

08-228-CD  
LVNV Funding vs Rhonda Huerbin

128970

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA

FILED

FEB 08 2008

11:20 AM

William A. Shaw  
Prothonotary/Clerk of Courts

1 cent to App

1 cent to Sover

LVNV Funding, LLC  
(Plaintiff)

CIVIL ACTION

c/o 2417 Welsh Road Suite 21 #520  
(Street Address)

No. 2008-228-C0

Phila., PA 19114

Type of Case: CIVIL

(City, State ZIP)

Type of Pleading: COMPLAINT

vs.

Rhonda L Huerbin  
(Defendant)

Filed on Behalf of:

LVNV Funding, LLC  
(Plaintiff) Defendant

4 treasure LK  
(Street Address)

DU BOIS, PA 15801  
(City, State ZIP)

David J. Apotheker, Esquire

(Filed by)

2417. Welsh Road Suite 21 #520  
(Address) Phila., PA 19114

215-634-8920  
(Phone)

(Signature)

Our File No.: 128470  
APOTHAKER & ASSOCIATES, P.C.  
BY: David J. Apothaker, Esq.  
Attorney I.D.#38423  
2417 Welsh Road, Suite 21 #520  
Philadelphia, PA 19114  
(215) 634-8920  
Attorneys for Plaintiff

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LVNV FUNDING, LLC ) COURT OF COMMON PLEAS  
c/o Apothaker & Associates, P.C. ) CLEARFIELD COUNTY  
2417 Welsh Road, Suite 21 #520 )  
Philadelphia, PA 19114 ) NO.:  
Plaintiff, )  
vs. )  
RHONDA L HUERBIN )  
4 TREASURE LK )  
DU BOIS, PA 15801-9001 )  
Defendant. )  
)

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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 attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

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

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

### **AVISO**

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

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

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

APOTHAKER & ASSOCIATES, P.C.

BY: David J. Apothaker, Esq.

Attorney I.D.#38423

2417 Welsh Road, Suite 21 #520

Philadelphia, PA 19114

(215) 634-8920

Attorneys for Plaintiff

---

LVNV FUNDING, LLC

c/o Apothaker & Associates, P.C.

2417 Welsh Road, Suite 21 #520

Philadelphia, PA 19114

Plaintiff,

vs.

RHONDA L HUERBIN

4 TREASURE LK

DU BOIS, PA 15801-9001

Defendant.

---

) COURT OF COMMON PLEAS

) CLEARFIELD COUNTY

)

) NO.:

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**CIVIL ACTION COMPLAINT  
FIRST COUNT**

1. Plaintiff, LVNV FUNDING, LLC, is a company with its principal place of business located at c/o Apothaker & Associates, P.C., 2417 Welsh Road, Suite 21 #520, Philadelphia, PA 19114.
2. Defendant is RHONDA L HUERBIN, an adult individual residing at 4 TREASURE LK DU BOIS, PA 15801-9001.
3. At the special instance and request of Defendant, Plaintiff sold and delivered to Defendant goods and/or services at the times, of the kinds, in the quantities, and for the prices set forth in Plaintiff's records. A true and correct copy of which is attached hereto, incorporated herein by reference and designated Exhibit "A".
4. Defendant received and accepted the goods and/or services described in Exhibit "A".
5. The prices set forth in Exhibit "A" are the fair, reasonable and market prices for said goods and/or services, and the prices which Defendant agreed to pay.
6. All credits, if any, to which Defendant is entitled, are set forth in Exhibit "A".
7. In addition, Plaintiff avers that Defendant has failed and continues to fail to make any payments, leaving a balance due and owing of \$8,504.62.

8. Although demand has been made, Defendant has failed to make payment of the amount due as above.
9. The original creditor is SEARS.

WHEREFORE, Plaintiff demands judgment in favor of Plaintiff and against Defendant(s) for the sum of \$8,504.62 and requests this Court award Plaintiff attorney's fees and costs to the extent permitted by applicable law.

