



COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA

LVNV FUNDING, LLC ASSIGNEE OF SHERMAN  
ACQUISITION ASSIGNEE OF SEARS

No. 08-982-CD

C/O WOLPOFF & ABRAMSON, L.L.P.  
4660 TRINDLE ROAD, 3<sup>rd</sup> FLOOR  
CAMP HILL, PA 17011

Plaintiff

Type of Case: Contract

VS.

WILLIAM A CARR  
501 W LONG AVE  
#"**BILL**  
DU BOIS PA 15801

Type of Pleading:

Filed on Behalf of: Plaintiff

Defendant(s)

Date: 5/19/08

Philip C. Warholic

Amy F. Doyle #87062

Philip C. Warholic #86341 / David R. Galloway #87326

Tonilyn M. Chippie #87852 / Sarah E. Ehasz #86469

Robert N. Polas, Jr. #201259

Wolpoff & Abramson, L.L.P.

Attorneys in the Practice of Debt Collection

4660 Trindle Road, Suite 300

Camp Hill, PA 17011

Telephone: (717) 303-6700

Counsel for Plaintiff

FILED *5/24/08* Atty pd \$95.00  
MAY 27 2008 ICC Atty  
William A. Shaw  
Prothonotary/Clerk of Courts  
ICC Sheriff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

LVNV FUNDING, LLC  
ASSIGNEE OF SHERMAN ACQUISITION  
ASSIGNEE OF SEARS  
Plaintiff

vs

WILLIAM A CARR  
Defendant(s)

: No.  
:  
:  
:  
: CIVIL ACTION - LAW

**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 an 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 or any other claim or relief requested by the Plaintiff. You may lose money or property 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 HELP. 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.

Clearfield County Courthouse  
David S. Meholic, Court Administrator 230 East Market Street  
Clearfield, PA 16830  
814-765-2641

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

LVNV FUNDING, LLC :  
ASSIGNEE OF SHERMAN ACQUISITION : No.  
ASSIGNEE OF SEARS :  
Plaintiff :  
vs : CIVIL ACTION - LAW  
WILLIAM A CARR :  
Defendant(s) :  
:

NOTICIA

USTED HA SIDO DEMANDADO/A EN LA CORTE. Si usted desea defender conta la demanda puestas en las siguientes paginas, usted tienen que tomar acción dentro veinte (20) dias después que esta Demanda y Aviso es servido, con entrando por escrito una apariencia personalmente o por un abogado y archivando por escrito con la Corte sus defensas o objeciones a las demandas puestas en esta contra usted. Usted es advertido que si falla de hacerlo el caso puede proceder sin usted y un juzgamiento puede ser entrado conta usted por la Corte sin mas aviso por cualquier dinero reclamado en la Demanda o por cualquier otro reclamo o alivio solicitado por Demandante. Usted puede perder dinero o propiedad o otros derechos importante para usted.

USTED DEBE LLEVAR ESTE PAPEL A SU ABOGADO ENSEGUIDA. SI USTED NO TIENE UN ABOGADO, VAYA O LLAME POR TELEFONO LA OFICINA FIJADA AQUI ABAJO. ESTA OFICINA PUEDE PROVEERE CON INFORMACION DE COMO CONSEGUIR UN ABOGADO.

SI USTED NO PUEDE PAGARLE A UN ABOGADO, ESTA OFICINA PUEDE PROVEERE INFORMACION ACERCA AGENCIAS. QUE PUEDAN OFRECER SERVICIOS LEGAL A PERSONAS ELIGIBLE AQ UN HONORARIO REDUCIDO O GRATIS.

Clearfield County Courthouse  
David S. Meholic, Court Administrator 230 East Market Street  
Clearfield, PA 16830  
814-765-2641

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

LVNV FUNDING, LLC : No.  
ASSIGNEE OF SHERMAN ACQUISITION :  
ASSIGNEE OF SEARS :  
Plaintiff : CIVIL ACTION - LAW  
VS :  
WILLIAM A CARR :  
Defendant(s) :  
:

**COMPLAINT**

AND NOW, comes the Plaintiff, by and through its attorneys and the law firm of Wolpoff & Abramson, LLP, and files this Complaint and in support avers as follows:

1. Plaintiff is LVNV FUNDING, LLC ASSIGNEE OF SHERMAN ACQUISITION ASSIGNEE OF SEARS , located at 15 South Main Street Greenville, SC 29601.
2. Defendant, WILLIAM A CARR, is an adult individual with a last known address of 501 W Long Ave #Bill Du Bois, Clearfield County, PA 15801.
3. It is averred that Defendant was issued an open end credit account (hereinafter "Account").

4. At all relevant times material hereto, Defendant has been a regular user of said Account for the purchase of products, goods and/or for obtaining services.

5. Defendant was provided with copies of the Statement of Accounts showing all debits and credits for transactions on the aforementioned credit card account to which there was no bona fide objection by Defendant. A true and correct copy of the Statement of Account is attached hereto, incorporated herein and marked as Exhibit "A".

6. Defendant did not object to the above-mentioned statements submitted by Plaintiff and/or its assignors to Defendant.

7. As of the date of this Complaint, the remaining balance due, owing and unpaid on Defendant's credit card account as a result of the charges made by said Defendant and/or any authorized users is the sum of \$9,550.44.

8. Interest has accrued from the charge off date at a rate of 6 %.

9. As of the date of the filing of this Complaint, the amount of interest which has accrued is the sum of \$1,216.23.

10. Despite reasonable and repeated demands for payment, Defendant has refused and continues to refuse to pay all sums due and owing on the aforementioned account balance, all to the damage and detriment of the Plaintiff.

11. Plaintiff performed any and all conditions precedent to the bringing of this action.

12. The amount in controversy is within the jurisdictional amount requiring compulsory arbitration.

WHEREFORE, Plaintiff respectfully requests this Honorable Court enter Judgment in favor of the Plaintiff and against Defendant in the amount of \$9,550.44, plus interest in the amount of \$1,216.23, plus costs of this action and any other relief as this Court deems just and reasonable.

Respectfully Submitted,

Date: 5/19/08



Amy F. Doyle #87062

Philip C. Warholic #86341 / David R. Galloway #87326

Tonilyn M. Chippie #87852 / Sarah E. Ehasz #86469

Robert N. Polas, Jr. #201259

Wolpoff & Abramson, L.L.P.

Attorneys in the Practice of Debt Collection

4660 Trindle Road, Suite 300

Camp Hill, PA 17011

Telephone: (717) 303-6700

Counsel for Plaintiff

VERIFICATION

The undersigned hereby states that they are the attorney for the Plaintiff who is located outside of this jurisdiction and in order to file the within document in an expedient and timely manner, they are authorized to take this verification on behalf of said Plaintiff in the within action and verifies that the statements made in the foregoing Pleading are true and correct to the best of their knowledge, information, and belief, based upon information provided by the Plaintiff.

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

Date: \_\_\_\_\_

*Philip C. Warholic*

Amy F. Doyle #87062

Philip C. Warholic #86341 David R. Galloway #87326

Tonilyn M. Chippie #87852 / Sarah E. Ehasz #86469

Robert N. Polas, Jr. #201259

Wolpoff & Abramson, L.L.P.

