



COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA

LVNV FUNDING, LLC ASSIGNEE OF SHERMAN  
ACQUISITION ASSIGNEE OF BANK OF AMERICA

No. 2008-1376-CD

C/O Mann Bracken LLC  
4660 TRINDLE ROAD, SUITE 300  
CAMP HILL, PA 17011  
Plaintiff

Type of Case: Contract

Type of Pleading:

Filed on Behalf of: Plaintiff


VS.

JOSHUA D CONKLIN  
813 DOREY ST  
CLEARFIELD PA 16830

Defendant(s)

Date:

7/22/08

  
\_\_\_\_\_  
Amy F. Doyle #87062 / Philip C. Warhol #86341 /  
David R. Galloway #87326 / Sarah E. Ehasz #86469 /  
Robert N. Polas, Jr. #201259

Mann Bracken LLC

The Successor by Merger to Wolpoff & Abramson, L.L.P.  
and Eskanos & Adler, P.C.

4660 Trindle Road, Suite 300, Camp Hill, PA 17011

Telephone: (717) 303-6700

Counsel for Plaintiff

FILED

JUL 28 2008

m/2:10/w

William A. Shaw  
Prothonotary/Clerk of Courts

2 cert to  
SHFF.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

LVNV FUNDING, LLC  
ASSIGNEE OF SHERMAN ACQUISITION  
ASSIGNEE OF BANK OF AMERICA  
Plaintiff

vs

JOSHUA D CONKLIN  
Defendant(s)

:  
: No.  
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:  
: 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.

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

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

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Plaintiff

vs

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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.

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Plaintiff

vs

JOSHUA D CONKLIN  
Defendant(s)

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: No.  
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: CIVIL ACTION - LAW  
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**COMPLAINT**

AND NOW, comes the Plaintiff, by and through its attorneys and the law firm of Mann Bracken LLC, and files this Complaint and in support avers as follows:

1. Plaintiff is LVNV FUNDING, LLC ASSIGNEE OF SHERMAN ACQUISITION ASSIGNEE OF BANK OF AMERICA , located at 15 South Main Street Greenville, SC 29601.
2. Defendant, JOSHUA D CONKLIN, is an adult individual with a last known address of 813 Dorey St Clearfield, Clearfield County, PA 16830.
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 \$7,430.68.

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 \$760.32.

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.

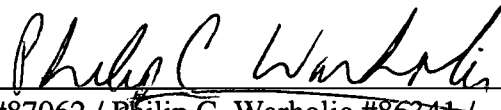
11. Plaintiff performed any and all conditions precedent to the bringing of this action.

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 \$7,430.68, plus interest in the amount of \$760.32, plus costs of this action and any other relief as this Court deems just and reasonable.

Respectfully Submitted,

Date: 7/22/08

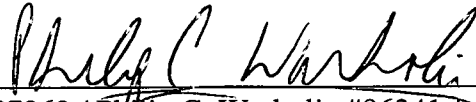
  
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The Successor by Merger to Wolpoff & Abramson, L.L.P.  
and Eskanos & Adler, P.C.  
4660 Trindle Road, Suite 300, Camp Hill, PA 17011  
Telephone: (717) 303-6700  
Counsel for Plaintiff

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: 7/22/08



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Robert N. Polas, Jr. #201259  
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4660 Trindle Road, Suite 300, Camp Hill, PA 17011  
Telephone: (717) 303-6700  
Counsel for Plaintiff



**Exhibit "A"**

••FICHINFO1 •• Date 04/21/08 Account 7953 Mode L ••Nxt + •

ACCT# 7953 BAL 7430.68 LPYMT DT 02/21/2006

\*ABL-ACCT-ID\*ABL-ACCT-NO \*ABL-EFF-DATE\*ABL-CUR-BALANCE  
04/18/2008 7430.68

\*ABL-PRIN-COLLECTED\*ABL-PRIN-OWING\*ABL-PRIN-BAL\*ABL-ATTYFEE-COLLECTED

0.00 7430.68 7430.68 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 0.200 4.06

\*ABL-SUSPEND-INT\*ABL-LAST-PYMT-DT\*ABL-LAST-PYMT-AMT\*ABL-LAST-NSF-DT

0.00 02/21/2006 288.40

\*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

7416.98 10/30/2006 LVNV FUNDING LLC

\*ADL-LAST-PURCH-AMT\*ADL-MISC1

0.00 4888936200166654

\*ADL-MISC2

N

•MODE L=LFT R=RG T W=WRP Next File •

••FICHINFO1 •• Date 04/21/08 Account 7953 Mode L ••Nxt + •

\*ADL-MISC3 \*ADL-ORG-DT\*ADL-PORTFOLIO-ID  
06/08/2004 7384

\*ADL-SELLER-NAME \*ADL-TELECOMM-PHONE\*ALT-ACCT-ID

BANK OF AMERICA

--

\*BWR-TYPE\*BWR-SSN \*BWR-FIR-NAME

01 XXXXX3086 JOSHUA D

\*BWR-LAST-NAME

CONKLIN

\*BWR-ADDR

813 DOREY ST

\*BWR-ADDR2

\*BWR-CITY

CLEARFIELD

\*BWR-ST\*BWR-ZIP

PA 168302767

\*BWR-DOB \*BWR-HMPHONE\*BWR-WKPHONE\*BWR-OTPHONE\*BWR-LANG-CODE

06/20/1980 8147687606 8147658089 9364495816 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 122726 1

