

MIDLAND FUNDING LLC

: NO. 08-2127-CD

ASSIGNEE OF ASPIRE
8875 AERO DRIVESAN DIEGO CA 92123
Plaintiff

vs.

TRACY A KRUIES

Defendant(s)

PRAECIPE FOR JUDGMENT

FILED
mtd:5561
NOV 07 2008
William A. Shaw
Prothonotary/Clerk of Courts
Atty pd. 20.00
cc Notice to Def.
Statement to Atty

Please enter Judgment in favor of Plaintiff and against Defendant(s),
TRACY A KRUIES and
pursuant to the District Justice Transcript.

(X) Amount due \$ 1328.16
TOTAL \$ 1328.16 , plus interest and costs

(X) I certify that the foregoing assessment of damages is for specified
amounts alleged to be due in the complaint and is calculable as a sum certain from
the complaint.

(X) Pursuant to Pa.R.C.P. 237 (Notice of Praecipe for final judgment or
decree), I certify that a copy of this praecipe has been mailed to each other party
who has appeared in the action or to his/her Attorney of Record.

() Pursuant to Pa.R.C.P. 237.1, I certify that written notice of the intention
to file this praecipe was mailed or delivered to the party against whom judgment
is to be entered and to his/her Attorney of Record, if any, after the default
occurred and at least ten days prior to the date of the filing of this praecipe and
a copy of the notice is attached.

DATE: 10/30/08 Signature:

David R. Galloway #87326/Philip C. Warholc #86341
Sarah E. Ehasz #86469/Robert N. Polas, Jr. #201259
Amy F. Doyle #87062
Mann Bracken LLC / Counsel for Plaintiff
The Successor by Merger to Wolpoff & Abramson, LLP
and Eskanos & Adler, P. C.
4660 Trindle Road, Suite 300, Camp Hill, PA 17011
Telephone: (717) 303-6700 Fax: (717) 737-9051

NOW, November 7, 2008, JUDGMENT IS ENTERED AS ABOVE.

Prothonotary/Clerk, Civil Division

By: _____
Deputy

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

8/18/08
**NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE**

Mag. Dist. No.:

46-3-01

MDJ Name: Hon.

PATRICK N. FORD

Address:

309 MAPLE AVENUE

PO BOX 452

DUBOIS, PA

Telephone: **(814) 371-5321**

15801

PLAINTIFF:

NAME and ADDRESS

MIDLAND FUNDING, LLC

4660 TRINDLE ROAD APT/STE 300

%WOLPOFF & ABRAMSON

CAMP HILL, PA 17011

VS.

DEFENDANT:

NAME and ADDRESS

KRUIES, TRACY A

161 CHAPMAN TRAILER CT

DUBOIS, PA 15801

MIDLAND FUNDING, LLC
4660 TRINDLE ROAD APT/STE 300
%WOLPOFF & ABRAMSON
CAMP HILL, PA 17011

Docket No.: **CV-0000251-08**

Date Filed: **6/03/08**



THIS IS TO NOTIFY YOU THAT:

Judgment: **DEFAULT JUDGMENT PLTF** (Date of Judgment) **7/14/08**

☒ Judgment was entered for: (Name) **MIDLAND FUNDING, LLC**

☒ Judgment was entered against: (Name) **KRUIES, TRACY A**
in the amount of \$ **1,328.16**

☐ 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 | \$ 1,249.16 |
| Judgment Costs | \$ 79.00 |
| Interest on Judgment | \$.00 |
| Attorney Fees | \$.00 |

Total \$ **1,328.16**

Post Judgment Credits \$ _____
Post Judgment Costs \$ _____

Certified Judgment Total \$ _____

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.

7-14-08 Date **Patrick N. Ford**, Magisterial District Judge

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

8-21-08 Date **Patrick N. Ford**, Magisterial District Judge

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

SEAL

AOPC 315-07

DATE PRINTED: 7/14/08 8:13:00 AM

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

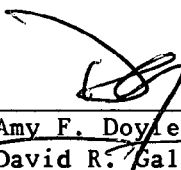
MIDLAND FUNDING LLC. : No.
 :
 ASSIGNEE OF ASPIRE :
 8875 AERO DRIVE :
 :
 SAN DIEGO CA 92123 :
 Plaintiff :
 :
 vs. : CIVIL ACTION - LAW
 :
 TRACY A KRUIES :
 :
 Defendant(s)

AFFIDAVIT OF NON-MILITARY SERVICE

COMMONWEALTH OF PENNSYLVANIA :
 :
 COUNTY OF CUMBERLAND :

The undersigned counsel, being duly sworn according to law, depose and say that I am the Attorney for the Plaintiff in the above-captioned matter, and that to the best of my knowledge, information and belief Defendant, TRACY A KRUIES, above-named, is over 21 years of age; is last known to reside at 161 CHAPMAN TRAILER CT DUBOIS PA 15801

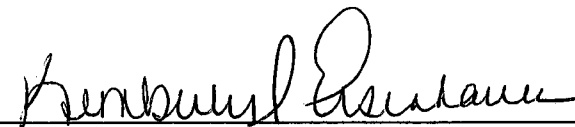
County of CLEARFIELD, Pennsylvania; is not in the military service of the United States or its Allies, or otherwise within the provisions of the Servicemembers Civil Relief Act and its Amendments.


 Amy F. Doyle #87062 / Philip C. Warholc #86341
 David R. Galloway #87326 / Sarah E. Ehasz #86469
 Robert N. Polas, Jr. #201259
 Mann Bracken LLC / Counsel for Plaintiff
 The Successor by Merger to Wolpoff & Abramson, LLP
 and Eskanos & Adler, P. C.
 4660 Trindle Road, Suite 300, Camp Hill, PA 17011
 Telephone: (717) 303-6700 Fax: (717) 737-9051

COMMONWEALTH OF PENNSYLVANIA

Notary Public
 Kimberly L. Eisenman
 Hampden Twp. Cumberland County
 My Commission Expires Nov. 17, 2009
 Member, Pennsylvania Association of Notaries

SWORN and SUBSCRIBED to before me this 30 day of October, 2008.


 Notary Public

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

MIDLAND FUNDING LLC. : No.

ASSIGNEE OF ASPIRE :
8875 AERO DRIVE : CIVIL ACTION - LAW

SAN DIEGO CA 92123 :
Plaintiff :

vs. :

TRACY A KRUIES :
Defendant(s) :

CERTIFICATE OF RESIDENCE
PA. R.C.P. 236

I hereby certify that the precise residence of Plaintiff is:

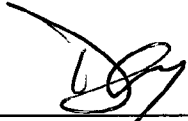
MIDLAND FUNDING LLC.

ASSIGNEE OF ASPIRE
8875 AERO DRIVE

SAN DIEGO CA 92123

and certify that the last known address of the within Defendant(s) is:

TRACY A KRUIES
161 CHAPMAN TRAILER CT
DUBOIS PA 15801


 Amy F. Dowle #87062 / Philip C. Warholc #86341
 David R. Galloway #87326 / Sarah E. Ehasz #86469
 Robert N. Polas, Jr. #201259
 Mann Bracken LLC / Counsel for Plaintiff
 The Successor by Merger to Wolpoff & Abramson, LLP
 and Eskanos & Adler, P. C.
 4660 Trindle Road, Suite 300, Camp Hill, PA 17011
 Telephone: (717) 303-6700 Fax: (717) 737-9051

COPY

: NO. 08-2127-CD

2

:

CIVIL ACTION - LAW

$$=$$

2

3

1000

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

COPY

Midland Funding LLC
Plaintiff(s)

No.: 2008-02127-CD

Real Debt: \$1,328.16

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Tracy A. Kruies
Defendant(s)

Entry: \$20.00

Instrument: DJ Judgment

Date of Entry: November 7, 2008

Expires: November 7, 2013

Certified from the record this 7th day of November, 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

PRAECIPE FOR WRIT OF EXECUTION (MONEY JUDGMENT)
P.R.C.P. 3101 TO 3149

MIDLAND FUNDING LLC

: IN THE COURT OF COMMON PLEAS OF
: CLEARFIELD COUNTY, PENNSYLVANIA

ASSIGNEE OF ASPIRE
Plaintiff

vs.

