

08-1377-CD  
LVNV Funding vs Debora Gresak

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

LVNV FUNDING, LLC ASSIGNEE OF SHERMAN  
ACQUISITION ASSIGNEE OF SEARS

No. 2008-1377-CO

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.

DEBORA E GRESAK  
78 PINE VW  
DU BOIS PA 15801

Defendant(s)

Date: 7/21/08

Amy F. Doyle #87062 / Philip C. Warholic #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** *Film*

JUL 28 2008

*7/21/08*  
William A. Shaw  
Prothonotary/Clerk of Courts

*2 cent to SHEN*

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

LVNV FUNDING, LLC	:	
ASSIGNEE OF SHERMAN ACQUISITION	:	: No.
ASSIGNEE OF SEARS	:	
Plaintiff	:	
vs	:	
DEBORA E GRESAK	:	
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 SEARS  
Plaintiff

: No.

: CIVIL ACTION - LAW

vs

DEBORA E GRESAK  
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 A UN HONORARIO REDUCIDO O GRATIS.

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IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

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

: No.

: CIVIL ACTION - LAW

vs

DEBORA E GRESAK  
Defendant(s)

**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 SEARS , located at 15 South Main Street Greenville, SC 29601.
2. Defendant, DEBORA E GRESAK, is an adult individual with a last known address of 78 Pine Vw 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 \$10,373.45.

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 \$1,704.29.

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 \$10,373.45, plus interest in the amount of \$1,704.29, plus costs of this action and any other relief as this Court deems just and reasonable.

Respectfully Submitted,

Date: 7/21/08



Amy F. Doyle #87062 / Philip C. Warholic #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

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: 7/21/08

*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 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

# **Exhibit "A"**

••FICHINFO1 •• Date 05/16/08 Account [REDACTED] 9950 Mode L ••Nxt + •  
ACCT# [REDACTED] 9950 BAL 10373.4 LPYMT DT 03/16/2005  
\*ABL-ACCT-ID\*ABL-ACCT-NO \*ABL-EFF-DATE\*ABL-CUR-BALANCE  
05/14/2008 10373.4  
\*ABL-PRIN-COLLECTED\*ABL-PRIN-OWING\*ABL-PRIN-BAL\*ABL-ATTYFEE-COLLECTED  
0.00 10373.4 10373.4 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-ACCUAL  
0.00 0.00 0.00 0.060 1.71  
\*ABL-SUSPEND-INT\*ABL-LAST-PYMT-DT\*ABL-LAST-PYMT-AMT\*ABL-LAST-NSF-DT  
0.00 03/16/2005 190.00  
\*ABL-LAST-NSF-AMT\*ABL-ACCUAL-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  
10373.4 10/22/2005 LVNV FUNDING LLC

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

0.00  
\*ADL-MISC2  
\*ADL-MISC3 \*ADL-ORG-DT\*ADL-PORTFOLIO-ID

•MODE L=LFT R=RGT W=WRP Next File •

••FICHINFO1 •• Date 05/16/08 Account [REDACTED] 9950 Mode L ••Nxt + •  
06/01/1987 5830