Attorneys in the Practice of Debt Collection

4660 Trindle Road, Suite 300

Camp Hill, PA 17011

Telephone: (717) 303-6700

Counsel for Plaintiff

## **Exhibit "A"**

••FICHINFO1--•• Date 02/19/08 Account 4284 Mode L ••Nxt + •  
ACCT 4284 BAL 9550.44 LPYMT DT 03/05/2006  
\*ABL-ACCT-ID\*ABL-ACCT-NO \*ABL-EFF-DATE\*ABL-CUR-BALANCE  
02/15/2008 9550.44  
\*ABL-PRIN-COLLECTED\*ABL-PRIN-OWING\*ABL-PRIN-BAL\*ABL-ATTYFEE-COLLECTED  
0.00 9550.44 9550.44 0.00  
\*ABL-ATTYFEE-OWING\*ABL-FEE-BAL\*ABL-INT-COLLECTED\*ABL-INT-OWING\*ABL-INT-BAL  
0.00 0.00 0.00 0.00 0.00  
\*ABL-COST-COLLECTED\*ABL-COST-OWING\*ABL-COST-BAL\*ABL-CUR-INT-RATE\*ABL-INT-ACCRUAL  
0.00 0.00 0.00 0.060 1.57  
\*ABL-SUSPEND-INT\*ABL-LAST-PYMT-DT\*ABL-LAST-PYMT-AMT\*ABL-LAST-NSF-DT  
0.00 03/05/2006 40.00  
\*ABL-LAST-NSF-AMT\*ABL-ACCRUAL-METHOD\*PLA-ACCT-ID\*PLA-ACCT-NO  
2

--  
\*ADL-ACCT-NO \*ADL-MERCHANT \*ADL-CBR  
Y

\*ADL-CHGOFF-BAL\*ADL-CHGOFF-DT\*ADL-ORG-NAME  
9550.44 06/29/2006 LVNV FUNDING LLC  
\*ADL-LAST-PURCH-AMT\*ADL-MISC1  
227.00  
\*ADL-MISC2  
05121071788354284

•MODE L=LFT R=RGT W=WRP Next File •

••FICHINFO1 •• Date 02/19/08 Account 5121071788354284 Mode L ••Nxt + •  
\*ADL-MISC3 \*ADL-ORG-DT\*ADL-PORTFOLIO-ID  
SHMC 05/01/1992 7633  
\*ADL-SELLER-NAME \*ADL-TELECOMM-PHONE\*ALT-ACCT-ID

SEARS

--  
\*BWR-TYPE\*BWR-SSN \*BWR-FIR-NAME  
01 XXXXX8789 WILLIAM A

\*BWR-LAST-NAME  
CARR JR  
\*BWR-ADDR  
501 W LONG AVE  
\*BWR-ADDR2 \*BWR-CITY \*BWR-ST\*BWR-ZIP  
"BILL" DU BOIS PA 158011709  
\*BWR-DOB \*BWR-HMPHONE\*BWR-WKPHONE\*BWR-OTPHONE\*BWR-LANG-CODE  
8143719508 8145906001 0  
\*BWR-BANK-NAME \*BWR-EMPLOYED\*BWR-HOME-OWNER  
N

--  
\*PLA-COMM-RATE\*PLA-BATCH-ID\*PLA-TRUST-ACCTID\*PLA-DEADLINE\*PLA-SIF\*BKY-ACCT-ID  
0.2700 115944 1

•MODE L=LFT R=RGT W=WRP Next File •

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

NO: 08-982-CD

LVNV FUNDING, LLC Assignee

vs

WILLIAM A. CARR

SERVICE # 1 OF 1

COMPLAINT

SERVE BY: 06/26/2008

HEARING:

PAGE: 104218

FILED

06/10/45pm  
JUN 03 2008

DEFENDANT: WILLIAM A. CARR  
ADDRESS: 501 W. LONG AVE. #BILL  
DUBOIS, PA 15801

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS:

VACANT

OCCUPIED

ATTEMPTS

05-30-08 N/A (N) \_\_\_\_\_  
6-2-08 -N/H \_\_\_\_\_  
1:51pm **SHERIFF'S RETURN**

NOW, 06/03/2008 AT 10:50 AM PM SERVED THE WITHIN

COMPLAINT ON WILLIAM A. CARR, DEFENDANT

BY HANDING TO Pam Price \_\_\_\_\_ / \_\_\_\_\_

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

ADDRESS SERVED CLEARFIELD County Sheriff's Office

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

COMPLAINT FOR WILLIAM A. CARR

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

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

I MAKE RETURN OF **NOT FOUND** AS TO WILLIAM A. CARR

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

SWORN TO BEFORE ME THIS

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

So Answers: CHESTER A. HAWKINS, SHERIFF

BY: CSay

Deputy Signature

Robert Snyder

Print Deputy Name

NO. 08-982-CD

\*\*\*ACCEPTANCE OF SERVICE\*\*\*

I accept service of the CIVIL PROCESS (on behalf of) WILLIAM A. CARR

and certify that I am authorized to do so.

\_\_\_\_\_  
(Date)

Pam Price  
(Authorized Agent)

501 W. Long Ave DeBos, Pa 15801  
(Mailing Address)

CLEARFIELD COUNTY SHERIFF  
(Address where served)

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 104218  
NO: 08-982-CD  
SERVICES 1  
COMPLAINT

PLAINTIFF: LVNV FUNDING, LLC Assignee  
vs.  
DEFENDANT: WILLIAM A. CARR

**SHERIFF RETURN**

**RETURN COSTS**

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	WOLPOFF	00277293	10.00
SHERIFF HAWKINS	WOLPOFF	0027793	57.80

**FILED**

0730754  
SEP 25 2008

William A. Shaw  
Prothonotary/Clerk of Courts

Sworn to Before Me This

So Answers,

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



Chester A. Hawkins  
Sheriff

## IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

LVNV FUNDING, LLC : NO. 08-982-CD  
*Assignee of Shulman Acquisition* :  
 ASSIGNEE OF SEARS :  
 15 SOUTH MAIN STREET : CIVIL ACTION - LAW  
 GREENVILLE SC 29601 :  
 Plaintiff :  
 vs. :  
 WILLIAM A CARR JR :  
 Defendant(s) :

## PRAECIPE FOR JUDGMENT

*S FILED pd \$20.00 Atty  
 m/12/16 cm CCW notice to  
 NOV 07 2008 deft  
 (S) CC statement to Atty  
 William A. Shaw  
 Prothonotary/Clerk of Courts  
 Warholic*

Please enter Judgment in favor of Plaintiff and against Defendant(s),  
 WILLIAM A CARR JR and ,  
 for failure to answer the Complaint.

( X ) Amount due \$ 10766.67  
 TOTAL \$ 10766.67 , plus interest and costs

( X ) I certify that the foregoing assessment of damages is for specified amounts alleged to be due in the complaint and is calculable as a sum certain from the complaint.

( X ) Pursuant to Pa.R.C.P. 237 (Notice of Praeclipe for final judgment or decree), I certify that a copy of this praecipe has been mailed to each other party who has appeared in the action or to his/her Attorney of Record.

( X ) Pursuant to Pa.R.C.P. 237.1, I certify that written notice of the intention to file this praecipe was mailed or delivered to the party against whom judgment is to be entered and to his/her Attorney of Record, if any, after the default occurred and at least ten days prior to the date of the filing of this praecipe and a copy of the notice is attached.