: JUDGMENT NO. 2008-2127-CD

TRACY A KRUIES
Defendant(s)

: PRAECIPE FOR WRIT OF EXECUTION

To the Prothonotary: Please issue the Writ of Execution in the above-captioned matter, in the amount of \$1328.16.

(1) Directed to the Sheriff of CLEARFIELD County, Pennsylvania;

(2) against, TRACY A KRUIES
161 CHAPMAN TRAILER CT
DUBOIS PA 15801

Defendant(s);

(3) and against FIRST COMMONWEALTH BANK
located at 14303 CLEARFIELD SHAWVILLE HWY

CLEARFIELD PA 16830

Garnishee(s);

(4) And index this writ

(A) against TRACY A KRUIES
Defendant(s) and

(B) against, FIRST COMMONWEALTH BANK

FILED Any pd. \$20.00
M 11:33 AM
FEB 20 2009
William A. Shaw
Prothonotary/Clerk of Courts
to Sheriff

Prothonotary/Clerk of Courts

, Garnishee(s),

as a lis pendens against the real property of the Defendant(s) in the name of the Garnishee(s) as follows: (Specifically describe property)***GARNISH ONLY***

You are directed to attach the property of the Defendant(s) not levied upon in the possession of FIRST COMMONWEALTH BANK , Garnishee(s)

All accounts including but not limited to all savings, checking and other accounts, certificates of deposit, notes receivables, collateral, pledges, documents of title, securities, coupons and safe deposit boxes.

Amount Due: \$ 1328.16

Interest From: 11/07/2008

To Be Determined

At an interest rate of 6% per year

Total: \$ 1328.16 Plus costs & interest (total includes post judgment credits).

Prothonotary costs 40.00

David R. Galloway #87326/Philip C. Warholic #86341
Sarah E. Ehasz #86469/Robert N. Polas, Jr. #201259
Amy F. Doyle #87062
Mann Bracken LLP / Counsel for Plaintiff
The Successor by Merger to Wolpoff & Abramson, LLP
and Eskanos & Adler, P. C.
4660 Trindle Road, Suite 300, Camp Hill, PA 17011
Telephone: (717) 303-6700 Fax: (717) 737-9051

IN THE COURT OF COMMON PLEAS CLEARFIELD

COUNTY, PENNSYLVANIA

MIDLAND FUNDING LLC

No. 2008-0127-CD

ASSIGNEE OF ASPIRE
Plaintiff

CIVIL ACTION - LAW

VS

TRACY A KRUIES

Defendant(s)

INTERROGATORIES TO GARNISHEE

TO: FIRST COMMONWEALTH BANK
14303 CLEARFIELD SHAWVILLE HWY

CLEARFIELD PA 16830

PURSUANT TO RULE 3253 OF THE RULES OF CIVIL PROCEDURE, THE FOLLOWING INTERROGATORIES HAVE BEEN SERVED UPON YOUR INSTITUTION. GARNISHEE IS HEREBY REQUIRED TO ANSWER EACH OF THE FOLLOWING INTERROGATORIES SEPARATELY AND FULLY. PLEASE COMPLETE THE FOLLOWING INTERROGATORIES TO ASSIST THE CREDITOR'S EFFORTS TO SATISFY THE LAWFUL OBLIGATION OF THE ABOVE REFERENCED DEBTOR(S).

IMPORTANT NOTICES AND INSTRUCTIONS TO GARNISHEE

A. You are required to file answers to the following interrogatories within twenty (20) days after service upon you. Failure to do so may result in judgment against you.

B. The term "Defendant(s)" means the individual(s) or entity against whom the Writ Execution was issued.

C. "You" means the main office and all branch offices, representatives, employees and agents of your organization.

D. By service of the Writ of Execution upon you, all property of the Defendant(s) subject to attachment which is in your possession, custody or control is attached, including all property of the Defendant(s) which comes into your possession thereafter.

E. These Interrogatories are considered to be continuing and therefore should be modified or supplemented as you receive further or additional information.

F. Where exact information cannot be furnished, estimated information is to be supplied. When an estimate is to be used, it should be identified as such, an explanation should be given as to the basis on which the estimate is made, and the reason the exact information cannot be furnished.

G. Where knowledge or information in possession of a party is requested, such request includes knowledge of the party's agents, representatives, and attorneys.

INTERROGATORIES TO GARNISHEE
DEFENDANT(S) - TRACY A KRUIES

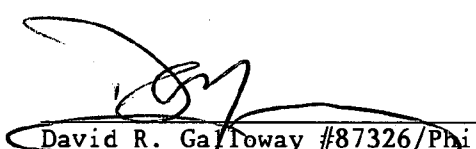
1. DEPOSITORY ACCOUNTS: At the time you were served or at any subsequent time, state whether or not the Defendant(s) maintains any checking, savings, lines of credit, certificate of deposit's or other depository accounts with your institution. If so, state the identification numbers of those accounts, and the amount or amounts the Defendant(s) has in each account. If the Defendant(s) maintains an of these jointly with any other person, or persons, give their name and address.
 - 1A. DIRECT DEPOSIT ACCOUNTS: Are any of the accounts you have listed above direct deposit accounts? If yes, please state the identification numbers of those accounts.
2. 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 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, the amount being withheld under each exemption and the entity electronically depositing those funds on a recurring basis.
3. 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 funds on deposit, not including any otherwise exempt funds, did not exceed the amount of general monetary exemption under 42 Pa.C.S. 8123? If so, identify each account.
4. TRANSFER OF PROPERTY: At any time after you were served did you pay, transfer or deliver any money or property to the defendant or to any person or place pursuant to the defendant's direction or otherwise discharge any claim of the defendant(s) against you?
5. SAFE DEPOSIT BOX: At the time you were served or at any subsequent time, state whether or not the Defendant(s) maintains any safe deposit box or boxes. If so, include the identification number or other designation of the box or boxes. Include a full description of the contents and also the amount of cash among those contents. If the Defendant(s) maintains any of these jointly with any other person or persons give their full name and address.

6. REAL OR PERSONAL PROPERTY: At the time you were served or at any subsequent time, state whether or not the Defendant(s) own any personal property that was in your possession and/or control. If so, include a full description of all personal property giving full value and present location. State also whether or not there are any encumbrances or liens holders, the present balance of the encumbrance. State where and when encumbrances or liens was recorded. If the Defendant(s) owns any personal property jointly with any person or persons, give names and address.

7. OTHER ASSETS: At the time you were served or at any subsequent time, did you know of the existence of any other asset(s) of the Defendant(s) which are not disclosed in the preceding Interrogatories. If so, please set forth all details concerning those asset(s).

8. PROPERTY HELD AS A FIDUCIARY: At the time you were served or at any subsequent time, did you hold as a fiduciary any property in which any Defendant(s) had an interest? If so, please describe for each Defendant(s) the nature of the property including its value and the interest of Defendant(s).

9. FEES OUTSTANDING TO GARNISHEE: Are there any attorneys fees or processing fees charged by you against the Defendant(s) or account(s) of the Defendant(s) for the completion of this Answer? If yes, outline the exact amount of any fees due and owing to the garnishee or the attorney for the garnishee for the preparation of the Answer.


 David R. Galloway #87326/Philip C. Warholic #86341
 Sarah E. Ehasz #86469/Robert N. Polas, Jr. #201259
 Amy F. Doyle #87062
 Mann Bracken LLP / Counsel for Plaintiff
 The Successor by Merger to Wolpoff & Abramson, LLP
 and Eskanos & Adler, P. C.
 4660 Trindle Road, Suite 300, Camp Hill, PA 17011
 Telephone: (717) 303-6700 Fax: (717) 737-9051

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

MIDLAND FUNDING LLC

ASSIGNEE OF ASPIRE

Plaintiff

NO. 2008-2127-CD

CIVIL ACTION - LAW

VS

TRACY A KRUIES

Defendant(s)

WRIT OF EXECUTION - 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 \$300.00 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, I claim the following exemptions:

(a) My \$300.00 statutory exemption: _____ in cash; _____ in kind (specify property); _____

(b) Social Security benefits on deposit in the amount of \$ _____

(c) Other (specify the 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)

(Telephone Number)

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

DATE: _____

Defendant

THIS CLAIM TO BE FILED WITH THE OFFICE OF THE SHERIFF IN THE ABOVE CAPTIONED COUNTY.
CLEARFIELD COUNTY SHERIFF'S OFFICE

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

MIDLAND FUNDING LLC

ASSIGNEE OF ASPIRE
Plaintiff

No. 2008-2127-CD

vs.

