

08-751-CD
Portfolio Rec. vs Jason Elensky

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

PORTFOLIO RECOVERY ASSOCIATES,

LLC

(Plaintiff)

c/o Apothaker & Associates, P.C.

2417 Welsh Road, Suite 21 #520

(Street Address)

Philadelphia, PA 19114

(City, State, ZIP)

CIVIL ACTION

No. 2008-751-CJ

Type of Case: CIVIL

Type of Pleading: PLEADING

VS.

Filed on Behalf of:

JASON ELENSKY

(Defendant)

1231 LONG RUN RD

(Street Address)

WEST DECATUR, PA 16878-9023

(City, State, ZIP)

PORTFOLIO RECOVERY ASSOCIATES,

LLC

(Plaintiff)

FILED pd \$95.00 Atty
m/11/38cm ICC Atty
APR 24 2008 10 Shff
(JM)

William A. Shaw
Prothonotary/Clerk of Courts

David J. Apothaker, Esq.
Apothaker & Associates, P.C.

(Filed by)

2417 Welsh Road, Suite 21 #520

Philadelphia, PA 19114

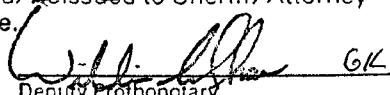
(Address)

215 634-8920

(Phone)

(Signature)

March 2, 2009 Document
Reinstated/Reissued to Sheriff/Attorney
for service.


Deputy Prothonotary

Our File No.: 163884
APOTAKER & 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

PORTFOLIO RECOVERY	) COURT OF COMMON PLEAS
ASSOCIATES, LLC	) CLEARFIELD COUNTY
c/o Apothaker & Associates, P.C.)
2417 Welsh Road, Suite 21 #520	) NO.:
Philadelphia, PA 19114)
Plaintiff,)
vs.)
)
JASON ELENSKY)
1231 LONG RUN RD)
WEST DECATUR, PA 16878-9023)
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 contra suya 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 TELÉFONO A LA OFICINA CUYA DIRECCIÓN 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

PORTFOLIO RECOVERY
ASSOCIATES, LLC
c/o Apotheker & Associates, P.C.
2417 Welsh Road, Suite 21 #520
Philadelphia, PA 19114

**CIVIL ACTION COMPLAINT
FIRST COUNT**

1. Plaintiff, PORTFOLIO RECOVERY ASSOCIATES, 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 JASON ELENSKY, an adult individual residing at 1231 LONG RUN RD WEST
DECATUR, PA 16878-9023.

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 \$3,171.92.

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

9. The original creditor is PROVIDIAN NATIONAL BANK.

WHEREFORE, Plaintiff demands judgment in favor of Plaintiff and against Defendant(s) for the sum of \$3,171.92 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

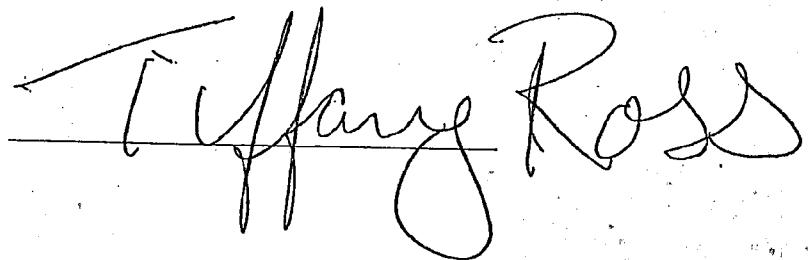
Dated: 4/17/2008

Our File No.: 163884

VERIFICATION

TIFFANY ROSS

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 "Tiffany Ross", is written over a horizontal line. The signature is fluid and cursive, with "Tiffany" on the left and "Ross" on the right.

DATE:

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

JASON ELENSKY
1231 LONG RUN RD
WEST DECATUR, PA 16878-9023

STATEMENT OF ACCOUNT

Debtor's Name: JASON ELENSKY

Account Number: 4185865450745539

Original Creditor: PROVIDIAN NATIONAL BANK

Balance Due: \$3,171.92

Our File No.: 163884

EXHIBIT "A"

FILED

APR 24 2008

William A. Shaw
Prothonotary/Clerk of Courts

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 1 of 1 Services

Sheriff Docket #

104088

PORFOLIO RECOVERY ASSOCIATES, LLC

Case #

08-751-CD

vs.

JASON ELENSKY

TYPE OF SERVICE COMPLAINT

SHERIFF RETURNS

FILED

08-751-CD
AUG 04 2008

William A. Shaw
Prothonotary/Clerk of Courts

NOW August 04, 2008 RETURNED THE WITHIN COMPLAINT "NOT SERVED, TIME EXPIRED" AS TO JASON ELENSKY, DEFENDANT. SEVERAL ATTEMPTS, NO RESPONSE

SERVED BY: /

Return Costs

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	APOTHAKER	86410	10.00
SHERIFF HAWKINS	APOTHAKER	86410	47.33

Sworn to Before me This

____ Day of _____ 2008

So Answers,


Chester A. Hawkins
Sheriff

163884

**COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA**

PORTFOLIO RECOVERY ASSOCIATES,
LLC
(Plaintiff)
c/o Apothaker & Associates, P.C.
2417 Welsh Road, Suite 21 #520
(Street Address)
Philadelphia, PA 19114
(City, State, ZIP)

VS.

