

08-2215-CD

Atlantic Credit al vs Jamie L Caldwell

179817

**COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA**

ATLANTIC CREDIT & FINANCE INC.
ASSIGNEE FROM HSBC

(Plaintiff)

c/o Apothaker & Associates, P.C.

520 Fellowship Road C306

(Street Address)

Mount Laurel, NJ 08054

(City, State, ZIP)

CIVIL ACTION

No. 08-2215-CD

Type of Case: CIVIL

Type of Pleading: PLEADING

VS.

Filed on Behalf of:

JAMIE L CALDWELL

(Defendant)

271 LAKE ST

(Street Address)

WOODLAND, PA 16881-7825

(City, State, ZIP)

ATLANTIC CREDIT & FINANCE INC.

ASSIGNEE FROM

HSBC

(Plaintiff)

David J. Apothaker, Esq.
Apothaker & Associates, P.C.

(Filed by)

520 Fellowship Road C306

Mount Laurel, NJ 08054

(Address)

800-672-0215

(Phone)

(Signature)

4
FILED Att'y pd. 95.00
M/3:12301
NOV 17 2008 ICC Att'y
William A. Shaw ICC Sheriff
Prothonotary/Clerk of Courts

Our File No.: 179817
APOTHAKE & ASSOCIATES, P.C.
BY: David J. Apothaker, Esquire, Esq.
Attorney I.D.#38423
520 Fellowship Road C306
Mount Laurel, NJ 08054
(800) 672-0215
Attorneys for Plaintiff

ATLANTIC CREDIT & FINANCE INC.	)	COURT OF COMMON PLEAS
ASSIGNEE FROM HSBC	)	CLEARFIELD COUNTY
c/o Apothaker & Associates, P.C.)	
520 Fellowship Road C306	)	NO.:
Mount Laurel, NJ 08054)	
Plaintiff,)	
vs.)	
JAMIE L CALDWELL)	
271 LAKE ST)	
WOODLAND, PA 16881-7825)	
Defendant.)	

NOTICE

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

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER 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 ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
SECOND & MARKET STREETS
CLEARFIELD, PA 16830
814-765-2641

Our File No.: 179817
APOTHAKE & ASSOCIATES, P.C.
BY: David J. Apothaker, Esquire, Esq.
Attorney I.D.#38423
520 Fellowship Road C306
Mount Laurel, NJ 08054
(800) 672-0215
Attorneys for Plaintiff

ATLANTIC CREDIT & FINANCE INC.	)	COURT OF COMMON PLEAS
ASSIGNEE FROM HSBC	)	CLEARFIELD COUNTY
c/o Apothaker & Associates, P.C.)	
520 Fellowship Road C306	)	NO.:
Mount Laurel, NJ 08054)	
Plaintiff,)	
vs.)	
JAMIE L CALDWELL)	
271 LAKE ST)	
WOODLAND, PA 16881-7825)	
Defendant.)	

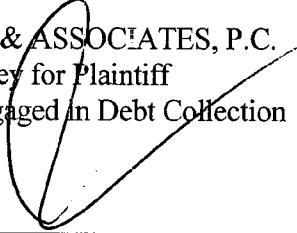
CIVIL ACTION COMPLAINT
FIRST COUNT

1. Plaintiff is ATLANTIC CREDIT & FINANCE INC. ASSIGNEE FROM HSBC c/o Apothaker & Associates, P.C., 520 Fellowship Road C306, Mount Laurel, NJ 08054.
2. Defendant(s) is/are JAMIE L CALDWELL, an adult individual residing at 271 LAKE ST WOODLAND, PA 16881-7325.
3. Plaintiff, ATLANTIC CREDIT & FINANCE INC. ASSIGNEE FROM HSBC, is the Assignee and Successor in Interest of Account #5408010012492324; and said account was issued to Defendant(s) by HSBC/AMERITECH, the Original creditor.
4. Defendant received, accepted and used the account to its benefit.
5. This account is in default and Defendant(s) has an unpaid balance of \$4,094.64. A true and correct copy of the total due and owing is attached hereto, made a part hereof and marked as Exhibit "A".
6. All credits, if any, to which Defendant(s) is entitled, have been applied to the account and are included in Exhibit "A".

