

08-1385-CD  
US Bank al vs Ryan F. Flood

FILED Atty pd. \$95.00  
JUL 29 2008 ICC Sheriff  
William A. Shaw  
Prothonotary/Clerk of Courts

PHELAN HALLINAN & SCHMIEG, LLP  
LAWRENCE T. PHELAN, ESQ., Id. No. 32227  
FRANCIS S. HALLINAN, ESQ., Id. No. 62695  
DANIEL G. SCHMIEG, ESQ., Id. No. 62205  
MICHELE M. BRADFORD, ESQ., Id. No. 69849  
JUDITH T. ROMANO, ESQ., Id. No. 58745  
SHEETAL SHAH-JANI, ESQ., Id. No. 81760  
JENINE R. DAVEY, ESQ., Id. No. 87077  
LAUREN R. TABAS, ESQ., Id. No. 93337  
VIVEK SRIVASTAVA, ESQ., Id. No. 202331  
JAY B. JONES, ESQ., Id. No. 86657  
PETER MULCAHY, ESQ., Id. No. 61791  
ANDREW SPIVACK, ESQ., Id. No. 84439  
JAIME MCGUINNESS, ESQ., Id. No. 90134  
ONE PENN CENTER PLAZA, SUITE 1400  
PHILADELPHIA, PA 19103  
(215) 563-7000 182777

ATTORNEY FOR PLAINTIFF

U.S. BANK NATIONAL ASSOCIATION AS  
TRUSTEE  
1100 VIRGINIA DRIVE  
P.O. BOX 8300  
FORT WASHINGTON, PA 19034

COURT OF COMMON PLEAS

CIVIL DIVISION

TERM

Plaintiff

NO. 08-1385-CD

v.

CLEARFIELD COUNTY

RYAN F. FLOOD  
136 HIGH STREET  
CLEARFIELD, PA 16830-3127

Defendant

**CIVIL ACTION - LAW**  
**COMPLAINT IN MORTGAGE FORECLOSURE**

## NOTICE

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

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

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

Lawyer Referral Service:  
Pennsylvania Lawyer Referral Service  
Pennsylvania Bar Association  
100 South Street  
PO Box 186  
Harrisburg, PA 17108  
800-692-7375

Notice to Defend:  
Daniel J. Nelson, Court Administrator  
Clearfield County Courthouse  
2<sup>nd</sup> and Market Streets  
Clearfield, PA 16830  
814-765-2641 x 5982

**IF THIS IS THE FIRST NOTICE THAT YOU HAVE  
RECEIVED FROM THIS OFFICE, BE ADVISED THAT:**

**PURSUANT TO THE FAIR DEBT COLLECTION  
PRACTICES ACT, 15 U.S.C. § 1692 et seq. (1977),  
DEFENDANT(S) MAY DISPUTE THE VALIDITY OF THE  
DEBT OR ANY PORTION THEREOF. IF DEFENDANT(S)  
DO SO IN WRITING WITHIN THIRTY (30) DAYS OF  
RECEIPT OF THIS PLEADING, COUNSEL FOR  
PLAINTIFF WILL OBTAIN AND PROVIDE  
DEFENDANT(S) WITH WRITTEN VERIFICATION  
THEREOF; OTHERWISE, THE DEBT WILL BE ASSUMED  
TO BE VALID. LIKEWISE, IF REQUESTED WITHIN  
THIRTY (30) DAYS OF RECEIPT OF THIS PLEADING,  
COUNSEL FOR PLAINTIFF WILL SEND DEFENDANT(S)  
THE NAME AND ADDRESS OF THE ORIGINAL  
CREDITOR, IF DIFFERENT FROM ABOVE.**

**THE LAW DOES NOT REQUIRE US TO WAIT UNTIL  
THE END OF THE THIRTY (30) DAY PERIOD  
FOLLOWING FIRST CONTACT WITH YOU BEFORE  
SUING YOU TO COLLECT THIS DEBT. EVEN THOUGH**

