

08-1543-CD

FIA Card Service vs Patricia Marshall

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

FIA CARD SERVICES, N.A.

No. 2008-1543-CD

Plaintiff

vs.

CIVIL ACTION - LAW

PATRICIA A MARSHALL
Defendant(s)

FILED

AUG 18 2008

✓ 12-151 ✓
William A. Shaw
Prothonotary/Clerk of Courts
Clerk of Courts
No. 12-151
ATTY L
DEPT.

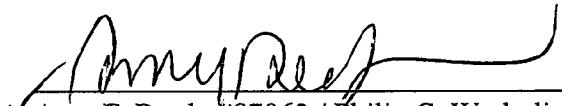
PRAECIPE FOR ENTRY OF EXEMPLIFIED JUDGMENT

To the Prothonotary:

Please enter the attached Exemplified record as a civil judgment.

Respectfully Submitted,

Date: 8/12/08

✓ 
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

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

FIA CARD SERVICES, N.A.

No.

Plaintiff

vs.

CIVIL ACTION - LAW

PATRICIA A MARSHALL
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 \$2,999.95, plus interest, on Aug. 18, 2008.

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

By: C. O. L.

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

Date: 8/12/08

Amy Doyle
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

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

NOTICE SENT TO: Patricia A Marshall
1550 Cropps Corners Rd
Knox PA 16232

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

FIA CARD SERVICES, N.A.

No.

Plaintiff

VS

CIVIL ACTION - LAW

PATRICIA A MARSHALL
Defendant(s)

AFFIDAVIT OF NON-MILITARY SERVICE

COMMONWEALTH OF PENNSYLVANIA :

COUNTY OF CLEARFIELD :

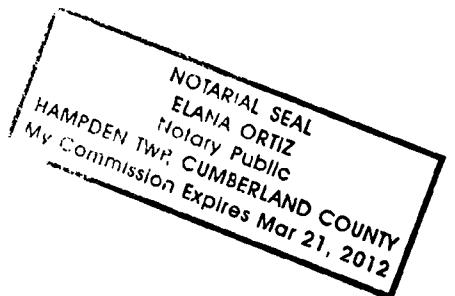
The undersigned counsel, being duly sworn according to law, depose and say that I am the Attorney for the Plaintiff in the above-captioned matter, and that to the best of my knowledge, information and belief Defendant, Patricia A Marshall, above-named, is over 21 years of age; is last known to reside at 1550 Cropps Corners Rd Knox, County of Clarion 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.

Date: 8/12/08

Amy Doyle
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

SWORN and SUBSCRIBED to before me this 12th day of August, 2008.

Elana Ortiz
Notary Public



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
FIA CARD SERVICES, N.A.

Plaintiff

No.

vs.

CIVIL ACTION - LAW

PATRICIA A MARSHALL
Defendant(s)

PRAECIPE FOR JUDGMENT

Please enter Judgment in favor of Plaintiff and against Defendant(s), Patricia A Marshall , pursuant to the attached Exemplified Judgment Record.

(X)	Amount due	\$2,999.95
	TOTAL	\$2,999.95, 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 Praecipe 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.

() 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: 8/12/08



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

NOW, Aug. 18, 2008, JUDGMENT IS ENTERED AS ABOVE.



Prothonotary/Clerk, Civil Division

By: _____
Deputy

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

FIA CARD SERVICES, N.A.

No.

Plaintiff

VS

CIVIL ACTION - LAW

PATRICIA A MARSHALL

Defendant(s)

CERTIFICATE OF RESIDENCE
PA. R.C.P. 236

I hereby certify that the precise address of Plaintiff is:

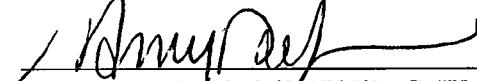
Fia Card Services, N.A.
655 Paper Mill Road
De5-013-02-02
Wilmington DE 19884

and certify that the last known address of the within Defendant(s) is:

Patricia A Marshall
1550 Cropps Corners Rd
Knox PA 16232

Date:

8/12/08



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

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

FIA CARD SERVICES, N.A.

