

08-913-CD
Deutsche Bank vs Chris Curley et al

UDREN LAW OFFICES, P.C.

ATTORNEY FOR PLAINTIFF

MARK J. UDREN, ESQUIRE - ID #04302
STUART WINNEG, ESQUIRE - ID #45362
LORRAINE DOYLE, ESQUIRE - ID #34576
ALAN M. MINATO, ESQUIRE - ID #75860
CHANDRA M. ARKEMA, ESQUIRE - ID #203437
WOODCREST CORPORATE CENTER
111 WOODCREST ROAD, SUITE 200
CHERRY HILL, NJ 08003-3620
856-669-5400
pleadings@udren.com

Deutsche Bank Trust Company
Americas f/k/a Banker's Trust
Company, as Trustee and
Custodian by: Saxon Mortgage
Services, Inc. f/k/a Meritech
Mortgage Services, Inc. as its
attorney-in-fact
4708 Mercantile Drive
Ft. Worth, TX 76137
Plaintiff

v.

Chris E. Curley
Kristine M. Curley (Mortgagor)
1120 South Main Street
DuBois, PA 15801
Defendant(s)

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County
MORTGAGE FORECLOSURE

NO. 2008-913-CD

**PRAECIPE FOR JUDGMENT FOR FAILURE TO
ANSWER AND ASSESSMENT OF DAMAGES**

TO THE PROTHONOTARY:

Kindly enter judgment in favor of the Plaintiff and against the Defendant(s) **Chris E. Curley and Kristine M. Curley (Mortgagor)** for failure to file an Answer to Plaintiff's Complaint within 20 days from service thereof and for foreclosure and sale of the mortgaged premises, and assess Plaintiff's damages as follows:

As set forth in Complaint	\$61,053.08
Interest Per Complaint	912.17
From 5/8/08 to 7/29/08	
Late charges per Complaint	82.98
From 5/8/08 to 7/29/08	
Escrow payment per Complaint	<u>252.00</u>
From 5/8/08 to 7/29/08	
TOTAL	<u>\$62,300.23</u>

FILED

m1104581
JUL 30 2008

W.A.S.
William A. Shaw
Prothonotary/Clerk of Courts

Att'y pd. 20.00

Notice to Defs.

Statement to Att'y

I hereby certify that (1) the addresses of the Plaintiff and Defendant are as shown above, and (2) that notice has been given in accordance with Rule 237.1, a copy of which is attached hereto.

UDREN LAW OFFICES, P.C.

BY:

Chandra Arkema

Attorneys for Plaintiff

MARK J. UDREN, ESQUIRE

STUART WINNEG, ESQUIRE

LORRAINE DOYLE, ESQUIRE

ALAN M. MINATO, ESQUIRE

CHANDRA M. ARKEMA, ESQUIRE

DAMAGES ARE HEREBY ASSESSED AS INDICATED

DATE:

July 30, 2008

Willi L. Prothy
PRO PROTHY

UDREN LAW OFFICES, P.C.

ATTORNEY FOR PLAINTIFF

MARK J. UDREN, ESQUIRE - ID #04302

STUART WINNEG, ESQUIRE - ID #45362

MORRINE DOYLE, ESQUIRE - ID #34576

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CHANDRA M. ARKEMA, ESQUIRE - ID #203437

LOUIS A. SIMONI, ESQUIRE - ID #200869

WOODCREST CORPORATE CENTER

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856-669-5400

pleadings@udren.com

FILED
MAY 16 2008

William A. Shaw

COURT OF COMMON PLEAS Prothonotary/Clerk of Courts
CIVIL DIVISION

Deutsche Bank Trust Company
Americas f/k/a Banker's Trust
Company, as Trustee and Custodian
by: Saxon Mortgage Services, Inc.
f/k/a Meritech Mortgage Services,
Inc. as its attorney-in-fact
4708 Mercantile Drive
Ft. Worth, TX 76137

Plaintiff

Clearfield County

v.

Chris E. Curley
Kristine M. Curley (Mortgagor)
1120 South Main Street
DuBois, PA 15801

Defendant(s)

NO. 2008-913-CD

COMPLAINT IN MORTGAGE FORECLOSURE

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 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.

LAWYERS REFERRAL SERVICE

David S. Meholick
Court Administrator
Clearfield County Courthouse
Clearfield, PA 16830
814-765-2641, ext. 5982

COPY
08050132-1 Jma

UDREN LAW OFFICES, P.C.

ATTORNEY FOR PLAINTIFF

MARK J. UDREN, ESQUIRE - ID #04302

STUART WINNEG, ESQUIRE - ID #45362

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WOODCREST CORPORATE CENTER

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CHERRY HILL, NJ 08003

856-669-5400

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Deutsche Bank Trust Company Americas
f/k/a Banker's Trust Company, as
Trustee and Custodian by: Saxon
Mortgage Services, Inc. f/k/a Meritech
Mortgage Services, Inc. as its
attorney-in-fact

Plaintiff

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County

v.

Chris E. Curley
Kristine M. Curley (Mortgagor)
Defendant(s)

NO. 2008-913-CD

TO: Chris E. Curley
1120 South Main Street
DuBois, PA 15801

DATE of Notice: June 19, 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.

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Court Administrator
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Clearfield, PA 16830
814-765-2641, ext. 5982

NOTIFICACION IMPORTANTE

USTED SE ENCUENTRA EN ESTADO DE REBELDIA POR NO HABER TOMADO LA ACCION REQUIRIDA DE SU PARTE EN ESTE CASO. AL NO TOMAR LA ACCION DEBIDA DENTRO DE UN TERMINO DE DIEZ (10) DIAS DE ESTA NOTIFICACION, EL TRIBUNAL PODRA, SIN NECESIDAD DE COMPARARECER USTED EN CORTE O ESCUCHAR PREUBA ALGUNA, DICTAR SENTENCIA EN SU CONTRA, USTED PUEDE PERDER BIENES Y OTROS DERECHOS, IMPORTANTES. DEBE LLEVAR ESTA NOTIFICACION A UN ABOGADO IMMEDIATAMENTE SI USTED NO TIENE ABOGADO, O SI NO TIENE DINERO SUFICIENTE PARA 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.

SERVICIO DE REFERENCIA LEGAL
LAWYER REFERRAL SERVICE
David S. Meholick
Court Administrator
Clearfield County Courthouse
Clearfield, PA 16830
814-765-2641, ext. 5982

NOTICE: PURSUANT TO THE FAIR DEBT COLLECTION PRACTICES ACT, THIS LAW FIRM IS DEEMED TO BE A DEBT COLLECTOR AND THIS IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

Chandra M. Arkema
Mark J. Udren, Esquire
Stuart Winneg, Esquire
Lorraine Doyle, Esquire
Alan M. Minato, Esquire
Chandra M. Arkema, Esquire
Woodcrest Corporate Center
111 Woodcrest Road, Suite 200
Cherry Hill, New Jersey 08003-3620

UDREN LAW OFFICES, P.C.

ATTORNEY FOR PLAINTIFF

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Deutsche Bank Trust Company Americas
f/k/a Banker's Trust Company, as
Trustee and Custodian by: Saxon
Mortgage Services, Inc. f/k/a
Meritech Mortgage Services, Inc. as
its attorney-in-fact
Plaintiff

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County

v.

Chris E. Curley
Kristine M. Curley (Mortgagor)
Defendant(s)

NO. 2008-913-CD

TO: Kristine M. Curley (Mortgagor)
501 Reams Street
DuBois, PA 15801

DATE of Notice: June 19, 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.

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Chandra M. Arkema, Esquire
Woodcrest Corporate Center
111 Woodcrest Road, Suite 200
Cherry Hill, New Jersey 08003-3620

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LOUIS A. SIMONI, ESQUIRE - ID #200869
WOODCREST CORPORATE CENTER
111 WOODCREST ROAD, SUITE 200
CHERRY HILL, NJ 08003-3620
856-482-6900

Deutsche Bank Trust Company
Americas f/k/a Banker's Trust
Company, as Trustee and
Custodian by: Saxon Mortgage
Services, Inc. f/k/a Meritech
Mortgage Services, Inc. as its
attorney-in-fact
4708 Mercantile Drive
Ft. Worth, TX 76137
Plaintiff

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County

MORTGAGE FORECLOSURE

NO. 2008-913-CD

v.

Chris E. Curley
Kristine M. Curley
1120 South Main Street
DuBois, PA 15801

Defendant(s)

AFFIDAVIT OF NON-MILITARY SERVICE

STATE OF *W*

COUNTY OF *Dakota*

SS

THE UNDERSIGNED being duly sworn, deposes and says that the averments herein are based upon investigations made and records maintained by Plaintiff or as servicing agent of the Plaintiff herein and that the above Defendant(s) are not in the Military or Naval Service of the United States of America or its Allies as defined in the Soldiers and Sailors Civil Relief Act of 1940, as amended, and that the age and last known residence and employment of each Defendant are as follows:

Defendant: Chris E. Curley
Age: Over 18
Residence: As captioned above
Employment: Unknown

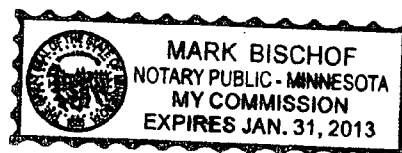
Defendant: Kristine M. Curley
Age: Over 18
Residence: As captioned above
Employment: Unknown

Sworn to and subscribed

Name: *Laura Hesott AWP*
Title: *Laura Hesott AWP*
Company: Saxon Mortgage Services,
Inc. as servicer on behalf of
Deutsche Bank Trust Company
Americas f/k/a Banker's Trust
Company, as Trustee and
Custodian by: Saxon Mortgage
Services, Inc. f/k/a Meritech
Mortgage Services, Inc. as its
attorney-in-fact

before me this *16* day
of *May*, 2008

Notary Public



COPY

UDREN LAW OFFICES, P.C.
MARK J. UDREN, ESQUIRE - ID #04302
STUART WINNEG, ESQUIRE - ID #45362
LORRAINE DOYLE, ESQUIRE - ID #34576
ALAN M. MINATO, ESQUIRE - ID #75860
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CHERRY HILL, NJ 08003-3620
856-669-5400
pleadings@udren.com

ATTORNEY FOR PLAINTIFF

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Americas f/k/a Banker's Trust
Company, as Trustee and
Custodian by: Saxon Mortgage
Services, Inc. f/k/a Meritech
Mortgage Services, Inc. as its
attorney-in-fact

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County

MORTGAGE FORECLOSURE

Plaintiff

v.

Chris E. Curley
Kristine M. Curley (Mortgagor)
Defendant(s)

NO. 2008-913-CD

TO: Kristine M. Curley (Mortgagor)
501 Reams Street
DuBois, PA 15801

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.

Will Luther
Prothonotary *BT 7/30/08*

- ☒ Judgment by Default
- ☐ Money Judgment
- ☐ Judgment in Replevin
- ☐ Judgment for Possession
- ☐ Judgment on Award of Arbitration
- ☐ Judgment on Verdict
- ☐ Judgment on Court Findings

IF YOU HAVE ANY QUESTIONS CONCERNING THIS NOTICE PLEASE CALL:

ATTORNEY Mark J. Udren, Esquire

At this telephone number: 856-669-5400

UDREN LAW OFFICES, P.C.
MARK J. UDREN, ESQUIRE - ID #04302
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ATTORNEY FOR PLAINTIFF

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Americas f/k/a Banker's Trust
Company, as Trustee and
Custodian by: Saxon Mortgage
Services, Inc. f/k/a Meritech
Mortgage Services, Inc. as its
attorney-in-fact

Plaintiff

y.

Chris E. Curley
Kristine M. Curley (Mortgagor)
Defendant(s)

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County

MORTGAGE FORECLOSURE

NO. 2008-913-CD

TO: Chris E. Curley
1120 South Main Street
DuBois, PA 15801

NOTICE

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Prothonotary

7/30/08

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IF YOU HAVE ANY QUESTIONS CONCERNING THIS NOTICE PLEASE CALL:

ATTORNEY Mark J. Udren, Esquire

At this telephone number: 856-669-5400

COPY

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY ,
PENNSYLVANIA
STATEMENT OF JUDGMENT

Deutsche Bank Trust Company Americas
Banker's Trust Company
Saxon Mortgage Services Inc.
Meritech Mortgage Services, Inc.
Plaintiff(s)

No.: 2008-00913-CD

Real Debt: \$62,300.23

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Chris E. Curley
Kristine M. Curley
Defendant(s)

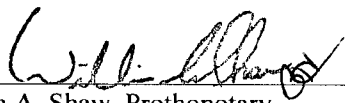
Entry: \$20.00

Instrument: Default Judgment

Date of Entry: July 30, 2008

Expires: July 30, 2013

Certified from the record this 30th day of July, 2008.



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

UDREN LAW OFFICES, P.C.

ATTORNEY FOR PLAINTIFF

MARK J. UDREN, ESQUIRE - ID #04302
STUART WINNEG, ESQUIRE - ID #45362
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Company, as Trustee and
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Services, Inc. f/k/a Meritech
Mortgage Services, Inc. as its
attorney-in-fact

Plaintiff

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County

NO. 2008-913-CD

v.

Chris E. Curley
Kristine M. Curley (Mortgagor)
Defendant(s)

PRAECIPE TO SUBSTITUTE VERIFICATION

TO THE PROTHONOTARY:

Kindly substitute the attached Verification for the
Verification attached to the Complaint in Mortgage Foreclosure with
regard to the captioned matter.

