

07-2108-CD
LVNV Funding vs Rick Whitmore

94415

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

LVNV Funding LLC CIVIL ACTION
(Plaintiff)

c/o 2417 Welsh Road Suite 21 #520

(Street Address)

Phila., PA 19114

(City, State ZIP)

No. 07-2108-CD

Type of Case: CIVIL

Type of Pleading: COMPLAINT

vs.

Rock Whitmore
(Defendant)

Filed on Behalf of:

LVNV Funding LLC

(Plaintiff/Defendant)

159 Stone Ln

(Street Address)

Rockton PA 15856

(City, State ZIP)

David J. Apotheker, Esquire

(Filed by)

2417. Welsh Road Suite 21 #520

(Address) Phila., PA 19114

215-634-8920

(Phone)

(Signature)

FILED Atty pd. 85.00
DEC 10 2001 ICC Sheriff
DEC 26 2001 ICC Atty

William A. Shaw
Prothonotary/Clerk of Courts

Our File No.: 94415
APOTHAKER & ASSOCIATES, P.C.
BY: David J. Apothaker, Esq.
Attorney I.D.#38423
2417 Welsh Road, Suite 21 #520
Philadelphia, PA 19114
(215) 634-8920
Attorneys for Plaintiff

LVNV FUNDING, LLC) COURT OF COMMON PLEAS
c/o Apothaker & Associates, P.C.) CLEARFIELD COUNTY
2417 Welsh Road, Suite 21 #520)
Philadelphia, PA 19114) NO.:
Plaintiff,)
vs.)
)
RICK WHITMORE)
159 STONE LN)
ROCKTON, PA 15856)
Defendant.)
)

NOTICE

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

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

AVISO

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las páginas siguientes, usted tiene veinte (20) días de plazo al partir de la fecha de la demanda y la notificación. Hace falta asentir una comparecencia escrita o con un abogado y entregar a la corte en forma escrita sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomará medidas y puede continuar la demanda en contra suya sin previo aviso o notificación. Además, la corte puede decidir a favor del demandante y requiere que usted compla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

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

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APOTHAKER, & ASSOCIATES, P.C.

BY: David J. Apotheker, Esq

Attorney I.D.#38423

2417 Welsh Road, Suite 21 #520

Philadelphia, PA 19114

(215) 634-8920

Attorneys for Plaintiff

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

Plaintiff.

vs.

RICK WHITMORE
159 STONE LN
ROCKTON, PA 15838

Defendant.

**CIVIL ACTION COMPLAINT
FIRST COUNT**

1. Plaintiff, LVNV FUNDING, LLC, is a company with its principal place of business located at c/o Apotheker & Associates, P.C., 2417 Welsh Road, Suite 21 #520, Philadelphia, PA 19114.
2. Defendant is RICK WHITMORE, an adult individual residing at 159 STONE LN ROCKTON, PA 15856.
3. At the special instance and request of Defendant, Plaintiff sold and delivered to Defendant goods and/or services at the times, of the kinds, in the quantities, and for the prices set forth in Plaintiff's records. A true and correct copy of which is attached hereto, incorporated herein by reference and designated Exhibit "A".
4. Defendant received and accepted the goods and/or services described in Exhibit "A".
5. The prices set forth in Exhibit "A" are the fair, reasonable and market prices for said goods and/or services, and the prices which Defendant agreed to pay.
6. All credits, if any, to which Defendant is entitled, are set forth in Exhibit "A".
7. In addition, Plaintiff avers that Defendant has failed and continues to fail to make any payments, leaving a balance due and owing of \$10,964.06.

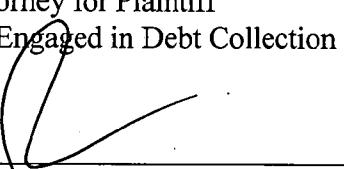
8. Although demand has been made, Defendant has failed to make payment of the amount due as above.

9. The original creditor is SEARS.

WHEREFORE, Plaintiff demands judgment in favor of Plaintiff and against Defendant(s) for the sum of \$10,964.06 and requests this Court award Plaintiff attorney's fees and costs to the extent permitted by applicable law.

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

BY: _____

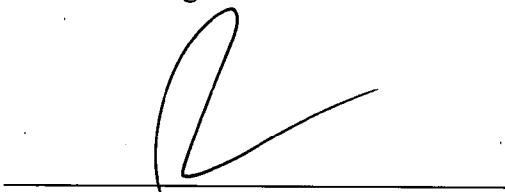

David J. Apothaker

Dated: 12/20/2007

Our File No.: 94415

VERIFICATION

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



David J. Apothaker
Attorney for Plaintiff

DATE: 12/20/2007

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

RICK WHITMORE
159 STONE LN
ROCKTON, PA 15856

STATEMENT OF ACCOUNT

Debtor's Name: RICK WHITMORE

Account Number: 0554813269558

Original Creditor: SEARS

Balance Due: \$10,964.06

Our File No.: 94415

EXHIBIT "A"

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 1 of 1 Services

Sheriff Docket #

103592

LVNV FUNDING LLC

Case # 07-2108-CD

vs.

RICK WHITMORE

TYPE OF SERVICE COMPLAINT

SHERIFF RETURNS

NOW May 05, 2008 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT "NOT FOUND" AS TO RICK WHITMORE, DEFENDANT. 159 STONE LANE, ROCKTON, PA. "VACANT".

