

08-2162-CD

LVNV Funding vs Charlotte Seybold

COURT OF COMMON PLEAS

CLEARFIELD  
JUDICIAL DISTRICT

46TH

FROM

DISTRICT JUSTICE JUDGMENT

COMMON PLEAS No. 2008-2162-CD

## NOTICE OF APPEAL

Notice is given that the appellant has filed in the above Court of Common Pleas an appeal from the judgment rendered by the District Justice on the date and in the case mentioned below.

NAME OF APPELLANT LVNV Funding LLC		MAG. DIST. NO. OR NAME OF DISTRICT JUDGE 46-3-03	
ADDRESS OF APPELLANT 15 South Main Street		CITY Greenville SC	STATE SC
DATE OF JUDGMENT 10/31/08		ZIP CODE 29601	
IN THE CASE OF (Plaintiff) LVNV Funding LLC		(Defendant) Charlotte A. Seybold	
CLAIM NO. CV 20 CV-213-08 LT 20		SIGNATURE OF APPELLANT OR HIS ATTORNEY OR AGENT <i>[Signature]</i>	

This block will be signed ONLY when this notation is required under Pa. R.C.P.J.P. No. 1008B.

This Notice of Appeal, when received by the District Justice, will operate as a SUPERSEDEAS to the judgment for possession in this case.

Signature of Prothonotary or Deputy

If appellant was Claimant (see Pa. R.C.P.J.P. No. 1001(6) in action before District Justice, he MUST FILE A COMPLAINT within twenty (20) days after filing his NOTICE of APPEAL.

FILED

## PRAECIPE TO ENTER RULE TO FILE COMPLAINT AND RULE TO FILE

(This section of form to be used ONLY when appellant was DEFENDANT (see Pa. R.C.P.J.P. No. 1001(7) in action before District Justice. IF NOT USED, detach from copy of notice of appeal to be served upon appellee).

PRAECIPE: To Prothonotary

Enter rule upon \_\_\_\_\_, appellee(s), to file a complaint in this appeal  
(Common Pleas No. \_\_\_\_\_) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

Signature of appellant or his attorney or agent

RULE: To \_\_\_\_\_, appellee(s)  
Name of appellee(s)

(1) You are notified that a rule is hereby entered upon you to file a complaint in this appeal within twenty (20) days after the date of service of this rule upon you by personal service or by certified or registered mail.

(2) If you do not file a complaint within this time, a JUDGMENT OR NON PROS WILL BE ENTERED AGAINST YOU.

(3) The date of service of this rule if service was by mail is the date of mailing.

Date: \_\_\_\_\_, 20 \_\_\_\_.

Signature of Prothonotary or Deputy

**PROOF OF SERVICE OF NOTICE OF APPEAL AND RULE TO FILE COMPLAINT**

*(This proof of service MUST BE FILED WITHIN TEN (10) DAYS AFTER filing the notice of appeal. Check applicable boxes)*

**COMMONWEALTH OF PENNSYLVANIA**

**COUNTY OF** \_\_\_\_\_; ss

**AFFIDAVIT:** I hereby swear or affirm that I served

☐ a copy of the Notice of Appeal, Common Pleas No. \_\_\_\_\_, upon the District Justice designated therein on  
(date of service) \_\_\_\_\_, 20\_\_\_\_, ☐ by personal service ☐ by (certified) (registered) mail, sender's  
receipt attached hereto, and upon the appellee, (name) \_\_\_\_\_ on  
\_\_\_\_\_, 20\_\_\_\_ ☐ by personal service ☐ by (certified) (registered) mail, sender's receipt attached hereto.

☐ and further that I served the Rule to File a Complaint accompanying the above Notice of Appeal upon the appellee(s) to  
whom the Rule was addressed on \_\_\_\_\_, 20\_\_\_\_, ☐ by personal service ☐ by (certified) (registered)  
mail, sender's receipt attached hereto.

**SWORN (AFFIRMED) AND SUBSCRIBED BEFORE ME**  
**THIS** \_\_\_\_\_ **DAY OF** \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
*Signature of affiant*

\_\_\_\_\_  
*Signature of official before whom affidavit was made*

\_\_\_\_\_  
*Title of official*

My commission expires on \_\_\_\_\_, 20\_\_\_\_.

COURT OF COMMON PLEAS

CLEARFIELD  
JUDICIAL DISTRICT

46TH

FROM

DISTRICT JUSTICE JUDGMENT

COMMON PLEAS No. 2008-2162-CD

## NOTICE OF APPEAL

Notice is given that the appellant has filed in the above Court of Common Pleas an appeal from the judgment rendered by the District Justice on the date and in the case mentioned below.