CIVIL ACTION - LAW

TRACY A KRUIES

Defendant(s)

WRIT OF EXECUTION NOTICE

THIS ATTACHED 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 LEGAL 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 LAWS PROVIDE 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 WHICH MAY BE APPLICABLE TO YOU. A SUMMARY OF SOME OF THE MAJOR EXEMPTIONS ARE LISTED BELOW. YOU MAY HAVE OTHER EXEMPTIONS OR OTHER RIGHTS.

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.

IF YOU HAVE AN EXEMPTION, YOU SHOULD DO THE FOLLOWING PROMPTLY:

- (1) FILL OUT THE ATTACHED CLAIM FORM AND DEMAND FOR 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.

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.

LAWYER REFERENCE SERVICE
409 CHERRY STREET
NORRISTOWN, PA 19401
(610) 279-9660

WRIT OF EXECUTION and/or ATTACHMENT
COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD
CIVIL ACTION - LAW

COPY

Midland Funding LLC
Assignee of Aspire

Vs.

NO.: 2008-02127-CD

Tracy A. Kruies

First Commonwealth Bank
(Garnishee)

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against MIDLAND FUNDING LLC, Plaintiff(s) from TRACY A. KRUIES, Defendant(s):

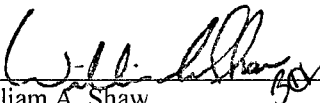
- (1) You are directed to levy upon the property of the defendant(s) and to sell defendant's interest(s) therein:
Personal Property

You are also directed to attach the property of the defendant(s) not levied upon in the possession of: First Commonwealth Bank as garnishee(s): As a lis pendens against the real property of the Defendant(s) in the name of the Garnishee as follows: All accounts including but not limited to all savings, checking and other accounts, certificates of deposit, notes receivables, collateral, pledges, documents of title, securities, coupons and safe deposit boxes and to notify the garnishee(s) that: (a) an attachment has been issued; (b) except as provided in paragraph (c), the garnishee(s) is/are enjoined from paying any debt to or for the account of the defendant(s) and from delivering any property of the defendant(s) or otherwise disposing 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.

- (2) 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, you are directed to notify such other person that he or she has been added as a garnishee and is enjoined as above stated.
- (3) If Social Security or Supplemental Income funds are directly deposited into an account of the defendant, the levy and attachment shall not include any funds that may be traced to Social Security direct deposits. In addition, the levy and attachment shall not include \$300.00 in the account of the defendant.

AMOUNT DUE/PRINCIPAL: \$1,328.16
INTEREST from 11/07/2008 at an interest rate
of 6% per year: To Be Determined
ATTY'S COMM: \$
DATE: 2/20/2009

PROTH. COSTS PAID: \$40.00
SHERIFF: \$
OTHER COSTS: \$


William A. Shaw
Prothonotary/Clerk Civil Division

Received this writ this _____ day
of _____ A.D. _____
At _____ A.M./P.M.

Requesting Party: David R. Galloway, Esq.
4660 Trindle Road, Ste. 300
Camp Hill, PA 17011
(717) 303-6700

Sheriff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
NO: 08-2127-CD

MIDLAND FUNDING LLC Assignee

vs

SERVICE # 1 OF 1

TRACY A. KRUIES

TO: FIRST COMMONWEALTH BANK (GARNISHEE)

WRIT OF EXECUTION; INTERROGATORIES TO GARNISHEE

SERVE BY: 02/27/2009 ASAP HEARING: PAGE: 105300

DEFENDANT: FIRST COMMONWEALTH BANK (Garnishee)

ADDRESS: 14303 CLEARFIELD SHAWVILLE HWY.
CLEARFIELD, PA 16830

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: GARNISHEE

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT OCCUPIED

ATTEMPTS

SHERIFF'S RETURN

NOW THIS 24th day of Feb 09 AT 10:50 AM / PM **SERVED** THE WITHIN

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

BY HANDING TO DIANNE LITZINGER, MGR.

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

ADDRESS SERVED 14303 CLFD SHAWVILLE Hwy

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

_____ DAY OF _____ 2009

So Answers CHESTER A. HAWKINS, SHERIFF

BY: George F. Delaney
Deputy Signature

George F. Delaney
Print Deputy Name

FILED
013:04
FEB 24 2009
William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 105300
NO: 08-2127-CD
SERVICES 1
WRIT OF EXECUTION; INTERROGATORIES TO

GARNISHEE

PLAINTIFF: MIDLAND FUNDING LLC Assignee
vs.
DEFENDANT: TRACY A. KRUIES
TO: FIRST COMMONWEALTH BANK (GARNISHEE)

^S
FILED

FEB 25 2009

0/1:50/✓

William A. Shaw

Clerk of Courts

SHERIFF RETURN

RETURN COSTS

| Description | Paid By | CHECK # | AMOUNT |
|-----------------|---------|----------|--------|
| SURCHARGE | MANN | 00100162 | 10.00 |
| SHERIFF HAWKINS | MANN | 00100162 | 22.42 |

Sworn to Before Me This

_____ Day of _____ 2009

So Answers,



Chester A. Hawkins
Sheriff

**WRIT OF EXECUTION and/or ATTACHMENT
COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD
CIVIL ACTION - LAW**

Midland Funding LLC
Assignee of Aspire

Vs.

NO.: 2008-02127-CD

Tracy A. Kruies

First Commonwealth Bank
(Garnishee)

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against MIDLAND FUNDING LLC, Plaintiff(s) from TRACY A. KRUIES, Defendant(s):

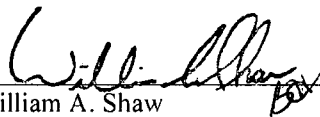
- (1) You are directed to levy upon the property of the defendant(s) and to sell defendant's interest(s) therein:
Personal Property

You are also directed to attach the property of the defendant(s) not levied upon in the possession of: First Commonwealth Bank as garnishee(s): As a lis pendens against the real property of the Defendant(s) in the name of the Garnishee as follows: All accounts including but not limited to all savings, checking and other accounts, certificates of deposit, notes receivables, collateral, pledges, documents of title, securities, coupons and safe deposit boxes and to notify the garnishee(s) that: (a) an attachment has been issued; (b) except as provided in paragraph (c), the garnishee(s) is/are enjoined from paying any debt to or for the account of the defendant(s) and from delivering any property of the defendant(s) or otherwise disposing 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.


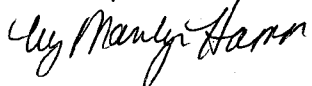
- (2) If property of the defendant(s) not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify such other person that he or she has been added as a garnishee and is enjoined as above stated.
- (3) If Social Security or Supplemental Income funds are directly deposited into an account of the defendant, the levy and attachment shall not include any funds that may be traced to Social Security direct deposits. In addition, the levy and attachment shall not include \$300.00 in the account of the defendant.

AMOUNT DUE/PRINCIPAL: \$1,328.16
INTEREST from 11/07/2008 at an interest rate
of 6% per year: To Be Determined
ATTY'S COMM: \$
DATE: 2/20/2009

PROTH. COSTS PAID: \$40.00
SHERIFF: \$
OTHER COSTS: \$


William A. Shaw
Prothonotary/Clerk Civil Division

Received this writ this 20 day
of Feb A.D. 2009
At 3:00 A.M./P.M.


Sheriff 

Requesting Party: David R. Galloway, Esq.
4660 Trindle Road, Ste. 300
Camp Hill, PA 17011
(717) 303-6700

**WRIT OF EXECUTION and/or ATTACHMENT
COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD
CIVIL ACTION - LAW**

Midland Funding LLC
Assignee of Aspire

Vs.

NO.: 2008-02127-CD

Tracy A. Kruies

First Commonwealth Bank
(Garnishee)

TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against MIDLAND FUNDING LLC, Plaintiff(s) from TRACY A. KRUIES, Defendant(s):

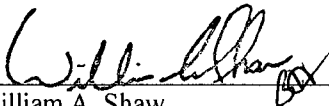
- (1) You are directed to levy upon the property of the defendant(s) and to sell defendant's interest(s) therein:
Personal Property

You are also directed to attach the property of the defendant(s) not levied upon in the possession of: First Commonwealth Bank as garnishee(s): As a lis pendens against the real property of the Defendant(s) in the name of the Garnishee as follows: All accounts including but not limited to all savings, checking and other accounts, certificates of deposit, notes receivables, collateral, pledges, documents of title, securities, coupons and safe deposit boxes and to notify the garnishee(s) that: (a) an attachment has been issued; (b) except as provided in paragraph (c), the garnishee(s) is/are enjoined from paying any debt to or for the account of the defendant(s) and from delivering any property of the defendant(s) or otherwise disposing 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.