JASON ELENSKY
(Defendant)
1231 LONG RUN RD
(Street Address)
WEST DECATUR, PA 16878-9023
(City, State, ZIP)

CIVIL ACTION

No. 2008-751-CD

Type of Case: CIVIL

Type of Pleading: PLEADING

Filed on Behalf of:

PORTFOLIO RECOVERY ASSOCIATES,
LLC
(Plaintiff)

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

APR 24 2008

Attest:

William J. Apothaker
Prothonotary/
Clerk of Courts

David J. Apothaker, Esq.
Apothaker & Associates, P.C.
(Filed by)
2417 Welsh Road, Suite 21 #520
Philadelphia, PA 19114
(Address)
215 634-8920
(Phone)

William J. Apothaker
(Signature)

Our File No.: 163884
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

PORTFOLIO RECOVERY
ASSOCIATES, LLC
c/o Apotheker & Associates, P.C.
2417 Welsh Road, Suite 21 #520
Philadelphia, PA 19114

Plaintiff,
vs.

JASON ELENSKY
1231 LONG RUN RD
WEST DECATUR, PA 16878-9023
Defendant.

) COURT OF COMMON PLEAS
) CLEARFIELD COUNTY
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) NO.:
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BY: David J. Apothaker, Esq.
Attorney I.D.# 38423.
2417 Welsh Road, Suite 21 #520
Philadelphia, PA 19114
(215) 634-8920
Attorneys for Plaintiff

PORFOLIO RECOVERY ASSOCIATES, LLC
c/o Apothaker & Associates, P.C.
2417 Welsh Road, Suite 21 #520
Philadelphia, PA 19114)
Plaintiff,)
vs.)
JASON ELENSKY
1231 LONG RUN RD
WEST DECATUR, PA 16878-9023)
Defendant.)
COURT OF COMMON PLEAS
CLEARFIELD COUNTY
NO.:
)

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FIRST COUNT**

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DECATUR PA 16878-9023

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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 \$3,171.92.

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

9. The original creditor is PROVIDIAN NATIONAL BANK.

WHEREFORE, Plaintiff demands judgment in favor of Plaintiff and against Defendant(s) for the sum of \$3,171.92 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

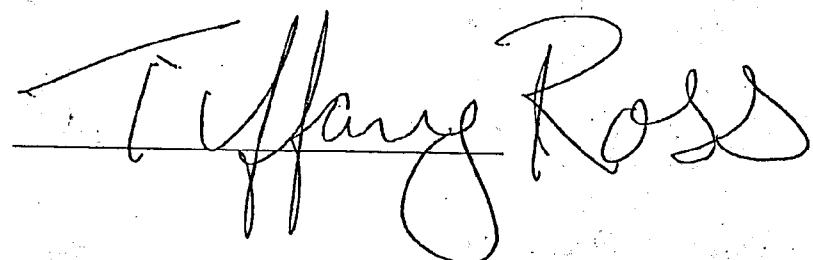
BY: _____
David J. Apothaker

Dated: 4/17/2008

Our File No.: 163884

VERIFICATION

TIFFANY ROSS 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.

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DATE:

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

JASON ELENSKY
1231 LONG RUN RD
WEST DECATUR, PA 16878-9023

STATEMENT OF ACCOUNT

Debtor's Name: JASON ELENSKY

Account Number: 4185865450745539

Original Creditor: PROVIDIAN NATIONAL BANK

Balance Due: \$3,171.92

Our File No.: 163884

EXHIBIT "A"

Our File No.: 163884
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 ^{CC}
M 11:10 AM Atty
FEB 12 2009
S William A. Shaw
Prothonotary/Clerk of Courts
Apothaker
61L

PORTRFOLIO RECOVERY) COURT OF COMMON PLEAS OF
ASSOCIATES, LLC) CLEARFIELD COUNTY
C/O David J. Apothaker, Esq.)
520 Fellowship Road C306) NO.: 2008-751-CD
Mount Laurel, NJ 08054)
Plaintiff,) Civil Action
vs.)
JASON ELENSKY)
1231 LONG RUN RD)
WEST DECATUR, PA 16878-9023)
Defendant.)

MOTION FOR ALTERNATIVE SERVICE

Pursuant to Pa. R.C.P. 430(a), Pa. R.C.P. 410(c)(2), by and through its attorneys, requests that this Honorable Court grant an **ORDER** permitting service of the Complaint upon the Defendant(s) by posting the Complaint on the most public part of the property located at 1231 LONG RUN RD WEST DECATUR, PA 16878-9023, and by serving it by certified and regular mail at 1231 LONG RUN RD WEST DECATUR, PA 16878-9023 and in support therefore, presents the attached Affidavit.

APOTHAKER & ASSOCIATES, P.C.
Attorneys for Plaintiff

By:

David J. Apothaker, Esquire
Attorney for Plaintiff

Dated: 1/15/2009

Our File No.: 163884
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

PORFTOLIO RECOVERY	)	COURT OF COMMON PLEAS OF
ASSOCIATES, LLC	)	CLEARFIELD COUNTY
C/O David J. Apothaker, Esq.)	
520 Fellowship Road C306	)	NO.: 2008-751-CD
Mount Laurel, NJ 08054)	
Plaintiff,	)	Civil Action
vs.)	
JASON ELENSKY)	
1231 LONG RUN RD)	
WEST DECATUR, PA 16878-9023)	
Defendant.)	