**THE LAW PROVIDES THAT YOUR ANSWER TO THIS COMPLAINT IS TO BE FILED IN THIS ACTION WITHIN TWENTY (20) DAYS, YOU MAY OBTAIN AN EXTENSION OF THAT TIME. FURTHERMORE, NO REQUEST WILL BE MADE TO THE COURT FOR A JUDGMENT UNTIL THE EXPIRATION OF THIRTY (30) DAYS AFTER YOU HAVE RECEIVED THIS COMPLAINT. HOWEVER, IF YOU REQUEST PROOF OF THE DEBT OR THE NAME AND ADDRESS OF THE ORIGINAL CREDITOR WITHIN THE THIRTY (30) DAY PERIOD THAT BEGINS UPON YOUR RECEIPT OF THIS COMPLAINT, THE LAW REQUIRES US TO CEASE OUR EFFORTS (THROUGH LITIGATION OR OTHERWISE) TO COLLECT THE DEBT UNTIL WE MAIL THE REQUESTED INFORMATION TO YOU. YOU SHOULD CONSULT AN ATTORNEY FOR ADVICE CONCERNING YOUR RIGHTS AND OBLIGATIONS IN THIS SUIT.**

**IF YOU HAVE FILED BANKRUPTCY AND RECEIVED A DISCHARGE, THIS IS NOT AN ATTEMPT TO COLLECT A DEBT. IT IS AN ACTION TO ENFORCE A LIEN ON REAL ESTATE.**

1. Plaintiff is

U.S. BANK NATIONAL ASSOCIATION AS TRUSTEE  
1100 VIRGINIA DRIVE  
P.O. BOX 8300  
FORT WASHINGTON, PA 19034

2. The name(s) and last known address(es) of the Defendant(s) are:

RYAN F. FLOOD  
136 HIGH STREET  
CLEARFIELD, PA 16830-3127

who is/are the mortgagor(s) and/or real owner(s) of the property hereinafter described.

3. On 12/20/2005 mortgagor(s) made, executed and delivered a mortgage upon the premises hereinafter described to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS A NOMINEE FOR HOMECOMINGS FINANCIAL NETWORK, INC. which mortgage is recorded in the Office of the Recorder of CLEARFIELD County, in Mortgage Instrument No. 200521864. The PLAINTIFF is now the legal owner of the mortgage and is in the process of formalizing an assignment of same. The mortgage and assignment(s), if any, are matters of public record and are incorporated herein by reference in accordance with Pa.R.C.P. 1019(g); which Rule relieves the Plaintiff from its obligations to attach documents to pleadings if those documents are of public record.
4. The premises subject to said mortgage is described as attached.
5. The mortgage is in default because monthly payments of principal and interest upon said mortgage due 04/01/2008 and each month thereafter are due and unpaid, and by the terms of said mortgage, upon failure of mortgagor to make such payments after a date specified by written notice sent to Mortgagor, the entire principal balance and all interest due thereon are collectible forthwith.

6. The following amounts are due on the mortgage:

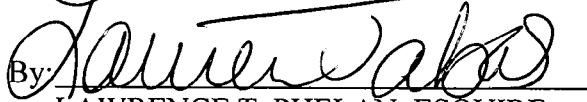
Principal Balance	\$68,839.03
Interest	\$2,684.94
03/01/2008 through 07/25/2008	
Attorney's Fees	\$1,250.00
Cumulative Late Charges	\$90.06
12/20/2005 to 07/25/2008	
Cost of Suit and Title Search	<u>\$550.00</u>
Subtotal	\$73,414.03
Escrow	
Credit	(\$228.04)
Deficit	\$0.00
Subtotal	<u>(\$228.04)</u>
<b>TOTAL</b>	<b>\$73,185.99</b>

7. If the mortgage is reinstated prior to a Sheriff's Sale, the attorney's fee set forth above may be less than the amount demanded based on work actually performed. The attorney's fees requested are in conformity with the mortgage and Pennsylvania law. Plaintiff reserves its right to collect attorney's fees up to 5% of the remaining principal balance in the event the property is sold to a third party purchaser at Sheriff's Sale, or if the complexity of the action requires additional fees in excess of the amount demanded in the Action.
8. Plaintiff is not seeking a judgment of personal liability (or an in personam judgment) against the Defendant(s) in the Action; however, Plaintiff reserves its right to bring a separate Action to establish that right, if such right exists. If Defendant(s) has/have received a discharge of personal liability in a bankruptcy proceeding, this Action of Mortgage Foreclosure is in no way an attempt to reestablish such personal liability discharged in bankruptcy, but only to foreclose the mortgage and sell the mortgaged premises pursuant to Pennsylvania Law.

