

145244

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

FILED

FEB 08 2008

M/21.20/11

William A. Shaw
Prothonotary/Clerk of Courts

CERT TO ATT

SFFr

Cach, LLC

(Plaintiff)

c/o 2417 Welsh Road Suite 21 #520

(Street Address)

Phila., PA 19114

(City, State ZIP)

CIVIL ACTION

No. 2008 - 233 - CV

Type of Case: CIVIL

Type of Pleading: COMPLAINT

vs.

Filed on Behalf of:

Robert A Timko

(Defendant)

Cach, LLC

(Plaintiff/Defendant)

209 Morrison

(Street Address)

DU BOIS, PA 15801

(City, State ZIP)

David J. Apothaker, Esquire

(Filed by)

2417. Welsh Road Suite 21 #520

(Address) Phila., PA 19114

215-634-8920

(Phone)

(Signature)

February 14, 2011 Document

Reinstated/Reissued to Sheriff/Attorney
for service.

William A. Shaw
Deputy Prothonotary

July 26, 2010 Document

Reinstated/Reissued to Sheriff/Attorney
for service.

William A. Shaw
Deputy Prothonotary

Our File No.: 145244
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

CACH, 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.)	
)	
ROBERT A TIMKO)	
209 MORRISON)	
DU BOIS, PA 15801-2420)	
Defendant.)	
)	

NOTICE

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

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

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

AVISO

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha de la demanda y la notificacion. Hace falta asentar una comparencia 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 tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademias, la corte puede decidir a favor del edemandante y requiere que usted compla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFICIENTE 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

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

Plaintiff,

vs.

ROBERT A TIMKO
209 MORRISON
DU BOIS, PA 15801-2420

Defendant.

) COURT OF COMMON PLEAS
) CLEARFIELD COUNTY

) NO.:

CIVIL ACTION COMPLAINT
FIRST COUNT

1. Plaintiff, CACH, 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 ROBERT A TIMKO, an adult individual residing at 209 MORRISON DU BOIS, PA 15801-2420.
3. At the special instance and request of Defendant, Plaintiff sold and delivered to Defendant goods and/or services at the times, of the kinds, in the quantities, and for the prices set forth in Plaintiff's records. A true and correct copy of which is attached hereto, incorporated herein by reference and designated Exhibit "A".
4. Defendant received and accepted the goods and/or services described in Exhibit "A".
5. The prices set forth in Exhibit "A" are the fair, reasonable and market prices for said goods and/or services, and the prices which Defendant agreed to pay.
6. All credits, if any, to which Defendant is entitled, are set forth in Exhibit "A".
7. In addition, Plaintiff avers that Defendant has failed and continues to fail to make any payments, leaving a balance due and owing of \$10,465.18.

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

9. The original creditor is PROVIDIAN BANK.

WHEREFORE, Plaintiff demands judgment in favor of Plaintiff and against Defendant(s) for the sum of \$10,465.18 and requests this Court award Plaintiff attorney's fees and costs to the extent permitted by applicable law.

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

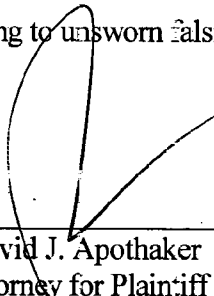
BY: _____
David J. Apothaker

Dated: 1/24/2008

Our File No.: 145244

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

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

ROBERT A TIMKO
209 MORRISON
DU BOIS, PA 15801-2420

STATEMENT OF ACCOUNT

Debtor's Name:	ROBERT A TIMKO
Account Number:	4031145000217057
Original Creditor:	PROVIDIAN BANK
Balance Due:	\$10,465.18

Our File No.: 145244

EXHIBIT "A"

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 1 of 1 Services

Sheriff Docket # **103746**

CACH, LLC

Case # 08-233-CD

vs.

ROBERT A. TIMKO

TYPE OF SERVICE COMPLAINT

SHERIFF RETURNS

NOW June 19, 2008 RETURNED THE WITHIN COMPLAINT "NOT SERVED, TIME EXPIRED" AS TO ROBERT A. TIMKO, DEFENDANT. SEVERAL ATTEMPTS, NO RESPONSE

SERVED BY: /

Return Costs

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	APOTHAKE	73922	10.00
SHERIFF HAWKINS	APOTHAKE	73922	52.38

FILED
0/3:00 am
JUN 20 2008
LM

William A. Shaw
Prothonotary/Clerk of Courts

Sworn to Before me This

_____ Day of _____ 2008

So Answers,

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

145244

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

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

FEB 08 2008

Cach, LLC

(Plaintiff)

c/o 2417 Welsh Road Suite 21 #520

(Street Address)

Phila., PA 19114

(City, State ZIP)

CIVIL ACTION

Attest.

William A. B.
Prothonotary/
Clerk of Courts

No. 2008-233-C0

Type of Case: CIVIL

Type of Pleading: COMPLAINT

VS.

