

08-1083-CD
LVNV Funding vs Stephen Martin

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

LVNV FUNDING, LLC ASSIGNEE OF SHERMAN
ACQUISITION ASSIGNEE OF HOUSEHOLD

No. 2008 - 1083-CD

C/O Wolpoff & Abramson, L.L.P.
4660 TRINDLE ROAD, 3rd FLOOR
CAMP HILL, PA 17011

Plaintiff

Type of Case: Contract

Type of Pleading:

VS.

Filed on Behalf of: Plaintiff

STEPHEN MARTIN
33 OZZ LN
CURWENSVILLE PA 16833

Defendant(s)

Date: 6/10/08

Amy F. Doyle #82062 / 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
O 12:36 P.M. GK
JUN 12 2008

William A. Shaw
Prothonotary/Clerk of Courts

ATTY PAID 95.00
ICC ATTY
ICC SHERIFF

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

LVNV FUNDING, LLC :
ASSIGNEE OF SHERMAN ACQUISITION : No.
ASSIGNEE OF HOUSEHOLD :
Plaintiff :
VS : CIVIL ACTION - LAW
STEPHEN MARTIN :
Defendant(s) :
:

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
ASSIGNEE OF HOUSEHOLD
Plaintiff

: No.

: CIVIL ACTION - LAW

vs

STEPHEN MARTIN
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
ASSIGNEE OF SHERMAN ACQUISITION
ASSIGNEE OF HOUSEHOLD
Plaintiff

: No.

: CIVIL ACTION - LAW

vs

STEPHEN MARTIN
Defendant(s)

COMPLAINT

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

1. Plaintiff is LVNV FUNDING, LLC ASSIGNEE OF SHERMAN ACQUISITION ASSIGNEE OF HOUSEHOLD , located at 15 South Main Street Greenville, SC 29601.
2. Defendant, STEPHEN MARTIN, is an adult individual with a last known address of 33 Ozz Ln Curwensville, Clearfield County, PA 16833.
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 \$8,479.55.

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 \$674.07.

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.

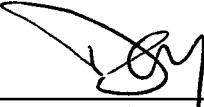
11. Plaintiff performed any and all conditions precedent to the bringing of this action.

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 \$8,479.55, plus interest in the amount of \$674.07, plus costs of this action and any other relief as this Court deems just and reasonable.

Respectfully Submitted,

Date: 6/6/08


Amy E. Doyle #81062 / 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.
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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: 6/6/03

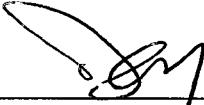

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4660 Trindle Road, Suite 300
Camp Hill, PA 17011
Telephone: (717) 303-6700
Counsel for Plaintiff

Exhibit "A"

••FICHINFO1 •• Date 03/14/08 Account [REDACTED] 7929 Mode L ••Nxt + •
ACCT# [REDACTED] 7929 BAL 8479.55 LPYMT DT 08/10/2006
*ABL-ACCT-ID*ABL-ACCT-NO *ABL-EFF-DATE*ABL-CUR-BALANCE
03/11/2008 8479.55
*ABL-PRIN-COLLECTED*ABL-PRIN-OWING*ABL-PRIN-BAL*ABL-ATTYFEE-COLLECTED
0.00 8479.55 8479.55 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 0.070 1.62
*ABL-SUSPEND-INT*ABL-LAST-PYMT-DT*ABL-LAST-PYMT-AMT*ABL-LAST-NSF-DT
0.00 08/10/2006 55.00
*ABL-LAST-NSF-AMT*ABL-ACCRUAL-METHOD*PLA-ACCT-ID*PLA-ACCT-NO
2

--
*ADL-ACCT-NO

*ADL-MERCHANT
YAMAHA-RBP TIER 3

*ADL-CBR
Y

*ADL-CHGOFF-BAL*ADL-CHGOFF-DT*ADL-ORG-NAME
0.00 01/31/2007 LVNV FUNDING LLC
*ADL-LAST-PURCH-AMT*ADL-MISC1
1206.00 5011.18