NAME OF APPELLANT LVNU Funding LLC		MAG. DIST. NO. OR NAME OF D.J. 46-303	
ADDRESS OF APPELLANT 15 South Main Street		CITY Greenville SC	STATE SC
DATE OF JUDGMENT 10/31/08		ZIP CODE 291001	
IN THE CASE OF (Plaintiff) LVNU Funding LLC		(Defendant) Charlotte H. Saybold	
CLAIM NO. CV 20 CV-213-08 LT 20		SIGNATURE OF APPELLANT OR HIS ATTORNEY OR AGENT <i>[Signature]</i>	

This block will be signed ONLY when this notation is required under Pa. R.C.P.J.P. No. 1008B.

This Notice of Appeal, when received by the District Justice, will operate as a SUPERSEDEAS to the judgment for possession in this case.

If appellant was Claimant (see Pa. R.C.P.J.P. No. 1001(6) in action before District Justice, he MUST FILE A COMPLAINT within twenty (20) days after filing his NOTICE of APPEAL.

\_\_\_\_\_  
Signature of Prothonotary or Deputy

## PRAECIPE TO ENTER RULE TO FILE COMPLAINT AND RULE TO FILE

(This section of form to be used ONLY when appellant was DEFENDANT (see Pa. R.C.P.J.P. No. 1001(7) in action before District Justice. IF NOT USED, detach from copy of notice of appeal to be served upon appellee).

## PRAECIPE: To Prothonotary

Enter rule upon \_\_\_\_\_, appellee(s), to file a complaint in this appeal  
Name of appellee(s)

(Common Pleas No. \_\_\_\_\_) within twenty (20) days after service of rule or suffer entry of judgment of non pros.

\_\_\_\_\_  
Signature of appellant or his attorney or agent

RULE: To \_\_\_\_\_, appellee(s)  
Name of appellee(s)

(1) You are notified that a rule is hereby entered upon you to file a complaint in this appeal within twenty (20) days after the date of service of this rule upon you by personal service or by certified or registered mail.

(2) If you do not file a complaint within this time, a JUDGMENT OR NON PROS WILL BE ENTERED AGAINST YOU.

(3) The date of service of this rule if service was by mail is the date of mailing.

Date: \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Signature of Prothonotary or Deputy

**PROOF OF SERVICE OF NOTICE OF APPEAL AND RULE TO FILE COMPLAINT**

*(This proof of service MUST BE FILED WITHIN TEN (10) DAYS AFTER filing the notice of appeal. Check applicable boxes)*

**COMMONWEALTH OF PENNSYLVANIA**

COUNTY OF \_\_\_\_\_; ss

**AFFIDAVIT:** I hereby swear or affirm that I served

☐ a copy of the Notice of Appeal, Common Pleas No. \_\_\_\_\_, upon the District Justice designated therein on  
(date of service) \_\_\_\_\_, 20\_\_\_\_, ☐ by personal service ☐ by (certified) (registered) mail, sender's  
receipt attached hereto, and upon the appellee, (name) \_\_\_\_\_ on  
\_\_\_\_\_, 20\_\_\_\_ ☐ by personal service ☐ by (certified) (registered) mail, sender's receipt attached hereto.

☐ and further that I served the Rule to File a Complaint accompanying the above Notice of Appeal upon the appellee(s) to  
whom the Rule was addressed on \_\_\_\_\_, 20\_\_\_\_, ☐ by personal service ☐ by (certified) (registered)  
mail, sender's receipt attached hereto.

SWORN (AFFIRMED) AND SUBSCRIBED BEFORE ME

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
*Signature of affiant*

\_\_\_\_\_  
*Signature of official before whom affidavit was made*

\_\_\_\_\_  
*Title of official*

My commission expires on \_\_\_\_\_, 20\_\_\_\_

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.: **46-3-03**

MDJ Name: Hon. **MICHAEL A. RUDELLA**

Address: **131 ROLLING STONE ROAD  
PO BOX 210  
KYLERTOWN, PA**

Telephone: **(814) 345-6789 16847-0444**

**NOTICE OF JUDGMENT/TRANSCRIPT  
CIVIL CASE**

PLAINTIFF: **LVNV FUNDING LLC**  
**1729 PITTSTON AVE APT/STE 520  
SCRANTON, PA 18505**

VS.  
DEFENDANT: **SEYBOLD, CHARLOTTE A**  
**145 SYCAMORE DR  
KARTHAUS, PA 16845**

**C/O EDWIN A ABRAHAMSEN & ASSOC. P.C**  
**1729 PITTSTON AVE APT/STE 520  
SCRANTON, PA 18505**

Docket No.: **CV-0000213-08**  
Date Filed: **8/11/08**



**THIS IS TO NOTIFY YOU THAT:**

Judgment: **FOR DEFENDANT** (Date of Judgment) **10/31/08**

☒ Judgment was entered for: (Name) **SEYBOLD, CHARLOTTE A**

☒ Judgment was entered against: (Name) **C/O EDWIN A ABRAHAMSEN & ASSOC**  
in the amount of \$ **.00**