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

SEARS

--  
\*ALT-ACCT-NO \*ALT-CONTACT-TYPE  
09

\*ALT-NAME  
\*ALT-ADDR  
\*ALT-ADDR2 \*ALT-CITY \*ALT-ST  
\*ALT-ZIP \*ALT-PHONE \*ALT-NOTIFICATE-DT

--  
\*BWR-TYPE\*BWR-SSN \*BWR-FIR-NAME  
01 XXXXX2294 DEBORA E

\*BWR-LAST-NAME

GRESAK

\*BWR-ADDR

78 PINE VW

\*BWR-ADDR2 \*BWR-CITY \*BWR-ST\*BWR-ZIP  
DU BOIS PA 158014640

\*BWR-DOB \*BWR-HMPHONE\*BWR-WKPHONE\*BWR-OTPHONE\*BWR-LANG-CODE  
8145837416 0

\*BWR-BANK-NAME \*BWR-EMPLOYED\*BWR-HOME-OWNER  
•MODE L=LFT R=RGT W=WRP Next File •

••FICHINFO1 •• Date 05/16/08 Account [REDACTED] 9950 Mode L ••Nxt + •  
N

--  
\*PLA-COMM-RATE\*PLA-BATCH-ID\*PLA-TRUST-ACCTID\*PLA-DEADLINE\*PLA-SIF\*BKY-ACCT-ID  
0.2700 125396 1

•MODE L=LFT R=RGT W=WRP Next File •

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

NO: 08-1377-CD

LVNV FUNDING, LLC ASSIGNEE OF SHERMAN ACQUISITION ASSIGNEE OF SEARS  
vs  
DEBORA E. GRESAK

SERVICE # 1 OF 1

COMPLAINT

SERVE BY: 08/27/2008

HEARING:

PAGE: 104466

FILED

03:40pm  
JUL 31 2008

DEFENDANT: DEBORA E. GRESAK  
ADDRESS: 78 PINE VW  
DUBOIS, PA 15801

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT

OCCUPIED

ATTEMPTS 7-30-08 - 2/4  
left office

SHERIFF'S RETURN

NOW, 7-31-08 AT 10:38 AM / PM SERVED THE WITHIN

COMPLAINT ON DEBORA E. GRESAK, DEFENDANT

BY HANDING TO Clarence Gresak, husband

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

ADDRESS SERVED 78 Pine View Dubois Pa- 15801

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

COMPLAINT FOR DEBORA E. GRESAK

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

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

I MAKE RETURN OF **NOT FOUND** AS TO DEBORA E. GRESAK

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

So Answers: CHESTER A. HAWKINS, SHERIFF

SWORN TO BEFORE ME THIS

BY:

Jerome M. Neuling  
Deputy Signature

Jerome M. Neuling  
Print Deputy Name

DAY OF 2008

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 104466  
NO: 08-1377-CD  
SERVICES 1  
COMPLAINT

PLAINTIFF: LVNV FUNDING, LLC ASSIGNEE OF SHERMAN ACQUISITION ASSIGNEE OF SEARS  
vs.  
DEFENDANT: DEBORA E. GRESAK

*S*  
**FILED**

DEC 24 2008

SHERIFF RETURN

William A. Shaw  
Prothonotary/Clerk of Courts

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	MANN	006988	10.00
SHERIFF HAWKINS	MANN	006988	62.46

**FILED**  
O/10.43 cm  
DEC 24 2008  
*LM*  
William A. Shaw  
Prothonotary/Clerk of Courts

Sworn to Before Me This

So Answers,

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

*Chester A. Hawkins*

Chester A. Hawkins  
Sheriff

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

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

No. 2008-1377-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.

*William A. Clark*  
Prothonotary/  
Clerk of Courts

VS.

DEBORA E GRESAK  
78 PINE VW  
DU BOIS PA 15801

Type of Pleading:

Filed on Behalf of: Plaintiff

Defendant(s)

Date: 7/21/08

*Philip C. Warholic*

Amy F. Doyle #87062 / Philip C. Warholic #86341 /

David R. Galloway #87326 / Sarah E. Ehasz #86469 /

Robert N. Polas, Jr. #201259

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Telephone: (717) 303-6700

Counsel for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

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

: No.

: CIVIL ACTION - LAW

vs

DEBORA E GRESAK  
Defendant(s)

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Clearfield County Courthouse  
David S. Meholick, Court Administrator 230 East Market Street  
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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 :  
DEBORA E GRESAK :  
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.

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IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

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

: No.

: CIVIL ACTION - LAW

vs

DEBORA E GRESAK  
Defendant(s)

**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 SEARS , located at 15 South Main Street Greenville, SC 29601.
2. Defendant, DEBORA E GRESAK, is an adult individual with a last known address of 78 Pine Vw 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 \$10,373.45.

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 \$1,704.29.

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.

