

08-1403-CD
LVNV Funding vs Joshua Albert

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

LVNV FUNDING, LLC ASSIGNEE OF SHERMAN
ACQUISITION ASSIGNEE OF CITIBANK

No. 08-1403-CD

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

Plaintiff

Type of Case: Contract

Type of Pleading:

VS.

Filed on Behalf of: Plaintiff

JOSHUA ALBERT
81 SWASING RD
COALPORT PA 166279433

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

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

Atty pd. \$95.00
FILED 07/21/08
JUL 30 2008 /CC Sheriff
William A. Shaw
Prothonotary/Clerk of Courts
1CC Atty

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

LVNV FUNDING, LLC :
ASSIGNEE OF SHERMAN ACQUISITION : No.
ASSIGNEE OF CITIBANK :
Plaintiff :
vs : CIVIL ACTION - LAW
JOSHUA ALBERT :
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 CITIBANK
Plaintiff

: No.

: CIVIL ACTION - LAW

vs

JOSHUA ALBERT
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. Meholick, 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 CITIBANK
Plaintiff

: No.

vs

JOSHUA ALBERT
Defendant(s)

: CIVIL ACTION - LAW

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 CITIBANK , located at 15 South Main Street Greenville, SC 29601.
2. Defendant, JOSHUA ALBERT, is an adult individual with a last known address of 81 Swasing Rd Coalport, Clearfield County, PA 16627-9433.
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 \$4,809.34.
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 \$902.59.
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 \$4,809.34, plus interest in the amount of \$902.59, 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


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 07/23/07 Account 8837 Mode L ••Nxt + •
ACCT# 8837 BAL 4809.34 LPYMT DT 09/10/2004
*ABL-ACCT-ID*ABL-ACCT-NO *ABL-EFF-DATE*ABL-CUR-BALANCE
07/19/2007 4809.34
*ABL-PRIN-COLLECTED*ABL-PRIN-OWING*ABL-PRIN-BAL*ABL-ATTYFEE-COLLECTED
0.00 4809.34 4809.34 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 0.79
*ABL-SUSPEND-INT*ABL-LAST-PYMT-DT*ABL-LAST-PYMT-AMT*ABL-LAST-NSF-DT
0.00 09/10/2004 50.00
*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
4809.34 04/27/2005 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 07/23/07 Account 8837 Mode L ••Nxt + •

11/15/1999 5993 *ADL-TELECOMM-PHONE*ALT-ACCT-ID

*ADL-SELLER-NAME
CITIBANK

--
*BWR-TYPE*BWR-SSN *BWR-FIR-NAME
01 XXXXX3863 JOSHUA

*BWR-LAST-NAME

ALBERT

*BWR-ADDR

1975 MOUNT VIEW DR

*BWR-ADDR2

*BWR-CITY JOHNSTOWN *BWR-ST*BWR-ZIP
PA 159051146

*BWR-DOB *BWR-HMPHONE*BWR-WKPHONE*BWR-OTPHONE*BWR-LANG-CODE
07/06/1980 8142551524 8142882724 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
0.270 96807 1

•MODE L=LFT R=RGT W=WRP Next File •

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
NO: 08-1403-CD

LVNV FUNDING, LLC Assignee
vs
JOSHUA ALBERT

SERVICE # 1 OF 1

COMPLAINT

SERVE BY: 08/29/2008 HEARING: PAGE: 104480

DEFENDANT: JOSHUA ALBERT
ADDRESS: 81 SWASING RD
COALPORT, PA 16627

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT

FILED
08:30 AM
AUG 05 2008

William A. Shaw
Prothonotary/Clerk of Courts

ATTEMPTS

SHERIFF'S RETURN

NOW, 8-4-08 AT 2:27 AM/PM SERVED THE WITHIN

COMPLAINT ON JOSHUA ALBERT, DEFENDANT

BY HANDING TO Karen Wozniak, Mother

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

ADDRESS SERVED 88 Swasing Rd.
Coalport, PA 16627

NOW _____ AT _____ AM / PM POSTED THE WITHIN

COMPLAINT FOR JOSHUA ALBERT

AT (ADDRESS) _____

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

I MAKE RETURN OF NOT FOUND AS TO JOSHUA ALBERT

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 # 104480
NO: 08-1403-CD
SERVICES 1
COMPLAINT

PLAINTIFF: LVNV FUNDING, LLC Assignee
vs.
DEFENDANT: JOSHUA ALBERT

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	MANN	005898	10.00
SHERIFF HAWKINS	MANN	005898	51.18

5
FILED
0905 01
DEC 31 2008
IN
William A. Shaw
Prothonotary/Clerk of Courts

Sworn to Before Me This

So Answers,

____ Day of _____ 2008

Chester A. Hawkins

Chester A. Hawkins
Sheriff

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

LVNV FUNDING, LLC, et al * NO. 2008-1403-CD
Plaintiffs *
vs. *
JOSHUA ALBERT *
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

NoCL
19:10cm
2
S
OK