☐ 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	\$ <b>.00</b>
Judgment Costs	\$ <b>.00</b>
Interest on Judgment	\$ <b>.00</b>
Attorney Fees	\$ <b>.00</b>
<b>Total</b>	\$ <b>.00</b>
Post Judgment Credits	\$ _____
Post Judgment Costs	\$ _____
<b>Certified Judgment Total</b>	\$ _____

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.

**10-31-08** Date **MA Rudella**, Magisterial District Judge

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

\_\_\_\_\_, Date \_\_\_\_\_, Magisterial District Judge

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

SEAL

AOPC 315-07

**DATE PRINTED: 10/31/08 10:13:00 AM**

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

LVNV FUNDING LLC  
15 South Main Street  
Greenville, SC 29601

Plaintiff

CIVIL ACTION

vs.

Charlotte A Seybold  
149 SYCAMORE DR  
KARTHAUS PA 16845

Defendant

NO: 2008-2162-CD

*S* FILED *Q*

NOV 10 2008

*m/3:55/c*  
William A. Shaw  
Prothonotary/Clerk of Courts

*1 chg to [unclear]*  
*[unclear]*  
*[unclear]*  
*[unclear]*

**NOTICE TO DEFEND**

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice to Defend are served, by entering a written appearance personally or by an attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

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

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

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Plaintiff

Charlotte A Seybold  
149 SYCAMORE DR\_  
KARTHAUS PA 16845

—

Defendant

Plaintiff, LVNV FUNDING LLC , by and through its attorneys, Edwin A. Abrahamsen & Associates, P.C., complains of the Defendant as follows:

1. Plaintiff, LVNV FUNDING LLC , (hereinafter "Plaintiff") is a Delaware corporation with a principal place of business located at 15 South Main Street Greenville, SC 29601.
2. The Defendant Charlotte A Seybold (hereinafter "Defendant") is an adult individual residing at 149 SYCAMORE DR \_ KARTHAUS PA 16845.
3. At all relevant times herein, Plaintiff was engaged in the business of extending credit to potential clients.
4. Defendant applied for and received a credit card issued by Plaintiff with the account number 5049948039684552.



5. Use of the LVNV FUNDING credit card was subject to the terms and conditions of the Cardmember Agreement (hereinafter "Agreement"), a copy of which was sent along to the Defendant with the credit card. A copy of this document has been requested from LVNV FUNDING LLC, and will be provided upon receipt.

6. Defendant used the LVNV FUNDING LLC credit card with account number, 5049948039684552, for purchases, cash advances and/or balance transfers. Use of the card in this manner constituted acceptance of the terms and conditions and subjects the Defendant to the terms and conditions contained therein.

7. The Defendant was mailed monthly account statements relative to the Defendant's use of the subject credit card.

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

9. The account became delinquent on June 22, 2006.

10. The principal amount was \$4,566.01 at the time of charge-off.

11. Pursuant to the account agreement, any unpaid balance accrues interest at the contract rate of 6%.

12. The principal amount was \$4,566.01 at the time it was received by Plaintiff.

13. The total amount due and owing the Plaintiff including interest, is \$5,265.40.

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

WHEREFORE, Plaintiff requests judgment in its favor and against Defendant in the amount of \$5,265.40 plus costs of suit, reasonable attorneys' fees and any other relief as the Court deems just and appropriate.

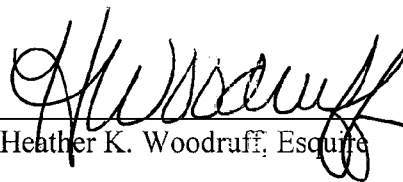
Respectfully submitted,

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

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

**VERIFICATION**

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

  
Heather K. Woodruff, Esquire

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF: **CLEARFIELD**

Mag. Dist. No.:

**46-3-03**

MDJ Name: Hon.

**MICHAEL A. RUDELLA**

Address: **131 ROLLING STONE ROAD  
PO BOX 210**

**KYLERTOWN, PA**

Telephone: **(814) 345-6789 16847-0444**

**NOTICE OF JUDGMENT/TRANSCRIPT  
CIVIL CASE**

PLAINTIFF:

NAME and ADDRESS

**LVNV FUNDING LLC  
1729 PITTSTON AVE APT/STE 520  
SCRANTON, PA 18505**

VS.