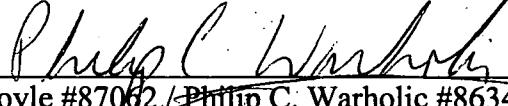
11. Plaintiff performed any and all conditions precedent to the bringing of this action.

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 \$10,373.45, plus interest in the amount of \$1,704.29, plus costs of this action and any other relief as this Court deems just and reasonable.

Respectfully Submitted,

Date: 7/21/08

  
Amy F. Doyle #87062 / Philip C. Warholic #86341

David R. Galloway #87326 / Sarah E. Ehasz #86469 /

Robert N. Polas, Jr. #201259

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Telephone: (717) 303-6700

Counsel for Plaintiff

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Date: 7/21/08

*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 LLC

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and Eskanos & Adler, P.C.

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

Telephone: (717) 303-6700

Counsel for Plaintiff

**Exhibit "A"**

•••FICHINFO1 •• Date 05/16/08 Account [REDACTED] 9950 Mode L ••Nxt + •  
ACCT# [REDACTED] 9950 BAL 10373.4 LPYMT DT 03/16/2005  
\*ABL-ACCT-ID\*ABL-ACCT-NO \*ABL-EFF-DATE\*ABL-CUR-BALANCE  
05/14/2008 10373.4  
\*ABL-PRIN-COLLECTED\*ABL-PRIN-OWING\*ABL-PRIN-BAL\*ABL-ATTYFEE-COLLECTED  
0.00 10373.4 10373.4 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 1.71  
\*ABL-SUSPEND-INT\*ABL-LAST-PYMT-DT\*ABL-LAST-PYMT-AMT\*ABL-LAST-NSF-DT  
0.00 03/16/2005 190.00  
\*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  
10373.4 10/22/2005 LVNV FUNDING LLC  
\*ADL-LAST-PURCH-AMT\*ADL-MISC1  
0.00

\*ADL-MISC2  
\*ADL-MISC3

\*ADL-ORG-DT\*ADL-PORTFOLIO-ID  
•••FICHINFO1 •• Date 05/16/08 Account [REDACTED] 9950 Mode L ••Nxt + •  
06/01/1987 5830

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

--  
\*ALT-ACCT-NO \*ALT-CONTACT-TYPE  
09

\*ALT-NAME  
\*ALT-ADDR  
\*ALT-ADDR2  
\*ALT-ZIP \*ALT-PHONE \*ALT-NOTIFICATE-DT \*ALT-CITY \*ALT-ST  
--

\*BWR-TYPE\*BWR-SSN \*BWR-FIR-NAME  
01 XXXXX2294 DEBORA E

\*BWR-LAST-NAME  
GRESAK  
\*BWR-ADDR  
78 PINE VW

\*BWR-ADDR2 \*BWR-CITY \*BWR-ST\*BWR-ZIP  
DU BOIS PA 158014640

\*BWR-DOB \*BWR-HMPHONE\*BWR-WKPHONE\*BWR-OTPHONE\*BWR-LANG-CODE  
8145837416 0

\*BWR-BANK-NAME \*BWR-EMPLOYED\*BWR-HOME-OWNER  
•••FICHINFO1 •• Date 05/16/08 Account [REDACTED] 9950 Mode L ••Nxt + •

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\*PLA-COMM-RATE\*PLA-BATCH-ID\*PLA-TRUST-ACCTID\*PLA-DEADLINE\*PLA-SIF\*BKY-ACCT-ID  
0.2700 125396 1 N

•MODE L=LFT R=RGT W=WRP Next File •

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

LVNV FUNDING, LLC : NO. 2008-1377-CD

ASSIGNEE OF SEARS :  
15 SOUTH MAIN STREET : CIVIL ACTION - LAW

GREENVILLE SC 29601 :  
Plaintiff :  
vs. :  
DEBORA E GRESAK :  
Defendant(s) :

## PRAECIPE FOR JUDGMENT

**FILED**  
 Atty pd.  
 m/s: d/s  
 2000  
 FEB 12 2009  
 ICC Notice  
 to Def.  
 William A. Shaw  
 Prothonotary/Clerk of Courts  
 ICC Statement  
 to Atty  
 (6u)

Please enter Judgment in favor of Plaintiff and against Defendant(s),  
 DEBORA E GRESAK and ,  
 for failure to answer the Complaint.