- (2) 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, you are directed to notify such other person that he or she has been added as a garnishee and is enjoined as above stated.
- (3) If Social Security or Supplemental Income funds are directly deposited into an account of the defendant, the levy and attachment shall not include any funds that may be traced to Social Security direct deposits. In addition, the levy and attachment shall not include \$300.00 in the account of the defendant.

AMOUNT DUE/PRINCIPAL: \$1,328.16
INTEREST from 11/07/2008 at an interest rate
of 6% per year: To Be Determined
ATTY'S COMM: \$
DATE: 2/20/2009

PROTH. COSTS PAID: \$40.00
SHERIFF: \$
OTHER COSTS: \$



William A. Shaw
Prothonotary/Clerk Civil Division

Received this writ this _____ day
of _____ A.D. _____
At _____ A.M./P.M.

Sheriff

Requesting Party: David R. Galloway, Esq.
4660 Trindle Road, Ste. 300
Camp Hill, PA 17011
(717) 303-6700

IN THE COURT OF COMMON PLEAS CLEARFIELD

COUNTY, PENNSYLVANIA

MIDLAND FUNDING LLC

No. 2008-0127-CD

ASSIGNEE OF ASPIRE
Plaintiff

CIVIL ACTION - LAW

VS

TRACY A KRUIES

Defendant(s)

INTERROGATORIES TO GARNISHEE

FILED
MAR 02 2009

William A. Shaw
Prothonotary/Clerk of Courts

TO: FIRST COMMONWEALTH BANK
14303 CLEARFIELD SHAWVILLE HWY
CLEARFIELD PA 16830

PURSUANT TO RULE 3253 OF THE RULES OF CIVIL PROCEDURE, THE FOLLOWING INTERROGATORIES HAVE BEEN SERVED UPON YOUR INSTITUTION. GARNISHEE IS HEREBY REQUIRED TO ANSWER EACH OF THE FOLLOWING INTERROGATORIES SEPARATELY AND FULLY. PLEASE COMPLETE THE FOLLOWING INTERROGATORIES TO ASSIST THE CREDITOR'S EFFORTS TO SATISFY THE LAWFUL OBLIGATION OF THE ABOVE REFERENCED DEBTOR(S).

IMPORTANT NOTICES AND INSTRUCTIONS TO GARNISHEE

A. You are required to file answers to the following interrogatories within twenty (20) days after service upon you. Failure to do so may result in judgment against you.

B. The term "Defendant(s)" means the individual(s) or entity against whom the Writ Execution was issued.

C. "You" means the main office and all branch offices, representatives, employees and agents of your organization.

D. By service of the Writ of Execution upon you, all property of the Defendant(s) subject to attachment which is in your possession, custody or control is attached, including all property of the Defendant(s) which comes into your possession thereafter.

E. These Interrogatories are considered to be continuing and therefore should be modified or supplemented as you receive further or additional information.

F. Where exact information cannot be furnished, estimated information is to be supplied. When an estimate is to be used, it should be identified as such, an explanation should be given as to the basis on which the estimate is made, and the reason the exact information cannot be furnished.

G. Where knowledge or information in possession of a party is requested, such request includes knowledge of the party's agents, representatives, and attorneys.

For all answers to this and the
INTERROGATORIES TO GARNISHEE foregoing Interrogatories, see
DEFENDANT(S) - TRACY A KRUIES Exhibit "A" attached hereto and
made part of hereof.

1. DEPOSITORY ACCOUNTS: At the time you were served or at any subsequent time, state whether or not the Defendant(s) maintains any checking, savings, lines of credit, certificate of deposit's or other depository accounts with your institution. If so, state the identification numbers of those accounts, and the amount or amounts the Defendant(s) has in each account. If the Defendant(s) maintains an of these jointly with any other person, or persons, give their name and address.

1A. DIRECT DEPOSIT ACCOUNTS: Are any of the accounts you have listed above direct deposit accounts? If yes, please state the identification numbers of those accounts.

2. 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 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, the amount being withheld under each exemption and the entity electronically depositing those funds on a recurring basis.

3. 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 funds on deposit, not including any otherwise exempt funds, did not exceed the amount of general monetary exemption under 42 Pa.C.S. 8123? If so, identify each account.

4. TRANSFER OF PROPERTY: At any time after you were served did you pay, transfer or deliver any money or property to the defendant or to any person or place pursuant to the defendant's direction or otherwise discharge any claim of the defendant(s) against you?

5. SAFE DEPOSIT BOX: At the time you were served or at any subsequent time, state whether or not the Defendant(s) maintains any safe deposit box or boxes. If so, include the identification number or other designation of the box or boxes. Include a full description of the contents and also the amount of cash among those contents. If the Defendant(s) maintains any of these jointly with any other person or persons give their full name and address.

6. REAL OR PERSONAL PROPERTY: At the time you were served or at any subsequent time, state whether or not the Defendant(s) own any personal property that was in your possession and/or control. If so, include a full description of all personal property giving full value and present location. State also whether or not there are any encumbrances or liens holders, the present balance of the encumbrance. State where and when encumbrances or liens was recorded. If the Defendant(s) owns any personal property jointly with any person or persons, give names and address.

7. OTHER ASSETS: At the time you were served or at any subsequent time, did you know of the existence of any other asset(s) of the Defendant(s) which are not disclosed in the preceding Interrogatories. If so, please set forth all details concerning those asset(s).

8. PROPERTY HELD AS A FIDUCIARY: At the time you were served or at any subsequent time, did you hold as a fiduciary any property in which any Defendant(s) had an interest? If so, please describe for each Defendant(s) the nature of the property including its value and the interest of Defendant(s).

9. FEES OUTSTANDING TO GARNISHEE: Are there any attorneys fees or processing fees charged by you against the Defendant(s) or account(s) of the Defendant(s) for the completion of this Answer? If yes, outline the exact amount of any fees due and owing to the garnishee or the attorney for the garnishee for the preparation of the Answer.

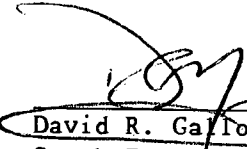

David R. Galloway #87326/Philip C. Warholic #86341
Sarah E. Ehasz #86469/Robert N. Polas, Jr. #201259
Amy F. Doyle #87062
Mann Bracken LLP / Counsel for Plaintiff
The Successor by Merger to Wolpoff & Abramson, LLP
and Eskanos & Adler, P. C.
4660 Trindle Road, Suite 300, Camp Hill, PA 17011
Telephone: (717) 303-6700 Fax: (717) 737-9051

EXHIBIT "A"

ANSWERS TO INTERROGATORIES

1. Yes, checking account number 7110202102 into Tracy A. Kruies with a current balance of zero.
 - a. Yes, known recurring deposits but do not know if deposits are exempt.
2. See #1 and 1a above
3. See #1 above
4. No
5. No
6. No
7. No
8. No
9. First Commonwealth Bank charges a \$200.00 processing fee.


VERIFICATION

COMMONWEALTH OF PENNSYLVANIA)
)
COUNTY OF INDIANA)

On this 26th day of February 2009 before me, the undersigned officer, a Notary Public in and for said Commonwealth and County, personally appeared JAMES BOYLE, who being duly sworn according to law, acknowledged that he is Vice President of First Commonwealth Bank, and that the facts set forth in the foregoing Interrogatories are true and correct to the best of his knowledge and belief.

James Boyle, Vice President
First Commonwealth Bank

Sworn and subscribed to before me
This 26th day of February 2009


Notary Public

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
SUSAN L LINDENBERG, NOTARY PUBLIC
INDIANA BOROUGH, INDIANA COUNTY
MY COMMISSION EXPIRES APRIL 10, 2010

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

MIDLAND FUNDING LLC
ASSIGNEE OF ASPIRE

Plaintiff

NO. 2008-2127-CD

vs.