AFFIDAVIT OF SERVICE

I, Natalie Friess, of full age, depose and say that I am a legal assistant at Apothaker & Associates, P.C., and that on this day I did mail to JASON ELENSKY at 1231 LONG RUN RD WEST DECATUR, PA 16878-9023 a copy of a Motion for Alternative Service, Affidavit in Support of Motion, Proposed Order and Affidavit of Service.

I understand that the statements herein are made subject to the penalties of 18 Pa. C.S.A. §4904 relating to unsworn falsification to authorities.

APOTHAKER & ASSOCIATES, P.C.
Attorneys for Plaintiff

By: Natalie Friess
Natalie Friess

Dated: 1/15/2009

Our File No.: 163884
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

PORFOLIO RECOVERY
ASSOCIATES, LLC
C/O David J. Apothaker, Esq.
520 Fellowship Road C306
Mount Laurel, NJ 08054
Plaintiff,
vs.
JASON ELENSKY
1231 LONG RUN RD
WEST DECATUR, PA 16878-9023
Defendant.
)

) COURT OF COMMON PLEAS OF
)

) CLEARFIELD COUNTY
)

) NO.: 2008-751-CD
)

) Civil Action
)

)
)

)
)

)
)

)
)

AFFIDAVIT

I, David J. Apotheker, Esquire, attorney for Plaintiff in the above-captioned matter, do hereby aver to the best of my knowledge, information and belief, the following:

1. Plaintiff brings this action to collect monies due on a credit card account.
2. The Sheriff of CLEARFIELD County was unable to serve the Complaint upon Defendant at his/her residence at 1231 LONG RUN RD WEST DECATUR, PA 16878-9023 because:

• NO ANSWER

Attached hereto as Exhibit "A" is a true and correct copy of the CLEARFIELD County Sheriff's
Return of Service.

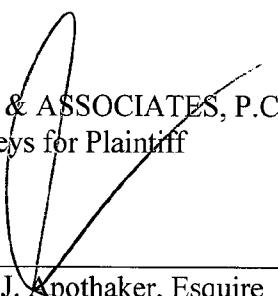
3. I have made an investigation to determine the whereabouts of the defendant and confirm 1231 LONG RUN RD WEST DECATUR, PA 16878-9023 as Defendant's address. This investigation included the following:

a. Inquiry of *United States Postal* authorities pursuant to the *Freedom of Information Act*, 39 C.F.R. Part 265. Attached hereto as Exhibit "B" is a true and correct copy of the Request for Change of Address from the Postmaster confirming Defendant's address.

4. This investigation confirms that the address that the Sheriff of CLEARFIELD County attempted to serve the defendant at 1231 LONG RUN RD WEST DECATUR, PA 16878-9023, the address where defendant is located.

APOTHAKER & ASSOCIATES, P.C.
Attorneys for Plaintiff

By:


David J. Apothaker, Esquire

Dated: January 15, 2009

January 14, 2009

POSTMASTER
BATH, PA 18014-0199

**Request for Change of Address or Boxholder
Information Needed for Service of Legal Process**

Please furnish the new address or the name and street address, if a boxholder, for the following:

Name: BRIAN MARSHALL

Address: PO BOX 199 BATH, PA 18014-0199

NOTE: The name and last known address are required for change of address information. The name, if known, and post office box address are required for boxholder information.

The following information is provided in accordance with 39 CFR 265.6(d)(6)(ii). There is no fee for providing boxholder information. The fee for providing change of address information is waived in accordance with 39 CFR 265.6(d)(1) and (2) and corresponding Administrative Support Manual 352.44a and b.

1. Capacity of requester (e.g., process server, attorney, party representing himself): attorney
2. Statute or regulation that empowers me to serve process (not required when requester is an attorney or a party acting *pro se* - except a corporation acting *pro se* must cite statute): _____
3. The names of all known parties to the litigation: AMERICAN EXPRESS TRAVEL RELATED SERVICES, INC. v. BRIAN MARSHALL
4. The court in which the case has been or will be heard: PROTHONTARY
5. The docket or other identifying number if one has been issued: C-48-CV2008-13456
6. The capacity in which this individual is to be served (e.g. defendant or witness): defendant

WARNING

THE SUBMISSION OF FALSE INFORMATION TO OBTAIN AND USE CHANGE OF ADDRESS INFORMATION OR BOXHOLDER INFORMATION FOR ANY PURPOSE OTHER THAN THE SERVICE OF LEGAL PROCESS IN CONNECTION WITH ACTUAL OR PROSPECTIVE LITIGATION COULD RESULT IN CRIMINAL PENALTIES INCLUDING A FINE OF UP TO \$10,000.00 OR IMPRISONMENT OR (2) TO AVOID PAYMENT OF THE FEE FOR CHANGE OF ADDRESS INFORMATION OF NOT MORE THAN 5 YEARS, OR BOTH (TITLE 18 U.S.C. SECTION 1001).

I certify that the above information is true and that the address information is needed and will be used solely for service of legal process in connection with actual or prospective litigation.



Signature

DAVID J APOTHAKER, ESQ

520 Fellowship Road C306
Mount Laurel, NJ 08054

Our File No.: 194788

FOR POST OFFICE USE ONLY

IF PO BOX – PROVIDE STREET ADDRESS

No change of address order on file.
 Not known at address given.
 Moved, left no forwarding address.
 No such address.

