

08-1638-CD  
Arrow Financial Ser. Vs R. Earnest

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA

**Arrow Financial Services, LLC**

(Plaintiff)

**P.O. Box C3800**

(Street Address)

**Southeastern, PA 19398**

(City, State ZIP)

CIVIL ACTION

No. 08-1638-CD

Type of Case: Contract

Type of Pleading: Complaint

VS.

**Robert Earnest**

(Defendant)

**712 Lingle Street**

(Street Address)

**Osceola Mills, PA 16666-1041**

(City, State ZIP)

Filed on Behalf of:

**Arrow Financial Services, LLC**

(Plaintiff)

**David C. Jenkins**

**Attorney ID #85769**

(Filed by)

**Blatt, Hasenmiller, Leibsker &  
Moore, LLC**

**P.O. Box C3800**

**Southeastern, PA 19398**

(Address)

**800-850-1079 x 4151**

(Phone)

**FILED**

*Att'y pd. \$95.00*  
*7/21/2008*  
*AUG 29 2008*

*Copy to Atty Jenkins*

William A. Shaw  
Prothonotary/Clerk of Courts

*Defendant*  
*MDJ Rudella*



(Signature)

## COMMONWEALTH OF PENNSYLVANIA

## COURT OF COMMON PLEAS

Judicial District, County Of

Clearfield

## NOTICE OF APPEAL

FROM

MAGISTERIAL DISTRICT JUDGE JUDGMENT

COMMON PLEAS No. 08-1638-CD

## NOTICE OF APPEAL

Notice is given that the appellant has filed in the above Court of Common Pleas an appeal from the judgment rendered by the Magisterial District Judge on the date and in the case referenced below.

NAME OF APPELLANT Arrow Financial Services LLC	MAG. DIST. NO. 46-3-03	NAME OF MDJ Hon. Michael Rudolphe
ADDRESS OF APPELLANT P.O. Box C3800	CITY Southeastern, PA	STATE PA
DATE OF JUDGMENT 8-19-08	IN THE CASE OF (Plaintiff) Arrow Financial Services LLC	(Defendant) V. Robert Earnest
DOCKET No. CV-102-08	SIGNATURE OF APPELLANT OR ATTORNEY OR AGENT David C. Jenkins 85769	

This block will be signed ONLY when this notation is required under Pa. R.C.P.D. J. No. 1008B.  
This Notice of Appeal, when received by the Magisterial District Judge, will operate as a SUPERSEDEAS to the judgment for possession in this case.

If appellant was Claimant (see Pa. R.C.P.D. J. No. 1001(6)) in action before a Magisterial District Judge, A COMPLAINT MUST BE FILED within twenty (20) days after filing the NOTICE of APPEAL.

\_\_\_\_\_  
Signature of Prothonotary or Deputy

## PRAECIPE TO ENTER RULE TO FILE COMPLAINT AND RULE TO FILE

This section of form to be used ONLY when appellant was DEFENDANT (see Pa. R.C.P.D.J. No. 1001(7)) in action before Magisterial District Judge. IF NOT USED, detach from copy of notice of appeal to be served upon appellee.

## PRAECIPE: To Prothonotary

Enter rule upon \_\_\_\_\_ appellee(s), to file a complaint in this appeal  
Name of appellee(s)

(Common Pleas No. \_\_\_\_\_) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

\_\_\_\_\_  
Signature of appellant or attorney or agent

## RULE: To \_\_\_\_\_ appellee(s)

Name of appellee(s)

## OWNER

(1) You are notified that a rule is hereby entered upon you to file a complaint in this appeal within twenty (20) days after the date of service of this rule upon you by personal service or by certified or registered mail.

(2) If you do not file a complaint within this time JUDGMENT OF NON PROS MAY BE ENTERED AGAINST YOU.

(3) The date of service of this rule if service was by mail is the date of the mailing.

Date \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Signature of Prothonotary or Deputy

YOU MUST INCLUDE A COPY OF THE NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH THIS NOTICE OF APPEAL.

