

08-454-CD

LVNV Funding vs Anna L. Gaines

125948

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. 08-454-CD

Type of Case: CIVIL

Type of Pleading: COMPLAINT

VS.

ANNA L BAINES

(Defendant)

411 Race St.

(Street Address)

Clearfield PA 16830

(City, State ZIP)

Filed on Behalf of:

LUNV Funding LLC

(Plaintiff/Defendant)

David J. Apothaker, Esquire

(Filed by)

2417. Welsh Road Suite 21 #520

(Address) Phila., PA 19114

215-634-8920

(Phone)

(Signature)

FILED

MAR 13 2008

William A. Shaw
Prothonotary/Clerk of Courts

Att'y Rd. \$5.00
ice Att'y
icc Sheriff

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

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 ANNA L GAINES, an adult individual residing at 411 RACE ST CLEARFIELD, PA 16830.
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 \$2,595.01.

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 \$2,595.01 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: 2/26/2008

Our File No.: 125948

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: 2/26/2008

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

ANNA L GAINES
411 RACE ST
CLEARFIELD, PA 16830

STATEMENT OF ACCOUNT

Debtor's Name:	ANNA L GAINES
Account Number:	8060520973443
Original Creditor:	SEARS
Balance Due:	\$2,595.01

Our File No.: 125948

EXHIBIT "A"

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103892
NO: 08-454-CD
SERVICE # 1 OF 1
COMPLAINT

PLAINTIFF: LVNV FUNDING LLC
vs.
DEFENDANT: ANNA L. GAINES

SHERIFF RETURN

NOW, March 28, 2008 AT 12:50 PM SERVED THE WITHIN COMPLAINT ON ANNA L. GAINES DEFENDANT AT 411 RACE ST., CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO ANNA GAINES, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: DEHAVEN / HUNTER

FILED

013:0030
JUN 30 2008

William A. Shaw
Prothonotary/Clerk of Courts

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	APOTHAKE	78636	10.00
SHERIFF HAWKINS	APOTHAKE	78636	20.00

Sworn to Before Me This

____ Day of _____ 2008

So Answers,

Chester A. Hawkins
by Marilyn Harris

Chester A. Hawkins
Sheriff

Our File No.: 125948
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.: 08-454-CD
ANNA L GAINES)	
	)	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, ANNA L GAINES, for failure to answer or otherwise respond to the Complaint - Civil Action.

The Complaint was served upon the defendants on March 28, 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 21, 2008, and also attached hereto.

5
FILED pd \$20.00 Atty
m/8:30am Kct notice to
FEB 20 2009 del
+cc + Statement
to Atty
William A. Shaw
Prothonotary/Clerk of Courts

Assess damages in the amount of:

(a)	Balance:	\$2,595.01
(b)	Interest from February 26, 2008	\$145.36
(c)	Costs	\$125.00

TOTAL	\$2,865.37
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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: ANNA L GAINES
411 RACE ST
CLEARFIELD, PA 16830

LVNV FUNDING, LLC	)	COURT OF COMMON PLEAS OF
	)	CLEARFIELD COUNTY
Plaintiff,)	
vs.)	
	)	NO.: 08-454-CD
ANNA L GAINES)	
	)	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.

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


Prothonotary 2-20-2009

Our File No.: 125948
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

LVNV FUNDING, LLC	)	COURT OF COMMON PLEAS OF
	)	CLEARFIELD COUNTY
Plaintiff,)	
vs.)	
	)	NO.: 08-454-CD
ANNA L GAINES)	
	)	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 411 RACE ST CLEARFIELD, PA 16830.

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 09:15:02



Military Status Report
Pursuant to the Servicemembers Civil Relief Act

◀ Last Name	First/Middle	Begin Date	Active Duty Status	Service/Agency
GAINES	ANNA L	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.

