

08-1987-CD

Asset Acceptance vs Bernadette Sowalla

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

ASSET ACCEPTANCE LLC  
PO Box 2036  
Warren, MI 48090

Plaintiff

CIVIL ACTION

vs.

BERNADETTE T SOWALLA  
329 SHEPHERD RD  
CHERRY TREE PA 15724-8505

Defendant

NO: 2008-1987-CD

<sup>5</sup>  
**FILED**

OCT 16 2008

m/11:40/w

William A. Shaw  
Prothonotary/Clerk of Courts

CENT TO STAFF J  
ATTY

**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 to Defend 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 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 OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

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MIDPENN LEGAL SERVICES  
211 1/2 E LOCUST STREET  
CLEARFIELD, PA 16830  
814-765-9646

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

ASSET ACCEPTANCE LLC  
PO Box 2036  
Warren, MI 48090

Plaintiff

vs.

BERNADETTE T SOWALLA  
329 SHEPHERD RD  
CHERRY TREE PA 15724-8505

Defendant

CIVIL ACTION

NO:

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**COMPLAINT**

Plaintiff, ASSET ACCEPTANCE LLC , by and through its attorneys, Edwin A.

Abrahamsen & Associates, P.C., complains of the Defendant as follows:

1. Plaintiff, ASSET ACCEPTANCE LLC , (hereinafter "Plaintiff") is a Michigan corporation with a principal place of business located at PO Box 2036 Warren, MI 48090.
2. The Defendant BERNADETTE T SOWALLA (hereinafter "Defendant") is an adult individual residing at 329 SHEPHERD RD CHERRY TREE PA 15724-8505.
3. At all relevant times herein, Plaintiff was engaged in the business of debt purchase and collection.
4. Defendant applied for and received a credit card issued by HSBC Consumer Lending (US with the account number 71174200550295.
5. The within account was sold by HSBC Consumer Lending (US to ASSET ACCEPTANCE, LLC for valuable consideration and all rights under said accounts were assigned to ASSET ACCEPTANCE, LLC. (See, Bill of Sale, Affidavit and Assignment attached hereto as

Exhibit "A.")

6. Use of the HSBC Consumer Lending (US credit card was subject to the terms of the Cardmember Agreement, a copy of which was sent to the Defendant along with the credit card.

7. Defendant used the HSBC Consumer Lending (US credit card account number 71174200550295, for purchases, cash advances and/or balance transfers.

8. The Defendant was mailed account statements relative to the Defendant's use of the subject credit card. (See, Card Statements attached hereto as Exhibit "B.")

9. The Defendant defaulted under the terms of the Agreement by failing and refusing to make monthly payments on the account as they became due.

10. The account became delinquent July 3, 2006.

11. The principal amount was \$9,153.60 at the time it was received by Plaintiff.

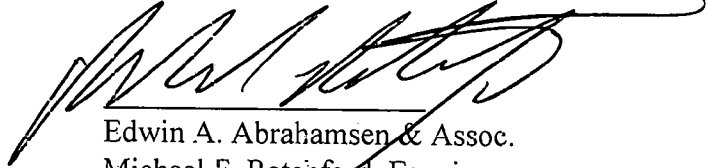
12. Pursuant to the account agreement, any unpaid balance accrues interest at the rate of 18.

13. The total amount due and owing the Plaintiff including interest, is \$11,513.97.

14. Pursuant to the terms of the Agreement, Defendant is liable to Plaintiff for court costs and reasonable attorney's fees.

WHEREFORE, Plaintiff requests judgment in its favor and against Defendant in the amount of \$11,513.97 plus costs of suit, reasonable attorneys' fees and any other relief as the Court deems just and appropriate.

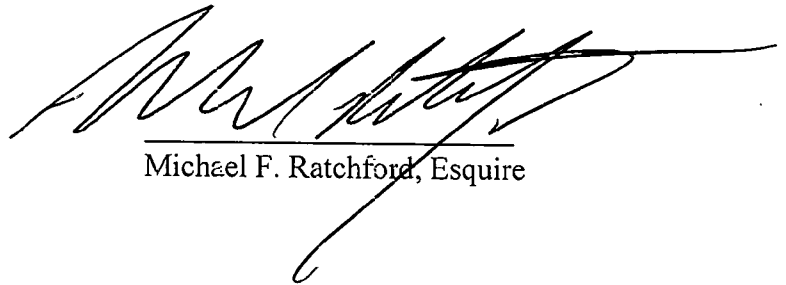
Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Edwin A. Abrahamsen', is written over a horizontal line.

