

08-183-CD

LVNV vs Natalie Barac

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA

LVNV FUNDING, LLC ASSIGNEE OF SHERMAN  
ACQUISITION ASSIGNEE OF SEARS

No. 08-183-CD

C/O WOLPOFF & ABRAMSON, L.L.P.  
4660 TRINDLE ROAD, 3<sup>rd</sup> FLOOR  
CAMP HILL, PA 17011

Plaintiff

Type of Case: Contract

Type of Pleading:

VS.

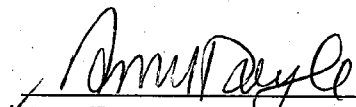
Filed on Behalf of: Plaintiff

NATALIE T BARAC  
149 TREASURE LK  
DU BOIS PA 15801

Defendant(s)

Date:

1/24/08

  
Amy F. Doyle #87062 / Daniel F. Wolfson #20617  
Philip C. Warholc #86341 / David R. Galloway #87326  
Tonilyn M. Chippie #87852 / Sarah E. Ehasz #86469  
Robert N. Polas, Jr. #201259  
Wolpoff & Abramson, L.L.P.  
Attorneys in the Practice of Debt Collection  
4660 Trindle Road, Suite 300  
Camp Hill, PA 17011  
Telephone: (717) 303-6700  
Counsel for Plaintiff

FILED 1cc Sheriff  
m 10:41/84  
FEB 04 2008 1cc Atty  
William A. Shaw  
Prothonotary/Clerk of Courts  
Atty pd.  
95.00

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

LVNV FUNDING, LLC  
ASSIGNEE OF SHERMAN ACQUISITION  
ASSIGNEE OF SEARS  
Plaintiff

vs

NATALIE T BARAC  
Defendant(s)

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: No.

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: CIVIL ACTION - LAW  
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**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 an 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 or any other claim or relief requested by the Plaintiff. You may lose money or property rights important to you.

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

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David S. Meholick, Court Administrator 230 East Market Street  
Clearfield, PA 16830  
814-765-2641

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Plaintiff

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NOTICIA

USTED HA SIDO DEMANDADO/A EN LA CORTE. Si usted desea defender contra la demanda puestas en las siguientes paginas, usted tienen que tomar acción dentro veinte (20) dias después que esta Demanda y Aviso es servido, con entrando por escrito una apariencia personalmente o por un abogado y archivando por escrito con la Corte sus defensas o objeciones a las demandas puestas en esta contra usted. Usted es advertido que si falla de hacerlo el caso puede proceder sin usted y un juzgamiento puede ser entrado contra usted por la Corte sin mas aviso por cualquier dinero reclamado en la Demanda o por cualquier otro reclamo o alivio solicitado por Demandante. Usted puede perder dinero o propiedad o otros derechos importante para usted.

USTED DEBE LLEVAR ESTE PAPEL A SU ABOGADO ENSEGUIDA. SI USTED NO TIENE UN ABOGADO, VAYA O LLAME POR TELEFONO LA OFICINA FIJADA AQUI ABAJO. ESTA OFICINA PUEDE PROVEERE CON INFORMACION DE COMO CONSEGUIR UN ABOGADO.

SI USTED NO PUEDE PAGARLE A UN ABOGADO, ESTA OFICINA PUEDE PROVEERE INFORMACION ACERCA AGENCIAS. QUE PUEDAN OFRECER SERVICIOS LEGAL A PERSONAS ELIGIBLE AQ UN HONORARIO REDUCIDO O GRATIS.

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Plaintiff

vs

NATALIE T BARAC  
Defendant(s)

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: No.  
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:

: CIVIL ACTION - LAW  
:  
:  
:

**COMPLAINT**

AND NOW, comes the Plaintiff, by and through its attorneys and the law firm of Wolpoff & Abramson, LLP, and files this Complaint and in support avers as follows:

1. Plaintiff is LVNV FUNDING, LLC ASSIGNEE OF SHERMAN ACQUISITION ASSIGNEE OF SEARS , located at 15 South Main Street Greenville, SC 29601.
2. Defendant, NATALIE T BARAC, is an adult individual with a last known address of 149 Treasure Lk Du Bois, Clearfield County, PA 15801.
3. It is averred that Defendant was issued an open end credit account (hereinafter "Account").

4. At all relevant times material hereto, Defendant has been a regular user of said Account for the purchase of products, goods and/or for obtaining services.

5. Defendant was provided with copies of the Statement of Accounts showing all debits and credits for transactions on the aforementioned credit card account to which there was no bona fide objection by Defendant. A true and correct copy of the Statement of Account is attached hereto, incorporated herein and marked as Exhibit "A".