7. Although demand has been made, Defendant(s) has failed to make payment of the amount due as above.

WHEREFORE, Plaintiff demands judgment in favor of Plaintiff and against Defendant(s) for the sum of \$4,094.64 and requests this Court award Plaintiff attorney's fees and costs to the extent permitted by applicable law.

APOTHAKER & ASSOCIATES, P.C.
Attorney for Plaintiff
A Law Firm Engaged in Debt Collection

BY: 
David J. Apothaker, Esquire

Dated: 11/6/2008

Our File No.: 179817

VERIFICATION

Cameron O. Gray, hereby states that I am
Authorized Representative for Plaintiff in this action, and that I am authorized
to take this Verification, and that the statements made in the foregoing Civil Action
Complaint are true and correct to the best of my knowledge, information, and belief. The
undersigned understands that the statements therein are made subject to the penalties of 18
Pa.C.S.A. 4904 relating to unsworn falsification to authorities.

Cameron O. Gray
Plaintiff

DATE:

ATLANTIC CREDIT & FINANCE INC. ASSIGNEE FROM HSBC

JAMIE L CALDWELL
271 LAKE ST
WOODLAND, PA 16881-7825

STATEMENT OF ACCOUNT

Debtor's Name:	JAMIE L CALDWELL
Account Number:	5408010012492324
Original Creditor:	HSBC/AMERITECH
Balance Due:	\$4,094.54

Our File No.: 179817

EXHIBIT "A"

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

NO: 08-2215-CD

ATLANTIC CREDIT & FINANCE INC., ASSIGNEE

VS

JAMIE L. CALDWELL

SERVICE # 1 OF 1

COMPLAINT

SERVE BY: 12/17/2008

HEARING:

PAGE: 104963

DEFENDANT: JAMIE L. CALDWELL
ADDRESS: 271 LAKE ST.
WOODLAND, PA 16881-7825

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT OCCUPIED

ATTEMPTS

*does not live here, Parents will have her call
with new address! 12/3/08*

FILED

012:20pm
DEC 04 2008

William A. Shaw
Prothonotary/Clerk of Courts

SHERIFF'S RETURN

NOW, 12/14/2008 AT 2:20 AM/PM SERVED THE WITHIN

COMPLAINT ON JAMIE L. CALDWELL, DEFENDANT

BY HANDING TO JAMIE CALDWELL 1 Del

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

ADDRESS SERVED S/O

NOW _____ AT _____ AM / PM POSTED THE WITHIN

COMPLAINT FOR JAMIE L. CALDWELL

AT (ADDRESS) _____

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

I MAKE RETURN OF NOT FOUND AS TO JAMIE L. CALDWELL

REASON UNABLE TO LOCATE _____

SWORN TO BEFORE ME THIS

_____ DAY OF _____ 2008

So Answers: CHESTER A. HAWKINS, SHERIFF

BY: *FE Sy*

Deputy Signature

FE Sy

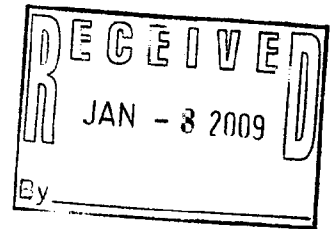
Print Deputy Name

Our file No.: 179817
APOTHAKER & ASSOCIATES, P.C.
520 Fellowship Road C306
Mount Laurel, NJ 08054
(800) 672-0215
Attorneys for Plaintiff
Attorney ID# 55140

FILED

JAN 20 2009

M/V: 20/6
William A. Shaw
Prothonotary/Clerk of Courts
(LAW) T
H+M



ATLANTIC CREDIT & FINANCE INC.
ASSIGNEE FROM HSBC

Plaintiff,

vs.

JAMIE L CALDWELL

Defendant.