Filed on Behalf of:

Robert A. Timko

(Defendant)

Cach, LLC

(Plaintiff/Defendant)

209 Morrison

(Street Address)

DU BOIS, PA 15801

(City, State ZIP)

David J. Apothaker, Esquire

(Filed by)

2417 Welsh Road Suite 21 #520

(Address) Phila., PA 19114

215-634-8920

(Phone)

[Signature]
(Signature)

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

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

vs.

ROBERT A TIMKO
209 MORRISON
DU BOIS, PA 15801-2420
Defendant.

) COURT OF COMMON PLEAS
) CLEARFIELD COUNTY
)
) NO.:
)
)
)
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**CIVIL ACTION COMPLAINT
FIRST COUNT**

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2. Defendant is ROBERT A TIMKO, an adult individual residing at 209 MORRISON DU BOIS, PA 15801-2420.
3. At the special instance and request of Defendant, Plaintiff sold and delivered to Defendant goods and/or services at the times, of the kinds, in the quantities, and for the prices set forth in Plaintiff's records. A true and correct copy of which is attached hereto, incorporated herein by reference and designated Exhibit "A".
4. Defendant received and accepted the goods and/or services described in Exhibit "A".
5. The prices set forth in Exhibit "A" are the fair, reasonable and market prices for said goods and/or services, and the prices which Defendant agreed to pay.
6. All credits, if any, to which Defendant is entitled, are set forth in Exhibit "A".
7. In addition, Plaintiff avers that Defendant has failed and continues to fail to make any payments, leaving a balance due and owing of \$10,465.18.

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

9. The original creditor is PROVIDIAN BANK.

WHEREFORE, Plaintiff demands judgment in favor of Plaintiff and against Defendant(s) for the sum of \$10,465.18 and requests this Court award Plaintiff attorney's fees and costs to the extent permitted by applicable law.

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

BY: _____

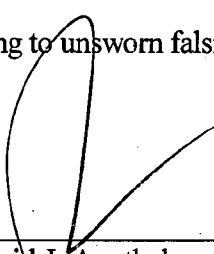
David J. Apothaker

Dated: 1/24/2008

Our File No.: 145244

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

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

ROBERT A TIMKO
209 MORRISON
DU BOIS, PA 15801-2420

STATEMENT OF ACCOUNT

Debtor's Name:	ROBERT A TIMKO
Account Number:	4031145000217057
Original Creditor:	PROVIDIAN BANK
Balance Due:	\$10,465.18

Our File No.: 145244

EXHIBIT "A"

Our File No.: 145244
APOTHAKE & 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

CACH, LLC.	)	COURT OF COMMON PLEAS
	)	CLEARFIELD COUNTY
Plaintiff,)	
vs.)	
)	
ROBERT A TIMKO	)	NO.: 2008-233-CD
)	
Defendant.)	
)	

PRAECIPE TO
REINSTATE COMPLAINT - CIVIL ACTION

TO THE PROTHONOTARY:

Kindly reinstate the Complaint in the above captioned Civil Action for an additional thirty (30) days.

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

BY: _____
David J. Apothaker, Esquire

Dated: 7/15/2010

FILED
M 11:58 a.m. GK
JUL 26 2010
William A. Shaw
Prothonotary/Clerk of Courts

1cc
1 COMPL. REINSTATED to
ATTY, SHFF

To Deputy 7/26/10

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

NO: 08-233-CD

CACH, LLC

vs

ROBERT A. TIMKO

SERVICE # 1 OF 1

COMPLAINT

SERVE BY: 08/25/2010

HEARING:

PAGE: 107403

DEFENDANT:

ROBERT A. TIMKO

ADDRESS:

209 MORRISON

DUBOIS, PA 15801

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS:

VACANT

OCCUPIED

ATTEMPTS

8-9-10 NOT 8-17-10
8-10-10

SHERIFF'S RETURN

FILED

9/8:30am
AUG 27 2010

William A. Shaw
Prothonotary/Clerk of Courts

NOW, _____ AT _____ AM / PM **SERVED** THE WITHIN

COMPLAINT ON ROBERT A. TIMKO, DEFENDANT

BY HANDING TO _____ / _____

A TRUE AND ATTESTED COPY OF THE ORIGINAL DOCUMENT AND MADE KNOW TO HIM / HER THE CONTENTS THEREOF.