6. Defendant did not object to the above-mentioned statements submitted by Plaintiff and/or its assignors to Defendant.

7. As of the date of this Complaint, the remaining balance due, owing and unpaid on Defendant's credit card account as a result of the charges made by said Defendant and/or any authorized users is the sum of \$11,220.60.

8. Interest has accrued from the charge off date at a rate of 6 %.

9. As of the date of the filing of this Complaint, the amount of interest which has accrued is the sum of \$1,147.17.

10. Despite reasonable and repeated demands for payment, Defendant has refused and continues to refuse to pay all sums due and owing on the aforementioned account balance, all to the damage and detriment of the Plaintiff.

11. Plaintiff performed any and all conditions precedent to the bringing of this action.

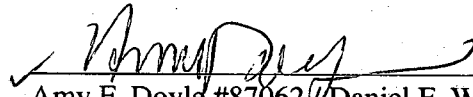
12. The amount in controversy is within the jurisdictional amount requiring compulsory arbitration.

WHEREFORE, Plaintiff respectfully requests this Honorable Court enter Judgment in favor of the Plaintiff and against Defendant in the amount of \$11,220.60, plus interest in the amount of \$1,147.17, plus costs of this action and any other relief as this Court deems just and reasonable.

Respectfully Submitted,

Date:

1/24/08



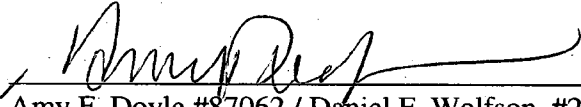
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Robert N. Polas, Jr. #201259  
Wolpoff & Abramson, L.L.P.  
Attorneys in the Practice of Debt Collection  
4660 Trindle Road, Suite 300  
Camp Hill, PA 17011  
Telephone: (717) 303-6700  
Counsel for Plaintiff

VERIFICATION

The undersigned hereby states that they are the attorney for the Plaintiff who is located outside of this jurisdiction and in order to file the within document in an expedient and timely manner, they are authorized to take this verification on behalf of said Plaintiff in the within action and verifies that the statements made in the foregoing Pleading are true and correct to the best of their knowledge, information, and belief, based upon information provided by the Plaintiff.

The undersigned understands that false statements herein are made subject to the penalties of 18 Pa.C.S. Section 4904, relating to unsworn falsification to authorities.

Date: 1/24/08

  
Amy F. Doyle #87062 / Daniel F. Wolfson #20617  
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4660 Trindle Road, Suite 300  
Camp Hill, PA 17011  
Telephone: (717) 303-6700  
Counsel for Plaintiff



**Exhibit "A"**

••FICHINFO1 •• Date 11/21/07 Account 5121079719590918 Mode L ••Nxt + •  
ACCT#5121079719590918 BAL 11220.6 LPYMT DT 05/06/2006  
\*ABL-ACCT-ID\*ABL-ACCT-NO \*ABL-EFF-DATE\*ABL-CUR-BALANCE  
11/19/2007 11220.6  
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0.00 11220.6 11220.6 0.00  
\*ABL-ATTYFEE-OWING\*ABL-FEE-BAL\*ABL-INT-COLLECTED\*ABL-INT-OWING\*ABL-INT-BAL  
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\*ABL-COST-COLLECTED\*ABL-COST-OWING\*ABL-COST-BAL\*ABL-CUR-INT-RATE\*ABL-INT-ACCRUAL  
0.00 0.00 0.00 0.060 1.84  
\*ABL-SUSPEND-INT\*ABL-LAST-PYMT-DT\*ABL-LAST-PYMT-AMT\*ABL-LAST-NSF-DT  
0.00 05/06/2006 100.00  
\*ABL-LAST-NSF-AMT\*ABL-ACCRUAL-METHOD\*PLA-ACCT-ID\*PLA-ACCT-NO  
2

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\*ADL-ACCT-NO \*ADL-MERCHANT \*ADL-CBR  
Y  
\*ADL-CHGOFF-BAL\*ADL-CHGOFF-DT\*ADL-ORG-NAME  
11409.4 12/27/2006 LVNV FUNDING LLC  
\*ADL-LAST-PURCH-AMT\*ADL-MISC1  
24.95 SEARS GOLD MASTERCARD  
\*ADL-MISC2  
5121079719590918

•MODE L=LFT R=RG T W=WRP Next File •  
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\*ADL-MISC3 \*ADL-ORG-DT\*ADL-PORTFOLIO-ID  
12/01/1969 7403  
\*ADL-SELLER-NAME \*ADL-TELECOMM-PHONE\*ALT-ACCT-ID  
SEARS