## PROOF OF SERVICE OF NOTICE OF APPEAL AND RULE TO FILE COMPLAINT

(This proof of service MUST BE FILED WITHIN TEN (10) DAYS AFTER filing the notice of appeal. Check applicable boxes)

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF \_\_\_\_\_; SS

**AFFIDAVIT:** I hereby swear or affirm that I served

☐ a copy of the Notice of Appeal, Common Pleas No. \_\_\_\_\_, upon the Magisterial District Judge designated therein on  
(date of service) \_\_\_\_\_, 20\_\_\_\_. ☐ by personal service. ☐ by (certified) (registered) mail,  
sender's receipt attached hereto, and upon the appellee, (name) \_\_\_\_\_ on  
\_\_\_\_\_, 20\_\_\_\_. ☐ by personal service ☐ by (certified) (registered) mail;  
sender's receipt attached hereto.

SWORN (AFFIRMED) AND SUBSCRIBED BEFORE ME

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Signature of official before whom affidavit was made

\_\_\_\_\_  
Signature of affiant

\_\_\_\_\_  
Title of official

My commission expires on \_\_\_\_\_, 20\_\_\_\_

## COMMONWEALTH OF PENNSYLVANIA

## COURT OF COMMON PLEAS

Judicial District, County Of

Clearfield

## NOTICE OF APPEAL

FROM

MAGISTERIAL DISTRICT JUDGE JUDGMENT

COMMON PLEAS No. 08-1638-CD

## NOTICE OF APPEAL

Notice is given that the appellant has filed in the above Court of Common Pleas an appeal from the judgment rendered by the Magisterial District Judge on the date and in the case referenced below.

NAME OF APPELLANT Arrow Financial Services LLC	MAG. DIST. NO. UG-3-03	NAME OF MDJ Hon. Michael Rudno
ADDRESS OF APPELLANT P.O. Box C3800	CITY Southwestern, PA	STATE PA
DATE OF JUDGMENT 8-19-08	IN THE CASE OF (Plaintiff) Arrow Financial Services LLC	(Defendant) V. Robert Ernest
DOCKET No. CV-102-08	SIGNATURE OF APPELLANT OR ATTORNEY OR AGENT David C. Jenkins 85769	

This block will be signed ONLY when this notation is required under Pa. R.C.P.D. J. No. 1008B.  
This Notice of Appeal, when received by the Magisterial District Judge, will operate as a SUPERSEDEAS to the judgment for possession in this case.

If appellant was Claimant (see Pa. R.C.P.D. J. No. 1001(6) in action before a Magisterial District Judge, A COMPLAINT MUST BE FILED within twenty (20) days after filing the NOTICE of APPEAL.

\_\_\_\_\_  
Signature of Prothonotary or Deputy

## PRAECIPE TO ENTER RULE TO FILE COMPLAINT AND RULE TO FILE

This section of form to be used ONLY when appellant was DEFENDANT (see Pa. R.C.P.D.J. No. 1001(7) in action before Magisterial District Judge. IF NOT USED, detach from copy of notice of appeal to be served upon appellee.

## PRAECIPE: To Prothonotary

Enter rule upon \_\_\_\_\_ appellee(s), to file a complaint in this appeal  
Name of appellee(s)

(Common Pleas No. \_\_\_\_\_) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

\_\_\_\_\_  
Signature of appellant or attorney or agent

**RULE:** To \_\_\_\_\_ appellee(s)

Name of appellee(s)

## OWNER

(1) You are notified that a rule is hereby entered upon you to file a complaint in this appeal within twenty (20) days after the date of service of this rule upon you by personal service or by certified or registered mail.

(2) If you do not file a complaint within this time JUDGMENT OF NON PROS MAY BE ENTERED AGAINST YOU.

(3) The date of service of this rule if service was by mail is the date of the mailing.

Date \_\_\_\_\_, 20 08

\_\_\_\_\_  
Signature of Prothonotary or Deputy

YOU MUST INCLUDE A COPY OF THE NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH THIS NOTICE OF APPEAL.

## PROOF OF SERVICE OF NOTICE OF APPEAL AND RULE TO FILE COMPLAINT

(This proof of service MUST BE FILED WITHIN TEN (10) DAYS AFTER filing the notice of appeal. Check applicable boxes)

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF \_\_\_\_\_; SS

**AFFIDAVIT:** I hereby swear or affirm that I served

- ☐ a copy of the Notice of Appeal, Common Pleas No. \_\_\_\_\_, upon the Magisterial District Judge designated therein on  
(date of service) \_\_\_\_\_, 20\_\_\_\_, ☐ by personal service ☐ by (certified) (registered) mail,  
sender's receipt attached hereto, and upon the appellee, (name) \_\_\_\_\_ on  
\_\_\_\_\_, 20\_\_\_\_ ☐ by personal service ☐ by (certified) (registered) mail,  
sender's receipt attached hereto.