ADDRESS SERVED _____

NOW _____ AT _____ AM / PM **POSTED** THE WITHIN

COMPLAINT FOR ROBERT A. TIMKO

AT (ADDRESS) _____

NOW THIS 27th Aug 2010 AT 8:23 AM PM AFTER DILIGENT SEARCH IN MY BAILIWICK,

I MAKE RETURN OF **NOT FOUND** AS TO ROBERT A. TIMKO

REASON UNABLE TO LOCATE NOT HOME

SWORN TO BEFORE ME THIS

_____ DAY OF _____ 2010

So Answered CHESTER A. HAWKINS, SHERIFF

BY:

George F. DeHaven
Deputy Signature
GEORGE F. DeHAVEN
Print Deputy Name

Our File No.: 145244
APOTHAKE & ASSOCIATES, P.C.
BY: David J. Apothaker, Esquire
Attorney I.D. #38423
520 Fellowship Road C306
Mount Laurel, NJ 08054
(800) 672-0215
Attorney for Plaintiff

CA
FILED

JAN 21 2011
11:30h
William A. Shaw
Prothonotary/Clerk of Courts
1 copy to
Ann

CACH, LLC.	)	COURT OF COMMON PLEAS OF
4340 S MONACO STREET	)	CLEARFIELD COUNTY
DENVER, CO 80237)	
Plaintiff,	)	NO.: 2008-233-CD
vs.)	
ROBERT A TIMKO	)	Civil Action
209 MORRISON ST)	
DU BOIS, PA 15801-2420)	
Defendant,)	
)	

MOTION FOR ALTERNATIVE SERVICE

Pursuant to Pa. R.C.P. 430(a), Pa. R.C.P. 410(c)(2), Plaintiff, by and through its attorneys, requests that this Honorable Court grant an **ORDER** permitting service of the Complaint upon the Defendant(s) by posting the Complaint on the most public part of the property located at 209 MORRISON ST DU BOIS, PA 15801-2420, and by serving it by certified and regular mail at 209 MORRISON ST DU BOIS, PA 15801-2420 and in support therefore, presents the attached Affidavit.

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

By:

David J. Apothaker, Esquire
Attorney for Plaintiff

Dated: 12/14/2010

Our File No.: 145244
APOTHAKER & ASSOCIATES, P.C.
BY: David J. Apothaker, Esquire
Attorney I.D. #38423
520 Fellowship Road C306
Mount Laurel, NJ 08054
(800) 672-0215
Attorney for Plaintiff

CACH, LLC.	)	COURT OF COMMON PLEAS OF
4340 S MONACO STREET	)	CLEARFIELD COUNTY
DENVER, CO 80237)	
Plaintiff,	)	NC.: 2008-233-CD
vs.)	
ROBERT A TIMKO	)	Civil Action
209 MORRISON ST)	
DU BOIS, PA 15801-2420)	
Defendant.)	
)	

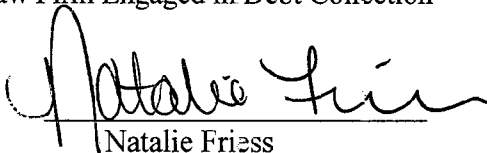
AFFIDAVIT OF SERVICE

I, Natalie Friess, of full age, depose and say that I am a legal assistant at Apothaker & Associates, P.C., and that on this day I did mail to ROBERT A TIMKO at 209 MORRISON ST DU BOIS, PA 15801-2420 a copy of a Motion for Alternative Service, Affidavit in Support of Motion, Proposed Order and Affidavit of Service.

I understand that the statements herein are made subject to the penalties of 18 Pa. C.S.A. §4904 relating to unsworn falsification to authorities.

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

By:


Natalie Friess

Dated: 12/14/2010

Our File No.: 145244
APOTHAKE & ASSOCIATES, P.C.
BY: David J. Apothaker, Esquire
Attorney I.D. #38423
520 Fellowship Road C306
Mount Laurel, NJ 08054
(800) 672-0215
Attorney for Plaintiff

CACH, LLC.
4340 S MONACO STREET
DENVER, CO 80237

Plaintiff,

vs.

ROBERT A TIMKO
209 MORRISON ST
DU BOIS, PA 15801-2420

Defendant.

) COURT OF COMMON PLEAS OF
) CLEARFIELD COUNTY

) NO.: 2008-233-CD

) Civil Action

AFFIDAVIT

I, David J. Apothaker, Esquire, attorney for Plaintiff in the above-captioned matter, do hereby aver to the best of my knowledge, information and belief, the following:

1. Plaintiff brings this action to collect monies due on a credit card account.
2. The Sheriff of CLEARFIELD County was unable to serve the Complaint upon Defendant at his/her residence at 209 MORRISON ST DU BOIS, PA 15801-2420 because:

- NO ANSWER.

Attached hereto as Exhibit "A" is a true and correct copy of the CLEARFIELD County Sheriff's Return of Service.

3. I have made an investigation to determine the whereabouts of the defendant and confirm 209 MORRISON ST DU BOIS, PA 15801-2420 as Defendant's address. This investigation has been supplemented by employees trained to skip trace, the process of locating a person's whereabouts, from the time this account was opened through the present day. This investigation consists of, but is not limited to, the use of LexisNexis Accurint for Legal

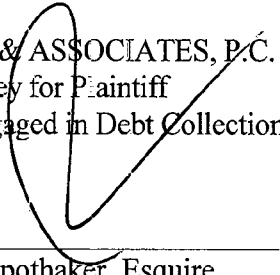
Professionals, Experian Credit Reporting Bureau, whitepages.com, whitepages.com/reverse-lookup, searchsystems.net, PA Recorder of Deeds County Remote Access sites, in addition to:

a. Inquiry of *United States Postal* authorities pursuant to the *Freedom of Information Act*, 39 C.F.R. Part 265. Attached hereto as Exhibit "B" is a true and correct copy of the Request for Change of Address from the Postmaster confirming Defendant's address.