) COURT OF COMMON PLEAS
) CLEARFIELD COUNTY
)
) DOCKET NO.: 08-2215-CD
)
) Civil Action
)
) STIPULATION IN LIEU OF JUDGMENT
)
)

The matters and things in controversy having been discussed by and between the parties, and a settlement having been agreed upon:

It is on December 22, 2008, STIPULATED by and between Plaintiff, ATLANTIC CREDIT & FINANCE INC. ASSIGNEE FROM HSBC, and Defendant, JAMIE L CALDWELL parties as follows:

1. Defendant agrees to pay the sum of \$4,316.90, which sum Plaintiff agrees to accept in full settlement of its claim herein, inclusive of counsel fees and court costs.
2. The sum aforesaid of \$4,316.90 shall be paid by the by Defendant, JAMIE L CALDWELL, to the attorneys for Plaintiff in the following manner:
 - a. \$431.00 to be paid on or before December 31, 2008;
 - b. \$100.00 to be paid on or before the 30th day of each month, beginning January 30, 2009 until paid in full.

All checks are to made payable to ATLANTIC CREDIT & FINANCE INC. ASSIGNEE FROM HSBC, and sent to:

Apothaker & Associates, P.C.
520 Fellowship Road C306
Mount Laurel, NJ 08054

3. In the event Defendant fails to pay in accordance with the terms set forth in this Stipulation, then, and in that event, Plaintiff shall be entitled to obtain the entry of

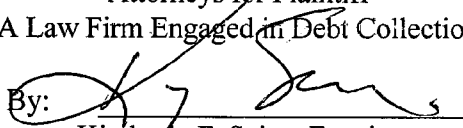
Judgment against Defendant *ex parte*, in the sum of \$4,316.90, giving Defendant credit for any sums actually paid pursuant to the terms of this Stipulation.

4. In the event of default as aforesaid, and default is not cured within ten (10) days, Plaintiff shall be entitled to obtain the entry of Judgment upon *ex parte* application, with supporting certification, and with notice to Defendant only in the form of a copy of the application addressed to JAMIE L CALDWELL by first-class, postage prepaid.

We hereby consent to the form and entry of the within Stipulation.

APOTHAKER & ASSOCIATES, P.C.
Attorneys for Plaintiff
A Law Firm Engaged in Debt Collection

By:


Kimberly F. Scian, Esquire


JAMIE L CALDWELL

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

NO: 08-2215-CD

ATLANTIC CREDIT & FINANCE INC., ASSIGNEE

VS

SERVICE # 1 OF 1

JAMIE L. CALDWELL

COMPLAINT

SERVE BY: 12/17/2008

HEARING:

PAGE: 104963

DEFENDANT:

JAMIE L. CALDWELL

ADDRESS:

271 LAKE ST.

WOODLAND, PA 16881-7825

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS:

VACANT

OCCUPIED

ATTEMPTS

*does not live here, Parents will have her call
with new address! 12/3/08*

SHERIFF'S RETURN

NOW, 12/17/2008 AT 2:20 AM / PM **SERVED** THE WITHIN

COMPLAINT ON JAMIE L. CALDWELL, DEFENDANT

BY HANDING TO JAMIE CALDWELL 1 Del.

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

ADDRESS SERVED S/O CLEARFIELD COUNTY SHERIFF

1 NORTH SECOND STREET CLEARFIELD

NOW _____ AT _____ AM / PM **POSTED** THE WITHIN

COMPLAINT FOR JAMIE L. CALDWELL

AT (ADDRESS) _____

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

I MAKE RETURN OF **NOT FOUND** AS TO JAMIE L. CALDWELL

REASON UNABLE TO LOCATE _____

SWORN TO BEFORE ME THIS

_____ DAY OF _____ 2008

So Answers: CHESTER A. HAWKINS, SHERIFF

BY: [Signature]

Deputy Signature

[Signature]

Print Deputy Name

5
FILED
911:4630
JAN 23 2009
William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 104963
NO: 08-2215-CD
SERVICES 1

COMPLAINT

PLAINTIFF: ATLANTIC CREDIT & FINANCE INC., ASSIGNEE
vs.
DEFENDANT: JAMIE L. CALDWELL

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	APOTHAKE	111324	10.00
SHERIFF HAWKINS	APOTHAKE	111324	24.85

FILED
012:11m
FEB 17 2010
William A. Shaw
Prothonotary/Clerk of Courts

Sworn to Before Me This

____ Day of _____ 2010

So Answers,

Chester A. Hawkins

Chester A. Hawkins
Sheriff

Our File No.: 179817
APOTHAKE & ASSOCIATES, P.C.
By: David J. Apothaker
Attorney I.D.# 38423
520 Fellowship Road C306
Mount Laurel, NJ 08054
(800) 672-0215
Attorney for Plaintiff

FILED
MAY 20 2011
William A. Shaw
Prothonotary/Clerk of Courts
Att'y pd. 20.00
ICC Notice to Def.
ICC Att'y

ATLANTIC CREDIT & FINANCE INC.
ASSIGNEE FROM HSBC

Plaintiff

vs.

