

08-2089-CD
Dell Financial vs Benjamin M. Miller

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

Attorney for Plaintiff,
DELL FINANCIAL SERVICES L.L.C.

DELL FINANCIAL SERVICES L.L.C.
c/o Blatt, Hasenmiller, Leibske & Moore, LLC
P.O. Box C3800
Southeastern, PA 19398
Plaintiff,
vs.
BENJAMIN M MILLER
6644 MAHAFFEY GRAMPIAN HWY
MAHAFFEY PA 15757-5706
Defendant(s).

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PA
CIVIL ACTION
No. 08-2089-CD

**PRAECIPE TO ENTER APPEARANCE AND ENTER JUDGMENT
AND CERTIFICATION OF ADDRESSES**

TO THE PROTHONOTARY:

Kindly **ENTER** my **APPEARANCE** on behalf of and **ENTER JUDGMENT** in favor of the **PLAINTIFF DELL FINANCIAL SERVICES L.L.C.** in this matter and against the **DEFENDANT BENJAMIN M MILLER** in the amount of **\$3755.81** in accordance with the judgment entered in the attached certified Notice of Judgment/Transcript. The amount herein may be lower than the judgment amount to reflect payments already made by the defendant.

I, **DAVID C. JENKINS**, hereby **CERTIFY** that the names and addresses of the plaintiff and defendant(s) are true and correct as designated in the above caption of this case.

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

Dated: October 21, 2008

By:

David C. Jenkins

S
FILED Atty pd. 20.00
m 11:41 2008
OCT 31 2008 1CC9 Notice
to Def.
William A. Shaw
Prothonotary/Clerk of Courts
Statement to
Atty

2088250
PPTXDJJI

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: CLEARFIELD

CIVIL COMPLAINT

Magisterial District Number: 46-3-04
MDJ Name: Hon. JAMES HAWKINS
Address: 430 SPRING ST., SUITE 3 PO BOX 362 HOUTZDALE, PA 16651
Telephone: (814) 376-7160

PLAINTIFF: NAME and ADDRESS
DELL FINANCIAL SERVICES L.L.C.
C/O Blatt, Hasenmiller, Leibsker & Moore, LLC
P.O. Box C3800
Southeastern, PA 19398

VS.

DEFENDANT: NAME and ADDRESS
BENJAMIN M MILLER
6644 MAHAFFEY GRAMPIAN HWY
MAHAFFEY PA 15757-5706

Docket No.:
Date Filed:

	AMOUNT	DATE PAID
FILING COSTS	\$ _____	/ /
POSTAGE	\$ _____	/ /
SERVICE COSTS	\$ _____	/ /
CONSTABLE ED.	\$ _____	/ /
TOTAL	\$ _____	/ /

Pa.R.C.P.D.J. No. 206 sets forth those costs recoverable by the prevailing party.

TO THE DEFENDANT: The above named plaintiff(s) asks judgment against you for \$3590.33 together with costs upon the following claim (Civil fines must include citation of the statute or ordinance violated):

Unpaid balance of credit account #6879450129012001593. After applying all known charges and payments to the account as of this date, the net balance is currently \$3590.33. Plaintiff demands \$3590.33 plus costs.

I, David C. Jenkins, Esquire verify that the facts set forth in this complaint are true and correct to the best of my knowledge, information, and belief. This statement is made subject to the penalties of Section 4904 of the Crimes Code (18 PA. C.S. Sec. 4904) related to unsworn falsification to authorities.



(Signature of Plaintiff or Authorized Agent)

Plaintiff's
Attorney: David C. Jenkins, Esquire #85769
Telephone: (800) 850-1079

Address: PO BOX C3800
Southeastern PA 19398

IF YOU INTEND TO ENTER A DEFENSE TO THIS COMPLAINT, YOU SHOULD SO NOTIFY THIS OFFICE IMMEDIATELY AT THE ABOVE TELEPHONE NUMBER. YOU MUST APPEAR AT THE HEARING AND PRESENT YOUR DEFENSE. UNLESS YOU DO, JUDGMENT MAY BE ENTERED AGAINST YOU BY DEFAULT.