NEW ADDRESS or BOXHOLDER'S POSTMARK
NAME and STREET ADDRESS

January 14, 2009

POSTMASTER
CHESTER, PA 19013

**Request for Change of Address or Boxholder
Information Needed for Service of Legal Process**

Please furnish the new address or the name and street address, if a boxholder, for the following:

Name: BRIAN MARSHALL

Address: PO BOX 148 CHESTER, PA 19013

NOTE: The name and last known address are required for change of address information. The name, if known, and post office box address are required for boxholder information.

The following information is provided in accordance with 39 CFR 265.6(d)(6)(ii). There is no fee for providing boxholder information. The fee for providing change of address information is waived in accordance with 39 CFR 265.6(d)(1) and (2) and corresponding Administrative Support Manual 352.44a and b.

1. Capacity of requester (e.g., process server, attorney, party representing himself): attorney
2. Statute or regulation that empowers me to serve process (not required when requester is an attorney or a party acting *pro se* - except a corporation acting *pro se* must cite statute): _____
3. The names of all known parties to the litigation: AMERICAN EXPRESS TRAVEL RELATED SERVICES, INC. v. BRIAN MARSHALL
4. The court in which the case has been or will be heard: PROTHONOTARY
5. The docket or other identifying number if one has been issued: C-48-CV2008-13456
6. The capacity in which this individual is to be served (e.g. defendant or witness): defendant

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I certify that the above information is true and that the address information is needed and will be used solely for service of legal process in connection with actual or prospective litigation.



Signature
DAVID J APOTHAKER, ESQ

520 Fellowship Road C306
Mount Laurel, NJ 08054

Our File No.: 194788

FOR POST OFFICE USE ONLY

IF PO BOX – PROVIDE STREET ADDRESS

No change of address order on file.
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 Moved, left no forwarding address.
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NEW ADDRESS or BOXHOLDER'S POSTMARK
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Attorney for Plaintiff

PORTFOLIO RECOVERY ASSOCIATES, LLC C/O David J. Apothaker, Esq. 520 Fellowship Road C306 Mount Laurel, NJ 08054)	COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
))
Plaintiff,	)	NO.: 2008-751-CD
vs.	)	Civil Action
JASON ELENSKY)	
1231 LONG RUN RD)	
WEST DECATUR, PA 16878-9023)	
Defendant.)	

ORDER FOR ALTERNATE SERVICE OF PROCESS

AND NOW, this _____ day of _____, 20____ it is

ORDERED that plaintiff's Petition for Alternative Service of Process, pursuant to Pa.R.C.P. 430

(a) and Pa.R.C.P. 410(c)(2) is **Granted/Denied**, permitting service by Posting the Complaint on
the most public part of the property located at 1231 LONG RUN RD WEST DECATUR, PA
16878-9023 and by serving it by certified and regular mail at 1231 LONG RUN RD WEST
DECATUR, PA 16878-9023.

BY THE COURT:

Wrong docs

— J.

Our File No.: 163884
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 *11/10/09* *Atty*
FEB 12 2009 *Apothaker*
S

William A. Shaw
Prothonotary/Clerk of Courts *(G.I.)*

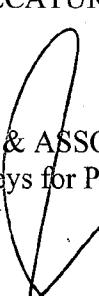
PORTRFOLIO RECOVERY ASSOCIATES, LLC C/O David J. Apothaker, Esq. 520 Fellowship Road C306 Mount Laurel, NJ 08054	)	COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
Plaintiff,	)	NO.: 2008-751-CD
vs.	)	Civil Action
JASON ELENSKY 1231 LONG RUN RD WEST DECATUR, PA 16878-9023)	
Defendant.)	

MOTION FOR ALTERNATIVE SERVICE

Pursuant to Pa. R.C.P. 430(a), Pa. R.C.P. 410(c)(2), by and through its attorneys, requests that this Honorable Court grant an **ORDER** permitting service of the Complaint upon the Defendant(s) by posting the Complaint on the most public part of the property located at 1231 LONG RUN RD WEST DECATUR, PA 16878-9023, and by serving it by certified and regular mail at 1231 LONG RUN RD WEST DECATUR, PA 16878-9023 and in support therefore, presents the attached Affidavit.

APOTHAKER & ASSOCIATES, P.C.
Attorneys for Plaintiff

By:


David J. Apothaker, Esquire
Attorney for Plaintiff

Dated: 1/16/2009

Our File No.: 163884

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

PORTFOLIO RECOVERY

ASSOCIATES, LLC

C/O David J. Apothaker, Esq.

520 Fellowship Road C306

Mount Laurel, NJ 08054

Plaintiff,

vs.

JASON ELENSKY

1231 LONG RUN RD

WEST DECATUR, PA 16878-9023

Defendant.

) COURT OF COMMON PLEAS OF

) CLEARFIELD COUNTY

) NO.: 2008-751-CD

) Civil Action

AFFIDAVIT OF SERVICE

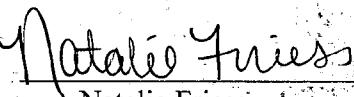
I, Natalie Friess, of full age, depose and say that I am a legal assistant at Apothaker & Associates, P.C., and that on this day I did mail to JASON ELENSKY at 1231 LONG RUN RD WEST DECATUR, PA 16878-9023 a copy of a Motion for Alternative Service, Affidavit in Support of Motion, Proposed Order and Affidavit of Service.

I understand that the statements herein are made subject to the penalties of 18 Pa. C.S.A. §4904 relating to unsworn falsification to authorities.