ANNA L GAINES

) COURT OF COMMON PLEAS
) CLEARFIELD COUNTY
)
)
) NO. 08-454-CD
)

To: ANNA L GAINES
411 RACE ST
CLEARFIELD, PA 16830

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

Date of Notice: July 21, 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 # 103892
NO: 08-454-CD
SERVICE # 1 OF 1
COMPLAINT

COPY

PLAINTIFF: LVNV FUNDING LLC
vs.
DEFENDANT: ANNA L. GAINES

SHERIFF RETURN

NOW, March 28, 2008 AT 12:50 PM SERVED THE WITHIN COMPLAINT ON ANNA L. GAINES DEFENDANT AT 411 RACE ST., CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO ANNA GAINES, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: DEHAVEN / HUNTER

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	APOTHAKE	78636	10.00
SHERIFF HAWKINS	APOTHAKE	78636	20.00

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

LVNV Funding, LLC
Plaintiff(s)

No.: 2008-00454-CD

Real Debt: \$2865.37

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Anna L. Gaines
Defendant(s)


Entry: \$20.00

Instrument: Default Judgment

Date of Entry: February 20, 2009

Expires: February 20, 2014

Certified from the record this February 20, 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

Our File No.: 125948

LVNV FUNDING, LLC
Plaintiff

vs.
ANNA L GAINES
Defendant(s)

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

NO.: 08-454-CD

PRAECIPE FOR WRIT OF EXECUTION

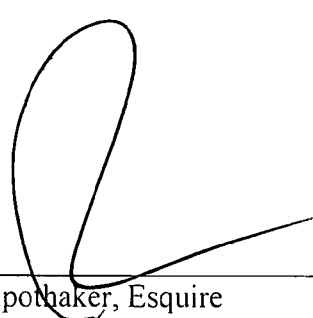
To the Prothonotary:

Issue a Writ of Execution in the above matter,

- (1) directed to the Sheriff of CLEARFIELD County;
- (2) against ANNA L GAINES, defendant(s); and
- (3) against NORTHWEST SAVINGS BANK 1900 RIVER RD CLEARFIELD, PA 16830, Garnishee(s);
- (4) and index this writ in the judgment index
 - (a) against ANNA L GAINES, defendant(s), and
 - (b) against NORTHWEST SAVINGS BANK 1900 RIVER RD CLEARFIELD, PA 16830, as Garnishee(s), as a lis pendens against the real property of the defendant(s) in the name of Garnishee(s) as follows:

Bank Attachment Only - All assets and accounts, including, but not limited to, bank accounts, brokerage firm accounts, stocks, cd's, insurance, safety deposit boxes, etc.

(5) Amount Due	\$2865.37
Interest from February 20, 2009	\$773.90
Minus Payments made	-\$170.00
Plus Costs	\$220.00
Total	\$3689.27



David J. Apothaker, Esquire
Attorney for Plaintiff(s)

3
FILED pd \$20.00
m 1:48pm 1cc & 1 writ to
DEC 26 2013 ALJ
William A. Shaw
Prothonotary/Clerk of Courts
6cc & 6 writs
to SHFL

Our File No.: 125948

LVNV FUNDING, LLC
Plaintiff

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

vs.

NO.: 08-454-CD

ANNA L GAINES
Defendant(s)

WRIT OF EXECUTION (Money Judgment)

WRIT OF EXECUTION

NOTICE

This paper is a Writ of Execution. It has been issued because there is a judgment against you. It may cause your property to be held or taken to pay the judgment. You may have legal rights to prevent your property from being taken. A lawyer can advise you more specifically of these rights. If you wish to exercise your rights, you must act promptly.

The law provides that certain property cannot be taken. Such property is said to be exempt. There is a debtor's exemption of \$300. There are other exemptions which may be applicable to you. Attached is a summary of some of the major exemptions. You may have other exemptions or other rights.

If you have an exemption, you should do the following promptly: (1) Fill out the attached claim form and demand for a prompt hearing. (2) Deliver the form or mail it to the Sheriff's Office at the address noted.

You should come to court ready to explain your exemption. If you do not come to court and prove your exemption, you may lose some of your property.

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.