•MODE L=LFT R=RG T W=WRP Next File •

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

NO: 08-1376-CD

LVNV FUNDING, LLC Assignee of Sherman Acquisition Assignee of Bank of America  
vs

SERVICE # 1 OF 1

JOSHUA D. CONKLIN

COMPLAINT

SERVE BY: 08/27/2008

HEARING:

PAGE: 104465

DEFENDANT: JOSHUA D. CONKLIN  
ADDRESS: 813 DOREY ST.  
CLEARFIELD, PA 16830

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS:

VACANT

OCCUPIED

ATTEMPTS

**SHERIFF'S RETURN**

NOW, 7/31/08 AT 924 AM PM SERVED THE WITHIN

COMPLAINT ON JOSHUA D. CONKLIN, DEFENDANT

BY HANDING TO Rhonda Conklin

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

ADDRESS SERVED 813 Dorey St. Clearfield Pa

NOW AT AM / PM POSTED THE WITHIN

COMPLAINT FOR JOSHUA D. CONKLIN

AT (ADDRESS)

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

I MAKE RETURN OF NOT FOUND AS TO JOSHUA D. CONKLIN

REASON UNABLE TO LOCATE

SWORN TO BEFORE ME THIS

DAY OF 2008

So Answers: CHESTER A. HAWKINS, SHERIFF

BY:

Deputy Signature

Print Deputy Name

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

LVNV FUNDING, LLC  
ASSIGNEE OF SHERMAN ACQUISITION  
ASSIGNEE OF BANK OF AMERICA

Plaintiff

NO. 2008-1376-CD

vs.

CIVIL ACTION – LAW

JOSHUA D CONKLIN

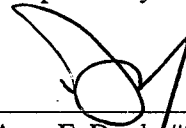
Defendant

**PRAECIPE TO DISCONTINUE**

To the Prothonotary:

Please mark the above-entitled case as discontinued without prejudice.

Respectfully Submitted,



Amy F. Doyle #87062

Philip C. Watholic #86341

David R. Galloway #87326 ✓

Sarah E. Ehasz #86469

Robert N. Polas, Jr. #201259

MANN BRACKEN LLC

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

181277228

**FILED** ICC & 1 Cert of  
m/11:15 am disc issued to  
SEP 22 2008 ATT Galloway

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

LVNV FUNDING, LLC  
ASSIGNEE OF SHERMAN ACQUISITION  
ASSIGNEE OF BANK OF AMERICA  
Plaintiff

NO. 2008-1376-CD

vs.

CIVIL ACTION - LAW

JOSHUA D CONKLIN

Defendant

CERTIFICATE OF SERVICE

The undersigned does hereby certify that a true and correct copy of the Praecipe  
to Discontinue was served upon the individual(s) listed below by Regular Mail,

Postage Pre-Paid on this 15 day of Sept, 2008.

EARLE D LEES, JR ESQ  
109 N BRADY ST  
DUBOIS, PA 15801



---

Amy F. Doyle #87062  
Philip C. Warholc #86341  
David R. Galloway #87326 ✓  
Sarah E. Ehasz #86469  
Robert N. Polas, Jr. #201259  
MANN BRACKEN LLC  
The Successor by Merger to Wolpoff &  
Abramson, LLP and Eskanos & Adler, PC  
Attorneys in the Practice of Debt Collection  
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IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

LVNV Funding, LLC  
Sherman Acquisition  
Bank of America

Vs.  
Joshua D. Conklin

No. 2008-01376-CD

COPY

CERTIFICATE OF DISCONTINUATION

Commonwealth of PA  
County of Clearfield

I, William A. Shaw, Prothonotary of the Court of Common Pleas in and for the County and Commonwealth aforesaid do hereby certify that the above case was on September 22, 2008, marked:

Discontinued without prejudice

Record costs in the sum of \$95.00 have been paid in full by Mann Bracken LLC.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 22nd day of September A.D. 2008.



\_\_\_\_\_  
William A. Shaw, Prothonotary

LM

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 104465  
NO: 08-1376-CD  
SERVICES 1  
COMPLAINT

PLAINTIFF: LVNV FUNDING, LLC Assignee of Sherman Acquisition Assignee of Bank of America  
vs.  
DEFENDANT: JOSHUA D. CONKLIN

FILED

DEC 24 2008

William A. Shaw  
Prothonotary/Clerk of Courts

SHERIFF RETURN

RETURN COSTS

| Description     | Paid By | CHECK # | AMOUNT |
|-----------------|---------|---------|--------|
| SURCHARGE       | MANN    | 004068  | 10.00  |
| SHERIFF HAWKINS | MANN    | 004068  | 20.00  |

FILED

01/10:43 am

DEC 24 2008

William A. Shaw  
Prothonotary/Clerk of Courts

Sworn to Before Me This

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

So Answers,



Chester A. Hawkins  
Sheriff

COPY

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA

LVNV FUNDING, LLC ASSIGNEE OF SHERMAN  
ACQUISITION ASSIGNEE OF BANK OF AMERICA

No. 2008-1376-CD

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

C/O Mann Bracken LLC  
4660 TRINDLE ROAD, SUITE 300  
CAMP HILL, PA 17011  
Plaintiff

JUL 28 2008

Type of Case: Contract

Attest.

