED
MAY 1 2008

MAR 28 2008

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

WELLS FARGO BANK, N.A

Plaintiff,

v.

THOMAS M. HULLIHEN

VICKI L. HULLIHEN

Defendant(s)

CLEARFIELD COUNTY
COURT OF COMMON PLEAS

CIVIL DIVISION

NO. 07-2029-CD

AFFIDAVIT OF SERVICE PURSUANT TO RULE 3129

COMMONWEALTH OF PENNSYLVANIA)
COUNTY OF CLEARFIELD) SS:

Plaintiff in the above action sets forth as of the date the Praeclipe for the Writ of Execution was filed the following information concerning the real property located at: 271 EAST MAIN STREET, MAHAFFEY, PA 15757.

As required by Pa. R.C.P. 3129.2(a) Notice of Sale has been given to Lienholders in the manner required by Pa. R.C.P. 3129.2(c) on each of the persons or parties named, at that address set forth on the Affidavit No. 2 (previously filed) and/or Amended Affidavit No. 2 on the date indicated. A copy of the Certificate of Mailing (Form 3817) and/or Certified Mail Return Receipt stamped by the U.S. Postal Service is attached for each notice.

Daniel G. Schmieg
DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

Date: March 25, 2008

IMPORTANT NOTICE: This property is sold at the direction of the plaintiff. It may not be sold in the absence of a representative of the plaintiff at the Sheriff's Sale. The sale must be postponed or stayed in the event that a representative of the plaintiff is not present at the sale.

11:45 AM No CC.
m/10:40am
MAR 28 2008
William A. Shaw
Prothonotary/Clerk of Courts

160171

Name and
Address
of Sender

PHELAN HALLINAN & SCHMITZ
One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814

AZK

Line	Article Number	Name of Addressee, Street, and Post Office Address	Domestic Delivery	Fee
1		TENANT/OCCUPANT 271 EAST MAIN STREET MAHANAY, PA 15757		
2		DOMESTIC RELATIONS CLEARFIELD COUNTY CLEARFIELD COUNTY COURTHOUSE 230 EAST MARKET STREET CLEARFIELD, PA 16830		
3		COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF WELFARE PO BOX 2675 HARRISBURG, PA 17105		
4		Commonwealth of Pennsylvania, Bureau of Individual Tax, Inheritance Tax Division, 6 th Floor, Strawberry Sq., Dept 28061, Harrisburg, PA 17128		
5		Internal Revenue Service, Federated Investors Tower, 13 TH Floor, Suite 1300, 1001 Liberty Ave Pittsburgh, PA 15222		
6		Department of Public Welfare, TPL Casualty Unit, Estate Recovery Program, P.O. Box 8486, Oak Building, Harrisburg, PA 17105		
7		Ronald M. Wright, Jr. and Jacqueline S. Wright, 112 Belle Grove Drive, LaPlace, LA 70068		
8		Clearfield Bank & Trust Company, P.O Box 171, Clearfield, PA 16830		
9				
10				
11				
12		Re: THOMAS M. HULLIHEN 160171 TEAM 4		
Total Number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving Employee)	

\$ 02.800
0004218010 MAR12-2008
MAILED FROM ZIP CODE 19103
PRINTED BY SPRINT



The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise is \$500. The maximum indemnity payable is \$25,000 for registered mail, sent with optional insurance. See Domestic Mail Manual R900, S913 and S921 for limitations of coverage.

Name and
Address
of Sender

PHELAN HALLINAN & SCHMIEG
One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814

Line	Article Number	Name of Addressee, Street, and Post Office Address
1		James D. Hillihen P.O. Box 251 Cottleville, MO 63338
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		Re: THOMAS M. HULLIHEN 160171 SXF TEAM 4

Total Number of Pieces
Pieces Listed by Sender

Total Number of Pieces
Received at Post Office

Postmaster, Per (Name of Receiving
Employee)

The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise is \$500. The maximum indemnity payable is \$25,000 for registered mail sent with optional insurance. See Domestic Mail Manual R900, S913 and S921 for limitations of coverage.

PROTHOROTARY
CLERK OF COURTS

MAR 28 2006

William A. Shaw
Prothorotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20739
NO: 07-2029-CD

PLAINTIFF: WELLS FARGO BANK, N.A.
vs.
DEFENDANT: THOMAS M. HULLIHEN AND VICKI L. HULLIHEN

Execution REAL ESTATE

SHERIFF RETURN

DATE RECEIVED WRIT: 2/28/2008

LEVY TAKEN 3/12/2008 @ 10:17 AM

POSTED 3/12/2008 @ 10:17 AM

SALE HELD

SOLD TO

SOLD FOR AMOUNT PLUS COSTS

01/02/08
LM

WRIT RETURNED 1/12/2009

DATE DEED FILED NOT SOLD

DETAILS

3/12/2008 @ 10:17 AM SERVED THOMAS M. HULLIHEN

SERVED THOMAS M. HULLIHEN, DEFENDANT, AT HIS RESIDENCE 271 EAST MAIN STREET, MAHAFFEY, CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO VICKI HULLIHEN, WIFE/CO-DEFENDANT

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE, AND COPY OF THE LEVY AND BY MAKING KNOW TO HIM / HER THE CONTENTS THEREOF.

3/12/2008 @ 10:17 AM SERVED VICKI L. HULLIHEN

SERVED VICKI M. HULLIHEN, DEFENDANT, AT HER RESIDENCE 271 EAST MAIN STREET, MAHAFFEY, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO VICKI HULLIHEN

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE, AND COPY OF THE LEVY AND BY MAKING KNOW TO HIM / HER THE CONTENTS THEREOF.

@ SERVED

NOW, MAY 2, 2008 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO POSTPONE THE SHERIFF SALE SCHEDULED FOR MAY 2, 2008 TO AUGUST 1, 2008, DUE TO BANKRUPTCY FILING.

@ SERVED

NOW, JULY 30, 2008 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO POSTPONE THE SHERIFF SALE SCHEDULED FOR AUGUST 1, 2008 TO SEPTEMBER 5, 2008.

@ SERVED

NOW, SEPTEMBER 4, 2008 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO STAY THE SHERIFF SALE SCHEDULED FOR SEPTEMBER 5, 2008 DUE TO CHAPTER 13 BANKRUPTCY FILING.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20739
NO: 07-2029-CD

PLAINTIFF: WELLS FARGO BANK, N.A.

vs.

DEFENDANT: THOMAS M. HULLIHEN AND VICKI L. HULLIHEN

Execution REAL ESTATE

SHERIFF RETURN

SHERIFF HAWKINS \$256.00

SURCHARGE \$40.00 PAID BY ATTORNEY

So Answers,

Chester Hawkins
by Cynthia Bitter-Capra, Esq.
Chester A. Hawkins
Sheriff

WRIT OF EXECUTION – (MORTGAGE FORECLOSURE)
P.R.C.P. 3180-3183 and Rule 3257

WELLS FARGO BANK, N.A.

vs.

THOMAS M. HULLIHEN

VICKI L. HULLIHEN

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

No. Term 20
No. 07-2029-CD Term 20
No. Term 20

WRIT OF EXECUTION
(Mortgage Foreclosure)

Commonwealth of Pennsylvania:

County of Clearfield

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

To satisfy the judgment, interest and costs in the above matter you are directed to levy upon and sell the following property (specifically described property below):

PREMISES: 271 EAST MAIN STREET, MAHAFFEY, PA 15757
(See Legal Description attached)

Amount Due	
Interest from 02/28/08 to Sale	\$95,943.50
Per diem \$15.77	125.00
Add'l Costs	\$ _____
Writ Total	\$3,770.00

Willie L. Chapman
Prothonotary costs

\$ _____

\$ _____

\$ _____

(Clerk) Office of the Prothonotary, Common Pleas Court
of CLEARFIELD County, Penna.

Dated 2/28/08
(SEAL)

160171

Received this writ this 28th day
of February A.D. 2008
At 3:00 A.M./P.M.

Chester A. Hawkins
Sheriff by Cynthia Butler, Delegated

No. 07-2029-CD Term 20A.D.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

WELLS FARGO BANK, N.A.

vs.

THOMAS M. HULLIHEN
VICKI L. HULLIHEN

WRIT OF EXECUTION
(Mortgage Foreclosure)

Costs

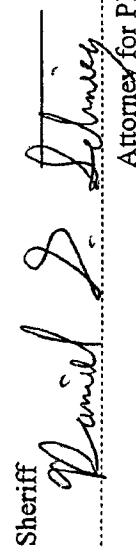
Real Debt \$95,943.50

Int. from 02/28/08
To Date of Sale (\$15.77 per diem)

Costs

Prothy Pd. 125.00

Sheriff


Daniel J. DeWey

Attorney for Plaintiff(s)

Address: THOMAS M. HULLIHEN
271 EAST MAIN STREET
MAHAFFEY, PA 15757
VICKI L. HULLIHEN
271 EAST MAIN STREET
MAHAFFEY, PA 15757

LEGAL DESCRIPTION

All that certain piece, parcel or lot of land situate in the Borough of Mahaffey, Clearfield County, Commonwealth of Pennsylvania, bounded and described as follows, to-wit:

Beginning at a point along the Southern side of Main Street, said beginning point being the Northeastern corner of the parcel herein described, said beginning point furthermore being at the Northwestern corner of lands of Daniel L. and Carol A. Wright; thence South 49 degrees 35 minutes West along the Western boundary line of Daniel L. and Carol A. Wright for a distance of 180 feet to a point along the Northern side of Walnut Street; thence North 39 degrees 28 minutes 40 seconds West along the Northern side of Walnut Street for a distance of 120 feet to a point; thence North 49 degrees 35 minutes East along the Eastern side of a 15-foot alley for a distance of 180 feet to a point along the Southern side of Main Street; thence South 39 degrees 28 minutes 40 seconds along the Southern side of Main Street for a distance of 120 feet to the place of beginning.