CIVIL ACTION - LAW

TRACY A KRUIES

Defendant

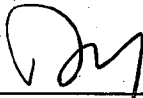
PRAECIPE TO DISCONTINUE ATTACHMENT EXECUTION

To the Prothonotary:

Kindly mark the attachment against the Garnishee, FIRST COMMONWEALTH BANK,
discontinued, upon payment of your costs only.

Respectfully Submitted,

Dated: 3/31/09



Amy F. Doyle #87062
Philip C. Warholc #86341
David R. Galloway #87326
Sarah E. Ehasz #86469
Robert N. Polas, Jr. #201259
MANN BRACKEN LLP
The Successor by Merger to Wolpoff & Abramson, LLP
and Eskanos & Adler, PC
Attorneys in the Practice of Debt Collection
4660 Trindle Rd., Suite 300
Camp Hill, PA 17011
(717) 303-6700

MB File No. 180658248

⁵
FILED

m/1:50Lm
APR 13 2009

3cc AH
Galloway

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

Midland Funding LLC
assignee of Aspire

Plaintiff

v.

NO. 2008-2127-CD
CIVIL ACTION - LAW

TRACY A KRUIES

Defendant(s)

ENTRY OF APPEARANCE

TO THE PROTHONOTARY:

FILED *no*
m/19/3/2010
MAY 17 2010
William A. Shaw
Prothonotary/Clerk of Courts

Kindly enter the undersigned as counsel for Plaintiff in the captioned matter.

Respectfully Submitted,


By: 

David R. Galloway #87326
Fulton Friedman & Gullace, LLP
Counsel for Plaintiff
Attorneys in the Practice of Debt Collection
130B Gettysburg Pike
Mechanicsburg, PA 17055
Tel: (866) 563-0809 Fax: (585) 546-4241

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Praecipe was served this date by depositing same in the Post Office, first class mail, postage prepaid, addressed as follows:

TRACY A KRUIES
96 RUSSELL RD
DU BOIS PA 15801



David R. Galloway
Attorney ID #87326

5.13.10
Date

FFG File #: 168236



5
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

MIDLAND FUNDING, LLC.,
ASSIGNEE OF ASPIRE
Plaintiff,

vs.

CASE NO. 2008-2127-CD
CIVIL ACTION - LAW

TRACY A KRUIES
Defendant.
FIRST COMMONWEALTH BANK
Garnishee

PRAECIPE FOR WRIT OF EXECUTION (MONEY JUDGMENT)
P.R.C.P. 3101 TO 3149

TO THE PROTHONOTARY:

Please issue the Writ of Execution in the above-captioned matter, in the amount of \$1,328.16.

(1) Directed to the Sheriff of Clearfield County, Pennsylvania;

(2) against,

Tracy A Kruijes
335 Hatten Rd
Grampian, PA 16838

Defendant (s);

(3) and against First Commonwealth Bank
located at 14303 Clearfield Shawville Hwy
Clearfield, PA 16830
Garnishee(s);

(4) and index this writ
(A) against Tracy A Kruijes
Defendant (s) and
(B) against, First Commonwealth Bank

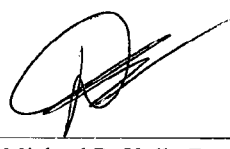
as a lis pendens against the real property of the Defendant(s) in the name of the Garnishee(s) as follows: (Specifically describe property) ***Garnish Only ***

You are directed to attach the property of the Defendant(s) not levied upon in the possession of First Commonwealth Bank, Garnishee(s)

All accounts including but not limited to all savings, checking and other accounts, certificates of deposit, notes receivables, collateral, pledges, documents of title, securities, and coupons.

Judgment Amount due: \$1,328.16
Less Payments: \$(317.00)
Interest from Judgment Date: \$757.58
Total: \$1,768.74
Prothonotary Fee: _____
Sheriff Fee: _____
Costs to be added: _____

FILED
m/gas 11am SHP
OCT 19 2018
BRIAN K. SPENCER
PROTHONOTARY & CLERK OF COURTS



Michael B. Volk, Esq. #88553

✓

Doreena L. Sloan, Esq. #44880

SCOTT & ASSOCIATES, P.C., Counsel for Plaintiff
6 Kacey Court, Suite 203
Mechanicsburg, PA 17055
Telephone: (866) 563-0809

OCT 15 2018

MJSPC #: 915619

CERTIFICATE OF COMPLIANCE

RE: ACCESS TO COURT CASE RECORDS

Case No: 2008-2127-CD

I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

Submitted by: Attorney for Plaintiff

Signature: 

Name: Michael B. Volk, Esq., Doreena L. Sloan, Esq

Attorney No. (if applicable): 88553/44880

Phone No. 866-563-0809

Revised 1.5.18

OCT 15 2018

**WRIT OF EXECUTION and/or ATTACHMENT
COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD
CIVIL ACTION - LAW**

Midland Funding LLC, Aspire,

Vs.

No.: 2008-02127-CD

Tracy A. Kruies

First Commonwealth Bank
Garnishee

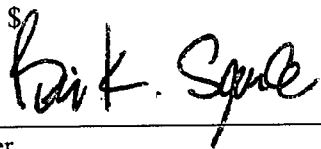
TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against Tracy A. Kruies, First Commonwealth Bank, Defendant(s):

- (1) You are directed to levy upon the property of the defendant and to sell defendant's interest therein:
- (2) You are also directed to attach the property of the defendant not levied upon in the possession of:
First Commonwealth Bank as garnishee(s):
ALL ACCOUNTS INCLUDING BUT NOT LIMITED TO ALL SAVING, CHECKING AND OTHER ACCOUNTS, CERTIFICATES OF DEPOSIT, NOTES RECEIVABLES, COLLATERAL, PLEDGES, DOCUMENTS OF TITLE, SECURITIES, AND COUPONS.
and to notify the garnishee that: (a) an attachment has been issued; (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 disposing 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 (i) the first \$10,000 of each account of the defendant with a bank or other financial institution containing any funds which 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.
 - ii) each account of the defendant with a bank or other financial institution in which funds on deposit exceed \$10,000 at any time if all 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.
 - iii) any funds in an account of the defendant with a bank or other financial institution 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, you are directed to notify such other person that he or she has been added as a garnishee and is enjoined as above stated.

AMOUNT DUE/PRINCIPAL: \$1,328.16
Less Payments: \$(317.00)
INTEREST FROM JUDGEMENT DATE: \$757.58
ATTY'S COMM: \$
DATE: 10/19/2018

Total: \$1,768.74
PROTH. COSTS PAID: \$60.00
SHERIFF: \$
OTHER COSTS: \$



Brian K. Spencer
Prothonotary/Clerk Civil Division

Received this writ this _____ day
of _____ A.D. _____
at _____ A.M./P.M.

Sheriff

Requesting Party:
Doreena L. Sloan, Esq
6 Kacey Court, Suite 203
Mechanicsburg, PA 17055
(866)563-0809

5

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

MIDLAND FUNDING, LLC.,
ASSIGNEE OF ASPIRE
Plaintiff,

vs.

CASE NO. 2008-2127-CD
CIVIL ACTION - LAW

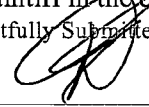
TRACY A KRUIES
Defendant.

ENTRY OF APPEARANCE

TO THE PROTHONOTARY:

Kindly enter the undersigned as counsel for Plaintiff in the captioned matter.

Respectfully Submitted,

By: 

Michael B. Volk, Esq. #88553

☒ Doreena L. Sloan, Esq. #44880

SCOTT & ASSOCIATES, P.C.

Counsel for Plaintiff

6 Kacey Court, Suite 203

Mechanicsburg, PA 17055

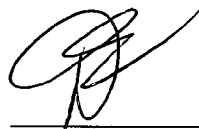
Telephone: (866) 563-0809

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Entry of Appearance has been served this date by depositing same in the Post Office, first class mail, postage prepaid, addressed as follows:

Tracy A Kruijes
335 Hatten Rd
Grampian, PA 16838


Dated: **OCT 15 2018**



Michael B. Volk, Esq. #88553

☒ Doreena L. Sloan, Esq. #44880

S&A No. 915619 Entry of Appearance


FILED ICC
M/GS 10:37am ATTY
OCT 19 2018 Sloan
BRIAN K. SPENCER
PROTHONOTARY & CLERK OF COURTS

THE COURT OF COMMON PLEAS OF Clearfield COUNTY, PENNSYLVANIA

MIDLAND FUNDING, LLC.,
ASSIGNEE OF ASPIRE

Plaintiff,

vs.

