

08-908-CD  
LVNV Funding vs Margaret Vicary

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

**LVNV FUNDING 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. 08-908-CD

Type of Case: CIVIL

Type of Pleading: PLEADING

VS.

Filed on Behalf of:

**MARGARET VICARY**

(Defendant)

250 LARSON RD

(Street Address)

CURWENSVILLE, PA 16833

(City, State, ZIP)

**LVNV FUNDING**

**LLC**

(Plaintiff)

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)

**FILED**

1CC Atty

5/12/08/01  
MAY 15 2008

1CC Sheriff

Atty Ad.

\$95.00

William A. Shaw  
Prothonotary/Clerk of Courts

Our File No.: 155857  
APOTHAKER & ASSOCIATES, P.C.  
BY: David J. Apothaker, Esq.  
Attorney I.D.#38423  
2417 Welsh Road, Suite 21 #520  
Philadelphia, PA 19114  
(215) 634-8920  
Attorneys for Plaintiff

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LVNV FUNDING LLC	) COURT OF COMMON PLEAS
c/o Apothaker & Associates, P.C.	) CLEARFIELD COUNTY
2417 Welsh Road, Suite 21 #520	)
Philadelphia, PA 19114	) NO.:
Plaintiff,	)
vs.	)
MARGARET VICARY	)
250 LARSON RD	)
CURWENSVILLE, PA 16833	)
Defendant.	)
	)

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### NOTICE

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

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

### **AVISO**

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las 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. Sea avisado 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 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.

MARGARET VICARY

250 LARSON RD

CURWENSVILLE, PA 16833

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 MARGARET VICARY, an adult individual residing at 250 LARSON RD CURWENSVILLE, PA 16833.

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 \$1,751.56.

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 \$1,751.56 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

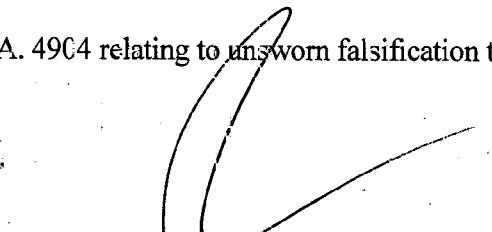
BY: \_\_\_\_\_  
David J. Apothaker

Dated: 4/27/2008

Our File No.: 155857

**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: 4/27/2008

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

MARGARET VICARY  
250 LARSON RD  
CURWENSVILLE, PA 16833

STATEMENT OF ACCOUNT

Debtor's Name: MARGARET VICARY

Account Number: 5049948016065528

Original Creditor: SEARS

Balance Due: \$1,751.56

Our File No.: 155857

EXHIBIT "A"

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
NO: 08-908-CD

LVNV FUNDING LLC  
vs  
MARGARET VICARY

SERVICE # 1 OF 1

COMPLAINT

SERVE BY: 06/14/2008 HEARING: PAGE: 104178

DEFENDANT: MARGARET VICARY  
ADDRESS: 250 LARSON RD  
CURWENSVILLE, PA 16833

ALTERNATE ADDRESS

**FILED**  
03:30 P.M. 06 JUN 06 2008 NO CC

William A. Shaw  
Prothonotary/Clerk of Courts

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT OCCUPIED

ATTEMPTS 6-2-08-11:24 AM-N/H left notes  
6-4-08-3:12 PM-N/H

**SHERIFF'S RETURN**

NOW, 6-6-08 AT 11:12 AM SERVED THE WITHIN

COMPLAINT ON MARGARET VICARY, DEFENDANT

BY HANDING TO Dennis Vicary husband

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

ADDRESS SERVED 250 Larson Rd.  
Curwenville, Pa. 16833

NOW \_\_\_\_\_ AT \_\_\_\_\_ AM / PM POSTED THE WITHIN

COMPLAINT FOR MARGARET VICARY

AT (ADDRESS) \_\_\_\_\_

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

I MAKE RETURN OF **NOT FOUND** AS TO MARGARET VICARY

REASON UNABLE TO LOCATE \_\_\_\_\_

SWORN TO BEFORE ME THIS

\_\_\_\_\_  
\_\_\_\_\_  
DAY OF 2008

So Answers: CHESTER A. HAWKINS, SHERIFF

BY:

James E. Davis  
Deputy Signature

James E. Davis  
Print Deputy Name

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 104178  
NO: 08-908-CD  
SERVICES 1  
COMPLAINT

PLAINTIFF: LVNV FUNDING LLC  
vs.  
DEFENDANT: MARGARET VICARY

**SHERIFF RETURN**

**RETURN COSTS**

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	APOTHAKER	88628	10.00
SHERIFF HAWKINS	APOTHAKER	88628	36.18

**FILED**  
03:15 LM  
SEP 22 2008

William A. Shaw  
Prothonotary/Clerk of Courts

Sworn to Before Me This

So Answers,

\_\_\_\_ Day of \_\_\_\_\_ 2008



Chester A. Hawkins  
Sheriff

Our File No.: 155857  
APOTHAKER & ASSOCIATES, P.C.  
BY: David J. Apothaker, Esquire  
Attorney I.D.# 38423  
520 Fellowship Road C306  
Mount Laurel, NJ 08054  
(800) 672-0215  
Attorney for Plaintiff

FILED

FEB 17 2009

111:45 AM  
William A. Shaw  
Prothonotary/Clerk of Courts

1 cent to Att

LVNV FUNDING LLC

) COURT OF COMMON PLEAS  
) CLEARFIELD COUNTY

Plaintiff,

)

vs.

)

MARGARET VICARY

) NO. 08-908-CD

Defendant.

)

)

**PRAECIPE TO DISMISS WITHOUT PREJUDICE**

TO THE PROTHONOTARY:

Kindly dismiss this action without prejudice.

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

By:

\_\_\_\_\_  
David J. Apothaker, Esquire

Dated: February 9, 2009

Probationary/Clerk of Courts  
William A. Shaw

FEB 17 2009

FILED