

08-363-CD

GaFinancial vs Steven Johnston

147758

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

GA FINANCIAL TRUST
(Plaintiff)

2002-A

CIVIL ACTION

c/o 2417 Welsh Road Suite 21 #520

(Street Address)

Phila., PA 19114

(City, State ZIP)

No. 08-363-CD

Type of Case: CIVIL

Type of Pleading: COMPLAINT

VS.

Filed on Behalf of:

Steven M. Johnston
(Defendant)

GA FINANCIAL TRUST 2002-A
(Plaintiff/Defendant)

3147 OKLAHOMA SALEM RD.
(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/23/2008
FEB 29 2008

William A. Shaw
Prothonotary/Clerk of Courts

Att'y pd \$45.00

ICC Att'y

ICC Sheriff

APOTHAKE & 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

GA FINANCIAL TRUST 2002-A

c/o Apothaker & Associates, P.C.

2417 Welsh Road, Suite 21 #520

Philadelphia, PA 19114

Plaintiff,

vs.

STEVEN M JOHNSTON

3147 OKLAHOMA SALEM RD

DU BOIS, PA 15801-5845

Defendant.

) COURT OF COMMON PLEAS

) CLEARFIELD COUNTY

)

) NO.:

)

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CIVIL ACTION COMPLAINT
FIRST COUNT

1. Plaintiff, GA FINANCIAL TRUST 2002-A, 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 STEVEN M JOHNSTON, an adult individual residing at 3147 OKLAHOMA SALEM RD DU BOIS, PA 15801-5845.

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 \$5,899.38.

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

9. The original creditor is PROVIDIAN.

WHEREFORE, Plaintiff demands judgment in favor of Plaintiff and against Defendant(s) for the sum of \$5,899.38 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: _____

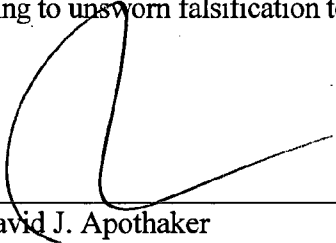
David J. Apothaker

Dated: 2/12/2008

Our File No.: 147758

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

GA FINANCIAL TRUST 2002-A
c/o Apothaker & Associates, P.C.
2417 Welsh Road, Suite 21 #520
Philadelphia, PA 19114

STEVEN M JOHNSTON
3147 OKLAHOMA SALEM RD
DU BOIS, PA 15801-5845

STATEMENT OF ACCOUNT

Debtor's Name:	STEVEN M JOHNSTON
Account Number:	4254482000479001
Original Creditor:	PROVIDIAN
Balance Due:	\$5,899.38

Our File No.: 147758

EXHIBIT "A"

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103830
NO: 08-363-CD
SERVICE # 1 OF 1
COMPLAINT

PLAINTIFF: GA FINANCIAL TRUST
vs.
DEFENDANT: STEVEN M. JOHNSTON

SHERIFF RETURN

NOW, March 26, 2008 AT 11:35 AM SERVED THE WITHIN COMPLAINT ON STEVEN M. JOHNSTON DEFENDANT AT SHERIFF'S OFFICE, 1 N. 2ND ST., SUITE 116, CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO CAROLYN JOHNSTON, WIFE A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: SNYDER /

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	APOTHAKE	76481	10.00
SHERIFF HAWKINS	APOTHAKE	76481	38.19

FILED

03:40pm
JUN 25 2008

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

Our File No.: 147758
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 11:33 a.m. 02
FEB 20 2009
William A. Shaw
Prothonotary/Clerk of Courts
Atty paid 20.00
ICC + Statement Atty
ICC + Notice Def.

GA FINANCIAL TRUST 2002-A	)	COURT OF COMMON PLEAS OF
	)	CLEARFIELD COUNTY
Plaintiff,)	
vs.)	
	)	NO.: 08-363-CD
STEVEN M JOHNSTON)	
	)	Civil Action
Defendant.)	

PRAECIPE TO ENTER DEFAULT JUDGMENT

TO THE PROTHONOTARY:

Please enter a default judgment in favor of plaintiff, GA FINANCIAL TRUST 2002-A, and against Defendant, STEVEN M JOHNSTON, for failure to answer or otherwise respond to the Complaint - Civil Action.

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

Assess damages in the amount of:

(a)	Balance:	\$5,899.38
(b)	Interest from February 12, 2008	\$163.66
(c)	Costs	\$143.19
TOTAL		\$6,206.23

APOTHAKE & 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: STEVEN M JOHNSTON
3147 OKLAHOMA SALEM RD
DU BOIS, PA 15801-5845

GA FINANCIAL TRUST 2002-A	)	COURT OF COMMON PLEAS OF
	)	CLEARFIELD COUNTY
Plaintiff,)	
vs.)	
	)	NO.: 08-363-CD
STEVEN M JOHNSTON)	
	)	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.

- ☒ 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

Our File No.: 147758
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

GA FINANCIAL TRUST 2002-A	)	COURT OF COMMON PLEAS OF
	)	CLEARFIELD COUNTY
Plaintiff,)	
vs.)	
	)	NO.: 08-363-CD
STEVEN M JOHNSTON)	
	)	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 3147 OKLAHOMA SALEM RD DU BOIS, PA 15801-5845.

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 10:03:53



Military Status Report
Pursuant to the Servicemembers Civil Relief Act

◀ Last Name	First/Middle	Begin Date	Active Duty Status	Service/Agency
JOHNSTON	STEVEN M	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**

GA FINANCIAL TRUST 2002-A

) COURT OF COMMON PLEAS
) CLEARFIELD COUNTY

vs.

)

)

STEVEN M JOHNSTON

) NO. 08-363-CD

)

To: STEVEN M JOHNSTON
3147 OKLAHOMA SALEM RD
DU BOIS, PA 15801-5845

**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

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103830
NO: 08-363-CD
SERVICE # 1 OF 1
COMPLAINT

COPY

PLAINTIFF: GA FINANCIAL TRUST
vs.
DEFENDANT: STEVEN M. JOHNSTON

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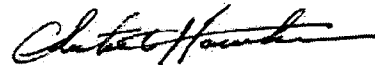
SERVED BY: SNYDER /

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	APOTHAKE	76481	10.00
SHERIFF HAWKINS	APOTHAKE	76481	38.19

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

GA Financial Trust 2002-A
Plaintiff(s)

No.: 2008-00363-CD

Real Debt: \$6,206.23

Atty's Comm: \$

Costs: \$

Int. From: \$

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: February 20, 2009

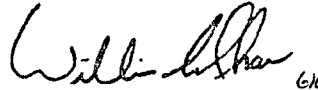
Expires: February 20, 2014

Vs.

Steven M. Johnston
Defendant(s)

COPY

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



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