APOTHAKER & ASSOCIATES, P.C.

Attorneys for Plaintiff

By:


Natalie Friess

Dated: 1/16/2009

Our File No.: 163884

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

PORTFOLIO RECOVERY
ASSOCIATES, LLC
C/O David J. Apothaker, Esq.
520 Fellowship Road C306
Mount Laurel, NJ 08054

Plaintiff,

vs.
JASON ELENSKY
1231 LONG RUN RD
WEST DECATUR, PA 16878-9023

Defendant.

COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY

NO.: 2008-751-CD

Civil Action

AFFIDAVIT

I, David J. Apothaker, Esquire, attorney for Plaintiff in the above-captioned matter, do hereby aver to the best of my knowledge, information and belief, the following:

1. Plaintiff brings this action to collect monies due on a credit card account.
2. The Sheriff of CLEARFIELD County, was unable to serve the Complaint upon Defendant at his/her residence at 1231 LONG RUN RD WEST DECATUR, PA 16878-9023 because:

- NO ANSWER

Attached hereto as Exhibit "A" is a true and correct copy of the CLEARFIELD County Sheriff's Return of Service.

3. I have made an investigation to determine the whereabouts of the defendant and confirm 1231 LONG RUN RD WEST DECATUR, PA 16878-9023 as Defendant's address. This investigation included the following:

a. Inquiry of *United States Postal* authorities pursuant to the *Freedom of Information Act*, 39 C.F.R. Part 265. Attached hereto as Exhibit "B" is a true and correct copy of the Request for Change of Address from the Postmaster confirming Defendant's address.

4. This investigation confirms that the address that the Sheriff of CLEARFIELD County attempted to serve the defendant at 1231 LONG RUN RD WEST DECATUR, PA 16878-9023, the address where defendant is located.

APOTHAKER & ASSOCIATES, P.C.
Attorneys for Plaintiff

By: David J. Apothaker, Esquire

Dated: January 16, 2009

10384-2

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 1 of 1 Services

Sheriff Docket # **104088**

PORTFOLIO RECOVERY ASSOCIATES, LLC

Case # 08-751-CD

vs.

JASON ELENSKY

COPY

TYPE OF SERVICE COMPLAINT

SHERIFF RETURNS

NOW August 04, 2008 RETURNED THE WITHIN COMPLAINT "NOT SERVED, TIME EXPIRED" AS TO JASON ELENSKY, DEFENDANT. SEVERAL ATTEMPTS, NO RESPONSE

SERVED BY: /

Return Costs

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	APOTHAKER	86410	10.00
SHERIFF HAWKINS	APOTHAKER	86410	47.33

Sworn to Before me This

So Answers,

____ Day of _____ 2008



Chester A. Hawkins
Sheriff

November 14, 2008

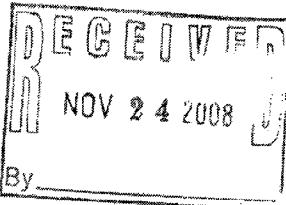
POSTMASTER
WEST DECATUR, PA 16878-9023

**Request for Change of Address or Boxholder
Information Needed for Service of Legal Process**

Please furnish the new address or the name and street address, if a boxholder, for the following:

Name: JASON ELENSKY

Address: 1231 LONG RUN RD WEST DECATUR, PA 16878-9023



NOTE: The name and last known address are required for change of address information. The name, if known, and post office box address are required for boxholder information.

The following information is provided in accordance with 39 CFR 265.6(d)(6)(ii). There is no fee for providing boxholder information. The fee for providing change of address information is waived in accordance with 39 CFR 265.6(d)(1) and (2) and corresponding Administrative Support Manual 352.44a and b.

1. Capacity of requester (e.g., process server, attorney, party representing himself): attorney
2. Statute or regulation that empowers me to serve process (not required when requester is an attorney or a party acting *pro se* - except a corporation acting *pro se* must cite statute): _____
3. The names of all known parties to the litigation: PORTFOLIO RECOVERY ASSOCIATES, LLC v. JASON ELENSKY
4. The court in which the case has been or will be heard: PROTHONOTARY
5. The docket or other identifying number if one has been issued: 2008-751-CD
6. The capacity in which this individual is to be served (e.g. defendant or witness): defendant

WARNING

THE SUBMISSION OF FALSE INFORMATION TO OBTAIN AND USE CHANGE OF ADDRESS INFORMATION OR BOXHOLDER INFORMATION FOR ANY PURPOSE OTHER THAN THE SERVICE OF LEGAL PROCESS IN CONNECTION WITH ACTUAL OR PROSPECTIVE LITIGATION COULD RESULT IN CRIMINAL PENALTIES INCLUDING A FINE OF UP TO \$10,000.00 OR IMPRISONMENT OR (2) TO AVOID PAYMENT OF THE FEE FOR CHANGE OF ADDRESS INFORMATION OF NOT MORE THAN 5 YEARS, OR BOTH (TITLE 18 U.S.C. SECTION 1001).

I certify that the above information is true and that the address information is needed and will be used solely for service of legal process in connection with actual or prospective litigation.

Signature
DAVID J APOTHAKER, ESQ

520 Fellowship Road C306
Mount Laurel, NJ 08054

Our File No.: 163884

FOR POST OFFICE USE ONLY

IF PO BOX - PROVIDE STREET ADDRESS

No change of address order on file.
 Not known at address given.
 Moved, left no forwarding address.
 No such address.