9. Notice of Intention to Foreclose as set forth in Act 6 of 1974, Notice of Homeowner's Emergency Assistance Program pursuant to Act 91 of 1983, as amended in 1998, and/or Notice of Default as required by the mortgage document, as applicable, have been sent to the Defendant(s) on the date(s) set forth thereon, and the temporary stay as provided by said notice has terminated because Defendant(s) has/have failed to meet with the Plaintiff or an authorized consumer credit counseling agency, or has/have been denied assistance by the Pennsylvania Housing Finance Agency.
10. This action does not come under Act 6 of 1974 because the original mortgage amount exceeds \$50,000.

WHEREFORE, PLAINTIFF demands an in rem Judgment against the Defendant(s) in the sum of \$73,185.99, together with interest from 07/25/2008 at the rate of \$18.39 per diem to the date of Judgment, and other costs and charges collectible under the mortgage and for the foreclosure and sale of the mortgaged property.

PHELAN HALLINAN & SCHMIEG, LLP

By:   
LAURENCE T. PHELAN, ESQUIRE  
FRANCIS S. HALLINAN, ESQUIRE  
DANIEL G. SCHMIEG, ESQUIRE  
MICHELE M. BRADFORD, ESQUIRE  
JUDITH T. ROMANO, ESQUIRE  
SHEETAL R. SHAH-JANI, ESQUIRE  
JENINE R. DAVEY, ESQUIRE  
LAUREN R. TABAS, ESQUIRE 93337  
VIVEK SRIVASTAVA, ESQUIRE  
JAY B. JONES, ESQUIRE  
PETER MULCAHY, ESQUIRE  
ANDREW SPIVACK, ESQUIRE  
JAIME MCGUINNESS, ESQUIRE  
Attorneys for Plaintiff



## LEGAL DESCRIPTION

ALL those certain lots or pieces of ground situate in the Township of Lawrence, in what is known as Hillsdale, County of Clearfield and Commonwealth of Pennsylvania, bounded and described as follows:

### THE FIRST THEREOF:

BEGINNING at a post at corner of lot now owned by Paul M. Swales on Hill Street, 25.4 feet from Clark Street; thence to a southerly direction by line of Hill Street, 25.4 feet to line of Clark Street; thence by Clark Street, South 49 d 10 m East, 218 feet to a post at corner of Spring Alley; thence by Spring Alley, in a Northerly direction, 109.9 feet to a post at corner of lot of Paul M. Swales, above mentioned; thence by line of said lot, North 71 d 50 m West, 200 feet to a post and place of beginning.

THE SECOND THEREOF: BEGINNING at a post on Hill Street, corner of Lot No. 12; thence along said street in a southerly direction South 18 d 10 m West 50 feet to post; thence in an Easterly direction South 71 d 50 m East 200 feet to a post at Spring-Alley, thence along said alley in a Northerly direction North 18 d 10 m East, 50 feet to post on line of Lot No. 12; thence in a Westerly direction along line of said lot 200 feet to post on Hill Street and place of beginning, being 50 feet front on Hill Street and extending back 200 feet to Spring Alley and being part of Lot No. 13 in the plot or plan of said East Clearfield. Being the same premises as conveyed to Ryan F. Flood by Deed filed herewith.

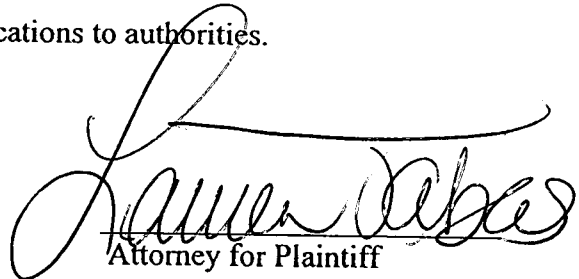
PARCEL NO: 1230K08-242-00013  
PROPERTY ADDRESS: **136 HIGH STREET**

VERIFICATION

I hereby state that I am the attorney for Plaintiff in this matter, that Plaintiff is outside the jurisdiction of the Court and/or the verification could not be obtained within the time allowed for the filing of the pleading, that I am authorized to make this verification pursuant to Pa.R.C.P. 1024 (c), and that the statements made in the foregoing Civil Action in Mortgage Foreclosure are based upon information supplied by Plaintiff and are true and correct to the best of my knowledge, information and belief.

