

08-88-CD

Bank of NY vs Leanne Ragan et al

FILED *Atty pd. 95.00*
1/12/08
JAN 18 2008 *acc. 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 R. 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 167517

ATTORNEY FOR PLAINTIFF

THE BANK OF NEW YORK TRUST COMPANY,
N.A. AS SUCCESSOR TO JPMORGAN CHASE
BANK, N.A. AS TRUSTEE
3476 STATEVIEW BLVD
FORT MILL, SC 29715

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

Plaintiff

NO. 08-88-CD

v.

CLEARFIELD COUNTY

LEANNE R. RAGAN
THOMAS E. RAGAN
1039 MARKET STREET
KARTHAUS, PA 16845

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

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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.**

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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

THE BANK OF NEW YORK TRUST COMPANY, N.A. AS SUCCESSOR TO
JPMORGAN CHASE BANK, N.A. AS TRUSTEE
3476 STATEVIEW BLVD
FORT MILL, SC 29715

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

LEANNE R. RAGAN
THOMAS E. RAGAN
1039 MARKET STREET
KARTHAUS, PA 16845

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

3. On 10/24/2001 mortgagor(s) made, executed, and delivered a mortgage upon the premises hereinafter described to MORTGAGE LENDERS NETWORK USA, INCORPORATED which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Instrument No: 200117492. PLAINTIFF is now the legal owner of the mortgage and is in the process of formalizing an assignment of same. 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 08/01/2007 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:

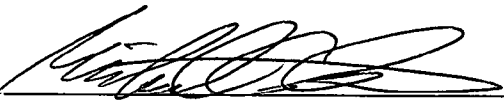
Principal Balance	\$39,431.36
Interest	\$2,285.12
07/01/2007 through 01/09/2008 (Per Diem \$11.84)	
Attorney's Fees	\$1,250.00
Cumulative Late Charges	\$19.41
10/24/2001 to 01/09/2008	
Cost of Suit and Title Search	<u>\$550.00</u>
Subtotal	\$43,535.89
Escrow	
Credit	\$0.00
Deficit	\$0.00
Subtotal	<u>\$0.00</u>
TOTAL	\$43,535.89

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.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$43,535.89, together with interest from 01/09/2008 at the rate of \$11.84 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:  203009
FRANCIS S. HALLINAN, ESQUIRE
DANIEL G. SCHMIEG, ESQUIRE
MICHELE M. BRADFORD, ESQUIRE
SHEETAL R. SHAH-JANI, ESQUIRE
JUDITH T. ROMANO, ESQUIRE
JENINE R. DAVEY, ESQUIRE
MICHAEL E. CARLETON, ESQUIRE
Attorneys for Plaintiff

LEGAL DESCRIPTION

ALL that certain messuage, tenement and tract of land situate in the Village of Karthaus, Township of Karthaus, County of Clearfield, State of Pennsylvania, more fully bounded and described as follows, to-wit:

BEGINNING at the southwest corner of Lot No. 83, now or formerly of Raymond Meeker; thence South 80 degrees 55 minutes West, along Market Street, 50 feet to the corner of Oak Street; thence West along Oak Street, 180 feet to an alley; thence easterly along the said alley, 50 feet to the corner of Lot No. 83; thence southerly with the line of Lot No. 83, 180 feet to Market Street and the place of beginning.

BEING designated as Lot No. 84 in Block 'O' on the plan of the Village of Karthaus.

UNDER AND SUBJECT to existing easements, conditions, covenants and restrictions of record.

BEING the same premises which Larry A. Brown and Kathy J. Brown, husband and wife, by Deed dated October 18, 1996 in Clearfield County in Deed Book Volume 1796 at Page 461, granted and conveyed unto Thomas E. Ragan and Leanne R. Ragan, husband and wife.

PARCEL IDENTIFICATION NUMBER 121-T04-608-21.

BEING KNOWN AS MARKET AND OAK STREETS, KARTHAUS, PA 16845

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: 1/9/08

FILED

MAR 06 2008

William A. Shaw
Prothonotary/Clerk of Courts

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

ATTORNEYS FOR PLAINTIFF

The Bank of New York Trust Company, NA, as :
Successor to JP Morgan Chase Bank, NA as Trustee :
3476 Stateview Boulevard :
Fort Mill, SC 29715 :
Plaintiff :

Court of Common Pleas

Civil Division

vs.

Clearfield County

Leanne R. Ragan :
Thomas E. Ragan :
1039 Market Street :
Karthus, PA 16845 :
Defendants :

No. 08-0088-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, PA 16830

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


Leanne R. Ragan
Thomas E. Ragan
1039 Market Street
Karthus, PA 16845

Leanne R. Ragan
Thomas E. Ragan
PO Box 146
Karthus, PA 16845

3/5/08

Date

PHELAN HALLINAN & SCHMIEG, LLP



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

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

The Bank of New York Trust Company, NA, as	:	
Successor to JP Morgan Chase Bank, NA as Trustee:	:	Court of Common Pleas
3476 Stateview Boulevard	:	
Fort Mill, SC 29715	:	
Plaintiff	:	Civil Division
	:	
vs.	:	
	:	Clearfield County
Leanne R. Ragan	:	
Thomas E. Ragan	:	
1039 Market Street	:	No. 08-0088-CD
Karthus, PA 16845	:	
Defendants	:	

ORDER

AND NOW, this 7th day of March, 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.

FILED
013:24BY
MAR 07 2008

William A. Shaw
Prothonotary/Clerk of Courts

cc Atty Bradford

cc Sheriff
(without memo)

BY THE COURT:

Judith J. Cameron
J.

DATE: 3/7/08

X You are responsible for serving all appropriate parties.

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

____ Plaintiff(s) ____ Plaintiff(s) Attorney ____ Other

____ Defendant(s) ____ Defendant(s) Attorney

____ Special Instructions:

FILED

MAR 07 2008

William A. Shaw
Prothonotary/Clerk of Courts

FILED
MAR 06 2008
m10:42
NO
CC
GK

William A. Shaw
Prothonotary/Clerk of Courts

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
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Plaintiff :

Court of Common Pleas

Civil Division

vs.

Clearfield County

Leanne R. Ragan :
Thomas E. Ragan :
1039 Market Street :
Karthaus, PA 16845 :

No. 08-0088-CD

Defendants

MOTION TO DIRECT THE SHERIFF TO FILE AFFIDAVIT OF SERVICE

1. Plaintiff commenced the instant mortgage foreclosure action by filing a Complaint on January 18, 2008. 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 February 20, 2008, the Sheriff's office verbally advised counsel for Plaintiff that the Defendants were served at the premises on January 25, 2008.

4. On February 20, 2008, Plaintiff sent the Defendants 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 25, 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 \$11.84 per day on this mortgage account.

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.

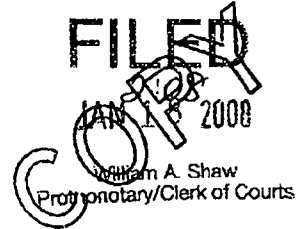
Respectfully submitted,
PHELAN HALLINAN & SCHMIEG, LLP

3/5/08
Date



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

EXHIBIT A



PHELAN HALLINAN & SCHMIEG, LLP
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DANIEL G. SCHMIEG, ESQ., Id. No. 62205
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BANK, N.A. AS TRUSTEE
3476 STATEVIEW BLVD
FORT MILL, SC 29715

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

Plaintiff

NO. 08-88-CD

CLEARFIELD COUNTY

Filed 1/18/08

v.

LEANNE R. RAGAN
THOMAS E. RAGAN
1039 MARKET STREET
KARTHAUS, PA 16845

Defendants

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

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LEANNE R. RAGAN
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6. The following amounts are due on the mortgage:

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Cumulative Late Charges	\$19.41
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TOTAL	\$43,535.89

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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.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$43,535.89, together with interest from 01/09/2008 at the rate of \$11.84 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:  203009

FRANCIS S. HALLINAN, ESQUIRE
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SHEETAL R. SHAH-JANI, ESQUIRE
JUDITH T. ROMANO, ESQUIRE
JENINE R. DAVEY, ESQUIRE
MICHAEL E. CARLETON, ESQUIRE
Attorneys for Plaintiff

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BEGINNING at the southwest corner of Lot No. 83, now or formerly of Raymond Meeker; thence South 80 degrees 55 minutes West, along Market Street, 50 feet to the corner of Oak Street; thence West along Oak Street, 180 feet to an alley; thence easterly along the said alley, 50 feet to the corner of Lot No. 83; thence southerly with the line of Lot No. 83, 180 feet to Market Street and the place of beginning.

BEING designated as Lot No. 84 in Block 'O' on the plan of the Village of Karthaus.

UNDER AND SUBJECT to existing easements, conditions, covenants and restrictions of record.

BEING the same premises which Larry A. Brown and Kathy J. Brown, husband and wife, by Deed dated October 18, 1996 in Clearfield County in Deed Book Volume 1796 at Page 461, granted and conveyed unto Thomas E. Ragan and Leanne R. Ragan, husband and wife.

PARCEL IDENTIFICATION NUMBER 121-T04-608-21.

BEING KNOWN AS MARKET AND OAK STREETS, KARTHAUS, PA 16845

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.

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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 2009

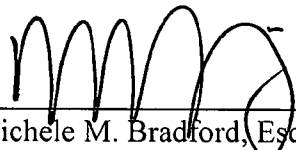
DATE: 1/9/08

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.

3/5/08
Date

PHELAN HALLINAN & SCHMIEG, LLP



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

PHELAN HALLINAN & SCHMIEG, LLP
By: Francis S. Hallinan, Esquire
IDENTIFICATION NO. 62695
1617 JFK Boulevard, Suite 1400
PHILADELPHIA, PA 19103
(215) 563-7000

FILED

MAR 10 2008
M/12:05/✓
William A. Shaw
Prothonotary/Clerk of Courts
N. C/C (GR)

ATTORNEY FOR PLAINTIFF

THE BANK OF NEW YORK TRUST
COMPANY, N.A. AS SUCCESSOR TO
JPMORGAN CHASE BANK, N.A. AS
TRUSTEE

Plaintiff

vs.

Leanne R. Ragan
Thomas E. Ragan

Defendant(s)

: Clearfield County
:
: Court of Common Pleas
:
: CIVIL DIVISION
:
: NO. 08-88-CD
:
:
:
:

PRAECIPE TO SUBSTITUTE VERIFICATION
TO CIVIL ACTION COMPLAINT
IN MORTGAGE FORECLOSURE

TO THE PROTHONOTARY:

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

Francis S. Hallinan
Francis S. Hallinan, Esquire
Attorney for Plaintiff

Dated: 3-7-08

PHELAN HALLINAN & SCHMIEG, LLP
By: Francis S. Hallinan, Esquire
IDENTIFICATION NO. 62695
1617 JFK Boulevard, Suite 1400
PHILADELPHIA, PA 19103
(215) 563-7000

ATTORNEY FOR PLAINTIFF

THE BANK OF NEW YORK TRUST
COMPANY, N.A. AS SUCCESSOR TO
JPMORGAN CHASE BANK, N.A. AS
TRUSTEE

Plaintiff

vs.