SWORN (AFFIRMED) AND SUBSCRIBED BEFORE ME

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Signature of official before whom affidavit was made

\_\_\_\_\_  
Signature of affiant

\_\_\_\_\_  
Title of official

My commission expires on \_\_\_\_\_, 20\_\_\_\_

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.: <b>46-3-03</b>
MDJ Name: Hon. <b>MICHAEL A. RUDELLA</b>
Address: <b>131 ROLLING STONE ROAD PO BOX 210 KYLERTOWN, PA</b>
Telephone: <b>(814) 345-6789</b> <b>16847-0444</b>

**NOTICE OF JUDGMENT/TRANSCRIPT  
CIVIL CASE**

PLAINTIFF: NAME and ADDRESS  
**ARROW FINANCIAL SERVICES, LLC**  
**PO BOX C3800**  
**SOUTHEASTERN, PA 19398**

VS.  
DEFENDANT: NAME and ADDRESS  
**EARNEST, ROBERT**  
**712 LINGLE ST.**  
**OSCEOLA MILLS, PA 16666-1041**

**%BLATT, HASENMILLER, LEIBSKER & MOORE**  
**PO BOX C3800**  
**SOUTHEASTERN, PA 19398**

Docket No.: **CV-0000162-08**  
Date Filed: **6/30/08**



**THIS IS TO NOTIFY YOU THAT:**

Judgment: **FOR DEFENDANT** (Date of Judgment) **8/19/08**

☒ Judgment was entered for: (Name) **EARNEST, ROBERT**

☒ Judgment was entered against: (Name) **ARROW FINANCIAL SERV, ICES, LL**  
in the amount of \$ **.00**

☐ Defendants are jointly and severally liable.

☐ Damages will be assessed on Date & Time \_\_\_\_\_

☐ This case dismissed without prejudice.

☐ Amount of Judgment Subject to Attachment/42 Pa.C.S. § 8127  
\$ \_\_\_\_\_

☐ Portion of Judgment for physical damages arising out of  
residential lease \$ \_\_\_\_\_

Amount of Judgment	\$ <b>.00</b>
Judgment Costs	\$ <b>.00</b>
Interest on Judgment	\$ <b>.00</b>
Attorney Fees	\$ <b>.00</b>
<b>Total</b>	\$ <b>.00</b>
Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____
<b>Certified Judgment Total</b>	\$ _____

ANY PARTY HAS THE RIGHT TO APPEAL WITHIN 30 DAYS AFTER THE ENTRY OF JUDGMENT BY FILING A NOTICE OF APPEAL WITH THE PROTHONOTARY/CLERK OF THE COURT OF COMMON PLEAS, CIVIL DIVISION. YOU MUST INCLUDE A COPY OF THIS NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH YOUR NOTICE OF APPEAL.

EXCEPT AS OTHERWISE PROVIDED IN THE RULES OF CIVIL PROCEDURE FOR MAGISTERIAL DISTRICT JUDGES, IF THE JUDGMENT HOLDER ELECTS TO ENTER THE JUDGMENT IN THE COURT OF COMMON PLEAS, ALL FURTHER PROCESS MUST COME FROM THE COURT OF COMMON PLEAS AND NO FURTHER PROCESS MAY BE ISSUED BY THE MAGISTERIAL DISTRICT JUDGE.

UNLESS THE JUDGMENT IS ENTERED IN THE COURT OF COMMON PLEAS, ANYONE INTERESTED IN THE JUDGMENT MAY FILE A REQUEST FOR ENTRY OF SATISFACTION WITH THE MAGISTERIAL DISTRICT JUDGE IF THE JUDGMENT DEBTOR PAYS IN FULL, SETTLES, OR OTHERWISE COMPLIES WITH THE JUDGMENT.

8-19-08 Date *MARUDELLA*, Magisterial District Judge

I certify that this is a true and correct copy of the record of the proceedings containing the judgment.