DATED: July 29, 2008

UDREN LAW OFFICES, P.C.

BY: Chandra Arkema
Attorneys for Plaintiff
MARK J. UDREN, ESQUIRE
STUART WINNEG, ESQUIRE
LORRAINE DOYLE, ESQUIRE
ALAN M. MINATO, ESQUIRE
CHANDRA M. ARKEMA, ESQUIRE

FILED

mla:4261
JUL 30 2008


William A. Shaw
Prothonotary/Clerk of Courts

V E R I F I C A T I O N

The undersigned, an officer of the Corporation which is the Plaintiff in the foregoing Complaint or an officer of the Corporation which is the servicing agent of Plaintiff, and being authorized to make this verification on behalf of the Plaintiff, hereby verifies that the facts set forth in the foregoing Complaint are taken from records maintained by Plaintiff in the ordinary course of business and that those facts are true and correct to the best of the knowledge, information and belief of the undersigned.

The undersigned understands that this statement is made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

Date: 5-16-08


Name: _____
Title: Laura Heselt AVP
Company: Saxon Mortgage Services,
Inc. as servicer on behalf of
Deutsche Bank Trust Company
Americas f/k/a Banker's Trust
Company, as Trustee and
Custodian by: Saxon Mortgage
Services, Inc. f/k/a Meritech
Mortgage Services, Inc. as its
attorney-in-fact

Chris E. Curley
Kristine M. Curley
Loan #0011924420
MJU #08050132-1

ATTORNEY FOR PLAINTIFF

FILED
m/11:00am
MAY 16 2008
William A. Shaw
Honorary/Clerk of Courts

COURT OF COMMON PLEAS
CIVIL DIVISION

Clearfield County

v.

NO. 2008-913-CD

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.

LAWYERS REFERRAL SERVICE
David S. Meholick
Court Administrator
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Clearfield, PA 16830
814-765-2641, ext. 5982

AVISO

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha de la demanda y la notificacion. Hace falta asentar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se dafiende, la corte tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademias, 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 SUFICIENTE 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.

**David S. Meholick
Court Administrator
Clearfield County Courthouse
Clearfield, PA 16830
814-765-2641, ext. 5982**

NOTICE

The amount of your debt is as stated in the attached document. The name of the creditor to whom the debt is owed is as named in the attached document. Unless you notify us within 30 days after receipt of this Notice and the attached document that the validity of the stated debt, or any portion of it, is disputed, we will assume that the debt is valid. If you do notify us in writing of a dispute within the 30 day period, we will obtain verification of the debt or a copy of a judgment against you, and mail it to you. If you do not dispute the debt, it is not an admission of liability on your part. Also, upon your written request within the 30 day period, we will provide you with the name and address of the original creditor if different from the current creditor.

If you notify us in writing within the 30 day period as stated above, we will cease collection of your debt, or any disputed portion of it, until we obtain the information that is required and mail it to you. Once we have mailed to you the required information, we will then continue the collection of your debt.

This law firm is deemed to be a debt collector and this Notice and the attached document is an attempt to collect a debt, and any information obtained will be used for that purpose.

**UDREN LAW OFFICES, P.C.
/s/ Mark J. Udren, Esquire
Woodcrest Corporate Center
111 Woodcrest Road, Suite 200
Cherry Hill, NJ 08003-3620
(856) 669-5400**

1. Plaintiff is the Corporation designated as such in the caption on a preceding page. If Plaintiff is an assignee then it is such by virtue of the following recorded assignments:

Assignor: Saxon Mortgage, Inc.

Assignments of Record to: Deutsche Bank Trust Company Americas f/k/a Banker's Trust Company, as Trustee and Custodian by: Saxon Mortgage Services, Inc. f/k/a Meritech Mortgage Services, Inc. as its attorney-in-fact

Recording Date: **LODGED FOR RECORDING**

2. Defendant(s) is the individual designated as such on the caption on a preceding page, whose last known address is as set forth in the caption, and unless designated otherwise, is the real owner(s) and mortgagor(s) of the premises being foreclosed.

3. On or about the date appearing on the Mortgage hereinafter described, at the instance and request of Defendant(s), Plaintiff (or its predecessor, hereinafter called Plaintiff) loaned to the Defendant(s) the sum appearing on said Mortgage, which Mortgage was executed and delivered to Plaintiff as security for the indebtedness. Said Mortgage is incorporated herein by reference in accordance with Pa.R.C.P. 1019 (g).

The information regarding the Mortgage being foreclosed is as follows:

MORTGAGED PREMISES: 448 South Church Street
MUNICIPALITY/TOWNSHIP/BOROUGH: City of DuBois
COUNTY: Clearfield
DATE EXECUTED: 10/13/05
DATE RECORDED: 10/27/05 Instrument # 200518568

The legal description of the mortgaged premises is attached hereto and made part hereof.

4. Said Mortgage is in default because the required payments have not been made as set forth below, and by its terms, upon breach and failure to cure said breach after notice, all sums secured by said Mortgage, together with other charges authorized by said Mortgage itemized below, shall be immediately due.

5. After demand, the Defendant(s) continues to fail or refuses to comply with the terms of the Mortgage as follows:

- (a) by failing or refusing to pay the installments of principal and interest when due in the amounts indicated below;
- (b) by failing or refusing to pay other charges, if any, indicated below.

6. The following amounts are due on the said Mortgage as of 5/7/08:

Principal of debt due	\$55,731.80
Unpaid Interest at 7.2% from 12/1/07 to 5/7/08 (the per diem interest accruing on this debt is \$10.99 and that sum should be added each day after 5/7/08)	1,737.91
Title Report	325.00
Court Costs (anticipated, excluding Sheriff's Sale costs)	280.00
Escrow Overdraft/(Balance) (The monthly escrow on this account is \$126.00 and that sum should be added on the first of each month after 5/7/08)	(171.36)
Late Charges (monthly late charge of \$27.66 should be added in accordance with the terms of the note each month after 5/7/08)	110.64
Fees	252.50
Attorneys Fees (anticipated and actual to 5% of principal)	<u>2,786.59</u>
TOTAL	\$61,053.08

7. The attorney's fee set forth above are in conformity with the mortgage documents and Pennsylvania law, and will be collected in the event of a third party purchaser at Sheriff's Sale. If the mortgage is reinstated prior to the sale, reasonable attorney's fees will be charged in accordance with the reduction provisions of Act 6, if applicable.

8. The combined notice specified by the Pennsylvania Homeowner's Emergency Mortgage Assistance Program, Act 91 of 1983 and Notice of Intention to Foreclose under Act 6 of 1974 has been sent to each defendant, via certified and regular mail, in accordance with the requirements of those acts, on the date appearing on the copy attached hereto as Exhibit "A", and made part hereof, and defendant(s) have failed to proceed within the time limits, or have been determined ineligible, or Plaintiff has not been notified in a timely manner of Defendant(s) eligibility.

WHEREFORE, the Plaintiff demands judgment, in rem, against the Defendant(s) herein in the sum of \$61,053.08 plus interest, costs and attorneys fees as more fully set forth in the Complaint, and for foreclosure and sale of the Mortgaged premises.

UDREN LAW OFFICES, P.C.

BY: 

Attorneys for Plaintiff

MARK J. UDREN, ESQUIRE

STUART WINNEG, ESQUIRE

LORRAINE DOYLE, ESQUIRE

ALAN M. MINATO, ESQUIRE

CHANDRA M. ARKEMA, ESQUIRE

—LOUIS A. SIMONI, ESQUIRE

ALL that certain piece or parcel of land situate, lying and being in the City of DuBois, Clearfield County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at the Northwest corner of the intersection of Leopold Alley and South Church Street; thence along the North line of Leopold Alley, North 67 degrees 36 minutes West, 89.4 feet to a cut in the curbstone at the corner of property conveyed to Nelson B. Moulton and Lurene B. Moulton by Deed dated February 1, 1943; thence by land now or formerly of Moulton, North 22 degrees 28 minutes East 53.4 feet to an iron pipe; thence by Lot No. 170 now or formerly owned by Jonas Woaver, South 60 degrees 57 minutes East 94.05 feet to South Church Street; thence along the West line of South Church Street, Southerly 43 feet to the place of beginning.

BEING the Eastern end of Lot No. 171 of Knarr's Addition to the City of DuBois.

BEING known and numbered on the Clearfield County Assessment Map as #7.4-11-3155.

EXCEPTING and reserving unto William E. Brown and Eva J. Brown, their heirs and assigns forever, the right to lay, maintain and replace gas, water and sewer lines as the same are or are specifically set forth in an agreement entered into between Nelson B. Moulton and Lurene B. Moulton and William E. Brown and Eva J. Brown, dated April 13, 1963 and recorded in Clearfield County Miscellaneous Book Vol. 131, Page 633 on April 15, 1963.

ACT 91 NOTICE
DATE OF NOTICE: 03/05/2008
TAKE ACTION TO SAVE YOUR
HOME FROM FORECLOSURE

THIS LAW FIRM IS A DEBT COLLECTOR AND WE ARE ATTEMPTING TO COLLECT A DEBT OWED TO OUR CLIENT. ANY INFORMATION OBTAINED FROM YOU WILL BE USED FOR THE PURPOSE OF COLLECTING THE DEBT.

This is an official notice that the mortgage on your home is in default, and the lender intends to foreclose. Specific information about the nature of the default is provided in the attached pages.

The HOMEOWNER'S MORTGAGE ASSISTANCE PROGRAM (HEMAP) may be able to help to save your home. This Notice explains how the program works.

To see if HEMAP can help, you must MEET WITH A CONSUMER CREDIT COUNSELING AGENCY WITHIN 30 DAYS OF THE DATE OF THIS NOTICE. Take this Notice with you when you meet with the Counseling Agency.

The name, address and phone number of Consumer Credit Counseling Agencies serving your County are listed at the end of this Notice. If you have any questions, you may call the Pennsylvania Housing Finance Agency toll free at 1-800-342-2397. (Persons with impaired hearing can call (717) 780-1869.)

This Notice contains important legal information. If you have any questions, representatives at the Consumer Credit Counseling Agency may be able to help explain it. You may also want to contact any attorney in your area. The local bar association may be able to help you find a lawyer.

La notificación en adjunto es de suma importancia, pues afecta su derecho a continuar viviendo en su casa. Si no comprende el contenido de esta notificación obtenga una traducción inmediatamente llamando a esta agencia (Pennsylvania Housing Finance Agency) sin cargos al número mencionada arriba. Puedes ser elegible para un préstamo por el programa llamado "Homeowner's Emergency Mortgage Assistance Program" el cual puede salvar su casa de la pérdida del derecho a redimir su hipoteca.

Prepared by: GOLDBECK McCAFFERTY & McKEEVER
Suite 5000 - Mellon Independence Center.
701 Market Street
Philadelphia, PA 19106
Fax (215) 627-7734

Date: 03/05/2008

Homeowners Name: **CHRIS E. CURLEY and KRISTINE M. CURLEY**

Property Address: **448 South Church Street, Dubois, PA 15801**

Loan Account No.: **11924420**

Original Lender: **SAXON MORTGAGE SERVICES INC.**

Current Lender/Servicer: **SAXON MORTGAGE SERVICES INC.**

**HOMEOWNERS'
EMERGENCY MORTGAGE ASSISTANCE PROGRAM**

**YOU MAY BE ELIGIBLE FOR FINANCIAL
ASSISTANCE WHICH CAN SAVE YOUR HOME FROM
FORECLOSURE AND HELP YOU MAKE FUTURE
MORTGAGE PAYMENTS**

**IF YOU COMPLY WITH THE PROVISIONS OF THE HOMEOWNER'S
EMERGENCY MORTGAGE ASSISTANCE ACT OF 1983 (THE "ACT"), YOU MAY BE
ELIGIBLE FOR EMERGENCY MORTGAGE ASSISTANCE:**

*** IF YOUR DEFAULT HAS BEEN CAUSED BY CIRCUMSTANCES BEYOND YOUR
CONTROL,**

*** IF YOU HAVE A REASONABLE PROSPECT OF BEING ABLE TO PAY YOUR
MORTGAGE PAYMENTS, AND**

*** IF YOU MEET OTHER ELIGIBILITY REQUIREMENTS ESTABLISHED BY THE
PENNSYLVANIA HOUSING FINANCE AGENCY.**

TEMPORARY STAY OF FORECLOSURE - Under the Act, you are entitled to a temporary stay of foreclosure on your mortgage for thirty (30) days from the date of this Notice. During that time you must arrange and attend a "face-to-face" meeting with one of the designated consumer credit counseling agencies listed at the end of this Notice.

**THIS MEETING MUST OCCUR WITHIN THE NEXT (30) DAYS. IF YOU DO NOT
APPLY FOR EMERGENCY MORTGAGE ASSISTANCE, YOU MUST BRING YOUR
MORTGAGE UP TO DATE. THE PART OF THIS NOTICE CALLED "HOW TO CURE
YOUR MORTGAGE DEFAULT", EXPLAINS HOW TO BRING YOUR MORTGAGE UP TO
DATE.**

CONSUMER CREDIT COUNSELING AGENCIES - If you meet with one of the consumer credit counseling agencies listed at the end of this notice, the lender may **NOT** take action against you for thirty (30) days after the date of this meeting. The names, addresses and telephone numbers of designated consumer credit counseling agencies for the county in which the property is located are set

forth at the end of this Notice. It is only necessary to schedule one face-to-face meeting. Advise your lender immediately of your intentions.

