

08-956-CD
North Star Capital vs Matthew Falce

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

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

CIVIL ACTION

No. 08-956-CD

Type of Case: CIVIL

Type of Pleading: PLEADING

VS.

Filed on Behalf of:

MATTHEW A FALCE
(Defendant)
96 LINGLE ST
(Street Address)
OSCEOLA MILLS, PA 16666
(City, State, ZIP)

NORTH STAR CAPITAL ACQUISITION
LLC
(Plaintiff)

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

(Signature)

FILED *Atty pd. \$95.00*
MAY 23 2008
1CC Sheriff
William A. Shaw
Prothonotary/Clerk of Courts
1CC Atty

Our File No.: 141120
APOTHAKER & ASSOCIATES, P.C.
BY: David J. Apothaker, Esq.
Attorney I.D.#38423
2417 Welsh Road, Suite 21 #520
Philadelphia, PA 19114
(215) 634-8920
Attorneys for Plaintiff

NORTH STAR CAPITAL ACQUISITION	)	COURT OF COMMON PLEAS
LLC	)	CLEARFIELD COUNTY
c/o Apothaker & Associates, P.C.)	
2417 Welsh Road, Suite 21 #520	)	NO.:
Philadelphia, PA 19114)	
Plaintiff,)	
vs.)	
MATTHEW A FALCE)	
96 LINGLE ST)	
OSCEOLA MILLS, PA 16666)	
Defendant.)	

NOTICE

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

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

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

AVISO

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las páginas siguientes, usted tiene veinte (20) días de plazo al partir de la fecha de la demanda y la notificación. Hace falta asentir una comparecencia escrita o con un abogado y entregar a la corte en forma escrita sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomará medidas y puede continuar la demanda en contra suya sin previo aviso o notificación. Además, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFFICIENTE DE PAGAR TAL SERVICIO. VAYA EN PERSONA O LLAME POR TELÉFONO A LA OFICINA CUYA DIRECCIÓN SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL.

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Attorneys for Plaintiff

NORTH STAR CAPITAL ACQUISITION)	COURT OF COMMON PLEAS
LLC	)	CLEARFIELD COUNTY
c/o Apothaker & Associates, P.C.)	
2417 Welsh Road, Suite 21 #520	)	NO.:
Philadelphia, PA 19114)	
Plaintiff,)	
vs.)	
MATTHEW A FALCE)	
96 LINGLE ST)	
OSCEOLA MILLS, PA 16666)	
Defendant.)	

**CIVIL ACTION COMPLAINT
FIRST COUNT**

1. Plaintiff is NORTH STAR CAPITAL ACQUISITION LLC c/o Apothaker & Associates, P.C.,
2417 Welsh Road, Suite 21 #520, Philadelphia, PA 19114.
2. Defendant(s) is/are MATTHEW A FALCE, an adult individual residing at 96 LINGLE ST
OSCEOLA MILLS, PA 16666.
3. Plaintiff, NORTH STAR CAPITAL ACQUISITION LLC, is the Assignee and Successor in
Interest of Account #71040720783844; and said account was issued to Defendant(s) by BP/CITIBANK, the
Original creditor.
4. Defendant received, accepted and used the account to its benefit.
5. This account is in default and Defendant(s) has an unpaid balance of \$1,088.05. A true and correct
copy of the total due and owing is attached hereto, made a part hereof and marked as Exhibit "A".
6. All credits, if any, to which Defendant(s) is entitled, have been applied to the account and are
included in Exhibit "A".
7. Although demand has been made, Defendant(s) has failed to make payment of the amount due as
above.

WHEREFORE, Plaintiff demands judgment in favor of Plaintiff and against Defendant(s) for the sum of \$1,088.05 and requests this Court award Plaintiff attorney's fees and costs to the extent permitted by applicable law.

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

BY: David J. Apothaker

Dated: 5/16/2008

Our File No.: 141120

NORTH STAR CAPITAL ACQUISITION LLC
c/o Apotheker & Associates, P.C.
2417 Welsh Road, Suite 21 #520
Philadelphia, PA 19114

MATTHEW A FALCE
96 LINGLE ST
OSCEOLA MILLS, PA 16656

STATEMENT OF ACCOUNT

Debtor's Name: MATTHEW A FALCE

Account Number: 71040720783844

Original Creditor: BP/CITIBANK

Balance Due: \$1,088.05

Our File No.: 141120

EXHIBIT "A"

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
NO: 08-956-CD

NORTH STAR CAPITAL ACQUISITION LLC
vs
MATTHEW A. FALCE

SERVICE # 1 OF 1

COMPLAINT

SERVE BY: 06/22/2008 HEARING: PAGE: 104203

FILED

DEFENDANT: MATTHEW A. FALCE
ADDRESS: 96 LINGLE ST.
OSCEOLA MILLS, PA 16666

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

JUN 11 2008
0/3:30/2008
William A. Shaw
Prothonotary/Clerk of Courts
(610)