NEW ADDRESS or BOXHOLDER'S POSTMARK
NAME and STREET ADDRESS



Deliverable as addressed.

Our File No.: 163884
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

PORTFOLIO RECOVERY ASSOCIATES, LLC
C/O David J. Apothaker, Esq.
520 Fellowship Road C306
Mount Laurel, NJ 08054
Plaintiff
vs.
JASON ELENSKY
1231 LONG RUN RD
WEST DECATUR, PA 16878-9023
Defendant

) COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY
NO.: 2008-751-CD
Civil Action

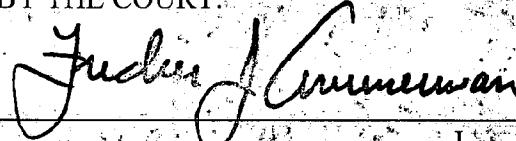
ORDER FOR ALTERNATE SERVICE OF PROCESS

AND NOW, this 13th day of February, 2009, it is

ORDERED that plaintiff's Petition for Alternative Service of Process, pursuant to Pa.R.C.P. 430

(a) and Pa.R.C.P. 410(c)(2) is Granted/Denied, permitting service by Posting the Complaint on the most public part of the property located at 1231 LONG RUN RD WEST DECATUR, PA 16878-9023 and by serving it by certified and regular mail at 1231 LONG RUN RD WEST DECATUR, PA 16878-9023.

BY THE COURT:



J.

FILED 018:54 PM 2009 Atty Apothaker
FEB 18 2009 (60)

William A. Shaw
Prothonotary/Clerk of Courts

FILED

FEB 18 2009

William A. Shaw
Prothonotary/Clerk of Courts

Our File No.: 163884
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

PORTFOLIO RECOVERY
ASSOCIATES, LLC

Plaintiff,

vs.

JASON ELENSKY

Defendant.

) COURT OF COMMON PLEAS
CLEARFIELD COUNTY

) NO.: 2008-751-CD

PRAEICE TO
REINSTATE COMPLAINT - CIVIL ACTION

TO THE PROTHONOTARY:

Kindly reinstate the Complaint in the above captioned Civil Action for an additional thirty (30) days.

APOTHAKER & ASSOCIATES, P.C.
Attorney for Plaintiff
A Law Firm Engaged in Debt Collection

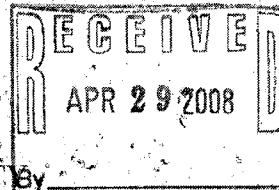
BY:

David J. Apothaker, Esquire

Dated: 2/23/2009

FILED No CC
M 11/08/2011 Atty pd. 7.00
MAR 02 2009
S
William A. Shaw
Prothonotary/Clerk of Courts
Comp.
Reinstated
G 11 to Atty

163884



COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

PORTFOLIO RECOVERY ASSOCIATES

LLC

(Plaintiff)

c/o Apothaker & Associates, P.C.

2417 Welsh Road, Suite 21 #520

(Street Address)

Philadelphia, PA 19114

(City, State, ZIP)

CIVIL ACTION

No. 2008-751-C

Type of Case: CIVIL

Type of Pleading: PLEADING

VS

JASON ELENSKY

(Defendant)

1231 LONG RUN RD

(Street Address)

WEST DECATUR, PA 16878-9023

(City, State, ZIP)

PORTFOLIO RECOVERY ASSOCIATES

LLC

(Plaintiff)

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

APR 24 2008

Attest.

William A.
Prothonotary
Clerk of Courts

David J. Apothaker, Esq.
Apothaker & Associates, P.C.

(Filed by)

2417 Welsh Road, Suite 21 #520

Philadelphia, PA 19114

(Address)

215 634-8920

(Phone)

(Signature)

Our File No.: 163884

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

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

) COURT OF COMMON PLEAS

) CLEARFIELD COUNTY

) NO.:

Plaintiff

vs.

JASON ELENSKY
1231 LONG RUN RD
WEST DECATUR, PA 16878-9023

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 paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha de la demanda y la notificación. Hace falta asentar 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. Sea avisado que si usted no se defiende, la corte tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificación. 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 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

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

Plaintiff,

vs.

JASON ELENSKY
1231 LONG RUN RD
WEST DECATUR, PA 16878-9023
Defendant.

) COURT OF COMMON PLEAS

) CLEARFIELD COUNTY

) NO.:)

))

))

**CIVIL ACTION COMPLAINT
FIRST COUNT**

1. Plaintiff, PORTFOLIO RECOVERY ASSOCIATES, 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 JASON ELENSKY, an adult individual residing at 1231 LONG RUN RD WEST DECATUR, PA 16878-9023.

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 \$3,171.92.

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

9. The original creditor is PROVIDIAN NATIONAL BANK.

WHEREFORE, Plaintiff demands judgment in favor of Plaintiff and against Defendant(s) for the sum of \$3,171.92 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

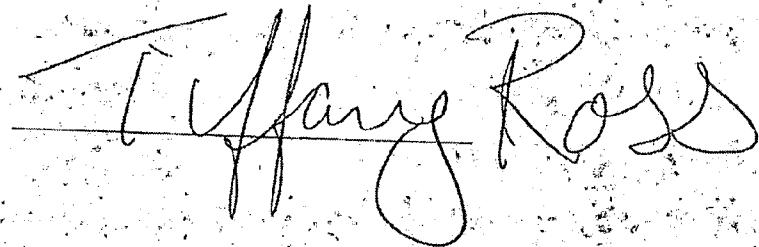
Dated: 4/17/2008

Our File No.: 163884

VERIFICATION

TIFFANY ROSS

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 "Tiffany Ross", is written over a horizontal line. The signature is fluid and cursive, with "Tiffany" on the top line and "Ross" on the bottom line.