Being designated as tax parcel #13-C12-300 in the records of the Deed Registry Office of Clearfield County, Pennsylvania.

Being the same premises conveyed to Thomas M. Hullihen and Vicki L. Hullihen, husband and wife, from Ronald M. Wright, Jr. and Jacqueline S. Wright, husband and wife, by deed dated February 27, 2007 and recorded March 12, 2007, in the Instrument Number: 200703874.

RECORD OWNER

TITLE TO SAID PREMISES IS VESTED IN Thomas M. Hullihen and Vicki L. Hullihen, husband and wife, by Deed from Ronald M. Wright, Jr. and Jacqueline S. Wright, husband and wife, dated 02/27/2007, recorded 03/12/2007, in Deed Mortgage Inst# 200703874.

Premises being: **271 EAST MAIN STREET**
MAHAFFEY, PA 15757

Tax Parcel No. **13-C12-300-006**

**REAL ESTATE SALE
SCHEDULE OF DISTRIBUTION**

NAME THOMAS M. HULLIHEN

NO. 07-2029-CD

NOW, January 11, 2009, 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 Thomas M. Hullihen And Vicki L. Hullihen 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	15.00
MILEAGE	22.22
LEVY	15.00
MILEAGE	22.22
POSTING	15.00
CSDS	10.00
COMMISSION	0.00
POSTAGE	6.56
HANDBILLS	15.00
DISTRIBUTION	25.00
ADVERTISING	15.00
ADD'L SERVICE	15.00
DEED	
ADD'L POSTING	
ADD'L MILEAGE	
ADD'L LEVY	
BID/SETTLEMENT AMOUNT	
RETURNS/DEPUTIZE	
COPIES	15.00
	5.00
BILLING/PHONE/FAX	5.00
CONTINUED SALES	40.00
MISCELLANEOUS	
TOTAL SHERIFF COSTS	\$256.00

DEED COSTS:

ACKNOWLEDGEMENT	
REGISTER & RECORDER	
TRANSFER TAX 2%	0.00
TOTAL DEED COSTS	\$0.00

PLAINTIFF COSTS, DEBT AND INTEREST:

DEBT-AMOUNT DUE	95,943.50
INTEREST @ 15.7700	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	40.00
SATISFACTION FEE	
ESCROW DEFICIENCY	
PROPERTY INSPECTIONS	
INTEREST	
MISCELLANEOUS	3,770.00
TOTAL DEBT AND INTEREST	\$99,753.50

COSTS:

ADVERTISING	419.38
TAXES - COLLECTOR	
TAXES - TAX CLAIM	
DUE	
LIEN SEARCH	200.00
ACKNOWLEDGEMENT	
DEED COSTS	0.00
SHERIFF COSTS	256.00
LEGAL JOURNAL COSTS	99.00
PROTHONOTARY	125.00
MORTGAGE SEARCH	80.00
MUNICIPAL LIEN	
TOTAL COSTS	\$1,179.38

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

**Phelan Hallinan & Schmieg, L.L.P.
One Penn Center at Suburban Station
1617 John F. Kennedy Boulevard
Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000
Fax: (215) 563-7009**

Stephen Ames, Ext.1244
Foreclosure Manager

Representing Lenders in
Pennsylvania and New Jersey

May 2, 2008

Office of the Sheriff
Clearfield County Courthouse
1 North Second Street
Clearfield, PA 16830

Attn: Real Estate Department

Fax Number: 814-765-5915

Re: **WELLS FARGO BANK, N.A. v.
THOMAS M. HULLIHEN and VICKI L. HULLIHEN
271 EAST MAIN STREET MAHAFFEY, PA 15757
Court No. 07-2029-CD**

Dear Sir/Madam:

Please Postpone the Sheriff Sale of the above referenced property, which is scheduled for May 2, 2008 due to the following: Bankruptcy.

The Property is to be relisted for the August 2008 Sheriff Sale.

Thank you for your correspondence in this matter.

Very Truly Yours,
CHRISTINE SCHOFFLER for
Phelan Hallinan & Schmieg, LLP

Phelan Hallinan & Schmieg, L.L.P.
One Penn Center at Suburban Station
1617 John F. Kennedy Boulevard
Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000
Fax: (215) 563-7009

Representing Lenders in
Foreclosure Manager Pennsylvania and New Jersey

July 30, 2008

Office of the Sheriff
Clearfield County Courthouse
1 North Second Street
Clearfield, PA 16830

Attn: Real Estate Department

Fax Number: 814-765-5915

Re: **WELLS FARGO BANK, N.A. v.**
THOMAS M. HULLIHEN and VICKI L. HULLIHEN
271 EAST MAIN STREET MAHAFFEY, PA 15757
Court No. 07-2029-CD

Dear Sir/Madam:

Please Postpone the Sheriff Sale of the above referenced property, which is scheduled for August 1, 2008 due to the following: Bankruptcy.

The Property is to be relisted for the September 5, 2008 Sheriff Sale.

Thank you for your correspondence in this matter.

Very Truly Yours,
CHRISTINE SCHOFFLER for
Phelan Hallinan & Schmieg, LLP

**Phelan Hallinan & Schmieg, L.L.P.
One Penn Center at Suburban Station
1617 John F. Kennedy Boulevard
Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000
Fax: (215) 563-7009**

Foreclosure Manager

Representing Lenders in
Pennsylvania and New Jersey

August 29, 2008

Office of the Sheriff
Clearfield County Courthouse
1 North Second Street
Clearfield, PA 16830

Attn: Real Estate Department

Fax Number: 814-765-5915

Re: **WELLS FARGO BANK, N.A. v.
THOMAS M. HULLIHEN and VICKI L. HULLIHEN
271 EAST MAIN STREET MAHAFFEY, PA 15757
Court No. 07-2029-CD**

Dear Sir/Madam:

Please STAY the Sheriff's Sale of the above referenced property, which is scheduled for September 5, 2008 due to the following: Bankruptcy.

Defendants filed a Chapter 13, Bankruptcy Number 08-70478, Bankruptcy on May 1, 2008.

You are hereby directed to immediate discontinue the advertising of the sale and processing or posting of the Notice of Sale.

Please return the original Writ of Execution to the Prothonotary as soon as possible.

Thank you for your correspondence in this matter.

Very Truly Yours,
CHRISTINE SCHOFFLER for
Phelan Hallinan & Schmieg, LLP

PRAECIPE FOR WRIT OF EXECUTION – (MORTGAGE FORECLOSURE)
Pa.R.C.P. 3180-3183

WELLS FARGO BANK, N.A.

vs.

THOMAS M. HULLIHEN

VICKI L. HULLIHEN

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

No. 07-2029-CD

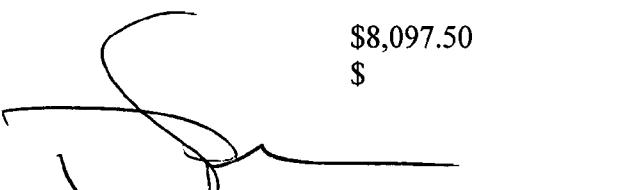
PRAECIPE FOR WRIT OF EXECUTION
(Mortgage Foreclosure)

To the PROTHONOTARY:

Issue writ of execution in the above matter:

Amount Due	
Interest from 02/28/2008 to Sale	\$ _____.
Per diem \$15.77	
Add'l Costs	\$8,097.50
Writ Total	\$

Prothonotary costs \$95,943.50
\$145.00


DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

Note: Please attach description of Property.

160171

Atty pd. 20.00
MAY 26 2009 100 @ 6 weeks
S William A. Shaw
Prothonotary/Clerk of Courts
w/prop desc.
to Sheriff
(GN)

No. 07-2029-CD.....

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

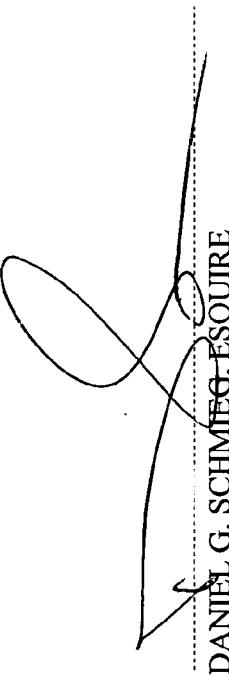
WELLS FARGO BANK, N.A.

vs.