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT OCCUPIED

ATTEMPTS 6/2/08 N/A 1/1/08

SHERIFF'S RETURN

NOW, 6/11/08 AT 9:57 AM SERVED THE WITHIN

COMPLAINT ON MATTHEW A. FALCE, DEFENDANT

BY HANDING TO Lori Falce, wife

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

ADDRESS SERVED 96 Lingle st. Osceola Mills PA

NOW _____ AT _____ AM / PM POSTED THE WITHIN

COMPLAINT FOR MATTHEW A. FALCE

AT (ADDRESS) _____

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

I MAKE RETURN OF **NOT FOUND** AS TO MATTHEW A. FALCE

REASON UNABLE TO LOCATE _____

SWORN TO BEFORE ME THIS

____ DAY OF _____ 2008

So Answers: CHESTER A. HAWKINS, SHERIFF

BY:

Deputy S. Hunter
Deputy Signature
S. Hunter

Print Deputy Name

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 104203
NO: 08-956-CD
SERVICES 1
COMPLAINT

PLAINTIFF: NORTH STAR CAPITAL ACQUISITION LLC
VS.
DEFENDANT: MATTHEW A. FALCE

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	APOTHAKER	90896	10.00
SHERIFF HAWKINS	APOTHAKER	90896	58.40

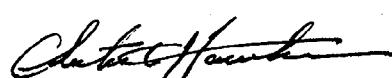
FILED
03/15/08
SEP 22 2008
Clerk

William A. Shaw
Prothonotary/Clerk of Courts

Sworn to Before Me This

So Answers,

Day of _____ 2008



Chester A. Hawkins
Sheriff

Our File No.: 141120
APOTAKER & ASSOCIATES, P.C.
BY: David J. Apothaker
Attorney I.D.# 38423
520 Fellowship Road C306
Mount Laurel, NJ 08054
(800) 672-0215
Attorney for Plaintiff

NORTH STAR CAPITAL ACQUISITION LLC	)	COURT OF COMMON PLEAS OF
	)	CLEARFIELD COUNTY
)	
Plaintiff,)	
vs.	)	) NO.: 08-956-CD
)	
MATTHEW A FALCE	)	Civil Action
)	
Defendant.)	

PRAECIPE TO ENTER DEFAULT JUDGMENT

TO THE PROTHONOTARY:

Please enter a default judgment in favor of plaintiff, NORTH STAR CAPITAL ACQUISITION LLC, and against Defendant, MATTHEW A FALCE, for failure to answer or otherwise respond to the Complaint - Civil Action.

The Complaint was served upon the defendants on June 11, 2008 by the CLEARFIELD Sheriff's Department. Copies of the proofs of service are attached hereto as Exhibit "A".

I certify, a copy of the Notice of Intention To Take Default was mailed on October 20, 2008, and also attached hereto.

5
FILED pd \$20.00 Atty
m/10/08 am ICC+ notice to
FEB 20 2009 deft
wm ICC+ statement
William A. Shaw
Prothonotary/Clerk of Courts
b Atty.

Assess damages in the amount of:

(a) Balance:	\$1,088.05
(b) Interest from May 16, 2008	\$42.59
(c) Costs	\$342.90
TOTAL	\$1,473.54

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

By:

David S. Apothaker

Dated: 2/10/2009

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

TO: MATTHEW A FALCE
96 LINGLE ST
OSCEOLA MILLS, PA 16666

NORTH STAR CAPITAL
ACQUISITION LLC
Plaintiff,
vs.
MATTHEW A FALCE
Defendant.
COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY
NO.: 08-956-CD
Civil Action

NOTICE

Pursuant to Rule 236 of the Supreme Court of Pennsylvania, you are hereby notified that a Judgment has been entered against you in the above proceeding as indicated below.

XX JUDGMENT BY DEFAULT

JUDGMENT IN REPLEVIN

JUDGMENT BY CONFESSION

JUDGMENT FOR POSSESSION

JUDGMENT ON AWARD OF
ARBITRATORS

JUDGMENT ON VERDICT

JUDGMENT ON COURT FINDINGS

JUDGMENT ON WRIT OF REVIVAL

IF YOU HAVE ANY QUESTIONS CONCERNING THIS NOTICE, PLEASE CALL:

ATTORNEY David J. Apotheker, Esq. at this telephone number: 215-634-8920

Will Graham
Prothonotary 2-20-2009

Our File No.: 141120
APOTHAKER & ASSOCIATES, P.C.
BY: David J. Apothaker
Attorney I.D.# 38423
520 Fellowship Road C306
Mount Laurel, NJ 08054
(800) 672-0215
Attorney for Plaintiff

NORTH STAR CAPITAL	)	COURT OF COMMON PLEAS OF
ACQUISITION LLC	)	CLEARFIELD COUNTY
)	
Plaintiff,)	
vs.	)	NO.: 08-956-CD
)	
MATTHEW A FALCE	)	Civil Action
)	
Defendant.)	

AFFIDAVIT OF NON-MILITARY SERVICE

COMMONWEALTH OF PENNSYLVANIA

: SS.

COUNTY OF CLEARFIELD

:

David J. Apothaker, being duly sworn according to law, deposes and says that I am the attorney for Plaintiff, and authorized to make this affidavit; that Defendant(s) resides at 96 LINGLE ST OSCEOLA MILLS, PA 16666.