DEFENDANT:

NAME and ADDRESS

**SEYBOLD, CHARLOTTE A  
145 SYCAMORE DR  
KARTHAUS, PA 16845**

**LVNV FUNDING LLC  
1729 PITTSTON AVE APT/STE 520  
SCRANTON, PA 18505**

Docket No.: **CV-0000213-08**  
Date Filed: **8/11/08**



*Common Pleas #2008-2102-CD*

**THIS IS TO NOTIFY YOU THAT:**

Judgment: **FOR DEFENDANT** (Date of Judgment) **10/31/08**

<input checked="" type="checkbox"/>	Judgment was entered for: (Name) <b>SEYBOLD, CHARLOTTE A</b>
<input checked="" type="checkbox"/>	Judgment was entered against: (Name) <b>LVNV FUNDING LLC</b> in the amount of \$ <b>.00</b>
<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 \$ _____

Amount of Judgment	\$ <b>.00</b>
Judgment Costs	\$ <b>.00</b>
Interest on Judgment	\$ <b>.00</b>
Attorney Fees	\$ <b>.00</b>
<b>Total</b>	\$ <b>.00</b>
Post Judgment Credits	\$ <b>0</b>
Post Judgment Costs	\$ <b>0</b>
<b>Certified Judgment Total</b>	\$ <b>0</b>

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.

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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.

**FILED**

*11/12/08*  
**NOV 19 2008**

*5* William A. Shaw  
Prothonotary/Clerk of Courts *GW*

*10-31-08* Date *MA Rudella*, Magisterial District Judge

I certify that this is a true and correct copy of the record of the proceedings containing the judgment.  
*11/13/08* Date *MA Rudella*, Magisterial District Judge

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

SEAL

AOPC 315-07

**DATE PRINTED: 11/13/08 10:37:00 AM**

LVNV FUNDING LLC

Plaintiff

vs.

Charlotte A Seybold  
149 SYCAMORE DR  
KARTHAUS PA 16845

Defendant

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

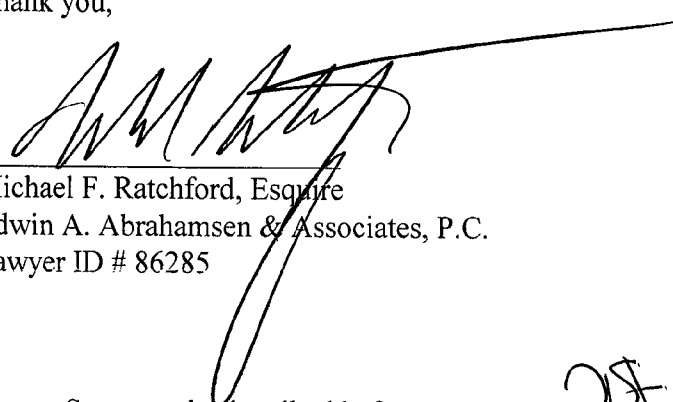
<sup>2008-</sup>  
NO: ~~208~~-2162-CD

Præcipe to Withdraw Civil Complaint

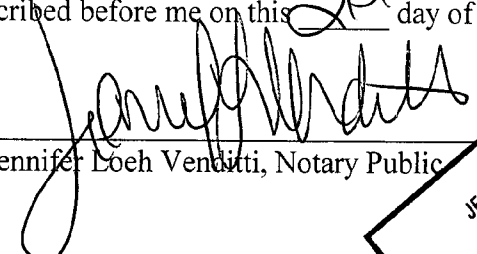
To the Prothonotary of CLEARFIELD County Pennsylvania:

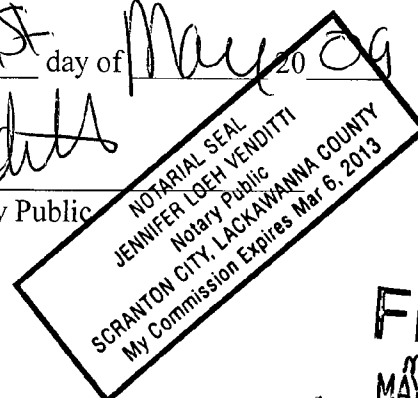
Please enter the above Præcipe to Withdraw the Civil Complaint and Appeal.

Thank you,

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

Sworn and subscribed before me on this 28<sup>th</sup> day of May 2009

  
Jennifer Loeh Venditti, Notary Public



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MAY 26 2009 CC

William A. Shaw  
Prothonotary/Clerk of Courts

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William A. Shaw  
Prothonotary/Clerk of Courts