\_\_\_\_\_, Date \_\_\_\_\_, Magisterial District Judge

My commission expires first Monday of January, **2012**

SEAL

AOPC 315-07

**DATE PRINTED: 8/19/08 11:13:00 AM**

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.: **46-3-03**  
MDJ Name: Hon.  
**MICHAEL A. RUDELLA**  
Address: **131 ROLLING STONE ROAD**  
**PO BOX 210**  
**KYLERTOWN, PA**  
Telephone: **(814) 345-6789** **16847-0444**

**NOTICE OF JUDGMENT/TRANSCRIPT**  
**CIVIL CASE**

PLAINTIFF: NAME and ADDRESS  
**ARROW FINANCIAL SERVICES, LLC**  
**PO BOX C3800**  
**SOUTHEASTERN, PA 19398**

VS.  
DEFENDANT: NAME and ADDRESS  
**EARNEST, ROBERT**  
**712 LINGLE ST.**  
**OSCEOLA MILLS, PA 16666-1041**

**%BLATT, HASENMILLER, LEIBSKER & MOORE**  
**PO BOX C3800**  
**SOUTHEASTERN, PA 19398**

Docket No.: **CV-0000162-08**  
Date Filed: **6/30/08**



**THIS IS TO NOTIFY YOU THAT:**

Judgment: **FOR DEFENDANT** (Date of Judgment) **8/19/08**

☒ Judgment was entered for: (Name) **EARNEST, ROBERT**

☒ Judgment was entered against: (Name) **ARROW FINANCIAL SERV, ICES, LL**  
in the amount of \$ **.00**

☐ Defendants are jointly and severally liable.

☐ Damages will be assessed on Date & Time \_\_\_\_\_

☐ This case dismissed without prejudice.

☐ Amount of Judgment Subject to Attachment/42 Pa.C.S. § 8127  
\$ \_\_\_\_\_

☐ Portion of Judgment for physical damages arising out of  
residential lease \$ \_\_\_\_\_

Amount of Judgment	\$ <b>.00</b>
Judgment Costs	\$ <b>.00</b>
Interest on Judgment	\$ <b>.00</b>
Attorney Fees	\$ <b>.00</b>
<b>Total</b>	\$ <b>.00</b>
Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____
<b>Certified Judgment Total</b>	\$ <b>0</b>

ANY PARTY HAS THE RIGHT TO APPEAL WITHIN 30 DAYS AFTER THE ENTRY OF JUDGMENT BY FILING A NOTICE OF APPEAL WITH THE PROTHONOTARY/CLERK OF THE COURT OF COMMON PLEAS, CIVIL DIVISION. YOU MUST INCLUDE A COPY OF THIS NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH YOUR NOTICE OF APPEAL.

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**FILED**  
**SEP 04 2008**

William A. Shaw  
Prothonotary/Clerk of Courts

**8-19-08** Date **MARUDELLA**, Magisterial District Judge

I certify that this is a true and correct copy of the record of the proceedings containing the judgment.  
**9/2/08** Date **MARUDELLA**, Magisterial District Judge

My commission expires first Monday of January, **2012**

SEAL



FILED

SEP 04 2000

William A. Shaw  
Prothonotary/Clerk of Courts

Blatt, Hasenmiller, Leibsker & Moore, LLC  
David C. Jenkins  
Attorney I.D. #85769  
P.O. Box C3800  
Southeastern, PA 19398  
800-850-1079

Attorney for Plaintiff,  
ARROW FINANCIAL SERVICES, LLC

ARROW FINANCIAL SERVICES, LLC  
c/o Blatt, Hasenmiller, Leibsker & Moore, LLC  
P.O. Box C3800  
Southeastern, PA 19398

Plaintiff,

vs.

ROBERT EARNEST

712 LINGLE ST  
OSCEOLA MILLS PA 16666-1041  
Defendant(s).

IN THE COURT OF COMMON PLEAS

CLEARFIELD COUNTY, PA

CIVIL ACTION

No. 08-1638-CD

**PRAECIPE TO ENTER APPEARANCE**

**TO THE PROTHONOTARY:**

Kindly **ENTER** my appearance in the above-captioned matter on behalf of **PLAINTIFF**

**ARROW FINANCIAL SERVICES, LLC.**

Papers may be served at the address set forth below:

Blatt, Hasenmiller, Leibsker & Moore, LLC  
P.O. Box C3800  
Southeastern, PA 19398

Telephone Number: 1-800-850-1079 ext. 4151

**BLATT, HASENMILLER, LEIBSKER  
& MOORE, LLC**

Dated: September 3, 2008

By:

  
David C. Jenkins

**FILED** *WCC*  
*mtb 22/34*  
SEP 11 2008 *(610)*

2107165  
PPTXPEAI

William A. Shaw  
Prothonotary/Clerk of Courts

Blatt, Hasenmiller, Leibsker & Moore, LLC  
David C. Jenkins  
Attorney I.D. #85769  
P.O. Box C3800  
Southeastern, PA 19398  
800-850-1079

Attorney for Plaintiff,  
ARROW FINANCIAL SERVICES, LLC

ARROW FINANCIAL SERVICES, LLC  
c/o Blatt, Hasenmiller, Leibsker & Moore, LLC  
P.O. Box C3800  
Southeastern, PA 19398

Plaintiff,

vs.