We inquired with the web site of the Defense Manpower Data Center, located at 1600 Wilson Boulevard, Suite 400, Arlington, VA 22209-2593, if the Defendant(s) is/are in any branch of the military.

Mary M. Snavely-Dixon, Director of the Defense Manpower Data Center has sent back our inquiry indicated that the Defendant(s) is/are not in the military.

David J. Apothaker
Attorney for Plaintiff

The above signed understands that the statements herein are made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

Department of Defense Manpower Data Center

FEB-10-2009 09:47:29



Military Status Report
Pursuant to the Servicemembers Civil Relief Act

Last Name	First/Middle	Begin Date	Active Duty Status	Service/Agency
FALCE	MATTHEW A		Based on the information you have furnished, the DMDC does not possess any information indicating that the individual is currently on active duty.	

Upon searching the information data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the current status of the individual as to all branches of the Military.

Mary M. Snavely-Dixon

Mary M. Snavely-Dixon, Director
Department of Defense - Manpower Data Center
1600 Wilson Blvd., Suite 400
Arlington, VA 22209-2593

The Defense Manpower Data Center (DMDC) is an organization of the Department of Defense that maintains the Defense Enrollment and Eligibility Reporting System (DEERS) database which is the official source of data on eligibility for military medical care and other eligibility systems.

The Department of Defense strongly supports the enforcement of the Servicemembers Civil Relief Act [50 USCS Appx. §§ 501 et seq] (SCRA) (formerly the Soldiers' and Sailors' Civil Relief Act of 1940). DMDC has issued hundreds of thousands of "does not possess any information indicating that the individual is currently on active duty" responses, and has experienced a small error rate. In the event the individual referenced above, or any family member, friend, or representative asserts in any manner that the individual is on active duty, or is otherwise entitled to the protections of the SCRA, you are strongly encouraged to obtain further verification of the person's active duty status by contacting that person's Military Service via the "defenselink.mil" URL provided below. If you have evidence the person is on active-duty and you fail to obtain this additional Military Service verification, provisions of the SCRA may be invoked against you.

If you obtain further information about the person (e.g., an SSN, improved accuracy of DOB, a middle name), you can submit your request again at this Web site and we will provide a new certificate for that query.

This response reflects current active duty status only. For historical information, please contact the Military Service SCRA points-of-contact.

See: <http://www.defenselink.mil/faq/pis/PC09SLDR.html>

WARNING: This certificate was provided based on a name and Social Security number (SSN) provided

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

NORTH STAR CAPITAL ACQUISITION LLC) COURT OF COMMON PLEAS
vs.) CLEARFIELD COUNTY
MATTHEW A FALCE)) NO. 08-956-CD
)
To: MATTHEW A FALCE
96 LINGLE ST
OSCEOLA MILLS, PA 16666

NOTICE, RULE 237.5

NOTICE OF PRAECIPE TO ENTER JUDGMENT BY DEFAULT

Date of Notice: October 20, 2008

IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR PROPERTY OR OTHER IMPORTANT RIGHTS.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE, IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
SECOND & MARKET STREETS
CLEARFIELD, PA 16830
814-765-2641

/s/ David J. Apothaker
DAVID J. APOTHAKER, ESQUIRE
APOTHAKER & ASSOCIATES, PC
A Law Firm Engaged in Debt Collection
520 Fellowship Road C306
Mount Laurel, NJ 08054
(800) 672-0215
Attorney for Plaintiff
Attorney ID #38423

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
NO: 08-956-CD

NORTH STAR CAPITAL ACQUISITION LLC

VS
MATTHEW A. FALCE

SERVICE # 1 OF 1

COMPLAINT

SERVE BY: 06/22/2008

HEARING:

PAGE: 104203

COPY

DEFENDANT: MATTHEW A. FALCE
ADDRESS: 96 LINGLE ST.
OSCEOLA MILLS, PA 16666

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT OCCUPIED

ATTEMPTS

6/2/08 N/H/Off

SHERIFF'S RETURN

NOW 6/11/08 AT 9:57 AM SERVED THE WITHIN

COMPLAINT ON MATTHEW A. FALCE, DEFENDANT

BY HANDING TO Lori Falce, wife

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

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COMPLAINT FOR MATTHEW A. FALCE

AT (ADDRESS) _____

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

I MAKE RETURN OF NOT FOUND AS TO MATTHEW A. FALCE

REASON UNABLE TO LOCATE _____

SWORN TO BEFORE ME THIS

DAY OF June 2008

So Answers: CHESTER A. HAWKINS, SHERIFF

BY:

Deputy - Clerk
Deputy Signature

S. Hunter
Print Deputy Name

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

North Star Capital Acquisition, LLC
Plaintiff(s)

No.: 2008-00956-CD

Q
Q
Q
L

Real Debt: \$1473.54

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Matthew A. Falce
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: February 20, 2009

Expires: February 20, 2014

Certified from the record this 20th day of February, 2009.

William A. Shaw LM
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