NO.

Plaintiff

vs.

CIVIL ACTION - LAW

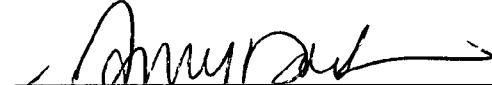
PATRICIA A MARSHALL
Defendant(s)

AFFIDAVIT OF FOREIGN JUDGMENTS

Commonwealth of Pennsylvania :

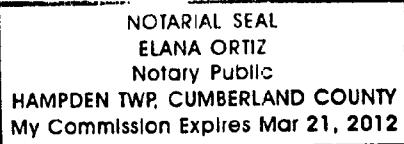
County of CLEARFIELD :

AND NOW, TO WIT, this 12th day of August, 2008, comes the undersigned
who being duly sworn according to law, deposes and says that they are the Attorney for the Plaintiff in
the above-captioned action; that the judgment is valid, enforceable and unsatisfied.


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

SWORN and SUBSCRIBED to
before me this 12th day
of August, 2008.


Notary Public



FIA CARD SERVICES

vs.

File No. 2007 - 01458

PATRICIA A. MARSHALL

CERTIFICATION OF JUDGMENT

Pursuant to applicable judgment acts*, I, the undersigned Prothonotary/Clerk of Courts of Clarion County, State of Pennsylvania do hereby certify that the judgment in the above case was entered in favor of FIA Card Services, 655 Paper Mill Road, DE5-013-02-02, Wilmington, DE 19884

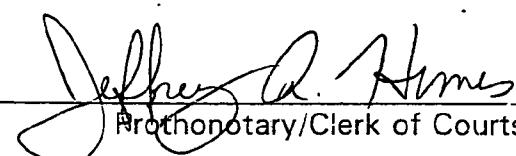
(name/address)

and against Patricia A. Marshall, 1550 Cropps Corners Rd, Knox, PA 16232

(name/address)

on the 21st day of December, A.D. 2007, in said case in the amount of \$ 2,999.95.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the Court, on the 16th day of April, A.D. 2008.


Jeffrey A. Himes
Prothonotary/Clerk of Courts

*Uniform Enforcement of Foreign Judgments Act
Pa.R.C.P. No. 3002(a)
42 Pa.C.S.A. § 4306

Cover Sheet

Case No 2007-01458

Plaintiff:
FIA CARD SERVICES

** (VS) **

Defendant:
MARSHALL PATRICIA A

Case No 2007-01458
FIA CARD SERVICES (VS) PATRICIA A MARSHALL

Date
Filed

- - - - - FIRST ENTRY - - - - -

- 1 11/01/07 COMPLAINT
- 2 11/07/07 AFFIDAVIT OF SERVICE- SERVED NOVEMBER 2, 2007 ON PATRICIA MARSHALL
- 3 12/21/07 PRAECIPE FOR DEFAULT JUDGMENT FILED AND JUDGMENT ENTERED THEREON IN FAVOR OF THE PLAINTIFF AND AGAINST THE DEFENDANT IN THE AMOUNT OF \$ 2,999.95
- 4 12/21/07 IMPORTANT NOTICE
- 5 12/21/07 CERTIFICATE OF RESIDENCE
- 6 12/21/07 AFFIDAVIT OF NON-MILITARY SERVICE
- 7 12/21/07 NOTICE SENT TO DEFENDANT
- 8 4/15/08 PRAECIPE TO REQUEST EXEMPLIFIED JUDGMENT FILED ON BEHALF OF PLAINTIFF

- - - - - LAST ENTRY - - - - -

PRAECIPE FOR WRIT OF EXECUTION (MONEY JUDGMENT)
P.R.C.P. 3101 TO 3149

FIA CARD SERVICES, N.A.

