

08-1713-CD
LVNV Funding vs Edward Freemer

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

LVNV FUNDING, LLC

(Plaintiff)

c/o Apothaker & Associates, P.C.

520 Fellowship Road C306

(Street Address)

Mount Laurel, NJ 08054

(City, State, ZIP)

CIVIL ACTIONNo. 08-1713-CDType of Case: CIVILType of Pleading: PLEADING

VS.

Filed on Behalf of:

EDWARD FREEMER

(Defendant)

715 DUBOIS ST

(Street Address)

DU BOIS, PA 15801-1832

(City, State, ZIP)

LVNV FUNDING,**LLC**

(Plaintiff)

David J. Apothaker, Esq.
Apothaker & Associates, P.C.

(Filed by)

520 Fellowship Road C306

Mount Laurel, NJ 08054

(Address)

800-672-0215

(Phone)

(Signature)

FILED *Atty pd.*
01/22/01 705.00
 SEP 11 2001 *CC Sheriff*
W *CC Atty*
 William A. Shaw
 Prothonotary/Clerk of Courts

Our File No.: 173748
APOTHAKER & ASSOCIATES, P.C.
BY: David J. Apothaker, Esquire, Esq.
Attorney I.D.#38423
520 Fellowship Road C306
Mount Laurel, NJ 08054
(800) 672-0215
Attorneys for Plaintiff

LVNV FUNDING, LLC) COURT OF COMMON PLEAS
c/o Apotheker & Associates, P.C.) CLEARFIELD COUNTY
520 Fellowship Road C306)
Mount Laurel, NJ 08054) NO.:
Plaintiff,)
vs.)
EDWARD FREEMER)
715 DUBOIS ST)
DU BOIS, PA 15801-1832)
Defendant.)
)

**CIVIL ACTION COMPLAINT
FIRST COUNT**

1. Plaintiff is LVNV FUNDING, LLC c/o Apothaker & Associates, P.C., 520 Fellowship Road C306, Mount Laurel, NJ 08054.
2. Defendant(s) is/are EDWARD FREEMER, an adult individual residing at 715 DUBOIS ST DU BOIS, PA 15801-1832.
3. Plaintiff, LVNV FUNDING, LLC, is the Assignee and Successor in Interest of Account #0176621101030196; and said account was issued to Defendant(s) by YAMAHA, the Original creditor.
4. Defendant received, accepted and used the account to its benefit.
5. This account is in default and Defendant(s) has an unpaid balance of \$10,749.42. A true and correct copy of the total due and owing is attached hereto, made a part hereof and marked as Exhibit "A".
6. All credits, if any, to which Defendant(s) is entitled, have been applied to the account and are included in Exhibit "A".
7. Although demand has been made, Defendant(s) has failed to make payment of the amount due as above.

WHEREFORE, Plaintiff demands judgment in favor of Plaintiff and against Defendant(s) for the sum of \$10,749.42 and requests this Court award Plaintiff attorney's fees and costs to the extent permitted by applicable law.

APOTHAKER & ASSOCIATES, P.C.
Attorney for Plaintiff
A Law Firm Engaged in Debt Collection

BY: David J. Apotheker, Esquire

Dated: 9/4/2008

Our File No.: 173748

VERIFICATION

David J. Apothaker, Esquire hereby states that I am counsel for plaintiff in this action, and that I am authorized to take this Verification, and that the statements made in the foregoing Civil Action Complaint are true and correct to the best of my knowledge, information, and belief. The undersigned understands that the statements therein are made subject to the penalties of 18 Pa.C.S.A. 4904 relating to unsworn falsification to authorities.

David J. Apothaker, Esquire
Attorney for Plaintiff

DATE: 9/4/2008

LVNV FUNDING, LLC

EDWARD FREEMER
715 DUBOIS ST
DU BOIS, PA 15801-1832

STATEMENT OF ACCOUNT

Debtor's Name: EDWARD FREEMER

Account Number: 0176621101030196

Original Creditor: YAMAHA

Balance Due: \$10,749.42

Our File No.: 173748

EXHIBIT "A"

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
NO: 08-1713-CD

LVNV FUNDING, LLC
vs
EDWARD FREEMER

SERVICE # 1 OF 1

COMPLAINT

SERVE BY: 10/11/2008 HEARING: PAGE: 104654

DEFENDANT: EDWARD FREEMER
ADDRESS: 715 DUBOIS ST.
DUBOIS, PA 15801

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT OCCUPIED

ATTEMPTS

FILED

013-51961
SEP 25 2008

William A. Shaw
Prothonotary/Clerk of Courts

SHERIFF'S RETURN

NOW, 09-25-08 AT 1:45 AM / PM SERVED THE WITHIN

COMPLAINT ON EDWARD FREEMER, DEFENDANT

BY HANDING TO EDWARD FREEMER, DEFENDANT

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

ADDRESS SERVED 715 DUBOIS, ST. DUBOIS, PA 15801

NOW _____ AT _____ AM / PM POSTED THE WITHIN

COMPLAINT FOR EDWARD FREEMER

AT (ADDRESS) _____

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

I MAKE RETURN OF **NOT FOUND** AS TO EDWARD FREEMER

REASON UNABLE TO LOCATE _____

SWORN TO BEFORE ME THIS

_____DAY OF 2008

So Answers: CHESTER A. HAWKINS, SHERIFF

BY: Mark A. Courtney
Deputy Signature

Mark A. Courtney
Print Deputy Name

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

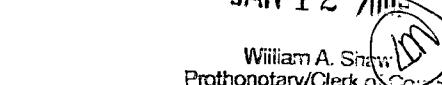
DOCKET # 104654
NO: 08-1713-CD
SERVICES 1
COMPLAINT