Midpenn Legal Services
211 E Locust St
Clearfield, PA 16830
Phone: (814) 765-9646

WRIT OF EXECUTION

Commonwealth of Pennsylvania, County of CLEARFIELD

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against: ANNA L GAINES, defendant(s):

(1) You are directed to attach the property of the defendant(s) not levied upon in the possession of NORTHWEST SAVINGS BANK 1900 RIVER RD CLEARFIELD, PA 16830 as Garnishee(s) and to notify the Garnishee(s) that

(a) An attachment has been issued:

(b) Except as provided in paragraph (c), the garnishee(s) is enjoined from paying any debt to or for the account of the defendant(s) and from delivering any property of the defendant(s) or otherwise disposing thereof;

(c) The attachment shall not include

(i) the first \$10,000 of each account of the defendant with a bank or other financial institution containing any funds which are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law.

(ii) each account of the defendant with a bank or other financial institution in which funds on deposit exceed \$10,000 at any time if all funds are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law.

(iii) any funds in an account of the defendant with a bank or other financial institution that total \$300 or less. If multiple accounts are attached, a total of \$300 in all accounts shall not be subject to levy and attachment as determined by the executing officer. The funds shall be set aside pursuant to the defendant's general exemption provided in 42 Pa.C.S. § 8123.

(2) If property of the defendant not levied upon and subject to attachment is found in the possession of anyone other than the named garnishee(s), you are directed to notify such other person that he or she has been added as a garnishee and is enjoined as above stated.

Amount Due	\$2865.37
Interest from February 20, 2009	\$773.90
Minus Payments made	-\$170.00
Costs to be added	\$220.00
Total	\$3689.27

Prothonotary costs \$135.00

Dated: December 26, 2013


Prothonotary of CLEARFIELD County

BY: _____

MAJOR EXEMPTIONS UNDER PENNSYLVANIA AND FEDERAL LAW

- (1) \$300.00 statutory exemption
- (2) Bibles, school books, sewing machines, uniforms and equipment
- (3) Most wages and unemployment compensation
- (4) Social Security benefits
- (5) Certain retirement funds and accounts
- (6) Certain veteran and armed forces benefits
- (7) Certain insurance proceeds
- (8) Such other exemptions as may be provided by law

NO. 08-454-CD

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

LVNV FUNDING, LLC

VS.

ANNA L GAINES

WRIT OF EXECUTION
(Money Judgments)

Claim	\$2865.37
Interest From February 20, 2009	\$773.90
Minus payments made	-\$170.00
<u>Costs</u>	
Dept. of Court Records	\$20.00
Sheriff Fee	\$200.00

Apothaker & Associates, P.C.
David J. Apothaker, Esquire
520 Fellowship Road C306
PO Box 5496
Mount Laurel, NJ 08054
(800) 672-0215
ID # 38423

LVNV FUNDING, LLC
Plaintiff

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

vs.
ANNA L GAINES
Defendant(s)

NO.: 08-454-CD

CLAIM FOR EXEMPTION

To the Sheriff:

I, the above named defendant, claim exemption of property from levy or attachment:

(1) From my personal property in my possession which has been levied upon,

(a) I desire that my \$300 statutory exemption be

☐ (i) set aside in kind (specify property to be set aside in kind): _____;

☐ (ii) paid in cash following the sale of the property levied upon; or

(b) I claim the following exemption (specify property and basis of exemption): _____.

(2) From my property which is in the possession of a third party, I claim the following exemptions:

(a) my \$300 statutory exemption: ☐ in cash; ☐ in kind (specify property): _____;

(b) other (specify amount and basis of exemption): _____.

I request a prompt court hearing to determine the exemption. Notice of the hearing should be given to me at

_____ (Address),

_____ (Telephone Number).

I verify that the statements made in this Claim for Exemption are true and correct. I understand that false statement herein are made subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn falsification to authorities.

Date: _____ Defendant: _____

THIS CLAIM TO BE FILED WITH:

Clearfield County Sheriff's Office
1 North Second Street
Clearfield, PA 16830
Phone: 814-765-2641 Ext: 5015

LVNV FUNDING, LLC

vs.