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

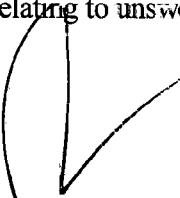
BY: \_\_\_\_\_  
David J. Apothaker

Dated: 1/24/2008

Our File No.: 128470

**VERIFICATION**

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



---

David J. Apothaker  
Attorney for Plaintiff

DATE: 1/24/2008

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

RHONDA L HUERBIN  
4 TREASURE LK  
DU BOIS, PA 15801-9001

STATEMENT OF ACCOUNT

Debtor's Name: RHONDA L HUERBIN

Account Number: 5121079601709246

Original Creditor: SEARS

Balance Due: \$8,504.62

Our File No.: 128470

EXHIBIT "A"

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103738  
NO: 08-228-CD  
SERVICE # 1 OF 1  
COMPLAINT

PLAINTIFF: LVNV FUNDING, LLC  
vs.  
DEFENDANT: RHONDA L. HUERBIN

**SHERIFF RETURN**

NOW, February 26, 2008 AT 3:00 PM SERVED THE WITHIN COMPLAINT ON RHONDA L. HUERBIN DEFENDANT AT RESIDENCE 4 TREASURE LAKE, SECTION 17 LOT 418, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO RHONDA HUERBIN, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: COUDRIET / NEVLING

**FILED**

01/31/2008  
JUN 04 2008

William A. Shaw  
Prothonotary/Clerk of Courts

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	APOTHAKER	73934	10.00
SHERIFF HAWKINS	APOTHAKER	73934	37.19

Sworn to Before Me This

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

So Answers,

*Chester A. Hawkins*  
*Joe Mawlyn Hanner*  
Chester A. Hawkins  
Sheriff

Our File No.: 128470  
APOTHAKER & ASSOCIATES, P.C.  
BY: David J. Apothaker  
Attorney I.D.# 38423  
520 Fellowship Road C306  
Mount Laurel, NJ 08054  
(800) 672-0215  
Attorney for Plaintiff

---

LVNV FUNDING, LLC

Plaintiff,

vs.

RHONDA L HUERBIN

Defendant.

---

) COURT OF COMMON PLEAS OF  
) CLEARFIELD COUNTY  
)  
)  
)  
) NO.: 2008-228-CD  
)  
)  
) Civil Action  
)  
)

**PRAECLPICE TO ENTER DEFAULT JUDGMENT**

TO THE PROTHONOTARY:

Please enter a default judgment in favor of plaintiff, LVNV FUNDING, LLC, and against Defendant, RHONDA L HUERBIN, for failure to answer or otherwise respond to the Complaint - Civil Action.

The Complaint was served upon the defendants on February 26, 2008 by the CLEARFIELD Sheriff's Department. Copies of the proofs of service are attached hereto as Exhibit "A".

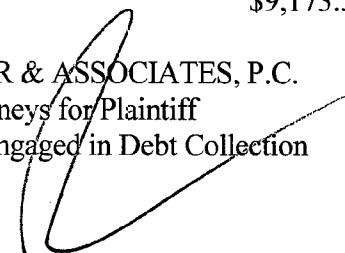
I certify, a copy of the Notice of Intention To Take Default was mailed on June 19, 2008, and also attached hereto.