ROBERT EARNEST

712 LINGLE ST  
OSCEOLA MILLS PA 16666-1041  
Defendant(s).

IN THE COURT OF COMMON PLEAS

CLEARFIELD COUNTY, PA

CIVIL ACTION

No. 08-1638-CD

**CERTIFICATION OF SERVICE**

This is to certify that in this case completed copies of all papers contained in the COMPLAINT and PRAECIPE TO ENTER APPEARANCE have been served upon the following persons, by the following means and on the dates stated:

Name and Address

Means of Service

Date of Service

Regular Mail

September 2, 2008

ROBERT EARNEST  
712 LINGLE ST

OSCEOLA MILLS, PA 16666-1041

BLATT, HASENMILLER, LEIBSKER  
& MOORE, LLC

Dated: September 3, 2008

By:

  
David C. Jenkins

2107165  
PPTXCIVI

FILED *no cc*  
SEP 11 2008 *60*

William A. Shaw  
Prothonotary/Clerk of Courts

Blatt, Hasenmiller, Leibsker & Moore, LLC  
David C. Jenkins  
Attorney I.D. #85769  
P.O. Box C3800  
Southeastern, PA 19398  
800-850-1079

Attorney for Plaintiff,  
ARROW FINANCIAL SERVICES, LLC

ARROW FINANCIAL SERVICES, LLC  
c/o Blatt, Hasenmiller, Leibsker & Moore, LLC  
P.O. Box C3800  
Southeastern, PA 19398

Plaintiff,

vs.

ROBERT EARNEST

712 LINGLE ST  
OSCEOLA MILLS PA 16666-1041  
Defendant(s).

IN THE COURT OF COMMON PLEAS

CLEARFIELD COUNTY, PA

CIVIL ACTION

No. 08-1638-CD

**NOTICE TO DEFEND**

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 COUNTY BAR ASSOCIATION  
100 SOUTH ST.  
P.O. BOX 1865  
HARRISBURG, PA 17108  
1-800-692-7375

2107165  
PPTCHDFI

**FILED** *NO*  
*m/2, 22/8/11* *cc*  
SEP 11 2008 *@*

William A. Shaw  
Prothonotary/Clerk of Courts

**Blatt, Hasenmiller, Leibsker & Moore, LLC**  
**David C. Jenkins**  
**Attorney I.D. #85769**  
**P.O. Box C3800**  
**Southeastern, PA 19398**  
**800-850-1079 ext. 4151**

**Attorney for Plaintiff,**  
**ARROW FINANCIAL SERVICES, LLC**

ARROW FINANCIAL SERVICES, LLC  
c/o Blatt, Hasenmiller, Leibsker & Moore, LLC  
P.O. Box C3800  
Southeastern, PA 19398

Plaintiff,

vs.

ROBERT EARNEST

712 LINGLE ST  
OSCEOLA MILLS PA 16666-1041  
Defendant(s).

IN THE COURT OF COMMON PLEAS

CLEARFIELD COUNTY, PA

CIVIL ACTION

No. 08-1638-CD

**COMPLAINT**

AND NOW comes Plaintiff, by its undersigned attorney, and complains against Defendant as follows:

1. The Plaintiff herein is ARROW FINANCIAL SERVICES, LLC, which has retained the services of Blatt, Hasenmiller, Leibsker & Moore, LLC located at P.O. Box C3800, Southeastern, PA 19398.
2. The Defendant is/are ROBERT EARNEST , whose last known principle residence is believed to be 712 LINGLE ST OSCEOLA MILLS PA 16666-1041.
3. Defendant obtained extensions of credit on the following open-ended credit account issued by GE MONEY BANK henceforth ("Original Creditor") being known as Account Number 6019210708615019 (henceforth "Account").
4. The Plaintiff is the assignee of the Account which was originally owned by Original Creditor.
5. An extension of credit was made by Original Creditor to Defendant in reliance of the representation of Defendant for repayment of any outstanding balance on the Account.