--  
\*BWR-TYPE\*BWR-SSN \*BWR-FIR-NAME  
01 XXXXX2837 NATALIE T  
\*BWR-LAST-NAME  
BARAC  
\*BWR-ADDR  
149 TREASURE LK  
\*BWR-ADDR2 \*BWR-CITY \*BWR-ST\*BWR-ZIP  
DU BOIS PA 15801  
\*BWR-DOB \*BWR-HMPHONE\*BWR-WKPHONE\*BWR-OTPHONE\*BWR-LANG-CODE  
8143717533 0  
\*BWR-BANK-NAME \*BWR-EMPLOYED\*BWR-HOME-OWNER  
FT N

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\*PLA-COMM-RATE\*PLA-BATCH-ID\*PLA-TRUST-ACCTID\*PLA-DEADLINE\*PLA-SIF\*BKY-ACCT-ID  
0.270 106749 1

•MODE L=LFT R=RG T W=WRP Next File •

# In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 1 of 1 Services

Sheriff Docket # **103715**

LVNV FUNDING, LLC, Assignee

Case # 08-183-CD

vs.

NATALIE T. BARAC

TYPE OF SERVICE COMPLAINT

## SHERIFF RETURNS

NOW May 28, 2008 RETURNED THE WITHIN COMPLAINT "NOT SERVED, TIME EXPIRED" AS TO NATALIE T. BARAC, DEFENDANT. DEFENDANT IS IN DUBOIS NURSING HOME & HAS DEMENSIA

SERVED BY: /

**FILED**

013:31d/1  
MAY 28 2008

William A. Shaw  
Prothonotary/Clerk of Courts

## Return Costs

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	WOLPOFF	00257198	10.00
SHERIFF HAWKINS	WOLPOFF	00257198	33.60

Sworn to Before me This

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

\_\_\_\_\_

So Answers,

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

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA

LVNV FUNDING, LLC ASSIGNEE OF SHERMAN  
ACQUISITION ASSIGNEE OF SEARS

No. 08-183-CD

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Plaintiff

Type of Case: Contract

Type of Pleading:

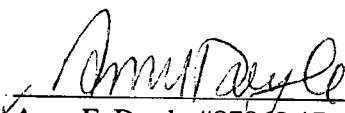
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Attorneys in the Practice of Debt Collection  
4660 Trindle Road, Suite 300  
Camp Hill, PA 17011  
Telephone: (717) 303-6700  
Counsel for Plaintiff

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

FEB 04 2008

Attest.

  
Prothonotary/  
Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

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2. Defendant, NATALIE T BARAC, is an adult individual with a last known address of 149 Treasure Lk Du Bois, Clearfield County, PA 15801.
3. It is averred that Defendant was issued an open end credit account (hereinafter "Account").

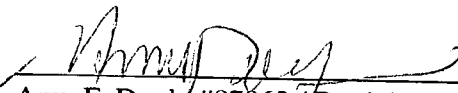
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5. Defendant was provided with copies of the Statement of Accounts showing all debits and credits for transactions on the aforementioned credit card account to which there was no bona fide objection by Defendant. A true and correct copy of the Statement of Account is attached hereto, incorporated herein and marked as Exhibit "A".
6. Defendant did not object to the above-mentioned statements submitted by Plaintiff and/or its assignors to Defendant.
7. As of the date of this Complaint, the remaining balance due, owing and unpaid on Defendant's credit card account as a result of the charges made by said Defendant and/or any authorized users is the sum of \$11,220.60.
8. Interest has accrued from the charge off date at a rate of 6 %.
9. As of the date of the filing of this Complaint, the amount of interest which has accrued is the sum of \$1,147.17.
10. Despite reasonable and repeated demands for payment, Defendant has refused and continues to refuse to pay all sums due and owing on the aforementioned account balance, all to the damage and detriment of the Plaintiff.
11. Plaintiff performed any and all conditions precedent to the bringing of this action.
12. The amount in controversy is within the jurisdictional amount requiring compulsory arbitration.



WHEREFORE, Plaintiff respectfully requests this Honorable Court enter Judgment in favor of the Plaintiff and against Defendant in the amount of \$11,220.60, plus interest in the amount of \$1,147.17, plus costs of this action and any other relief as this Court deems just and reasonable.