APPLICATION FOR MORTGAGE ASSISTANCE - Your mortgage is in default for the reasons set forth later in this Notice (see following pages for specific information about the nature of your default.) If you have tried and are unable to resolve this problem with the lender, you have the right to apply for financial assistance from the Homeowner's Emergency Mortgage Assistance Program. To do so, you must fill out, sign and file a completed Homeowner's Emergency Assistance Program Application with one of the designated consumer credit counseling agencies listed at the end of this Notice. Only consumer credit counseling agencies have applications for the program and they will assist you in submitting a complete application to the Pennsylvania Housing Finance Agency. Your application **MUST** be filed or postmarked within thirty (30) days of your fact-to-face meeting.

YOU MUST FILE YOUR APPLICATION PROMPTLY. IF YOU FAIL TO DO SO OR IF YOU DO NOT FOLLOW THE OTHER TIME PERIODS SET FORTH IN THIS LETTER, FORECLOSURE MAY PROCEED AGAINST YOUR HOME IMMEDIATELY AND YOUR APPLICATION FOR MORTGAGE ASSISTANCE WILL BE DENIED.

AGENCY ACTION - Available funds for emergency mortgage assistance are very limited. They will be disbursed by the Agency under the eligibility criteria established by the Act. The Pennsylvania Housing Finance Agency has sixty (60) days to make a decision after it receives your application. During that time, no foreclosure proceedings will be pursued against you if you have met the time requirements set forth above. You will be notified directly by the Pennsylvania Housing Finance Agency of its decision on your application.

NOTE: IF YOU ARE CURRENTLY PROTECTED BY THE FILING OF A PETITION IN BANKRUPTCY, THE FOLLOWING PART OF THIS NOTICE IS FOR INFORMATION PURPOSES ONLY AND SHOULD NOT BE CONSIDERED AS AN ATTEMPT TO COLLECT THE DEBT.

**(If you have filed bankruptcy you can still apply for
Emergency Mortgage Assistance.)**

HOW TO CURE YOUR MORTGAGE DEFAULT (Bring it up to date).

NATURE OF THE DEFAULT - The MORTGAGE debt held by the above lender on your property located at: **448 South Church Street, Dubois, PA 15801** IS SERIOUSLY IN DEFAULT because:

A. YOU HAVE NOT MADE MONTHLY MORTGAGE PAYMENTS for the following months and the following amounts are now past due:

- (a) Monthly payment from 01/01/2008 thru 03/05/2008
(3 mos. at \$679.31/month) \$2,037.93
- (b) Late charges from 01/01/2008 thru 03/05/2008 (3 mos. at \$27.66/month) \$82.98
- (c) Other charges; Escrow, Inspec., NSF Checks
- (d) Other provisions of the mortgage obligation, if any
- (e) TOTAL AMOUNT REQUIRED AS OF THIS DATE: \$2,120.91

HOW TO CURE THE DEFAULT - You may cure the default within **THIRTY (30) DAYS** of the date of this notice **BY PAYING THE TOTAL AMOUNT PAST DUE TO THE LENDER WHICH IS \$2,120.91, PLUS ANY MORTGAGE PAYMENTS AND LATE CHARGES WHICH BECOME DUE DURING THE THIRTY (30) DAY PERIOD.** Payments must be made either by cashier's check, certified check or money order made payable and sent to:

SAXON MORTGAGE SERVICES INC.
4708 Mercantile Drive North
Fort Worth, TX 76137

IF YOU DO NOT CURE THE DEFAULT - If you do not cure the default within THIRTY (30) DAYS of the date of this Notice, **the lender intends to exercise its rights to accelerate the mortgage debt.** This means that the entire outstanding balance of this debt will be considered due immediately and you may lose the chance to pay the mortgage in monthly installments. If full payment of the total amount past due is not made within THIRTY (30) DAYS, the lender also intends to instruct its attorneys to start legal action to **foreclose upon your mortgaged property.**

IF THE MORTGAGE IS FORECLOSED UPON - The mortgaged property will be sold by the Sheriff to pay off the mortgage debt. If the lender refers your case to its attorneys, but you cure the delinquency before the lender brings legal proceedings against you, you will still be required to pay the reasonable attorney's fees that were actually incurred, up to \$50.00. However, if legal proceedings are started against you, you will have to pay all reasonable attorney's fees actually incurred by the lender even if they exceed \$50.00. Any attorney's fees will be added to the amount you owe the lender, which may also include other reasonable costs. **If you cure the default within the THIRTY (30) DAY period, you will not be required to pay attorney's fees.**

OTHER LENDER REMEDIES - The lender may also sue you personally for the unpaid principal balance and all other sums due under the mortgage.

RIGHT TO CURE THE DEFAULT PRIOR TO SHERIFF'S SALE - If you have not cured the default within the THIRTY (30) DAY period and foreclosure proceedings have begun, **you still have the right to cure the default and prevent the sale at any time up to one hour before the Sheriff's Sale.** You may do so by paying the total amount then past due, plus any late or other charges then due, reasonable attorney's fees and costs connected with the foreclosure sale and any other costs connected

with the Sheriff's Sale as specified in writing by the lender and by performing any other requirements under the mortgage. Curing your default in the manner set forth in this notice will restore your mortgage to the same position as if you had never defaulted.

EARLIEST POSSIBLE SHERIFF'S SALE DATE - It is estimated that the earliest date that such a Sheriff's Sale of the mortgaged property could be held would be **approximately four (4) to six (6) months from the date of this Notice.** A notice of the actual date of the Sheriff's Sale will be sent to you before the sale. Of course, the amount needed to cure the default will increase the longer you wait. You may find out at any time exactly what the required payment or action will be by contacting the lender.

HOW TO CONTACT THE LENDER:

Name of Lender: SAXON MORTGAGE SERVICES INC.

Address: 4708 Mercantile Drive North
Fort Worth, TX 76137

Phone Number: 888-325-3502

Contact Person: Loss Mitigation Department

EFFECT OF SHERIFF'S SALE - You should realize that a Sheriff's Sale will end your ownership of the mortgaged property and your right to occupy it. If you continue to live in the property after the Sheriff's Sale, a lawsuit to remove you and your furnishings and other belongings could be started by the lender at any time.

ASSUMPTION OF MORTGAGE - You may sell or transfer your home to a buyer or transferee who will assume the mortgage debt, provided that all the outstanding payments, charges and attorney's fees and costs are paid prior to or at the sale and that the other requirements of the mortgage are satisfied.

YOU MAY ALSO HAVE THE RIGHT:

* TO SELL THE PROPERTY TO OBTAIN MONEY TO PAY OFF THE MORTGAGE DEBT OR TO BORROW MONEY FROM ANOTHER LENDING INSTITUTION TO PAY OFF THIS DEBT.

* TO HAVE THIS DEFAULT CURED BY ANY THIRD PARTY ACTING ON YOUR BEHALF.

* TO HAVE THE MORTGAGE RESTORED TO THE SAME POSITION AS IF NO DEFAULT HAD OCCURRED, IF YOU CURE THE DEFAULT. (HOWEVER, YOU DO NOT HAVE THIS RIGHT TO CURE YOUR DEFAULT MORE THAN THREE TIMES IN ANY CALENDAR YEAR.)

* TO ASSERT THE NONEXISTENCE OF A DEFAULT IN ANY FORECLOSURE PROCEEDING OR ANY OTHER LAWSUIT INSTITUTED UNDER THE MORTGAGE DOCUMENTS.

* TO ASSERT ANY OTHER DEFENSE YOU BELIEVE YOU MAY HAVE TO SUCH ACTION BY THE LENDER.


* TO SEEK PROTECTION UNDER THE FEDERAL BANKRUPTCY LAW.

Contact: Loss Mitigation Department
Phone Number: 888-325-3502

V E R I F I C A T I O N

The undersigned, hereby states that he/she is the attorney for the Plaintiff, a corporation unless designated otherwise; that he/she is authorized to take this Verification and does so because of the exigencies regarding this matter, and because Plaintiff must verify much of the information through agents, and because he/she has personal knowledge of some of the facts averred in the foregoing pleading; and that the statements made in the foregoing pleading are true and correct to the best of his/her knowledge, information and belief and the source of his information is public records and reports of Plaintiff's agents. The undersigned understands that this statement herein is made subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn falsification to authorities.

UDREN LAW OFFICES, P.C.

BY: 
Attorneys for Plaintiff
MARK J. UDREN, ESQUIRE
STUART WINNEG, ESQUIRE
LORRAINE DOYLE, ESQUIRE
ALAN M. MINATO, ESQUIRE
CHANDRA M. ARKEMA, ESQUIRE
LOUIS A. SIMONI, ESQUIRE

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

NO: 08-913-CD

DEUTSCHE BANK TRUST COMPANY AMERICAS f/k/a

vs

SERVICE # 4 OF 4

CHRIS E. CURLEY and KRISTINE M. CURLEY

COMPLAINT IN MORTGAGE FORECLOSURE

SERVE BY: 06/15/2008

HEARING:

PAGE: 104182

DEFENDANT:

KRISTINE M. CURLEY

ADDRESS:

1120 SOUTH MAIN ST.

501 Ream ST.

DUBOIS, PA 15801

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS:

VACANT

OCCUPIED

ATTEMPTS

SHERIFF'S RETURN

NOW, This 29th DAY OF MAY 2008 AT 12:00 AM / PM **SERVED** THE WITHIN

COMPLAINT IN MORTGAGE FORECLOSURE ON KRISTINE M. CURLEY, DEFENDANT

BY HANDING TO DARYL CLARK, Father

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

ADDRESS SERVED 501 Reams Street DuBois Pa. 15801

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

COMPLAINT IN MORTGAGE FORECLOSURE FOR KRISTINE M. CURLEY

AT (ADDRESS) _____

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

I MAKE RETURN OF **NOT FOUND** AS TO KRISTINE M. CURLEY

REASON UNABLE TO LOCATE _____

SWORN TO BEFORE ME THIS

_____ DAY OF _____ 2008

So Answers: CHESTER A. HAWKINS, SHERIFF

BY:

Jerome M. Nex/ins
Deputy Signature

Jerome M. Nex/ins
Print Deputy Name

FILED
01342801
MAY 29 2008
William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

NO: 08-913-CD

DEUTSCHE BANK TRUST COMPANY AMERICAS f/k/a

vs

SERVICE # 2 OF 4

CHRIS E. CURLEY and KRISTINE M. CURLEY

COMPLAINT IN MORTGAGE FORECLOSURE

SERVE BY: 06/15/2008

HEARING:

PAGE: 104182

DEFENDANT:

KRISTINE M. CURLEY

ADDRESS:

448 SOUTH CHURCH ST.
DUBOIS, PA 15801

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS:

VACANT

OCCUPIED

FILED

01/31/2008
MAY 29 2008

William A. Shaw
Prothonotary/Clerk of Courts

ATTEMPTS

SHERIFF'S RETURN

NOW, This 29th DAY of MAY 2008 AT 12:00 AM/PM SERVED THE WITHIN

COMPLAINT IN MORTGAGE FORECLOSURE ON KRISTINE M. CURLEY, DEFENDANT

BY HANDING TO Daryl Clark / Father

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

ADDRESS SERVED 501 Reams ST. DuBois, PA-15801

NOW _____ AT _____ AM / PM POSTED THE WITHIN

COMPLAINT IN MORTGAGE FORECLOSURE FOR KRISTINE M. CURLEY

AT (ADDRESS) _____

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

I MAKE RETURN OF NOT FOUND AS TO KRISTINE M. CURLEY

REASON UNABLE TO LOCATE _____

SWORN TO BEFORE ME THIS

_____ DAY OF _____ 2008

So Answers: CHESTER A. HAWKINS, SHERIFF

BY:

Jerome M. Newlin
Deputy Signature

Jerome M. Newlin
Print Deputy Name

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

NO: 08-913-CD

DEUTSCHE BANK TRUST COMPANY AMERICAS f/k/a

vs

SERVICE # 3 OF 4

CHRIS E. CURLEY and KRISTINE M. CURLEY

COMPLAINT IN MORTGAGE FORECLOSURE

SERVE BY: 06/15/2008

HEARING:

PAGE: 104182

DEFENDANT:

CHRIS E. CURLEY

ADDRESS:

1120 SOUTH MAIN ST.

DUBOIS, PA 15801

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS:

VACANT

OCCUPIED

ATTEMPTS

SHERIFF'S RETURN

NOW, This 29th Day of May 2008 AT 11:15 (AM) / PM **SERVED** THE WITHIN

COMPLAINT IN MORTGAGE FORECLOSURE ON CHRIS E. CURLEY, DEFENDANT

BY HANDING TO Laurie Davis / Girlfriend

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

ADDRESS SERVED 1120 South Main St. Dubois, Pa. 15801

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

COMPLAINT IN MORTGAGE FORECLOSURE FOR CHRIS E. CURLEY

AT (ADDRESS) _____

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

I MAKE RETURN OF **NOT FOUND** AS TO CHRIS E. CURLEY

REASON UNABLE TO LOCATE _____

SWORN TO BEFORE ME THIS

_____ DAY OF _____ 2008

So Answers: CHESTER A. HAWKINS, SHERIFF

BY: Jerome M. Nexling
Deputy Signature

Jerome M. Nexling
Print Deputy Name

FILED
9/342301
MAY 29 2008
William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

NO: 08-913-CD

DEUTSCHE BANK TRUST COMPANY AMERICAS f/k/a

vs

SERVICE # 1 OF 4

CHRIS E. CURLEY and KRISTINE M. CURLEY

COMPLAINT IN MORTGAGE FORECLOSURE

SERVE BY: 06/15/2008

HEARING:

PAGE: 104182

DEFENDANT:

CHRIS E. CURLEY
448 SOUTH CHURCH ST.
DUBOIS, PA 15801

ADDRESS:

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS:

VACANT

OCCUPIED

FILED
9/8:30am
JUN 03 2008

William A. Shaw

Prothonotary/Clerk of Courts

ATTEMPTS

5-29-08 - House

Empty - Def Served at 1120 South Main St. Dubois -

SHERIFF'S RETURN

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

COMPLAINT IN MORTGAGE FORECLOSURE ON CHRIS E. CURLEY, DEFENDANT

BY HANDING TO _____ / _____

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

ADDRESS SERVED _____

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

COMPLAINT IN MORTGAGE FORECLOSURE FOR CHRIS E. CURLEY

AT (ADDRESS) _____

NOW THIS 3RD DAY OF JUNE ²⁰⁰⁸ AT 3:00 AM (PM) AFTER DILIGENT SEARCH IN MY BAILIWICK,

I MAKE RETURN OF **NOT FOUND** AS TO CHRIS E. CURLEY

REASON UNABLE TO LOCATE _____

SWORN TO BEFORE ME THIS

_____ DAY OF _____ 2008

So Answers: CHESTER A. HAWKINS, SHERIFF

BY:

Deputy Signature

Mark A. Courlet
Print Deputy Name

UDREN LAW OFFICES, P.C.