6. At all relevant times material hereto, Defendant has/have used the Account for the purchase of goods and/or services.

7. The amount currently due and owing on the said Account is \$3913.22, plus interest and costs associated with the Account. An affidavit of a representative of Plaintiff is attached hereto as plaintiff's Exhibit "A" and is incorporated herein by reference.

8. Despite reasonable and repeated demands for payments on the Account prior to filing this complaint, Defendant has/have refused to pay all sums due and owing on the Account.

#### **COUNT I - BREACH OF CONTRACT**

9. Plaintiff incorporates the foregoing paragraphs by reference thereto.

10. Original Creditor has performed any and all conditions precedent to the bringing of this action.

11. Defendant is/are in breach of the agreement to repay the outstanding balance on the Account.

WHEREFORE, Plaintiff demands judgment in its favor against Defendant in the amount of \$3913.22, plus interest at the legal rate from the date of judgment plus costs and any other remedy which this Court may deem just and proper.

#### **COUNT II - ACCOUNTS STATED**

12. Plaintiff incorporates the foregoing paragraphs by reference thereto.

13. Periodic billing statements on the Account were sent by Original Creditor to the Defendant by mail on a regular basis.

14. Defendant was given reasonable opportunity to examine each of the said billing statements and did not communicate any dispute of the charges to the Original Creditor.

15. The failure of Defendant to dispute the periodic billing statements constitutes an acceptance of the balance due on the Account.

WHEREFORE, Plaintiff demands judgment in its favor against Defendant in the amount of \$3913.22, plus interest at the legal rate from the date of judgment plus costs and any other remedy which this Court may deem just and proper.

**COUNT III - UNJUST ENRICHMENT**

16. Plaintiff incorporates the foregoing paragraphs by reference thereto.

17. As a direct result of the receipt of the benefit of the extensions of credit given on the Account by the Original Creditor to the Defendant, Defendant has/have been unjustly enriched in the amount of \$3913.22 to the detriment of the Original Creditor.

WHEREFORE, Plaintiff demands judgment in its favor against Defendant in the amount of \$3913.22, plus interest at the legal rate from the date of judgment plus costs and any other remedy which this Court may deem just and proper.

Respectfully submitted,

**BLATT, HASENMILLER, LEIBSKER  
& MOORE, LLC**

Dated: September 3, 2008

By: 

David C. Jenkins

## **VERIFICATION**

I, DAVID C. JENKINS, the undersigned attorney for the Plaintiff, hereby verify that the statements made in the foregoing Complaint are true and correct to the best of my knowledge, information, and belief, based upon information provided by the Plaintiff, that the Plaintiff is presently located outside of this jurisdiction, and that in order to file the within document in an expedient and timely manner I am authorized to sign this verification on behalf of the Plaintiff.

I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn falsifications to authorities.

A handwritten signature in black ink, appearing to read 'David C. Jenkins', is written over a horizontal line.

David C. Jenkins  
Attorney for Plaintiff



## Exhibit "A"

STATE OF ILLINOIS  
COUNTY OF COOK

**AFFIDAVIT OF INDEBTEDNESS**

The undersigned, being duly sworn, deposes and states that he/she is an employee/agent of:  
Arrow Financial Services, LLC and has knowledge of the account balance, and is duly authorized to  
make this affidavit.

Affiant states that the amounts shown below are taken/calculated from the original books and records  
of the above named plaintiff as well as from information provided to Arrow Financial Services, LLC by  
GE MONEY BANK, and based on information and belief, affiant states that the amount  
due to Arrow Financial Services, LLC by ROBERT EARNEST

for funds advanced to defendant(s) or paid to another at defendant(s) request, or for goods or services  
provided to defendant(s) or to another at defendant's request, is the following  
on the following account(s) as of 05-16-08:

CREDITOR/ACCOUNT NUMBER

CURRENT BALANCE

Arrow Financial Services, LLC  
6019210708615019

\$3913.22

Affiant states that the amount shown above is true and correct to the best of his/her knowledge.  
Further affiant sayeth not.

