

08-237-CD
LVNV Funding vs M. Shaffer

128535

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

LVNV Funding, LLC
(Plaintiff)

c/o 2417 Welsh Road Suite 21 #520

(Street Address)

Phila., PA 19114

(City, State ZIP)

CIVIL ACTION

No. 2008-237-cp

Type of Case: CIVIL

Type of Pleading: COMPLAINT

vs.

Michael Shaffer
(Defendant)

333 Long

(Street Address)

DU BOIS, PA 15801

(City, State ZIP)

Filed on Behalf of:

LVNV Funding, LLC
(Plaintiff) Defendant

David J. Apotheker, Esquire
(Filed by)

2417. Welsh Road Suite 21 #520

(Address) Phila., PA 19114

215-634-8920

(Phone)

(Signature)

Our File No.: 128535
APOTHAKER & ASSOCIATES, P.C.
BY: David J. Apothaker, Esq.
Attorney I.D.#38423
2417 Welsh Road, Suite 21 #520
Philadelphia, PA 19114
(215) 634-8920
Attorneys for Plaintiff

LVNV FUNDING, LLC) COURT OF COMMON PLEAS
c/o Apothaker & Associates, P.C.) CLEARFIELD COUNTY
2417 Welsh Road, Suite 21 #520)
Philadelphia, PA 19114) NO.:
Plaintiff,)
vs.)
MICHAEL SHAFFER)
333 LONG)
DU BOIS, PA 15801-1889)
Defendant.)

)

NOTICE

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

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

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

AVISO

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las páginas siguientes, usted tiene veinte (20) días de plazo al partir de la fecha de la demanda y la notificación. Hace falta asentir una comparecencia escrita o con un abogado y entregar a la corte en forma escrita sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomará medidas y puede continuar la demanda en contra suya sin previo aviso o notificación. Además, la corte puede decidir a favor del demandante y requiere que usted 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 TELÉFONO A LA OFICINA CUYA DIRECCIÓN SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL.

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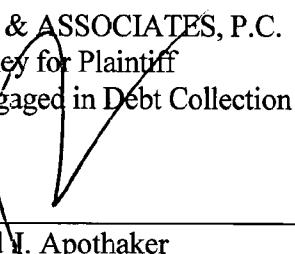
**CIVIL ACTION COMPLAINT
FIRST COUNT**

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 MICHAEL SHAFFER, an adult individual residing at 333 LONG DU BOIS, PA 15801-1889.
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 \$3,513.54.

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 \$3,513.54 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 I. Apothaker

Dated: 1/24/2008

Our File No.: 128535

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

MICHAEL SHAFFER
333 LONG
DU BOIS, PA 15801-1889

STATEMENT OF ACCOUNT

Debtor's Name: MICHAEL SHAFFER

Account Number: 1714480422518936

Original Creditor: SEARS

Balance Due: \$3,513.54

Our File No.: 128535

EXHIBIT "A"

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103749
NO: 08-237-CD
SERVICE # 1 OF 1
COMPLAINT

PLAINTIFF: LVNV FUNDING, LLC
vs.
DEFENDANT: MICHAEL SHAFFER

SHERIFF RETURN

NOW, February 21, 2008 AT 11:29 AM SERVED THE WITHIN COMPLAINT ON MICHAEL SHAFFER DEFENDANT AT RESIDENCE 333 W. LONG AVE., APT 3, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO MICHAEL SHAFFER, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: NEVLING / COUDRIET

013:12 BSY
JUN 04 2008
William A. Shaw
Prothonotary/Clerk of Courts

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	APOTHAKER	73928	10.00
SHERIFF HAWKINS	APOTHAKER	73928	37.19

Sworn to Before Me This

____ Day of _____ 2008

So Answers,

Chester A. Hawkins
by *Marley Hays*
Chester A. Hawkins
Sheriff

Our File No.: 128535
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
in 1:27 P.M. GK
SEP 25 2008
William A. Shaw
Prothonotary/Clerk of Courts

1cc Atty
1 cert. of discov.
to Atty
(C.R.)

LVNV FUNDING, LLC) COURT OF COMMON PLEAS
Plaintiff,) CLEARFIELD COUNTY
vs.)
MICHAEL SHAFFER) NO. 2008-237-CD
Defendant.)

)

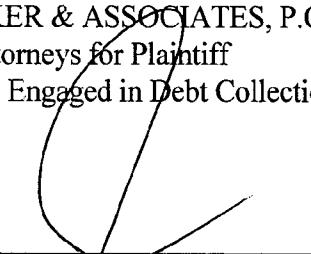
PRAECIPE TO DISMISS WITHOUT PREJUDICE

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: 9/16/2008

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

Copy

LVNV Funding LLC

Vs. **No. 2008-00237-CD**
Michael Shaffer

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 September 25, 2008, marked:

Dismissed Without Prejudice

Record costs in the sum of \$95.00 have been paid in full by David J. Apotheker, Esquire.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 25th day of September A.D. 2008.



William A. Shaw, Prothonotary