Leanne R. Ragan
Thomas E. Ragan

Defendant(s)


: Clearfield County
:
: Court of Common Pleas
:
: CIVIL DIVISION
:
: NO. 08-88-CD
:
:
:
:

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of
Plaintiff's Praecipe to Substitute Verification was sent via
first class mail to the following on the date indicated below:

Leanne R. Ragan
1039 Market Street
Karthaus, PA 16845

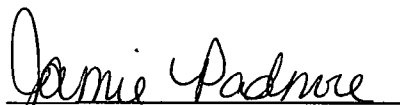
Thomas E. Ragan
1039 Market Street
Karthaus, PA 16845


Francis S. Hallinan, Esquire
Attorney for Plaintiff

Dated: 3-7-08

VERIFICATION

Jamie Padmore hereby states that he/she is
Vice President of Loan Documentation of AMERICA'S SERVICING COMPANY, 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: Jamie Padmore

DATE: December 27, 2007

Title Vice President of Loan Documentation

Company: AMERICA'S SERVICING
COMPANY Wells Fargo Bank, N.A. as Attorney-in-fact

Loan: 1115000156

FILED NO
MAR 13 2008 CC
William A. Shaw
Prothonotary/Clerk of Courts

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

ATTORNEYS FOR PLAINTIFF

The Bank of New York Trust Company, NA, as :
Successor to JP Morgan Chase Bank, NA as Trustee: :
3476 Stateview Boulevard :
Fort Mill, SC 29715 :
Plaintiff :

Court of Common Pleas

Civil Division

vs. :

Clearfield County

Leanne R. Ragan :
Thomas E. Ragan :
1039 Market Street :
Karthaus, PA 16845 :
Defendants :

No. 08-0088-CD

CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the March 7, 2008 Order granting
Plaintiff's Motion to Direct Sheriff to File Affidavit of Service 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, PA 16830

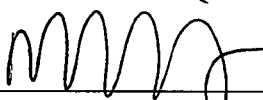
Peter F. Smith, Esquire
30 South 2nd Street
PO Box 130
Clearfield, PA 16830-2347
(Sheriff's Solicitor)

Leanne R. Ragan
Thomas E. Ragan
1039 Market Street
Karthus, PA 16845

Leanne R. Ragan
Thomas E. Ragan
PO Box 146
Karthus, PA 16845

3/12/08
Date

PHELAN HALLINAN & SCHMIEG, LLP



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

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103656
NO: 08-88-CD
SERVICE # 1 OF 2
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: THE BANK OF NEW YORK TRUST COMPANY, N.A.

vs.

DEFENDANT: LEANNE R. RAGAN and THOMAS E. RAGAN

SHERIFF RETURN

NOW, January 25, 2008 AT 9:55 AM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON LEANNE R. RAGAN DEFENDANT AT 1039 MARKET ST., KARTHAUS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO THOMAS RAGAN, HUSBAND A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: HUNTER / DEHAVEN

FILED

0/3:20cm
MAR 17 2008

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103656
NO: 08-88-CD
SERVICE # 2 OF 2
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: THE BANK OF NEW YORK TRUST COMPANY, N.A.

vs.

DEFENDANT: LEANNE R. RAGAN and THOMAS E. RAGAN

SHERIFF RETURN

NOW, January 25, 2008 AT 9:55 AM SERVED THE WITHIN COMPLAINT IN MORTGAGE FORECLOSURE ON THOMAS E. RAGAN DEFENDANT AT 1039 MARKET ST., KARTHaus, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO THOMAS E. RAGAN, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT IN MORTGAGE FORECLOSURE AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: HUNTER / DEHAVEN

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103656
NO: 08-88-CD
SERVICES 2
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: THE BANK OF NEW YORK TRUST COMPANY, N.A.
vs.
DEFENDANT: LEANNE R. RAGAN and THOMAS E. RAGAN

SHERIFF RETURN

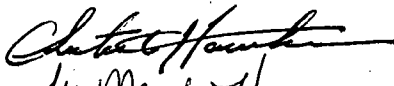

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	PHELAN	654485	20.00
SHERIFF HAWKINS	PHELAN	654485	47.23

Sworn to Before Me This

_____ Day of _____ 2008

So Answers,


by 
Chester A. Hawkins
Sheriff

Phelan Hallinan & Schmieg, LLP
By: Daniel G. Schmieg, Esquire
Identification No. 62205
One Penn Center Plaza
1617 JFK Boulevard, Ste.1400
Philadelphia, PA 19103
(215) 320-0007

Attorney for Plaintiff

**THE BANK OF NEW YORK TRUST
COMPANY, N.A. AS SUCCESSOR TO
JPMORGAN CHASE BANK, N.A. AS
TRUSTEE**

vs.

**LEANNE R. RAGAN
1039 MARKET STREET
KARTHAUS, PA 16845**

**THOMAS E. RAGAN
1039 MARKET STREET
KARTHAUS, PA 16845**

: **CLEARFIELD COUNTY**
:
: **COURT OF COMMON PLEAS**
:
: **CIVIL DIVISION**
:
: **NO. 08-88-CD**
:
:

FILED

OCT 24 2008

M/2:50/6

William A. Shaw
Prothonotary/Clerk of Courts

CERT w/NOTICE
TO DEFENDANT
OCT 24

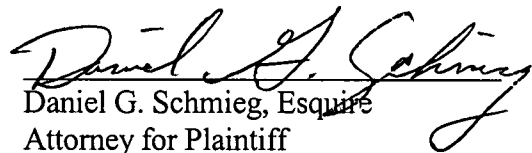
**PRAECIPE FOR IN REM JUDGMENT FOR FAILURE TO
ANSWER AND ASSESSMENT OF DAMAGES**

TO THE PROTHONOTARY:

Kindly enter judgment in favor of the Plaintiff and against **LEANNE R. RAGAN** and **THOMAS E. RAGAN**, 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 Complaint	\$43,535.89
Interest - 1/10/08 - 10/22/08	<u>\$3,398.08</u>
TOTAL	\$46,933.97

I hereby certify that (1) the addresses of the Defendant(s) are as shown above, and (2) that 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: OCT. 24, 2008



PHS# 167517

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

ATTORNEY FOR PLAINTIFF

THE BANK OF NEW YORK TRUST COMPANY, N.A. : COURT OF COMMON PLEAS
AS SUCCESSOR TO JPMORGAN CHASE BANK,
N.A. AS TRUSTEE : CIVIL DIVISION

Plaintiff

: CLEARFIELD COUNTY

Vs.

: NO. 08-88-CD

LEANNE R. RAGAN
THOMAS E. RAGAN

Defendants

TO: LEANNE R. RAGAN
1039 MARKET STREET
KARTHAUS, PA 16845

DATE OF NOTICE: FEBRUARY 20, 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.

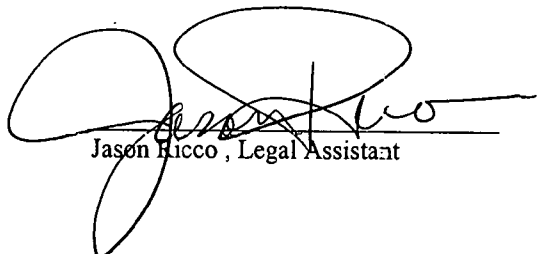
YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

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

FILE COPY



Jason Ricco, Legal Assistant

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

THE BANK OF NEW YORK TRUST COMPANY, N.A. : COURT OF COMMON PLEAS
AS SUCCESSOR TO JPMORGAN CHASE BANK,
N.A. AS TRUSTEE : CIVIL DIVISION

Plaintiff

: CLEARFIELD COUNTY

Vs.

NO. 08-88-CD

LEANNE R. RAGAN
THOMAS E. RAGAN

Defendants

TO: THOMAS E. RAGAN
1039 MARKET STREET
KARTHAUS, PA 16845

DATE OF NOTICE: **FEBRUARY 20, 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

FILE COPY


Jason Ricco, Legal Assistant

Phelan Hallinan & Schmieg, LLP
By: Daniel G. Schmieg, Esquire
Identification No. 62205
One Penn Center Plaza
1617 JFK Boulevard, Ste.1400
Philadelphia, PA 19103
(215) 320-0007

Attorney for Plaintiff

**THE BANK OF NEW YORK TRUST
COMPANY, N.A. AS SUCCESSOR TO
JPMORGAN CHASE BANK, N.A. AS
TRUSTEE**

**: CLEARFIELD COUNTY
:
: COURT OF COMMON PLEAS
:
: CIVIL DIVISION**

vs.

**: NO. 08-88-CD
:
:**

LEANNE R. RAGAN

THOMAS E. RAGAN

VERIFICATION OF NON-MILITARY SERVICE

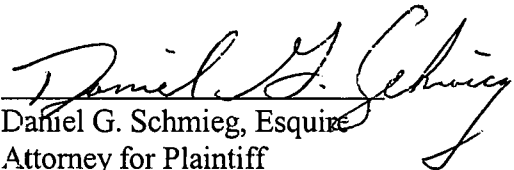
Daniel G. Schmieg, Esquire, hereby verifies that he is attorney for the Plaintiff in the above-captioned matter, and that on information and belief, he has knowledge of the following facts, to wit:

(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 **LEANNE R. RAGAN** is over 18 years of age and resides at **1039 MARKET STREET, KARTH AUS, PA 16845.**

(c) that defendant **THOMAS E. RAGAN** is over 18 years of age, and resides at **1039 MARKET STREET, KARTH AUS, PA 16845.**

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
Attorney for Plaintiff

THE BANK OF NEW YORK TRUST
COMPANY, N.A. AS SUCCESSOR TO
JPMORGAN CHASE BANK, N.A. AS
TRUSTEE

vs.

LEANNE R. RAGAN
1039 MARKET STREET
KARTHAUS, PA 16845


THOMAS E. RAGAN
1039 MARKET STREET
KARTHAUS, PA 16845

: CLEARFIELD COUNTY
:
: COURT OF COMMON PLEAS
:
:
: CIVIL DIVISION
:
: NO. 08-88-CD
:
:

Notice is given that a Judgment in the above captioned matter has been entered
against you on Oct. 24, 2008.

By:  DEPUTY

If you have any questions concerning this matter please contact:


Daniel G. Schmieg, Esquire
Attorney or Party Filing
1617 JFK Boulevard, Ste. 1400
Philadelphia, PA 19103
(215) 563-7000

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

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

THE BANK OF NEW YORK
TRUST COMPANY, N.A. AS
SUCCESSOR TO JPMORGAN
CHASE BANK, N.A. AS TRUSTEE

vs.