DATE: 10/27/08 Signature:

*Philip C Warholic*  
 David R. Galloway #87326/Philip C. Warholic #86341  
 Sarah E. Ehasz #86469/Robert N. Polas, Jr. #201259  
 Amy F. Doyle #87062  
 Mann Bracken LLC / Counsel for Plaintiff  
 The Successor by Merger to Wolpoff & Abramson, LLP  
 and Eskanos & Adler, P. C.  
 4660 Trindle Road, Suite 300, Camp Hill, PA 17011  
 Telephone: (717) 303-6700 Fax: (717) 737-9051

NOW, November 7, 2008, JUDGMENT IS ENTERED AS ABOVE

*Will. A. Shaw* lm  
 Prothonotary/Clerk, Civil Division

By: \_\_\_\_\_  
 Deputy

## IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

LVNV FUNDING, LLC : No. 08-982-CD  
*Assignee of Sherman*  
*Assignment*  
ASSIGNEE OF SEARS :  
15 SOUTH MAIN STREET :  
  
GREENVILLE SC 29601 :  
Plaintiff :  
  
vs. : CIVIL ACTION - LAW  
  
WILLIAM A CARR JR :  
  
Defendant(s) :

## AFFIDAVIT OF NON-MILITARY SERVICE

COMMONWEALTH OF PENNSYLVANIA :  
: :  
COUNTY OF CUMBERLAND : :

The undersigned counsel, being duly sworn according to law, depose and say that I am the Attorney for the Plaintiff in the above-captioned matter, and that to the best of my knowledge, information and belief Defendant, WILLIAM A CARR JR , above-named, is over 21 years of age; is last known to reside at 501 W LONG AVE  
DU BOIS PA 15801

County of CLEARFIELD , Pennsylvania; is not in the military service of the United States or its Allies, or otherwise within the provisions of the Servicemembers Civil Relief Act and its Amendments.

*Philip C. Warholic*  


---

David R. Galloway #87326 / Philip C. Warholic #86341  
Sarah E. Ehasz #86469 / Robert N. Polas, Jr. #201259  
Amy F. Doyle #87062  
Mann Bracken LLC / Counsel for Plaintiff  
The Successor by Merger to Wolpoff & Abramson, LLP  
and Eskanos & Adler, P. C.  
4660 Trindle Road, Suite 300, Camp Hill, PA 17011  
Telephone: (717) 303-6700 Fax: (717) 737-9051

COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Rachel Zeitmann, Notary Public  
Hampden Twp. Cumberland County  
My Commission Expires Nov. 23, 2009  
Member, Pennsylvania Association of Notaries

SWORN and SUBSCRIBED to before me this 27<sup>th</sup> day of October, 2008.

*Rachel Zeitmann*  


---

Notary Public

## IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

LVNV FUNDING, LLC : No. 08-982-CD

*Assignee of Shaeffer Acquisition*

ASSIGNEE OF SEARS

15 SOUTH MAIN STREET

: CIVIL ACTION - LAW

GREENVILLE SC 29601

Plaintiff

:

vs.

:

WILLIAM A CARR JR

:

Defendant(s)

## CERTIFICATE OF RESIDENCE

PA. R.C.P. 236

I hereby certify that the precise residence of Plaintiff is:

LVNV FUNDING, LLC

ASSIGNEE OF SEARS

15 SOUTH MAIN STREET

GREENVILLE SC 29601

and certify that the last known address of the within Defendant(s) is:

WILLIAM A CARR JR

501 W LONG AVE

DU BOIS PA 15801

*Philip C. Warholic*

David R. Galloway #87326/Philip C. Warholic #86341  
 Sarah E. Ehasz #86469/Robert N. Polas, Jr. #201259  
 Amy F. Doyle #87062  
 Mann Bracken LLC / Counsel for Plaintiff  
 The Successor by Merger to Wolpoff & Abramson, LLP  
 and Eskanov & Adler, P. C.  
 4660 Trindle Road, Suite 300, Camp Hill, PA 17011  
 Telephone: (717) 303-6700 Fax: (717) 737-9051

## IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

LVNV FUNDING, LLC : NO. 08-982-CD  
*Assignee of Sherman Organization*  
*Assignee of MARY Plaintiff*  
 vs. : CIVIL ACTION - LAW  
 WILLIAM A CARR JR :  
 Defendant(s)

CC  
 C  
 L

## NOTICE OF JUDGMENT

( x ) Notice is hereby given that a Judgment in the above-captioned matter has been entered against you in the amount of \$ 10766.67, plus interest, on November 7, 2008.

( x ) A copy of all documents filed with the Prothonotary in support of the within judgment is/are attached.

By: William A. Carr Jr. cm

If you have any questions regarding this Notice, please contact the filing party.

Philip C. Warholic

David R. Galloway #87326/Philip C. Warholic #86341  
 Sarah E. Ehasz #86469/Robert N. Polas, Jr. #201259  
 Amy F. Doyle #87062  
 Mann Bracken LLC / Counsel for Plaintiff  
 The Successor by Merger to Wolpoff & Abramson, LLP  
 and Eskanos & Adler, P. C.  
 4660 Trindle Road, Suite 300, Camp Hill, PA 17011  
 Telephone: (717) 303-6700 Fax: (717) 737-9051

(This Notice is given in accordance with Pa.R.C.P. 236.)

## NOTICE SENT TO:

WILLIAM A CARR JR

501 W LONG AVE  
 DU BOIS PA 15801

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

LVNV FUNDING, LLC : NO. 08-982-CD  
ASSIGNEE OF SHERMAN ACQUISITION :  
ASSIGNEE OF SEARS :  
15 SOUTH MAIN STREET :  
GREENVILLE S.C. 29601 :  
  
Plaintiff :  
vs. :  
WILLIAM A CARR JR :  
  
Defendant(s) :  
:

TO: WILLIAM A CARR JR  
501 W LONG AVE  
#11BILL  
DU BOIS PA 15801

DATE OF NOTICE: 10-8-08

IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU FAILED TO TAKE THE ACTION REQUIRED OF YOU IN THIS CASE. UNLESS YOU ACT WITHIN TEN (10) 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 NOTICE TO A LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE FOLLOWING OFFICE TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

PA Lawyer Referral Service  
Clearfield County Courthouse  
David S. Meholic, Court Administrator  
230 East Market Street  
Clearfield PA 16830  
814-765-2641

By

David R. Galloway #87326 Philip C. Warholic #86341  
Sarah E. Ehasz #86469/Robert N. Polas, Jr. #201259  
Amy F. Doyle #87062  
Mann Bracken LLC / Counsel for Plaintiff  
The Successor by Merger to Wolpoff & Abramson, LLP  
and Eskanos & Adler, P. C.  
4660 Trindle Road, Suite 300, Camp Hill, PA 17011  
Telephone: (717) 303-6700 Fax: (717) 737-9051

**REGIONAL OFFICES**

TEMPE, AZ  
AGOURA HILLS, CA  
CONCORD, CA  
DENVER, CO  
WILMINGTON, DE  
BOCA RATON, FL  
ATLANTA, GA  
ROCKVILLE, MD  
NOVI, MI  
CHAMPLIN, MN  
CHARLOTTE, NC  
CARSON CITY, NV  
ROCHESTER, NY

LAW OFFICES  
**MANN BRACKEN LLC**  
*Attorneys in the Practice of Debt Collection*  
(A National Collection Attorney Network Firm)  
4660 TRINDEL ROAD  
SUITE 300  
CAMP HILL, PA 17011