ATTORNEY FOR PLAINTIFF

MARK J. UDREN, ESQUIRE - ID #04302
STUART WINNEG, ESQUIRE - ID #45362
LORRAINE DOYLE, ESQUIRE - ID #34576
ALAN M. MINATO, ESQUIRE - ID #75860
CHANDRA M. ARKEMA, ESQUIRE - ID #203437
LOUIS A. SIMONI, ESQUIRE - ID #200869
WOODCREST CORPORATE CENTER
111 WOODCREST ROAD, SUITE 200
CHERRY HILL, NJ 08003-3620
856-669-5400
pleadings@udren.com

"WE HEREBY CERTIFY THE
WITHIN TO BE TRUE AND
CORRECT COPY OF THE ORIGINAL"

Deutsche Bank Trust Company
Americas f/k/a Banker's Trust
Company, as Trustee and Custodian
by: Saxon Mortgage Services, Inc.
f/k/a Meritech Mortgage Services,
Inc. as its attorney-in-fact
4708 Mercantile Drive
Ft. Worth, TX 76137
Plaintiff

COURT OF COMMON PLEAS
CIVIL DIVISION

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

Clearfield County

MAY 16 2008

Attest

William A. Brown
Prothonotary/
Clerk of Courts

v.

Chris E. Curley
Kristine M. Curley (Mortgagor)
1120 South Main Street
DuBois, PA 15801
Defendant(s)

NO. 2008-913-CD

COMPLAINT IN MORTGAGE FORECLOSURE

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 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.

LAWYERS REFERRAL SERVICE
David S. Meholic
Court Administrator
Clearfield County Courthouse
Clearfield, PA 16830
814-765-2641, ext. 5982

AVISO

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha de la demanda y la notificacion. Hace falta asentar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se dafiende, la corte tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademias, 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 IMMEDIATAMENTE, SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFICIENTE 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.

**David S. Meholick
Court Administrator
Clearfield County Courthouse
Clearfield, PA 16830
814-765-2641, ext. 5982**

NOTICE

The amount of your debt is as stated in the attached document. The name of the creditor to whom the debt is owed is as named in the attached document. Unless you notify us within 30 days after receipt of this Notice and the attached document that the validity of the stated debt, or any portion of it, is disputed, we will assume that the debt is valid. If you do notify us in writing of a dispute within the 30 day period, we will obtain verification of the debt or a copy of a judgment against you, and mail it to you. If you do not dispute the debt, it is not an admission of liability on your part. Also, upon your written request within the 30 day period, we will provide you with the name and address of the original creditor if different from the current creditor.

If you notify us in writing within the 30 day period as stated above, we will cease collection of your debt, or any disputed portion of it, until we obtain the information that is required and mail it to you. Once we have mailed to you the required information, we will then continue the collection of your debt.

This law firm is deemed to be a debt collector and this Notice and the attached document is an attempt to collect a debt, and any information obtained will be used for that purpose.

**UDREN LAW OFFICES, P.C.
/s/ Mark J. Udren, Esquire
Woodcrest Corporate Center
111 Woodcrest Road, Suite 200
Cherry Hill, NJ 08003-3620
(856) 669-5400**

1. Plaintiff is the Corporation designated as such in the caption on a preceding page. If Plaintiff is an assignee then it is such by virtue of the following recorded assignments:

Assignor: Saxon Mortgage, Inc.

Assignments of Record to: Deutsche Bank Trust Company Americas f/k/a Banker's Trust Company, as Trustee and Custodian by: Saxon Mortgage Services, Inc. f/k/a Meritech Mortgage Services, Inc. as its attorney-in-fact

Recording Date: **LODGED FOR RECORDING**

2. Defendant(s) is the individual designated as such on the caption on a preceding page, whose last known address is as set forth in the caption, and unless designated otherwise, is the real owner(s) and mortgagor(s) of the premises being foreclosed.

3. On or about the date appearing on the Mortgage hereinafter described, at the instance and request of Defendant(s), Plaintiff (or its predecessor, hereinafter called Plaintiff) loaned to the Defendant(s) the sum appearing on said Mortgage, which Mortgage was executed and delivered to Plaintiff as security for the indebtedness. Said Mortgage is incorporated herein by reference in accordance with Pa.R.C.P. 1019 (g).

The information regarding the Mortgage being foreclosed is as follows:

MORTGAGED PREMISES: 448 South Church Street
MUNICIPALITY/TOWNSHIP/BOROUGH: City of DuBois
COUNTY: Clearfield
DATE EXECUTED: 10/13/05
DATE RECORDED: 10/27/05 Instrument # 200518568

The legal description of the mortgaged premises is attached hereto and made part hereof.

4. Said Mortgage is in default because the required payments have not been made as set forth below, and by its terms, upon breach and failure to cure said breach after notice, all sums secured by said Mortgage, together with other charges authorized by said Mortgage itemized below, shall be immediately due.

5. After demand, the Defendant(s) continues to fail or refuses to comply with the terms of the Mortgage as follows:

- (a) by failing or refusing to pay the installments of principal and interest when due in the amounts indicated below;
- (b) by failing or refusing to pay other charges, if any, indicated below.

6. The following amounts are due on the said Mortgage as of 5/7/08:

Principal of debt due	\$55,731.80
Unpaid Interest at 7.2% from 12/1/07 to 5/7/08 (the per diem interest accruing on this debt is \$10.99 and that sum should be added each day after 5/7/08)	1,737.91
Title Report	325.00
Court Costs (anticipated, excluding Sheriff's Sale costs)	280.00
Escrow Overdraft/(Balance) (The monthly escrow on this account is \$126.00 and that sum should be added on the first of each month after 5/7/08)	(171.36)
Late Charges (monthly late charge of \$27.66 should be added in accordance with the terms of the note each month after 5/7/08)	110.64
Fees	252.50
Attorneys Fees (anticipated and actual to 5% of principal)	<u>2,786.59</u>
TOTAL	\$61,053.08

7. The attorney's fee set forth above are in conformity with the mortgage documents and Pennsylvania law, and will be collected in the event of a third party purchaser at Sheriff's Sale. If the mortgage is reinstated prior to the sale, reasonable attorney's fees will be charged in accordance with the reduction provisions of Act 6, if applicable.

8. The combined notice specified by the Pennsylvania Homeowner's Emergency Mortgage Assistance Program, Act 91 of 1983 and Notice of Intention to Foreclose under Act 6 of 1974 has been sent to each defendant, via certified and regular mail, in accordance with the requirements of those acts, on the date appearing on the copy attached hereto as Exhibit "A", and made part hereof, and defendant(s) have failed to proceed within the time limits, or have been determined ineligible, or Plaintiff has not been notified in a timely manner of Defendant(s) eligibility.

WHEREFORE, the Plaintiff demands judgment, in rem, against the Defendant(s) herein in the sum of \$61,053.08 plus interest, costs and attorneys fees as more fully set forth in the Complaint, and for foreclosure and sale of the Mortgaged premises.

UDREN LAW OFFICES, P.C.

BY: 

Attorneys for Plaintiff

MARK J. UDREN, ESQUIRE

STUART WINNEG, ESQUIRE

LORRAINE DOYLE, ESQUIRE

ALAN M. MINATO, ESQUIRE

CHANDRA M. ARKEMA, ESQUIRE

—LOUIS A. SIMONI, ESQUIRE

ALL that certain piece or parcel of land situate, lying and being in the City of DuBois, Clearfield County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at the Northwest corner of the intersection of Leopold Alley and South Church Street; thence along the North line of Leopold Alley, North 67 degrees 36 minutes West, 89.4 feet to a cut in the curbstone at the corner of property conveyed to Nelson B. Moulton and Lurene B. Moulton by Deed dated February 1, 1943; thence by land now or formerly of Moulton, North 22 degrees 28 minutes East 53.4 feet to an iron pipe; thence by Lot No. 170 now or formerly owned by Jonas Woaver, South 60 degrees 57 minutes East 94.05 feet to South Church Street; thence along the West line of South Church Street, Southerly 43 feet to the place of beginning.

BEING the Eastern end of Lot No. 171 of Knarr's Addition to the City of DuBois.

BEING known and numbered on the Clearfield County Assessment Map as #7.4-11-3155.

EXCEPTING and reserving unto William E. Brown and Eva J. Brown, their heirs and assigns forever, the right to lay, maintain and replace gas, water and sewer lines as the same are or specifically set forth in an agreement entered into between Nelson B. Moulton and Lurene B. Moulton and William E. Brown and Eva J. Brown, dated April 13, 1963 and recorded in Clearfield County Miscellaneous Book Vol. 131, Page 633 on April 15, 1963.

ACT 91 NOTICE
DATE OF NOTICE: 03/05/2008
TAKE ACTION TO SAVE YOUR
HOME FROM FORECLOSURE

THIS LAW FIRM IS A DEBT COLLECTOR AND WE ARE ATTEMPTING TO COLLECT A DEBT OWED TO OUR CLIENT. ANY INFORMATION OBTAINED FROM YOU WILL BE USED FOR THE PURPOSE OF COLLECTING THE DEBT.

This is an official notice that the mortgage on your home is in default, and the lender intends to foreclose. Specific information about the nature of the default is provided in the attached pages.

The HOMEOWNER'S MORTGAGE ASSISTANCE PROGRAM (HEMAP) may be able to help to save your home. This Notice explains how the program works.

To see if HEMAP can help, you must MEET WITH A CONSUMER CREDIT COUNSELING AGENCY WITHIN 30 DAYS OF THE DATE OF THIS NOTICE. Take this Notice with you when you meet with the Counseling Agency.

The name, address and phone number of Consumer Credit Counseling Agencies serving your County are listed at the end of this Notice. If you have any questions, you may call the Pennsylvania Housing Finance Agency toll free at 1-800-342-2397. (Persons with impaired hearing can call (717) 780-1869.)

This Notice contains important legal information. If you have any questions, representatives at the Consumer Credit Counseling Agency may be able to help explain it. You may also want to contact any attorney in your area. The local bar association may be able to help you find a lawyer.

La notificación en adjunto es de suma importancia, pues afecta su derecho a continuar viviendo en su casa. Si no comprende el contenido de esta notificación obtenga una traducción inmediatamente llamando a esta agencia (Pennsylvania Housing Finance Agency) sin cargos al número mencionada arriba. Puedes ser elegible para un préstamo por el programa llamado "Homeowner's Emergency Mortgage Assistance Program" el cual puede salvar su casa de la pérdida del derecho a redimir su hipoteca.

Prepared by: GOLDBECK McCAFFERTY & McKEEVER
Suite 5000 - Mellon Independence Center
701 Market Street
Philadelphia, PA 19106
Fax (215) 627-7734

Date: 03/05/2008

Homeowners Name: **CHRIS E. CURLEY and KRISTINE M. CURLEY**
Property Address: **448 South Church Street, Dubois, PA 15801**
Loan Account No.: **11924420**
Original Lender: **SAXON MORTGAGE SERVICES INC.**
Current Lender/Servicer: **SAXON MORTGAGE SERVICES INC.**

**HOMEOWNERS'
EMERGENCY MORTGAGE ASSISTANCE PROGRAM**

**YOU MAY BE ELIGIBLE FOR FINANCIAL
ASSISTANCE WHICH CAN SAVE YOUR HOME FROM
FORECLOSURE AND HELP YOU MAKE FUTURE
MORTGAGE PAYMENTS**

**IF YOU COMPLY WITH THE PROVISIONS OF THE HOMEOWNER'S
EMERGENCY MORTGAGE ASSISTANCE ACT OF 1983 (THE "ACT"), YOU MAY BE
ELIGIBLE FOR EMERGENCY MORTGAGE ASSISTANCE:**

*** IF YOUR DEFAULT HAS BEEN CAUSED BY CIRCUMSTANCES BEYOND YOUR
CONTROL,**

*** IF YOU HAVE A REASONABLE PROSPECT OF BEING ABLE TO PAY YOUR
MORTGAGE PAYMENTS, AND**

*** IF YOU MEET OTHER ELIGIBILITY REQUIREMENTS ESTABLISHED BY THE
PENNSYLVANIA HOUSING FINANCE AGENCY.**

TEMPORARY STAY OF FORECLOSURE - Under the Act, you are entitled to a temporary stay of foreclosure on your mortgage for thirty (30) days from the date of this Notice. During that time you must arrange and attend a "face-to-face" meeting with one of the designated consumer credit counseling agencies listed at the end of this Notice.