LEANNE R. RAGAN

THOMAS E. RAGAN

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

No. 08-88-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

\$46,933.97

Interest from 10/23/08 to Sale

Prothonotary costs 135.00

Per diem \$7.72

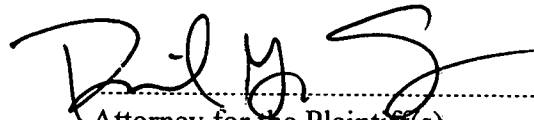
\$ _____

Add'l Costs

\$3,450.00

Writ Total

\$


.....
Attorney for the Plaintiff(s)

Note: Please attach description of Property.

167517

5
FILED Any pd. 20.00
m/ 12:41 PM
NOV 07 2008 ICC & 6 writs
William A. Shaw W/ prop. desc
Prothonotary/Clerk of Courts to Sheriff

No. 08-88-CD..... Term 20A.D.

FILED

NOV 07 2008

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

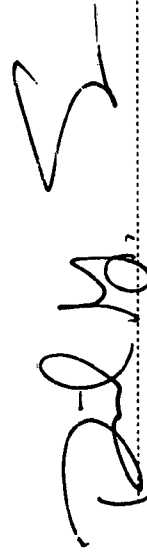
THE BANK OF NEW YORK TRUST COMPANY,
N.A. AS SUCCESSOR TO JPMORGAN CHASE
BANK, N.A. AS TRUSTEE

vs.

LEANNE R. RAGAN
THOMAS E. RAGAN

PRAECIPE FOR WRIT OF EXECUTION
(Mortgage Foreclosure)

Filed:



Attorney for Plaintiff(s)

Address: LEANNE R. RAGAN THOMAS E. RAGAN
1039 MARKET STREET 1039 MARKET STREET
KARTHAUS, PA 16845 KARTHAUS, PA 16845

COPY

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

THE BANK OF NEW YORK
TRUST COMPANY, N.A. AS
SUCCESSOR TO JPMORGAN
CHASE BANK, N.A. AS TRUSTEE

vs.

LEANNE R. RAGAN

THOMAS E. RAGAN

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: 1039 MARKET STREET, KARTHUS, PA 16845
(See Legal Description attached)

Amount Due

Interest from 10/23/08 to Sale

Per diem \$7.72

Add'l Costs

Writ Total

Prothonotary costs \$46,933.97
135.00
\$ _____

\$3,450.00

\$

William L. Hagan

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

Dated 11/7/08
(SEAL)

No. 08-88:CD..... Term 20A.D.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

THE BANK OF NEW YORK TRUST COMPANY,
N.A. AS SUCCESSOR TO JPMORGAN CHASE
BANK, N.A. AS TRUSTEE

vs.

LEANNE R. RAGAN
THOMAS E. RAGAN

WRIT OF EXECUTION
(Mortgage Foreclosure)

Costs

Real Debt \$46,933.97

Int. from 10/23/08


To Date of Sale (\$7.72 per diem)

Costs

Prothy Pd.

135.00

Sheriff



Attorney for Plaintiff(s)

Address: LEANNE R. RAGAN

1039 MARKET STREET
KARTHAUS, PA 16845

THOMAS E. RAGAN

1039 MARKET STREET
KARTHAUS, PA 16845

LEGAL DESCRIPTION

ALL that certain messuage, tenement and tract of land situate in the Village of Karthaus, Township of Karthaus, County of Clearfield, State of Pennsylvania, more fully bounded and described as follows, to-wit:

BEGINNING at the southwest corner of Lot No. 83, now or formerly of Raymond Meeker; thence South 80 degrees 55 minutes West, along Market Street, 50 feet to the corner of Oak Street; thence West along Oak Street, 180 feet to an alley; thence easterly along the said alley, 50 feet to the corner of Lot No. 83; thence southerly with the line of Lot No. 83, 180 feet to Market Street and the place of beginning.

BEING designated as Lot No. 84 in Block 'O' on the plan of the Village of Karthaus.

UNDER AND SUBJECT to existing easements, conditions, covenants and restrictions of record.

PARCEL IDENTIFICATION NUMBER 121-T04-608-21.

TITLE TO SAID PREMISES IS VESTED IN Thomas E. Ragan and Leanne R. Ragan, h/w, as tenants by the entireties, by Deed from Larry A. Brown and Kathy J. Brown, h/w, dated 10/18/1996, recorded 10/21/1996, in Deed Book 1796, page 461.

Premises being: 1039 MARKET STREET
KARTHAUS, PA 16845

Tax Parcel No. T04-608-00021

[illegible]

NO. 08-88-CD

V.

1
 2
 3
 4
 5

AFFIDAVIT PURSUANT TO RULE 3129

THE BANK OF NEW YORK TRUST COMPANY, N.A. AS SUCCESSOR TO JPMORGAN CHASE BANK, N.A. AS TRUSTEE, Plaintiff in the above action, by its attorney, DANIEL G. SCHMIEG, ESQUIRE, sets forth as of the date the Praecipe for the Writ of Execution was filed, the following information concerning the real property located at **1039 MARKET STREET, KARTHAUS, PA 16845**.

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.)

None

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.)

**Larry A. Brown &
Kathy J. Brown**

494 Kirks Mill Road
Nottingham, PA 19362

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

1039 MARKET STREET
KARTHAUS, PA 16845

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

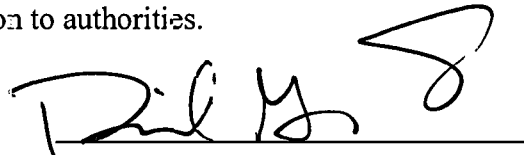
Department of Public Welfare
TPL Casualty Unit
Estate Recovery Program

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.

NOVEMBER 4, 2008

Date


DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

**THE BANK OF NEW YORK TRUST
COMPANY, N.A. AS SUCCESSOR TO
JPMORGAN CHASE BANK, N.A. AS
TRUSTEE
3476 STATEVIEW BOULEVARD
FORT MILL, SC 29715**

Plaintiff,

v.

**LEANNE R. RAGAN
THOMAS E. RAGAN
1039 MARKET STREET
KARTHAUS, PA 16845**

Defendant(s).

**:
:
: CLEARFIELD COUNTY
: COURT OF COMMON PLEAS
:
: CIVIL DIVISION
:
: NO. 08-88-CD
:
:
:
:
:
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**AFFIDAVIT PURSUANT TO RULE 3129
(Affidavit No.1)**

**THE BANK OF NEW YORK TRUST COMPANY, N.A. AS SUCCESSOR TO
JPMORGAN CHASE BANK, N.A. AS TRUSTEE, Plaintiff in the above action, by its attorney, DANIEL G.
SCHMIEG, ESQUIRE, sets forth as of the date the Praecipe for the Writ of Execution was filed, the following
information concerning the real property located at 1039 MARKET STREET, KARTHAUS, PA 16845.**

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

NAME

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

LEANNE R. RAGAN

**1039 MARKET STREET
KARTHAUS, PA 16845**

THOMAS E. RAGAN

**1039 MARKET STREET
KARTHAUS, PA 16845**

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

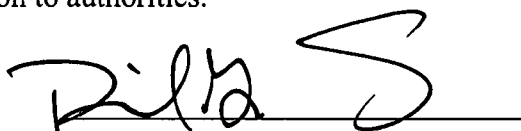
NAME

**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.

NOVEMBER 4, 2008
Date


DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

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

**THE BANK OF NEW YORK TRUST
COMPANY, N.A. AS SUCCESSOR TO
JPMORGAN CHASE BANK, N.A. AS
TRUSTEE**

**3476 STATEVIEW BOULEVARD
FORT MILL, SC 29715**

Plaintiff,

v.

**LEANNE R. RAGAN
THOMAS E. RAGAN
1039 MARKET STREET
KARTHAUS, PA 16845**

Defendant(s).

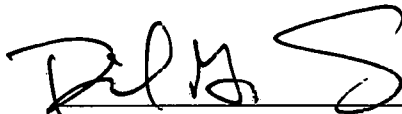
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: CLEARFIELD COUNTY
: COURT OF COMMON PLEAS
:
: CIVIL DIVISION
:
: NO. 08-88-CD
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CERTIFICATION

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

JA
FILED
DEC 23 2008
William A. Shaw
Prothonotary/Clerk of Courts

PHELAN HALLINAN & SCHMIEG, LLP
by: Michele M. Bradford, Esquire
Atty. I.D. No. 69849
One Penn Center, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

THE BANK OF NEW YORK TRUST
COMPANY, N.A. AS SUCCESSOR TO
JPMORGAN CHASE BANK, N.A. AS TRUSTEE
Plaintiff

Court of Common Pleas

Civil Division

CLEARFIELD County

No. 08-88-CD

v.

LEANNE R. RAGAN
THOMAS E. RAGAN

Defendants

PLAINTIFF'S MOTION TO REASSESS DAMAGES

Plaintiff, by its Attorney, Michele M. Bradford, Esquire, 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 January 18, 2008, a true and correct copy of which is attached hereto, made part hereof, and marked as Exhibit "A".

2. Judgment was entered on October 24, 2008 in the amount of \$46,933.97. 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. The Property is listed for Sheriff's Sale on February 6, 2009.

5. 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	\$39,264.91
Interest Through February 6, 2009	\$4,740.81
Per Diem \$11.82	
Late Charges	\$19.41
Legal fees	\$2,150.00
Cost of Suit and Title	\$1,335.00
Sheriff's Sale Costs	\$0.00
Property Inspections/ Property Preservation	\$114.25
Appraisal/Brokers Price Opinion	\$510.00
Mortgage Insurance Premium /	\$0.00
Private Mortgage Insurance	
Non Sufficient Funds Charge	\$0.00
Suspense/Misc. Credits	(\$9.20)
Escrow Deficit	\$771.59
TOTAL	\$48,896.77

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

7. 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.

8. 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: 12/22/08


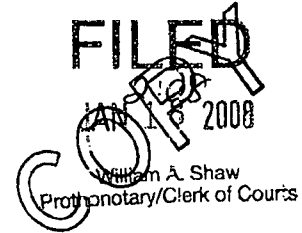
By: 
Phelan Hallinan & Schmieg, LLP
Michele M. Bradford, Esquire
Attorney for Plaintiff

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 R. SHAH-JANI, ESQ., Id. No. 81760
JUDITH T. ROMANO, ESQ., Id. No. 53745
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 167517

ATTORNEY FOR PLAINTIFF

THE BANK OF NEW YORK TRUST COMPANY,
N.A. AS SUCCESSOR TO JPMORGAN CHASE
BANK, N.A. AS TRUSTEE
3476 STATEVIEW BLVD
FORT MILL, SC 29715

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

Plaintiff

NO. 08-88-CD

CLEARFIELD COUNTY

Filed 1/18/08

v.