THE SUCCESSOR BY MERGER TO WOLPOFF & ABRAMSON, LLP AND ESKANOS & ADLER, P.C.  
(TOLL FREE)  
1-800-830-2793  
FACSIMILE (866) 281-9028

**REGIONAL OFFICES**

INDEPENDENCE, OH  
PORTLAND, OR  
CAMP HILL, PA  
PITTSBURGH, PA  
CLINTON, TN  
NASHVILLE, TN  
HOUSTON, TX  
IRVING, TX  
SAN ANTONIO, TX  
FAIRFAX, VA  
RICHMOND, VA  
VIENNA, VA  
VIRGINIA BEACH, VA

PLEASE DIRECT CORRESPONDENCE TO CAMP HILL OFFICE

OCTOBER 08, 2008

180602968  
WILLIAM A CARR JR

501 W LONG AVE  
#"BILL  
DU BOIS PA 15801

File No. 180602968

Re: LVNV FUNDING, LLC ASSIGNEE OF SEARS  
vs. WILLIAM A CARR JR  
Docket No. 08-982-CD

Dear WILLIAM A CARR JR

Enclosed herein please find a 10-Day Notice pursuant to Rule 237.1 of the  
Pennsylvania Rules of Civil Procedure.

Sincerely,

  
\_\_\_\_\_  
David R. Galloway #87326/Philip C. Warholic #86341  
Sarah E. Ehasz #86469/Robert N. Polas, Jr. #201259  
Amy F. Doyle #87062  
Mann Bracken LLC / Counsel for Plaintiff  
The Successor by Merger to Wolpoff & Abramson, LLP  
and Eskanos & Adler, P. C.  
4660 Trindle Road, Suite 300, Camp Hill, PA 17011  
Telephone: (717) 303-6700 Fax: (717) 737-9051

Enclosure

CC: WILLIAM A CARR JR

**COPY**

This is an attempt by a debt collector to collect a debt and any information obtained  
will be used for that purpose.

NOT10D/PANOTC

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

LVNV Funding, LLC  
Sherman Acquisition  
Sears  
Plaintiff(s)

No.: 2008-00982-CD

*COPY*

Real Debt: \$10,766.67

Atty's Comm: \$

Vs.

Costs: \$

William A. Carr  
Defendant(s)

Int. From: \$

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: November 7, 2008

Expires: November 7, 2013

Certified from the record this November 7, 2008

*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

PRAECIPE FOR WRIT OF EXECUTION (MONEY JUDGMENT)  
P.R.C.P. 3101 TO 3149

LVNV FUNDING, LLC

: IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

ASSIGNEE OF SEARS

Plaintiff

:  
:

vs.

: JUDGMENT NO. 08-982-CD

WILLIAM A CARR JR

Defendant(s)

:  
:  
:  
: PRAECIPE FOR WRIT OF EXECUTION

To the Prothonotary: Please issue the Writ of Execution in the above-captioned matter, in the amount of \$10,766.67.

(1) Directed to the Sheriff of CLEARFIELD County, Pennsylvania;

(2) against, WILLIAM A CARR JR  
501 W LONG AVE  
DU BOIS PA 15801

Defendant(s);

(3) and against FIRST COMMON WEALTH BANK  
located at 14303 CLEARFIELD SHAWVILLE HWY

CLEARFIELD PA 16830 Garnishee(s);

(4) And index this writ

(A) against WILLIAM A CARR JR  
Defendant(s) and

(B) against, FIRST COMMON WEALTH BANK ,Garnishee(s),

as a lis pendens against the real property of the Defendant(s) in the name of the Garnishee(s) as follows: (Specifically describe property)\*\*\*GARNISH ONLY\*\*\*

You are directed to attach the property of the Defendant(s) not levied upon in the possession of FIRST COMMON WEALTH BANK , Garnishee(s)

All accounts including but not limited to all savings, checking and other accounts, certificates of deposit, notes receivables, collateral, pledges, documents of title, securities, coupons and safe deposit boxes.

Amount Due: \$10,766.67

Interest From: 11/07/2008 To Be Determined

At an interest rate of 6% per year

Total: \$10,766.67 Plus costs & interest (total includes post judgment credits).

Prothonotary costs

135.00

*Amy Doyle*  
David R. Galloway #87326/Philip C. Warholic #86341  
Sarah E. Ehasz #86469/Robert N. Polas, Jr. #201259  
Amy F. Doyle #87062  
Mann Bracken LLP / Counsel for Plaintiff  
The Successor by Merger to Wolpoff & Abramson, LLP  
and Eskanos & Adler, P. C.  
4660 Trindle Road, Suite 300, Camp Hill, PA 17011  
Telephone: (717) 303-6700 Fax: (717) 737-9051

## IN THE COURT OF COMMON PLEAS CLEARFIELD

COUNTY, PENNSYLVANIA

LVNV FUNDING, LLC

No. 08-982-CD

ASSIGNEE OF SEARS  
Plaintiff

CIVIL ACTION - LAW

VS

WILLIAM A CARR JR

Defendant(s)

## INTERROGATORIES TO GARNISHEE

TO: FIRST COMMON WEALTH BANK  
14303 CLEARFIELD SHAWVILLE HWY  
CLEARFIELD PA 16830

PURSUANT TO RULE 3253 OF THE RULES OF CIVIL PROCEDURE, THE FOLLOWING INTERROGATORIES HAVE BEEN SERVED UPON YOUR INSTITUTION. GARNISHEE IS HEREBY REQUIRED TO ANSWER EACH OF THE FOLLOWING INTERROGATORIES SEPARATELY AND FULLY. PLEASE COMPLETE THE FOLLOWING INTERROGATORIES TO ASSIST THE CREDITOR'S EFFORTS TO SATISFY THE LAWFUL OBLIGATION OF THE ABOVE REFERENCED DEBTOR(S).

## IMPORTANT NOTICES AND INSTRUCTIONS TO GARNISHEE

A. You are required to file answers to the following interrogatories within twenty (20) days after service upon you. Failure to do so may result in judgment against you.

B. The term "Defendant(s)" means the individual(s) or entity against whom the Writ Execution was issued.

C. "You" means the main office and all branch offices, representatives, employees and agents of your organization.

D. By service of the Writ of Execution upon you, all property of the Defendant(s) subject to attachment which is in your possession, custody or control is attached, including all property of the Defendant(s) which comes into your possession thereafter.

E. These Interrogatories are considered to be continuing and therefore should be modified or supplemented as you receive further or additional information.

F. Where exact information cannot be furnished, estimated information is to be supplied. When an estimate is to be used, it should be identified as such, an explanation should be given as to the basis on which the estimate is made, and the reason the exact information cannot be furnished.

G. Where knowledge or information in possession of a party is requested, such request includes knowledge of the party's agents, representatives, and attorneys.

INTERROGATORIES TO GARNISHEE  
DEFENDANT(S) - WILLIAM A CARR JR

1. DEPOSITORY ACCOUNTS: At the time you were served or at any subsequent time, state whether or not the Defendant(s) maintains any checking, savings, lines of credit, certificate of deposit's or other depository accounts with your institution. If so, state the identification numbers of those accounts, and the amount or amounts the Defendant(s) has in each account. If the Defendant(s) maintains an of these jointly with any other person, or persons, give their name and address.