DATE:

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

JASON ELENSKY
1231 LONG RUN RD
WEST DECATUR, PA 16878-9023

STATEMENT OF ACCOUNT

Debtor's Name: JASON ELENSKY

Account Number: 4185865450745539

Original Creditor: PROVIDIAN NATIONAL BANK

Balance Due: \$3,171.92

Our File No.: 163884

EXHIBIT "A"

FILED

MAR 02 2009

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
NO: 08-751-CD

PORTFOLIO RECOVERY ASSOCIATES, LLC
vs
JASON ELENSKY

SERVICE # 1 OF 1

PRAEICE, COMPLAINT & ORDER

SERVE BY: 04/01/2009 HEARING: PAGE: 105389

DEFENDANT: JASON ELENSKY
ADDRESS: 1231 LONG RUN RD.
WEST DECATUR, PA 16878

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: POST ON PROPERTY

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT OCCUPIED

ATTEMPTS _____

SHERIFF'S RETURN

NOW, 3-12-09 AT 1026 AM PM SERVED THE WITHIN

PRAEICE, COMPLAINT & ORDER ON JASON ELENSKY, DEFENDANT

BY HANDING TO 1231 Long Run rd West. Decatur Pa

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

ADDRESS SERVED 1231 Long Run rd West. Decatur Pa

NOW 3-12-09 AT 1026 AM PM POSTED THE WITHIN

PRAEICE, COMPLAINT & ORDER FOR JASON ELENSKY

AT (ADDRESS) 1231 Long Run rd West. Decatur Pa

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

I MAKE RETURN OF **NOT FOUND** AS TO JASON ELENSKY

REASON UNABLE TO LOCATE _____

SWORN TO BEFORE ME THIS

_____DAY OF 2009

So Answers, CHESTER A. HAWKINS, SHERIFF

BY:

Rephah A. Hunter
Deputy Signature

C. Hunter
Print Deputy Name

FILED

MAR 12 2009

William A. Shaw
Prothonotary/Clerk of Courts

1AOY

1780-51-72

1780-51-72

Summons issued in the name of [redacted]

Our File No.: 163884
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

PORFOLIO RECOVERY) COURT OF COMMON PLEAS
ASSOCIATES, LLC) CLEARFIELD COUNTY
)
Plaintiff)
vs.) NO.: 2008-751-CD
JASON ELENSKY)
)
Defendant)

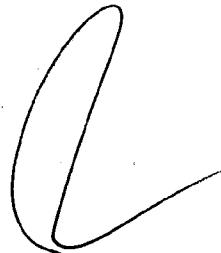
AFFIDAVIT OF SERVICE

I, David J. Apothaker, Esquire, Esquire, attorney for Plaintiff, certify that on 5/13/2009, I mailed a copy of the Complaint by Certified and Regular mail to

JASON ELENSKY
1231 LONG RUN RD
WEST DECATUR, PA 16878-9023

Attached hereto are:

PS Form, 3811, Executed green Certified Card,
 Unclaimed Certified Mail Envelope
 PS Form, 3817, Certificate of Mailing



David J. Apothaker, Esquire
Attorney for Plaintiff

Date: 5/13/2009

FILED NO CC
MAY 15 2009
MAY 20 2009
William A. Shaw
Prothonotary/Clerk of Courts


U. S. POSTAL SERVICE CERTIFICATE OF MAILING

CERTIFICATE OF MAILING

Received From:

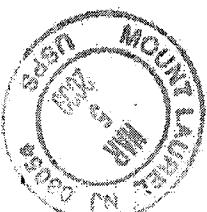
APOTHEKER & ASSOCIATES, P.C.
520 FELLOWSHIP ROAD C306
MOUNT LAUREL, NJ 08054

One piece of ordinary mail addressed to
3884-NP

One piece of ordinary mail addressed to

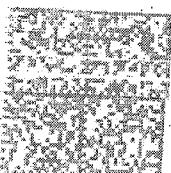
Mr. Jason Elensky
1231 Long Run Road
West Decatur, PA 16878-9023

PS Form 3817, January 2001

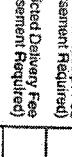


U.S. POSTAGE
Mailed from 08054
93-145-0000
\$01.10⁰⁰
J-BH25519596

卷之三



The logo consists of a circular seal with the words "U.S. POSTAL SERVICE" at the top and "DOMESTIC MAIL ONLY" at the bottom. In the center, it says "RECEIPT" above the text "(Domestic Mail Only, No Insurance Coverage Provided)". Below the seal, the word "OFFICIAL USE" is printed in large, bold, sans-serif capital letters.

For delivery information, visit our website at www.usps.com	
	
Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	
\$	
Postmaster Here	
163884	

163884
Postman
Here

2008 1830 0004 6040 4739

Street, Apt. No.,
or P.O. Box No.

