

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

: CIVIL ACTION

Plaintiff

vs.

BERNADETTE T SOWALLA

329 SHEPHERD RD

CHERRY TREE PA 15724-8505

Defendant

: NO: 2008-1987-C0

9
FILED

OCT 16 2008

11:40 AM

William A. Shaw
Prothonotary/Clerk of Courts

Clerk to Staff
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.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ON AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT REDUCED FEE OR NO FEE.

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 : CIVIL ACTION
Warren, MI 48090 :
Plaintiff :
:
:
vs. :
: NO:
BERNADETTE T SOWALLA :
329 SHEPHERD RD :
CHERRY TREE PA 15724-8505 :
Defendant :
:
:

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.

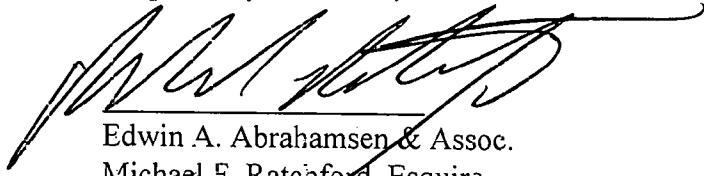
12. Pursuant to the account agreement, any unpaid balance accrues interest at the rate of 18.

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.

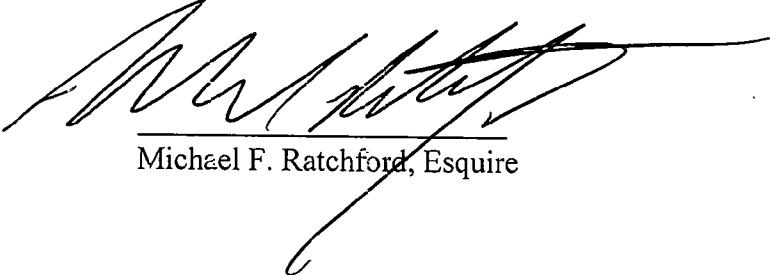
Respectfully submitted,



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

AA8-1069

STATE OF MICHIGAN)
COUNTY OF MACOMB) ss
ASSET ACCEPTANCE, LLC)
Plaintiff,)
vs)
BERNADETTE T SOWALLA)
Defendant,)
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.



Linda S. Johnson
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.

Releasued

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

35528720
1059 EDWIN A ABRAHAMSEN

106°

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		DATE OF LAST PAYMENT	
71174200550295		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	PURCHASED ON	CHARGE OFF AMOUNT*	INTEREST RATE
08/04/06	11/27/07	\$9153.60	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

LM

William A. Shaw
Prothonotary/Clerk of Courts

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/PIC

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT OCCUPIED

ATTEMPTS

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

CIVIL ACTION

Attest.

Willa A. C.
Prothonotary/
Clerk of Courts

Plaintiff

vs.

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

Defendant

NO: 2008-1987-CD

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CHERRY TREE PA 15724-8505

Defendant :

: NO:

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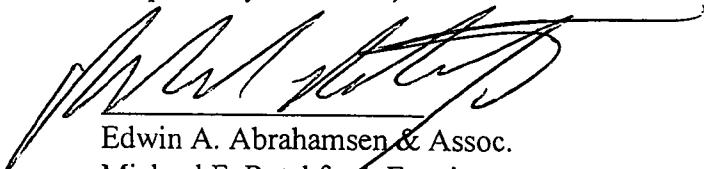
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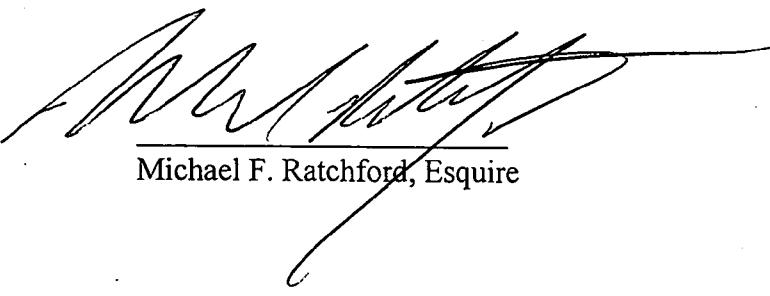
Respectfully submitted,



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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Michael F. Ratchford, Esquire

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COUNTY OF MACOMB) ss
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vs)
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Defendant,)
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Dated this 14th day of July, 2008.


Linda S. Ritter
Supervisor

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.

S. Collema
Notary Public

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
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THIS COMMUNICATION IS FROM A DEBT COLLECTOR

35528720
1059 EDWIN A ABRAHAMS

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

S
FILED
013:52 AM
FEB 10 2009
William A. Shaw
Prothonotary/Clerk of Courts

Sworn to Before Me This

So Answers,

____ Day of _____ 2009



Chester A. Hawkins
Sheriff

ASSET ACCEPTANCE LLC

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

: Praeclipe to Withdraw Civil Complaint

To the Prothonotary of CLEARFIELD County Pennsylvania:

Please enter the above Praeclipe to Withdraw the Civil Complaint.

Thank you,

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

5/1/35cm Ratchford
APR 27 2009
WASH
FILED acc AMY

William A. Shaw
Prothonotary/Clerk of Courts

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

Jennifer Loeh Venditti
NOTARIAL SEAL
JENNIFER LOEH VENDITTI
Notary Public
SCRANTON, Lackawanna County, PA
My Commission Expires Mar 6, 2013

FILED

APR 27 2009

William A. Shaw
Prothonotary/Clerk of Courts