*ADL-MISC2
*ADL-MISC3

*ADL-ORG-DT*ADL-PORTFOLIO-ID
•MODE L=LFT R=RGT W=WRP Next File •

••FICHINFO1 •• Date 03/14/08 Account [REDACTED] 7929 Mode L ••Nxt + •
HH180 07/02/2005 7753

*ADL-SELLER-NAME
HSBC BANK NEVADA NATIONAL ASSOCIATION

--
*ALT-ACCT-NO *ALT-CONTACT-TYPE
04

*ALT-NAME
KEPHART TRUCKING

*ALT-ADDR
*ALT-ADDR2

*ALT-ZIP *ALT-PHONE *ALT-NOTIFCATE-DT *ALT-CITY *ALT-ST
04/20/2007

--
*BWR-TYPE*BWR-SSN *BWR-FIR-NAME
01 XXXXX4275 STEPHEN

*BWR-LAST-NAME

MARTIN
*BWR-ADDR
33 OZZ LN
*BWR-ADDR2 *BWR-CITY *BWR-ST*BWR-ZIP
CURWENSVILLE PA 168337259

*BWR-DOB *BWR-HMPHONE*BWR-WKPHONE*BWR-OTPHONE*BWR-LANG-CODE
•MODE L=LFT R=RGT W=WRP Next File •
••FICHINFO1 •• Date 03/14/08 Account [REDACTED] 7929 Mode L ••Nxt + •
8142361766 8142363037 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 118646 1

•MODE L=LFT R=RGT W=WRP Next File •

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
NO: 08-1083-CD

LVNV FUNDING, LCC, Assignee
vs
STEPHEN MARTIN

SERVICE # 1 OF 1

COMPLAINT

SERVE BY: 07/12/2008 HEARING: PAGE: 104274

DEFENDANT: STEPHEN MARTIN
ADDRESS: 33 OZZ LN
CURWENSVILLE, PA 16833

ALTERNATE ADDRESS

FILED
03:44 PM 08
JUN 16 2008

William A. Shaw
Prothonotary/Clerk of Courts

(610)

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT OCCUPIED

ATTEMPTS

SHERIFF'S RETURN

NOW, 6-16-08 AT 2:52 AM / PM SERVED THE WITHIN

COMPLAINT ON STEPHEN MARTIN, DEFENDANT

BY HANDING TO Stephen Martin, Def.

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

ADDRESS SERVED 33 OZZ LN,

Curwenville, Pa. 16833

NOW _____ AT _____ AM / PM POSTED THE WITHIN

COMPLAINT FOR STEPHEN MARTIN

AT (ADDRESS) _____

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

I MAKE RETURN OF **NOT FOUND** AS TO STEPHEN MARTIN

REASON UNABLE TO LOCATE _____

SWORN TO BEFORE ME THIS

DAY OF 2008

So Answers: CHESTER A. HAWKINS, SHERIFF

BY:

James E. Davis
Deputy Signature

James E. Davis
Print Deputy Name

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 104274
NO: 08-1083-CD
SERVICES 1
COMPLAINT

PLAINTIFF: LVNV FUNDING, LCC, Assignee
vs.
DEFENDANT: STEPHEN MARTIN

SHERIFF RETURN

RETURN COSTS

| Description | Paid By | CHECK # | AMOUNT |
|-----------------|---------|----------|--------|
| SURCHARGE | WOLPOFF | 00285415 | 10.00 |
| SHERIFF HAWKINS | WOLPOFF | 00285415 | 24.48 |

FILED

073:0347
SEP 29 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
CIVIL DIVISION

LVNV FUNDING, LLC

* NO. 2008-1083-CD

Plaintiff

*

vs.

*

STEPHEN MARTIN

*

Defendant

*

ORDER

NOW, this 25th day of June, 2013, upon the Court's review of the docket and noting no activity for a period of over four years, it is the ORDER of this Court that the case be moved to inactive status. The Prothonotary shall code the case in Full Court as Z-INACTA.

BY THE COURT,



FREDRIC J. AMMERMAN
President Judge

2 0/9/05cm NoCC.
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