THOMAS M. HULLIHEN
VICKI L. HULLIHEN

PRAECLPICE FOR WRIT OF EXECUTION
(Mortgage Foreclosure)

Filed:



DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

Address: THOMAS M. HULLIHEN
271 EAST MAIN STREET
MAHAFFEY, PA 15757

VICKI L. HULLIHEN
271 EAST MAIN STREET
MAHAFFEY, PA 15757

Mr. A. Shaw
Prothonotary/Clerk of Courts

William A. Shaw
Prothonotary/Clerk of Courts

PHELAN HALLINAN & SCHMIEG

By: DANIEL G. SCHMIEG

Identification No. 62205

Suite 1400

One Penn Center at Suburban Station
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

WELLS FARGO BANK, N.A. :

Plaintiff,

v.

THOMAS M. HULLIHEN
VICKI L. HULLIHEN

Defendant(s).

: CLEARFIELD COUNTY
COURT OF COMMON PLEAS

: CIVIL DIVISION

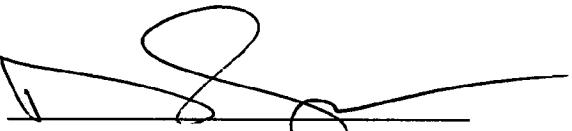
: NO. 07-2029-CD

CERTIFICATION

DANIEL G. SCHMIEG, ESQUIRE, hereby states that he is the attorney for the Plaintiff in the above captioned matter and that the premises are not subject to the provisions of Act 91 because it is:

- an FHA Mortgage
- non-owner occupied
- vacant
- Act 91 procedures have been fulfilled

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



DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

WELLS FARGO BANK, N.A.

Plaintiff,

v.

THOMAS M. HULLIHEN
VICKI L. HULLIHEN

Defendant(s).

: **CLEARFIELD COUNTY**
: **COURT OF COMMON PLEAS**
: **CIVIL DIVISION**
: **NO. 07-2029-CD**

AFFIDAVIT PURSUANT TO RULE 3129.1

WELLS FARGO BANK, N.A., Plaintiff in the above action, by its attorney, DANIEL G. SCHMIEG, ESQUIRE, sets forth as of the date the Praecept for the Writ of Execution was filed, the following information concerning the real property located at **271 EAST MAIN STREET, MAHAFFEY, PA 15757**.

1. Name and address of Owner(s) or reputed Owner(s):

NAME	ADDRESS (If address cannot be reasonably ascertained, please so indicate.)
THOMAS M. HULLIHEN	271 EAST MAIN STREET MAHAFFEY, PA 15757
VICKI L. HULLIHEN	271 EAST MAIN STREET MAHAFFEY, PA 15757

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

NAME	ADDRESS (If address cannot be reasonably ascertained, please so indicate.)
Same as Above	

3. Name and address of every judgment creditor whose judgment is a record lien on the real property to be sold:

NAME	ADDRESS (If address cannot be reasonably ascertained, please so indicate.)
CLEARFIELD BANK & TRUST COMPANY	P.O. BOX 171 CLEARFIELD, PA 16830

JAMES D. HULLIHEN	PO BOX 251 COTTLEVILLE, MO 63338
--------------------------	---

4. Name and address of the last recorded holder of every mortgage of record:

NAME	ADDRESS (If address cannot be reasonably ascertained, please so indicate.)
RONALD M. WRIGHT AND JACQUELINE S. WRIGHT	112 BELLE GROVE LAPLACE, LA 70068

5. Name and address of every other person who has any record lien on the property:

NAME

ADDRESS (If address cannot be reasonably ascertained, please so indicate.)

None

6. Name and address of every other person who has any record interest in the property and whose interest may be affected by the Sale:

NAME

ADDRESS (If address cannot be reasonably ascertained, please so indicate.)

None

7. Name and address of every other person whom the Plaintiff has knowledge who has any interest in the property which may be affected by the Sale:

NAME _____

ADDRESS (If address cannot be reasonably ascertained, please so indicate.)

TENANT/OCCUPANT

271 EAST MAIN STREET
MAHAFFEY, PA 15757

DOMESTIC RELATIONS CLEARFIELD COUNTY

**CLEARFIELD COUNTY COURTHOUSE
230 EAST MARKET STREET
CLEARFIELD, PA 16830**

**COMMONWEALTH OF
PENNSYLVANIA**

**DEPARTMENT OF WELFARE
PO BOX 2675
HARRISBURG, PA 17105**

**Commonwealth of Pennsylvania
Bureau of Individual Tax
Inheritance Tax Division**

**6th Floor, Strawberry Sq., Dept 28061
Harrisburg, PA 17128**

**Internal Revenue Service
Federated Investors Tower**

**13TH Floor, Suite 1300
1001 Liberty Avenue
Pittsburgh, PA 15222**

**Department of Public Welfare
TPL Casualty Unit
Estate Recovery Program**

P.O. Box 8486
Willow Oak Building
Harrisburg, PA 17105

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

MAY 21, 2009
Date

DANIEL G. SCHMID, ESQUIRE
Attorney for Plaintiff

7

WRIT OF EXECUTION – (MORTGAGE FORECLOSURE)
Pa.R.C.P. 3180-3183 and Rule 3257

WELLS FARGO BANK, N.A.

vs.

THOMAS M. HULLIHEN

VICKI L. HULLIHEN

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

No. 07-2029-CD

WRIT OF EXECUTION
(Mortgage Foreclosure)

Commonwealth of Pennsylvania:

County of Clearfield

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

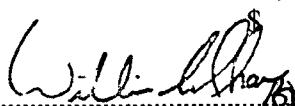
PREMISES: 271 EAST MAIN STREET, MAHAFFEY, PA 15757

(See Legal Description attached)

Amount Due	\$95,943.50
Interest from 02/28/2008 to Sale	\$ _____.
Per diem \$15.77	
Add'l Costs	\$8,097.50
Writ Total	

Prothonotary costs \$145.00

Dated 5/26/09
(SEAL)


.....
OFFICE OF THE PROTHONOTARY OF CLEARFIELD
COUNTY, PENNSYLVANIA

160171

No. 07-2029-CD.....

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

WELLS FARGO BANK, N.A.

vs.

THOMAS M. HULLHEN
VICKI L. HULLHEN

WRIT OF EXECUTION
(Mortgage Foreclosure)

Costs

Real Debt \$95,943.50

Int. from 02/28/2008
To Date of Sale (\$15.77 per diem)

Costs _____

Prothly Pd. 145.00

Sheriff _____


DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

Address: THOMAS M. HULLHEN
271 EAST MAIN STREET
MAHAFFEY, PA 15757

VICKI L. HULLHEN
271 EAST MAIN STREET
MAHAFFEY, PA 15757

LEGAL DESCRIPTION

All that certain piece, parcel or lot of land situate in the Borough of Mahaffey, Clearfield County, Commonwealth of Pennsylvania, bounded and described as follows, to-wit:

Beginning at a point along the Southern side of Main Street, said beginning point being the Northeastern corner of the parcel herein described, said beginning point furthermore being at the Northwestern corner of lands of Daniel L. and Carol A. Wright; thence South 49 degrees 35 minutes West along the Western boundary line of Daniel L. and Carol A. Wright for a distance of 180 feet to a point along the Northern side of Walnut Street; thence North 39 degrees 28 minutes 40 seconds West along the Northern side of Walnut Street for a distance of 120 feet to a point; thence North 49 degrees 35 minutes East along the Eastern side of a 15-foot alley for a distance of 180 feet to a point along the Southern side of Main Street; thence South 39 degrees 28 minutes 40 seconds along the Southern side of Main Street for a distance of 120 feet to the place of beginning.

TITLE TO SAID PREMISES IS VESTED IN Thomas M. Hullihen and Vicki L. Hullihen, husband and wife, by Deed from Ronald M. Wright, Jr. and Jacqueline S. Wright, husband and wife, dated 02/27/2007, recorded 03/12/2007, in Deed Mortgage Inst# 200703874.

Premises being: 271 EAST MAIN STREET
MAHAFFEY, PA 15757

Tax Parcel No. 13-C12-300-006

68
Phelan Hallinan & Schmieg, LLP
By: Lawrence T. Phelan, Esq., Id. No. 32227
Francis S. Hallinan, Esq., Id. No. 62695
Daniel G. Schmieg, Esq., Id. No. 62205
Michele M. Bradford, Esq., Id. No. 69849
Judith T. Romano, Esq., Id. No. 58745
Sheetal R. Shah-Jani, Esq., Id. No. 81760
Jenine R. Davey, Esq., Id. No. 87077
Lauren R. Tabas, Esq., Id. No. 93337
Vivek Srivastava, Esq., Id. No. 202331
Jay B. Jones, Esq., Id. No. 86657
Peter J. Mulcahy, Esq., Id. No. 61791
Andrew L. Spivack, Esq., Id. No. 84439
Jaime McGuinness, Esq., Id. No. 90134
Chrisovalante P. Fliakos, Esq., Id. No. 94620
Joshua I. Goldman, Esq., Id. No. 205047
Courtenay R. Dunn, Esq., Id. No. 206779
Andrew C. Bramblett, Esq., Id. No. 208375
1617 JFK Boulevard, Suite 1400
One Penn Center Plaza
Philadelphia, PA 19103
215-563-7000

ATTORNEY FOR PLAINTIFF

7/1/2009 NO CC.
m/a:04um
JUL 01 2009
S
William A. Shaw
Prothonotary/Clerk of Courts

WELLS FARGO BANK, N.A.
Plaintiff

v.