LEANNE R. RAGAN
THOMAS E. RAGAN
1039 MARKET STREET
KARTHAUS, PA 16845

Defendants

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

THE BANK OF NEW YORK TRUST COMPANY, N.A. AS SUCCESSOR TO
JPMORGAN CHASE BANK, N.A. AS TRUSTEE
3476 STATEVIEW BLVD
FORT MILL, SC 29715

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

LEANNE R. RAGAN
THOMAS E. RAGAN
1039 MARKET STREET
KARTHAUS, PA 16845

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

3. On 10/24/2001 mortgagor(s) made, executed, and delivered a mortgage upon the premises hereinafter described to MORTGAGE LENDERS NETWORK USA, INCORPORATED which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Instrument No: 200117492. PLAINTIFF is now the legal owner of the mortgage and is in the process of formalizing an assignment of same. 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 08/01/2007 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	\$39,431.36
Interest	\$2,285.12
07/01/2007 through 01/09/2008 (Per Diem \$11.84)	
Attorney's Fees	\$1,250.00
Cumulative Late Charges	\$19.41
10/24/2001 to 01/09/2008	
Cost of Suit and Title Search	<u>\$550.00</u>
Subtotal	\$43,535.89
Escrow	
Credit	\$0.00
Deficit	\$0.00
Subtotal	<u>\$0.00</u>
TOTAL	\$43,535.89

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.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$43,535.89, together with interest from 01/09/2008 at the rate of \$11.84 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:  203009

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

LEGAL DESCRIPTION

ALL that certain messuage, tenement and tract of land situate in the Village of Karthaus, Township of Karthaus, County of Clearfield, State of Pennsylvania, more fully bounded and described as follows, to-wit:

BEGINNING at the southwest corner of Lot No. 83, now or formerly of Raymond Meeker; thence South 80 degrees 55 minutes West, along Market Street, 50 feet to the corner of Oak Street; thence West along Oak Street, 180 feet to an alley; thence easterly along the said alley, 50 feet to the corner of Lot No. 83; thence southerly with the line of Lot No. 83, 180 feet to Market Street and the place of beginning.

BEING designated as Lot No. 84 in Block 'C' on the plan of the Village of Karthaus.

UNDER AND SUBJECT to existing easements, conditions, covenants and restrictions of record.

BEING the same premises which Larry A. Brown and Kathy J. Brown, husband and wife, by Deed dated October 18, 1996 in Clearfield County in Deed Book Volume 1796 at Page 461, granted and conveyed unto Thomas E. Ragan and Leanne R. Ragan, husband and wife.

PARCEL IDENTIFICATION NUMBER 121-T04-008-21.

BEING KNOWN AS MARKET AND OAK STREETS, KARTHAUS, PA 16845

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 2009

DATE: 1/9/08

Exhibit “B”

OCT 24 2008

William A. Shaw
Prothonotary/Clerk of Courts

Phelan Hallinan & Schmieg, LLP
By: Daniel G. Schmieg, Esquire
Identification No. 62205
One Penn Center Plaza
1617 JFK Boulevard, Ste.1400
Philadelphia, PA 19103
(215) 320-0007

Attorney for Plaintiff

THE BANK OF NEW YORK TRUST
COMPANY, N.A. AS SUCCESSOR TO
JPMORGAN CHASE BANK, N.A. AS
TRUSTEE

: CLEARFIELD COUNTY
:
: COURT OF COMMON PLEAS
:
: CIVIL DIVISION
:
: NO. 08-88-CD
:
:

vs.

LEANNE R. RAGAN
1039 MARKET STREET
KARTHAUS, PA 16845

THOMAS E. RAGAN
1039 MARKET STREET
KARTHAUS, PA 16845

**ATTORNEY FILE COPY
PLEASE RETURN**

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

TO THE PROTHONOTARY:

Kindly enter judgment in favor of the Plaintiff and against LEANNE R. RAGAN and THOMAS E. RAGAN, 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 Complaint	\$43,535.89
Interest - 1/10/08 - 10/22/08	<u>\$3,398.08</u>
TOTAL	\$46,933.97

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

**ATTORNEY FILE COPY
PLEASE RETURN**


Daniel G. Schmieg, Esquire
Attorney for Plaintiff

DAMAGES ARE HEREBY ASSESSED AS INDICATED.

DATE: OCT. 24, 2008



PHS# 167517

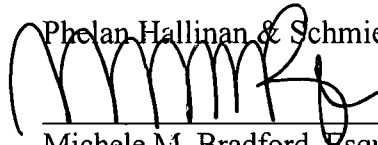
PRO PROTHY

VERIFICATION

Michele M. Bradford, Esquire, hereby states that she is the attorney for Plaintiff in this action, that she is 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 her 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.

DATE: 12/22/08

By:


Phelan Hallinan & Schmieg, LLP
Michele M. Bradford, Esquire
Attorney for Plaintiff

PHELAN HALLINAN & SCHMIEG, LLP

by: Michele M. Bradford, Esquire, Atty. I.D. No. 69849

ATTORNEY FOR PLAINTIFF

1617 John F. Kennedy Boulevard, Suite 1400

Philadelphia, PA 19103-1814

(215) 563-7000

THE BANK OF NEW YORK TRUST
COMPANY, N.A. AS SUCCESSOR TO

JPMORGAN CHASE BANK, N.A. AS TRUSTEE
Plaintiff

:
:
:
:
:
:
:

Court of Common Pleas

Civil Division

CLEARFIELD County

No. 08-88-CD

v.

LEANNE R. RAGAN

THOMAS E. RAGAN

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.

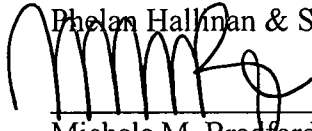
LEANNE R. RAGAN
THOMAS E. RAGAN
1039 MARKET STREET
KARTHAUS, PA 16845

LEANNE R. RAGAN
THOMAS E. RAGAN
PO BOX 146
KARTHAUS, PA 16845

DATE:

12/22/08

By:


Phelan Hallinan & Schmieg, LLP
Michele M. Bradford, Esquire
Attorney for Plaintiff

FILED

DEC 24 2008

William A. Shaw
Prothonotary/Clerk of Courts

1 CENT. TO ATT

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

THE BANK OF NEW YORK TRUST
COMPANY, N.A. AS SUCCESSOR TO
JPMORGAN CHASE BANK, N.A. AS TRUSTEE
Plaintiff

v.

LEANNE R. RAGAN
THOMAS E. RAGAN

Defendants

: Court of Common Pleas
:
: Civil Division
:
: CLEARFIELD County
:
: No. 08-88-CD
:

RULE

AND NOW, this 24th day of December 2008, 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 26th day of January 2009, at _____ in the Clearfield County Courthouse, Clearfield, Pennsylvania. Courtroom #1 10:00 AM.

BY THE COURT

Frederick J. Zimmerman

167517

FILED

DEC 24 2008

William A Shaw
Prothonotary/Clerk of Courts

DATE: 12-24-08

You are responsible for serving all appropriate parties.

Plaintiff(s) Attorney _____

Plaintiff(s) _____

Defendant(s) Attorney _____

Defendant(s) _____

Special Intervenor: _____

Other _____

4
FILED no cc
JAN 05 2009
William A. Straw
Prothonotary/Clerk of Courts

PHELAN HALLINAN & SCHMIEG, LLP

by: Michele M. Bradford, Esquire, Atty. I.D. No. 69849
1617 John F. Kennedy Boulevard, Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

THE BANK OF NEW YORK TRUST
COMPANY, N.A. AS SUCCESSOR TO
JPMORGAN CHASE BANK, N.A. AS TRUSTEE
Plaintiff

Court of Common Pleas

Civil Division

CLEARFIELD County

No. 08-88-CD

v.

LEANNE R. RAGAN
THOMAS E. RAGAN

Defendants

CERTIFICATION OF SERVICE

I hereby certify that a true and correct copy of the Court's December 24, 2008 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.

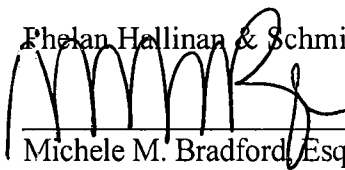
LEANNE R. RAGAN
THOMAS E. RAGAN
1039 MARKET STREET
KARTHAUS, PA 16845

LEANNE R. RAGAN
THOMAS E. RAGAN
PO BOX 146
KARTHAUS, PA 16845

DATE: 1/2/09

By:

Phelan Hallinan & Schmieg, LLP


Michele M. Bradford, Esquire
Attorney for Plaintiff

AFFIDAVIT OF SERVICE

PLAINTIFF

THE BANK OF NEW YORK TRUST
COMPANY, N.A. AS SUCCESSOR TO
JPMORGAN CHASE BANK, N.A. AS TRUSTEE

CLEARFIELD County
No. 08-88-CD
Our File #: 167517

DEFENDANT(S)

LEANNE R. RAGAN
THOMAS E. RAGAN

Type of Action
- Notice of Sheriff's Sale

Please serve upon:

LEANNE R. RAGAN

Sale Date: FEBRUARY 6, 2009

SERVE AT:

1039 MARKET STREET
KARTHAUS, PA 16845

SERVED

Served and made known to LEANNE R. RAGAN, Defendant, on the 16th day of DECEMBER,
2008, at 1:20, o'clock P.m., at 1039 MARKET ST., KARTHAUS, PA 16845

Commonwealth of Pennsylvania, in the manner described below:

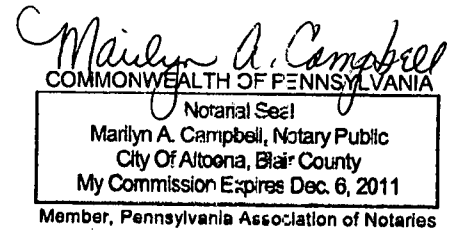
____ Defendant personally served.
☒ Adult family member with whom Defendant(s) reside(s). Relationship is HUSBAND / THOMAS
____ Adult in charge of Defendant(s)'s residence who refused to give name or relationship.
____ Manager/Clerk of place of lodging in which Defendant(s) reside(s).
____ Agent or person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

Description: Age 58 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 17th day
of December, 2008
Notary: _____

By: DMEllis



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
FILED ICC to Shff
M 11:40 AM per Atty Schmieg
JAN 06 2009
William A. Shaw
Prothonotary/Clerk of Courts

AFFIDAVIT OF SERVICE

PLAINTIFF

**THE BANK OF NEW YORK TRUST
COMPANY, N.A. AS SUCCESSOR TO
JPMORGAN CHASE BANK, N.A. AS TRUSTEE**

**CLEARFIELD County
No. 08-88-CD
Our File #: 167517**

DEFENDANT(S)

**LEANNE R. RAGAN
THOMAS E. RAGAN**

**Type of Action
- Notice of Sheriff's Sale**

Please serve upon: THOMAS E. RAGAN

Sale Date: FEBRUARY 6, 2009

SERVE AT:

**1039 MARKET STREET
KARTHAUS, PA 16845**

SERVED

Served and made known to THOMAS E. RAGAN, Defendant, on the 16th day of DECEMBER, 2008 at 1:20, o'clock P.m., at 1039 MARKET ST., KARTHAUS, PA 16845

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: _____

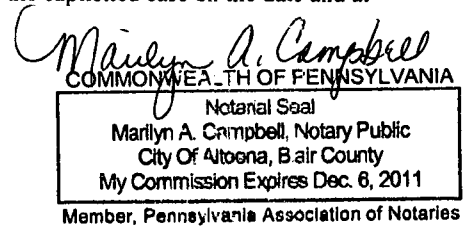
Description: Age 58 Height 5'10" Weight 200lb Race Cauc Sex M Other _____

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 17th day
of December, 2008
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**

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

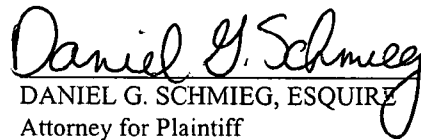
THE BANK OF NEW YORK TRUST COMPANY, N.A.	:	CLEARFIELD COUNTY
AS SUCCESSOR TO JPMORGAN CHASE BANK, N.A.	:	COURT OF COMMON PLEAS
AS TRUSTEE	:	
Plaintiff,	:	CIVIL DIVISION
v.	:	
	:	NO. 08-88-CD
LEANNE R. RAGAN	:	
THOMAS E. RAGAN	:	
Defendant(s)	:	

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 Praecipe for the Writ of Execution was filed the following information concerning the real property located at: 1039 MARKET STREET, KARTH AUS, PA 16845.

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, ESQUIRE
Attorney for Plaintiff


Date: January 9, 2009

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.

167517

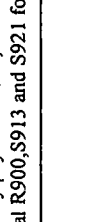
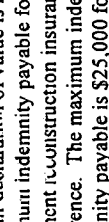
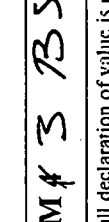
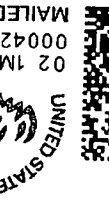
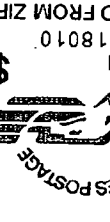
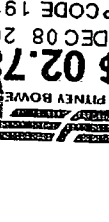
FILED
M110:4861
JAN 12 2009
William A. Shaw
Prothonotary/Clerk of Courts

CQS

Name and Address of Sender 

PHILAN 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 1039 MARKET STREET KARTHAUS, PA 16845		
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, Intl Strawberry Sq., Dept 28061, Harrisburg, PA 17128		
5		Internal Revenue Service, Federated Investors Tower, 13 TH Flo Pittsburgh, PA 15222		
6		Department of Public Welfare, TPL Casualty Unit, Estate Rec Oak Building, Harrisburg, PA 17105		
7		Larry A. Brown &, Kathy J. Brown, 494 Kirks Mill R		
8				
9				
10				
11				
12		Re: LEANNE R. RAGAN		
Total Number of 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.



TEAM 3

167517 TEAM # 3 BSD

FILED
O 12:10 P.M. BK
JAN 26 2009
§ William A. Shaw
Prothonotary/Clerk of Courts
3 CC Atty
1 COPY SHFF.
①D

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

THE BANK OF NEW YORK TRUST
COMPANY, N.A. AS SUCCESSOR TO
JPMORGAN CHASE BANK, N.A. AS TRUSTEE

Plaintiff

v.

LEANNE R. RAGAN
THOMAS E. RAGAN

Defendants

: Court of Common Pleas
:
: Civil Division
:
: CLEARFIELD County
:
: No. 08-88-CD
:

ORDER

AND NOW, this 26th day of January, 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	\$39,264.91
Interest Through February 6, 2009	\$4,740.81
Per Diem \$11.82	
Late Charges	\$19.41
Legal fees	\$2,150.00
Cost of Suit and Title	\$1,335.00
Sheriff's Sale Costs	\$0.00
Property Inspections/ Property Preservation	\$114.25
Appraisal/Brokers Price Opinion	\$510.00
Mortgage Insurance Premium /	\$0.00
Private Mortgage Insurance	
Non Sufficient Funds Charge	\$0.00

Suspense/Misc. Credits
Escrow Deficit

(\$9.20)
\$771.59

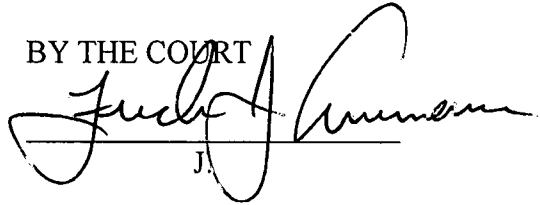
TOTAL

\$48,896.77

Plus interest from February 6, 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.

167517

DATE: 1-26-09

☒ 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:

FILED

JAN 26 2009

**William A. Shaw
Prothonotary/Clerk of Courts**

PHELAN HALLINAN & SCHMIEG, LLP

by: Michele M. Bradford, Esquire, Atty. I.D. No. 69849

1617 John F. Kennedy Boulevard, Suite 1400

Philadelphia, PA 19103-1814

(215) 563-7000

ATTORNEY FOR PLAINTIFF

THE BANK OF NEW YORK TRUST
COMPANY, N.A. AS SUCCESSOR TO
JPMORGAN CHASE BANK, N.A. AS TRUSTEE
Plaintiff

: Court of Common Pleas
:
: Civil Division
:
: CLEARFIELD County
:
: No. 08-88-CD
:

v.

LEANNE R. RAGAN
THOMAS E. RAGAN

Defendants

CERTIFICATION OF SERVICE

I hereby certify that a true and correct copy of the Court Order dated January 26, 2009 was served upon the following individuals on the date indicated below.

LEANNE R. RAGAN
THOMAS E. RAGAN
1039 MARKET STREET
KARTHAUS, PA 16845

LEANNE R. RAGAN
THOMAS E. RAGAN
PO BOX 146
KARTHAUS, PA 16845

DATE: 1/30/09

By: 

Phelan Hallinan & Schmieg, LLP

Michele M. Bradford, Esquire
Attorney for Plaintiff

FILED *no 22*
m/12:58 PM
FEB 03 2009
William A. Shaw
Prothonotary/Clerk of Courts

PHELAN HALLINAN & SCHMIEG
BY: DANIEL G. SCHMIEG, ESQUIRE
I.D. NO. 62205
ATTORNEY FOR PLAINTIFF
SUITE 1400/ONE PENN CENTER AT
SUBURBAN STATION
1617 JOHN F. KENNEDY BOULEVARD
PHILADELPHIA, PA 19103-1814

ATTORNEY FOR PLAINTIFF

167517

THE BANK OF NEW YORK TRUST
COMPANY, N.A. AS SUCCESSOR TO
JPMORGAN CHASE BANK, N.A. AS
TRUSTEE

: CLEARFIELD COUNTY
: COURT OF COMMON PLEAS
:
: CIVIL DIVISION
:
: NO. 08-88-CD

v.

LEANNE R. RAGAN
THOMAS E. RAGAN

PRAECIPE TO MARK JUDGMENT TO USE PLAINTIFF
AND ENTRY OF APPEARANCE

FILED *no cc*
01 10:52 AM
MAR 09 2009 *(610)*
William A. Shaw
Prothonotary/Clerk of Courts

TO THE PROTHONOTARY:

Please mark the judgment in the above-captioned matter to the use of **Deutsche Bank Trust Company Americas f/k/a Bankers Trust Company, as Trustee** located at 3476 STATEVIEW BLVD. FORT MILL, SC 29715.

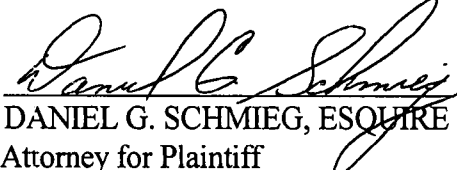

DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

Date: March 6, 2009

ENTRY OF APPEARANCE

TO THE PROTHONOTARY:

Kindly enter my appearance on behalf of **Deutsche Bank Trust Company Americas f/k/a Bankers Trust Company, as Trustee**, use plaintiff.


DANIEL G. SCHMIEG, ESQUIRE
Attorney for Plaintiff

PHELAN HALLINAN & SCHMIEG, LLP

Lawrence T. Phelan, Esq., Id. No. 32227
Francis S. Hallinan, Esq., Id. No. 62695
Daniel G. Schmieg, Esq., Id. No.
1617 JFK Boulevard, Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

ATTORNEY FOR PLAINTIFF

**THE BANK OF NEW YORK TRUST
COMPANY, N.A. AS SUCCESSOR TO
JPMORGAN CHASE BANK, N.A. AS
TRUSTEE**

Plaintiff

Vs.

**LEANNE R. RAGAN
THOMAS E. RAGAN**

Defendant(s)

: COURT OF COMMON PLEAS
: CLEARFIELD COUNTY
: No. 08-88-CD
:
:
:
:
:
:
:

: PHS # 167517
:
:
:

FILED ICC Atty
m/11:50 on Hallinan
MAR 26 2009
610

William A. Shaw
Prothonotary/Clerk of Courts

**PRAECIPE FOR VOLUNTARY SUBSTITUTION OF PARTY PLAINTIFF
PURSUANT TO Pa.R.C.P., RULE 2352**

TO THE PROTHONOTARY:


Kindly substitute DEUTSCHE BANK NATIONAL TRUST COMPANY as
successor Plaintiff for the originally named Plaintiff.

The material facts on which the right of succession and substitution are based as
follows:

DEUTSCHE BANK NATIONAL TRUST COMPANY is the current
holder of the mortgage by virtue of that certain ASSIGNMENT recorded
04/20/2007 in INSTRUMENT No. 200706459.

Kindly change the information on the docket.

Date: March 24, 2009


Francis S. Hallinan, Esquire
Attorneys for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20885
NO: 08-88-CD

PLAINTIFF: THE BANK OF NEW YORK TRUST COMPANY, N.A. AS SUCCESSOR TO JPMORGAN CHASE BANK,
N.A. AS TRUSTEE

vs.

DEFENDANT: LEANN R. RAGAN AND THOMAS E. RAGAN

Execution REAL ESTATE

SHERIFF RETURN

DATE RECEIVED WRIT: 11/7/2008

LEVY TAKEN 12/4/2008 @ 9:12 AM

POSTED 12/4/2008 @ 9:13 AM

SALE HELD

SOLD TO

SOLD FOR AMOUNT PLUS COSTS

WRIT RETURNED 4/23/2009

DATE DEED FILED NOT SOLD

FILED
01318301
APR 23 2009
William A. Shaw
Prothonotary/Clerk of Courts

DETAILS

12/4/2008 @ 9:13 AM SERVED LEANNE R. RAGAN

SERVED LEANNE R. RAGAN, DEFENDANT, AT HER RESIDENCE 1039 MARKET STREET, KARTHAUS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO THOMAS RAGAN, HUSBAND/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.