**THIS MEETING MUST OCCUR WITHIN THE NEXT (30) DAYS. IF YOU DO NOT
APPLY FOR EMERGENCY MORTGAGE ASSISTANCE, YOU MUST BRING YOUR
MORTGAGE UP TO DATE. THE PART OF THIS NOTICE CALLED "HOW TO CURE
YOUR MORTGAGE DEFAULT", EXPLAINS HOW TO BRING YOUR MORTGAGE UP TO
DATE.**

CONSUMER CREDIT COUNSELING AGENCIES - If you meet with one of the consumer credit counseling agencies listed at the end of this notice, the lender may **NOT** take action against you for thirty (30) days after the date of this meeting. The names, addresses and telephone numbers of designated consumer credit counseling agencies for the county in which the property is located are set

forth at the end of this Notice. It is only necessary to schedule one face-to-face meeting. Advise your lender immediately of your intentions.

APPLICATION FOR MORTGAGE ASSISTANCE - Your mortgage is in default for the reasons set forth later in this Notice (see following pages for specific information about the nature of your default.) If you have tried and are unable to resolve this problem with the lender, you have the right to apply for financial assistance from the Homeowner's Emergency Mortgage Assistance Program. To do so, you must fill out, sign and file a completed Homeowner's Emergency Assistance Program Application with one of the designated consumer credit counseling agencies listed at the end of this Notice. Only consumer credit counseling agencies have applications for the program and they will assist you in submitting a complete application to the Pennsylvania Housing Finance Agency. Your application **MUST** be filed or postmarked within thirty (30) days of your fact-to-face meeting.

YOU MUST FILE YOUR APPLICATION PROMPTLY. IF YOU FAIL TO DO SO OR IF YOU DO NOT FOLLOW THE OTHER TIME PERIODS SET FORTH IN THIS LETTER, FORECLOSURE MAY PROCEED AGAINST YOUR HOME IMMEDIATELY AND YOUR APPLICATION FOR MORTGAGE ASSISTANCE WILL BE DENIED.

AGENCY ACTION - Available funds for emergency mortgage assistance are very limited. They will be disbursed by the Agency under the eligibility criteria established by the Act. The Pennsylvania Housing Finance Agency has sixty (60) days to make a decision after it receives your application. During that time, no foreclosure proceedings will be pursued against you if you have met the time requirements set forth above. You will be notified directly by the Pennsylvania Housing Finance Agency of its decision on your application.

NOTE: IF YOU ARE CURRENTLY PROTECTED BY THE FILING OF A PETITION IN BANKRUPTCY, THE FOLLOWING PART OF THIS NOTICE IS FOR INFORMATION PURPOSES ONLY AND SHOULD NOT BE CONSIDERED AS AN ATTEMPT TO COLLECT THE DEBT.

**(If you have filed bankruptcy you can still apply for
Emergency Mortgage Assistance.)**

HOW TO CURE YOUR MORTGAGE DEFAULT (Bring it up to date).

NATURE OF THE DEFAULT - The MORTGAGE debt held by the above lender on your property located at: 448 South Church Street, Dubois, PA 15801 IS SERIOUSLY IN DEFAULT because:

A. YOU HAVE NOT MADE MONTHLY MORTGAGE PAYMENTS for the following months and the following amounts are now past due:

- (a) Monthly payment from 01/01/2008 thru 03/05/2008
(3 mos. at \$679.31/month) \$2,037.93
- (b) Late charges from 01/01/2008 thru 03/05/2008 (3 mos. at \$27.66/month) \$82.98
- (c) Other charges; Escrow, Inspec., NSF Checks
- (d) Other provisions of the mortgage obligation, if any
- (e) TOTAL AMOUNT REQUIRED AS OF THIS DATE: \$2,120.91

HOW TO CURE THE DEFAULT - You may cure the default within **THIRTY (30) DAYS** of the date of this notice **BY PAYING THE TOTAL AMOUNT PAST DUE TO THE LENDER WHICH IS \$2,120.91**, PLUS ANY MORTGAGE PAYMENTS AND LATE CHARGES WHICH BECOME DUE DURING THE THIRTY (30) DAY PERIOD. Payments must be made either by cashier's check, certified check or money order made payable and sent to:

SAXON MORTGAGE SERVICES INC.
4708 Mercantile Drive North
Fort Worth, TX 76137

IF YOU DO NOT CURE THE DEFAULT - If you do not cure the default within THIRTY (30) DAYS of the date of this Notice, **the lender intends to exercise its rights to accelerate the mortgage debt.** This means that the entire outstanding balance of this debt will be considered due immediately and you may lose the chance to pay the mortgage in monthly installments. If full payment of the total amount past due is not made within THIRTY (30) DAYS, the lender also intends to instruct its attorneys to start legal action to **foreclose upon your mortgaged property.**

IF THE MORTGAGE IS FORECLOSED UPON - The mortgaged property will be sold by the Sheriff to pay off the mortgage debt. If the lender refers your case to its attorneys, but you cure the delinquency before the lender brings legal proceedings against you, you will still be required to pay the reasonable attorney's fees that were actually incurred, up to \$50.00. However, if legal proceedings are started against you, you will have to pay all reasonable attorney's fees actually incurred by the lender even if they exceed \$50.00. Any attorney's fees will be added to the amount you owe the lender, which may also include other reasonable costs. **If you cure the default within the THIRTY (30) DAY period, you will not be required to pay attorney's fees.**

OTHER LENDER REMEDIES - The lender may also sue you personally for the unpaid principal balance and all other sums due under the mortgage.

RIGHT TO CURE THE DEFAULT PRIOR TO SHERIFF'S SALE - If you have not cured the default within the THIRTY (30) DAY period and foreclosure proceedings have begun, you still have the right to cure the default and prevent the sale at any time up to one hour before the Sheriff's Sale. You may do so by paying the total amount then past due, plus any late or other charges then due, reasonable attorney's fees and costs connected with the foreclosure sale and any other costs connected

with the Sheriff's Sale as specified in writing by the lender and by performing any other requirements under the mortgage. Curing your default in the manner set forth in this notice will restore your mortgage to the same position as if you had never defaulted.

EARLIEST POSSIBLE SHERIFF'S SALE DATE - It is estimated that the earliest date that such a Sheriff's Sale of the mortgaged property could be held would be **approximately four (4) to six (6) months from the date of this Notice**. A notice of the actual date of the Sheriff's Sale will be sent to you before the sale. Of course, the amount needed to cure the default will increase the longer you wait. You may find out at any time exactly what the required payment or action will be by contacting the lender.

HOW TO CONTACT THE LENDER:

Name of Lender: SAXON MORTGAGE SERVICES INC.

Address: 4708 Mercantile Drive North
Fort Worth, TX 76137

Phone Number: 888-325-3502

Contact Person: Loss Mitigation Department

EFFECT OF SHERIFF'S SALE - You should realize that a Sheriff's Sale will end your ownership of the mortgaged property and your right to occupy it. If you continue to live in the property after the Sheriff's Sale, a lawsuit to remove you and your furnishings and other belongings could be started by the lender at any time.

ASSUMPTION OF MORTGAGE - You may sell or transfer your home to a buyer or transferee who will assume the mortgage debt, provided that all the outstanding payments, charges and attorney's fees and costs are paid prior to or at the sale and that the other requirements of the mortgage are satisfied.

YOU MAY ALSO HAVE THE RIGHT:

* TO SELL THE PROPERTY TO OBTAIN MONEY TO PAY OFF THE MORTGAGE DEBT OR TO BORROW MONEY FROM ANOTHER LENDING INSTITUTION TO PAY OFF THIS DEBT.

* TO HAVE THIS DEFAULT CURED BY ANY THIRD PARTY ACTING ON YOUR BEHALF.

* TO HAVE THE MORTGAGE RESTORED TO THE SAME POSITION AS IF NO DEFAULT HAD OCCURRED, IF YOU CURE THE DEFAULT. (HOWEVER, YOU DO NOT HAVE THIS RIGHT TO CURE YOUR DEFAULT MORE THAN THREE TIMES IN ANY CALENDAR YEAR.)

* TO ASSERT THE NONEXISTENCE OF A DEFAULT IN ANY FORECLOSURE PROCEEDING OR ANY OTHER LAWSUIT INSTITUTED UNDER THE MORTGAGE DOCUMENTS.

* TO ASSERT ANY OTHER DEFENSE YOU BELIEVE YOU MAY HAVE TO SUCH ACTION BY THE LENDER.

* TO SEEK PROTECTION UNDER THE FEDERAL BANKRUPTCY LAW.

Contact: Loss Mitigation Department
Phone Number: 888-325-3502

V E R I F I C A T I O N

The undersigned, hereby states that he/she is the attorney for the Plaintiff, a corporation unless designated otherwise; that he/she is authorized to take this Verification and does so because of the exigencies regarding this matter, and because Plaintiff must verify much of the information through agents, and because he/she has personal knowledge of some of the facts averred in the foregoing pleading; and that the statements made in the foregoing pleading are true and correct to the best of his/her knowledge, information and belief and the source of his information is public records and reports of Plaintiff's agents. The undersigned understands that this statement herein is made subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn falsification to authorities.

UDREN LAW OFFICES, P.C.

BY: 

Attorneys for Plaintiff

MARK J. UDREN, ESQUIRE

STUART WINNEG, ESQUIRE

LORRAINE DOYLE, ESQUIRE

ALAN M. MINATO, ESQUIRE

CHANDRA M. ARKEMA, ESQUIRE

LOUIS A. SIMONI, ESQUIRE

UDREN LAW OFFICES, P.C.
MARK J. UDREN, ESQUIRE - ID #04302
STUART WINNEG, ESQUIRE - ID #45362
LORRAINE DOYLE, ESQUIRE - ID #34576
ALAN M. MINATO, ESQUIRE - ID #75860
CHANDRA M. ARKEMA, ESQUIRE - ID #203437
WOODCREST CORPORATE CENTER
111 WOODCREST ROAD, SUITE 200
CHERRY HILL, NJ 08003-3620
856-669-5400
pleadings@udren.com

ATTORNEY FOR PLAINTIFF

Deutsche Bank Trust Company
Americas f/k/a Banker's Trust
Company, as Trustee and
Custodian by: Saxon Mortgage
Services, Inc. f/k/a Meritech
Mortgage Services, Inc. as its
attorney-in-fact

Plaintiff

v.

Chris E. Curley
Kristine M. Curley (Mortgagor)
Defendant(s)

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County
MORTGAGE FORECLOSURE

NO. 2008-913-CD

PRAECIPE FOR WRIT OF EXECUTION

TO THE PROTHONOTARY:

Please issue Writ of Execution in the above matter:

Amount due

\$62,300.23

135.00 Prothonotary costs

Interest From 7/30/08

to Date of Sale _____

Ongoing Per Diem of \$10.99

to actual date of sale including if sale is
held at a later date

(Costs to be added)

\$ _____

UDREN LAW OFFICES, P.C.

BY: Chandra Arkema
Attorneys for Plaintiff
MARK J. UDREN, ESQUIRE
STUART WINNEG, ESQUIRE
LORRAINE DOYLE, ESQUIRE
ALAN M. MINATO, ESQUIRE
CHANDRA M. ARKEMA, ESQUIRE

FILED

444 pd \$20.00
M 12:45 PM
JUL 30 2008
William A. Shaw
Prothonotary/Clerk of Courts
10006 writs
w/prop desc to
Sherriff

UDREN LAW OFFICES, P.C.

ATTORNEY FOR PLAINTIFF

MARK J. UDREN, ESQUIRE - ID #04302
STUART WINNEG, ESQUIRE - ID #45362
LORRAINE DOYLE, ESQUIRE - ID #34576
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Deutsche Bank Trust Company
Americas f/k/a Banker's Trust
Company, as Trustee and
Custodian by: Saxon Mortgage
Services, Inc. f/k/a Meritech
Mortgage Services, Inc. as its
attorney-in-fact

Plaintiff
v.

Chris E. Curley
Kristine M. Curley (Mortgagor)
Defendant(s)

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County
MORTGAGE FORECLOSURE

NO. 2008-913-CD


C E R T I F I C A T E

Chandra M. Arkema, Esquire, hereby states that she is the attorney for the Plaintiff in the above-captioned matter and that the premises are not subject to the provisions of Act 91 because it is:

- () An FHA insured mortgage
- () Non-owner occupied
- () Vacant
- (X) Act 91 procedures have been fulfilled.
- () Over 24 months delinquent.

This certification is made subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.

UDREN LAW OFFICES, P.C.

BY: 
Attorneys for Plaintiff
MARK J. UDREN, ESQUIRE
STUART WINNEG, ESQUIRE
LORRAINE DOYLE, ESQUIRE
ALAN M. MINATO, ESQUIRE
CHANDRA M. ARKEMA, ESQUIRE

UDREN LAW OFFICES, P.C.

ATTORNEY FOR PLAINTIFF

MARK J. UDREN, ESQUIRE - ID #04302
STUART WINNEG, ESQUIRE - ID #45362
LORRAINE DOYLE, ESQUIRE - ID #34576
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WOODCREST CORPORATE CENTER
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Deutsche Bank Trust Company
Americas f/k/a Banker's Trust
Company, as Trustee and
Custodian by: Saxon Mortgage
Services, Inc. f/k/a Meritech
Mortgage Services, Inc. as its
attorney-in-fact

Plaintiff

v.