CASE NO. 2008-2127-CD

CIVIL ACTION - LAW

TRACY A KRUIES

Defendant.

INTERROGATORIES TO GARNISHEE

Garnishee
TO: First Commonwealth Bank
14303 Clearfield Shawville Hwy
Clearfield, PA 16830

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

RECEIVED

OCT 26 2018

FILED

NOV 01 2018

BRIAN K. SPENGLER
PROTHONOTARY & CLERK OF COURT

PURSUANT TO RULE 3253 OF THE RULES OF CIVIL PROCEDURE, THE FOLLOWING INTERROGATORIES HAVE BEEN SERVED UPON YOUR INSTITUTION. GARNISHEE IS HEREBY REQUIRED TO ANSWER EACH OF THE FOLLOWING INTERROGATORIES SEPARATELY AND FULLY. PLEASE COMPLETE THE FOLLOWING INTERROGATORIES TO ASSIST THE CREDITOR'S EFFORTS TO SATISFY THE LAWFUL OBLIGATION OF THE ABOVE REFERENCED DEBTOR(S).

IMPORTANT NOTICES AND INSTRUCTIONS TO GARNISHEE

A. You are required to file answers to the following interrogatories within twenty (20) days after service upon you. Failure to do so may result in judgment against you.

B. The term "Defendant(s)" means the individual(s) or entity against whom the Writ of Execution was issued.

C. "You" means the main office and all branch offices, representatives, employees and agents of your organization.

D. By service of the Writ of Execution upon you, all property of the Defendant(s) subject to attachment which is in your possession, custody or control is attached, including all property of the Defendant(s) which comes into your possession thereafter.

E. These Interrogatories are considered to be continuing and therefore should be modified or supplemented as you receive further or additional information.

F. Where exact information cannot be furnished, estimated information is to be supplied. When an estimate is to be used, it should be identified as such, an explanation should be given as to the basis on which the estimate is made, and the reason the exact information cannot be furnished.

G. Where knowledge or information in possession of a party is requested, such request includes knowledge of the party's agents, representatives, and attorneys.

INTERROGATORIES TO GARNISHEE

TRACY A KRUIES

Defendant.

SS# -XXX-XX-8045

1. At the time you were served or at any subsequent time did you owe the defendant(s) any money or were you liable to the defendant(s) on any negotiable or other written instrument, or did the defendant(s) claim that you owed the defendant(s) any money or were liable to the defendant(s) for any reason?
2. At the time you were served or at any subsequent time was there in your possession, custody or control or in the joint possession, custody or control of yourself and one or more other persons any property of any nature owned solely or in part by the defendant(s)?
3. At the time you were served or at 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(s) 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 an interest?
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 if so what was the consideration therefor?
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 at any subsequent time did the defendant(s) 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 number and state the amount of funds in each account, and the entity electronically depositing those funds on a recurring basis.

DEFENDANT(S) - TRACY A KRUIES

Defendant.

SS# -XXX-XX-8045

8. If you are a bank or other financial institution, at the time you were served or at any subsequent time did the defendant 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 monetary exemption under 42 Pa.C.S. § 8123? If so, identify each account.

9. Please identify all accounts not listed in your answer to Interrogatory No. 7, the amount of funds in each account, whether the funds are deposited electronically on a recurring basis and the entity electronically depositing those funds. If the defendant(s) maintains any of these accounts jointly with any other person, or persons, give their name, address and relationship to defendant.


10. Are there any attorney's fees or processing fees charged by you against the defendant(s) or account(s) of the defendant(s) for the completion of this answer? If yes, outline the exact amount of any fees due and owing to the garnishee or the attorney for the garnishee for the preparation of the Answer.

11. Please provide the name, business address and business telephone of the person answering these interrogatories.

12. Please provide the address and telephone number where future court documents pertaining to this case can be served on Garnishee.

OCT 15 2018

MJSPC #: 915619


Michael B. Volk, Esq. #88553

Dorena L. Sloan, Esq. #44880

SCOTT & ASSOCIATES, P.C., Counsel for Plaintiff

6 Kacey Court, Suite 203

Mechanicsburg, PA 17055

Telephone: (866) 563-0809

Please return your Answer to Interrogatories to counsel for Plaintiff at: Scott & Associates, P.C. 28 E. Main Street, Suite 500, Rochester, NY 14614.

EXHIBIT "A"

ANSWERS TO INTERROGATORIES

1. No
2. No
3. No
4. No
5. No
6. No
7. See response to #2
8. See response to #2
9. N/A
10. N/A
11. Heather Carnahan, PO Box 400 Indiana, PA 15701, 724-463-5711
12. Heather Carnahan, PO Box 400 Indiana, PA 15701

CERTIFICATE OF SERVICE

I hereby certify that on October 27, 2018 I have this day caused to be served a true and correct copy of this ANSWERS TO INTERROGATORIES upon the following parties:

VIA REGULAR U.S. MAIL

*Doreena L Sloan
Scott & Associates, P.C.
6 Kacey Court, Suite 203
Mechanicsburg, PA 17055*

As Plaintiff


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

Heather Carnahan
Senior Transaction Specialist
First Commonwealth Bank

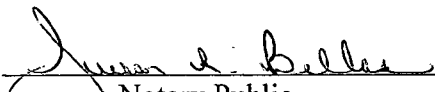
VERIFICATION

COMMONWEALTH OF PENNSYLVANIA)
)
COUNTY OF INDIANA)

On this 29th day of October 2018 before me, a Notary Public in and for said Commonwealth and County, personally appeared ELLEN BUTERBAUGH, 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.


Ellen Buterbaugh, Asst. Vice President
First Commonwealth Bank

Sworn and subscribed to before me
This 29th day of October 2018


Notary Public

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
SUSAN R. BELLAS, NOTARY PUBLIC
CENTER TOWNSHIP, INDIANA COUNTY
MY COMMISSION EXPIRES DEC. 17, 2018

9

CA

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

MIDLAND FUNDING, LLC.,

ASSIGNEE OF ASPIRE

Plaintiff,

vs.

CASE NO. 2008-2127-CD

CIVIL ACTION - LAW

TRACY A KRUIES

Defendant.

FIRST COMMONWEALTH BANK

Garnishee

FILED

M/PM (M) 11:26

DEC 06 2018

7-10 3cc SLOAN

BRIAN K. SPENCER
PROTHONOTARY & CLERK OF COURTS

PRAECIPE TO DISCONTINUE ATTACHMENT

TO THE PROTHONOTARY:

Please discontinue the Writ of Execution filed against Garnishee First Commonwealth Bank in the referenced matter without prejudice.

Respectfully Submitted

By:

Michael B. Volk, Esq. #88553

✓ Doreena L. Sloan, Esq. #44880

SCOTT & ASSOCIATES, P.C.

Counsel for Plaintiff

6 Kacey Court, Suite 203

Mechanicsburg, PA 17055

Telephone: (866) 563-0809

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Praecipe to Discontinue Attachment has been served this date by depositing same in the Post Office, first class mail, postage prepaid, addressed as follows:

Tracy A Kruijes
335 Hatten Rd
Grampian, PA 16838

First Commonwealth Bank
14303 Clearfield Shawville Hwy
Clearfield, PA 16830

NOV 30 2018

Michael B. Volk, Esq. #88553

✓ Doreena L. Sloan, Esq. #44880


CERTIFICATE OF COMPLIANCE

RE: ACCESS TO COURT CASE RECORDS

Case No: 2008-2127-CD

I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

Submitted by: Attorney for Plaintiff

Signature:  _____

Name: Michael B. Volk, Esq. #88553

☒ Doreena L. Sloan, Esq. #44880

Phone No. 866-563-0809

Revised 1.5.18

NOV 30 2018

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FILED
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NOV 30 2018
ACC ATT SQUERS
BRIAN K. SPENCER
PROTHONOTARY & CLERK OF COURTS
ACC ATT V. KUBISTZ

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

CHRISTIAN H. KIRK, JR.

VS.