Defendant

Garnishee

NO.: 08-454-CD

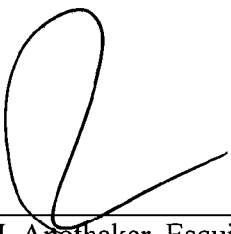
Civil Action

1. At the time you were served or at any subsequent time did you owe the defendant(s) any money or were you liable to defendant(s) on any negotiable or other written instrument, or did defendant(s) claim that you owed defendant(s) any money or were liable to defendant(s) for any reason?
2. At the time you were served or at any subsequent time was there in your possession, custody, control or in the joint possession, custody or control of yourself and one or more persons any property of any nature owned solely or in part by the defendant(s)?
3. At the time you were served or any subsequent time did you hold legal title to any property of any nature owed solely or in part by the defendant(s) or in which the defendant held or claimed any interest?
4. At the time you were served or at any subsequent time did you hold as fiduciary any property in which the defendant(s) had any interest?
5. At any time before or after you were served did the defendant(s) transfer or deliver any property to you or to any person or place pursuant to your direction or consent and what was the consideration thereof?
6. At any time after you were served did you pay, transfer or deliver any money or property to the defendant(s) or to any person or place pursuant to the defendant's direction or otherwise discharge any claim of the defendant(s) against you?
7. If you are a bank or other financial institution, at the time you were served or any subsequent time did the defendant(s) have funds on deposit in an account in which funds are deposited electronically on a recurring

- basis and which are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or Federal law? If so, identify each account and state the reason for the exemption and the entity electronically depositing those funds on a recurring basis.
8. If you are a bank or other financial institution, at the time you were served or at any subsequent time did the defendant(s) have funds on deposit in an account in which the funds on deposit, not including any otherwise exempt funds, did not exceed the amount of the general exemption under 42PA.C.S. §8123? If so, identify each account.
9. How much is the value of any property in your possession belonging to the defendant(s)?
10. In the space below, the plaintiff may set forth additional appropriate interrogatories.

Dated:

11/26/13



David J. Apothaker, Esquire
APOTHAKE & ASSOCIATES, P.C.
520 Fellowship Road C306
PO Box 5496
Mount Laurel, New Jersey 08054
(856) 780-1000
Attorneys for Plaintiff

To Deputy 1/9/14

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

NO: 08-454-CD

LVNV FUNDING, LLC

vs

ANNA L. GAINES

TO: NORTHWEST SAVINGS BANK, Garnishee

WRIT OF EXECUTION, INTERROGATORIES

SERVICE # 1 OF 2

SERVE BY: 03/24/2014

RUC HEARING:

PAGE: 111374

DEFENDANT: NORTHWEST SAVINGS BANK, Garnishee

ADDRESS: 1900 RIVER RD
CLEARFIELD, PA 16830

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: GARNISHEE

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS:

VACANT

OCCUPIED

FILED
JAN 20 2014
BRIAN K. SPENCER
PROTHONOTARY & CLERK OF COURTS

SHERIFF'S RETURN

NOW, January 9, 2014 AT 11:49 (AM) PM **SERVED** THE WITHIN

WRIT OF EXECUTION, INTERROGATORIES ON NORTHWEST SAVINGS BANK, Garnishee, DEFENDANT

BY HANDING TO Joey Bloom Resonance Banker

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

ADDRESS SERVED 1900 River Rd Clearfield PA 16830
() Residence ☒ Employment () Sheriff's Office () Other

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

WRIT OF EXECUTION, INTERROGATORIES FOR NORTHWEST SAVINGS BANK, Garnishee

AT (ADDRESS) _____

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

I MAKE RETURN OF **NOT FOUND** AS TO NORTHWEST SAVINGS BANK, Garnishee

REASON UNABLE TO LOCATE _____

SWORN TO BEFORE ME THIS

_____ DAY OF _____ 2014

So Answers: WESLEY B THURSTON, SHERIFF

BY: Jeffrey L. Rhone
Deputy Signature

Jeffrey L. Rhone
Print Deputy Name

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

Dkt Pg. 111374

2 of 2

LVNV FUNDING, LLC

NO. 08-454-CD

vs

ANNA L. GAINES

WRIT OF EXECUTION/
INTERROGATORIES TO
GARNISHEE

TO: NORTHWEST SAVINGS BANK, Garnishee

SHERIFF'S RETURN

NOW JANUARY 13, 2014 MAILED THE WITHIN:

PRAECIPE, WRIT NOTICE, WRIT, CLAIM FOR EXEMPTION & INTERROGATORIES

TO: ANNA L. GAINES, DEFENDANT

AT: 411 RACE ST., CLEARFIELD, PA. 16830

IN THE S.A.S.E.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 111374
NO: 08-454-CD
SERVICES 2
WRIT OF EXECUTION, INTERROGATORIES

PLAINTIFF: LVNV FUNDING, LLC
vs.
DEFENDANT: ANNA L. GAINES
TO: NORTHWEST SAVINGS BANK, Garnishee

SHERIFF RETURN

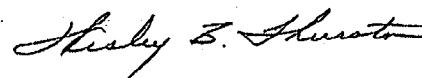
RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	APOTHAKE	92860	20.00
SHERIFF HAWKINS	APOTHAKE	92860	28.50

Sworn to Before Me This

_____ Day of _____ 2014

So Answers,



WESLEY B. THURSTON
Sheriff

Our File No.: 125948

LVNV FUNDING, LLC
Plaintiff

vs.
ANNA L GAINES
Defendant(s)

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

NO.: 08-454-CD

PRAECIPE FOR WRIT OF EXECUTION

To the Prothonotary:

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

Issue a Writ of Execution in the above matter,

DEC 23 2008

(1) directed to the Sheriff of CLEARFIELD County;

(2) against ANNA L GAINES, defendant(s); and

Attest.

[Signature]
Prothonotary/
Clerk of Courts

(3) against NORTHWEST SAVINGS BANK 1900 RIVER RD CLEARFIELD, PA 16830, Garnishee(s);

(4) and index this writ in the judgment index

(a) against ANNA L GAINES, defendant(s), and

(b) against NORTHWEST SAVINGS BANK 1900 RIVER RD CLEARFIELD, PA 16830, as
Garnishee(s), as a lis pendens against the real property of the defendant(s) in the name of
Garnishee(s) as follows:

Bank Attachment Only - All assets and accounts, including, but not limited to, bank accounts, brokerage
firm accounts, stocks, cd's, insurance, safety deposit boxes, etc.

(5) Amount Due	\$2865.37
Interest from February 20, 2009	\$773.90
Minus Payments made	-\$170.00
Plus Costs	\$220.00
Total	\$3689.27

[Signature]

David J. Apothaker, Esquire
Attorney for Plaintiff(s)

Our File No.: 125948

LVNV FUNDING, LLC
Plaintiff

vs.

ANNA L GAINES
Defendant(s)

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

NO.: 08-454-CD

WRIT OF EXECUTION (Money Judgment)

WRIT OF EXECUTION

NOTICE

This paper is a Writ of Execution. It has been issued because there is a judgment against you. It may cause your property to be held or taken to pay the judgment. You may have legal rights to prevent your property from being taken. A lawyer can advise you more specifically of these rights. If you wish to exercise your rights, you must act promptly.

The law provides that certain property cannot be taken. Such property is said to be exempt. There is a debtor's exemption of \$300. There are other exemptions which may be applicable to you. Attached is a summary of some of the major exemptions. You may have other exemptions or other rights.

If you have an exemption, you should do the following promptly: (1) Fill out the attached claim form and demand for a prompt hearing. (2) Deliver the form or mail it to the Sheriff's Office at the address noted.

You should come to court ready to explain your exemption. If you do not come to court and prove your exemption, you may lose some of your property.

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.