Edwin A. Abrahamsen & Assoc.  
Michael F. Ratchford, Esquire  
Heather K. Woodruff, Esquire  
Attorney I.D. Nos.: 86285/207805  
1729 Pittston Avenue  
Scranton, PA 18505  
mratchford@eaa-law.com  
hwoodruff@eaa-law.com

**VERIFICATION**

I, Michael F. Ratchford, attorney for Plaintiff, ASSET ACCEPTANCE LLC , am fully familiar with the facts set forth in the within Complaint and am authorized to make this Verification on behalf of Plaintiff. I Verify that the facts set forth in the within allegations are true and correct to the best of my knowledge, knowing that any false statements are punishable by law pursuant to 18 C.S.A. 4904.



Michael F. Ratchford, Esquire

## Exhibit

STATE OF MICHIGAN )  
COUNTY OF MACOMB ) SS

ASSET ACCEPTANCE, LLC

Plaintiff,

vs

BERNADETTE T SOWALLA

Defendant,

AFFIDAVIT

I, PATRICK BRENNAN being first duly sworn deposes and states:


That I am the Supervisor of ASSET ACCEPTANCE, LLC a Limited Liability company organized and existing under the laws of the State of Delaware and doing business at P.O. BOX 2041, WARREN, MI 48090.

That there is justly due and owing on the account, the sum of \$10900.60 representing the charged off amount and interest.

That the said account originally with HSBC CONSUMER LENDING USA/, account number 71174200550295, has been purchased by ASSET ACCEPTANCE, LLC, who now owns said account and has all rights connected therewith including the right to institute this action.

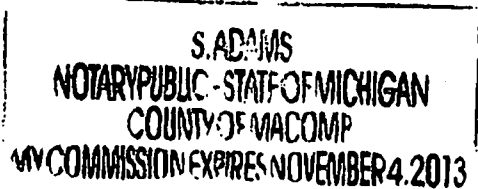
That we have been unable to determine if the Defendant is in the military service of the United States of America. Further, we are unable to determine if the Defendant is entitled to rights and privileges provided under the Servicemembers Civil Relief Act.

Dated this 14th day of July, 2008.

  
Supervisor

Subscribed and sworn to before me, a Notary Public for the State of Michigan, the 14th of July, 2008 as certified by my hand as set forth immediately below.

  
Notary Public



# Exhibit B



## ASSET ACCEPTANCE LLC

P.O. Box 2036  
Warren, MI 48090

BERNADETTE T SOWALLA  
329 SHEPHERD RD  
CHERRY TREE, PA 15724-8505

ACCOUNT NUMBER	CURRENT BALANCE
71174200550295	\$10900.60
STATEMENT DATE	DUE DATE
JUL 14 2008	DUE

ACCOUNT NUMBER
71174200550295

DATE OF LAST PAYMENT
07/03/06

DATE	REFERENCE NO	ACCOUNT INFORMATION	BALANCE DUE
JUL 14 2008	35528720	BALANCE DUE ASSET ACCEPTANCE LLC, A LIMITED LIABILITY COMPANY ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, ASSIGNEE OF 71174200550295 P.O. Box 2036, Warren, MI 48090	\$10900.60

DATE OF DELINQUENCY
08/04/06

PURCHASED ON
11/27/07

CHARGE OFF AMOUNT*
\$9153.60

INTEREST RATE
18.00%

SERVICE ADDRESS (IF APPLICABLE)

INTEREST DUE AS OF JUL 14 2008
\$1747.00

\*For purposes of this Statement only, Charge Off Amount reflects credits for payments received by Asset, if any.