SHOLYNN R. VOIGT

NO. 2008-945-CD

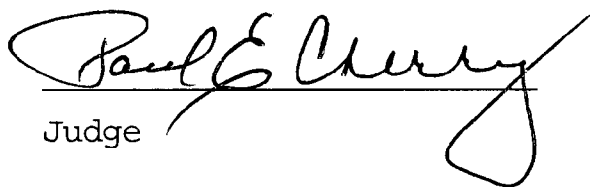
O R D E R

NOW this 29th day of November, 2018, upon agreement of the parties, it is the ORDER of this Court that the parties shall share physical custody of their minor child, K.W.K., for the Christmas 2018 holiday, unless otherwise agreed to by the parties, as follows:

1. Defendant/Mother, Sholynn R. Voigt, shall have physical custody of the parties' minor child beginning at 4:00 p.m. on Christmas Eve until Christmas Day at 3:00 p.m;
2. Plaintiff/Father, Christian H. Kirk, Jr., shall have physical custody of the parties' minor child beginning at 3:00 p.m. on Christmas Day until December 28, 2018, at 5:00 p.m;
3. Mother shall have physical custody of the parties' minor child from December 28, 2018, at 5:00 p.m. continuing until December 31, 2018, at 5:00 p.m;

4. Father shall have physical custody of the parties' minor child on New Year's Day 2019 from 9:00 a.m. until 7:00 p.m.

BY THE COURT,


Judge

SHERIFF'S OFFICE OF CLEARFIELD COUNTY

Michael Churner
Sheriff



Gary A Knaresboro
Solicitor

John W Murarik
Chief Deputy

Cynthia Butler-Aughenbaugh
Office Manager

MIDLAND FUNDING LLC, ASSIGNEE OF ASPIRE
vs.
TRACY A. KRUIES

Case Number
2008-2127-CD

SHERIFF'S RETURN OF SERVICE

- 10/26/2018 01:15 PM - Deputy George DeHaven, being duly sworn according to law, deposes and says, that the requested NOTICE; WRIT; CLAIM FOR EXEMPTION; INTERROGATORIES was served by "personally" handing a true and attested copy to a person representing themselves to be DIANE KASPICK-FSS11, who accepted as "Adult Person in Charge" for the within named Garnishee, FIRST COMMONWEALTH BANK, at 14303 CLEARFIELD SHAWVILLE HWY, CLEARFIELD, PA 16830 and attached as directed.
- 10/29/2018 03:00 PM - Sheriff Michael Churner, being duly sworn according to law, deposes and says, that the Writ of Execution, Writ Notice, and Claim for Exemption was served upon TRACY A. KRUIES at 335 HATTEN RD, GRAMPIAN, PA 16838 by U.S. regular mail.

SHERIFF COST: \$46.00

SO ANSWERS,

October 29, 2018

MICHAEL CHURNER, SHERIFF

| COSTS | | | | | |
|------------|--------------------------------|-------------------|--------|-----------------|-----------------|
| DATE | CATEGORY | MEMO | CHK # | DEBIT | CREDIT |
| 10/22/2018 | Advance Fee | Advance Fee | 103402 | \$0.00 | \$200.00 |
| 10/22/2018 | RDR | (PAID 10/31/2018) | freeze | \$9.00 | \$0.00 |
| 10/29/2018 | Surcharge | | | \$20.00 | \$0.00 |
| 10/29/2018 | Service | (PAID 10/31/2018) | freeze | \$9.00 | \$0.00 |
| 10/29/2018 | Service (Additional Defendant) | (PAID 10/31/2018) | freeze | \$6.00 | \$0.00 |
| 10/29/2018 | Mileage | (PAID 10/31/2018) | freeze | \$2.00 | \$0.00 |
| 10/29/2018 | Refund | (PAID 10/29/2018) | 14529 | \$154.00 | \$0.00 |
| | | | | \$200.00 | \$200.00 |
| BALANCE: | | | | \$0.00 | |

2009
2008
filing

original had
wrong case #

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BRIAN K. SPENCER
PROTHONOTARY & CLERK OF COURTS

SHERIFF'S OFFICE OF CLEARFIELD COUNTY

Michael Churner
Sheriff



Gary A Knaresboro
Solicitor

John W Murarik
Chief Deputy

Cynthia Butler-Aughenbaugh
Office Manager

MIDLAND FUNDING LLC, ASSIGNEE OF ASPIRE
vs.
TRACY A. KRUIES

Case Number
2018-2127-CD

SHERIFF'S RETURN OF SERVICE

10/26/2018 01:15 PM - Deputy George DeHaven, being duly sworn according to law, deposes and says, that the requested NOTICE; WRIT; CLAIM FOR EXEMPTION; INTERROGATORIES was served by "personally" handing a true and attested copy to a person representing themselves to be DIANE KASPICK-FSS11, who accepted as "Adult Person in Charge" for the within named Garnishee, FIRST COMMONWEALTH BANK, at 14303 CLEARFIELD SHAWVILLE HWY, CLEARFIELD, PA 16830 and attached as directed.

10/29/2018 03:00 PM - Sheriff Michael Churner, being duly sworn according to law, deposes and says, that the Writ of Execution, Writ Notice, and Claim for Exemption was served upon TRACY A. KRUIES at 335 HATTEN RD, GRAMPIAN, PA 16838 by U.S. regular mail.

SHERIFF COST: \$46.00

SO ANSWERS,

October 29, 2018

MICHAEL CHURNER, SHERIFF

| COSTS | | | | | |
|------------|--------------------------------|-------------|--------|----------|----------|
| DATE | CATEGORY | MEMO | CHK # | DEBIT | CREDIT |
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| 10/29/2018 | Surcharge | | | \$20.00 | \$0.00 |
| 10/29/2018 | Service | | | \$9.00 | \$0.00 |
| 10/29/2018 | Service (Additional Defendant) | | | \$6.00 | \$0.00 |
| 10/29/2018 | Mileage | | | \$2.00 | \$0.00 |
| 10/29/2018 | Refund | | | \$154.00 | \$0.00 |
| | | | | \$200.00 | \$200.00 |
| BALANCE: | | | | \$0.00 | |

FILED
013pm
OCT 29 2018
BRIAN K. SPENCER
PROTHONOTARY & CLERK OF COURTS

**WRIT OF EXECUTION and/or ATTACHMENT
COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD
CIVIL ACTION - LAW**

Midland Funding LLC, Aspire,

Vs.

No.: 2008-02127-CD

Tracy A. Kruies

First Commonwealth Bank
Garnishee

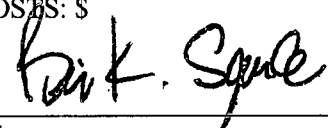
TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against Tracy A. Kruies, First Commonwealth Bank, Defendant(s):

- (1) You are directed to levy upon the property of the defendant and to sell defendant's interest therein:
- (2) You are also directed to attach the property of the defendant not levied upon in the possession of:
First Commonwealth Bank as garnishee(s):
ALL ACCOUNTS INCLUDING BUT NOT LIMITED TO ALL SAVING, CHECKING AND OTHER ACCOUNTS, CERTIFICATES OF DEPOSIT, NOTES RECEIVABLES, COLLATERAL, PLEDGES, DOCUMENTS OF TITLE, SECURITIES, AND COUPONS.
and to notify the garnishee that: (a) an attachment has been issued; (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 disposing 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 (i) the first \$10,000 of each account of the defendant with a bank or other financial institution containing any funds which 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.
 - ii) each account of the defendant with a bank or other financial institution in which funds on deposit exceed \$10,000 at any time if all 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.
 - iii) any funds in an account of the defendant with a bank or other financial institution 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, you are directed to notify such other person that he or she has been added as a garnishee and is enjoined as above stated.

AMOUNT DUE/PRINCIPAL: \$1,328.16
Less Payments: \$(317.00)
INTEREST FROM JUDGEMENT DATE: \$757.58
ATTY'S COMM: \$
DATE: 10/19/2018

Total: \$1,768.74
PROTH. COSTS PAID: \$60.00
SHERIFF: \$
OTHER COSTS: \$



Brian K. Spencer
Prothonotary/Clerk Civil Division

Received this writ this 19 day
of October A.D. 2018
at 3:00 A.M./P.M.