Midpenn Legal Services
211 E Locust St
Clearfield, PA 16830
Phone: (814) 765-9646

WRIT OF EXECUTION

Commonwealth of Pennsylvania, County of CLEARFIELD

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against: ANNA L GAINES, defendant(s):

(1) You are directed to attach the property of the defendant(s) not levied upon in the possession of NORTHWEST SAVINGS BANK 1900 RIVER RD CLEARFIELD, PA 16830 as Garnishee(s) and to notify the Garnishee(s) that

(a) An attachment has been issued:

(b) Except as provided in paragraph (c), the garnishee(s) is enjoined from paying any debt to or for the account of the defendant(s) and from delivering any property of the defendant(s) or otherwise disposing thereof;

(c) The attachment shall not include

(i) the first \$10,000 of each account of the defendant with a bank or other financial institution containing any funds which are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law.

(ii) each account of the defendant with a bank or other financial institution in which funds on deposit exceed \$10,000 at any time if all funds are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law.

(iii) any funds in an account of the defendant with a bank or other financial institution that total \$300 or less. If multiple accounts are attached, a total of \$300 in all accounts shall not be subject to levy and attachment as determined by the executing officer. The funds shall be set aside pursuant to the defendant's general exemption provided in 42 Pa.C.S. § 8123.

(2) If property of the defendant not levied upon and subject to attachment is found in the possession of anyone other than the named garnishee(s), you are directed to notify such other person that he or she has been added as a garnishee and is enjoined as above stated.

Amount Due	\$2865.37
Interest from February 20, 2009	\$773.90
Minus Payments made	-\$170.00
Costs to be added	\$220.00
Total	\$3689.27

Prothonotary costs \$135.00

Dated: December 26, 2013

Willie L. Hamer
Prothonotary of CLEARFIELD County

BY: _____

MAJOR EXEMPTIONS UNDER PENNSYLVANIA AND FEDERAL LAW

- (1) \$300.00 statutory exemption
- (2) Bibles, school books, sewing machines, uniforms and equipment
- (3) Most wages and unemployment compensation
- (4) Social Security benefits
- (5) Certain retirement funds and accounts
- (6) Certain veteran and armed forces benefits
- (7) Certain insurance proceeds
- (8) Such other exemptions as may be provided by law

Received this writ this 26th day
of December A.D. 2013
At 3:00 A.M./P.M.
Chester A. Hamer
Sheriff by Maury Hamer

NO. 08-454-CD

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

LVNV FUNDING, LLC

VS.

ANNA L GAINES

WRIT OF EXECUTION
(Money Judgments)

Claim	\$2865.37
Interest From February 20, 2009	\$773.90
Minus payments made	-\$170.00

Costs

Dept. of Court Records	\$20.00
Sheriff Fee	\$200.00

Apothaker & Associates, P.C.
David J. Apothaker, Esquire
520 Fellowship Road C306
PO Box 5496
Mount Laurel, NJ 08054
(800) 672-0215
ID # 38423

LVNV FUNDING, LLC
Plaintiff

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

vs.

NO.: 08-454-CD

ANNA L GAINES
Defendant(s)

CLAIM FOR EXEMPTION

To the Sheriff:

I, the above named defendant, claim exemption of property from levy or attachment:

(1) From my personal property in my possession which has been levied upon,

(a) I desire that my \$300 statutory exemption be

☐ (i) set aside in kind (specify property to be set aside in kind): _____;

☐ (ii) paid in cash following the sale of the property levied upon; or

(b) I claim the following exemption (specify property and basis of exemption): _____.

(2) From my property which is in the possession of a third party, I claim the following exemptions:

(a) my \$300 statutory exemption: ☐ in cash; ☐ in kind (specify property): _____;

(b) other (specify amount and basis of exemption): _____.

I request a prompt court hearing to determine the exemption. Notice of the hearing should be given to me at

_____ (Address),

_____ (Telephone Number).

I verify that the statements made in this Claim for Exemption are true and correct. I understand that false statement herein are made subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn falsification to authorities.

Date: _____ Defendant: _____

THIS CLAIM TO BE FILED WITH:

Clearfield County Sheriff's Office
1 North Second Street
Clearfield, PA 16830
Phone: 814-765-2641 Ext: 5015

vs.