4. This investigation confirms that the address that the Sheriff of CLEARFIELD County attempted to serve the defendant at 209 MORRISON ST DU BOIS, PA 15801-2420, the address where defendant is located.

I understand that the statements herein are made subject to the penalties of 18 Pa. C.S.A. §4904 relating to unsworn falsification to authorities.

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

By: 
David J. Apothaker, Esquire

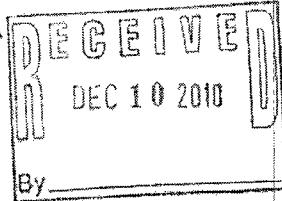
Dated: December 14, 2010

To Deputy 7/26/10

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
NO: 08-233-CD

CACH, LLC
vs
ROBERT A. TIMKO

SERVICE # 1 OF 1



COMPLAINT

SERVE BY: 08/25/2010

HEARING:

PAGE: 107403

DEFENDANT: ROBERT A. TIMKO
ADDRESS: 209 MORRISON
DUBOIS PA 15801
ALTERNATE ADDRESS:

8/19/10 Peratty Trg. WK: Hovis Auto + Truck Supply
372-2411
216 Liberty Blvd
Martinez Plaza
Dubois, Pa

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS:

VACANT

OCCUPIED

ATTEMPTS

8-9-10 NOT 8-17-10
8-10-10

FILED

9/8:30am
AUG 27 2010

William A. Shaw
Prothonotary/Clerk of Courts

SHERIFF'S RETURN

NOW, _____ AT _____ AM / PM SERVED THE WITHIN

COMPLAINT ON ROBERT A. TIMKO, DEFENDANT

BY HANDING TO _____

A TRUE AND ATTESTED COPY OF THE ORIGINAL DOCUMENT AND MADE KNOW TO HIM / HER THE CONTENTS THEREOF.

ADDRESS SERVED _____

NOW _____ AT _____ AM / PM POSTED THE WITHIN

COMPLAINT FOR ROBERT A. TIMKO

AT (ADDRESS) _____

NOW THIS 27th Aug 2010 AT 8:23 AM AFTER DILIGENT SEARCH IN MY BAILIWICK,

I MAKE RETURN OF NOT FOUND AS TO ROBERT A. TIMKO

REASON UNABLE TO LOCATE

NOT HOME

SWORN TO BEFORE ME THIS

_____ DAY OF _____ 2010

So Answered CHESTER A. HAWKINS, SHERIFF

BY:

George F. DeHaven
Deputy Signature
GEORGE F. DeHAVEN
Print Deputy Name

August 26, 2010

**Request for Change of Address or Box Holder
Information Needed for Service of Legal Process**

POSTMASTER
DU BOIS, PA 15801-2420

Please furnish the new address or the name and street address, if a box holder, for the following:

Name: ROBERT A TIMKO

Address: 209 MORRISON ST DU BOIS, PA 15801-2420

NOTE: The name and last known address are required for change of address information. The name, if known and post office box address are required for box holder information. The following information is provided in accordance with 39 CFR 265.6(d)(6)(ii). There is no fee for providing box holder information. The fee for providing change of address information is waived in accordance with 39 CFR 265.6(d) (1) and (2) and corresponding Administrative Support Manual 352.44a and b.

1. Capacity of requester (e.g., process server, attorney, party representing himself): ATTORNEY
2. Statute or regulation that empowers me to serve process (not required when requester is an attorney or a party acting *pro se* - except a corporation acting *pro se* must cite statute): _____
3. The names of all known parties to the litigation: CACH, LLC. v. ROBERT A TIMKO
4. The court in which the case has been or will be heard: PROTHONOTARY
5. The docket or other identifying number if one has been issued: 2008-233-CD
6. The capacity in which this individual is to be served (e.g. defendant or witness): DEFENDANT

WARNING

THE SUBMISSION OF FALSE INFORMATION TO OBTAIN AND USE CHANGE OF ADDRESS INFORMATION OR BOXHOLDER INFORMATION FOR ANY PURPOSE OTHER THAN THE SERVICE OF LEGAL PROCESS IN CONNECTION WITH ACTUAL OR PROSPECTIVE LITIGATION COULD RESULT IN CRIMINAL PENALTIES INCLUDING A FINE OF UP TO \$10,000.00 OR IMPRISONMENT OR (2) TO AVOID PAYMENT OF THE FEE FOR CHANGE OF ADDRESS INFORMATION OF NOT MORE THAN 5 YEARS, OR BOTH (TITLE 18 U.S.C. SECTION 1001).