Chris E. Curley
Kristine M. Curley (Mortgagor)
Defendant(s)

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County

MORTGAGE FORECLOSURE

NO. 2008-913-CD

AFFIDAVIT PURSUANT TO RULE 3129.1

Deutsche Bank Trust Company Americas f/k/a Banker's Trust
Company, as Trustee and Custodian by: Saxon Mortgage Services,
Inc. f/k/a Meritech Mortgage Services, Inc. as its attorney-in-
fact, Plaintiff in the above action, by its attorney, Mark J.
Udren, ESQ., sets forth as of the date the Praecipe for the Writ
of Execution was filed the following information concerning the
real property located at: 448 South Church Street, DuBois, PA
15801

1. Name and address of Owner(s) or reputed Owner(s):
Name Address

Chris E. Curley 1120 South Main Street
DuBois, PA 15801

2. Name and address of Defendant(s) in the judgment:
Name Address

Kristine M. Curley (Mortgagor) 501 Reams Street
DuBois, PA 15801

3. Name and address of every judgment creditor whose judgment is
a record lien on the real property to be sold:
Name Address

None

4. Name and address of the last recorded holder of every mortgage of record:

Name	Address
Deutsche Bank Trust Company Americas f/k/a Banker's Trust Company, as Trustee and Custodian by: Saxon Mortgage Services, Inc. f/k/a Meritech Mortgage Services, Inc. as its attorney-in-fact	4708 Mercantile Drive Ft. Worth, TX 76137

Saxon Mortgage, Inc. A Corporation	4880 Cox Road, Glen Allen, VA 23060
---------------------------------------	--

5. Name and address of every other person who has any record lien on the property:

Name	Address
------	---------

None

6. Name and address of every other person who has any record interest in the property and whose interest may be affected by the sale:

Name	Address
------	---------

Real Estate Tax Dept.	1 North Second St., Suite 116 Clearfield, PA 16830
-----------------------	---

Domestic Relations Section	1 North Second St., Suite 116 Clearfield, PA 16830
----------------------------	---

Commonwealth of PA, Department of Revenue	Bureau of Compliance, PO Box 281230 Harrisburg, PA 17128-1230
--	--

7. Name and address of every other person of whom the plaintiff has knowledge who has any interest in the property which may be affected by the sale:

Name	Address
------	---------

Tenants/Occupants	448 South Church Street DuBois, PA 15801
-------------------	---

I verify that the statements made in this affidavit are true and correct to the best of my personal knowledge or information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. sec. 4904 relating to unsworn falsification to authorities.

DATED: July 29, 2008

UDREN LAW OFFICES, P.C.

BY: *Chandria Arkema*

Attorneys for Plaintiff

MARK J. UDREN, ESQUIRE

STUART WINNEG, ESQUIRE

LORRAINE DOYLE, ESQUIRE

ALAN M. MINATO, ESQUIRE

CHANDRA M. ARKEMA, ESQUIRE

UDREN LAW OFFICES, P.C.
MARK J. UDREN, ESQUIRE - ID #04302
STUART WINNEG, ESQUIRE - ID #45362
LORRAINE DOYLE, ESQUIRE - ID #34576
ALAN M. MINATO, ESQUIRE - ID #75860
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WOODCREST CORPORATE CENTER
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ATTORNEY FOR PLAINTIFF

COPY

Deutsche Bank Trust Company
Americas f/k/a Banker's Trust
Company, as Trustee and
Custodian by: Saxon Mortgage
Services, Inc. f/k/a Meritech
Mortgage Services, Inc. as its
attorney-in-fact
Plaintiff

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County
MORTGAGE FORECLOSURE

v.

Chris E. Curley
Kristine M. Curley (Mortgagor)
Defendant(s)

NO. 2008-913-CD

WRIT OF EXECUTION

TO THE SHERIFF OF Clearfield COUNTY:

To satisfy the judgment, interest and costs in the above
matter, you are directed to levy upon and sell the following
described property:

448 South Church Street
DuBois, PA 15801
SEE LEGAL DESCRIPTION ATTACHED

Amount due

\$62,300.23
13500 Prothonotary costs

Interest From 7/30/08

to Date of Sale _____

Ongoing Per Diem of \$10.99

to actual date of sale including if sale is
held at a later date

(Costs to be added)

\$ _____

By

Willie L. Hays

Prothonotary

Clerk

Date

7/30/08

COURT OF COMMON PLEAS

NO. 2008-913-CD

=====

Deutsche Bank Trust Company Americas f/k/a Banker's Trust
Company, as Trustee and Custodian by: Saxon Mortgage Services,
Inc. f/k/a Meritech Mortgage Services, Inc. as its attorney-in-
fact

vs.

Chris E. Curley
Kristine M. Curley (Mortgagor)

=====

WRIT OF EXECUTION

=====

REAL DEBT \$ 62,300.23

INTEREST \$

from 7/30/08

to Date of Sale

Ongoing Per Diem of \$10.99

to actual date of sale including if sale is
held at a later date

COSTS PAID:

PROTHY \$ 135.00

SHERIFF \$

STATUTORY \$

COSTS DUE PROTHY. \$

PREMISES TO BE SOLD:

448 South Church Street

DuBois, PA 15801



UDREN LAW OFFICES, P.C.

MARK J. UDREN, ESQUIRE

STUART WINNEG, ESQUIRE

LORRAINE DOYLE, ESQUIRE

ALAN M. MINATO, ESQUIRE

CHANDRA M. ARKEMA, ESQUIRE

WOODCREST CORPORATE CENTER

111 WOODCREST ROAD, SUITE 200

CHERRY HILL, NJ 08003-3620

(856) 669-5400

pleadings@udren.com

ALL that certain piece or parcel of land situate, lying and being in the City of DuBois, Clearfield County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at the Northwest corner of the intersection of Leopold Alley and South Church Street; thence along the North line of Leopold Alley, North 67 degrees 36 minutes West, 89.4 feet to a cut in the curbstone at the corner of property conveyed to Nelson B. Moulton and Lurene B. Moulton by Deed dated February 1, 1943; thence by land now or formerly of Moulton, North 22 degrees 28 minutes East 53.4 feet to an iron pipe; thence by Lot No. 170 now or formerly owned by Jonas Woaver, South 60 degrees 57 minutes East 94.05 feet to South Church Street; thence along the West line of South Church Street, Southerly 43 feet to the place of beginning.

BEING the Eastern end of Lot No. 171 of Knarr's Addition to the City of DuBois.

BEING known and numbered on the Clearfield County Assessment Map as #7.4-11-3155.

EXCEPTING and reserving unto William E. Brown and Eva J. Brown, their heirs and assigns forever, the right to lay, maintain and replace gas, water and sewer lines as the same are ore specifically set forth in an agreement entered into between Nelson B. Moulton and Lurene B. Moulton and William E. Brown and Eva J. Brown, dated April 13, 1963 and recorded in Clearfield County Miscellaneous Book Vol. 131, Page 633 on April 15, 1963.

BEING KNOWN AS: 448 South Church Street, DuBois, PA 15801

PROPERTY ID NO.: 7.4-011-000-03155 CONTROL NO.: 007408589

TITLE TO SAID PREMISES IS VESTED IN CHRIS E. CURLEY, A MARRIED INDIVIDUAL BY DEED FROM CHRIS E. CURLEY AND KRISTINE M. CURLEY, HIS WIFE DATED 3/5/03 RECORDED 3/26/03 INSTRUMENT NO. 200304695.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 104182
NO. 08-913-CD
SERVICES 4
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: DEUTSCHE BANK TRUST COMPANY AMERICAS f/k/a
vs.
DEFENDANT: CHRIS E. CURLEY and KRISTINE M. CURLEY

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	UDREN	113559	40.00
SHERIFF HAWKINS	UDREN	113559	54.19

FILED

010:5634
AUG 28 2008

William A. Shaw
Prothonotary/Clerk of Courts

Sworn to Before Me This

_____ Day of _____ 2008

So Answers,



Chester A. Hawkins
Sheriff

UDREN LAW OFFICES, P.C.

MARK J. UDREN, ESQUIRE - ID #04302
STUART WINNEG, ESQUIRE - ID #45362
LORRAINE DOYLE, ESQUIRE - ID #34576
ALAN M. MINATO, ESQUIRE - ID #75860
CHANDRA M. ARKEMA, ESQUIRE - ID #203437
WOODCREST CORPORATE CENTER
111 WOODCREST ROAD, SUITE 200
CHERRY HILL, NJ 08003-3620
856-669-5400

ATTORNEY FOR PLAINTIFF

Deutsche Bank Trust Company
Americas f/k/a Banker's Trust
Company, as Trustee and
Custodian by: Saxon Mortgage
Services, Inc. f/k/a Meritech
Mortgage Services, Inc. as its
attorney-in-fact
4708 Mercantile Drive
Ft. Worth, TX 76137
Plaintiff

v.

Chris E. Curley
Kristine M. Curley (Mortgagor)
1120 South Main Street
DuBois, PA 15801
Defendant(s)

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County

NO. 2008-913-CD

FILED ICC Atty
m/11:45 am
SEP 17 2008

William A. Shaw
Prothonotary/Clerk of Courts

PRAECIPE TO FILE PROOF OF SERVICE

TO THE PROTHONOTARY:

Kindly file the attached Proofs of Service with regard to
the captioned matter.

Date: September 2, 2008

UDREN LAW OFFICES, P.C.

BY: Mark J. Udren
Attorneys for Plaintiff
MARK J. UDREN, ESQUIRE
STUART WINNEG, ESQUIRE
LORRAINE DOYLE, ESQUIRE
ALAN M. MINATO, ESQUIRE
CHANDRA M. ARKEMA, ESQUIRE

Deutsche Bank Trust Company Americas, et. al., Plaintiff(s)
vs.
Chris E. Curley, et. al., Defendant(s)



Service of Process by
APS International, Ltd.
1-800-328-7171

APS International Plaza
7800 Glenroy Rd.
Minneapolis, MN 55439-3122

APS File #: 091516-0001

AFFIDAVIT OF SERVICE -- Individual

UDREN LAW OFFICES
Ms. Amber Sandor
111 Woodcrest Rd, Ste 200
Cherry Hill, NJ 08003-3620

Service of Process on:

—Chris E. Curley
Court Case No. 2008-913-CD

State of: 206-38-2462 PA ss.

County of: CLARION

Name of Server: James Collins Constable, undersigned, being duly sworn, deposes and says
that at the time of service, s/he was of legal age and was not a party to this action;

Date/Time of Service: that on the 27th day of AUGUST, 20 08, at 6:42 o'clock P M

Place of Service: at 1120 South Main Street, in DuBois, PA 15801

Documents Served: the undersigned served the documents described as:
Notice of Sheriff's Sale of Real Property

Service of Process on: A true and correct copy of the aforesaid document(s) was served on:
Chris E. Curley

Person Served, and
Method of Service:

☒ By personally delivering them into the hands of the person to be served.

☐ By delivering them into the hands of _____, a person
of suitable age, who verified, or who upon questioning stated, that he/she resides with
Chris E. Curley
at the place of service, and whose relationship to the person is: _____

Description of Person
Receiving Documents:

The person receiving documents is described as follows:

Sex M; Skin Color W; Hair Color BROWN; Facial Hair NO
Approx. Age 25; Approx. Height 6'0"; Approx. Weight 185

☒ To the best of my knowledge and belief, said person was not engaged in the US Military at
the time of service.

Signature of Server: Undersigned declares under penalty of perjury
that the foregoing is true and correct.

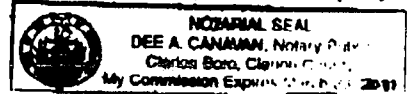
James Collins
Signature of Server

APS International, Ltd.

Subscribed and sworn to before me this

28 day of August, 20 08

Dee A. Canavan 3/23/2011
Notary Public (Commission Expires)





Service of Process by

APS International, Ltd.

1-800-328-7171

APS International Plaza
7800 Glenroy Rd.
Minneapolis, MN 55439-3122

APS File #: 091516-0002

AFFIDAVIT OF SERVICE – Individual

Service of Process on:

–Kristine Curley
Court Case No. 2008-913-CD

COLLINS (CONSTABLE), undersigned, being duly sworn, deposes and says that at the time of service, s/he was of legal age and was not a party to this action:
Date/Time of Service: that on the 19 day of AUG, 2008, at 7:15 o'clock P M

Place of Service: at 501 Reams Street, in DuBois, PA 15801

Documents Served: the undersigned served the documents described as:
Notice of Sheriff's Sale of Real Property

Service of Process on: A true and correct copy of the aforesaid document(s) was served on:
Kristine Curley

Person Served, and Method of Service: ☒ By personally delivering them into the hands of the person to be served.

☐ By delivering them into the hands of _____, a person of suitable age, who verified, or who upon questioning stated, that he/she resides with Kristine Curley at the place of service, and whose relationship to the person is: _____

Description of Person Receiving Documents: The person receiving documents is described as follows:
Sex F; Skin Color W; Hair Color BRO; Facial Hair _____
Approx. Age 40's; Approx. Height 5'11"; Approx. Weight 175
☒ To the best of my knowledge and belief, said person was not engaged in the US Military at the time of service.