THOMAS M. HULLIHEN
VICKI L. HULLIHEN
Defendants

: Court of Common Pleas
: Civil Division
: CLEARFIELD County
: No. 07-2029-CD

PLAINTIFF'S MOTION TO REASSESS DAMAGES

Plaintiff, by its Attorneys, Phelan Hallinan & Schmieg, LLP, moves the Court to direct the Prothonotary to amend the judgment in this matter, and in support thereof avers the following:

1. Plaintiff commenced this foreclosure action by filing a Complaint on December 13, 2007, a true and correct copy of which is attached hereto, made part hereof, and marked as Exhibit "A".

2. Judgment was entered on February 28, 2008 in the amount of \$95,943.50. A true and correct copy of the praecipe for judgment is attached hereto, made part hereof, and marked as Exhibit "B".

3. Pursuant to Pennsylvania Rule of Civil Procedure 1037(b)(1), a default judgment containing a dollar amount must be entered for the amount claimed in the complaint and any item which can be calculated from the complaint, i.e. bringing the interest current. However, new items cannot be added at the time of entry of the judgment.

4. A Sheriff's Sale of the mortgaged property at 271 EAST MAIN STREET, MAHAFFEY, PA 15757 (hereinafter the "Property") was postponed or stayed for the following reason:

a.) The Defendants filed a Chapter 13 Bankruptcy at Docket Number 08-70478 on May 1, 2008. The Plaintiff obtained relief from bankruptcy stay by order of court dated April 15, 2009. A true and correct copy of the Relief Order is attached hereto, made part hereof, and marked as Exhibit "C".

5. The Property is listed for Sheriff's Sale on September 4, 2009.

6. Additional sums have been incurred or expended on Defendants' behalf since the Complaint was filed and Defendants have been given credit for any payments that have been made since the judgment. The amount of damages should now read as follows:

Principal Balance	\$86,360.00
Interest Through September 4, 2009	\$20,135.01
Per Diem \$22.48	
Late Charges	\$36.31
Legal fees	\$2,800.00
Cost of Suit and Title	\$2,707.50
Sheriff's Sale Costs	\$1,094.38
Property Inspections/ Property Preservation	\$0.00
Appraisal/Brokers Price Opinion	\$125.00
Mortgage Insurance Premium /	\$0.00
Private Mortgage Insurance	
Non Sufficient Funds Charge	\$0.00
Suspense/Misc. Credits	(\$0.00)
Escrow Deficit	\$0.00
TOTAL	\$113,258.20

7. The judgment formerly entered is insufficient to satisfy the amounts due on the Mortgage.

8. Under the terms of the Mortgage and Pennsylvania law, Plaintiff is entitled to inclusion of the figures set forth above in the amount of judgment against the Defendants.

9. Plaintiff's foreclosure judgment is in rem only and does not include personal liability, as addressed in Plaintiff's attached brief.

WHEREFORE, Plaintiff respectfully requests that this Honorable Court amend the judgment as requested.

DATE: 6/30/09

By:

Phelan Hallinan & Schmieg, LLP

Janeslaw

Lawrence T. Phelan, Esquire
 Francis S. Hallinan, Esquire
 Daniel G. Schmieg, Esquire
 Michele M. Bradford, Esquire
 Judith T. Romano, Esquire
 Sheetal R. Shah-Jani, Esquire
 Jenine R. Davey, Esquire
 Lauren R. Tabas, Esquire
 Vivek Srivastava, Esquire

Jay B. Jones, Esquire
Peter J. Mulcahy, Esquire
Andrew L. Spivack, Esquire
Jaime McGuinness, Esquire
Chrisovalante P. Fliakos, Esquire
Joshua I. Goldman, Esquire
Courtenay R. Dunn, Esquire
Andrew C. Bramblett, Esquire
ATTORNEY FOR PLAINTIFF

Exhibit “A”

PHELAN HALLINAN & SCHMIEG, LLP
FRANCIS S. HALLINAN, ESQ., Id. No. 62695
DANIEL G. SCHMIEG, ESQ., Id. No. 62205
MICHELE M. BRADFORD, ESQ., Id. No. 69849
SHEETAL SHAH-JANI, ESQ., Id. No. 81760
JUDITH T. ROMANO, ESQ., Id. No. 58745
JENINE R. DAVEY, ESQ., Id. No. 87077
MICHAEL E. CARLETON, ESQ., Id. No. 203009
ONE PENN CENTER PLAZA, SUITE 1400
PHILADELPHIA, PA 19103
(215) 563-7000

160171

ATTORNEY FOR PLAINTIFF

WELLS FARGO BANK, N.A.
3476 STATEVIEW BOULEVARD
FORT MILL, SC 29715

COURT OF COMMON PLEAS

Plaintiff

CIVIL DIVISION

v.

TERM

NO. 07-2029-CD

CLEARFIELD COUNTY

THOMAS M. HULLIHEN
VICKI L. HULLIHEN
271 EAST MAIN STREET
MAHAFFEY, PA 15757

FILED
DEC 13 2007

Defendants

William A. Shaw
Prothonotary/Clerk of Courts

CIVIL ACTION - LAW
COMPLAINT IN MORTGAGE FORECLOSURE

ATTORNEY FILE COPY
PLEASE RETURN

We hereby certify the
within to be a true and
correct copy of the
original filed of record

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.

Lawyer Referral Service:
Pennsylvania Lawyer Referral Service
Pennsylvania Bar Association
100 South Street
PO Box 186
Harrisburg, PA 17108
800-692-7375

Notice to Defend:
David S. Meholic, Court Administrator
Clearfield County Courthouse
2nd and Market Streets
Clearfield, PA 16830
814-765-2641 x 5982

**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.

1. Plaintiff is

WELLS FARGO BANK, N.A
3476 STATEVIEW BOULEVARD
FORT MILL, SC 29715

2. The name(s) and last known address(es) of the Defendant(s) are:

THOMAS M. HULLIHEN
VICKI L. HULLIHEN
271 EAST MAIN STREET
MAHAFFEY, PA 15757

who is/are the mortgagor(s) and/or real owner(s) of the property hereinafter described.

3. On 02/28/2007 mortgagor(s) made, executed, and delivered a mortgage upon the premises hereinafter described to PLAINTIFF which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Instrument No: 200703875. The mortgage and assignment(s), if any, are matters of public record and are incorporated herein by reference in accordance with Pa.R.C.P. 1019(g); which Rule relieves the Plaintiff from its obligations to attach documents to pleadings if those documents are of public record.
4. The premises subject to said mortgage is described as attached.
5. The mortgage is in default because monthly payments of principal and interest upon said mortgage due 04/01/2007 and each month thereafter are due and unpaid, and by the terms of said mortgage, upon failure of mortgagor to make such payments after a date specified by written notice sent to Mortgagor, the entire principal balance and all interest due thereon are collectible forthwith.

6. The following amounts are due on the mortgage:

Principal Balance	\$86,360.00
Interest	\$6,412.12
03/01/2007 through 12/11/2007 (Per Diem \$22.42)	
Attorney's Fees	\$1,250.00
Cumulative Late Charges 02/28/2007 to 12/11/2007	\$0.00
Cost of Suit and Title Search	<u>\$550.00</u>
Subtotal	\$94,572.12
Escrow	
Credit	(\$377.38)
Deficit	\$0.00
Subtotal	<u>(\$377.38)</u>
TOTAL	\$94,194.74

7. If the mortgage is reinstated prior to a Sheriff's Sale, the attorney's fee set forth above may be less than the amount demanded based on work actually performed. The attorney's fees requested are in conformity with the mortgage and Pennsylvania law. Plaintiff reserves its right to collect attorney's fees up to 5% of the remaining principal balance in the event the property is sold to a third party purchaser at Sheriff's Sale, or if the complexity of the action requires additional fees in excess of the amount demanded in the Action.

8. Plaintiff is not seeking a judgment of personal liability (or an in personam judgment) against the Defendant(s) in the Action; however, Plaintiff reserves its right to bring a separate Action to establish that right, if such right exists. If Defendant(s) has/have received a discharge of personal liability in a bankruptcy proceeding, this Action of Mortgage Foreclosure is in no way an attempt to reestablish such personal liability discharged in bankruptcy, but only to foreclose the mortgage and sell the mortgaged premises pursuant to Pennsylvania Law.

9. Notice of Intention to Foreclose as set forth in Act 6 of 1974, Notice of Homeowner's Emergency Assistance Program pursuant to Act 91 of 1983, as amended in 1993, and/or Notice of Default as required by the mortgage document, as applicable, have been sent to the Defendant(s) on the date(s) set forth thereon, and the temporary stay as provided by said notice has terminated because Defendant(s) has/have failed to meet with the Plaintiff or an authorized consumer credit counseling agency, or has/have been denied assistance by the Pennsylvania Housing Finance Agency.