I certify that the above information is true and that the address information is needed and will be used solely for service of legal process in connection with actual or prospective litigation.



Signature
DAVID J APCTHAKER, ESQ

520 Fellowship Road C306
Mount Laurel, NJ 08054

FOR POST OFFICE USE ONLY

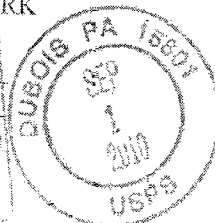
IF PO BOX - PROVIDE STREET ADDRESS

- ☐ No Change of Address Order on File
- ☐ Not Known at Address Given
- ☐ Moved Left no Forwarding Address
- ☐ No Such Address

GOO AS ADDRESSED

NEW ADDRESS or BOXHOLDER'S POSTMARK
NAME and STREET ADDRESS

RECEIVED
SEP 7 - 2010
By _____



FILED

JAN 21 2011

William A. Shaw
Notary Public/Clerk of Courts

CA

CACH, LLC.
4340 S MONACO STREET
DENVER, CO 80237

Plaintiff,

vs.

ROBERT A TIMKO
209 MORRISON ST
DU BOIS, PA 15801-2420

Defendant.

) COURT OF COMMON PLEAS OF
) CLEARFIELD COUNTY

) NO.: 2008-233-CD

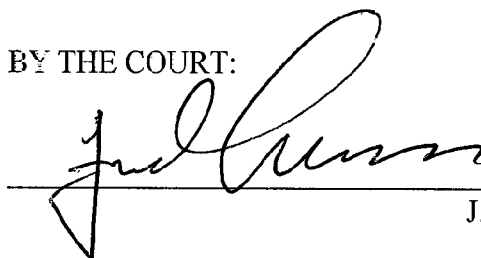
) Civil Action

ORDER FOR ALTERNATE SERVICE OF PROCESS

AND NOW, this 24 day of January, 2011 it is

ORDERED that plaintiff's Petition for Alternative Service of Process, pursuant to Pa.R.C.P. 430 (a) and Pa.R.C.P. 410(c)(2) is **Granted** ~~Denied~~ ^{PSA}, permitting service by Posting the Complaint on the most public part of the property located at 209 MORRISON ST DU BOIS, PA 15801-2420 and by serving it by certified and regular mail at 209 MORRISON ST DU BOIS, PA 15801-2420.

BY THE COURT:


J.

S FILED 1cc
01/24/2011
JAN 24 2011
William A. Shaw
Prothonotary/Clerk of Courts
Apathaker

FILED

JAN 24 2011

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

Our File No.: 145244
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

FILED
m/12:56/01
FEB 14 2011
William A. Shaw
Prothonotary/Clerk of Courts
Atty pd. 7.00
ICC #1
Compl.
Reinstated
to Atty

CACH, LLC.		)	COURT OF COMMON PLEAS
	Plaintiff,	)	CLEARFIELD COUNTY
vs.)	
)	
ROBERT A TIMKO		)	NO.: 2008-233-CD
	Defendant.)	
)	

PRAECIPE TO
REINSTATE COMPLAINT - CIVIL ACTION

TO THE PROTHONOTARY:

Kindly reinstate the Complaint in the above captioned Civil Action for an additional thirty (30) days.

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

BY: _____
David J. Apothaker, Esquire

Dated: 2/3/2011

FILED

FEB 14 2011

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

To Deputy 2/28/2011

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

NO: 2008-233-CD

CACH, LLC

vs

ROBERT A. TIMKO

SERVICE # 1 OF 1

ORDER/NOTICE AND COMPLAINT

SERVE BY: 03/16/2011

HEARING:

PAGE: 108211

DEFENDANT:

ROBERT A. TIMKO

ADDRESS:

209 MORRISON STREET

DUBOIS, PA 15801

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: POST ON PROPERTY

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS:

VACANT

ATTEMPTS

FILED

9 3:07 am
MAR - 1 2011

William A. Shaw
Prothonotary/Clerk of Courts

SHERIFF'S RETURN

NOW, _____ AT _____ AM / PM **SERVED** THE WITHIN

ORDER/NOTICE AND COMPLAINT ON ROBERT A. TIMKO, DEFENDANT

BY HANDING TO _____ / _____

A TRUE AND ATTESTED COPY OF THE ORIGINAL DOCUMENT AND MADE KNOW TO HIM / HER THE CONTENTS THEREOF.

ADDRESS SERVED _____

NOW 3-1-2011 AT 10:19 (AM) / PM **POSTED** THE WITHIN

ORDER/NOTICE AND COMPLAINT FOR ROBERT A. TIMKO

AT (ADDRESS) 209 MORRISON STREET

DUBOIS, PA. 15801

NOW _____ AT _____ AM / PM AFTER DILIGENT SEARCH IN MY BAILIWICK,

I MAKE RETURN OF **NOT FOUND** AS TO ROBERT A. TIMKO

REASON UNABLE TO LOCATE _____

SWORN TO BEFORE ME THIS

_____ DAY OF _____ 2011

So Answers: CHESTER A. HAWKINS, SHERIFF.

