

08-455-CD

LVNV Funding vs June Lance

126180

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

LNUV Funding LLC CIVIL ACTION
(Plaintiff)

c/o 2417 Welsh Road Suite 21 #520

(Street Address)

Phila., PA 19114

(City, State ZIP)

No.

08-455-CD

Type of Case: CIVIL

Type of Pleading: COMPLAINT

VS.

Filed on Behalf of:

Jane Lance
(Defendant)

LNUV Funding LLC

(Plaintiff/Defendant)

610 Drexel St.

(Street Address)

Clearfield PA 16830

(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 13 4 9604 Atty pd.
MAR 13 2008 95.00
S/ ICC Sheriff
William A. Shaw
Prothonotary/Clerk of Courts
ICC Atty

Our File No.: 126180
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.)
JUNE LANCE)
610 DOREY ST)
CLEARFIELD, PA 16830-2643)
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. Se avisa que si usted no se defiende, la corte tomará medidas y puede continuar la demanda en su contra 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 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

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.

JUNE LANCE

610 DOREY ST

CLEARFIELD, PA 16830-2643

Defendant.

) COURT OF COMMON PLEAS

) CLEARFIELD COUNTY

)

) NO.:

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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 JUNE LANCE, an adult individual residing at 610 DOREY ST CLEARFIELD, PA 16830-2643.

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 \$4,784.87.

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 \$4,784.87 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

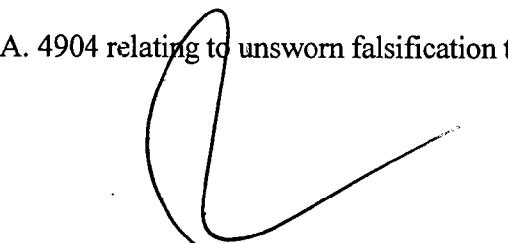
BY: _____
David J. Apothaker

Dated: 2/26/2008

Our File No.: 126180

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.

A handwritten signature in black ink, appearing to read "David J. Apothaker", is written over a horizontal line. The signature is fluid and cursive, with a large, open loop on the left side.

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

JUNE LANCE
610 DOREY ST
CLEARFIELD, PA 16830-2643

STATEMENT OF ACCOUNT

Debtor's Name: JUNE LANCE
Account Number: 5049948133464976
Original Creditor: SEARS
Balance Due: \$4,784.87

Our File No.: 126180

EXHIBIT "A"

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103893
NO: 08-455-CD
SERVICE # 1 OF 1
COMPLAINT

PLAINTIFF: LNV FUNDING LLC
vs.
DEFENDANT: JUNE LANCE

SHERIFF RETURN

NOW, March 28, 2008 AT 10:39 AM SERVED THE WITHIN COMPLAINT ON JUNE LANCE DEFENDANT AT 610 DOREY ST., CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO JUNE LANCE, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: HUNTER / DEHAVEN

FILED

07/30/2008
JUN 30 2008

William A. Shaw
Prothonotary/Clerk of Courts

| PURPOSE | VENDOR | CHECK # | AMOUNT |
|-----------------|-----------|---------|--------|
| SURCHARGE | APOTHAKER | 78634 | 10.00 |
| SHERIFF HAWKINS | APOTHAKER | 78634 | 20.00 |

Sworn to Before Me This

____ Day of _____ 2008

So Answers,

Chester A. Hawkins
by Marilyn Happer
Chester A. Hawkins
Sheriff

Our File No.: 126180
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 *(Handwritten)*

MAY 17 2010

MAY 17 2010
m/1-451
William A. Shaw
Prothonotary/Clerk of Courts

Ent. w/ notice
to Party +
Def.

LVNV FUNDING, LLC) COURT OF COMMON PLEAS OF
vs. Plaintiff) CLEARFIELD COUNTY
JUNE LANCE) NO.: 08-455-CD
Defendant) Civil Action

PRAECIPE FOR DEFAULT JUDGMENT

TO THE PROTHONOTARY:

Kindly enter judgment against Defendant, JUNE LANCE, in the default of an Answer, in the amount of \$5,527.83 computed as follows:

| | | |
|--|----|-------------|
| Amount claimed in complaint: | \$ | 4,784.87 |
| Less: Amount Paid: | | (0.00) |
| Plus: Interest from February 26, 2008 to May 11, 2010 at the legal interest rate of 6.00% per annum | | 616.46 |
| Costs | | 126.50 |
| Attorney fees | | <u>0.00</u> |
| TOTAL | \$ | 5,527.83 |

I certify that Defendant, JUNE LANCE, last known address is 610 DOREY ST
CLEARFIELD, PA 16830-2643.