JAMIE L CALDWELL

Defendant

COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY

NO.: 08-2215-CD

Civil Action


PRAECIPE TO ENTER JUDGMENT PURSUANT TO STIPULATION

TO THE PROTHONOTARY:

Please enter a judgment in favor of plaintiff, ATLANTIC CREDIT & FINANCE INC. ASSIGNEE FROM HSBC, and against Defendant, JAMIE L CALDWELL, for failure to comply with the terms and conditions of the Stipulation in Lieu of Judgment (Stipulation), filed with this Court on January 20, 2009, a copy of which is attached hereto as Exhibit "A".

Assess damages in the amount of:

Balance:	\$ 4,316.90
Less: Payments:	(1,631.00)
Plus: Interest from January 20, 2009	_____ .00
TOTAL	\$ 2,685.90



David J. Apothaker, Esq.
Attorney for Plaintiff

Dated: May 11, 2011

Our File No.: 179817
APOTHAKER & ASSOCIATES, P.C.
By: David J. Apothaker
Attorney I.D.# 38423
520 Fellowship Road C306
Mount Laurel, NJ 08054
(800) 672-0215
Attorney for Plaintiff

ATLANTIC CREDIT & FINANCE INC.
ASSIGNEE FROM HSBC

Plaintiff

vs.

JAMIE L CALDWELL

Defendant

COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY

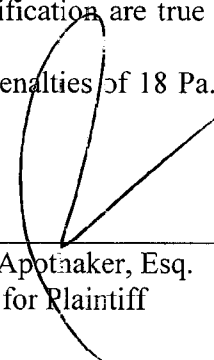
NC.: 03-2215-CD

Civil Action

David J. Apothaker, Esquire, certifies as follows:

1. I am an attorney with the Law Firm of Apothaker & Associates, P.C., attorneys for the Plaintiff in the above captioned matter, and as such, have full and complete knowledge of the facts herein.
2. The matter was settled by and between the parties by Stipulation in Lieu of Judgment (Stipulation), on January 20, 2009, a copy of the Stipulation is attached hereto and marked as Exhibit "A".
3. Defendant breached this agreement by failing to make payments in accordance with the terms of said Stipulation.
4. Therefore, pursuant to the Stipulation, Plaintiff is proceeding towards the entry of Judgment in the amount of \$4,316.90, giving the Defendant credit for payments made totaling \$1,631.00, for a total of \$2,685.90.

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



David J. Apotnaker, Esq.
Attorney for Plaintiff

Dated: May 11, 2011

Our File No.: 179817
APOTHAKER & ASSOCIATES, P.C.
By: David J. Apothaker
Attorney I.D.# 38423
520 Fellowship Road C306
Mount Laurel, NJ 08054
(800) 672-0215
Attorney for Plaintiff

ATLANTIC CREDIT & FINANCE INC.	)	COURT OF COMMON PLEAS OF
ASSIGNEE FROM HSBC	)	CLEARFIELD COUNTY
)	
Plaintiff	)	NO.: 08-2215-CD
vs.)	
	)	Civil Action
JAMIE L CALDWELL)	
)	
Defendant)	

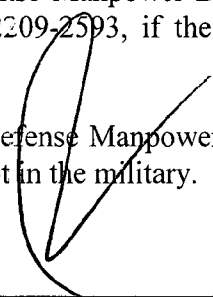
AFFIDAVIT OF NON-MILITARY SERVICE

COMMONWEALTH OF PENNSYLVANIA :
: SS.
COUNTY OF CLEARFIELD :

David J. Apothaker, being duly sworn according to law, deposes and says that I am the attorney for Plaintiff, and authorized to make this affidavit; that Defendant(s) resides at 704 OGDEN AVE CLEARFIELD, PA 16830.

We inquired with the web site of the Defense Manpower Data Center, located at 1600 Wilson Boulevard, Suite 400, Arlington, VA 22209-2593, if the Defendant(s) is/are in any branch of the military.