If you have a claim against the plaintiff which is within magisterial district judge jurisdiction and which you intend to assert at the hearing, you must file it on a complaint form at this office at least five (5) days before the date set for the hearing.

If you are disabled and require a reasonable accommodation to gain access to the Magisterial District Court and its services, please contact the Magisterial District Court at the above address or telephone number. We are unable to provide transportation.

AOPC 308A-05

2088250
PPTCSCCI

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:

46-3-04

MDJ Name: Hon.

JAMES L. HAWKINS
Address: **251 SPRING ST**
PO BOX 362
HOOTZDALE, PA

Telephone: **(814) 378-7160**

16651-0362

C/O BLATT, HASENMILLER, LEIBSKER ETC
PO BOX C3800
SOUTHEASTERN, PA 19398

2088250
**NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE**

PLAINTIFF:

NAME and ADDRESS
DELL FINANCIAL SERVICES, LLC
PO BOX C3800
SOUTHEASTERN, PA 19398

DEFENDANT:

NAME and ADDRESS
MILLER, BENJAMIN M
6644 MAHAFF/GRAMP HY
MAHAFFEY, PA 15757

Docket No.: **CV-0000071-08**
Date Filed: **6/30/08**



THIS IS TO NOTIFY YOU THAT:

Judgment: **DEFAULT JUDGMENT PLTF** (Date of Judgment) **9/04/08**

<input checked="" type="checkbox"/> Judgment was entered for: (Name) C/O BLATT, HASENMILLER, LEIBSKER	<table border="1"><tr><td>Amount of Judgment</td><td>\$ 3,590.33</td></tr><tr><td>Judgment Costs</td><td>\$ 165.48</td></tr><tr><td>Interest on Judgment</td><td>\$.00</td></tr><tr><td>Attorney Fees</td><td>\$.00</td></tr><tr><td>Total</td><td>\$ 3,755.81</td></tr><tr><td>Post Judgment Credits</td><td>\$ </td></tr><tr><td>Post Judgment Costs</td><td>\$ </td></tr><tr><td colspan="2">Certified Judgment Total \$ </td></tr></table>	Amount of Judgment	\$ 3,590.33	Judgment Costs	\$ 165.48	Interest on Judgment	\$.00	Attorney Fees	\$.00	Total	\$ 3,755.81	Post Judgment Credits	\$ 	Post Judgment Costs	\$ 	Certified Judgment Total \$ 	
Amount of Judgment		\$ 3,590.33															
Judgment Costs		\$ 165.48															
Interest on Judgment		\$.00															
Attorney Fees		\$.00															
Total		\$ 3,755.81															
Post Judgment Credits	\$ 																
Post Judgment Costs	\$ 																
Certified Judgment Total \$ 																	
<input type="checkbox"/> Defendants are jointly and severally liable.																	
<input type="checkbox"/> Damages will be assessed on Date & Time _____																	
<input type="checkbox"/> This case dismissed without prejudice.																	
<input type="checkbox"/> Amount of Judgment Subject to Attachment/42 Pa.C.S. § 8127 \$ _____																	
<input type="checkbox"/> Portion of Judgment for physical damages arising out of residential lease \$ _____																	

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.

9-4-08 Date James L. Hawkins, Magisterial District Judge

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

10-16-08 Date James L. Hawkins, Magisterial District Judge

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

SEAL

DELL FINANCIAL SERVICES L.L.C.

Plaintiff,

vs.

BENJAMIN M MILLER

Defendant(s).

IN THE COURT OF COMMON PLEAS

CLEARFIELD COUNTY, PA

CIVIL ACTION

No. 08-2089-CD

TO: BENJAMIN M MILLER

NOTICE PURSUANT TO Pa.R.C.P. 236

NOTICE IS GIVEN THAT A JUDGMENT IN THE ABOVE CAPTIONED MATTER HAS BEEN
ENTERED AGAINST YOU.