THIS COMMUNICATION IS FROM A DEBT COLLECTOR

35528720  
1059 EDWIN A ABRAHAMSEN



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

NO: 08-1987-CD

ASSET ACCEPTANCE LLC  
vs  
BERNADETTE T. SOWALLA

SERVICE # 1 OF 1

COMPLAINT

SERVE BY: 11/15/2008 HEARING: PAGE: 104814

DEFENDANT: BERNADETTE T. SOWALLA  
ADDRESS: 329 SHEPHERD RD  
CHERRY TREE, PA 15724-8505

*This Address is in  
Cambria Co., Pa*

**FILED**

*9/8:30 AM*  
**DEC 11 2008**

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/PIC

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT

OCCUPIED

ATTEMPTS

William A. Shaw

Prothonotary/Clerk of Courts

**SHERIFF'S RETURN**

NOW, \_\_\_\_\_ AT \_\_\_\_\_ AM / PM **SERVED** THE WITHIN

COMPLAINT ON BERNADETTE T. SOWALLA, DEFENDANT.

BY HANDING TO \_\_\_\_\_ / \_\_\_\_\_

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

ADDRESS SERVED \_\_\_\_\_

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

COMPLAINT FOR BERNADETTE T. SOWALLA

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

NOW 11-6-08 AT 9:56 (AM) PM AFTER DILIGENT SEARCH IN MY BAILIWICK,

I MAKE RETURN OF **NOT FOUND** AS TO BERNADETTE T. SOWALLA

REASON UNABLE TO LOCATE Def. living in Vintondale, Pa, Cambria Co.

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

I hereby certify this to be true and  
attested copy of the original  
statement filed in this case.

ASSET ACCEPTANCE LLC  
PO Box 2036  
Warren, MI 48090

Plaintiff

CIVIL ACTION

OCT 16 2008

Attest.

*William R. H.*  
Prothonotary/  
Clerk of Courts

vs.

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329 SHEPHERD RD  
CHERRY TREE PA 15724-8505

Defendant

NO: 2008-1987-CD

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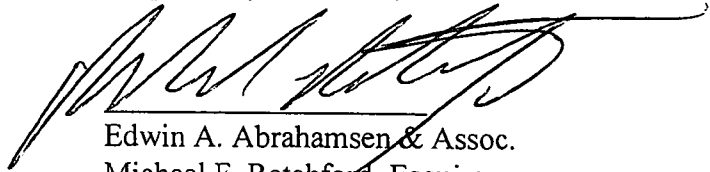
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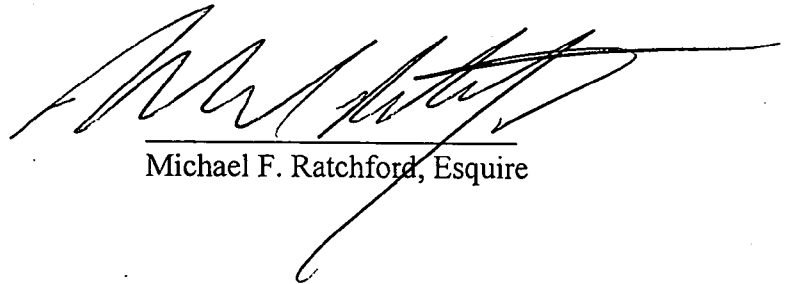
Respectfully submitted,

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Edwin A. Abrahamsen & Assoc.  
Michael F. Ratchford, Esquire  
Heather K. Woodruff, Esquire  
Attorney I.D. Nos.: 86285/207805  
1729 Pittston Avenue  
Scranton, PA 18505  
mratchford@eaa-law.com  
hwoodruff@eaa-law.com

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A handwritten signature in black ink, appearing to read 'Michael F. Ratchford', is written over a horizontal line. The signature is stylized with a large initial 'M' and a long, sweeping horizontal stroke extending to the right.

Michael F. Ratchford, Esquire

Exhibit

STATE OF MICHIGAN )  
COUNTY OF MACOMB ) SS

ASSET ACCEPTANCE, LLC )

Plaintiff, )

vs )

BERNADETTE T SOWALLA )

Defendant, )

AFFIDAVIT

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Dated this 14th day of July, 2008.

  
Supervisor

Subscribed and sworn to before me, a Notary Public for the State of Michigan, the 14th of July, 2008 as certified by my hand as set forth immediately below.

