

08-361-CD
LVNV Funding vs Barry Rodkey

121874

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

LUNV Funding LLC CIVIL ACTION
(Plaintiff)

c/o 2417 Welsh Road Suite 21 #520

(Street Address)

Phila., PA 19114

(City, State ZIP)

No. 08-301-CD

Type of Case: CIVIL

Type of Pleading: COMPLAINT

vs.

BARRY RODKEY
(Defendant)

Filed on Behalf of:

LUNV Funding LLC
(Plaintiff/Defendant)

502 JUNIATA ST.
(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)

FILED

m/2:40
FEB 29 2008

William A. Shaw
Prothonotary/Clerk of Courts

Atty. pd. 95.00
ICC Atty
ICCSheriff

Our File No.: 121874
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.

BARRY RODKEY
502 JUNIATA ST
DU BOIS, PA 15801
Defendant.

) COURT OF COMMON PLEAS
) CLEARFIELD COUNTY
)
) NO.:
)
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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 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. Ademas, 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

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

9. The original creditor is HOUSEHOLD.

WHEREFORE, Plaintiff demands judgment in favor of Plaintiff and against Defendant(s) for the sum of \$7,893.24 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

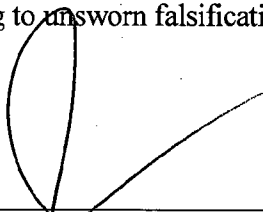
BY: _____
David J. Apothaker

Dated: 2/12/2008

Our File No.: 121874

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: 2/12/2008

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

BARRY RODKEY
502 JUNIATA ST
DU BOIS, PA 15801

STATEMENT OF ACCOUNT

Debtor's Name:	BARRY RODKEY
Account Number:	0176621900647273
Original Creditor:	HOUSEHOLD
Balance Due:	\$7,893.24

Our File No.: 121874

EXHIBIT "A"

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103828
NO: 08-361-CD
SERVICE # 1 OF 1
COMPLAINT

PLAINTIFF: LVNV FUNDING LLC
vs.
DEFENDANT: BARRY RODKEY

SHERIFF RETURN

NOW, March 24, 2008 AT 11:30 AM SERVED THE WITHIN COMPLAINT ON BARRY RODKEY DEFENDANT AT 502 JUNIATA ST., DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO CARMELLA RODKEY, WIFE A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: COUDRIET / NEVLING

FILED

013:40cm

JUN 25 2008

William A. Shaw
Prothonotary/Clerk of Courts

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	APOTHAKE	76485	10.00
SHERIFF HAWKINS	APOTHAKE	76485	37.19

Sworn to Before Me This

_____ Day of _____ 2008

So Answers,

Chester A. Hawkins
by Marilyn Harris

Chester A. Hawkins
Sheriff

Our File No.: 121874
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.: 08-361-CD
BARRY RODKEY)	
)	Civil Action
Defendant.)	

PRAECIPE TO ENTER DEFAULT JUDGMENT

TO THE PROTHONOTARY:

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

The Complaint was served upon the defendants on March 24, 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 July 15, 2008, and also attached hereto.

pd \$20.00 Atty
m/11:05 am
FEB 20 2008
William A. Shaw
Prothonotary/Clerk of Courts
ICC + notice to
deflt
ICC + statement
to Atty.

Assess damages in the amount of:

(a)	Balance:	\$7,893.24
(b)	Interest from February 12, 2008	\$458.58
(c)	Costs	\$142.19

TOTAL	\$8,494.01
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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: BARRY RODKEY
502 JUNIATA ST
DU BOIS, PA 15801

LVNV FUNDING, LLC

Plaintiff,

vs.

BARRY RODKEY

Defendant.

) COURT OF COMMON PLEAS OF
) CLEARFIELD COUNTY

) NO.: 08-361-CD

) Civil Action
)

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. Apothaker, Esq. at this telephone number: 215-634-8920

William L. Theron
Prothonotary 220 2009

Our File No.: 121874
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.: 08-361-CD
BARRY RODKEY)	
)	Civil Action
Defendant.)	
)	

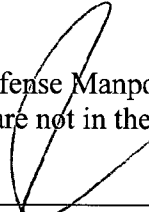
AFFIDAVIT OF NON-MILITARY SERVICE

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 502 JUNIATA ST DU BOIS, PA 15801.

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 09:10:25



Military Status Report
Pursuant to the Servicemembers Civil Relief Act

◀ Last Name	First/Middle	Begin Date	Active Duty Status	Service/Agency
RODKEY	BARRY	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. Snavelly-Dixon

Mary M. Snavelly-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.

BARRY RODKEY

) COURT OF COMMON PLEAS
) CLEARFIELD COUNTY
)
)
) NO. 08-361-CD
)

To: BARRY RODKEY
502 JUNIATA ST
DU BOIS, PA 15801

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

Date of Notice: July 15, 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. APOTHAKE, ESQUIRE
APOTHAKE & 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

121874-2

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103828
NO: 08-361-CD
SERVICE # 1 OF 1
COMPLAINT

COPY

PLAINTIFF: LVNV FUNDING LLC
vs.
DEFENDANT: BARRY RODKEY

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SERVED BY: COUDRIET / NEVLING

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	APOTHAKE	76485	10.00
SHERIFF HAWKINS	APOTHAKE	76485	37.19

Sworn to Before Me This

_____ Day of _____ 2008

So Answers,



Chester A. Hawkins
Sheriff

FILED

FEB 20 2009

William A. Shaw
Prothonotary/Clerk of Courts

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

LVNV Funding, LLC
Plaintiff(s)

No.: 2008-00361-CD

Real Debt: \$8494.01

Atty's Comm: \$

Costs: \$

Int. From: \$

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: February 20, 2009

Expires: February 20, 2014

Vs.

Barry Rodkey
Defendant(s)

Certified from the record this 20th day of February, 2009.



William A. Shaw, Prothonotary

LM

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