Defendant

Garnishee

NO.: 08-454-CD

INTERROGATORIES TO GARNISHEE

You are required to file answers to the following Interrogatories within twenty (20) days after service upon you. Failure to do so may result in judgment against you.

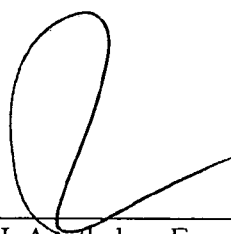
1. At the time you were served or at any subsequent time did you owe the defendant(s) any money or were you liable to defendant(s) on any negotiable or other written instrument, or did defendant(s) claim that you owed defendant(s) any money or were liable to defendant(s) for any reason?
2. At the time you were served or at any subsequent time was there in your possession, custody, control or in the joint possession, custody or control of yourself and one or more persons any property of any nature owned solely or in part by the defendant(s)?
3. At the time you were served or any subsequent time did you hold legal title to any property of any nature owned solely or in part by the defendant(s) or in which the defendant held or claimed any interest?
4. At the time you were served or at any subsequent time did you hold as fiduciary any property in which the defendant(s) had any interest?
5. At any time before or after you were served did the defendant(s) transfer or deliver any property to you or to any person or place pursuant to your direction or consent and what was the consideration thereof?
6. At any time after you were served did you pay, transfer or deliver any money or property to the defendant(s) or to any person or place pursuant to the defendant's direction or otherwise discharge any claim of the defendant(s) against you?
7. If you are a bank or other financial institution, at the time you were served or any subsequent time did the defendant(s) have funds on deposit in an account in which funds are deposited electronically on a recurring

basis and which are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or Federal law? If so, identify each account and state the reason for the exemption and the entity electronically depositing those funds on a recurring basis.

8. If you are a bank or other financial institution, at the time you were served or at any subsequent time did the defendant(s) have funds on deposit in an account in which the funds on deposit, not including any otherwise exempt funds, did not exceed the amount of the general exemption under 42PA.C.S. §8123? If so, identify each account.
9. How much is the value of any property in your possession belonging to the defendant(s)?
10. In the space below, the plaintiff may set forth additional appropriate interrogatories.

Dated:

4/26/13



David J. Apothaker, Esquire
APOTHAKER & ASSOCIATES, P.C.
520 Fellowship Road C306
PO Box 5496
Mount Laurel, New Jersey 08054
(856) 780-1000
Attorneys for Plaintiff

Our File No.: 125948
APOTHAKER & ASSOCIATES, P.C.
By: David J. Apothaker, Esquire
Attorney I.D.# 38423
520 Fellowship Road C306
PO Box 5496
Mount Laurel, NJ 08054
(800) 672-0215
Attorneys for Plaintiff

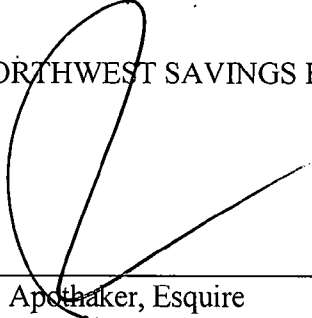
FILED pa \$7.00 Atty
m/13.32m ICC Atty
FEB 05 2014 Apotnaker
BRIAN K. SPENCER
PROTHONOTARY & CLERK OF COURTS

LVNV FUNDING, LLC)	
	)	COURT OF COMMON PLEAS OF
Plaintiff	)	CLEARFIELD COUNTY
vs.)	
	)	NO.: 08-454-CD
ANNA L GAINES)	
	)	Civil Action
Defendant)	
)	
NORTHWEST SAVINGS BANK)	
)	
Garnishee)	

PRAECIPE TO DISSOLVE ATTACHMENT EXECUTION

TO THE PROTHONOTARY:

Kindly mark the attachment against the Garnishee, NORTHWEST SAVINGS BANK, dissolved.



David J. Apothaker, Esquire
Attorney for Plaintiff