BY:

James E. Davis
Deputy Signature

JAMES E. DAVIS
Print Deputy Name

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 107403
NO: 08-233-CD
SERVICES 1

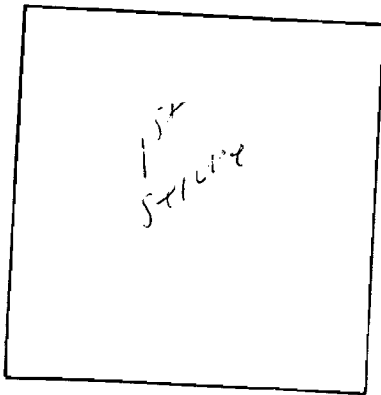
COMPLAINT

PLAINTIFF: CACH, LLC
vs.
DEFENDANT: ROBERT A. TIMKO

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	APOTHAKE	190443	10.00
SHERIFF HAWKINS	APOTHAKE	190443	62.44



FILED

018:456m
MAR 18 2011

William A. Shaw
Prothonotary/Clerk of Courts

Sworn to Before Me This

____ Day of _____ 2010

So Answers,

Chester A. Hawkins
Sheriff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

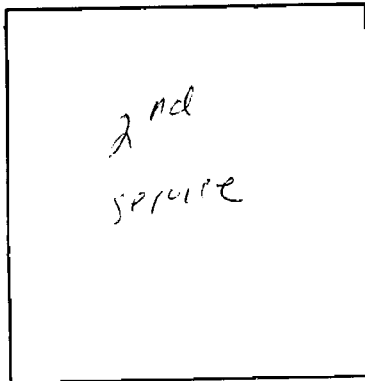
DOCKET # 108211
NO: 08-233-CD
SERVICES 1
ORDER/NOTICE AND COMPLAINT

PLAINTIFF: CACH, LLC
vs.
DEFENDANT: ROBERT A. TIMKO

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	APOTHAKE	18036	10.00
SHERIFF HAWKINS	APOTHAKE	18036	28.38



FILED
9/8/45m
MAR 18 2011
William A. Shaw
Prothonotary/Clerk of Courts

Sworn to Before Me This

_____ Day of _____ 2011

So Answers,

Chester A. Hawkins
Sheriff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
(CIVIL DIVISION)

CACH, LLC,
Plaintiff,

vs.

ROBERT A. TIMKO,
Defendant

No. 2008-233-C.D.

Pro Se

Type of Pleading: Answer to
Complaint

Filed on behalf of: Robert A. Timko,
Defendant

Counsel of Record for this party:

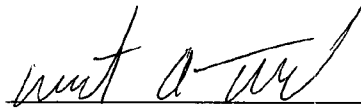
Robert A. Timko, pro se
209 Morrison Street
DuBois, PA 15801

FILED

MAR 22 2011
William A. Shaw
Prothonotary/Clerk of Courts
woc/c

NOTICE TO PLEAD

You are hereby notified to plead
to the within pleading within
twenty (20) days of service thereof
or default judgment may be entered
against you.



Robert A. Timko, pro se
Defendant

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
(CIVIL DIVISION)

CACH, LLC,	:	
Plaintiff,	:	No. 2008-233-C.D.
	:	
vs.	:	
	:	Pro Se
ROBERT A. TIMKO,	:	
Defendant	:	

ANSWER TO COMPLAINT

1. Neither admitted nor denied. Defendant is without any knowledge concerning the Plaintiff's ability to bring the within action and strict proof is demanded at trial.

2. Admitted.

3. Denied. Defendant denies Plaintiff ever sold or delivered goods and/or services to Defendant and strict proof is demanded at trial. In addition thereto, Defendant has no knowledge concerning Plaintiff's ability to bring an action against the Defendant and strict proof is demanded at trial. Defendant further denies any records concerning goods or services allegedly acquired by the Defendant are attached to Plaintiff's Complaint and strict proof is demanded at trial.

4. Denied. There are no goods nor services described on Exhibit "A" and strict proof is demanded at trial.

5. Denied. There are no prices, goods nor services described on Exhibit "A" and strict proof is demanded at trial.

6. Denied. Defendant denies there are any credits set forth on Exhibit "A" and Defendant is entitled to all credits that may be owed to him.

7. Denied. Defendant denies any money is due Plaintiff and strict proof is demanded at trial.

8. Denied. Defendant denies any demand has been made by Plaintiff prior to the commencement of this law suit and strict proof is demanded at trial.

9. Denied. To the best knowledge, information and belief of Defendant, Defendant has never been indebted to Providian Bank and strict proof is demanded at trial.