PLAINTIFF: LVNV FUNDING, LLC
VS.
DEFENDANT: EDWARD FREEMER

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	APOTHAKER	104242	10.00
SHERIFF HAWKINS	APOTHAKER	104242	40.23

5
FILED
01/13/08
JAN 12 2008
William A. Shaw
Prothonotary/Clerk of Court


Sworn to Before Me This

So Answers,

____ Day of _____ 2008



Chester A. Hawkins
Sheriff

Our File No.: 173748
APOTHAKER & ASSOCIATES, P.C.
BY: David J. Apothaker
Attorney I.D.# 38423
520 Fellowship Road C306
Mount Laurel, NJ 08054
(800) 672-0215

Attorney for Plaintiff

LVNV FUNDING, LLC) COURT OF COMMON PLEAS OF
Plaintiff,) CLEARFIELD COUNTY
vs.)
EDWARD FREEMER) NO.: 08-1713-CD
Defendant.)
) Civil Action
)

PRAECIPE FOR DEFAULT JUDGMENT

TO THE PROTHONOTARY:

Kindly enter judgment against Defendant, EDWARD FREEMER, in the default of an Answer, in the amount of \$11,198.26 computed as follows:

Amount claimed in complaint:	\$10,749.42
Amount Paid:	-\$(0.00)
Interest from September 04, 2008 to 03/14/09 at the legal interest rate of 6.000 per annum	\$303.61
Costs	\$145.23
Attorney fees	\$0.00
TOTAL	\$11,198.26

3/14/09 AM
FILED pd \$20.00 Atty
1cc+notice
MAR 25 2009 to deft
William A. Shaw 1cc+statement
Prothonotary/Clerk of Courts to Atty.

I hereby certify that the appropriate Notices of Default, as attached have been mailed in accordance with Pa.R.Civ.P. 237.1 on the dates indicated on the Notices.

I certify that Plaintiff's address as LVNV FUNDING, LLC c/o Apothaker & Associates, P.C. 520 Fellowship Road C 306, Mount Laurel, NJ 08054 and that Defendant, EDWARD FREEMER, last know address is 715 DUBOIS ST DU BOIS, PA 15801-1832.

APOTHAKER & ASSOCIATES, P.C.
Attorneys for Plaintiff
A Law Firm Engaged in Debt Collection

By:

David J. Apothaker

Dated: 3/14/2009

OFFICE OF THE PROTHONOTARY
COURT OF COMMON PLEAS

CC
JL

TO: EDWARD FREEMER
715 DUBOIS ST
DU BOIS, PA 15801-1832

LVNV FUNDING, LLC) COURT OF COMMON PLEAS OF
Plaintiff,) CLEARFIELD COUNTY
vs.)
EDWARD FREEMER)) NO.: 08-1713-CD
Defendant.)) Civil Action

NOTICE

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

XX JUDGMENT BY DEFAULT

 JUDGMENT IN REPLEVIN

 JUDGMENT BY CONFESSION

 JUDGMENT FOR POSSESSION

 JUDGMENT ON AWARD OF ARBITRATORS

 JUDGMENT ON VERDICT

 JUDGMENT ON COURT FINDINGS

 JUDGMENT ON WRIT OF REVIVAL

IF YOU HAVE ANY QUESTIONS CONCERNING THIS NOTICE, PLEASE CALL:

ATTORNEY David J. Apothaker, Esq. at this telephone number: 215-634-8920

Willie L. Blair, Jr. 3-25-2009
Prothonotary

Our File No.: 173748
APOTHAKER & ASSOCIATES, P.C.
BY: David J. Apothaker
Attorney I.D.# 38423
520 Fellowship Road C306
Mount Laurel, NJ 08054
(800) 672-0215
Attorney for Plaintiff

LVNV FUNDING, LLC)	COURT OF COMMON PLEAS OF
)	CLEARFIELD COUNTY
Plaintiff,)	
vs.)	
EDWARD FREEMER)	NO.: 08-1713-CD
)	
Defendant.)	Civil Action
)	

AFFIDAVIT OF NON-MILITARY SERVICE

COMMONWEALTH OF PENNSYLVANIA :
: SS.
COUNTY OF CLEARFIELD :

David J. Apothaker, being duly sworn according to law, deposes and says that I am the attorney for Plaintiff, and authorized to make this affidavit; that Defendant(s) resides at 715 DUBOIS ST DU BOIS, PA 15801-1832.