Furthermore, counsel intends to substitute a verification from Plaintiff upon receipt.

The undersigned understands that this statement is made subject to the penalties of 18 Pa.C.S. Sec. 4904 relating to unsworn falsifications to authorities.

  
Attorney for Plaintiff

DATE: 7/29/08

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

NO: 08-1385-CD

U.S. BANK NATIONAL ASSOCIATION AS TRUSTEE  
vs  
RYAN F. FLOOD

SERVICE # 1 OF 1

COMPLAINT IN MORTGAGE FORECLOSURE

SERVE BY: 08/28/2008 HEARING: PAGE: 104468

DEFENDANT: RYAN F. FLOOD  
ADDRESS: 136 HIGH ST.  
CLEARFIELD, PA 16830  
ALTERNATE ADDRESS

~~136 High St~~ ~~1679 Oakhill Rd~~  
~~Karthaus Pa~~

FILED  
013:31661  
AUG 05 2008

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT OCCUPIED

William A. Shaw  
Prothonotary/Clerk of Courts

ATTEMPTS \_\_\_\_\_  
\_\_\_\_\_

**SHERIFF'S RETURN**

NOW, 8/5/08 AT 252 AM/PM SERVED THE WITHIN

COMPLAINT IN MORTGAGE FORECLOSURE ON RYAN F. FLOOD, DEFENDANT  
BY HANDING TO Ryan Flood, self

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

ADDRESS SERVED 1679 oakhill rd Karthaus Pa

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

COMPLAINT IN MORTGAGE FORECLOSURE FOR RYAN F. FLOOD

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

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

I MAKE RETURN OF NOT FOUND AS TO RYAN F. FLOOD

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

SWORN TO BEFORE ME THIS  
\_\_\_\_\_ DAY OF \_\_\_\_\_ 2008

So Answers CHESTER A. HAWKINS, SHERIFF

BY: Deputy Signature  
S. Hunter  
Print Deputy Name

Phelan Hallinan & Schmieg, LLP  
By: Daniel G. Schmieg, Esquire  
Identification No. 62205  
One Penn Center Plaza  
1617 JFK Boulevard, Ste.1400  
Philadelphia, PA 19103  
(215) 320-0007

Attorney for Plaintiff

U.S. BANK NATIONAL ASSOCIATION  
AS TRUSTEE

vs.

RYAN F. FLOOD  
1679 OAK HILL ROAD  
KARTHAUS, PA 16845

: CLEARFIELD COUNTY  
:  
: COURT OF COMMON PLEAS  
:  
: CIVIL DIVISION  
:  
: NO. 08-1385-CD  
:  
:

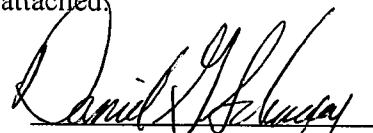
**PRAECIPE FOR IN REM JUDGMENT FOR FAILURE TO  
ANSWER AND ASSESSMENT OF DAMAGES**

TO THE PROTHONOTARY:

Kindly enter judgment in favor of the Plaintiff and against **RYAN F. FLOOD**, Defendant(s) for failure to file an Answer to Plaintiff's Complaint within 20 days from service thereof and for foreclosure and sale of the mortgaged premises, and assess Plaintiff's damages as follows:

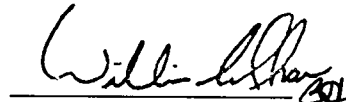
As set forth in Complaint	\$73,185.99
Interest - 07/26/2008 - 11/03/2008	<u>\$1,857.39</u>
TOTAL	\$75,043.38

I hereby certify that (1) the addresses of the Defendant(s) are as shown above, and (2) that notice has been given in accordance with Rule 237.1, copy attached.

  
Daniel G. Schmieg, Esquire  
Attorney for Plaintiff

DAMAGES ARE HEREBY ASSESSED AS INDICATED.