1A. DIRECT DEPOSIT ACCOUNTS: Are any of the accounts you have listed above direct deposit accounts? If yes, please state the identification numbers of those accounts.

2. If you are a bank or other financial institution, at the time you were served or at any subsequent time did the Defendant(s) have funds on deposit in an account in which funds are deposited electronically on a recurring basis and which are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law? If so, identify each account and state the reason for the exemption, the amount being withheld under each exemption and the entity electronically depositing those funds on a recurring basis.

3. If you are a bank or other financial institution, at the time you were served or at any subsequent time did the Defendant(s) have funds on deposit in an account in which funds on deposit, not including any otherwise exempt funds, did not exceed the amount of general monetary exemption under 42 Pa.C.S. 8123? If so, identify each account.

4. TRANSFER OF PROPERTY: At any time after you were served did you pay, transfer or deliver any money or property to the defendant or to any person or place pursuant to the defendant's direction or otherwise discharge any claim of the defendant(s) against you?

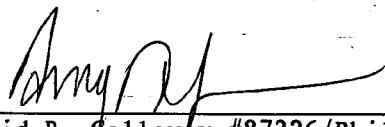
5. SAFE DEPOSIT BOX: At the time you were served or at any subsequent time, state whether or not the Defendant(s) maintains any safe deposit box or boxes. If so, include the identification number or other designation of the box or boxes. Include a full description of the contents and also the amount of cash among those contents. If the Defendant(s) maintains any of these jointly with any other person or persons give their full name and address.

6. REAL OR PERSONAL PROPERTY: At the time you were served or at any subsequent time, state whether or not the Defendant(s) own any personal property that was in your possession and/or control. If so, include a full description of all personal property giving full value and present location. State also whether or not there are any encumbrances or liens holders, the present balance of the encumbrance. State where and when encumbrances or liens was recorded. If the Defendant(s) owns any personal property jointly with any person or persons, give names and address.

7. OTHER ASSETS: At the time you were served or at any subsequent time, did you know of the existence of any other asset(s) of the Defendant(s) which are not disclosed in the preceding Interrogatories. If so, please set forth all details concerning those asset(s).

8. PROPERTY HELD AS A FIDUCIARY: At the time you were served or at any subsequent time, did you hold as a fiduciary any property in which any Defendant(s) had an interest? If so, please describe for each Defendant(s) the nature of the property including its value and the interest of Defendant(s).

9. FEES OUTSTANDING TO GARNISHEE: Are there any attorneys fees or processing fees charged by you against the Defendant(s) or account(s) of the Defendant(s) for the completion of this Answer? If yes, outline the exact amount of any fees due and owing to the garnishee or the attorney for the garnishee for the preparation of the Answer.



David R. Galloway #87326/Philip C. Warholic #86341  
Sarah E. Ehasz #86469/Robert N. Polas, Jr. #201259  
Amy F. Doyle #87062  
Mann Bracken LLP / Counsel for Plaintiff  
The Successor by Merger to Wolpoff & Abramson, LLP  
and Eskanos & Adler, P. C.  
4660 Trindle Road, Suite 300, Camp Hill, PA 17011  
Telephone: (717) 303-6700 Fax: (717) 737-9051

## IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

LVNV FUNDING, LLC

ASSIGNEE OF SEARS

Plaintiff

No. 08-982-CD

vs.

CIVIL ACTION - LAW

WILLIAM A CARR JR

Defendant(s)

## WRIT OF EXECUTION NOTICE

THIS ATTACHED PAPER IS A WRIT OF EXECUTION. IT HAS BEEN ISSUED BECAUSE THERE IS A JUDGMENT AGAINST YOU. IT MAY CAUSE YOUR PROPERTY TO BE HELD OR TAKEN TO PAY THE JUDGMENT. YOU MAY HAVE LEGAL RIGHTS TO PREVENT YOUR PROPERTY FROM BEING TAKEN. A LAWYER CAN ADVISE YOU MORE SPECIFICALLY OF THESE RIGHTS. IF YOU WISH TO EXERCISE YOUR RIGHTS, YOU MUST ACT PROMPTLY.

THE LAWS PROVIDE THAT CERTAIN PROPERTY CANNOT BE TAKEN. SUCH PROPERTY IS SAID TO BE EXEMPT. THERE IS A DEBTOR'S EXEMPTION OF \$300.00. THERE ARE OTHER EXEMPTIONS WHICH MAY BE APPLICABLE TO YOU. A SUMMARY OF SOME OF THE MAJOR EXEMPTIONS ARE LISTED BELOW. YOU MAY HAVE OTHER EXEMPTIONS OR OTHER RIGHTS.

## MAJOR EXEMPTIONS UNDER PENNSYLVANIA AND FEDERAL LAW

1. \$300.00 STATUTORY EXEMPTION
2. BIBLES, SCHOOL BOOKS, SEWING MACHINES, UNIFORMS, AND EQUIPMENT.
3. MOST WAGES AND UNEMPLOYMENT COMPENSATION.
4. SOCIAL SECURITY BENEFITS.
5. CERTAIN RETIREMENT FUNDS AND ACCOUNTS.
6. CERTAIN VETERAN AND ARMED FORCES BENEFITS.
7. CERTAIN INSURANCE PROCEEDS.
8. SUCH OTHER EXEMPTIONS AS MAY BE PROVIDED BY LAW.

IF YOU HAVE AN EXEMPTION, YOU SHOULD DO THE FOLLOWING PROMPTLY:

- (1) FILL OUT THE ATTACHED CLAIM FORM AND DEMAND FOR A PROMPT HEARING.
- (2) DELIVER THE FORM OR MAIL IT TO THE SHERIFF'S OFFICE AT THE ADDRESS NOTED.

YOU SHOULD COME TO COURT READY TO EXPLAIN YOUR EXEMPTION. IF YOU DO NOT COME TO COURT AND PROVE YOUR EXEMPTION, YOU MAY LOSE SOME OF YOUR PROPERTY.

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.

LAWYER REFERENCE SERVICE  
409 CHERRY STREET  
NORRISTOWN, PA 19401  
(610) 279-9660

## IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

LVNV FUNDING, LLC

ASSIGNEE OF SEARS

Plaintiff

NO. 08-982-CD

CIVIL ACTION - LAW

VS

WILLIAM A CARR JR

Defendant(s)

## WRIT OF EXECUTION - CLAIM FOR EXEMPTION

TO THE SHERIFF:

I, the above-named Defendant, claim exemption of property from levy or attachment:

(1) From my personal property in my possession which has been levied upon,

(a) I desire that my \$300.00 statutory exemption be

(i) set aside in kind (specify property to be set aside in kind);

(ii) paid in cash following the sale of the property levied upon, or

(b) I claim the following exemption (specify property and basis of exemption);

(2) From my property which is in the possession of a third party, I claim the following exemptions:

(a) My \$300.00 statutory exemption: \_\_\_\_\_ in cash; \_\_\_\_\_ in kind (specify property); \_\_\_\_\_

(b) Social Security benefits on deposit in the amount of \$ \_\_\_\_\_

(c) Other (specify the amount and basis of exemption): \_\_\_\_\_

I request a prompt Court hearing to determine the exemption. Notice of the hearing should be given to me at \_\_\_\_\_

(Address)

(Telephone Number)

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

DATE: \_\_\_\_\_

Defendant

THIS CLAIM TO BE FILED WITH THE OFFICE OF THE SHERIFF IN THE ABOVE CAPTIONED COUNTY.  
CLEARFIELD COUNTY SHERIFF'S OFFICE

**WRIT OF EXECUTION and/or ATTACHMENT**  
**COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD**  
**CIVIL ACTION – LAW**

*COPY*

LVNV Funding, LLC, Assignee of Sears

Vs.