  
Notary Public

S. ADAMS  
NOTARY PUBLIC - STATE OF MICHIGAN  
COUNTY OF MACOMB  
MY COMMISSION EXPIRES NOVEMBER 4, 2013

# Exhibit B



## ASSET ACCEPTANCE LLC

P.O. Box 2036  
Warren, MI 48090

BERNADETTE T SOWALLA  
329 SHEPHERD RD  
CHERRY TREE, PA 15724-8505

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DATE OF DELINQUENCY
08/04/06

PURCHASED ON
11/27/07

CHARGE OFF AMOUNT*
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INTEREST RATE
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SERVICE ADDRESS (IF APPLICABLE)

INTEREST DUE AS OF JUL 14 2008
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THIS COMMUNICATION IS FROM A DEBT COLLECTOR

35528720  
1059 EDWIN A ABRAHAMSEN



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 104814  
NO: 08-1987-CD  
SERVICES 1  
COMPLAINT

PLAINTIFF: ASSET ACCEPTANCE LLC  
vs.  
DEFENDANT: BERNADETTE T. SOWALLA

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	ABRAHAMSEN	018840	10.00
SHERIFF HAWKINS	ABRAHAMSEN	018840	56.12

<sup>S</sup> FILED  
013:52/61  
FEB 10 2009  
William A. Shaw  
Prothonotary/Clerk of Courts

Sworn to Before Me This

\_\_\_\_\_ Day of \_\_\_\_\_ 2009

So Answers,



Chester A. Hawkins  
Sheriff

ASSET ACCEPTANCE LLC

Plaintiff

vs.

BERNADETTE T SOWALLA  
120 MORNING GLORY RD  
Vintondale PA 15961-9218

Defendant

In the Court of Common Pleas of  
CLEARFIELD County, Pennsylvania  
Civil Division

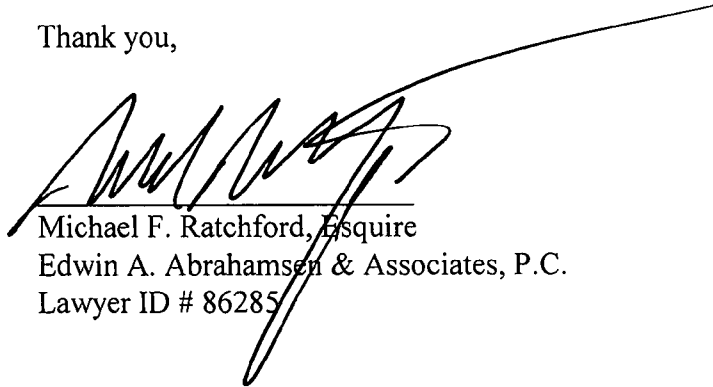
NO: 2008-1987-CD

Praeipce to Withdraw Civil Complaint

To the Prothonotary of CLEARFIELD County Pennsylvania:

Please enter the above Praeipce to Withdraw the Civil Complaint.

Thank you,

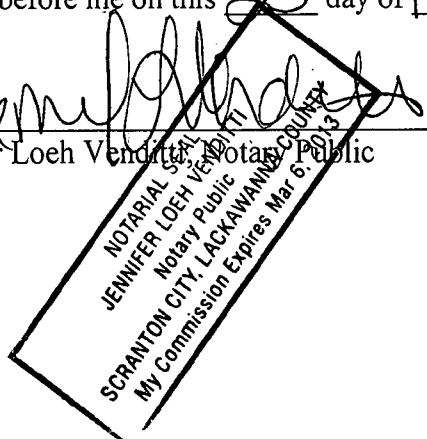
  
Michael F. Ratchford, Esquire  
Edwin A. Abrahamsen & Associates, P.C.  
Lawyer ID # 86285

*S* **FILED** *acc Ratchford*  
*m/1:35pm Ratchford*  
**APR 27 2009**

William A. Shaw  
Prothonotary/Clerk of Courts

Sworn and subscribed before me on this 23rd day of April 2009

  
Jennifer Loeh Venditt, Notary Public



**FILED**

**APR 27 2009**

William A. Shaw  
Prothonotary/Clerk of Courts