PROTHONOTARY

Dated: 10/31/08

By: Willie M. Morgan

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

Attorney of Record for Plaintiff:

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

2088250
PPTNDJJI

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

Dell Financial Services L.L.C.
Plaintiff(s)

No.: 2008-02089-CD

Real Debt: \$3,755.81

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Benjamin M. Miller
Defendant(s)

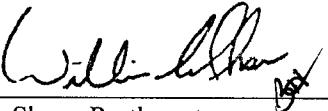
Entry: \$20.00

Instrument: DJ Judgment

Date of Entry: October 31, 2008

Expires: October 31, 2013

Certified from the record this 31st day of October, 2008



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

Blatt, Hasenmiller, Leibske & Moore, LLC
Daniel Santucci,
Attorney I.D. #92800
1835 Market Street, Suite 501
Philadelphia, PA 19103
610-902-0644

Attorney for Plaintiff,
DELL FINANCIAL SERVICES LLC

DELL FINANCIAL SERVICES LLC
c/o Blatt, Hasenmiller, Leibske & Moore, LLC
Plaintiff,
vs.
BENJAMIN M MILLER
211 JENKS AVE
PUNXSUTAWNEY PA 15767-1503
Defendant(s).
AND
FIRST COMMONWEALTH BANK
14303 CLEARFIELD SHAWVILL
CLEARFIELD, PA 16830
Garnishee

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PA
CIVIL ACTION
No. 08-2089-CD

PRAECIPE FOR WRIT OF EXECUTION

TO THE PROTHONOTARY:

Kindly **ISSUE** a **WRIT OF EXECUTION** in the above matter, directed to the Sheriff of

Clearfield County:

(1) against BENJAMIN M MILLER defendant[s]
(2) against FIRST COMMONWEALTH BANK garnishee[s]

REAL DEBT \$ 3590.33
INTEREST \$ 563.63
From 10-31-08
COST PAID \$ _____
Prothonotary
SHERIFF \$ _____
STATUTORY \$ _____
COSTS DUE \$ _____
Prothonotary costs 40.00



Daniel J. Santucci #92800
Attorney for Plaintiff

FILED Atty pd.
MAY 20 2009 20.00
JUN 20 2009 4CC & 4 Wnts
S William A. Shaw
Prothonotary/Clerk of Courts to Sheriff

2088250
PPTGPWEI

Blatt, Hasenmiller, Leibske & Moore, LLC
Daniel Santucci,
Attorney I.D. #92800
1835 Market Street, Suite 501
Philadelphia, PA 19103
610-902-0644

Attorney for Plaintiff,
DELL FINANCIAL SERVICES LLC

DELL FINANCIAL SERVICES LLC
c/o Blatt, Hasenmiller, Leibske & Moore, LLC
Plaintiff,
vs.
BENJAMIN M MILLER
211 JENKS AVE
PUNXSUTAWNEY PA 15767-1503
Defendant(s).
AND
FIRST COMMONWEALTH BANK
14303 CLEARFIELD SHAWVILL
CLEARFIELD, PA 16830
Garnishee

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PA
CIVIL ACTION
No. 08-2089-CD

WRIT OF EXECUTION - NOTICE

This paper is a writ of execution. It has been issued because there is a judgment against you. It may cause your property to be held or taken to pay the judgment. You may have rights to prevent your property from being taken. A lawyer can advise you more specifically of these rights. If you wish to exercise your rights, you must act promptly.

The law provides that certain property cannot be taken. Such property is said to be exempt. There is a debtor's exemption of \$300.00. There are other exemptions that may be applicable to you. Attached is a summary of some of the major exemptions. You may have other exemptions or other rights.

If you have an exemption, you should do the following promptly:

- (1) Fill out the claim form and demand a prompt hearing.
- (2) Deliver the form or mail it to the sheriff's office at the address noted.

You should come to court ready to explain your exemption. If you do not come to court and prove your exemption, you may lose some of your property.

This and any future communication from our debt collection firm are attempts to collect a debt and information obtained will be used for that purpose.