Subscribed and Sworn to Before me

22 day of May, 2008  
Marla Mackey  
Notary Public

My Commission Expires: 6/12/2011

Robert Earnest  
Affiant

Legal Clerk  
Title

Date of Service: \_\_\_\_/\_\_\_\_/20\_\_\_\_



Reference #: 2107165  
Forwarder ID#: \_\_\_\_\_  
Account #: 6019210708615019

BAFFAFSL(11/02)HT1  
ARROW FINANCIAL SERVICES LLC



## COMMONWEALTH OF PENNSYLVANIA

## COURT OF COMMON PLEAS

Judicial District, County Of

## NOTICE OF APPEAL

FROM

MAGISTERIAL DISTRICT JUDGE JUDGMENT

COMMON PLEAS No. \_\_\_\_\_

## NOTICE OF APPEAL

Notice is given that the appellant has filed in the above Court of Common Pleas an appeal from the judgment rendered by the Magisterial District Judge on the date and in the case referenced below.

NAME OF APPELLANT		MAG. DIST. NO.	NAME OF MDJ
ADDRESS OF APPELLANT		CITY	STATE ZIP CODE
DATE OF JUDGMENT	IN THE CASE OF (Plaintiff)		(Defendant)
DOCKET No.		SIGNATURE OF APPELLANT OR ATTORNEY OR AGENT	
This block will be signed ONLY when this notation is required under Pa. R.C.P.D. J. No. 1008B. This Notice of Appeal, when received by the Magisterial District Judge, will operate as a SUPERSEDEAS to the judgment for possession in this case.		If appellant was Claimant (see Pa. R.C.P.D. J. No. 1001(6) in action before a Magisterial District Judge, A COMPLAINT MUST BE FILED within twenty (20) days after filing the NOTICE of APPEAL.	
_____ Signature of Prothonotary or Deputy			

## PRAECIPE TO ENTER RULE TO FILE COMPLAINT AND RULE TO FILE

This section of form to be used ONLY when appellant was DEFENDANT (see Pa. R.C.P.D.J. No. 1001(7) in action before Magisterial District Judge. IF NOT USED, detach from copy of notice of appeal to be served upon appellee.

## PRAECIPE: To Prothonotary

Enter rule upon \_\_\_\_\_ appellee(s), to file a complaint in this appeal  
*Name of appellee(s)*

(Common Pleas No. \_\_\_\_\_) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

\_\_\_\_\_  
 Signature of appellant or attorney or agent

**RULE:** To \_\_\_\_\_ appellee(s)

*Name of appellee(s)*

## OWNER

(1) You are notified that a rule is hereby entered upon you to file a complaint in this appeal within twenty (20) days after the date of service of this rule upon you by personal service or by certified or registered mail.

(2) If you do not file a complaint within this time JUDGMENT OF NON PROS MAY BE ENTERED AGAINST YOU.

(3) The date of service of this rule if service was by mail is the date of the mailing.

Date \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
 Signature of Prothonotary or Deputy

**YOU MUST INCLUDE A COPY OF THE NOTICE OF JUDGMENT/TRANSCRIPT FORM WITH THIS NOTICE OF APPEAL.**

## PROOF OF SERVICE OF NOTICE OF APPEAL AND RULE TO FILE COMPLAINT

(This proof of service MUST BE FILED WITHIN TEN (10) DAYS AFTER filing the notice of appeal. Check applicable boxes)

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF \_\_\_\_\_; SS

**AFFIDAVIT:** I hereby swear or affirm that I served

- ☐ a copy of the Notice of Appeal, Common Pleas No. \_\_\_\_\_, upon the Magisterial District Judge designated therein on  
(date of service) \_\_\_\_\_, 20\_\_\_\_, ☐ by personal service ☐ by (certified) (registered) mail,  
sender's receipt attached hereto; and upon the appellee, (name) \_\_\_\_\_ on  
\_\_\_\_\_, 20\_\_\_\_ ☐ by personal service ☐ by (certified) (registered) mail,  
sender's receipt attached hereto.