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

Plaintiff

:
:
: JUDGMENT NO. 2008-1543-CD
:

vs.

PATRICIA A MARSHALL
Defendant(s)

:
:
:
: PRAECIPE FOR WRIT OF EXECUTION

To the Prothonotary: Please issue the Writ of Execution in the above-captioned matter, in the amount of \$ 2999.95.

(1) Directed to the Sheriff of CLEARFIELD County, Pennsylvania;

(2) against, PATRICIA A MARSHALL
1550 CROPPS CORNERS RD
KNOX PA 16232

Defendant(s);

(3) and against TIMBERLAND FEDERAL CU
located at 710 RIVER RD

CLEARFIELD PA 16830-2958 Garnishee(s);

(4) And index this writ

(A) against PATRICIA A MARSHALL
Defendant(s) and
(B) against, TIMBERLAND FEDERAL CU

FILED Atty pd.
m 11/16/08 20.00
APR 13 2009 ICC Atty
William A. Shaw
Prothonotary/Clerk of Court
BCC to 6 counts
to Sheriff

G10

as a lis pendens against the real property of the Defendant(s) in the name of the Garnishee(s) as follows: (Specifically describe property)***GARNISH ONLY***

You are directed to attach the property of the Defendant(s) not levied upon in the possession of TIMBERLAND FEDERAL CU , Garnishee(s)

All accounts including but not limited to all savings, checking and other accounts, certificates of deposit, notes receivables, collateral, pledges, documents of title, securities, coupons and safe deposit boxes.

Amount Due: \$ 2999.95

Interest From: 12/26/2007

To Be Determined

At an interest rate of 6% per year

Total: \$ 2999.95 Plus costs & interest .

Prothonotary costs 40.00

[Signature]
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 Eskanas & Adler, P. C.
4660 Trindle Road, Suite 300, Camp Hill, PA 17011
Telephone: 866-253-0128 Fax: (717) 737-9051

IN THE COURT OF COMMON PLEAS CLEARFIELD

COUNTY, PENNSYLVANIA

FIA CARD SERVICES, N.A.

No. 2008-1543-CD

Plaintiff

CIVIL ACTION - LAW

VS

PATRICIA A MARSHALL

Defendant(s)

INTERROGATORIES TO GARNISHEE

TO: TIMBERLAND FEDERAL CU
710 RIVER RD

CLEARFIELD PA 16830-2958

PURSUANT TO RULE 3253 OF THE RULES OF CIVIL PROCEDURE, THE FOLLOWING INTERROGATORIES HAVE BEEN SERVED UPON YOUR INSTITUTION. GARNISHEE IS HEREBY REQUIRED TO ANSWER EACH OF THE FOLLOWING INTERROGATORIES SEPARATELY AND FULLY. PLEASE COMPLETE THE FOLLOWING INTERROGATORIES TO ASSIST THE CREDITOR'S EFFORTS TO SATISFY THE LAWFUL OBLIGATION OF THE ABOVE REFERENCED DEBTOR(S).

IMPORTANT NOTICES AND INSTRUCTIONS TO GARNISHEE

A. You are required to file answers to the following interrogatories within twenty (20) days after service upon you. Failure to do so may result in judgment against you.

B. The term "Defendant(s)" means the individual(s) or entity against whom the Writ Execution was issued.

C. "You" means the main office and all branch offices, representatives, employees and agents of your organization.

D. By service of the Writ of Execution upon you, all property of the Defendant(s) subject to attachment which is in your possession, custody or control is attached, including all property of the Defendant(s) which comes into your possession thereafter.

E. These Interrogatories are considered to be continuing and therefore should be modified or supplemented as you receive further or additional information.

F. Where exact information cannot be furnished, estimated information is to be supplied. When an estimate is to be used, it should be identified as such, an explanation should be given as to the basis on which the estimate is made, and the reason the exact information cannot be furnished.