SERVED BY: /

Return Costs

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	APOTHAKER	69200	10.00
SHERIFF HAWKINS	APOTHAKER	69200	27.13

FILED
03:15 cm
MAY 05 2008
WAM

William A. Shaw
So Answers, Prothonotary/Clerk of Courts

Chester A. Hawkins
My Mandy Harris
Chester A. Hawkins
Sheriff

Sworn to Before me This

Day of 2008

94415

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

LVNV Funding LLC CIVIL ACTION
(Plaintiff)

c/o 2417 Welsh Road Suite 21 #520

(Street Address)

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vs.

Rock Whitmore
(Defendant)

Filed on Behalf of:

LVNV Funding LLC
(Plaintiff/Defendant)

159 Stone Ln

(Street Address)

Kirkton, PA 15856

(City, State ZIP)

David J. Apotheker, Esquire

(Filed by)

2417. Welsh Road Suite 21 #520

(Address) Phila., PA 19114

215-634-8920

(Phone)

(Signature)

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

DEC 26 2007

William J. Schaeffer
Prothonotary/
Clerk of Courts

Attest.

Our File No.: 94415
APOTHAKER & ASSOCIATES, P.C.
BY: David J. Apothaker, Esq.
Attorney I.D.#38423
2417 Welsh Road, Suite 21 #520
Philadelphia, PA 19114
(215) 634-8920
Attorneys for Plaintiff

LVNV FUNDING, LLC)	COURT OF COMMON PLEAS
c/o Apothaker & Associates, P.C.)	CLEARFIELD COUNTY
2417 Welsh Road, Suite 21 #520)	
Philadelphia, PA 19114)	NO.:
Plaintiff,)	
vs.)	
RICK WHITMORE)	
159 STONE LN)	
ROCKTON, PA 15856)	
Defendant.)	
)	

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APOTHAKER & ASSOCIATES, P.C.

BY: David J. Apothaker, Esq.

Attorney I.D.#38423

2417 Welsh Road, Suite 21 #520

Philadelphia, PA 19114

(215) 634-8920

Attorneys for Plaintiff

LVNV FUNDING, LLC

c/o Apothaker & Associates, P.C.

2417 Welsh Road, Suite 21 #520

Philadelphia, PA 19114

Plaintiff,

vs.

) COURT OF COMMON PLEAS.

) CLEARFIELD COUNTY

)

) NO.:

)

)

)

RICK WHITMORE

159 STONE LN

ROCKTON, PA 15856

Defendant.

)

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FIRST COUNT**

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2. Defendant is RICK WHITMORE, an adult individual residing at 159 STONE LN ROCKTON, PA 15856.
3. At the special instance and request of Defendant, Plaintiff sold and delivered to Defendant goods and/or services at the times, of the kinds, in the quantities, and for the prices set forth in Plaintiff's records. A true and correct copy of which is attached hereto, incorporated herein by reference and designated Exhibit "A".
4. Defendant received and accepted the goods and/or services described in Exhibit "A".
5. The prices set forth in Exhibit "A" are the fair, reasonable and market prices for said goods and/or services, and the prices which Defendant agreed to pay.
6. All credits, if any, to which Defendant is entitled, are set forth in Exhibit "A".
7. In addition, Plaintiff avers that Defendant has failed and continues to fail to make any payments, leaving a balance due and owing of \$10,964.06.

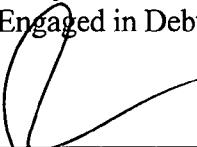
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APOTHAKER & ASSOCIATES, P.C.
Attorney for Plaintiff
A Law Firm Engaged in Debt Collection

BY: _____

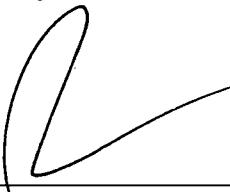

David J. Apothaker

Dated: 12/20/2007

Our File No.: 94415

VERIFICATION

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



David J. Apothaker
Attorney for Plaintiff

DATE: 12/20/2007.

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

RICK WHITMORE
159 STONÉ LN
ROCKTON, PA 15856

STATEMENT OF ACCOUNT

Debtor's Name: RICK WHITMORE
Account Number: 0554813269558
Original Creditor: SEARS
Balance Due: \$10,964.06

Our File No.: 94415

EXHIBIT "A"

Our File No.: 94415
APOTHAKER & ASSOCIATES, P.C.
BY: David J. Apothaker, Esquire
Attorney I.D.# 38423
520 Fellowship Road C306
Mount Laurel, NJ 08054
(800) 672-0215
Attorney for Plaintiff

LVNV FUNDING, LLC)	COURT OF COMMON PLEAS
)	CLEARFIELD COUNTY
Plaintiff,)	
vs.)	
)	
RICK WHITMORE)	NO. 07-2108-CD
)	
)	
Defendant.)	
)	

PRAECIPE TO DISMISS WITHOUT PREJUDICE

TO THE PROTHONOTARY:

Kindly dismiss this action without prejudice.

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

By: _____
David J. Apothaker, Esquire

Dated: 10/13/2008

5
FILED *cc to AAA*
m/a: Dalm
OCT 20 2008
William A. Shaw
Prothonotary/Clerk of Courts