10. This action does not come under Act 6 of 1974 because the original mortgage amount exceeds \$50,000.

11. Defendants' application for assistance under Act 91 of 1983 has been rejected by the Pennsylvania Housing Finance Agency.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$94,194.74, together with interest from 12/11/2007 at the rate of \$22.42 per diem to the date of Judgment, and other costs and charges collectible under the mortgage and for the foreclosure and sale of the mortgaged property.

PHELAN HALLINAN & SCHMIEG, LLP

By: Jenine R. Davey 87677
FRANCIS S. HALLINAN, ESQUIRE
DANIEL G. SCHMIEG, ESQUIRE
MICHELE M. BRADFORD, ESQUIRE
SHEETAL SHAH-JANI, ESQUIRE
JUDITH T. ROMANO, ESQUIRE
JENINE R. DAVEY, ESQUIRE
MICHAEL E. CARLETON, ESQUIRE
Attorneys for Plaintiff

LEGAL DESCRIPTION

All that certain piece, parcel or lot of land situate in the Borough of Mahaffey, Clearfield County, Commonwealth of Pennsylvania, bounded and described as follows, to-wit:

Beginning at a point along the Southern side of Main Street, said beginning point being the Northeastern corner of the parcel herein described, said beginning point furthermore being at the Northwestern corner of lands of Daniel L. and Carol A. Wright; thence South 49 degrees 35 minutes West along the Western boundary line of Daniel L. and Carol A. Wright for a distance of 180 feet to a point along the Northern side of Walnut Street; thence North 39 degrees 28 minutes 40 seconds West along the Northern side of Walnut Street for a distance of 120 feet to a point; thence North 49 degrees 35 minutes East along the Eastern side of a 15-foot alley for a distance of 180 feet to a point along the Southern side of Main Street; thence South 39 degrees 28 minutes 40 seconds along the Southern side of Main Street for a distance of 120 feet to the place of beginning.

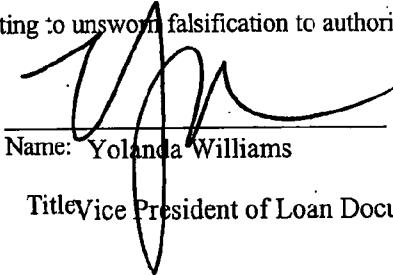
Being designated as tax parcel #13-C12-300 in the records of the Deed Registry Office of Clearfield County, Pennsylvania.

Being the same premises conveyed to Thomas M. Hullihen and Vicki L. Hullihen, husband and wife, from Ronald M. Wright, Jr. and Jacqueline S. Wright, husband and wife, by deed dated February 27, 2007 and recorded March 12, 2007, in the Instrument Number: 200703874.

PROPERTY BEING: 271 EAST MAIN STREET

VERIFICATION

Yolanda Williams hereby states that he/she is
Vice President of Loan Documentation of WELLS FARGO BANK, N.A., servicing agent for Plaintiff
in this matter, that he/she is authorized to take this Verification, and that the statements made in
the foregoing Civil Action in Mortgage Foreclosure are true and correct to the best of his/her
knowledge, information and belief. The undersigned understands that this statement is made
subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.


Name: Yolanda Williams

DATE: December 17, 2007

Title: Vice President of Loan Documentation

Company: WELLS FARGO BANK, N.A.

Loan: 0158500074

File #: 160171

Exhibit “B”

PHELAN HALLINAN & SCHMIEG
By: DANIEL G. SCHMIEG
Identification No. 62205
One Penn Center at Suburban Station - Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

Attorney for Plaintiff

RECEIVED
CLERK OF COURT
FEB 28 2008
FILED
FEB 28 2008

William A. Shaw
Prothonotary/Clerk of Courts

WELLS FARGO BANK, N.A
3476 STATEVIEW BOULEVARD
FORT MILL, SC 29715

Plaintiff,
v.

THOMAS M. HULLIHEN
VICKI L. HULLIHEN
271 EAST MAIN STREET
MAHAFFEY, PA 15757

Defendant(s).

CLEARFIELD COUNTY
COURT OF COMMON PLEAS

CIVIL DIVISION

NO. 07-2029-CD

ATTORNEY FILE COPY
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PRAECLPICE FOR IN REM JUDGMENT FOR FAILURE TO
ANSWER AND ASSESSMENT OF DAMAGES

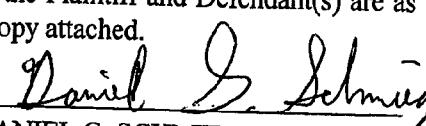
TO THE OFFICE OF THE PROTHONOTARY:

ATTORNEY FILE COPY
PLEASE RETURN

Kindly enter an in rem judgment in favor of the Plaintiff and against THOMAS M. HULLIHEN and VICKI L. HULLIHEN, Defendant(s) for failure to file an Answer to Plaintiff's Complaint within 20 days from service thereof and for foreclosure and sale of the mortgaged premises, and assess Plaintiff's damages as follows:

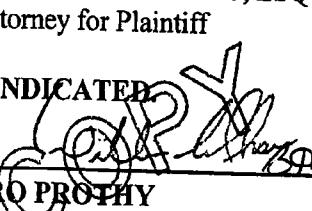
As set forth in the Complaint	\$ 94,194.74
Interest - 12/12/07 TO 02/27/08	\$ 1,748.76
TOTAL	<u>\$ 95,943.50</u>

I hereby certify that (1) the addresses of the Plaintiff and Defendant(s) are as shown above, and (2) notice has been given in accordance with Rule 237.1, copy attached.


DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

DAMAGES ARE HEREBY ASSESSED AS INDICATED

DATE: 2/28/08


PRO PROTHY

ATTORNEY FILE COPY
PLEASE RETURN

160171

ATTORNEY FILE COPY
PLEASE RETURN

Exhibit “C”

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CLERK
U.S. BANKRUPTCY
COURT - PGH

IN RE:

THOMAS M. HULLIHEN
VICKI L. HULLIHEN

Bk. No. 08-70478 JKF

Debtors

Chapter No. 13

WELLS FARGO BANK, N.A.

Rel to 70

Movant

v.

THOMAS M. HULLIHEN
VICKI L. HULLIHEN

and

RONDA J. WINNECOUR, ESQUIRE (TRUSTEE)

Respondents

:

DEFAULT ORDER ON MOTION FOR RELIEF FROM THE AUTOMATIC STAY

This 15th day of April, 2009, upon default, no response objecting to the Motion having been timely filed by an interested party, and upon Movant's Certification of Service and Certification of No Objection, it is:

ORDERED that the above-captioned Motion is granted insofar as it requests Relief from the Automatic Stay imposed by 11 U.S.C. §362. ***

Movant shall, within five (5) days hereof, serve a copy of the within Order on parties in interest (unless they are otherwise served) and file a Certificate of Service.

*** to the extent that relief from the co debtor stay was requested in the motion, relief is granted under Sec. 1301.

cc: THOMAS M. HULLIHEN
VICKI L. HULLIHEN
RONDA J. WINNECOUR, ESQUIRE (TRUSTEE)
UNITED STATES TRUSTEE
WELLS FARGO HOME MORTGAGE, INC. (FORT MILL, SC)
ATTENTION: BANKRUPTCY DEPARTMENT

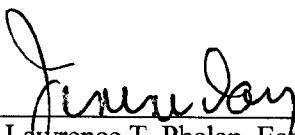
Judith K. Fitzgerald
JUDITH K. FITZGERALD
U.S. Bankruptcy Judge

VERIFICATION

I hereby state that I am the attorney for Plaintiff in this action, that I am authorized to make this verification, and that the statements made in the foregoing Motion to Reassess Damages are true and correct to the best of my knowledge, information and belief. The undersigned understands that this statement herein is made subject to the sworn penalties of 18 Pa.C.S. 4904 relating to the unsworn falsification of authorities.

DATE: 6/30/09

By:



Lawrence T. Phelan, Esquire
Francis S. Hallinan, Esquire
Daniel G. Schmieg, Esquire
Michele M. Bradford, Esquire
Judith T. Romano, Esquire
Sheetal R. Shah-Jani, Esquire
Jenine R. Davey, Esquire
Lauren R. Tabas, Esquire
Vivek Srivastava, Esquire
Jay B. Jones, Esquire
Peter J. Mulcahy, Esquire
Andrew L. Spivack, Esquire
Jaime McGuinness, Esquire
Chrisovalante P. Fliakos, Esquire
Joshua I. Goldman, Esquire
Courtenay R. Dunn, Esquire
Andrew C. Bramblett, Esquire
ATTORNEY FOR PLAINTIFF

Phelan Hallinan & Schmieg, LLP
By: Lawrence T. Phelan, Esq., Id. No. 32227
Francis S. Hallinan, Esq., Id. No. 62695
Daniel G. Schmieg, Esq., Id. No. 62205
Michele M. Bradford, Esq., Id. No. 69849
Judith T. Romano, Esq., Id. No. 58745
Sheetal R. Shah-Jani, Esq., Id. No. 81760
Jenine R. Davey, Esq., Id. No. 87077
Lauren R. Tabas, Esq., Id. No. 93337
Vivek Srivastava, Esq., Id. No. 202331
Jay B. Jones, Esq., Id. No. 86657
Peter J. Mulcahy, Esq., Id. No. 61791
Andrew L. Spivack, Esq., Id. No. 84439
Jaime McGuinness, Esq., Id. No. 90134
Chrisovalante P. Fliakos, Esq., Id. No. 94620
Joshua I. Goldman, Esq., Id. No. 205047
Courtenay R. Dunn, Esq., Id. No. 206779
Andrew C. Bramblett, Esq., Id. No. 208375
1617 JFK Boulevard, Suite 1400
One Penn Center Plaza
Philadelphia, PA 19103
215-563-7000

ATTORNEY FOR PLAINTIFF

WELLS FARGO BANK, N.A.	:	Court of Common Pleas
Plaintiff	:	Civil Division
v.	:	CLEARFIELD County
THOMAS M. HULLIHEN	:	
VICKI L. HULLIHEN	:	No. 07-2029-CD
Defendants	:	

CERTIFICATION OF SERVICE

I hereby certify that true and correct copies of Plaintiff's Motion to Reassess Damages, and Brief in Support thereof were sent to the following individuals on the date indicated below.