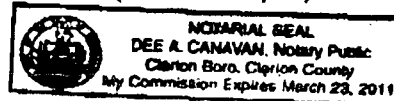
Signature of Server: Undersigned declares under penalty of perjury that the foregoing is true and correct.

James Collins
Signature of Server

APS International, Ltd.

Subscribed and sworn to before me this
21st day of August, 20 08

Dee A. Canavan
Notary Public (Commission Expires)



UDREN LAW OFFICES, P.C.

ATTORNEY FOR PLAINTIFF

MARK J. UDREN, ESQUIRE - ID #04302
STUART WINNEG, ESQUIRE - ID #45362
LORRAINE DOYLE, ESQUIRE - ID #34576
ALAN M. MINATO, ESQUIRE - ID #75860
CHANDRA M. ARKEMA, ESQUIRE - ID #203437
WOODCREST CORPORATE CENTER
111 WOODCREST ROAD, SUITE 200
CHERRY HILL, NJ 08003-3620
856-669-5400

Deutsche Bank Trust Company
Americas f/k/a Banker's Trust
Company, as Trustee and
Custodian by: Saxon Mortgage
Services, Inc. f/k/a Meritech
Mortgage Services, Inc. as its
attorney-in-fact
4708 Mercantile Drive
Ft. Worth, TX 76137
Plaintiff

v.

Chris E. Curley
Kristine M. Curley (Mortgagor)
1120 South Main Street
DuBois, PA 15801
Defendant(s)

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County

FILED

SEP 25 11:58 a.m. CLK

SEP 25 2008

NO CC

William A. Shaw
Prothonotary/Clerk of Courts

(GR)

NO. 2008-913-CD

AFFIDAVIT OF SERVICE PURSUANT TO Pa.R.C.P. RULE 3129.1

Plaintiff, by its/his/her Attorney, Mark J. Udren, Esquire, hereby verifies that:

1. A copy of the Notice of Sheriff's Sale, a true and correct copy of which is attached hereto as Exhibit "A", was sent to every recorded lienholder and every other interested party known as of the date of the filing of the Praecipe for the Writ of Execution, on the date(s) appearing on the attached Certificates of Mailing.
2. A Notice of Sheriff's Sale was sent to Defendant(s) by regular mail and certified mail on the date appearing on the attached Return Receipt, which was signed for by Defendant(s) on the date specified on the said Return Receipt. Copies of the said Notice and Return Receipt are attached hereto as Exhibit "B".
3. If a Return Receipt is not attached hereto, then service was by personal service on the date specified on the attached Return of Service, attached hereto as Exhibit "B".
4. If service was by Order of Court, then proof of compliance with said Order is attached hereto as Exhibit "B".

All Notices were served within the time limits set forth by Pa Rule C.P. 3129.

This Affidavit is made subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn falsification to authorities.

Dated: September 12, 2008

UDREN LAW OFFICES, P.C.

BY: Chandra Arkema
Attorneys for Plaintiff
MARK J. UDREN, ESQUIRE
STUART WINNEG, ESQUIRE
LORRAINE DOYLE, ESQUIRE
ALAN M. MINATO, ESQUIRE
CHANDRA M. ARKEMA, ESQUIRE

UDREN LAW OFFICES, P.C.

ATTORNEY FOR PLAINTIFF

MARK J. UDREN, ESQUIRE - ID #04302
STUART WINNEG, ESQUIRE - ID #45362
LORRAINE DOYLE, ESQUIRE - ID #34576
ALAN M. MINATO, ESQUIRE - ID #75860
CHANDRA M. ARKEMA, ESQUIRE - ID #203437
WOODCREST CORPORATE CENTER
111 WOODCREST ROAD, SUITE 200
CHERRY HILL, NJ 08003-3620
856-669-5400

Deutsche Bank Trust Company Americas
f/k/a Banker's Trust Company, as
Trustee and Custodian by: Saxon
Mortgage Services, Inc. f/k/a Meritech
Mortgage Services, Inc. as its attorney-in-
fact

Plaintiff

v.

Chris E. Curley
Kristine M. Curley (Mortgagor)
Defendant(s)

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County

NO. 2008-913-CD

TO: ALL PARTIES IN INTEREST AND CLAIMANTS

**NOTICE OF SHERIFF'S SALE
OF REAL PROPERTY**

OWNER(S): Chris E. Curley
Kristine M. Curley (Mortgagor)

PROPERTY: 448 South Church Street
DuBois, PA 15801

Improvements: RESIDENTIAL DWELLING

The above captioned property is scheduled to be sold at the **Clearfield** County Sheriff's Sale on **October 3, 2008**, at 10:00 A.M., in the Clearfield County Courthouse, 1 North Second Street, Suite 116, Clearfield, PA. Our records indicate that you may hold a mortgage or judgment on the property which will be extinguished by the sale. You may wish to attend the sale to protect your interests.

A Schedule of Distribution will be filed by the Sheriff on a date specified by the Sheriff not later than 30 days after sale. Distribution will be made in accordance with the schedule unless exceptions are filed thereto within 10 days after the filing of the schedule.

EXHIBIT A

Name and Address of Sender
**UDREN LAW OFFICES, P.C.
111 WOODCREST ROAD, SUITE 200
CHERRY HILL, NJ 08003**

ATTN: Amber D. Sandor

☐ Registered
☐ Insured
☐ COD
☐ Certified

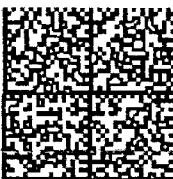
☐ Return Receipt for Merchandise
☐ Int'l Recorded Del.
☐ Express Mail

Check appropriate block for Registered Mail:
☐ With Postal Insurance
☐ Without postal Insurance

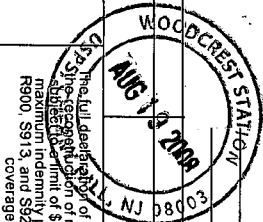
Affix stamp here if issued as certificate of mailing or for additional copies of this bill.

Postmark and Date of Receipt

Line	Article Number	Name of Addressee, Street, and Post Office Address	Postage	Fee	Handling Charge	Act. Value (if Regis.)	Insured Value	Due Sender If COD	R.R. Fee	S.D. Fee	S.H. Fee	Remarks
1		COMMONWEALTH OF PA, DEPT. OF REVENUE, BUREAU OF COMPLIANCE, PO Box 281230, Department of Revenue Harrisburg, PA 17128-1230										
2		TENANTS/OCCUPANTS 448 South Church Street DuBois, PA 15801										
3		DEUTSCHE BANK TRUST CO. AMERICAS 4708 Mercantile Drive Ft. Worth, TX 76137										
4		SAXON MORTGAGE INC. 4880 Cox Road Glen Allen, VA 23060										
5		REAL ESTATE TAX DEPARTMENT 1 North Second Street, Suite 116 Clearfield, PA 16830										
6		DOMESTIC RELATIONS SECTION 1 North Second Street, Suite 116 Clearfield, PA 16830										
7												
8												
9												
10												
11												
12												
13												
14												
15												
Total number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving Employee)									



016H26519216
\$03.80
08/19/2008
Mailed From 08003
US POSTAGE



The full designation of value is required on all domestic and international registered mail. The maximum indemnity payable for loss or damage to registered mail is \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise is \$500. The maximum indemnity payable is \$25,000 for registered mail, sent with optional postal insurance. See Domestic Mail Manual R900, S913, and S921 for limitations of coverage on insured and COD mail. See International Mail Manual for limitations of coverage on international mail. Special handling charges apply only to third and fourth class parcels.

EXHIBIT

PS Form 3877, February 1994

Form Must be Completed by Typewriter, Ink or Ball Point Pen

Chris E. Curley
Kristine M. Curley (Mortgagor); #08050132-1 (Clearfield) 10/3/08

UDREN LAW OFFICES, P.C.
MARK J. UDREN, ESQUIRE - ID #04302
STUART WINNEG, ESQUIRE - ID #45362
LORRAINE DOYLE, ESQUIRE - ID #34576
ALAN M. MINATO, ESQUIRE - ID #75860
CHANDRA M. ARKEMA, ESQUIRE - ID #203437
WOODCREST CORPORATE CENTER
111 WOODCREST ROAD, SUITE 200
CHERRY HILL, NJ 08003-3620
856-669-5400

ATTORNEY FOR PLAINTIFF

Deutsche Bank Trust Company
Americas f/k/a Banker's Trust
Company, as Trustee and
Custodian by: Saxon Mortgage
Services, Inc. f/k/a Meritech
Mortgage Services, Inc. as its
attorney-in-fact
4708 Mercantile Drive
Ft. Worth, TX 76137

Plaintiff

v.

Chris E. Curley
Kristine M. Curley (Mortgagor)
1120 South Main Street
DuBois, PA 15801

Defendant(s)

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County

NO. 2008-913-CD

PRAECIPE TO FILE PROOF OF SERVICE

TO THE PROTHONOTARY:

Kindly file the attached Proofs of Service with regard to
the captioned matter.

Date: September 2, 2008

UDREN LAW OFFICES, P.C.

BY: Mark J. Udren
Attorneys for Plaintiff
MARK J. UDREN, ESQUIRE
STUART WINNEG, ESQUIRE
LORRAINE DOYLE, ESQUIRE
ALAN M. MINATO, ESQUIRE
CHANDRA M. ARKEMA, ESQUIRE

EXHIBIT B

Deutsche Bank Trust Company Americas, et. al., Plaintiff(s)
vs.
Chris E. Curley, et. al., Defendant(s)



Service of Process by

APS International, Ltd.

1-800-328-7171

APS International Plaza
7800 Glenroy Rd.
Minneapolis, MN 55439-3122

APS File #: 091516-0001

AFFIDAVIT OF SERVICE – Individual

UDREN LAW OFFICES
Ms. Amber Sandor
111 Woodcrest Rd, Ste 200
Cherry Hill, NJ 08003-3620

Service of Process on:

—Chris E. Curley
Court Case No. 2008-913-CD

State of: 206-38-2462 PA ss.

County of: CLARION

Name of Server: James Collins Constable, undersigned, being duly sworn, deposes and says that at the time of service, s/he was of legal age and was not a party to this action;

Date/Time of Service: that on the 27th day of AUGUST, 20 08, at 6:42 o'clock P M

Place of Service: at 1120 South Main Street, in DuBois, PA 15801

Documents Served: the undersigned served the documents described as:
Notice of Sheriff's Sale of Real Property

Service of Process on: A true and correct copy of the aforesaid document(s) was served on:
Chris E. Curley

Person Served, and Method of Service: ☒ By personally delivering them into the hands of the person to be served.

☐ By delivering them into the hands of _____, a person of suitable age, who verified, or who upon questioning stated, that he/she resides with Chris E. Curley at the place of service, and whose relationship to the person is: _____

Description of Person Receiving Documents: The person receiving documents is described as follows:
Sex M; Skin Color W; Hair Color BROWN; Facial Hair NO
Approx. Age 25; Approx. Height 6'0"; Approx. Weight 185

☒ To the best of my knowledge and belief, said person was not engaged in the US Military at the time of service.

Signature of Server: Undersigned declares under penalty of perjury that the foregoing is true and correct.

James Collins
Signature of Server

APS International, Ltd.

Subscribed and sworn to before me this

28 day of August, 20 08

Dee A. Canham 3/23/2011
Notary Public (Commission Expires)

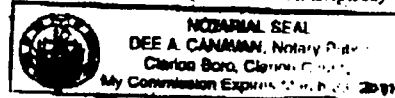


EXHIBIT B

Deutsche Bank Trust Company Americas, et. al., Plaintiff(s)
vs.
Chris E. Curley, et. al., Defendant(s)



Service of Process by
APS International, Ltd.
1-800-328-7171

APS International Plaza
7800 Glenroy Rd.
Minneapolis, MN 55439-3122

APS File #: 091516-0002

AFFIDAVIT OF SERVICE – Individual

Service of Process on:

—Kristine Curley
Court Case No. 2008-913-CD

UDREN LAW OFFICES
Ms. Amber Sandor
111 Woodcrest Rd, Ste 200
Cherry Hill, NJ 08003-3620

State of: 206-38-2462 PA ss.

County of: CLARION

Name of Server: JAMES COLLINS (CONSTABLE), undersigned, being duly sworn, deposes and says that at the time of service, s/he was of legal age and was not a party to this action;

Date/Time of Service: that on the 19 day of AUG, 2008, at 7:15 o'clock P M

Place of Service: at 501 Reams Street, in DuBois, PA 15801

Documents Served: the undersigned served the documents described as:
Notice of Sheriff's Sale of Real Property

Service of Process on: A true and correct copy of the aforesaid document(s) was served on:
Kristine Curley

Person Served, and Method of Service: ☒ By personally delivering them into the hands of the person to be served.

☐ By delivering them into the hands of _____, a person of suitable age, who verified, or who upon questioning stated, that he/she resides with Kristine Curley at the place of service, and whose relationship to the person is: _____

Description of Person Receiving Documents: The person receiving documents is described as follows:
Sex F; Skin Color W; Hair Color Brn; Facial Hair _____
Approx. Age 40's; Approx. Height 5'11"; Approx. Weight 175
☒ To the best of my knowledge and belief, said person was not engaged in the US Military at the time of service.

Signature of Server: Undersigned declares under penalty of perjury that the foregoing is true and correct.

James Collins
Signature of Server

APS International, Ltd.