**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.**

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
100 SOUTH ST.
P.O. BOX 1865
HARRISBURG, PA 17108

AVISO

Le han demandado a usted en la corte. Si usted quiere defendarse de estas demandas expuestas en las páginas siguientes, usted tiene veinte días de plazo al partir de la fecha de la demanda y la notificación. Hace falta asistir una comparecencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Se avisa a que si usted no se defiende la corte tomará medidas y puede continuar la demanda en contra suya sin previo aviso o notificación. Además, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE, SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFFICIENTE DE PAGAR TAL SERVICIO, VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL.

SERVICIO DE REFERENCIA LEGAL
100 SOUTH ST.
P.O. BOX 1865
HARRISBURG, PA 17108
1-800-692-7375

MAJOR EXEMPTIONS UNDER PENNSYLVANIA AND FEDERAL LAW

- (1) \$300.00 statutory exemption
- (2) Bibles, school books, sewing machines, uniforms, and equipment
- (3) Most wages and unemployment compensation
- (4) Social Security benefits
- (5) Certain retirement funds and accounts
- (6) Certain veteran and armed forces benefits
- (7) Certain insurance proceeds
- (8) Such other exemptions as may be provided by law

Blatt, Hasenmiller, Leibske & Moore, LLC
Daniel Santucci,
Attorney I.D. #92800
1835 Market Street, Suite 501
Philadelphia, PA 19103
610-902-0644

Attorney for Plaintiff,
DELL FINANCIAL SERVICES LLC

DELL FINANCIAL SERVICES LLC
c/o Blatt, Hasenmiller, Leibske & Moore, LLC
Plaintiff,
vs.
BENJAMIN M MILLER
211 JENKS AVE
PUNXSUTAWNEY PA 15767-1503
Defendant(s).
AND
FIRST COMMONWEALTH BANK
14303 CLEARFIELD SHAWVILL
CLEARFIELD, PA 16830
Garnishee

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PA
CIVIL ACTION
No. 08-2089-CD

WRIT OF EXECUTION

TO THE SHERIFF OF Clearfield COUNTY:

To satisfy judgment, interest and costs against: BENJAMIN M MILLER defendant[s]

- (1) You are directed to levy upon the property of the defendant[s] and to sell defendant[s] interest therein:
- (2) You are also directed to attach the property of the defendant[s] not levied upon in the possession of garnishee[s]

FIRST COMMONWEALTH BANK a bank account held by the defendant.

[All sums due defendant[s] from garnishee[s]. All property of defendant[s] possessed by garnishee[s]. All accounts including all savings, checking and other accounts, certificates of deposit, notes receivables, collateral, pledges, documents of title, securities, coupons and safe deposit boxes, especially account no[s].

And to notify the garnishee[s] that

- (a) an attachment has been issued: FIRST COMMONWEALTH BANK 14303 CLEARFIELD SHAWVILL CLEARFIELD
- (b) except as provided in paragraph (c), the garnishee is enjoined from paying any debt to or for the account of the defendant and from delivering any property of the defendant or otherwise depositing 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.

(3) 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[s], you are directed to notify [him] [her] [them] that [he] [she] [they] has [have] been added as garnishee[s] and are enjoyed as above stated.

REAL DEBT	\$ <u>3,590.33</u>	Prothonotary
INTEREST From 10-31-08	\$ <u>563.863</u>	
COST PAID Prothonotary	\$ _____	BY <u>W.C. S.</u> clerk
SHERIFF	\$ _____	
STATUTORY	\$ _____	DATE <u>6/20/11</u>
COSTS DUE	\$ _____	
Prothonotary costs	<u>40.00</u>	


Daniel J. Santucci

IN THE COURT OF COMMON PLEAS OF Clearfield

CIVIL DIVISION

Plaintiff DELL FINANCIAL SERVICES LLC Docket Number 08-2089-CD

vs

Defendant BENJAMIN M MILLER Form of Action _____

CLAIM FOR EXEMPTION

To the Sheriff:

I, the above-named defendant, claim exemption of property from levy or attachment:

(1) From my personal property in my possession which has been levied upon,
(a) I desire that my \$300 statutory exemption be
 (i) set aside in kind (specify property to be set aside in kind):

(ii) paid in cash following the sale of the property levied upon; or
(b) I claim the following exemption; specify property and basis of exemption

(2) From my property which is in the possession of a third party

(a) My \$300 statutory exemption in cash in kind (specify property)

(b) Social Security benefits on deposit in the amount of \$ _____
(c) Other (specify amount and basis of exemption)

I request a prompt court hearing to determine the exemption. Notice of the hearing should be given to

me at _____
(Address) _____ (Phone Number) _____

I verify that the statements made in this Claim for Exemption are true and correct. I understand that that false statements herein are made subject to the penalties of 18 Pa.C.S Section 4904 relating to unsworn falsification to authorities.