12/4/2008 @ 9:30 AM SERVED THOMAS E. RAGAN

SERVED THOMAS E. RAGAN, DEFENDANT, AT HIS RESIDENCE 1039 MARKET STREET, KARTHAUS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO THOMAS E. RAGAN

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, FEBRUARY 5, 2008 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO POSTPONE THE SHERIFF SALE SCHEDULED FOR FEBRUARY 6, 2009 TO MARCH 6, 2009.

@ SERVED

NOW, MARCH 3, 2009 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO POSTPONE THE SHERIFF SALE SCHEDULED FOR MARCH 6, 2009 TO APRIL 3, 2009.

@ SERVED

NOW, MARCH 23, 2009 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO STAY THE SHERIFF SALE SCHEDULED FOR APRIL 3, 2009.

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

THE BANK OF NEW YORK
TRUST COMPANY, N.A. AS
SUCCESSOR TO JPMORGAN
CHASE BANK, N.A. AS TRUSTEE

vs.

LEANNE R. RAGAN

THOMAS E. RAGAN

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: 1039 MARKET STREET, KARTHUS, PA 16845
(See Legal Description attached)

Amount Due

Interest from 10/23/08 to Sale
Per diem \$7.72

Add'l Costs

Writ Total

\$46,933.97
Prothonotary costs 135.00
\$ _____

\$3,450.00
\$ _____

William L. Ragan

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

Dated 11/7/08
(SEAL)

167517

Received this writ this 7th day
of November A.D. 2008
At 3:00 A.M. (P.M.)

Charles A. Hawkins
Sheriff *Jay Cynthia Butler - Aughran Day*

No. 08-88-CD Term 20A.D.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

THE BANK OF NEW YORK TRUST COMPANY,
N.A. AS SUCCESSOR TO JPMORGAN CHASE
BANK, N.A. AS TRUSTEE

vs.

LEANNE R. RAGAN
THOMAS E. RAGAN

WRIT OF EXECUTION
(Mortgage Foreclosure)

	Costs
Real Debt	\$46,933.97

Int. from 10/23/08
To Date of Sale (\$7.72 per diem)

Costs	_____
Prothy Pd.	<u>135.00</u>

Sheriff:



Attorney for Plaintiff(s)

Address: LEANNE R. RAGAN THOMAS E. RAGAN
1039 MARKET STREET 1039 MARKET STREET
KARTHAUS, PA 16845 KARTHAUS, PA 16845

LEGAL DESCRIPTION

ALL that certain messuage, tenement and tract of land situate in the Village of Karthaus, Township of Karthaus, County of Clearfield, State of Pennsylvania, more fully bounded and described as follows, to-wit:

BEGINNING at the southwest corner of Lot No. 83, now or formerly of Raymond Meeker; thence South 80 degrees 55 minutes West, along Market Street, 50 feet to the corner of Oak Street; thence West along Oak Street, 180 feet to an alley; thence easterly along the said alley, 50 feet to the corner of Lot No. 83; thence southerly with the line of Lot No. 83, 180 feet to Market Street and the place of beginning.

BEING designated as Lot No. 84 in Block 'O' on the plan of the Village of Karthaus.

UNDER AND SUBJECT to existing easements, conditions, covenants and restrictions of record.

PARCEL IDENTIFICATION NUMBER 121-T04-608-21.

TITLE TO SAID PREMISES IS VESTED IN Thomas E. Ragan and Leanne R. Ragan, h/w, as tenants by the entireties, by Deed from Larry A. Brown and Kathy J. Brown, h/w, dated 10/18/1996, recorded 10/21/1996, in Deed Book 1796, page 461.

Premises being: 1039 MARKET STREET
KARTHAUS, PA 16845

Tax Parcel No. T04-608-00021

**REAL ESTATE SALE
SCHEDULE OF DISTRIBUTION**

NAME LEANNE R. RAGAN

NO. 08-88-CD

NOW, April 23, 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 Leann R. Ragan And Thomas E. Ragan 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	26.91
LEVY	15.00
MILEAGE	26.91
POSTING	15.00
CSDS	10.00
COMMISSION	0.00
POSTAGE	5.04
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	\$263.86

DEED COSTS:

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

PLAINTIFF COSTS, DEBT AND INTEREST:

DEBT-AMOUNT DUE	39,264.91
INTEREST @	0.00
FROM TO	
ATTORNEY FEES	2,150.00
PROTH SATISFACTION	
LATE CHARGES AND FEES	19.41
COST OF SUIT-TO BE ADDED	1,335.00
FORECLOSURE FEES	
ATTORNEY COMMISSION	
REFUND OF ADVANCE	
REFUND OF SURCHARGE	40.00
SATISFACTION FEE	
ESCROW DEFICIENCY	771.59
PROPERTY INSPECTIONS	624.25
INTEREST	4,740.81
MISCELLANEOUS	(9.20)
TOTAL DEBT AND INTEREST	\$48,936.77

COSTS:

ADVERTISING	377.50
TAXES - COLLECTOR	
TAXES - TAX CLAIM	
DUE	
LIEN SEARCH	100.00
ACKNOWLEDGEMENT	
DEED COSTS	0.00
SHERIFF COSTS	263.86
LEGAL JOURNAL COSTS	126.00
PROTHONOTARY	135.00
MORTGAGE SEARCH	40.00
MUNICIPAL LIEN	
TOTAL COSTS	\$1,042.36

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

Representing Lenders in
Pennsylvania and New Jersey

Foreclosure Manager

February 5, 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: THE BANK OF NEW YORK TRUST COMPANY, N.A. AS SUCCESSOR TO
JPMORGAN CHASE BANK, N.A. AS TRUSTEE v.
LEANNE R. RAGAN and THOMAS E. RAGAN
1039 MARKET STREET KARTHAUS, PA 16845
Court No. 08-88-CD

Dear Sir/Madam:

Please Postpone the Sheriff Sale of the above referenced property, which is
scheduled for February 6, 2009 due to the following: Per Client.

The Property is to be relisted for the March 6, 2009 Sheriff Sale.

Thank you for your correspondence in this matters.

Very Truly Yours,
KATHERINE TRAUTZ for
Phelan Hallinan & Schmieg, LLP

PHS # 167517

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

Attn: Cindy

Foreclosure Manager

Representing Lenders in
Pennsylvania and New Jersey

February 25, 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: THE BANK OF NEW YORK TRUST COMPANY, N.A. AS SUCCESSOR TO
JPMORGAN CHASE BANK, N.A. AS TRUSTEE v.
LEANNE R. RAGAN and THOMAS E. RAGAN
1039 MARKET STREET KARTHAUS, PA 16845
Court No. 08-88-CD

Dear Sir/Madam:

Please Postpone the Sheriff Sale of the above referenced property, which is scheduled for March 6, 2009 due to the following: Moratorium.

The Property is to be relisted for the April 3, 2009 Sheriff Sale.

Thank you for your correspondence in this matters.

Very Truly Yours,
ELIZABETH HALLINAN 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
Pennsylvania and New Jersey

Foreclosure Manager

March 23, 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: THE BANK OF NEW YORK TRUST COMPANY, N.A. AS SUCCESSOR TO
JPMORGAN CHASE BANK, N.A. AS TRUSTEE v.
LEANNE R. RAGAN and THOMAS E. RAGAN
1039 MARKET STREET KARTHAUS, PA 16845
Court No. 08-88-CD

Dear Sir/Madam:

Please STAY the Sheriff's Sale of the above referenced property, which is scheduled for April 3, 2009 due to the following: Per Client.

Please be advised that no funds were reported to be received.

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. In addition, please forward a copy of the cost sheet pertaining to this sale to our office via facsimile to 215-567-0072 or regular mail at your earliest convenience.

Thank you for your correspondence in this matter.

Very Truly Yours,
TOBY BJORKMAN for
Phelan Hallinan & Schmieg, LLP

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

DEUTSCHE BANK TRUST COMPANY
AMERICAS F/K/A BANKERS TRUST
COMPANY

vs.

LEANNE R. RAGAN

THOMAS E. RAGAN

COURT OF COMMON PLEAS

CIVIL DIVISION

NO. 08-88-CD

CLEARFIELD COUNTY

To the PROTHONOTARY:

Issue writ of execution in the above matter:

Amount Due

\$46,933.97

Interest from 02/07/2009 to Sale

Prothonotary costs 155.00

Per diem \$8.04

\$ _____

Add'l Costs

\$0.00

Writ Total

\$

FILED

OCT 23 2009

William A. Shaw
Prothonotary/Clerk of Courts

- Att. pd. 20.00*
RC @ 6 w/rits w/prop. desc. to Sheriff
- ☐ 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

Note: Please attach description of Property.

167517

No. 08-88-CD.....

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

DEUTSCHE BANK TRUST COMPANY
AMERICAS F/K/A BANKERS TRUST
COMPANY

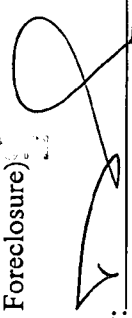
vs.

LEANNE R. RAGAN
THOMAS E. RAGAN

PRAECIPE FOR WRIT OF EXECUTION
(Mortgage Foreclosure)

Filed:

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

Attorney for Plaintiff

Address: LEANNE R. RAGAN
1039 MARKET STREET, a/k/a
MARKET STREET AND OAK STREET
KARTHAUS, PA 16845 STREET

THOMAS E. RAGAN
1039 MARKET STREET, a/k/a
MARKET STREET AND OAK STREET
KARTHAUS, PA 16845 STREET

FILED

OCT 23 2009

William A. Shaw
Prothonotary/Clerk of Courts

**DEUTSCHE BANK TRUST COMPANY AMERICAS
F/K/A BANKERS TRUST COMPANY**

Plaintiff,

v.

**LEANNE R. RAGAN
THOMAS E. RAGAN**

Defendant(s).

**: COURT OF COMMON PLEAS
:
: CIVIL DIVISION
:
: NO. 08-88-CD
:
: CLEARFIELD COUNTY
:**

AFFIDAVIT PURSUANT TO RULE 3129.1

DEUTSCHE BANK TRUST COMPANY AMERICAS F/K/A BANKERS TRUST COMPANY, Plaintiff in the above action, by its attorney, the undersigned attorney, sets forth as of the date the Praecipe for the Writ of Execution was filed, the following information concerning the real property located at 1039 MARKET STREET, a/k/a MARKET STREET AND OAK STREET, KARTHAUS, PA 16845.

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

NAME

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

LEANNE R. RAGAN

**1039 MARKET STREET, a/k/a MARKET STREET
AND OAK STREET
KARTHAUS, PA 16845**

THOMAS E. RAGAN

**1039 MARKET STREET, a/k/a MARKET STREET
AND OAK STREET
KARTHAUS, PA 16845**

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.)