Respectfully Submitted,

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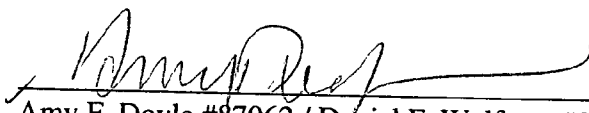
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Counsel for Plaintiff

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Counsel for Plaintiff

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0.00 11220.6 11220.6 0.00  
\*ABL-ATTYFEE-OWING\*ABL-FEE-BAL\*ABL-INT-COLLECTED\*ABL-INT-OWING\*ABL-INT-BAL  
0.00 0.00 0.00 0.00 0.00  
\*ABL-COST-COLLECTED\*ABL-COST-OWING\*ABL-COST-BAL\*ABL-CUR-INT-RATE\*ABL-INT-ACCRUAL  
0.00 0.00 0.00 0.060 1.84  
\*ABL-SUSPEND-INT\*ABL-LAST-PYMT-DT\*ABL-LAST-PYMT-AMT\*ABL-LAST-NSF-DT  
0.00 05/06/2006 100.00  
\*ABL-LAST-NSF-AMT\*ABL-ACCRUAL-METHOD\*PLA-ACCT-ID\*PLA-ACCT-NO  
2

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\*ADL-ACCT-NO \*ADL-MERCHANT \*ADL-CBR  
Y  
\*ADL-CHGOFF-BAL\*ADL-CHGOFF-DT\*ADL-ORG-NAME  
11409.4 12/27/2006 LVNV FUNDING LLC  
\*ADL-LAST-PURCH-AMT\*ADL-MISC1  
24.95 SEARS GOLD MASTERCARD  
\*ADL-MISC2  
5121079719590918

•MODE L=LFT R=RG T W=WRP Next File •  
••FICHINFO1 •• Date 11/21/07 Account 5121079719590918 Mode L ••Nxt + •  
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12/01/1969 7403  
\*ADL-SELLER-NAME \*ADL-TELECOMM-PHONE\*ALT-ACCT-ID  
SEARS

--  
\*BWR-TYPE\*BWR-SSN \*BWR-FIR-NAME  
01 XXXXX2837 NATALIE T  
\*BWR-LAST-NAME  
BARAC  
\*BWR-ADDR  
149 TREASURE LK  
\*BWR-ADDR2 \*BWR-CITY \*BWR-ST\*BWR-ZIP  
DU BOIS PA 15801  
\*BWR-DOB \*BWR-HMPHONE\*BWR-WKPHONE\*BWR-OTPHONE\*BWR-LANG-CODE  
8143717533 0  
\*BWR-BANK-NAME \*BWR-EMPLOYED\*BWR-HOME-OWNER  
FT N

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\*PLA-COMM-RATE\*PLA-BATCH-ID\*PLA-TRUST-ACCTID\*PLA-DEADLINE\*PLA-SIF\*BKY-ACCT-ID  
0.270 106749 1

•MODE L=LFT R=RG T W=WRP Next File •

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

LVNV FUNDING, LLC  
ASSIGNEE OF SHERMAN ACQUISITION  
ASSIGNEE OF SEARS  
15 SOUTH MAIN STREET  
GREENVILLE S.C. 29601

Plaintiff

vs.

NATALIE T BARAC  
  
149 TREASURE LK  
DU BOIS PA 15801

Defendant(s)

: No. 08-183-CD  
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PRAECIPE TO DISCONTINUE

PLEASE MARK THE ABOVE-ENTITLED CASE AS DISCONTINUED WITHOUT PREJUDICE.

Respectfully submitted,

By:

*Philip C Warholick*  
David R. Galloway #87326 / Philip C. Warholick #86341  
Sarah E. Ehasz #86469 / Robert N. Polas, Jr. #201259  
Amy F. Doyle #87062  
Mann Bracken LLP / Counsel for Plaintiff  
The Successor by Merger to Wolpoff & Abramson, LLP  
and Eskanos & Adler, P. C.  
4660 Trindle Road, Suite 300, Camp Hill, PA 17011  
Telephone: (717) 303-6700 Fax: (717) 737-9051

cc:

5  
FILED  
m/12:29 am  
MAR 18 2009  
disc issued to  
ATTY Warholick

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

COPY

LVNV Funding, LLC  
Sherman Acquisition  
Sears

Vs.

No. 2008-00183-CD

Natalie T. Barac

CERTIFICATE OF DISCONTINUATION

Commonwealth of PA  
County of Clearfield

I, William A. Shaw, Prothonotary of the Court of Common Pleas in and for the County and Commonwealth aforesaid do hereby certify that the above case was on March 18, 2009, marked:

Discontinued without prejudice

Record costs in the sum of \$95.00 have been paid in full by Amy F. Doyle Esq.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 18th day of March A.D. 2009.



lm

William A. Shaw, Prothonotary