G. Where knowledge or information in possession of a party is requested, such request includes knowledge of the party's agents, representatives, and attorneys.

SS# XXX-XX- 3086

INTERROGATORIES TO GARNISHEE
DEFENDANT(S) - PATRICIA A MARSHALL

1. DEPOSITORY ACCOUNTS: At the time you were served or at any subsequent time, state whether or not the Defendant(s) maintains any checking, savings, lines of credit, certificate of deposit's or other depository accounts with your institution. If so, state the identification numbers of those accounts, and the amount or amounts the Defendant(s) has in each account. If the Defendant(s) maintains an of these jointly with any other person, or persons, give their name and address.

1A. DIRECT DEPOSIT ACCOUNTS: Are any of the accounts you have listed above direct deposit accounts? If yes, please state the identification numbers of those accounts.

2. If you are a bank or other financial institution, at the time you were served or at any subsequent time did the Defendant(s) have funds on deposit in an account in which funds are deposited electronically on a recurring basis and which are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law? If so, identify each account and state the reason for the exemption, the amount being withheld under each exemption and the entity electronically depositing those funds on a recurring basis.

3. If you are a bank or other financial institution, at the time you were served or at any subsequent time did the Defendant(s) have funds on deposit in an account in which funds on deposit, not including any otherwise exempt funds, did not exceed the amount of general monetary exemption under 42 Pa.C.S. 8123? If so, identify each account.

4. TRANSFER OF PROPERTY: At any time after you were served did you pay, transfer or deliver any money or property to the defendant or to any person or place pursuant to the defendant's direction or otherwise discharge any claim of the defendant(s) against you?

5. SAFE DEPOSIT BOX: At the time you were served or at any subsequent time, state whether or not the Defendant(s) maintains any safe deposit box or boxes. If so, include the identification number or other designation of the box or boxes. Include a full description of the contents and also the amount of cash among those contents. If the Defendant(s) maintains any of these jointly with any other person or persons give their full name and address.

6. REAL OR PERSONAL PROPERTY: At the time you were served or at any subsequent time, state whether or not the Defendant(s) own any personal property that was in your possession and/or control. If so, include a full description of all personal property giving full value and present location. State also whether or not there are any encumbrances or liens holders, the present balance of the encumbrance. State where and when encumbrances or liens was recorded. If the Defendant(s) owns any personal property jointly with any person or persons, give names and address.

7. OTHER ASSETS: At the time you were served or at any subsequent time, did you know of the existence of any other asset(s) of the Defendant(s) which are not disclosed in the preceding Interrogatories. If so, please set forth all details concerning those asset(s).

8. PROPERTY HELD AS A FIDUCIARY: At the time you were served or at any subsequent time, did you hold as a fiduciary any property in which any Defendant(s) had an interest? If so, please describe for each Defendant(s) the nature of the property including its value and the interest of Defendant(s).

9. FEES OUTSTANDING TO GARNISHEE: Are there any attorneys fees or processing fees charged by you against the Defendant(s) or account(s) of the Defendant(s) for the completion of this Answer? If yes, outline the exact amount of any fees due and owing to the garnishee or the attorney for the garnishee for the preparation of the Answer.



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: 866-253-0128 Fax: (717) 737-9051

WRIT OF EXECUTION and/or ATTACHMENT
COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD
CIVIL ACTION – LAW

FIA Card Services, N.A.

Copy

Vs.