THOMAS M. HULLIHEN
VICKI L. HULLIHEN
271 EAST MAIN STREET
MAHAFFEY, PA 15757

DATE: 6/30/09

By: John S. Schmieg
Phelan Hallinan & Schmieg, LLP

Lawrence T. Phelan, Esquire
Francis S. Hallinan, Esquire
Daniel G. Schmieg, Esquire
Michele M. Bradford, Esquire
Judith T. Romano, Esquire
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Chrisovalante P. Fliakos, Esquire
Joshua I. Goldman, Esquire
Courtenay R. Dunn, Esquire
Andrew C. Bramblett, Esquire
ATTORNEY FOR PLAINTIFF

5/11/2005 ICC Atty
JUL 11 2005 Davey

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

WELLS FARGO BANK, N.A. : Court of Common Pleas
Plaintiff :
v. : Civil Division
THOMAS M. HULLIHEN : CLEARFIELD County
VICKI L. HULLIHEN :
Defendants : No. 07-2029-CD

RULE

AND NOW, this 2nd day of July 2009, a Rule is entered upon the Defendants to show cause why an Order should not be entered granting Plaintiff's Motion to Reassess Damages.

Rule Returnable on the 18th day of August 2009, at A.M. in the Clearfield County Courthouse, Clearfield, Pennsylvania. Courtroom 4 1.

BY THE COURT

160171

DATE: 7-2-2009

You are responsible for serving all appropriate parties.

The Prothonotary's office has provided service to the following parties:

Plaintiff(s) Plaintiff(s) Attorney Other

Defendant(s) Defendant(s) Attorney

Special Instructions:

7-2-2009
7-2-2009

JUL 02 2009
William A. Shaw
Prothonotary/Clerk of Courts

5
m/11/23/07 NO CC

William A. Shaw
Prothonotary/Clerk of Court


Phelan Hallinan & Schmieg, LLP
By: Lawrence T. Phelan, Esq., Id. No. 32227
Francis S. Hallinan, Esq., Id. No. 62695
Daniel G. Schmieg, Esq., Id. No. 62205
Michele M. Bradford, Esq., Id. No. 69849
Judith T. Romano, Esq., Id. No. 58745
Sheetal R. Shah-Jani, Esq., Id. No. 81760
Jenine R. Davey, Esq., Id. No. 87077
Lauren R. Tabas, Esq., Id. No. 93337
Vivek Srivastava, Esq., Id. No. 202331
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Joshua I. Goldman, Esq., Id. No. 205047
Courtenay R. Dunn, Esq., Id. No. 206779
Andrew C. Bramblett, Esq., Id. No. 208375
1517 JFK Boulevard, Suite 1400
One Penn Center Plaza
Philadelphia, PA 19103
215-563-7000

ATTORNEY FOR PLAINTIFF

WELLS FARGO BANK, N.A.	:	Court of Common Pleas
Plaintiff	:	
v.	:	Civil Division
THOMAS M. HULLIHEN	:	CLEARFIELD County
VICKI L. HULLIHEN	:	No. 07-2029-CD
Defendants	:	

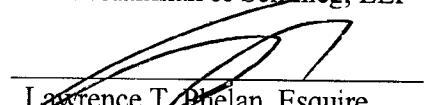
CERTIFICATION OF SERVICE

I hereby certify that a true and correct copy of the Court's July 2, 2009 Rule directing the Defendants to show cause as to why Plaintiff's Motion to Reassess Damages should not be granted was served upon the following individuals on the date indicated below.

THOMAS M. HULLIHEN
VICKI L. HULLIHEN
271 EAST MAIN STREET
MAHAFFEY, PA 15757

DATE: 7/8/09

Phelan Hallinan & Schmieg, LLP

By: 

Lawrence T. Phelan, Esquire
Francis S. Hallinan, Esquire
Daniel G. Schmieg, Esquire
Michele M. Bradford, Esquire
Judith T. Romano, Esquire
Sheetal R. Shah-Jani, Esquire
Jenine R. Davey, Esquire
Lauren R. Tabas, Esquire
Vivek Srivastava, Esquire
Jay B. Jones, Esquire
Peter J. Mulcahy, Esquire
✓ Andrew L. Spivack, Esquire
Jaime McGuinness, Esquire
Chrisovalante P. Fliakos, Esquire
Joshua I. Goldman, Esquire
Courtenay R. Dunn, Esquire
Andrew C. Bramblett, Esquire
ATTORNEY FOR PLAINTIFF

5
m/11/02 B&W
NO CC
Sharon A. Campbell
Notary Public
Blair County, PA
My Commission Expires Dec. 6, 2011

AFFIDAVIT OF SERVICE

PLAINTIFF WELLS FARGO BANK, N.A. CLEARFIELD County
DEFENDANT(S) THOMAS M. HULLIHEN No. 07-2029-CD
 VICKI L. HULLIHEN Our File #: 160171

Please serve upon: VICKI L. HULLIHEN Type of Action
- Notice of Sheriff's Sale

SERVE AT: 271 EAST MAIN STREET Sale Date: SEPTEMBER 4, 2009
 MAHAFFEY, PA 15757

SERVED

Served and made known to Vicki L. Hullihen, Defendant, on the 30th day of June,
2009 at 9:10, o'clock A.m., at 271 EAST Main St., MAHAFFEY, PA 15757,

Commonwealth of Pennsylvania, in the manner described below:

Defendant personally served.
 Adult family member with whom Defendant(s) reside(s). Relationship is Son - TANNE HULLIHEN
 Adult in charge of Defendant(s)'s residence who refused to give name or relationship.
 Manager/Clerk of place of lodging in which Defendant(s) reside(s)
 Agent or person in charge of Defendant(s)'s office or usual place of business.
 an officer of said Defendant(s)'s company.
 Other: _____

Description: Age 18 Height 5'6" Weight 180 Race Caucasian Sex M Other

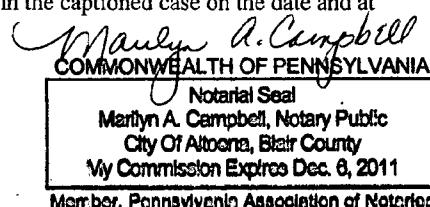
I, D. M. Ellis, a competent adult, being duly sworn according to law, depose and state that I personally handed a true and correct copy of the Notice of Sheriff's Sale in the manner as set forth herein, issued in the captioned case on the date and at the address indicated above.

Sworn to and subscribed
before me this 1st day
of July, 2009

D. M. Ellis

Notary:

By: D. M. Ellis



NOT SERVED

ATTEMPT SERVICE NLT THREE (3) TIMES

On the _____ day of _____, 200____, at _____ o'clock ____m., Defendant NOT FOUND because:

Moved Unknown No Answer Vacant
1st attempt Date: _____ Time: _____, 2nd attempt Date: _____ Time: _____, 3rd
attempt Date: _____ Time: _____.
Other:

Sworn to and subscribed
before me this _____ day
of _____, 200____.

Notary: By:

Attorney for Plaintiff

DANIEL G. SCHMIEG, Esquire - I.D. No. 62205
One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

5

AFFIDAVIT OF SERVICE

PLAINTIFF **WELLS FARGO BANK, N.A.** CLEARFIELD County
DEFENDANT(S) **THOMAS M. HULLIHEN** No. 07-2029-CD
 VICKI L. HULLIHEN Our File #: 160171
Please serve upon: **THOMAS M. HULLIHEN** Type of Action
SERVE AT: **271 EAST MAIN STREET** - Notice of Sheriff's Sale
 MAHAFFEY, PA 15757 Sale Date: **SEPTEMBER 4, 2009**

NO
M 11/02/09
ce
LAW
WILLIAM A. CAMPBELL
NOTARY PUBLIC, STATE OF PENNSYLVANIA

SERVED

Served and made known to Thomas M. Hullihen, Defendant, on the 30th day of June,
2009, at 9:10, o'clock A.m., at 271 E. MAIN ST., MAHAFFEY, PA 15757,

Commonwealth of Pennsylvania, in the manner described below:

Defendant personally served.
 Adult family member with whom Defendant(s) reside(s). Relationship is Son, Tanner Hullihen
 Adult in charge of Defendant(s)'s residence who refused to give name or relationship.
 Manager/Clerk of place of lodging in which Defendant(s) reside(s).
 Agent or person in charge of Defendant(s)'s office or usual place of business.
 an officer of said Defendant(s)'s company.
 Other: _____

Description: Age 18 Height 5'6" Weight 180 Race Cau Sex M Other

I, D. M. Ellis, a competent adult, being duly sworn according to law, depose and state that I personally handed a true and correct copy of the Notice of Sheriff's Sale in the manner as set forth herein, issued in the captioned case on the date and at the address indicated above.