NO.: 2008-00982-CD

William A. Carr

First Commonwealth Bank  
Garnishee

**TO THE SHERIFF OF CLEARFIELD COUNTY:**

To satisfy the judgment, interest and costs against LVNV FUNDING, LLC, Assignee of SEARS, Plaintiff(s) from WILLIAM A. CARR, Defendant(s):

(1) You are directed to levy upon the property of the defendant(s) and to sell defendant's interest(s) therein:  
Personal Property

You are also directed to attach the property of the defendant(s) not levied upon in the possession of: First Commonwealth Bank as garnishee(s): ALL ACCOUNTS INCLUDING BUT NOT LIMITED TO ALL SAVINGS, CHECKING AND OTHER ACCOUNTS, CERTIFICATES OF DEPOSIT, NOTES RECEIVABLES, COLLATERAL, PLEDGES, DOCUMENTS OF TITLE, SECURITIES, COUPONS AND SAFE DEPOSIT BOXES and to notify the garnishee(s) that: (a) an attachment has been issued; (b) except as provided in paragraph (c), the garnishee(s) is/are enjoined from paying any debt to or for the account of the defendant(s) and from delivering any property of the defendant(s) or otherwise disposing thereof; (c) the attachment shall not include any funds in an account of the defendant with a bank or other financial institution (i) in which funds are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law, or (ii) that total \$300 or less. If multiple accounts are attached, a total of \$300 in all accounts shall not be subject to levy and attachment as determined by the executing officer. The funds shall be set aside pursuant to the defendant's general exemption provided in 42 Pa.C.S. § 8123.

(2) If property of the defendant(s) not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify such other person that he or she has been added as a garnishee and is enjoined as above stated.

(3) **If Social Security or Supplemental Income funds are directly deposited into an account of the defendant, the levy and attachment shall not include any funds that may be traced to Social Security direct deposits. In addition, the levy and attachment shall not include \$300.00 in the account of the defendant.**

AMOUNT DUE/PRINCIPAL: \$10,766.67  
INTEREST FROM 11/07/2008 at an interest  
rate of 6% per year: To Be Determined  
ATTY'S COMM: \$  
DATE: 12/22/2008

PROTH. COSTS PAID: \$135.00  
SHERIFF: \$  
OTHER COSTS: \$

*William A. Shaw*

\_\_\_\_\_  
William A. Shaw  
Prothonotary/Clerk Civil Division

Received this writ this \_\_\_\_\_ day  
of \_\_\_\_\_ A.D. \_\_\_\_\_  
At \_\_\_\_\_ A.M./P.M.

Requesting Party: Amy F. Doyle, Esq.  
4660 Trindle Road, Ste. 300  
Camp Hill, PA 17011  
(717) 303-6700

Sheriff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
NO: 08-982-CD

LVNV FUNDING, Assignee

vs

WILLIAM A. CARR

TO: FIRST COMMONWEALTH BANK, Garnishee

WRIT OF EXECUTION; INTERROGATORIES TO GARNISHEE

SERVE BY: 12/31/2008 ASAP HEARING: PAGE: 105082

DEFENDANT: FIRST COMMONWEALTH BANK, Garnishee  
ADDRESS: 14303 CLEARFIELD SHAWVILLE HWY.  
CLEARFIELD, PA 16830

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: GARNISHEE

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT OCCUPIED

ATTEMPTS

5  
**FILED**

03-10-08  
DEC 29 2008

William A. Shaw  
Prothonotary/Clerk of Courts

**SHERIFF'S RETURN**

NOW, 12-29-08 AT 1:20 AM / PM SERVED THE WITHIN

WRIT OF EXECUTION; INTERROGATORIES TO GARNISHEE ON FIRST COMMONWEALTH BANK, Garnishee,  
DEFENDANT

BY HANDING TO Terr; Harrath, backup-head teller

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

ADDRESS SERVED 14303 Clearfield Shawville Hwy Cht. Pa

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

WRIT OF EXECUTION; INTERROGATORIES TO GARNISHEE FOR FIRST COMMONWEALTH BANK, Garnishee

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

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

I MAKE RETURN OF **NOT FOUND** AS TO FIRST COMMONWEALTH BANK, Garnishee

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 # 105082  
NO: 08-982-CD  
SERVICES 1  
WRIT OF EXECUTION; INTERROGATORIES TO

GARNISHEE

PLAINTIFF: LVNV FUNDING, Assignee  
vs.  
DEFENDANT: WILLIAM A. CARR  
TO: FIRST COMMONWEALTH BANK, Garnishee

**SHERIFF RETURN**

---

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	MANN	00099525	10.00
SHERIFF HAWKINS	MANN	00099525	22.00

S  
**FILED**  
01905.01  
DEC 31 2008  
WM  
William A. Shaw  
Prothonotary/Clerk of Courts

Sworn to Before Me This

So Answers,

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

*Chester A. Hawkins*

Chester A. Hawkins  
Sheriff

**WRIT OF EXECUTION and/or ATTACHMENT  
COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD  
CIVIL ACTION – LAW**

LVNV Funding, LLC, Assignee of Sears

Vs.

NO.: 2008-00982-CD

William A. Carr

First Commonwealth Bank  
Garnishee

**TO THE SHERIFF OF CLEARFIELD COUNTY:**

To satisfy the judgment, interest and costs against LVNV FUNDING, LLC, Assignee of SEARS, Plaintiff(s) from WILLIAM A. CARR, Defendant(s):

(1) You are directed to levy upon the property of the defendant(s) and to sell defendant's interest(s) therein:  
Personal Property

You are also directed to attach the property of the defendant(s) not levied upon in the possession of: First Commonwealth Bank as garnishee(s): ALL ACCOUNTS INCLUDING BUT NOT LIMITED TO ALL SAVINGS, CHECKING AND OTHER ACCOUNTS, CERTIFICATES OF DEPOSIT, NOTES RECEIVABLES, COLLATERAL, PLEDGES, DOCUMENTS OF TITLE, SECURITIES, COUPONS AND SAFE DEPOSIT BOXES and to notify the garnishee(s) that: (a) an attachment has been issued; (b) except as provided in paragraph (c), the garnishee(s) is/are enjoined from paying any debt to or for the account of the defendant(s) and from delivering any property of the defendant(s) or otherwise disposing thereof; (c) the attachment shall not include any funds in an account of the defendant with a bank or other financial institution (i) in which funds are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law, or (ii) that total \$300 or less. If multiple accounts are attached, a total of \$300 in all accounts shall not be subject to levy and attachment as determined by the executing officer. The funds shall be set aside pursuant to the defendant's general exemption provided in 42 Pa.C.S. § 8123.

(2) If property of the defendant(s) not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify such other person that he or she has been added as a garnishee and is enjoined as above stated.