SWORN (AFFIRMED) AND SUBSCRIBED BEFORE ME

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Signature of official before whom affidavit was made

\_\_\_\_\_  
Signature of affiant

\_\_\_\_\_  
Title of official

My commission expires on \_\_\_\_\_, 20\_\_\_\_

Date: 8/29/2008

Clearfield County Court of Common Pleas

NO. 1925674

Time: 02:40 PM

Receipt

Page 1 of 1

Received of: Jenkins, David C. (attorney for Arrow Fi \$ 95.00

Ninety-Five and 00/100 Dollars

Case: 2008-01638-CD	Plaintiff: Arrow Financial Services, LLC	Amount
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District Justice Appeals		95.00
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Total:		95.00
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Check: 13441

Payment Method: Check

Amount Tendered: 95.00

Change Returned: 0.00

Clerk: BHUDSON

William A. Shaw, Prothonotary/Clerk of Cou

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

**FILED**

**SEP 11 2008**

William A. Shaw  
Prothonotary/Clerk of Courts

Blatt, Hasenmiller, Leibsker & Moore, LLC  
Daniel Santucci  
Attorney I.D. #92800  
5 Great Valley Parkway, Suite 100  
Malvern, PA 19355  
800-850-1079 ext. 4151

Attorney for Plaintiff,  
ARROW FINANCIAL SERVICES, LLC

ARROW FINANCIAL SERVICES, LLC  
c/o Blatt, Hasenmiller, Leibsker & Moore, LLC  
5 Great Valley Parkway, Suite 100  
Malvern, PA 19355

Plaintiff,

vs.

ROBERT EARNEST

712 LINGLE ST  
OSCEOLA MILLS PA 16666-1041  
Defendant(s).

IN THE COURT OF COMMON PLEAS

CLEARFIELD COUNTY, PA

CIVIL ACTION

No. 08-1638-CD

**PRAECIPE FOR ENTRY OF JUDGMENT BY DEFAULT**  
**FOR FAILURE TO PLEAD**

**TO THE PROTHONOTARY:**

Kindly **ENTER** a **JUDGMENT BY DEFAULT FOR FAILURE TO PLEAD** against the  
**DEFENDANT ROBERT EARNEST** in this matter in the amount of \$3913.22 plus court costs.

I also hereby certify that a true and correct copy of the Notice required by Pa.R.C.P.  
237.1(a)(2) was mailed separately to each defendant on 3-27-09 by regular mail. A true and  
correct copy of each Notice is attached hereto.

Respectfully submitted,

**BLATT, HASENMILLER, LEIBSKER  
& MOORE, LLC**

Dated: April 7, 2009

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

Daniel Santucci

2107165  
PPTJPFJI



**FILED** Atty pd.  
20.00  
APR 20 2009  
William A. Shaw  
Prothonotary/Clerk of Courts  
ICC & Notice  
40 Def.





ARROW FINANCIAL SERVICES, LLC  
Plaintiff,

IN THE COURT OF COMMON PLEAS

vs.

CLEARFIELD COUNTY, PA

ROBERT EARNEST  
712 LINGLE ST  
OSCEOLA MILLS PA 16666-1041

CIVIL ACTION

Defendant(s).

No. 08-1638-CD

**TO: ROBERT EARNEST**

**Date of Notice: March 27, 2009**

**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 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 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 COUNTY BAR ASSOCIATION  
100 SOUTH ST.  
P.O. BOX 1865  
HARRISBURG, PA 17108  
1-800-692-7375

**BLATT, HASENMILLER, LEIBSKER  
& MOORE, LLC**

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

Daniel Sabatucci  
5 Great Valley Parkway, Suite 100  
Malvern, PA 19355  
800-850-1079 x 4151

This is a communication from a debt collector. This is an attempt to collect a debt and any information obtained will be used for that purpose.

2107165  
PPTNLRSI



COPY

ARROW FINANCIAL SERVICES, LLC

Plaintiff,

vs.

ROBERT EARNEST

Defendant(s).

IN THE COURT OF COMMON PLEAS

CLEARFIELD COUNTY, PA

CIVIL ACTION

No.

No. 08-1638-CD

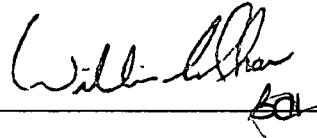
TO: ROBERT EARNEST

**NOTICE**

Pursuant to Rule 236 of the Supreme Court of Pennsylvania, you are hereby notified that a Default Judgment has been entered against you in the above proceeding.

**PROTHONOTARY**

Dated: 4/20/09

By: 

IF YOU HAVE ANY QUESTIONS CONCERNING THE ABOVE, PLEASE CONTACT:

Attorney of Record for Plaintiff:

Blatt, Hasenmiller, Leibsker & Moore, LLC  
Daniel Santucci  
Attorney I.D. #92800  
P.O. Box C3800  
Southeastern, PA 19398  
800-850-1079

2107165  
PPTNDJN1