Sworn to and subscribed
before me this 1st day
of July, 2009

D. M. Ellis

Notary:

By: *D. M. Ellis*

Marilyn A. Campbell
COMMONWEALTH OF PENNSYLVANIA

Notarial Seal
Marilyn A. Campbell, Notary Public
City Of Altoona, Blair County
My Commission Expires Dec. 6, 2011

Member, Pennsylvania Association of Notaries

NOT SERVED

*****ATTEMPT SERVICE NLT THREE (3) TIMES*****

On the _____ day of _____, 200____, at _____ o'clock ____m., Defendant NOT FOUND because:

Moved Unknown No Answer Vacant
1st attempt Date: _____ Time: _____, 2nd attempt Date: _____ Time: _____, 3rd
attempt Date: _____ Time: _____.
Other: _____

Sworn to and subscribed
before me this _____ day
of _____, 200____.

Notary: By:

Attorney for Plaintiff

DANIEL G. SCHMIEG, Esquire - I.D. No. 62205
One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

WELLS FARGO BANK, N.A.

Plaintiff,

v.

THOMAS M. HULLIHEN

VICKI L. HULLIHEN

Defendant(s)

: CLEARFIELD COUNTY

: COURT OF COMMON PLEAS

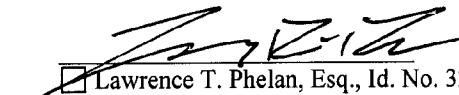
: CIVIL DIVISION

: No. 07-2029-CD

AFFIDAVIT OF SERVICE PURSUANT TO RULE 3129.1

COMMONWEALTH OF PENNSYLVANIA)
CLEARFIELD COUNTY) SS:

As required by Pa. R.C.P. 3129.1(a) Notice of Sale has been given to Lienholders and any known interested party in the manner required by Pa. R.C.P. 3129.2(c) on each of the persons or parties named, at that address, set forth on the Affidavit and as amended if applicable. A copy of the Certificate of Mailing (Form 3817) and/or Certified Mail Return Receipt stamped by the U.S. Postal Service is attached hereto Exhibit "A".



- Lawrence T. Phelan, Esq., Id. No. 32227
- Francis S. Hallinan, Esq., Id. No. 62695
- Daniel G. Schmieg, Esq., Id. No. 62205
- Michele M. Bradford, Esq., Id. No. 69849
- Judith T. Romano, Esq., Id. No. 58745
- Sheetal R. Shah-Jani, Esq., Id. No. 81760
- Jenine R. Davey, Esq., Id. No. 87077
- Lauren R. Tabas, Esq., Id. No. 93337
- Vivek Srivastava, Esq., Id. No. 202331
- Jay B. Jones, Esq., Id. No. 86657
- Peter J. Mulcahy, Esq., Id. No. 61791
- Andrew L. Spivack, Esq., Id. No. 84439
- Jaime McGuinness, Esq., Id. No. 90134
- Chrisovalante P. Fliakos, Esq., Id. No. 94620
- Joshua I. Goldman, Esq., Id. No. 205047
- Courtenay R. Dunn, Esq., Id. No. 206779
- Andrew C. Bramblett, Esq., Id. No. 208375

Attorney for Plaintiff

Date: 8/4/09

IMPORTANT NOTICE: This property is sold at the direction of the plaintiff. It may not be sold in the absence of a representative of the plaintiff at the Sheriff's Sale. The sale must be postponed or stayed in the event that a representative of the plaintiff is not present at the sale.

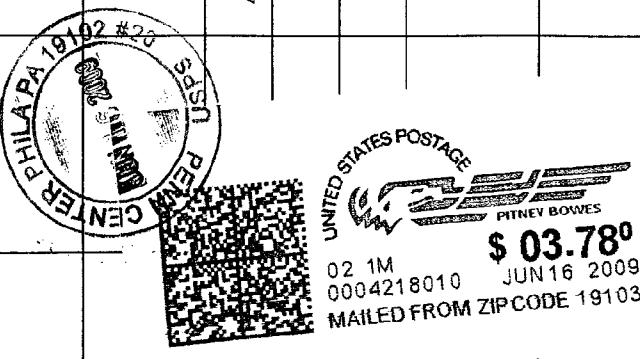
PHS # 160171

SEARCHED INDEXED NOCC
M 10/4/09
AUG 06 2009
Wm A. Shaw
Prothonotary/Clerk of Courts

Name and
Address
of Sender

→

CQS
PHELAN HALLINAN & SCHMIEG
One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814

Line	Article Number	Name of Addressee, Street, and Post Office Address	Postage	Fee
1		TENANT/OCCUPANT 271 EAST MAIN STREET MAHAFFEY, PA 15757		
2		DOMESTIC RELATIONS CLEARFIELD COUNTY CLEARFIELD COUNTY COURTHOUSE 230 EAST MARKET STREET CLEARFIELD, PA 16830		
3		COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF WELFARE PO BOX 2675 HARRISBURG, PA 17105		
4		Commonwealth of Pennsylvania, Bureau of Individual Tax, Inheritance Tax Division, 6 th Floor, Strawberry Sq., Dept 28061, Harrisburg, PA 17128		
5		Internal Revenue Service, Federated Investors Tower, 13 TH Floor, Suite 1300, 1001 Liberty Avenue, Pittsburgh, PA 15222		
6		Department of Public Welfare, TPL Casualty Unit, Estate Recovery Program, P.O. Box 8486, Willow Oak Building, Harrisburg, PA 17105		
7		CLEARFIELD BANK & TRUST COMPANY P.O. BOX 171 CLEARFIELD, PA 16830		
8		JAMES D. HULLHEN PO BOX 251 COTTLEVILLE, MO 63338		
9		RONALD M. WRIGHT AND JACQUELINE S. WRIGHT 112 BELLE GROVE LAPLACE, LA 70068		
10		Re: THOMAS M. HULLHEN TNW 160171 TEAM 3		
Total Number of Pieces Listed by Sender		Postmaster, Per (Name of Receiving Employee)	<p>The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise is \$500. The maximum indemnity payable is \$25,000 for registered mail, sent with optional insurance. See Domestic Mail Manual R900, S913 and S921 for limitations of coverage.</p> 	

AUG 06 2009

William A. Shaw,
Prothonotary/Clerk of Courts

7:10 AM 10/09/09 100 Atty
01009un AUG 18 2009 M.L. Pecarchick

William A. Shaw
Prothonotary/Clerk of Courts

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

WELLS FARGO BANK, N.A. : Court of Common Pleas
Plaintiff :
: Civil Division
v. :
: CLEARFIELD County
THOMAS M. HULLIHEN :
VICKI L. HULLIHEN : No. 07-2029-CD
Defendants :
:

ORDER

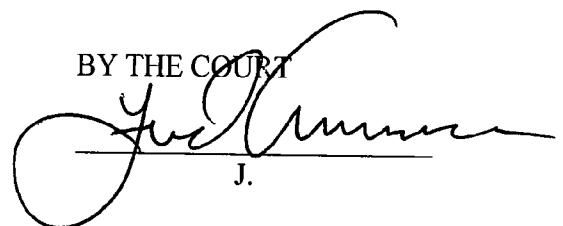
AND NOW, this 18 day of August, 2009 the Prothonotary is ORDERED to amend the in rem judgment and the Sheriff is ORDERED to amend the writ nunc pro tunc in this case as follows:

Principal Balance	\$86,360.00
Interest Through September 4, 2009	\$20,135.01
Per Diem \$22.48	
Late Charges	\$36.31
Legal fees	\$2,800.00
Cost of Suit and Title	\$2,707.50
Sheriff's Sale Costs	\$1,094.38
Property Inspections/ Property Preservation	\$0.00
Appraisal/Brokers Price Opinion	\$125.00
Mortgage Insurance Premium /	\$0.00
Private Mortgage Insurance	

Non Sufficient Funds Charge	\$0.00
Suspense/Misc. Credits	(\$0.00)
Escrow Deficit	\$0.00
TOTAL	\$113,258.20

Plus interest from September 4, 2009 through the date of sale at six percent per annum.

Note: The above figure is not a payoff quote. Sheriff's commission is not included in the above figure.

BY THE COURT

 J.

100-1808

AUG 18 2008

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20982
NO: 07-2029-CD

PLAINTIFF: WELLS FARGO BANK, N.A.

vs.