DATE: 11/4/08



PHS# 182777

PRO PROTHY

610  
**FILED** Att'y pd. 20.00  
NOV 04 2008 11:04 AM  
100 Notice to Def.  
S William A. Shaw  
Prothonotary/Clerk of Courts  
Statement to Att'y

Phelan Hallinan & Schmieg, LLP  
By: Daniel G. Schmieg, Esquire  
Identification No. 62205  
One Penn Center Plaza  
1617 JFK Boulevard, Ste.1400  
Philadelphia, PA 19103  
(215) 320-0007

Attorney for Plaintiff

**U.S. BANK NATIONAL ASSOCIATION  
AS TRUSTEE**

**vs.**

**RYAN F. FLOOD**

**: CLEARFIELD COUNTY  
:  
: COURT OF COMMON PLEAS  
:  
: CIVIL DIVISION  
:  
: NO. 08-1385-CD  
:  
:**


**VERIFICATION OF NON-MILITARY SERVICE**

Daniel G. Schmieg, Esquire, hereby verifies that he is attorney for the Plaintiff in the above-captioned matter, and that on information and belief, he has knowledge of the following facts, to wit:

(a) that the defendant(s) is/are not in the Military or Naval Service of the United States or its Allies, or otherwise within the provisions of the Soldiers' and Sailors' Civil Relief Act of Congress of 1940, as amended.

(b) that defendant **RYAN F. FLOOD** is over 18 years of age and resides at **1679 OAK HILL ROAD, KARTHAUS, PA 16845.**

This statement is made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

  
Daniel G. Schmieg, Esquire  
Attorney for Plaintiff

PHELAN HALLINAN & SCHMIEG, LLP  
By: LAWRENCE T. PHELAN, ESQ., Id. No. 32227  
FRANCIS S. HALLINAN, ESQ., Id. No. 62695  
DANIEL G. SCHMIEG, ESQ., Id. No. 62205  
ONE PENN CENTER PLAZA, SUITE 1400  
PHILADELPHIA, PA 19103  
(215) 563-7000

ATTORNEY FOR PLAINTIFF

U.S. BANK NATIONAL ASSOCIATION AS  
TRUSTEE

COURT OF COMMON PLEAS  
CIVIL DIVISION

Plaintiff

NO. 08-1385-CD

v.

CLEARFIELD COUNTY

RYAN F. FLOOD

Defendant(s)

TO: RYAN F. FLOOD  
1679 OAK HILL ROAD  
KARTHAUS, PA 16845

RYAN F. FLOOD  
1679 OAK HILL ROAD  
KARTHAUS, PA 16845

**DATE OF NOTICE: October 20, 2008**

THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. THIS NOTICE IS SENT TO YOU IN AN ATTEMPT TO COLLECT THE INDEBTEDNESS REFERRED TO HEREIN, AND ANY INFORMATION OBTAINED FROM YOU WILL BE USED FOR THAT PURPOSE. IF YOU HAVE PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY, THIS CORRESPONDENCE IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY AS ENFORCEMENT OF LIEN AGAINST PROPERTY.

**IMPORTANT NOTICE**

You are in default because you have failed to enter a written appearance personally or by attorney and file in writing with the court your defenses or objections to the claims set forth against you. Unless you act within ten (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:

Office of the Prothonotary  
Clearfield County Courthouse  
230 East Market Street  
Clearfield, PA 15853  
(814) 765-2641 x5988

Daniel J. Nelson  
Court Administrator  
Clearfield County Courthouse  
Clearfield, PA 16830  
(814) 765-2641

  
JASON RICCO  
Legal Assistant

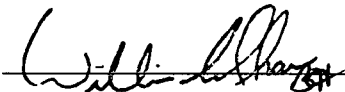
U.S. BANK NATIONAL ASSOCIATION  
AS TRUSTEE

vs.

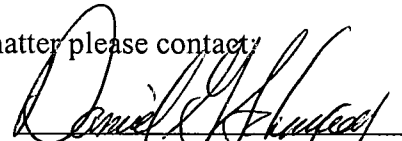
RYAN F. FLOOD  
1679 OAK HILL ROAD  
KARTHAUS, PA 16845

: CLEARFIELD COUNTY  
:  
: COURT OF COMMON PLEAS  
:  
: CIVIL DIVISION  
:  
: NO. 08-1385-CD  
:  
:

Notice is given that a Judgment in the above captioned matter has been entered  
against you on November 4, 2008.