Date: _____ Defendant Signature _____

To Deputy 6/21/11

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
NO: 08-2089-CD

DELL FINANCIAL SERVICES LLC

vs

BENJAMIN M. MILLER

TO: FIRST COMMONWEALTH BANK, Garnishee

SERVICE # 1 OF 2

WRIT OF EXECUTION, INTERROGATORIES TO GARNISHEE

SERVE BY: 09/18/2011

HEARING:

PAGE: 108586

DEFENDANT: FIRST COMMONWEALTH BANK, Garnishee

ADDRESS: 14303 CLEARFIELD SHAWVILLE

CLEARFIELD, PA 16830

09/18/2011
10:16am

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: GARNISHEE

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT OCCUPIED

ATTEMPTS

SHERIFF'S RETURN

NOW, 6-23-11 AT 9:13 AM/ PM SERVED THE WITHIN

WRIT OF EXECUTION, INTERROGATORIES TO GARNISHEE ON FIRST COMMONWEALTH BANK, Garnishee,
DEFENDANT

BY HANDING TO Kim Brughman, PI

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

ADDRESS SERVED 14303 Clearfield-Shawville, Clearfield, PA
16830

NOW _____ AT _____ AM / PM POSTED THE WITHIN

WRIT OF EXECUTION, INTERROGATORIES TO GARNISHEE FOR FIRST COMMONWEALTH BANK, Garnishee

AT (ADDRESS) _____

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

I MAKE RETURN OF **NOT FOUND** AS TO FIRST COMMONWEALTH BANK, Garnishee

REASON UNABLE TO LOCATE _____

SWORN TO BEFORE ME THIS

So Answers: CHESTER A. HAWKINS, SHERIFF

BY:

James E. Davis
Deputy Signature

JAMES E. Davis
Print Deputy Name

DAY OF 2011

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

Dkt Pg. 108586

2 of 2

DELL FINANCIAL SERVICES LLC
-vs-
BENJAMIN M. MILLER
TO: FIRST COMMONWEALTH BANK, Garnishee

NO. 08-2089-CD
WRIT OF EXECUTION/
INTERROGATORIES TO
GARNISHEE

SHERIFF'S RETURN

NOW JUNE 27, 2011 MAILED THE WITHIN:
PRAECIPE, WRIT, WRIT NOTICE & CLAIM FOR EXEMPTION
TO: BENJAMIN M. MILLER, DEFENDANT
AT: 211 JENKS AVE., PUNXSUTAWNEY, PA. 15767-1503
IN THE S.A.S.E.

07/38cm
7/2011
S
William A. Shar
Prothonotary Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 108586
NO: 08-2089-CD
SERVICES 2
WRIT OF EXECUTION, INTERROGATORIES TO GARNISHEE

PLAINTIFF: DELL FINANCIAL SERVICES LLC
VS.

DEFENDANT: BENJAMIN M. MILLER
TO: FIRST COMMONWEALTH BANK, Garnishee

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	BLATT	49043	20.00
SHERIFF HAWKINS	BLATT	49043	28.00

Sworn to Before Me This

So Answers,

____ Day of _____ 2011

Chester A. Hawkins
by Marilyn Hamer
Chester A. Hawkins
Sheriff

RECEIVED

JUN 23 2011

Blatt, Hasenmiller, Leibsker & Moore, LLC
Daniel Santucci,
Attorney I.D. #92800
1835 Market Street, Suite 501
Philadelphia, PA 19103
610-902-0644

Attorney for Plaintiff,
DELL FINANCIAL SERVICES LLC

4 FILED NO
M 7/11/2011
JUN 23 2011
William A. Shaw
Prothonotary/Clerk of Courts
610

DELL FINANCIAL SERVICES LLC
c/o Blatt, Hasenmiller, Leibsker & Moore, LLC

Plaintiff,

vs.