5 **FILED** pd \$20.00 Atty  
m 8:30 am, cc+ notice to  
FEB 20 2009 deft  
LM cc+ statement to  
Atty.  
William A. Shaw  
Prothonotary/Clerk of Courts

Assess damages in the amount of:

(a)	Balance:	\$8,504.62
(b)	Interest from January 24, 2008	\$526.70
(c)	Costs	\$142.19
	<b>TOTAL</b>	<b>\$9,173.51</b>

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

By:   
\_\_\_\_\_  
David J. Apothaker

Dated: 2/10/2009

OFFICE OF THE PROTHONOTARY  
COURT OF COMMON PLEAS

TO: RHONDA L HUERBIN  
4 TREASURE LK  
DU BOIS, PA 15801-9001

LVNV FUNDING, LLC ) COURT OF COMMON PLEAS OF  
                          ) CLEARFIELD COUNTY  
Plaintiff,          )  
vs.                  )  
                          ) NO.: 2008-228-CD  
RHONDA L HUERBIN    )  
                          ) Civil Action  
Defendant.          )  
                          )

---

**NOTICE**

Pursuant to Rule 236 of the Supreme Court of Pennsylvania, you are hereby notified that a Judgment has been entered against you in the above proceeding as indicated below.

XX JUDGMENT BY DEFAULT  
       JUDGMENT IN REPLEVIN  
       JUDGMENT BY CONFESSION  
       JUDGMENT FOR POSSESSION  
       JUDGMENT ON AWARD OF  
ARBITRATORS  
       JUDGMENT ON VERDICT  
       JUDGMENT ON COURT FINDINGS  
       JUDGMENT ON WRIT OF REVIVAL

IF YOU HAVE ANY QUESTIONS CONCERNING THIS NOTICE, PLEASE CALL:  
ATTORNEY David J. Apotheker, Esq. at this telephone number: 215-634-8920

*David J. Apotheker*  
Prothonotary 2-20-2008

Our File No.: 128470  
APOTHAKER & ASSOCIATES, P.C.  
BY: David J. Apothaker  
Attorney I.D.# 38423  
520 Fellowship Road C306  
Mount Laurel, NJ 08054  
(800) 672-0215  
Attorney for Plaintiff

---

LVNV FUNDING, LLC	)	COURT OF COMMON PLEAS OF
	)	CLEARFIELD COUNTY
Plaintiff,	)	
vs.	)	
	)	NO.: 2008-228-CD
RHONDA L HUERBIN	)	
	)	Civil Action
Defendant.	)	
	)	

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**AFFIDAVIT OF NON-MILITARY SERVICE**

COMMONWEALTH OF PENNSYLVANIA :  
: SS.  
COUNTY OF CLEARFIELD :

David J. Apothaker, being duly sworn according to law, deposes and says that I am the attorney for Plaintiff, and authorized to make this affidavit; that Defendant(s) resides at 4 TREASURE LK DU BOIS, PA 15801-9001.

We inquired with the web site of the Defense Manpower Data Center, located at 1600 Wilson Boulevard, Suite 400, Arlington, VA 22209-2593, if the Defendant(s) is/are in any branch of the military.

Mary M. Snavely-Dixon, Director of the Defense Manpower Data Center has sent back our inquiry indicated that the Defendant(s) is/are not in the military.

\_\_\_\_\_  
David J. Apothaker  
Attorney for Plaintiff

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

Department of Defense Manpower Data Center

FEB-10-2009 09:21:16



Military Status Report  
Pursuant to the Servicemembers Civil Relief Act

Last Name	First/Middle	Begin Date	Active Duty Status	Service/Agency
HUERBIN	RHONDA L		Based on the information you have furnished, the DMDC does not possess any information indicating that the individual is currently on active duty.	

Upon searching the information data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the current status of the individual as to all branches of the Military.

*Mary M. Snavely-Dixon*

Mary M. Snavely-Dixon, Director  
Department of Defense - Manpower Data Center  
1600 Wilson Blvd., Suite 400  
Arlington, VA 22209-2593

The Defense Manpower Data Center (DMDC) is an organization of the Department of Defense that maintains the Defense Enrollment and Eligibility Reporting System (DEERS) database which is the official source of data on eligibility for military medical care and other eligibility systems.