DEFENDANT: THOMAS M. HULLIHEN AND VICKI L. HULLIHEN

Execution REAL ESTATE

SHERIFF RETURN

DATE RECEIVED WRIT: 5/27/2009

LEVY TAKEN 6/16/2009 @ 1:44 PM

POSTED 6/16/2009 @ 9:40 AM

SALE HELD 11/13/2009

SOLD TO WELLS FARGO BANK, N.A.

SOLD FOR AMOUNT \$1.00 PLUS COSTS

WRIT RETURNED 12/15/2009

DATE DEED FILED 12/15/2009

PROPERTY ADDRESS 271 EAST MAIN STREET MAHAFFEY, PA 15757

FILED
01354/01
DEC 15 2009
S William A. Shaw
Prothonotary/Clerk of Courts

SERVICES

6/16/2009 @ 9:40 AM SERVED THOMAS M. HULLIHEN

SERVED THOMAS M. HULLIHEN, DEFENDANT, AT HIS RESIDENCE 271 EAST MAIN STREET, MAHAFFEY, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO THOMAS HULLIHEN

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE, AND COPY OF THE LEVY AND BY MAKING KNOW TO HIM / HER THE CONTENTS THEREOF.

6/16/2009 @ 9:40 AM SERVED VICKI L. HULLIHEN

SERVED VICKI L. HULLIHEN, DEFENDANT, AT HER RESIDENCE 271 EAST MAIN STREET, MAHAFFEY, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO VICKI HULLIHEN

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE, AND COPY OF THE LEVY AND BY MAKING KNOW TO HIM / HER THE CONTENTS THEREOF.

@ SERVED

NOW, AUGUST 13, 2009 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO POSTPONE THE SHERIFF SALE SCHEDULED FOR SEPTEMBER 4, 2009 TO NOVEMBER 13, 2009.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20982
NO: 07-2029-CD

PLAINTIFF: WELLS FARGO BANK, N.A.

vs.

DEFENDANT: THOMAS M. HULLIHEN AND VICKI L. HULLIHEN

Execution REAL ESTATE

SHERIFF RETURN

SHERIFF HAWKINS \$269.68

SURCHARGE \$40.00 PAID BY PLAINTIFF

Sworn to Before Me This

____ Day of _____ 2008

So Answers,


by *Anthony Butta-Culver*
Chester A. Hawkins
Sheriff

WRIT OF EXECUTION - (MORTGAGE FORECLOSURE)
Pa.R.C.P. 3180-3183 and Rule 3257

WELLS FARGO BANK, N.A.

vs.

THOMAS M. HULLIHEN

VICKIE HULLIHEN

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

No. 07-2029-CD

WRIT OF EXECUTION
(Mortgage Foreclosure)

Commonwealth of Pennsylvania:

County of Clearfield

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

PREMISES: 271 EAST MAIN STREET, MAHAFFEY, PA 15757

(See Legal Description attached)

Amount Due	
Interest from 02/28/2008 to Sale	\$95,943.50
Per diem \$15.77	145.00
Add'l Costs	\$8,097.50
Writ Total	\$ _____

Willie H. Gray

OFFICE OF THE PROTHONOTARY OF CLEARFIELD
COUNTY, PENNSYLVANIA

Dated 5/20/09
(SEAL)

160171

Received this writ this 27th day
of May A.D. 2009
At 3:00 A.M. P.M.

Chesler A. Hawkins
Sheriff by Cynthia Butterfield

No. 07-2029-CD

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

WELLS FARGO BANK, N.A.

vs.

THOMAS M. HULLIHEN
VICKI L. HULLIHEN

W^{RE}IT OF EXECUTION
(Mortgage Foreclosure)

Costs

Real Debt \$95,943.50

Int. from 02/28/2008
To Date of Sale (\$15.77 per diem)

Costs _____

Prothy Pd. 145.00

Sheriff _____

DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

Address: THOMAS M. HULLIHEN
271 EAST MAIN STREET
MAHAFFEY, PA 15757

VICKI L. HULLIHEN
271 EAST MAIN STREET
MAHAFFEY, PA 15757

LEGAL DESCRIPTION

All that certain piece, parcel or lot of land situate in the Borough of Mahaffey, Clearfield County, Commonwealth of Pennsylvania, bounded and described as follows, to-wit:

Beginning at a point along the Southern side of Main Street, said beginning point being the Northeastern corner of the parcel herein described, said beginning point furthermore being at the Northwestern corner of lands of Daniel L. and Carol A. Wright; thence South 49 degrees 35 minutes West along the Western boundary line of Daniel L. and Carol A. Wright for a distance of 180 feet to a point along the Northern side of Walnut Street; thence North 39 degrees 28 minutes 40 seconds West along the Northern side of Walnut Street for a distance of 120 feet to a point; thence North 49 degrees 35 minutes East along the Eastern side of a 15-foot alley for a distance of 180 feet to a point along the Southern side of Main Street; thence South 39 degrees 28 minutes 40 seconds along the Southern side of Main Street for a distance of 120 feet to the place of beginning.

TITLE TO SAID PREMISES IS VESTED IN Thomas M. Hullihen and Vicki L. Hullihen, husband and wife, by Deed from Ronald M. Wright, Jr. and Jacqueline S. Wright, husband and wife, dated 02/27/2007, recorded 03/12/2007, in Deed Mortgage Inst# 200703874.

Premises being: 271 EAST MAIN STREET
MAHAFFEY, PA 15757

Tax Parcel No. 13-C12-300-006

**REAL ESTATE SALE
SCHEDULE OF DISTRIBUTION**

NAME THOMAS M. HULLIHEN

NO. 07-2029-CD

NOW, December 15, 2009, 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 November 13, 2009, I exposed the within described real estate of Thomas M. Hullihen And Vicki L. Hullihen to public venue or outcry at which time and place I sold the same to WELLS FARGO BANK, N.A. he/she being the highest bidder, for the sum of \$1.00 plus costs and made the following appropriations, viz:

SHERIFF COSTS:

RDR	15.00
SERVICE	15.00
MILEAGE	24.20
LEVY	15.00
MILEAGE	24.20
POSTING	15.00
CSDS	10.00
COMMISSION	0.00
POSTAGE	5.28
HANDBILLS	15.00
DISTRIBUTION	25.00
ADVERTISING	15.00
ADD'L SERVICE	15.00
DEED	30.00
ADD'L POSTING	
ADD'L MILEAGE	
ADD'L LEVY	
BID AMOUNT	1.00
RETURNS/DEPUTIZE	
COPIES	15.00
	5.00
BILLING/PHONE/FAX	5.00
CONTINUED SALES	20.00
MISCELLANEOUS	10.00
TOTAL SHERIFF COSTS	\$279.68
DEED COSTS:	
ACKNOWLEDGEMENT	5.00
REGISTER & RECORDER	52.00
TRANSFER TAX 2%	0.00
TOTAL DEED COSTS	\$52.00

PLAINTIFF COSTS, DEBT AND INTEREST:

DEBT-AMOUNT DUE	95,943.50
INTEREST @ 15.7700 %	9,840.48
FROM 02/28/2008 TO 11/13/2009	
PROTH SATISFACTION	
LATE CHARGES AND FEES	
COST OF SUIT-TO BE ADDED	8,097.50
FORECLOSURE FEES	
ATTORNEY COMMISSION	
REFUND OF ADVANCE	
REFUND OF SURCHARGE	40.00
SATISFACTION FEE	
ESCROW DEFICIENCY	
PROPERTY INSPECTICNS	
INTEREST	
MISCELLANEOUS	
TOTAL DEBT AND INTEREST	\$113,921.48
COSTS:	
ADVERTISING	241.75
TAXES - COLLECTOR	
TAXES - TAX CLAIM	
DUE	
LIEN SEARCH	100.00
ACKNOWLEDGEMENT	5.00
DEED COSTS	52.00
SHERIFF COSTS	279.68
LEGAL JOURNAL COSTS	216.00
PROTHONOTARY	145.00
MORTGAGE SEARCH	40.00
MUNICIPAL LIEN	
TOTAL COSTS	\$1,079.43

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

Phelan Hallinan & Schmieg, L.L.P.
One Penn Center at Suburban Station
1617 John F. Kennedy Boulevard
Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000
Fax: (215) 563-7009

Foreclosure Manager

Representing Lenders in
Pennsylvania and New Jersey

August 13, 2009

Office of the Sheriff
Clearfield County Courthouse
1 North Second Street
Clearfield, PA 16830

Attn: Real Estate Department

Fax Number: 814-765-5915

Re: **WELLS FARGO BANK, N.A. v.**
THOMAS M. HULLIHEN and VICKI L. HULLIHEN
271 EAST MAIN STREET MAHAFFEY, PA 15757
Court No. 07-2029-CD

Dear Sir/Madam:

Please Postpone the Sheriff Sale of the above referenced property, which is scheduled for September 4, 2009 due to the following: Moratorium.

The Property is to be relisted for the November 13, 2009 Sheriff Sale.

Thank you for your cooperation in this matter.

Very Truly Yours,
PATRICK WIRT for
Phelan Hallinan & Schmieg, LLP

111-1111

DEC 15 2009

William A. Shaw
Prothonotary/Clerk of Courts