(Handwritten Signature)

David J. Apothaker, Esq.
Attorney for Plaintiff

Dated: May 11, 2010

OFFICE OF THE PROTHONOTARY
COURT OF COMMON PLEAS

TO: JUNE LANCE
610 DOREY ST
CLEARFIELD, PA 16830-2643

| | | |
|-------------------|---|--------------------------|
| LVNV FUNDING, LLC |) | COURT OF COMMON PLEAS OF |
| |) | CLEARFIELD COUNTY |
| |) | |
| Plaintiff |) | |
| vs. |) | |
| |) | NO.: 08-455-CD |
| |) | |
| JUNE LANCE |) | 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. Apotheker, Esq. at this telephone number: 800-672-0215

Our File No.: 126180
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
Plaintiff) CLEARFIELD COUNTY
vs.) NO.: 08-455-CD
JUNE LANCE) Civil Action
Defendant)

CERTIFICATION PURSUANT TO RULE 237.1

Pursuant to PA Rule Civil Procedure 237.1, I certify that a copy of the NOTICE OF PRAECIPE TO ENTER JUDGMENT BY DEFAULT has been sent to the Defendant or the Attorney of Record.

I verify that the statements made in this Certification are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S.A. §4904, relating to unsworn falsification to authorities. 

David J. Apotheker, Esq.
Attorney for Plaintiff

Dated: May 11, 2010

Our File No.: 126180
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.: 08-455-CD |
| |) | |
| JUNE LANCE |) | 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 610 DOREY ST CLEARFIELD, PA 16830-2643.

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, Esq.
Attorney for Plaintiff

I verify that the statements made in this Certification are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S.A. §4904, relating to unsworn falsification to authorities.



Military Status Report
Pursuant to the Service Members Civil Relief Act

| Last Name | First/Middle | Begin Date | Active Duty Status | Active Duty End Date | Service Agency |
|-----------|--------------|------------|--|----------------------|----------------|
| LANCE | JUNE | | Based on the information you have furnished, the DMDC does not possess any information indicating the individual status. | | |

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 Uniformed Services (Army, Navy, Marine Corps, Air Force, NOAA, Public Health, and Coast Guard).

Mary M. Saavely-Dixon

Mary M. Saavely-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 DoD strongly supports the enforcement of the Service Members Civil Relief Act (50 USC App. §§ 501 et seq. as amended) (SCRA) (formerly known as 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 status by contacting that person's Service via the "defenselink mil" URL <http://www.defenselink.mil/faq/pis/PC09SLDR.html>. If you have evidence the person is on active duty and you fail to obtain this additional Service verification, punitive provisions of the SCRA may be invoked against you. See 50 USC App. §521(c).

If you obtain additional 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 active duty status including date the individual was last on active duty, if it was within the preceding 367 days. For historical information, please contact the Service SCRA points-of-contact.

More information on "Active Duty Status"

Active duty status as reported in this certificate is defined in accordance with 10 USC § 101(d)(1) for a period of more than 30 consecutive days. In the case of a member of the National Guard, includes service under a call to active service authorized by the President or the Secretary of Defense for a period of more than 30 consecutive days under 32 USC § 502(f) for purposes of responding to a national emergency declared by the President and supported by Federal funds. All Active Guard Reserve (AGR) members must be assigned against an authorized mobilization position at the unit they support. This includes Navy TARS, Marine Corps ARs and Coast Guard RPAs. Active Duty status also applies to a Uniformed Service member who is an active duty commissioned officer of the U.S. Public Health Service or the National Oceanic and Atmospheric Administration (NOAA Commissioned Corps) for a period of more than 30 consecutive days.

Coverage Under the SCRA is Broader in Some Cases

Coverage under the SCRA is broader in some cases and includes some categories of persons on active duty for purposes of the SCRA who would not be reported as on Active Duty under this certificate.

Many times orders are amended to extend the period of active duty, which would extend SCRA protections. Persons seeking to rely on this website certification should check to make sure the orders on which SCRA protections are based have not been amended to extend the inclusive dates of service. Furthermore, some protections of the SCRA may extend to persons who have received orders to report for active duty or to be inducted, but who have not actually begun active duty or actually reported for induction. The Last Date on Active Duty entry is important because a number of protections of SCRA extend beyond the last dates of active duty.

Those who would rely on this certificate are urged to seek qualified legal counsel to ensure that all rights guaranteed to Service members under the SCRA are protected.

WARNING: This certificate was provided based on a name and SSN provided by the requester. Providing an erroneous name or SSN will cause an erroneous certificate to be provided.
Report ID:HS9341PDTB

**OFFICE OF THE PROTHONOTARY
COURT OF COMMON PLEAS
CLEARFIELD COUNTY**

LVNV FUNDING, LLC

vs.

JUNE LANCE

) COURT OF COMMON PLEAS

) CLEARFIELD COUNTY

)

)

) NO. 08-455-CD

)

To: JUNE LANCE
610 DOREY ST
CLEARFIELD, PA 16830-2643

**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

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DAVID J. APOTHAKER, ESQUIRE
APOTHAKER & 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