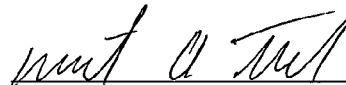
NEW MATTER

10. Plaintiff's claims are barred by the applicable statute of limitations.

11. Plaintiff's claims are barred by the doctrine of laches.

12. Plaintiff's claims fail inasmuch as Plaintiff is not the rightful successor to Providian Bank and has no standing to bring this action.

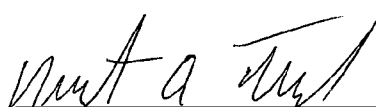
Respectfully submitted,



Robert A. Timko, pro se
Defendant

VERIFICATION

I hereby verify that the statements made in this pleading are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S.A. Section 4904, relating to Unsworn Falsification to Authorities.



Robert A. Timko

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
(CIVIL DIVISION)

CACH, LLC,

Plaintiff,

vs.

ROBERT A. TIMKO,

Defendant

:
:
:
:
:
:
:

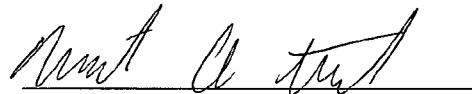
No. 2008-233-C.D.

Pro Se

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the within Answer to Complaint, filed on behalf of Defendant, Robert A. Timko, was served on the 21st day of March, 2011, on all counsel of record by first-class mail, postage prepaid addressed as follows:

David J. Apothaker, Esquire
Apothaker & Associates, P.C.
2417 Welsh Road, Suite 21 #520
Philadelphia, PA 19114


Robert A. Timko, pro se
Defendant

FILED
MAR 22 2011
William A. Shaw
Prothonotary/Clerk of Courts

Our File No.: 145244
APOTHAKE & ASSOCIATES, P.C.
BY: David J. Apothaker, Esquire
Attorney I.D. #38423
520 Fellowship Road C306
Mount Laurel, NJ 08054
(800) 672-0215
Attorney for Plaintiff

FILED
MAR 31 2011
William A. Shaw
Prothonotary/Clerk of Courts
NO CC

CACH, LLC.

Plaintiff

vs.

ROBERT A TIMKO

Defendant

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

NO.: 2008-233-CD

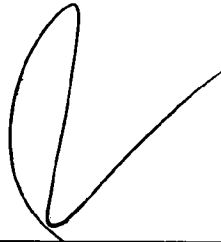
AFFIDAVIT OF SERVICE

I, David J. Apothaker, Esquire, attorney for Plaintiff, certify that on February 23, 2011, I mailed a copy of the Complaint by Certified and Regular mail to

ROBERT A TIMKO
209 MORRISON ST
DU BOIS, PA 15801-2420

Attached hereto are:

- ☐ PS Form, 3811, Executed green Certified Card,
- ☒ Unclaimed Certified Mail Envelope
- ☒ PS Form, 3817, Certificate of Mailing



David J. Apothaker, Esquire
Attorney for Plaintiff

Date: 3/24/2011

Apothaker & Associates, P.C.
520 Fellowship Road C306
Mount Laurel, NJ 08054
145244

CERTIFIED MAIL



7010 2780 0000 4379 3722



016H263

\$05.00

MR. ROBERT A TIMKO
209 MORRISON ST
DU BOIS, PA 15801-2420

RECEIVED
MAR 21 2006

UNCLAIMED

UNCLAIMED

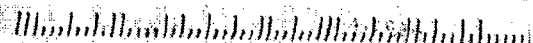
UNCLAIMED

NIXIE 165 DC 1 00 02/1

RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD

BC: 08054340799 *0603-00443-2

15801320805463407



7010 2780 0000 4379 3722

**U.S. Postal Service
CERTIFIED MAIL RECEIPT**

(Domestic Mail Only, No Insurance Coverage Provided)

OFFICIAL USE

For delivery information visit our website at www.usps.com

Postage	\$	
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees		

MR. ROBERT A TIMKO
209 MORRISON ST
DU BOIS, PA 15801-2420

Sent to: _____
Street Apt. No.: _____
or PO Box No. _____
City, State, Zip+4: _____

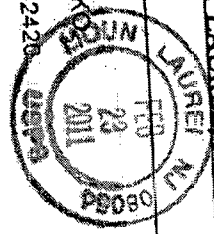
PS Form 3800, August 2008

U.S. POSTAL SERVICE CERTIFICATE OF MAILING

MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT
PROVIDE FOR INSURANCE-POSTMASTER

Received From: _____
APOTHAKE & ASSOCIATES, P.C.
520 FELLOWSHIP ROAD C306
MOUNT LAUREL, NJ 08054

145244-05
MR. ROBERT A TIMKO
209 MORRISON ST
DU BOIS, PA 15801-2420



Mailed From 08054
US POSTAGE

\$01.150

016H126519596

PS Form 3817, January 2001

FILED

MAR 31 2011

William A. Shaw
Prothonotary/Clerk of Courts

Our file No.: 145244
APOTHAKE & ASSOCIATES, P.C.
BY: Kimberly F. Scian, Esquire
Attorney I.D.# 55140
520 Fellowship Road C306
Mount Laurel, NJ 08054
(800) 672-0215
Attorneys for Plaintiff