None

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.)

**LARRY A. BROWN &
KATHY J. BROWN**

**494 KIRKS MILL ROAD
NOTTINGHAM, PA 19362**

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

1039 MARKET STREET, a/k/a MARKET STREET
AND OAK STREET
KARTHAUS, PA 16845

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

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.

OCTOBER 20, 2009

Date

- 
- ☐ 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
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☐ 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

(215) 563-7000

V.

Defendant(s).

: COURT OF COMMON PLEAS
 :
 : CIVIL DIVISION
 :
 : NO. 08-88-CD
 :
 : CLEARFIELD COUNTY
 :

- ☒ Lawrence T. Phelan, Esq., Id. No. 32227
- ☒ Francis S. Hallinan, Esq., Id. No. 62695
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- ☐ Michele M. Bradford, Esq., Id. No. 69849
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- ☐ Peter J. Mulcahy, Esq., Id. No. 61791
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- ☐ 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

No. 08-88-CD.....

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
**DEUTSCHE BANK TRUST COMPANY
AMERICAS F/K/A BANKERS TRUST
COMPANY**

vs.

LEANNE R. RAGAN
THOMAS E. RAGAN

WRIT OF EXECUTION
(Mortgage Foreclosure)

Costs

Real Debt \$48,896.77

Int. from 02/07/2009

To Date of Sale (\$8.04 per diem)

Costs

Prothy Pd.
Sheriff

Prothonotary costs

155.00

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
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- ☐ 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

Address: LEANNE R. RAGAN

1039 MARKET STREET, a/k/a
MARKET STREET AND OAK STREET
KARTHAUS, PA 16845 STREET

THOMAS E. RAGAN

1039 MARKET STREET, a/k/a
MARKET STREET AND OAK STREET
KARTHAUS, PA 16845 STREET

LEGAL DESCRIPTION

ALL that certain messuage, tenement and tract of land situate in the Village of Karthaus, Township of Karthaus, County of Clearfield, State of Pennsylvania, more fully bounded and described as follows, to-wit:

BEGINNING at the southwest corner of Lot No. 83 now or formerly of Raymond Meeker; thence South 80 degrees 55 minutes West, along Market Street, 50 feet to the corner of Oak Street; thence West along Oak Street, 180 feet to an alley; thence easterly along the said alley, 50 feet to the corner of Lot No. 83; thence southerly with the line of Lot No. 83, 180 feet to Market Street and the place of beginning.

BEING designated as Lot No. 84 in Block 'O' on the plan of the Village of Karthaus.

UNDER AND SUBJECT to all existing easements, restrictions and conditions of record.

TITLE TO SAID PREMISES IS VESTED IN Thomas E. Ragan and Leanne R. Ragan, h/w, as tenants by the entireties, by Deed from Larry A. Brown and Kathy J. Brown, h/w, dated 10/18/1996, recorded 10/21/1996, in Deed Book 1796, page 461.

Premises being: 1039 MARKET STREET, a/k/a MARKET STREET AND OAK STREET, KARTHAUS, PA
16845

Tax Parcel No. T04-608-00021

AFFIDAVIT OF SERVICE

PLAINTIFF DEUTSCHE BANK TRUST COMPANY
AMERICAS F/K/A BANKERS TRUST
COMPANY CLEARFIELD County
No. 08-88-CD
Our File #: 167517

DEFENDANT(S) LEANNE R. RAGAN
THOMAS E. RAGAN

Type of Action
- Notice of Sheriff's Sale

FILED
M11/15/09
DEC 10 2009
NO CC

Please serve upon: LEANNE R. RAGAN

Sale Date: 2/5/2010

SERVE AT: 1039 MARKET STREET, a/k/a MARKET
STREET AND OAK STREET
KARTHAUS, PA 16845

William A. Shaw
Prothonotary/Clerk of Courts

SERVED

Served and made known to LEANNE R. RAGAN, Defendant, on the 1ST day of December,
2009, at 10:20, o'clock A.m., at 1039 MARKET ST., KARTHAUS, PA 16845

Commonwealth of Pennsylvania, in the manner described below:

____ Defendant personally served.
☒ Adult family member with whom Defendant(s) reside(s). Relationship is HUSBAND, THOMAS E. RAGAN
____ 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 50 Height 5'11 Weight 400lbs 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 1st day
of December, 2009
Notary:

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

AFFIDAVIT OF SERVICE

PLAINTIFF

**DEUTSCHE BANK TRUST COMPANY
AMERICAS F/K/A BANKERS TRUST
COMPANY**

CLEARFIELD County
No. 08-88-CD
Our File #: 167517

DEFENDANT(S)

LEANNE R. RAGAN
THOMAS E. RAGAN

Type of Action
- Notice of Sheriff's Sale

Please serve upon:

THOMAS E. RAGAN

Sale Date: 2/5/2010

SERVE AT:

1039 MARKET STREET, a/k/a MARKET
STREET AND OAK STREET
KARTHAUS, PA 16845

FILED NO
DEC 10 2009 CC
(60)

William A. Shaw
Prothonotary/Clerk of Courts

SERVED

Served and made known to THOMAS E. RAGAN, Defendant, on the 1ST day of December,
2009, at 10:20 o'clock A.m., at 1039 MARKET ST., KARTHAUS, PA. 16845

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 50 Height 5'11" Weight 400 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 1st day
of December, 2009
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 8, 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
Phelan Hallinan & Schmieg, LLP
One Penn Center at Suburban Station
1617 John F. Kennedy Boulevard, Suite 1400
Philadelphia, PA 19103-1814
(215) 563-7000

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

DEUTSCHE BANK TRUST COMPANY
AMERICAS F/K/A BANKERS TRUST COMPANY,
AS TRUSTEE
Plaintiff,

v.

LEANNE R. RAGAN
THOMAS E. RAGAN
Defendant(s)

: CLEARFIELD COUNTY
:
: COURT OF COMMON PLEAS
:
: CIVIL DIVISION
:
: No. 08-88-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".

- Sheetal R. Shah-Jani*
- ☐ 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: 1/6/10

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 # 167517

FILED NO CC
JAN 12 2010
William A. Shaw
Prothonotary/Clerk of Courts

DEUTSCHE BANK TRUST COMPANY AMERICAS : **COURT OF COMMON PLEAS**
F/K/A BANKERS TRUST COMPANY :
Plaintiff, : **CIVIL DIVISION**
 :
v. : **NO. 08-88-CD**
 :
LEANNE R. RAGAN : **CLEARFIELD COUNTY**
THOMAS E. RAGAN :
Defendant(s). :

AMENDED AFFIDAVIT PURSUANT TO RULE 3129.1

DEUTSCHE BANK TRUST COMPANY AMERICAS F/K/A BANKERS TRUST COMPANY, Plaintiff in the above action, by its attorney, the undersigned attorney, sets forth as of the date the Praecipe for the Writ of Execution was filed, the following information concerning the real property located at **1039 MARKET STREET, a/k/a MARKET STREET AND OAK STREET, KARTHAUS, PA 16845**.

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

NAME

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

LEANNE R. RAGAN

**1039 MARKET STREET, a/k/a MARKET STREET
AND OAK STREET
KARTHAUS, PA 16845**

THOMAS E. RAGAN

**1039 MARKET STREET, a/k/a MARKET STREET
AND OAK STREET
KARTHAUS, PA 16845**

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.)

None

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.)

LARRY A. BROWN &

494 KIRKS MILL ROAD

KATHY J. BROWN

NOTTINGHAM, PA 19362

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

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

1039 MARKET STREET, a/k/a MARKET STREET
AND OAK STREET
KARTHAUS, PA 16845

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 Square
Dept. #280601
Harrisburg, PA 17128

Internal Revenue Service
Federated Investors Tower

Thirteenth Floor Suite 1300
1001 Liberty Avenue
Pittsburgh, PA 15222

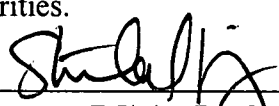
Department of Public Welfare
TPL Casualty Unit
Estate Recovery Program

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

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.

Date

1/6/10

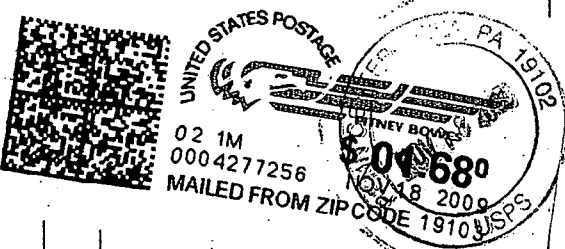
- 
- ☐ Lawrence T. Phelan, Esq., Id. No. 32227
 - ☐ Francis S. Hallinan, Esq., Id. No. 62695
 - ☐ Daniel G. Schmieg, Esq., Id. No. 62205
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 - ☐ Chrisovalante P. Fliakos, Esq., Id. No. 94620
 - ☐ Joshua I. Goldman, Esq., Id. No. 205047
 - ☐ Courtenay R. Dunn, Esq., Id. No. 206779
 - ☐ Andrew C. Bramblett, Esq., Id. No. 208375

Attorney for Plaintiff

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	Postage	Fee
1		TENANT/OCCUPANT 1039 MARKET STREET KARTHAUS, PA 16845		
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		LARRY A. BROWN & KATHY J. BROWN 494 KIRKS MILL ROAD NOTTINGHAM, PA 19362		
5				
6				
7				
8				
9				
10				
11				
12		Re: LEANNE R. RAGAN HOS Team 3 - 167517 - CLEARFIELD		
Total Number of 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.	

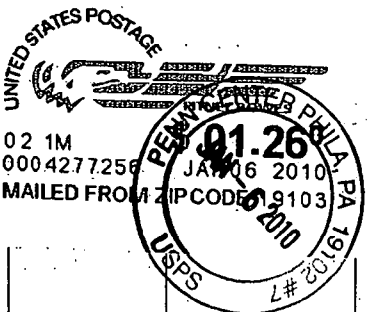
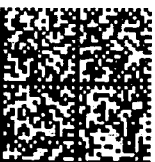


Name and Address of Sender

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

KXL

Line	Article Number	Name of Addressee, Street, and Post Office Address	Postage	Fee
1		Commonwealth of Pennsylvania Bureau of Individual Tax Inheritance Tax Division 6th Floor, Strawberry Square Dept. #280601 Harrisburg, PA 17128		
2		Internal Revenue Service Federated Investors Tower Thirteenth Floor Suite 1300 1001 Liberty Avenue Pittsburgh, PA 15222		
3		Department of Public Welfare TPL Casualty Unit Estate Recovery Program P.O. Box 8486 Willow Oak Building Harrisburg, PA 17105-8486		
4				
5				
6				
7				
8				
9				
10				
11				
12		Re: LEANNE R. RAGAN KXL Team 5 - 167517 - CLEARFIELD		
Total Number of 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 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.
KXL				



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 21060
NO: 08-88-CD

PLAINTIFF: DEUTSCHE BANK TRUST COMPANY AMERICAS F/K/A BANKERS TRUST COMPANY
VS.
DEFENDANT: LEANNE R. RAGAN AND THOMAS E. RAGAN

Execution REAL ESTATE

SHERIFF RETURN

DATE RECEIVED WRIT: 10/26/2009

LEVY TAKEN 11/18/2009 @ 2:27 PM

POSTED 11/18/2009 @ 2:27 PM

SALE HELD

SOLD TO

SOLD FOR AMOUNT PLUS COSTS

WRIT RETURNED 10/27/2010

DATE DEED FILED NOT SOLD

5
FILED
OCT 27 2010
William A. Shaw
Prothonotary/Clerk of Courts

DETAILS

11/18/2009 @ 2:27 PM SERVED LEANNE R. RAGAN

SERVED LEANNE R. RAGAN, DEFENDANT, AT HER RESIDENCE 1039 MARKET STREET A/K/A MARKET ST & OAK ST., KARHTAUS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDNG TO LEANN RAGAN

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.