The Department of Defense strongly supports the enforcement of the Servicemembers Civil Relief Act [50 USCS Appx. §§ 501 et seq] (SCRA) (formerly the Soldiers' and Sailors' Civil Relief Act of 1940). DMDC has issued hundreds of thousands of "does not possess any information indicating that the individual is currently on active duty" responses, and has experienced a small error rate. In the event the individual referenced above, or any family member, friend, or representative asserts in any manner that the individual is on active duty, or is otherwise entitled to the protections of the SCRA, you are strongly encouraged to obtain further verification of the person's active duty status by contacting that person's Military Service via the "defenselink.mil" URL provided below. If you have evidence the person is on active-duty and you fail to obtain this additional Military Service verification, provisions of the SCRA may be invoked against you.

If you obtain further information about the person ( e.g., an SSN, improved accuracy of DOB, a middle name), you can submit your request again at this Web site and we will provide a new certificate for that query.

This response reflects current active duty status only. For historical information, please contact the Military Service SCRA points-of-contact.

See: <http://www.defenselink.mil/faq/pis/PC09SLDR.html>

WARNING: This certificate was provided based on a name and Social Security number (SSN) provided

**OFFICE OF THE PROTHONOTARY  
COURT OF COMMON PLEAS  
CLEARFIELD COUNTY**

LVNV FUNDING, LLC

vs.

RHONDA L HUERBIN

) COURT OF COMMON PLEAS  
 ) CLEARFIELD COUNTY  
 )  
 ) NO. 2008-228-CD  
 )

To: RHONDA L HUERBIN  
4 TREASURE LK  
DU BOIS, PA 15801-9001

**NOTICE, RULE 237.5  
NOTICE OF PRAECIPE TO ENTER JUDGMENT BY DEFAULT**

Date of Notice: June 19, 2008

**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.

COURT ADMINISTRATOR  
CLEARFIELD COUNTY COURTHOUSE  
SECOND & MARKET STREETS  
CLEARFIELD, PA 16830  
814-765-2641

/s/ David J. Apothaker  
DAVID J. APOTHAKER, ESQUIRE  
APOTHAKER & ASSOCIATES, PC  
A Law Firm Engaged in Debt Collection  
2417 Welsh Road, Suite 21 #520  
Philadelphia, PA 19114  
(215) 634-8920  
Attorney for Plaintiff  
Attorney ID #38423

1284702 IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103738  
NO: 08-228-CD  
SERVICE # 1 OF 1  
COMPLAINT

COPY

PLAINTIFF: LNV FUNDING, LLC  
VS.  
DEFENDANT: RHONDA L. HUERBIN

SHERIFF RETURN

NOW, February 26, 2008 AT 3:00 PM SERVED THE WITHIN COMPLAINT ON RHONDA L. HUERBIN DEFENDANT AT RESIDENCE 4 TREASURE LAKE, SECTION 17 LOT 418, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO RHONDA HUERBIN, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: COUDRIET / NEVLING

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	APOTHAKER	73934	10.00
SHERIFF HAWKINS	APOTHAKER	73934	37.19

Sworn to Before Me This

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

So Answers,



Chester A. Hawkins  
Sheriff

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

LVNV Funding LLC  
Plaintiff(s)

No.: 2008-00228-CD



Real Debt: \$9173.51

Atty's Comm: \$

Vs.

Costs: \$

Rhonda L. Huerbin  
Defendant(s)

Int. From: \$

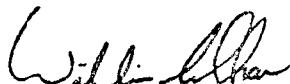
Entry: \$20.00

Instrument: Default Judgment

Date of Entry: February 20, 2009

Expires: February 20, 2014

Certified from the record this February 20, 2009



cm

\_\_\_\_\_  
William A. Shaw, Prothonotary

\*\*\*\*\*

SIGN BELOW FOR SATISFACTION

Received on \_\_\_\_\_, \_\_\_\_\_, of defendant full satisfaction of this Judgment,  
Debt, Interest and Costs and Prothonotary is authorized to enter Satisfaction on the same.

\_\_\_\_\_  
Plaintiff/Attorney