Type of Pleading:

*William A. Hahn*  
Prothonotary/  
Clerk of Courts

VS.

Filed on Behalf of: Plaintiff

JOSHUA D CONKLIN  
813 DOREY ST  
CLEARFIELD PA 16830

Defendant(s)

Date:

7/22/08

*Philip C. Warhol*  
\_\_\_\_\_  
Amy F. Doyle #87062 / Philip C. Warhol #86341 /  
David R. Galloway #87326 / Sarah E. Ehasz #86469 /  
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Counsel for Plaintiff



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

LVNV FUNDING, LLC  
ASSIGNEE OF SHERMAN ACQUISITION  
ASSIGNEE OF BANK OF AMERICA  
Plaintiff

vs

JOSHUA D CONKLIN  
Defendant(s)

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LVNV FUNDING, LLC  
ASSIGNEE OF SHERMAN ACQUISITION  
ASSIGNEE OF BANK OF AMERICA  
Plaintiff

vs

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LVNV FUNDING, LLC  
ASSIGNEE OF SHERMAN ACQUISITION  
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Plaintiff

vs

JOSHUA D CONKLIN  
Defendant(s)

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**COMPLAINT**

AND NOW, comes the Plaintiff, by and through its attorneys and the law firm of Mann Bracken LLC, and files this Complaint and in support avers as follows:

1. Plaintiff is LVNV FUNDING, LLC ASSIGNEE OF SHERMAN ACQUISITION ASSIGNEE OF BANK OF AMERICA , located at 15 South Main Street Greenville, SC 29601.
2. Defendant, JOSHUA D CONKLIN, is an adult individual with a last known address of 813 Dorey St Clearfield, Clearfield County, PA 16830.
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 \$7,430.68.

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 \$760.32.

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.

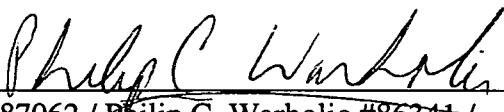
11. Plaintiff performed any and all conditions precedent to the bringing of this action.

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 \$7,430.68, plus interest in the amount of \$760.32, plus costs of this action and any other relief as this Court deems just and reasonable.

Respectfully Submitted,

Date: 7/22/08

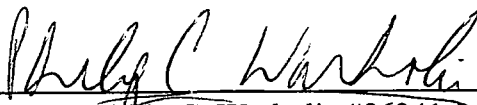
  
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Counsel for Plaintiff

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Counsel for Plaintiff

**Exhibit "A"**

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04/18/2008 7430.68  
0 \*ABL-PRIN-COLLECTED\*ABL-PRIN-OWING\*ABL-PRIN-BAL\*ABL-ATTYFEE-COLLECTED  
0.00 7430.68 7430.68 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 0.200 4.06  
\*ABL-SUSPEND-INT\*ABL-LAST-PYMT-DT\*ABL-LAST-PYMT-AMT\*ABL-LAST-NSF-DT  
0.00 02/21/2006 288.40  
\*ABL-LAST-NSF-AMT\*ABL-ACCRUAL-METHOD\*PLA-ACCT-ID\*PLA-ACCT-NO  
2

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

\*ADL-CHGOFF-BAL\*ADL-CHGOFF-DT\*ADL-ORG-NAME  
7416.98 10/30/2006 LVNV FUNDING LLC  
\*ADL-LAST-PURCH-AMT\*ADL-MISC1  
0.00 4888936200166654  
\*ADL-MISC2

N

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••FICHINFO1 •• Date 04/21/08 Account 7953 Mode L ••Nxt + •  
\*ADL-MISC3 \*ADL-ORG-DT\*ADL-PORTFOLIO-ID  
06/08/2004 7384

\*ADL-SELLER-NAME \*ADL-TELECOMM-PHONE\*ALT-ACCT-ID  
BANK OF AMERICA

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\*BWR-TYPE\*BWR-SSN \*BWR-FIR-NAME

01 XXXXX3086 JOSHUA D

\*BWR-LAST-NAME

CONKLIN

\*BWR-ADDR

813 DOREY ST

\*BWR-ADDR2

\*BWR-CITY

CLEARFIELD

\*BWR-ST\*BWR-ZIP

PA 168302767

\*BWR-DOB \*BWR-HMPHONE\*BWR-WKPHONE\*BWR-OTPHONE\*BWR-LANG-CODE

06/20/1980 8147687606 8147658089 9364495816 0

\*BWR-BANK-NAME

\*BWR-EMPLOYED\*BWR-HOME-OWNER

N

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

0.2700 122726 1

•MODE L=LFT R=RG T W=WRP Next File •