We inquired with the web site of the Defense Manpower Data Center, located at 1600 Wilson Boulevard, Suite 400, Arlington, VA 22209-2593, if the Defendant(s) is/are in any branch of the military.

Mary M. Snavely-Dixon, Director of the Defense Manpower Data Center has sent back our inquiry indicated that the Defendant(s) is/are not in the military.

David J. Apothaker
Attorney for Plaintiff

The above signed understands that the statements herein are made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

**OFFICE OF THE PROTHONOTARY
COURT OF COMMON PLEAS
CLEARFIELD COUNTY**

LVNV FUNDING, LLC

vs.

EDWARD FREEMER

) COURT OF COMMON PLEAS
) CLEARFIELD COUNTY
)
) NO. 08-1713-CD
)

To: EDWARD FREEMER
715 DUBOIS ST
DU BOIS, PA 15801-1832

NOTICE, RULE 237.5

NOTICE OF PRAECIPE TO ENTER JUDGMENT BY DEFAULT

Date of Notice: February 12, 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.

COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
SECOND & MARKET STREETS
CLEARFIELD, PA 16830
814-765-2641

131
DAVID J. APOTHAKER, ESQUIRE
APOTHAKER & ASSOCIATES, PC
A Law Firm Engaged in Debt Collection
520 Fellowship Road C306
Mount Laurel, NJ 08054
(800) 672-0215
Attorney for Plaintiff
Attorney ID #38423

Department of Defense Manpower Data Center

MAR-14-2009 06:13:07



Military Status Report
Pursuant to the Servicemembers Civil Relief Act

Last Name	First/Middle	Begin Date	Active Duty Status	Service/Agency
FREEMER	EDWARD		Based on the information you have furnished, the DMDC does not possess any information indicating that the individual is currently on active duty.	

Upon searching the information data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the current status of the individual as to all branches of the Military.

Mary M. Snavely-Dixon

Mary M. Snavely-Dixon, Director
Department of Defense - Manpower Data Center
1600 Wilson Blvd., Suite 400
Arlington, VA 22209-2593

The Defense Manpower Data Center (DMDC) is an organization of the Department of Defense that maintains the Defense Enrollment and Eligibility Reporting System (DEERS) database which is the official source of data on eligibility for military medical care and other eligibility systems.

The Department of Defense strongly supports the enforcement of the Servicemembers Civil Relief Act [50 USCS Appx. §§ 501 et seq] (SCRA) (formerly the Soldiers' and Sailors' Civil Relief Act of 1940). DMDC has issued hundreds of thousands of "does not possess any information indicating that the individual is currently on active duty" responses, and has experienced a small error rate. In the event the individual referenced above, or any family member, friend, or representative asserts in any manner that the individual is on active duty, or is otherwise entitled to the protections of the SCRA, you are strongly encouraged to obtain further verification of the person's active duty status by contacting that person's Military Service via the "defenselink.mil" URL provided below. If you have evidence the person is on active-duty and you fail to obtain this additional Military Service verification, provisions of the SCRA may be invoked against you.

If you obtain further information about the person (e.g., an SSN, improved accuracy of DOB, a middle name), you can submit your request again at this Web site and we will provide a new certificate for that query.

This response reflects current active duty status only. For historical information, please contact the Military Service SCRA points-of-contact.

See: <http://www.defenselink.mil/faq/pis/PC09SLDR.html>

WARNING: This certificate was provided based on a name and Social Security number (SSN) provided by the requester. Providing an erroneous name or SSN will cause an erroneous certificate to be provided.

Report ID: **FPMSJLVASB**

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
NO: 08-1713-CD

LVNV FUNDING, LLC
vs
EDWARD FREEMER

SERVICE # 1 OF 1

COMPLAINT

SERVE BY: 10/11/2008 HEARING: PAGE: 104654

DEFENDANT: EDWARD FREEMER
ADDRESS: 715 DUBOIS ST.
DUBOIS, PA 15801

COPY

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT OCCUPIED

ATTEMPTS: _____

SHERIFF'S RETURN

NOW, 09-15-08 AT 1:45 AM / PM SERVED THE WITHIN

COMPLAINT ON EDWARD FREEMER, DEFENDANT

BY HANDING TO EDWARD FREEMER 1 DEFENDANT

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

ADDRESS SERVED 715 DUBOIS, ST. DUBOIS, PA 15801

NOW _____ AT _____ AM / PM POSTED THE WITHIN

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SWORN TO BEFORE ME THIS

DAY OF 2008

So Answers: CHESTER A. HAWKINS, SHERIFF

BY:

Mark A. Conner
Deputy Signature

Mark A. Conner
Print Deputy Name

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

LVNV Funding, LLC
Plaintiff(s)

No.: 2008-01713-CD

QC
JL

Real Debt: \$11,198.26

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Edward Freemer
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: March 25, 2009

Expires: March 25, 2014

Certified from the record this March 25, 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