( X ) Amount due \$ 12077.74  
 TOTAL \$ 12077.74 , 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: 1/30/09 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 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

NOW, February 12, 2009, JUDGMENT IS ENTERED AS ABOVE.

William A. Shaw  
 Prothonotary/Clerk, Civil Division

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

**REGIONAL OFFICES**

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

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

THE SUCCESSOR BY MERGER TO WOLPOFF & ABRAMSON, L.L.P 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  
VIRGINIA BEACH, VA

PLEASE DIRECT CORRESPONDENCE TO CAMP HILL OFFICE

01/08/09

181503777  
DEBORA E GRESAK

78 PINE VW  
DU BOIS PA 15801

File No. 181503777

Re: LVNV FUNDING, LLC ASSIGNEE OF SEARS  
vs. DEBORA E GRESAK  
Docket No. 2008-1377-CD

Dear DEBORA E GRESAK

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 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

**COPY**

Enclosure

CC: DEBORA E GRESAK

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

LVNV FUNDING, LLC : NO. 2008-1377-CD  
ASSIGNEE OF SHERMAN ACQUISITION :  
ASSIGNEE OF SEARS :  
15 SOUTH MAIN STREET :  
GREENVILLE S.C. 29601 :  
  
Plaintiff :  
vs.  
DEBORA E GRESAK :  
  
Defendant(s) :

TO: DEBORA E GRESAK  
78 PINE VW  
DU BOIS PA 15801

DATE OF NOTICE: 01/08/09

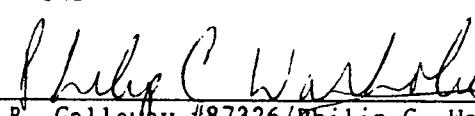
IMPORTANT NOTICE

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 LLP / 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. 2008-1377-CD

ASSIGNEE OF SEARS :  
15 SOUTH MAIN STREET :

GREENVILLE SC 29601 :  
Plaintiff :

vs. : CIVIL ACTION - LAW

DEBORA E GRESAK :  
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, DEBORA E GRESAK , above-named, is over 21 years of age; is last known to reside at 78 PINE VW  
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.

  
 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

COMMONWEALTH OF PENNSYLVANIA  
 Notary Seal  
 Kimberly L. Eisenhauer, Notary Public  
 Hampden Twp., Cumberland County  
 My Commission Expires Nov. 17, 2009  
 Member, Pennsylvania Association of Notaries

SWORN and SUBSCRIBED to before me this 30 day of January, 2009.

  
 Kimberly L. Eisenhauer  
 Notary Public

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

LVNV FUNDING, LLC : No. 2008-1377-CD  
ASSIGNEE OF SEARS :  
15 SOUTH MAIN STREET : CIVIL ACTION - LAW  
GREENVILLE SC 29601 :  
Plaintiff :  
vs. :  
DEBORA E GRESAK :  
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:

DEBORA E GRESAK  
78 PINE VW  
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 LLP / Counsel for Plaintiff  
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## IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA



LVNV FUNDING, LLC : NO. 2008-1377-CD  
 Plaintiff :  
 vs. : CIVIL ACTION - LAW  
 DEBORA E GRESAK :  
 Defendant(s) :

## 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 \$ 12077.74, plus interest, on February 12, 2009.

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

By: William Bracken

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

\_\_\_\_\_  
 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

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

## NOTICE SENT TO:

DEBORA E GRESAK

78 PINE VW  
 DU BOIS PA 15801

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

Copy

LVNV Funding, LLC  
Sherman Acquisition  
Sears  
Plaintiff(s)

No.: 2008-01377-CD

Real Debt: \$12,077.74

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Debora E. Gresak  
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: February 12, 2009

Expires: February 12, 2014

Certified from the record this 12th day of February, 2009.



---

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