(3) **If Social Security or Supplemental Income funds are directly deposited into an account of the defendant, the levy and attachment shall not include any funds that may be traced to Social Security direct deposits. In addition, the levy and attachment shall not include \$300.00 in the account of the defendant.**

AMOUNT DUE/PRINCIPAL: \$10,766.67  
INTEREST FROM 11/07/2008 at an interest  
rate of 6% per year: To Be Determined  
ATTY'S COMM: \$  
DATE: 12/22/2008

PROTH. COSTS PAID: \$135.00  
SHERIFF: \$  
OTHER COSTS: \$



William A. Shaw  
Prothonotary/Clerk Civil Division

Received this writ this 22 day  
of November A.D. 2008  
At 3:00 A.M./P.M.  
Chester A. Hawley  
Sheriff My Manya Ham

Requesting Party: Amy F. Doyle, Esq.  
4660 Trindle Road, Ste. 300  
Camp Hill, PA 17011  
(717) 303-6700

**WRIT OF EXECUTION and/or ATTACHMENT  
COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD  
CIVIL ACTION – LAW**

LVNV Funding, LLC, Assignee of Sears

Vs.

NO.: 2008-00982-CD

William A. Carr

First Commonwealth Bank  
Garnishee

**TO THE SHERIFF OF CLEARFIELD COUNTY:**

To satisfy the judgment, interest and costs against LVNV FUNDING, LLC, Assignee of SEARS, Plaintiff(s) from WILLIAM A. CARR, Defendant(s):

(1) You are directed to levy upon the property of the defendant(s) and to sell defendant's interest(s) therein:  
Personal Property

You are also directed to attach the property of the defendant(s) not levied upon in the possession of: First Commonwealth Bank as garnishee(s): ALL ACCOUNTS INCLUDING BUT NOT LIMITED TO ALL SAVINGS, CHECKING AND OTHER ACCOUNTS, CERTIFICATES OF DEPOSIT, NOTES RECEIVABLES, COLLATERAL, PLEDGES, DOCUMENTS OF TITLE, SECURITIES, COUPONS AND SAFE DEPOSIT BOXES and to notify the garnishee(s) that: (a) an attachment has been issued; (b) except as provided in paragraph (c), the garnishee(s) is/are enjoined from paying any debt to or for the account of the defendant(s) and from delivering any property of the defendant(s) or otherwise disposing thereof; (c) the attachment shall not include any funds in an account of the defendant with a bank or other financial institution (i) in which funds are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law, or (ii) that total \$300 or less. If multiple accounts are attached, a total of \$300 in all accounts shall not be subject to levy and attachment as determined by the executing officer. The funds shall be set aside pursuant to the defendant's general exemption provided in 42 Pa.C.S. § 8123.

(2) If property of the defendant(s) not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify such other person that he or she has been added as a garnishee and is enjoined as above stated.

(3) **If Social Security or Supplemental Income funds are directly deposited into an account of the defendant, the levy and attachment shall not include any funds that may be traced to Social Security direct deposits. In addition, the levy and attachment shall not include \$300.00 in the account of the defendant.**

AMOUNT DUE/PRINCIPAL: \$10,766.67  
INTEREST FROM 11/07/2008 at an interest  
rate of 6% per year: To Be Determined  
ATTY'S COMM: \$  
DATE: 12/22/2008

PROTH. COSTS PAID: \$135.00  
SHERIFF: \$  
OTHER COSTS: \$



William A. Shaw  
Prothonotary/Clerk Civil Division

Received this writ this 22 day  
of Dec A.D. 2008  
At 3:00 A.M./P.M.  
Cherie A. Hawley  
Sheriff Amy Maelyn Harr

Requesting Party: Amy F. Doyle, Esq.  
4660 Trindle Road, Ste. 300  
Camp Hill, PA 17011  
(717) 303-6700

## IN THE COURT OF COMMON PLEAS CLEARFIELD

COUNTY, PENNSYLVANIA

LVNV FUNDING, LLC

No. 08-982-CD

ASSIGNEE OF SEARS  
Plaintiff

VS

WILLIAM A CARR JR

Defendant(s)

FILED NO CC

M 10 4730  
JAN 05 2009

CIVIL ACTION - LAW

S William A. Shaw  
Prothonotary/Clerk of Courts

RECEIVED

DEC 30 2008

## INTERROGATORIES TO GARNISHEE

TO: FIRST COMMON WEALTH BANK  
14303 CLEARFIELD SHAWVILLE HWY  
CLEARFIELD PA 16830

PURSUANT TO RULE 3253 OF THE RULES OF CIVIL PROCEDURE, THE FOLLOWING INTERROGATORIES HAVE BEEN SERVED UPON YOUR INSTITUTION. GARNISHEE IS HEREBY REQUIRED TO ANSWER EACH OF THE FOLLOWING INTERROGATORIES SEPARATELY AND FULLY. PLEASE COMPLETE THE FOLLOWING INTERROGATORIES TO ASSIST THE CREDITOR'S EFFORTS TO SATISFY THE LAWFUL OBLIGATION OF THE ABOVE REFERENCED DEBTOR(S).

## IMPORTANT NOTICES AND INSTRUCTIONS TO GARNISHEE

A. You are required to file answers to the following interrogatories within twenty (20) days after service upon you. Failure to do so may result in judgment against you.

B. The term "Defendant(s)" means the individual(s) or entity against whom the Writ Execution was issued.

C. "You" means the main office and all branch offices, representatives, employees and agents of your organization.

D. By service of the Writ of Execution upon you, all property of the Defendant(s) subject to attachment which is in your possession, custody or control is attached, including all property of the Defendant(s) which comes into your possession thereafter.

E. These Interrogatories are considered to be continuing and therefore should be modified or supplemented as you receive further or additional information.

F. Where exact information cannot be furnished, estimated information is to be supplied. When an estimate is to be used, it should be identified as such, an explanation should be given as to the basis on which the estimate is made, and the reason the exact information cannot be furnished.

G. Where knowledge or information in possession of a party is requested, such request includes knowledge of the party's agents, representatives, and attorneys.

INTERROGATORIES TO GARNISHEE  
DEFENDANT(S) - WILLIAM A CARR JR

For all answers to this and the foregoing Interrogatories, see Exhibit "A" attached hereto and made part of hereof.

1. DEPOSITORY ACCOUNTS: At the time you were served or at any subsequent time, state whether or not the Defendant(s) maintains any checking, savings, lines of credit, certificate of deposit's or other depository accounts with your institution. If so, state the identification numbers of those accounts, and the amount or amounts the Defendant(s) has in each account. If the Defendant(s) maintains an of these jointly with any other person, or persons, give their name and address.

1A. DIRECT DEPOSIT ACCOUNTS: Are any of the accounts you have listed above direct deposit accounts? If yes, please state the identification numbers of those accounts.

2. If you are a bank or other financial institution, at the time you were served or at any subsequent time did the Defendant(s) have funds on deposit in an account in which funds are deposited electronically on a recurring basis and which are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law? If so, identify each account and state the reason for the exemption, the amount being withheld under each exemption and the entity electronically depositing those funds on a recurring basis.

3. If you are a bank or other financial institution, at the time you were served or at any subsequent time did the Defendant(s) have funds on deposit in an account in which funds on deposit, not including any otherwise exempt funds, did not exceed the amount of general monetary exemption under 42 Pa.C.S. 8123? If so, identify each account.

4. TRANSFER OF PROPERTY: At any time after you were served did you pay, transfer or deliver any money or property to the defendant or to any person or place pursuant to the defendant's direction or otherwise discharge any claim of the defendant(s) against you?