Subscribed and sworn to before me this
21st day of August, 2008
Dee A. Canavan
Notary Public (Commission Expires)

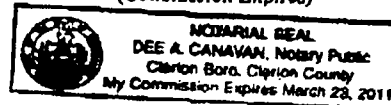


EXHIBIT B

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20812

NO: 08-913-CD

PLAINTIFF: DEUTSCHE BANK TRUST COMPANY AMERICAS F/K/A BANKER'S TRUST COMPANY, AS TRUSTEE
AND CUSTODIAN BY: SAXON MORTGAGE SERVICES, INC. F/K/A MERITECH MORTGAGE SERVICES, INC. AS ITS
ATTORNEY-IN-FACT

vs.

DEFENDANT: CHRIS E. CURLEY AND KRISTINE M. CURLEY (MORTGAGOR)

Execution REAL ESTATE

SHERIFF RETURN

DATE RECEIVED WRIT: 7/30/2008

LEVY TAKEN 8/27/2008 @ 12:24 PM

POSTED 8/27/2008 @ 12:24 PM

SALE HELD 11/7/2008

SOLD TO DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR SAXON ASSET
SECURITIES TRUST 2005-4

SOLD FOR AMOUNT \$1.00 PLUS COSTS

WRIT RETURNED 12/17/2008

DATE DEED FILED 12/17/2008

SERVICES

8/27/2008 @ 1:09 PM SERVED CHRIS E. CURLEY

SERVED CHRIS E. CURLEY, DEFENDANT, AT HIS PLACE OF EMPLOYMENT 404 LIBERTY BLVD., DUBOIS, CLEARFIELD COUNTY,
PENNSYLVANIA BY HANDING TO CHRIS CURLEY

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE, AND COPY OF THE LEVY AND BY MAKING
KNOW TO HIM / HER THE CONTENTS THEREOF.

8/27/2008 @ 12:53 PM SERVED KRISTINE M. CURLEY

SERVED KRISTINE M. CURLEY, DEFENDANT, AT HER RESIDENCE 501 REAMS STREET, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA
BY HANDING TO DARYL CLARK, FATHER OF DEFENDANT/ADULT AT RESIDENCE

A TRUE AND ATTESTED COPY OF THE ORIGINAL WRIT OF EXECUTION, NOTICE OF SALE, AND COPY OF THE LEVY AND BY MAKING
KNOW TO HIM / HER THE CONTENTS THEREOF.

@ SERVED

NOW, OCTOBER 2, 2008 RECEIVED A FAX LETTER FROM THE PLAINTIFF'S ATTORNEY TO CONTINUE THE SHERIFF SALE SCHEDULED
FOR OCTOBER 3, 2008 TO NOVEMBER 7, 2008.

5
FILED
01/11/2009
DEC 17 2008

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 20812
NO: 08-913-CD

PLAINTIFF: DEUTSCHE BANK TRUST COMPANY AMERICAS F/K/A BANKER'S TRUST COMPANY, AS TRUSTEE
AND CUSTODIAN BY: SAXON MORTGAGE SERVICES, INC. F/K/A MERITECH MORTGAGE SERVICES, INC. AS ITS
ATTORNEY-IN-FACT

vs.

DEFENDANT: CHRIS E. CURLEY AND KRISTINE M. CURLEY (MORTGAGOR)

Execution REAL ESTATE

SHERIFF RETURN


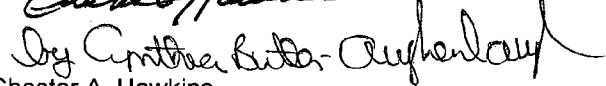
SHERIFF HAWKINS \$266.76

SURCHARGE \$40.00 PAID BY ATTORNEY

Sworn to Before Me This

_____ Day of _____ 2008

So Answers,



Chester A. Hawkins
Sheriff

UDREN LAW OFFICES, P.C.
MARK J. UDREN, ESQUIRE - ID #04302
STUART WINNEG, ESQUIRE - ID #45362
LORRAINE DOYLE, ESQUIRE - ID #34576
ALAN M. MINATO, ESQUIRE - ID #75860
CHANDRA M. ARKEMA, ESQUIRE - ID #203437
WOODCREST CORPORATE CENTER
111 WOODCREST ROAD, SUITE 200
CHERRY HILL, NJ 08003-3620
856-669-5400
pleadings@udren.com

ATTORNEY FOR PLAINTIFF

Deutsche Bank Trust Company
Americas f/k/a Banker's Trust
Company, as Trustee and
Custodian by: Saxon Mortgage
Services, Inc. f/k/a Meritech
Mortgage Services, Inc. as its
attorney-in-fact
Plaintiff

COURT OF COMMON PLEAS
CIVIL DIVISION
Clearfield County

MORTGAGE FORECLOSURE

v.

Chris E. Curley
Kristine M. Curley (Mortgagor)
Defendant(s)

NO. 2008-913-CD

WRIT OF EXECUTION

TO THE SHERIFF OF Clearfield COUNTY:

To satisfy the judgment, interest and costs in the above
matter, you are directed to levy upon and sell the following
described property:

448 South Church Street
DuBois, PA 15801
SEE LEGAL DESCRIPTION ATTACHED

Amount due

\$62,300.23

135.00 Prothonotary costs

Interest From 7/30/08

to Date of Sale _____

Ongoing Per Diem of \$10.99

to actual date of sale including if sale is
held at a later date

(Costs to be added)

\$ _____

Prothonotary

By Willi [Signature]

Date 7/30/08

Received this writ this 30th day
of July A.D. 2008
At 2:00 A.M./P.M.

[Signature]
Sheriff Dy Cynthia Butler

COURT OF COMMON PLEAS
NO. 2008-913-CD

=====

Deutsche Bank Trust Company Americas f/k/a Banker's Trust
Company, as Trustee and Custodian by: Saxon Mortgage Services,
Inc. f/k/a Meritech Mortgage Services, Inc. as its attorney-in-
fact
vs.

Chris E. Curley
Kristine M. Curley (Mortgagor)

=====

WRIT OF EXECUTION

=====

REAL DEBT \$ 62,300.23

INTEREST \$ _____

from 7/30/08

to Date of Sale _____

Ongoing Per Diem of \$10.99

to actual date of sale including if sale is
held at a later date

COSTS PAID:

PROTHY \$ 135.00

SHERIFF \$ _____

STATUTORY \$ _____

COSTS DUE PROTHY. \$ _____

PREMISES TO BE SOLD:

448 South Church Street

DuBois, PA 15801



UDREN LAW OFFICES, P.C.

MARK J. UDREN, ESQUIRE

STUART WINNEG, ESQUIRE

LORRAINE DOYLE, ESQUIRE

ALAN M. MINATO, ESQUIRE

CHANDRA M. ARKEMA, ESQUIRE

WOODCREST CORPORATE CENTER

111 WOODCREST ROAD, SUITE 200

CHERRY HILL, NJ 08003-3620

(856) 669-5400

pleadings@udren.com

ALL that certain piece or parcel of land situate, lying and being in the City of DuBois, Clearfield County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at the Northwest corner of the intersection of Leopold Alley and South Church Street; thence along the North line of Leopold Alley, North 67 degrees 36 minutes West, 89.4 feet to a cut in the curbstone at the corner of property conveyed to Nelson B. Moulton and Lurene B. Moulton by Deed dated February 1, 1943; thence by land now or formerly of Moulton, North 22 degrees 28 minutes East 53.4 feet to an iron pipe; thence by Lot No. 170 now or formerly owned by Jonas Woaver, South 60 degrees 57 minutes East 94.05 feet to South Church Street; thence along the West line of South Church Street, Southerly 43 feet to the place of beginning.

BEING the Eastern end of Lot No. 171 of Knarr's Addition to the City of DuBois.

BEING known and numbered on the Clearfield County Assessment Map as #7.4-11-3155.

EXCEPTING and reserving unto William E. Brown and Eva J. Brown, their heirs and assigns forever, the right to lay, maintain and replace gas, water and sewer lines as the same are ore specifically set forth in an agreement entered into between Nelson B. Moulton and Lurene B. Moulton and William E. Brown and Eva J. Brown, dated April 13, 1963 and recorded in Clearfield County Miscellaneous Book Vol. 131, Page 633 on April 15, 1963.

BEING KNOWN AS: 448 South Church Street, DuBois, PA 15801

PROPERTY ID NO.: 7.4-011-000-03155 CONTROL NO.: 007408589

TITLE TO SAID PREMISES IS VESTED IN CHRIS E. CURLEY, A MARRIED INDIVIDUAL BY DEED FROM CHRIS E. CURLEY AND KRISTINE M. CURLEY, HIS WIFE DATED 3/5/03 RECORDED 3/26/03 INSTRUMENT NO. 200304695.

**REAL ESTATE SALE
SCHEDULE OF DISTRIBUTION**

NAME CHRIS E. CURLEY

NO. 08-913-CD

NOW, December 17, 2008, by virtue of the Writ of Execution hereunto attached, after having given due and legal notice of time and place of sale by publication in a newspaper published in this County and by handbills posted on the premises setting for the date, time and place of sale at the Court House in Clearfield on November 07, 2008, I exposed the within described real estate of Chris E. Curley And Kristine M. Curley (Mortgagor) to public venue or outcry at which time and place I sold the same to DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR SAXON ASSET SECURITIES TRUST 2005-4 he/she being the highest bidder, for the sum of \$1.00 plus costs and made the following appropriations, viz:

SHERIFF COSTS:

RDR	15.00
SERVICE	15.00
MILEAGE	22.23
LEVY	15.00
MILEAGE	22.23
POSTING	15.00
CSDS	10.00
COMMISSION	0.00
POSTAGE	6.30
HANDBILLS	15.00
DISTRIBUTION	25.00
ADVERTISING	15.00
ADD'L SERVICE	15.00
DEED	30.00
ADD'L POSTING	
ADD'L MILEAGE	
ADD'L LEVY	
BID AMOUNT	1.00
RETURNS/DEPUTIZE	
COPIES	15.00
	5.00
BILLING/PHONE/FAX	5.00
CONTINUED SALES	20.00
MISCELLANEOUS	

TOTAL SHERIFF COSTS \$266.76

DEED COSTS:

ACKNOWLEDGEMENT	5.00
REGISTER & RECORDER	31.00
TRANSFER TAX 2%	0.00
TOTAL DEED COSTS	\$31.00

PLAINTIFF COSTS, DEBT AND INTEREST:

DEBT-AMOUNT DUE	62,300.23
INTEREST @ 10.9900 %	1,099.00
FROM 07/30/2008 TO 11/07/2008	

PROTH SATISFACTION	
LATE CHARGES AND FEES	
COST OF SUIT-TO BE ADDED	
FORECLOSURE FEES	
ATTORNEY COMMISSION	
REFUND OF ADVANCE	
REFUND OF SURCHARGE	40.00
SATISFACTION FEE	
ESCROW DEFICIENCY	
PROPERTY INSPECTIONS	
INTEREST	
MISCELLANEOUS	

TOTAL DEBT AND INTEREST \$63,439.23

COSTS:

ADVERTISING	1,640.34
TAXES - COLLECTOR	
TAXES - TAX CLAIM	
DUE	
LIEN SEARCH	200.00
ACKNOWLEDGEMENT	5.00
DEED COSTS	31.00
SHERIFF COSTS	266.76
LEGAL JOURNAL COSTS	126.00
PROTHONOTARY	135.00
MORTGAGE SEARCH	80.00
MUNICIPAL LIEN	

TOTAL COSTS \$2,484.10

DISTRIBUTION WILL BE MADE IN ACCORDANCE WITH THE ABOVE SCHEDULE UNLESS EXCEPTIONS ARE FILED WITH THIS OFFICE **WITHIN TEN (10) DAYS FROM THIS DATE.**

CHESTER A. HAWKINS, Sheriff

UDREN LAW OFFICES, P.C.
WOODCREST CORPORATE CENTER
111 WOODCREST ROAD, SUITE 200
CHERRY HILL, NEW JERSEY 08003-3620

856. 669. 5400
FAX: 856. 669. 5399

PENNSYLVANIA OFFICE
717-368-9300

MARK J. UDREN*
STUART WINNEG**
LORRAINE DOYLE**
ALAN M. MINATO***
CHANDRA M. ARKEMA***
*ADMITTED NJ, PA, FL
**ADMITTED PA
***ADMITTED NJ, PA
TINA MARIE RICH
OFFICE ADMINISTRATOR

FREDDIE MAC
PENNSYLVANIA
DESIGNATED COUNSEL

PLEASE RESPOND TO NEW JERSEY OFFICE

October 1, 2008

Sent via telefax #814-765-5915

Clearfield County Sheriff's Office
1 North Second Street
Suite 116
Clearfield, PA 16830
ATTN: Cindy

Re: Deutsche Bank Trust Company Americas f/k/a Banker's Trust
Company, as Trustee and Custodian by: Saxon Mortgage Services,
Inc. f/k/a Meritech Mortgage Services, Inc. as its attorney-
in-fact

vs.

Chris E. Curley
Kristine M. Curley (Mortgagor)
Clearfield County C.C.P. No. 2008-913-CD
Premises: 448 South Church Street
DuBois, PA 15801
SS Date: October 3, 2008

Dear Cindy:

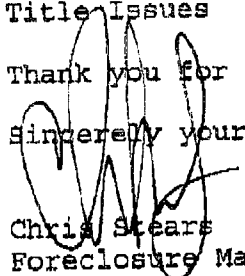
Please Postpone the Sheriff's Sale scheduled for October 3, 2008,
to November 7, 2008.

Sale is Postponed for the following reason:

Title Issues

Thank you for your attention to this matter.

Sincerely yours,


Chris Stears
Foreclosure Manager

/jld