FILED
MTI:23301
APR 06 2011 No CC
William A. Shaw
Prothonotary/Clerk of Courts

_____	)	COURT OF COMMON PLEAS OF
CACH, LLC.	)	CLEARFIELD COUNTY
)	
Plaintiff,	)	DOCKET NO.: 2008-233-CD
vs.)	
ROBERT A TIMKO	)	Civil Action
)	
Defendant.)	
_____)	

ANSWER TO NEW MATTER

Plaintiff, CACH, LLC., by and through their attorney, answers the following New Matter:

10. Denied. Plaintiff's claim is not barred by the applicable Statute of Limitations.
11. Denied. Plaintiff's claim is not barred by the Doctrine of Laches.
12. Denied. Plaintiff acquired all rights of consideration and financial benefits through its purchase of this account.

WHEREFORE, Plaintiff demands that Defendant's New Matter be dismissed.

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

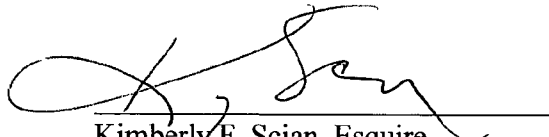
BY: 

Kimberly F. Scian, Esquire

DATED: March 31, 2011

VERIFICATION

Kimberly F. Scian, Esquire 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 Answer to New Matter 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.


Kimberly F. Scian, Esquire
Attorney for Plaintiff

DATE: 3/31/2011

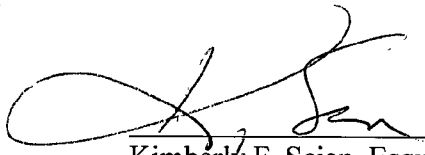
Our file No.: 145244
APOTHAKE & ASSOCIATES, P.C.
BY: Kimberly F. Scian, Esquire
Attorney I.D.# 55140
520 Fellowship Road C306
Mount Laurel, NJ 08054
(800) 672-0215
Attorneys for Plaintiff

<hr/>		)	COURT OF COMMON PLEAS OF
CACH, LLC.		)	CLEARFIELD COUNTY
)	
	Plaintiff,	)	DOCKET NO.: 2008-233-CD
vs.)	
ROBERT A TIMKO		)	Civil Action
)	
)	
	Defendant.)	
<hr/>)	

CERTIFICATION OF SERVICE

I, Kimberly F. Scian, Esquire, attorney for Plaintiff, certify that on ^{4/3}3/31/2011, I mailed a
copy of the Answer to New Matter by Regular mail to

ROBERT A TIMKO
209 MORRISON ST
DU BOIS, PA 15801-2420



Kimberly F. Scian, Esquire
Attorney for Plaintiff

Date: 3/31/2011

FILED

APR 06 2011

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

Our File No.: 145244
APOTHAKER & ASSOCIATES, P.C.
BY: Kimberly F. Scian, Esquire
Attorney I.D.# 55140
520 Fellowship Road C306
Mount Laurel, NJ 08054
(800) 672-0215
Attorney for Plaintiff

FILED NO CC
m7712264
JUL 20 2011
William A. Shaw
Prothonotary/Clerk of Courts

CACH, LLC.	)	COURT OF COMMON PLEAS
	)	CLEARFIELD COUNTY
Plaintiff,)	
vs.)	
)	
ROBERT A TIMKO	)	NO. 2008-233-CD
)	
Defendant.)	
)	

PRAECIPE TO DISMISS WITHOUT PREJUDICE

TO THE PROTHONOTARY:

Kindly dismiss this action without prejudice.

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

By:

Kimberly F. Scian, Esquire

Dated: July 14, 2011



* Q 1 4 5 2 4 4 D I S N 1 - *

FILED

JUL 20 2011

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

CACH

Plaintiff

vs.

ROBERT A. TIMKO

Defendant

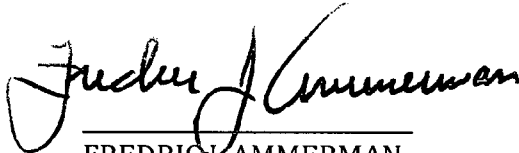
*
*
*
*
*

NO. 2008-233-CD

ORDER

NOW, this 25th day of June, 2013, upon the Court's review of the record, with the Court noting that on July 20, 2011 a Praeceptum to Dismiss Without Prejudice was filed by Attorney Kimberly F. Scian, Esquire, the Court considers this case concluded. The Prothonotary shall code the case in Full Court as Z-TFWDA.

BY THE COURT,


FREDRIC J. AMMERMAN
President Judge

FILED No CC
9/9:24am
JUN 27 2013
William A. Shaw
Prothonotary/Clerk of Courts