PS Form 800 August 2006

See reverse for instructions

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 105389
NO. 08-751-CD
SERVICES 1
PRAECIPE, COMPLAINT & ORDER

PLAINTIFF: PORTFOLIO RECOVERY ASSOCIATES, LLC
vs.
DEFENDANT: JASON ELENSKY

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	APOTHAKER	124253	10.00
SHERIFF HAWKINS	APOTHAKER	124253	21.10

FILED
03:30pm
JUL 15 2009
WM
William A. Shaw
Prothonotary/Clerk of Courts

Sworn to Before Me This

So Answers,

____ Day of _____ 2009



Chester A. Hawkins
Sheriff

Our File No.: 163884

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

PORTFOLIO RECOVERY
ASSOCIATES, LLC

Plaintiff
vs.

JASON ELENSKY

Defendant

5
FILED

Atty pd.

20.00

CC & Notice

to Def.

William A. Shaw
Prothonotary/Clerk of Courts

ICC Atty

COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY

) NO.: 2008-751-CD

) Civil Action

PRAECIPE FOR DEFAULT JUDGMENT

TO THE PROTHONOTARY:

Kindly enter judgment against Defendant, JASON ELENSKY, in the default of an

Answer, in the amount of \$3,621.40 computed as follows:

Amount claimed in complaint:	\$	3,171.92
Less: Amount Paid:		(0.00)
Plus: Interest from April 17, 2008 to October 22, 2009 at the legal interest rate of 6.00% per annum		252.63
Costs		196.85
Attorney fees		0.00
TOTAL	\$	3,621.40

I certify that Defendant, JASON ELENSKY, last known address is 1231 LONG RUN

RD WEST DECATUR, PA 16878-9023.

David J. Apothaker, Esq.
Attorney for Plaintiff

Dated: October 22, 2009

Our File No.: 163884
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

PORTFOLIO RECOVERY
ASSOCIATES, LLC

Plaintiff
vs.
JASON ELENSKY
Defendant

) COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY

) NO.: 2008-751-CD

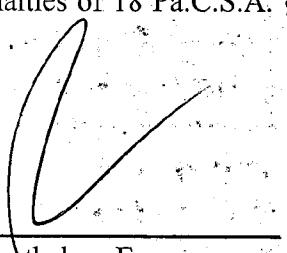
) Civil Action

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. Apothaker, Esq.
Attorney for Plaintiff

Dated: October 22, 2009

Our File No.: 163884
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

PORTFOLIO RECOVERY
ASSOCIATES, LLC

Plaintiff
vs.
JASON ELENSKY
Defendant

COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY

) NO.: 2008-751-CD

) Civil Action

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 1231 LONG RUN RD WEST DECATUR, PA 16878-9023.

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 Servicemembers Civil Relief Act

Last Name	First/Middle	Begin Date	Active Duty Status	Service/Agency
ELENSKY	JASON		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 USC 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 by the requester. Providing an erroneous name or SSN will cause an erroneous certificate to be provided.

Report ID: THFTJNRCV

OFFICE OF THE PROTHONOTARY
COURT OF COMMON PLEAS
CLEARFIELD COUNTY

PORTFOLIO RECOVERY ASSOCIATES, LLC

vs.

JASON ELENSKY

) COURT OF COMMON PLEAS

) CLEARFIELD COUNTY

)

)

) NO. 2008-751-CD

)

To: JASON ELENSKY

1231 LONG RUN RD

WEST DECATUR, PA 16878-9023

NOTICE, RULE 237.5

NOTICE OF PRAECIPE TO ENTER JUDGMENT BY DEFAULT

Date of Notice: August 06, 2009

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
520 Fellowship Road C306
Mount Laurel, NJ 08054
(800) 672-0215
Attorney for Plaintiff
Attorney ID #38423

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

NO: 08-751-CD

PORTFOLIO RECOVERY ASSOCIATES, LLC

vs

JASON ELENSKY

SERVICE # 1 OF 1

PRAECLPIE, COMPLAINT & ORDER

SERVE BY: 04/01/2009

HEARING:

PAGE: 105389

DEFENDANT: JASON ELENSKY

ADDRESS: 1231 LONG RUN RD.

WEST DECATUR, PA 16878

ALTERNATE ADDRESS

COPY

SERVE AND LEAVE WITH: POST ON PROPERTY

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS:

VACANT

OCCUPIED

ATTEMPTS

SHERIFF'S RETURN

NOW _____ AT _____ AM / PM SERVED THE WITHIN

PRAECLPIE, COMPLAINT & ORDER ON JASON ELENSKY, DEF

BY HANDING TO _____

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

ADDRESS SERVED

NOW 3-12-09 AT 1026 AM / PM POSTED THE WITHIN

PRAECLPIE, COMPLAINT & ORDER FOR JASON ELENSKY

AT (ADDRESS) 1231 Long Run rd. West Decatur Pa

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

I MAKE RETURN OF NOT FOUND AS TO JASON ELENSKY

REASON UNABLE TO LOCATE

SWORN TO BEFORE ME THIS

DAY OF 2009

So Answers: CHESTER A. HAWKINS, SHERIFF

BY:

Chester A. Hawkins
Deputy Signature

C. A. Hawkins
Print Deputy Name

OFFICE OF THE PROTHONOTARY
COURT OF COMMON PLEAS

TO: JASON ELENSKY
1231 LONG RUN RD
WEST DECATUR, PA 16878-9023

COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY

PORTFOLIO RECOVERY ASSOCIATES, LLC Plaintiff NO.: 2008-751-CD
vs. Civil Action
JASON ELENSKY 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

*Willie L. Khan
BPA* 11/2/09