NO.: 2008-01543-CD

Patricia A. Marshall

Timberland Federal CU
Garnishee

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against FIA CARD SERVICES, N.A., Plaintiff(s) from PATRICIA A. MARSHALL, Defendant(s):

(1) You are directed to levy upon the property of the defendant(s) and to sell defendant's interest(s) therein:
Personal Property

You are also directed to attach the property of the defendant(s) not levied upon in the possession of: Timberland Federal CU as garnishee(s): All accounts including but not limited to all savings, checking and other accounts, certificates of deposit, notes receivables, collateral, pledges, documents of title, securities, coupons and safe deposit boxes and to notify the garnishee(s) that: (a) an attachment has been issued; (b) except as provided in paragraph (c), the garnishee(s) is/are enjoined from paying any debt to or for the account of the defendant(s) and from delivering any property of the defendant(s) or otherwise disposing thereof; (c) the attachment shall not include any funds in an account of the defendant with a bank or other financial institution (i) in which funds are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law, or (ii) that total \$300 or less. If multiple accounts are attached, a total of \$300 in all accounts shall not be subject to levy and attachment as determined by the executing officer. The funds shall be set aside pursuant to the defendant's general exemption provided in 42 Pa.C.S. § 8123.

(2) If property of the defendant(s) not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify such other person that he or she has been added as a garnishee and is enjoined as above stated.

(3) **If Social Security or Supplemental Income funds are directly deposited into an account of the defendant, the levy and attachment shall not include any funds that may be traced to Social Security direct deposits. In addition, the levy and attachment shall not include \$300.00 in the account of the defendant.**

AMOUNT DUE/PRINCIPAL: \$2,999.95
INTEREST FROM 12/26/2007 at an
interest rate of 6% per year:
ATTY'S COMM: \$
DATE: 4/13/2009

PROTH. COSTS PAID: \$40.00
SHERIFF: \$

OTHER COSTS: \$

William A. Shaw
William A. Shaw
Prothonotary/Clerk Civil Division

Received this writ this _____ day
of _____ A.D. _____
At _____ A.M./P.M.

Requesting Party: David R. Galloway, Esq.
4660 Trindle Road, Ste. 300
Camp Hill, PA 17011
866-253-0128

Sheriff

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 1 of 2 Services

Sheriff Docket # **105550**

FIA CARD SERVICES, N.A.

Case # 08-1543-CD

vs.

PATRICIA A. MARSHALL
TO: TIMBERLAND FEDERAL CU, Garnishee

TYPE OF SERVICE WRIT OF EXECUTION; INTERROGATORIES TO GARNISH

SHERIFF RETURNS

NOW July 21, 2009 RETURNED THE WITHIN WRIT OF EXECUTION; INTERROGATORIES TO GARNISHEE "NOT SERVED, TIME EXPIRED" AS TO TIMBERLAND FEDERAL CU, GARNISHEE, DEFENDANT. NEVER RECEIVED INSTRUCTIONS FROM ATTORNEY

SERVED BY: /

FILED
07/22/2009
JUL 22 2009
LM
William A. Shaw
Prothonotary/Clerk of Courts

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 2 of 2 Services

Sheriff Docket # **105550**

FIA CARD SERVICES, N.A.

Case # 08-1543-CD

vs.

PATRICIA A. MARSHALL
TO: TIMBERLAND FEDERAL CU, Garnishee

TYPE OF SERVICE WRIT OF EXECUTION; INTERROGATORIES TO GARNISH

SHERIFF RETURNS

NOW July 21, 2009 RETURNED THE WITHIN WRIT OF EXECUTION; INTERROGATORIES TO GARNISHEE
"NOT SERVED, TIME EXPIRED" AS TO PATRICIA A. MARSHALL, DEFENDANT. NEVER RECEIVED
INSTRUCTIONS FROM ATTY.

SERVED BY: /

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 105550
NO: 08-1543-CD
SERVICES 2
WRIT OF EXECUTION; INTERROGATORIES TO GARNISHEE

PLAINTIFF: FIA CARD SERVICES, N.A.

vs.

DEFENDANT: PATRICIA A. MARSHALL
TO: TIMBERLAND FEDERAL CU, Garnishee

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	MANN	00251581	20.00
SHERIFF HAWKINS	MANN	00251581	14.00

Sworn to Before Me This

So Answers,

____ Day of _____ 2009


by *Marilyn Harn*

Chester A. Hawkins
Sheriff