By:  DEPUTY

If you have any questions concerning this matter please contact:

  
Daniel G. Schmieg, Esquire  
Attorney or Party Filing  
1617 JFK Boulevard, Ste. 1400  
Philadelphia, PA 19103  
(215) 563-7000

**\*\*THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT AND  
ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. IF YOU  
HAVE PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY, THIS IS NOT AND  
SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT  
ONLY ENFORCEMENT OF A LIEN AGAINST PROPERTY.\*\***

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

U.S. Bank National Association  
Plaintiff(s)

No.: 2008-01385-CD

Real Debt: \$75,043.38

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Ryan F. Flood  
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: November 4, 2008

Expires: November 4, 2013

Certified from the record this 4th day of November, 2008.



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



FILED ICC Atty  
m/11:55 am Hallinan  
AUG 08 2008

William A. Shaw  
Prothonotary/Clerk of Courts

PHELAN HALLINAN & SCHMIEG, LLP  
FRANCIS S. HALLINAN, ESQ., Id. No. 62695  
ONE PENN CENTER PLAZA, SUITE 1400  
PHILADELPHIA, PA 19103  
(215) 563-7000

ATTORNEY FOR PLAINTIFF

U.S. BANK NATIONAL  
ASSOCIATION AS TRUSTEE

Plaintiff

vs.

RYAN F. FLOOD

Defendant(s)

: COURT OF COMMON PLEAS  
:  
: CIVIL DIVISION  
:  
: NO. 08-1385-CD  
:  
: CLEARFIELD COUNTY  
:  
:  
:

**PRAECIPE TO SUBSTITUTE VERIFICATION**  
**TO CIVIL ACTION COMPLAINT**  
**IN MORTGAGE FORECLOSURE**

TO THE PROTHONOTARY:

Kindly substitute the attached verification for the verification originally filed with the complaint in the instant matter.

Phelan Hallinan & Schmieg, LLP  
Attorney for Plaintiff

By: Francis S. Hallinan  
Francis S. Hallinan, Esquire

Date: 8/6/08

**VERIFICATION**

**Jeffrey Stephan**  
**Limited Signing Officer** \_\_\_\_\_ hereby states that he/she is

\_\_\_\_\_ of HOMECOMINGS FINANCIAL, LLC, servicing agent for Plaintiff in this matter, that he/she is authorized to take this Verification, and that the statements made in the foregoing Civil Action in Mortgage Foreclosure are true and correct to the best of his/her knowledge, information and belief. The undersigned understands that this statement is made subject to the penalties of 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities.

DATE: 7/30/08

  
Name: \_\_\_\_\_  
Title: **Jeffrey Stephan**  
**Limited Signing Officer**

Company: HOMECOMINGS FINANCIAL,  
LLC

Loan: 7426342291

PHELAN HALLINAN & SCHMIEG, LLP  
LAWRENCE T. PHELAN, ESQ., Id. No. 32227  
FRANCIS S. HALLINAN, ESQ., Id. No. 62695  
ONE PENN CENTER PLAZA, SUITE 1400  
PHILADELPHIA, PA 19103  
(215) 563-7000

**FILED** NoCC.  
m/jl: 55cm  
AUG 08 2008

William A. Shaw  
Prothonotary/Clerk of Courts

ATTORNEY FOR PLAINTIFF

**U.S. BANK NATIONAL  
ASSOCIATION AS TRUSTEE**

**Plaintiff**

**vs.**

**RYAN F. FLOOD**

**Defendant(s)**

: **COURT OF COMMON PLEAS**  
:  
: **CIVIL DIVISION**  
:  
: **NO. 08-1385-CD**  
:  
: **CLEARFIELD COUNTY**  
:  
:  
:

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of Plaintiff's Praecipe to attach Verification of Complaint was sent via first class mail to the following on the date listed below:

RYAN F. FLOOD  
136 HIGH STREET  
CLEARFIELD, PA 16830-3127

Phelan Hallinan & Schmieg, LLP  
Attorney for Plaintiff

By: Francis Hallinan  
Francis S. Hallinan, Esquire

Date: 8/6/08

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 104468  
NO: 08-1385-CD  
SERVICES 1  
COMPLAINT IN MORTGAGE FORECLOSURE

PLAINTIFF: U.S. BANK NATIONAL ASSOCIATION AS TRUSTEE  
vs.  
DEFENDANT: RYAN F. FLOOD

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	PHELAN	717916	10.00
SHERIFF HAWKINS	PHELAN	717916	44.91

S  
FILED  
012.30cm  
DEC 26 2008  
William A. Shaw  
Prothonotary/Clerk of Courts

Sworn to Before Me This

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

So Answers,



Chester A. Hawkins  
Sheriff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

U.S. BANK NATIONAL ASSOCIATION )

Plaintiff, )

v. )

RYAN F. FLOOD, )

Defendant. )

08-1385-CD

PRAECIPE TO SATISFY

Filed on behalf of:  
Plaintiff

Counsel of Record for  
this Party:

John R. Ryan  
Attorney-At-Law

Pa. I.D. 38739

KUBISTA & RYAN LLP  
202 South Front Street  
P.O. Box 1  
Clearfield, PA 16830  
(814) 765-8972

FILED pd 87.00 AHY  
01 3:29 pm ICC AHY Ryan  
2012

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

U.S. BANK NATIONAL ASSOCIATION )

Plaintiff, )

v. )

RYAN F. FLOOD, )

Defendant. )

08-1385-CD

**PRAECIPE TO SATISFY**

TO THE PROTHONOTARY:

Please mark the judgment entered in the above-captioned action satisfied.

KUBISTA & RYAN LLP



John R. Ryan

Attorney for Pontus Investment  
Portfolio I, LLC, Assignee of Plaintiff

Phelan Hallinan & Schmieg, LLP  
1617 JFK Boulevard, Suite 1400  
One Penn Center Plaza  
Philadelphia, PA 19103  
215-563-7000

Attorney For Plaintiff

U.S. BANK NATIONAL	:	Court of Common Pleas
ASSOCIATION AS TRUSTEE	:	
Plaintiff	:	Civil Division
	:	
vs	:	CLEARFIELD County
	:	
RYAN F. FLOOD	:	No. 08-1385-CD
Defendant	:	


PRAECIPE

TO THE PROTHONOTARY:

- ☐ Please withdraw the complaint and mark the action Discontinued and Ended without prejudice.
- ☐ Please mark the above referenced case Settled, Discontinued and Ended.
- ☒ Please Vacate the judgment entered and mark the action Discontinued and Ended without prejudice.
- ☐ Please mark the in rem judgment Satisfied and the action Discontinued and Ended.

Date: 5/3/12

Phelan Hallinan & Schmieg, LLP

By:   
Melissa J. Cantwell, Esq., Id. No. 308912  
Attorney for Plaintiff

PHS # 182777

FILED No CC  
MAY 04 2012  
William A. Shaw  
Prothonotary/Clerk of Courts  
Att'y pd. 47.00  
OK

Phelan Hallinan & Schmieg, LLP  
1617 JFK Boulevard, Suite 1400  
One Penn Center Plaza  
Philadelphia, PA 19103  
215-563-7000

Attorney For Plaintiff

U.S. BANK NATIONAL ASSOCIATION AS  
TRUSTEE  
Plaintiff

Court of Common Pleas

Civil Division

vs

CLEARFIELD County

RYAN F. FLOOD  
Defendant

No. 08-1385-CD

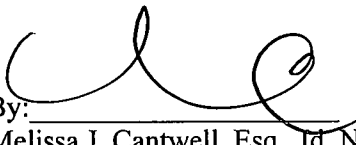
**CERTIFICATION OF SERVICE**

I hereby certify true and correct copies of the foregoing Plaintiff's Praecipe was served by regular mail to the person(s) on the date listed below:

RYAN F. FLOOD  
136 HIGH STREET  
CLEARFIELD, PA 16830-3127

Date: 5/3/12

PHS # 182777

By:   
Melissa J. Cantwell, Esq., Id. No. 308912  
Attorney for Plaintiff