11/18/2009 @ 2:27 PM SERVED THOMAS E. RAGAN

SERVED THOMAS E. RAGAN, DEFENDANT, AT HIS RESIDENCE 1039 MARKET STREET A/K/A MARKET ST & OAK ST., KARTHAUS, CLEARFIELD COUNTY, PENNSYLVANKA BY HANDING TO THOMAS E. RAGAN

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, JANUARY 26, 2010 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO POSTPONE THE SHERIFF SALE SCHEDULED FOR FEBRUARY 5, 2010 TO APRIL 9, 2010 DUE TO LOSS MITIGATION.

@ SERVED

NOW, MARCH 16, 2010, RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO POSTPONE THE SHERIFF SALE SCHEDULED FOR APRIL 9, 2010 TO JUNE 4, 2010 DUE TO LOSS MITIGATION.

@ SERVED

NOW, MAY 27, 2010 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO STAY THE SHERIFF SALE SCHEDULED FOR JUNE 4, 2010 DUE TO A FORBEARANCE PLAN.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 21060
NO: 08-88-CD

PLAINTIFF: DEUTSCHE BANK TRUST COMPANY AMERICAS F/K/A BANKERS TRUST COMPANY
VS.
DEFENDANT: LEANNE R. RAGAN AND THOMAS E. RAGAN

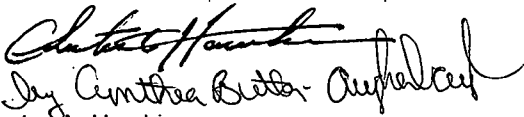
Execution REAL ESTATE

SHERIFF RETURN

SHERIFF HAWKINS \$263.52

SURCHARGE \$40.00 PAID BY ATTORNEY

So Answers,


Chester A. Hawkins
Sheriff

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

DEUTSCHE BANK TRUST COMPANY
AMERICAS F/K/A BANKERS TRUST
COMPANY

vs.

LEANNE R. RAGAN

THOMAS E. RAGAN
Commonwealth of Pennsylvania:

County of Clearfield

TO THE SHERIFF OF CLEARFIELD COUNTY, PENNSYLVANIA:

PREMISES: 1039 MARKET STREET, a/k/a MARKET STREET AND OAK STREET, KARTHAUS, PA
16845

(See Legal Description attached)

Amount Due

Interest from 02/07/2009 to Sale
Per diem \$8.04
Add'l Costs
Writ Total

Prothonotary costs \$46,933.97
155.00

\$ _____

\$0.00

\$

William L. Hays

OFFICE OF THE PROTHONOTARY OF CLEARFIELD
COUNTY, PENNSYLVANIA

Dated 10/23/09
(SEAL)

167517

Received this writ this 26th day
of October A.D. 2009
At 9:00 A.M./P.M.

Charles A. Hawkins
Sheriff *By Cynthia Butler-Caplan*

No. 08-88-CD.....

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
DEUTSCHE BANK TRUST COMPANY
AMERICAS F/K/A BANKERS TRUST
COMPANY

vs.

LEANNE R. RAGAN
THOMAS E. RAGAN

WRIT OF EXECUTION
(Mortgage Foreclosure)

Real Debt
Int. from 02/07/2009
To Date of Sale (\$8.04 per diem)
Costs
Prothy Pd.
Sheriff

Costs

\$48,896.77

Prothonotary costs

155.00

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

Attorney for Plaintiff

Address: LEANNE R. RAGAN
1039 MARKET STREET, a/k/a
MARKET STREET AND OAK STREET
KARTHAUS, PA 16845 STREET

THOMAS E. RAGAN
1039 MARKET STREET, a/k/a
MARKET STREET AND OAK STREET
KARTHAUS, PA 16845 STREET

LEGAL DESCRIPTION

ALL that certain messuage, tenement and tract of land situate in the Village of Karthaus, Township of Karthaus, County of Clearfield, State of Pennsylvania, more fully bounded and described as follows, to-wit:

BEGINNING at the southwest corner of Lot No. 83 now or formerly of Raymond Meeker; thence South 80 degrees 55 minutes West, along Market Street, 50 feet to the corner of Oak Street; thence West along Oak Street, 180 feet to an alley; thence easterly along the said alley, 50 feet to the corner of Lot No. 83; thence southerly with the line of Lot No. 83, 180 feet to Market Street and the place of beginning.

BEING designated as Lot No. 84 in Block 'O' on the plan of the Village of Karthaus.

UNDER AND SUBJECT to all existing easements, restrictions and conditions of record.

TITLE TO SAID PREMISES IS VESTED IN Thomas E. Ragan and Leanne R. Ragan, h/w, as tenants by the entireties, by Deed from Larry A. Brown and Kathy J. Brown, h/w, dated 10/18/1996, recorded 10/21/1996, in Deed Book 1796, page 461.

Premises being: 1039 MARKET STREET, a/k/a MARKET STREET AND OAK STREET, KARTHAUS, PA
16845

Tax Parcel No. T04-608-00021

**REAL ESTATE SALE
SCHEDULE OF DISTRIBUTION**

NAME LEANNE R. RAGAN

NO. 08-88-CD

NOW, October 27, 2010, 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 June 04, 2010, I exposed the within described real estate of Leanne R. Ragan And Thomas E. Ragan 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	25.30
LEVY	15.00
MILEAGE	25.30
POSTING	15.00
CSDS	10.00
COMMISSION	0.00
POSTAGE	7.92
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	\$263.52

DEED COSTS:

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

PLAINTIFF COSTS, DEBT AND INTEREST:

DEBT-AMOUNT DUE	46,933.97
INTEREST @ 8.0400	3,875.28
FROM 02/07/2009 TO 06/04/2010	
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	
TOTAL DEBT AND INTEREST	\$50,849.25

COSTS:

ADVERTISING	262.00
TAXES - COLLECTOR	
TAXES - TAX CLAIM	
ASSESSMENT FEE	
LIEN SEARCH	
ACKNOWLEDGEMENT	
DEED COSTS	0.00
SHERIFF COSTS	263.52
LEGAL JOURNAL COSTS	216.00
PROTHONOTARY	155.00
MORTGAGE SEARCH	
MUNICIPAL LIEN	
TOTAL COSTS	\$896.52

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

Representing Lenders in
Pennsylvania and New Jersey

Foreclosure Manager

January 26, 2010

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

Attn: Real Estate Department

Fax Number: 814-765-5915

Re: DEUTSCHE BANK TRUST COMPANY AMERICAS F/K/A BANKERS TRUST
COMPANY, AS TRUSTEE v.
LEANNE R. RAGAN and THOMAS E. RAGAN
1039 MARKET STREET KARTHAUS, PA 16845
Court No. 08-88-CD

Dear Sir/Madam:

Please Postpone the Sheriff Sale of the above referenced property, which is
scheduled for February 5, 2010 due to the following: Loss Mitigation.

The Property is to be relisted for the April 9, 2010 Sheriff Sale.

Thank you for your cooperation in this matter.

Very Truly Yours,
PATRICK WIRT 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

March 16, 2010

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

Attn: Real Estate Department

Fax Number: 814-765-5915

Re: DEUTSCHE BANK TRUST COMPANY AMERICAS F/K/A BANKERS TRUST
COMPANY, AS TRUSTEE v.
LEANNE R. RAGAN and THOMAS E. RAGAN
1039 MARKET STREET KARTHAUS, PA 16845
Court No. 08-88-CD

Dear Sir/Madam:

Please Postpone the Sheriff Sale of the above referenced property, which is
scheduled for April 9, 2010 due to the following: Forbearance Plan.

The Property is to be relisted for the June 4, 2010 Sheriff Sale.

Thank you for your cooperation in this matter.

Very Truly Yours,
ELIZABETH HALLINAN 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
Pennsylvania and New Jersey

Foreclosure Manager

May 27, 2010

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

Attn: Real Estate Department

Fax Number: 814-765-5915

Re: **DEUTSCHE BANK TRUST COMPANY AMERICAS F/K/A BANKERS TRUST
COMPANY, AS TRUSTEE v.
LEANNE R. RAGAN and THOMAS E. RAGAN
1039 MARKET STREET KARTHAUS, PA 16845
Court No. 08-88-CD**

Dear Sir/Madam:

Please **STAY** the Sheriff's Sale of the above referenced property, which is scheduled for June 4, 2010 due to the following: Forbearance Plan.

Please be advised that no funds were reported to be received.

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. **In addition, please forward a copy of the cost sheet pertaining to this sale to our office via facsimile to 215-567-0072 or regular mail at your earliest convenience.**

Thank you for your cooperation in this matter.

Very Truly Yours,
REGINALD SMITH for
Phelan Hallinan & Schmieg, LLP

FHS # 167517

Phelan Hallinan & Schmieg, LLP
1617 JFK Boulevard, Suite 1400
One Penn Center Plaza
Philadelphia, PA 19103
215-563-7000

Attorney For Plaintiff

DEUTSCHE BANK TRUST COMPANY	:	Court of Common Pleas
AMERICAS F/K/A BANKERS TRUST	:	
COMPANY, AS TRUSTEE	:	Civil Division
Plaintiff	:	
vs	:	CLEARFIELD County
	:	
LEANNE R. RAGAN	:	No. 08-88-CD
THOMAS E. RAGAN	:	
Defendant	:	

PRAECIPE

TO THE PROTHONOTARY:

Please vacate the judgment(s) entered and mark the action discontinued and ended without prejudice.

Date: 11-24-10

Phelan Hallinan & Schmieg, LLP

By: *James McGinness*

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
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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
Allison F. Wells, Esq., Id. No. 309519

Attorneys for Plaintiff

PHS# 167517

FILED

11/10/10

DEC 17 2010

William A. Shaw

Prothonotary/Clerk of Courts