

08-365-CD  
LVNV Funding vs Bruce Berquist

1/22/12

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA

LVNV Funding LLC CIVIL ACTION  
(Plaintiff)

c/o 2417 Welsh Road Suite 21 #520

(Street Address)

Phila., PA 19114

(City, State ZIP)

No. 08-365-CD

Type of Case: CIVIL

Type of Pleading: COMPLAINT

Filed on Behalf of:

VS.  
Bruce Bergquist  
(Defendant)

LVNV Funding LLC  
(Plaintiff) Defendant

601 W. Washington Ave  
(Street Address)

Dubois 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)

FILED Atty Pd. 95.00

1/22/12  
FEB 29 2012

William A. Shaw  
Prothonotary/Clerk of Courts

CC Atty  
CC Sheriff

Our File No.: 122112  
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.	)
BRUCE BERQUIST	)
601 W WASHINGTON AVE	)
DU BOIS, PA 15801-1637	)
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 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 demandante y requiere que usted compla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades o 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.

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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 Apotheker & Associates, P.C.  
2417 Welsh Road, Suite 21 #520  
Philadelphia, PA 19114

Plaintiff,  
vs.

BRUCE BERQUIST  
601 W WASHINGTON AVE  
DU BOIS, PA 15801-1637  
Defendant.

**CIVIL ACTION COMPLAINT  
FIRST COUNT**

1. Plaintiff, LVNV FUNDING, LLC, is a company with its principal place of business located at c/o Apotheker & Associates, P.C., 2417 Welsh Road, Suite 21 #520, Philadelphia, PA 19114.
2. Defendant is BRUCE BERQUIST, an adult individual residing at 601 W WASHINGTON AVE DU BOIS, PA 15801-1637.
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 \$4,410.74.

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 \$4,410.74 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.: 122112

**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 Apotheker & Associates, P.C.  
2417 Welsh Road, Suite 21 #520  
Philadelphia, PA 19114

BRUCE BERQUIST  
601 W WASHINGTON AVE  
DU BOIS, PA 15801-1637

STATEMENT OF ACCOUNT

Debtor's Name: BRUCE BERQUIST

Account Number: 5049948033467178

Original Creditor: SEARS

Balance Due: \$4,410.74

Our File No.: 122112

EXHIBIT "A"

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103832  
NO: 08-365-CD  
SERVICE # 1 OF 1  
COMPLAINT

PLAINTIFF: LVNV FUNDING LLC  
vs.  
DEFENDANT: BRUCE BERQUIST

**SHERIFF RETURN**

NOW, March 24, 2008 AT 11:08 AM SERVED THE WITHIN COMPLAINT ON BRUCE BERQUIST DEFENDANT AT 601 W. WASHINGTON AVE., DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO BRENT BERQUIST, SON A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: NEVLING / COUDRIET

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	APOTHAKER	76477	10.00
SHERIFF HAWKINS	APOTHAKER	76477	37.19

**FILED**  
03:40pm  
JUN 25 2008  
*(Signature)*

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

FILED

OCT 16 2008

m/11/30/

William A. Shaw  
Prothonotary/Clerk of Courts

1 cent to Attn

Our File No.: 122112  
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

LVNV FUNDING, LLC

) COURT OF COMMON PLEAS

) CLEARFIELD COUNTY

Plaintiff,

)

vs.

)

BRUCE BERQUIST.

) NO. 08-365-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:

David J. Apothaker, Esquire

Dated: October 10, 2008

FILED

OCT 16 2008

William A. Shaw  
Prothonotary/Clerk of Courts