Sheriff 

Requesting Party:
Doreena L. Sloan, Esq
6 Kacey Court, Suite 203
Mechanicsburg, PA 17055
(866)563-0809

**WRIT OF EXECUTION and/or ATTACHMENT
COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD
CIVIL ACTION – LAW**

Midland Funding LLC, Aspire,

Vs.

No.: 2008-02127-CD

Tracy A. Kruies

First Commonwealth Bank
Garnishee

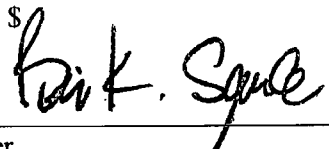
TO THE SHERIFF OF CLEARFIELD COUNTY:

To satisfy the judgment, interest and costs against Tracy A. Kruies, First Commonwealth Bank, Defendant(s):

- (1) You are directed to levy upon the property of the defendant and to sell defendant's interest therein:
- (2) You are also directed to attach the property of the defendant not levied upon in the possession of:
First Commonwealth Bank as garnishee(s):
ALL ACCOUNTS INCLUDING BUT NOT LIMITED TO ALL SAVING, CHECKING AND OTHER ACCOUNTS, CERTIFICATES OF DEPOSIT, NOTES RECEIVABLES, COLLATERAL, PLEDGES, DOCUMENTS OF TITLE, SECURITIES, AND COUPONS.
and to notify the garnishee that: (a) an attachment has been issued; (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 disposing 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 (i) the first \$10,000 of each account of the defendant with a bank or other financial institution containing any funds which 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.
ii) each account of the defendant with a bank or other financial institution in which funds on deposit exceed \$10,000 at any time if all 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.
iii) any funds in an account of the defendant with a bank or other financial institution 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, you are directed to notify such other person that he or she has been added as a garnishee and is enjoined as above stated.

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INTEREST FROM JUDGEMENT DATE: \$757.58
ATTY'S COMM: \$
DATE: 10/19/2018

Total: \$1,768.74
PROTH. COSTS PAID: \$60.00
SHERIFF: \$
OTHER COSTS: \$



Brian K. Spencer
Prothonotary/Clerk Civil Division

Received this writ this 19 day
of October A.D. 2018
at 3:00 A.M. (P.M.)

Michael Chernes
Sheriff By Ruth Ann DeFoor

Requesting Party:
Doreena L. Sloan, Esq
6 Kacey Court, Suite 203
Mechanicsburg, PA 17055
(866)563-0809

**WRIT OF EXECUTION and/or ATTACHMENT
COMMONWEALTH OF PENNSYLVANIA, COUNTY OF CLEARFIELD
CIVIL ACTION - LAW**

Midland Funding LLC, Aspire,

Vs.

No.: 2008-02127-CD

Tracy A. Kruies

First Commonwealth Bank
Garnishee

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- (1) You are directed to levy upon the property of the defendant and to sell defendant's interest therein:
- (2) You are also directed to attach the property of the defendant not levied upon in the possession of:
First Commonwealth Bank as garnishee(s):
ALL ACCOUNTS INCLUDING BUT NOT LIMITED TO ALL SAVING, CHECKING AND OTHER ACCOUNTS, CERTIFICATES OF DEPOSIT, NOTES RECEIVABLES, COLLATERAL, PLEDGES, DOCUMENTS OF TITLE, SECURITIES, AND COUPONS.
and to notify the garnishee that: (a) an attachment has been issued; (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 disposing thereof; (c) the attachment shall not include any funds in an account of the defendant with a bank or other financial institution
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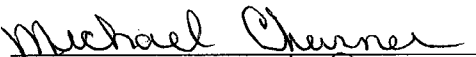
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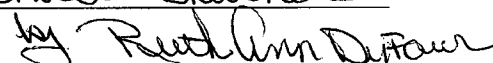
Total: \$1,768.74
PROTH. COSTS PAID: \$60.00
SHERIFF: \$
OTHER COSTS: \$



Brian K. Spencer
Prothonotary/Clerk Civil Division

Received this writ this 19 day
of October A.D. 2018
at 3:00 A.M./P.M.



Michael Cherner
Sheriff 

Requesting Party:
Doreena L. Sloan, Esq
6 Kacey Court, Suite 203
Mechanicsburg, PA 17055
(866)563-0809

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

MIDLAND FUNDING, LLC.,
ASSIGNEE OF ASPIRE
Plaintiff,

vs.

CASE NO. 2008-2127-CD
CIVIL ACTION - LAW

TRACY A KRUIES
Defendant.

INTERROGATORIES TO GARNISHEE

Garnishee
TO: First Commonwealth Bank
14303 Clearfield Shawville Hwy
Clearfield, PA 16830

PURSUANT TO RULE 3253 OF THE RULES OF CIVIL PROCEDURE, THE FOLLOWING INTERROGATORIES HAVE BEEN SERVED UPON YOUR INSTITUTION. GARNISHEE IS HEREBY REQUIRED TO ANSWER EACH OF THE FOLLOWING INTERROGATORIES SEPARATELY AND FULLY. PLEASE COMPLETE THE FOLLOWING INTERROGATORIES TO ASSIST THE CREDITOR'S EFFORTS TO SATISFY THE LAWFUL OBLIGATION OF THE ABOVE REFERENCED DEBTOR(S).

IMPORTANT NOTICES AND INSTRUCTIONS TO GARNISHEE

A. You are required to file answers to the following interrogatories within twenty (20) days after service upon you. Failure to do so may result in judgment against you.

B. The term "Defendant(s)" means the individual(s) or entity against whom the Writ of Execution was issued.

C. "You" means the main office and all branch offices, representatives, employees and agents of your organization.

D. By service of the Writ of Execution upon you, all property of the Defendant(s) subject to attachment which is in your possession, custody or control is attached, including all property of the Defendant(s) which comes into your possession thereafter.

E. These Interrogatories are considered to be continuing and therefore should be modified or supplemented as you receive further or additional information.

F. Where exact information cannot be furnished, estimated information is to be supplied. When an estimate is to be used, it should be identified as such, an explanation should be given as to the basis on which the estimate is made, and the reason the exact information cannot be furnished.

G. Where knowledge or information in possession of a party is requested, such request includes knowledge of the party's agents, representatives, and attorneys.

INTERROGATORIES TO GARNISHEE
TRACY A KRUIES
Defendant.

SS# -XXX-XX-8045

1. At the time you were served or at any subsequent time did you owe the defendant(s) any money or were you liable to the defendant(s) on any negotiable or other written instrument, or did the defendant(s) claim that you owed the defendant(s) any money or were liable to the defendant(s) for any reason?
2. At the time you were served or at any subsequent time was there in your possession, custody or control or in the joint possession, custody or control of yourself and one or more other persons any property of any nature owned solely or in part by the defendant(s)?
3. At the time you were served or at 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(s) 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 an interest?
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 if so what was the consideration therefor?
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 at any subsequent time did the defendant(s) 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 number and state the amount of funds in each account, and the entity electronically depositing those funds on a recurring basis.

DEFENDANT(S) - TRACY A KRUIES
Defendant.

SS# -XXX-XX-8045

8. If you are a bank or other financial institution, at the time you were served or at any subsequent time did the defendant 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 monetary exemption under 42 Pa.C.S. § 8123? If so, identify each account.

9. Please identify all accounts not listed in your answer to Interrogatory No. 7, the amount of funds in each account, whether the funds are deposited electronically on a recurring basis and the entity electronically depositing those funds. If the defendant(s) maintains any of these accounts jointly with any other person, or persons, give their name, address and relationship to defendant.

10. Are there any attorney's fees or processing fees charged by you against the defendant(s) or account(s) of the defendant(s) for the completion of this answer? If yes, outline the exact amount of any fees due and owing to the garnishee or the attorney for the garnishee for the preparation of the Answer.

11. Please provide the name, business address and business telephone of the person answering these interrogatories.

12. Please provide the address and telephone number where future court documents pertaining to this case can be served on Garnishee.



Michael B. Volk, Esq. #88553

✓ Doreena L. Sloan, Esq. #44880

SCOTT & ASSOCIATES, P.C., Counsel for Plaintiff

6 Kacey Court, Suite 203

Mechanicsburg, PA 17055

Telephone: (866) 563-0809

OCT 15 2018

MJSPC #: 915619

Please return your Answer to Interrogatories to counsel for Plaintiff at: Scott & Associates, P.C. 28 E. Main Street, Suite 500, Rochester, NY 14614.