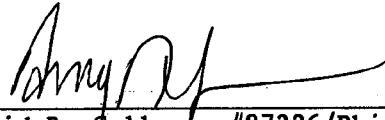
5. SAFE DEPOSIT BOX: At the time you were served or at any subsequent time, state whether or not the Defendant(s) maintains any safe deposit box or boxes. If so, include the identification number or other designation of the box or boxes. Include a full description of the contents and also the amount of cash among those contents. If the Defendant(s) maintains any of these jointly with any other person or persons give their full name and address.

6. REAL OR PERSONAL PROPERTY: At the time you were served or at any subsequent time, state whether or not the Defendant(s) own any personal property that was in your possession and/or control. If so, include a full description of all personal property giving full value and present location. State also whether or not there are any encumbrances or liens holders, the present balance of the encumbrance. State where and when encumbrances or liens was recorded. If the Defendant(s) owns any personal property jointly with any person or persons, give names and address.

7. OTHER ASSETS: At the time you were served or at any subsequent time, did you know of the existence of any other asset(s) of the Defendant(s) which are not disclosed in the preceding Interrogatories. If so, please set forth all details concerning those asset(s).

8. PROPERTY HELD AS A FIDUCIARY: At the time you were served or at any subsequent time, did you hold as a fiduciary any property in which any Defendant(s) had an interest? If so, please describe for each Defendant(s) the nature of the property including its value and the interest of Defendant(s).

9. FEES OUTSTANDING TO GARNISHEE: Are there any attorneys fees or processing fees charged by you against the Defendant(s) or account(s) of the Defendant(s) for the completion of this Answer? If yes, outline the exact amount of any fees due and owing to the garnishee or the attorney for the garnishee for the preparation of the Answer.



David R. Galloway #87326/Philip C. Warholic #86341  
Sarah E. Ehasz #86469/Robert N. Polas, Jr. #201259  
Amy F. Doyle #87062  
Mann Bracken LLP / Counsel for Plaintiff  
The Successor by Merger to Wolpoff & Abramson, LLP  
and Eskanos & Adler, P. C.  
4660 Trindle Road, Suite 300, Camp Hill, PA 17011  
Telephone: (717) 303-6700 Fax: (717) 737-9051

EXHIBIT "A"

ANSWERS TO INTERROGATORIES

1. Yes, checking account number 0622542062 into William A. Carr, Jr. with a current balance of zero; and an unsecured line of credit.
  - a. Yes, checking account receives recurring deposits but do not know if exempt.
2. See #1a above
3. See #1 above
4. No
5. No
6. Yes, installment loan secured by title to property owned by William A. Carr, Jr.
7. No
8. No
9. First Commonwealth Bank charges a \$200.00 processing fee.

## VERIFICATION

COMMONWEALTH OF PENNSYLVANIA )  
COUNTY OF INDIANA )

On this 30<sup>th</sup> day of December 2008 before me, the undersigned officer, a Notary Public in and for said Commonwealth and County, personally appeared JAMES BOYLE, who being duly sworn according to law, acknowledged that he is Vice President of First Commonwealth Bank, and that the facts set forth in the foregoing Interrogatories are true and correct to the best of his knowledge and belief.

James Boyle, Vice President  
First Commonwealth Bank

Sworn and subscribed to before me  
This 30<sup>th</sup> day of December 2008

Susan L. Lindenberg  
Notary Public

COMMONWEALTH OF PENNSYLVANIA  
NOTARIAL SEAL  
SUSAN L LINDENBERG, NOTARY PUBLIC  
INDIANA BOROUGH, INDIANA COUNTY  
MY COMMISSION EXPIRES APRIL 10, 2010

FILED

JAN 05 2009

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

LVNV FUNDING, L.L.C.  
SHERMAN ACQUISITION  
SEARS

Plaintiff

NO. 08-982-CD

vs.

CIVIL ACTION - LAW

WILLIAM A CARR  
Defendant

**PRAECIPE TO DISCONTINUE ATTACHMENT EXECUTION**

To the Prothonotary:

Kindly mark the attachment against the Garnishee, FIRST COMMON WEALTH BANK,  
discontinued, upon payment of your costs only.

Respectfully Submitted,

Dated: 1/26/09

*Philip C. Warholic*  
Amy F. Doyle #87062  
Philip C. Warholic #86341  
David R. Galloway #87326  
Sarah E. Ehasz #86469  
Robert N. Polas, Jr. #201259  
MANN BRACKEN LLP  
The Successor by Merger to Wolpoff & Abramson, LLP  
and Eskanos & Adler, PC  
Attorneys in the Practice of Debt Collection  
4660 Trindle Rd., Suite 300  
Camp Hill, PA 17011  
(717) 303-6700

MB File No. 180602968

3cc AMY  
ma:20Lm Warholic  
MAR 19 2009  
LAW

William A. Shaw  
Prothonotary/Clerk of Courts

SHAPIRO LAW OFFICE, P.C.  
Kenneth S. Shapiro, Esq.  
Attorney I.D. #26850  
P.O. Box 1050  
33 Rock Hill Rd., Suite 150  
Bala Cynwyd, PA 19004-5050  
(610) 668-0707

No. of Pages 1

LVNV Funding LLC : Plaintiff  
v. :  
William A. Carr : Defendant(s)

Court Of Common Pleas  
Clearfield County, PA

FILED *ICC Atty*  
*My 11:20 AM*  
*JUN 25 2010*

William A. Shaw  
Prothonotary/Clerk of Courts

CIVIL CASE NO. 2008-00982-CD

### ENTRY OF APPEARANCE

TO THE PROTHONOTARY OF CLEARFIELD COUNTY, PENNSYLVANIA:

Kindly enter my appearance on behalf of LVNV Funding LLC, Plaintiff herein.

I hereby certify that this change is not intended to, nor will it, delay this proceeding to the best of my knowledge, information and belief.

Papers may be served at the address set forth below:

Kenneth S. Shapiro, Esq.  
Attorney ID # 26850  
Shapiro Law Office, PC  
P.O. Box 1050  
33 Rock Hill Road – Suite 150  
Bala Cynwyd, PA 19004-5050  
Telephone # 610-668-0707  
FAX # 610-668-1815

Respectfully submitted,  
SHAPIRO LAW OFFICE, P.C.

By: *Kenneth S. Shapiro*  
Kenneth S. Shapiro, Esq.  
For the firm

Dated: *June 23, 2010*

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CB

LVNV FUNDING, LLC ASSIGNEE  
OF SHERMAN ACQUISITION  
ASSIGNEE OF SEARS

VS. : NO. 08-982-CD

WILLIAM A CARR JR.

**PRAECIPE FOR APPEARANCE**

TO THE PROTHONOTARY: LVNV FUNDING, LLC ASSIGNEE OF SHERMAN  
ACQUISITION ASSIGNEE OF SEARS

Please enter my appearance for \_\_\_\_\_  
in the above case.

  
/ 322038

Date: July 7, 2017

Signature/ID Number

Kishen Y. Barot, Esq.

Print Name

Eltman Law, PC  
Firm

101 Hudson Street, Suite 2702  
Address

Jersey City, NJ 07302

FILED  
M 11:07A.M. 06  
JUL 17 2017  
NO CC  
BRIAN K. SPENCER  
PROTHONOTARY & CLERK OF COURTS