BENJAMIN M MILLER

Defendant(s).

IN THE COURT OF COMMON PLEAS

CLEARFIELD COUNTY, PA

CIVIL ACTION

No. 08-2089-CD

For all answers to this and the foregoing Interrogatories, see Exhibit "A" attached hereto and made part of hereof.

Interrogatories to Garnishee

To FIRST COMMONWEALTH BANK, Garnishee:

You are required to file Answers to the following Interrogatories within 20 days after service upon you.

1. At the time you were served or at any subsequent time did you owe the defendant any money or were you liable to the defendant?
2. At the time you were served or any subsequent time thereafter, was there in your possession, custody, control or in joint possession, custody and control, any property of the defendant?
3. At the time you were served or any subsequent time did you hold legal title to any property of any nature owned solely or in part by the defendant(s) or in which the defendant held or claimed any interest?
4. At the time you were served or at any subsequent time did you hold as fiduciary any property in which the defendant(s) had any interest?

2088250
PPTGINTI

5. At any time before or after you were served did the defendant(s) transfer or deliver any property to you or to any person or place pursuant to your direction or consent and what was the consideration thereof?
6. At any time after you were served did you pay, transfer or deliver any money or property to the defendant(s) or to any person or place pursuant to the defendant's direction or otherwise discharge any claim of the defendant(s) against you?
7. If you are a bank or other financial institution, at the time you were served or any subsequent time did the defendant 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 and the entity electronically depositing those funds on a recurring basis.
8. 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 the funds on deposit, not including any otherwise exempt funds, did not exceed the amount of the general exemption under 42 Pa.C.S Sec.8123? If so, identify each account.
9. How much is the value of any property in your possession belonging to the defendant(s)?
10. In the space below, the plaintiff may set forth additional appropriate interrogatories.



Daniel Santucci, Attorney No. 92800

EXHIBIT "A"

ANSWERS TO INTERROGATORIES

1. No
2. Yes, checking account number 7110320408 into Benjamin M. Miller, account receives Unemployment Compensation Benefits, which is exempt from attachment. Therefore no funds were held. Holiday club account number 00336000046578 into Benjamin M. Miller with a current balance of zero.
3. No
4. No
5. No
6. No
7. Yes, checking account number 7110320408 receives Unemployment Compensation Benefits.
8. See #2 above
9. All of the above
10. N/A

VERIFICATION

COMMONWEALTH OF PENNSYLVANIA)
COUNTY OF INDIANA)

On this 24th day of June 2011 before me, the undersigned officer, a Notary Public in and for said Commonwealth and County, personally appeared LEDA E MCCRACKEN, who being duly sworn according to law, acknowledged that she is Assistant Vice President of First Commonwealth Bank, and that the facts set forth in the foregoing Interrogatories are true and correct to the best of her knowledge and belief.

Leda E McCracken

Leda E. McCracken, Asst. Vice President
First Commonwealth Bank

Sworn and subscribed to before me
This 24th day of June 2011

Susan L. Lindenberg
Notary Public

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
SUSAN L. LINDBERG, NOTARY PUBLIC
INDIANA BOROUGH, INDIANA COUNTY
MY COMMISSION EXPIRES APRIL 10, 2014

CERTIFICATE OF SERVICE

I hereby certify that on June 24, 2011 I have this day caused to be served a true and correct copy of this ANSWERS TO INTERROGATORIES upon the following parties:

VIA CERTIFIED U.S. MAIL

*Benjamin M. Miller
211 Jenks Ave.
Punxsutawney, PA 15767-1503*

As Defendant

VIA REGULAR U.S. MAIL

*Daniel Santucci, Esquire
Blatt, Hasenmiller, Leibske & Moore, LLC
1835 Market Street, Suite 501
Philadelphia, PA 19103*

As Plaintiff



Leda E. McCracken
Assistant Vice President
First Commonwealth Bank