Mary M. Snively-Dixon, Director of the Defense Manpower Data Center has sent back our inquiry indicated that the Defendant(s) is/are not in the military.



David J. Apothaker, Esq.
Attorney for Plaintiff

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



Military Status Report
Pursuant to the Service Members Civil Relief Act

Last Name	First/Middle	Begin Date	Active Duty Status	Active Duty End Date	Service Agency
CALDWELL	JAMIE I.	Based on the information you have furnished, the DMDC does not possess any information indicating the individual status.			

Upon searching the information data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the current status of the individual as to all branches of the Uniformed Services (Army, Navy, Marine Corps, Air Force, NOAA, Public Health, and Coast Guard).

Mary M. Snively-Dixon

Mary M. Snively-Dixon, Director
Department of Defense - Manpower Data Center
1600 Wilson Blvd., Suite 400
Arlington, VA 22209-2593

The Defense Manpower Data Center (DMDC) is an organization of the Department of Defense that maintains the Defense Enrollment and Eligibility Reporting System (DEERS) database which is the official source of data on eligibility for military medical care and other eligibility systems.

The DoD strongly supports the enforcement of the Service Members Civil Relief Act (50 USC App. §§ 501 et seq. as amended) (SCRA) (formerly known as the Soldiers' and Sailors' Civil Relief Act of 1940). DMDC has issued hundreds of thousands of "does not possess any information indicating that the individual is currently on active duty" responses, and has experienced a small error rate. In the event the individual referenced above, or any family member, friend, or representative asserts in any manner that the individual is on active duty, or is otherwise entitled to the protections of the SCRA, you are strongly encouraged to obtain further verification of the person's status by contacting that person's Service via the DefenseLink.mil URL <http://www.defenselink.mil/facops/PC09SLDR.html>. If you have evidence the person is on active duty and you fail to obtain this additional Service verification, punitive provisions of the SCRA may be invoked against you. See 38 USC App. §521(c).

If you obtain additional information about the person (e.g., an SSN, improved accuracy of DOB, or middle name), you can submit your request again at this Web site and we will provide a new certificate for that query.

This response reflects active duty status including date the individual was last on active duty, if it was within the preceding 367 days. For historical information, please contact the Service SCRA points-of-contact.

More information on "Active Duty Status"

Active duty status as reported in this certificate is defined in accordance with 10 USC § 101(d)(1) for a period of more than 30 consecutive days. In the case of a member of the National Guard, includes service under a call to active service authorized by the President or the Secretary of Defense for a period of more than 30 consecutive days under 32 USC § 502(f) for purposes of responding to a national emergency declared by the President and supported by Federal funds. All Active Guard Reserve (AGR) members must be assigned against an authorized mobilization position in the unit they support. This includes Navy TARE, Marine Corps ARs and Coast Guard RPAs. Active Duty status also applies to a Uniformed Service member who is an active duty commissioned officer of the U.S. Public Health Service or the National Oceanic and Atmospheric Administration (NOAA Commissioned Corps) for a period of more than 30 consecutive days.

Coverage Under the SCRA is Broader in Some Cases

Coverage under the SCRA is broader in some cases and includes some categories of persons on active duty for purposes of the SCRA who would not be reported as on Active Duty under this certificate.

Many times orders are amended to extend the period of active duty, which would extend SCRA protections. Persons seeking to rely on this website certification should check to make sure the orders on which SCRA protections are based have not been amended to extend the inclusive dates of service. Furthermore, some protections of the SCRA may extend to persons who have received orders to report for active duty or to be inducted, but who have not actually begun active duty or actually reported for induction. The Last Date on Active Duty entry is important because a number of protections of SCRA extend beyond the last dates of active duty.

Those who would rely on this certificate are urged to seek qualified legal counsel to ensure that all rights guaranteed to Service members under the SCRA are protected.

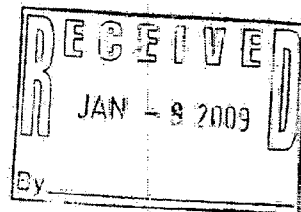
WARNING: This certificate was provided based on a name and SSN provided by the requester. Providing an erroneous name or SSN will cause an erroneous certificate to be provided.
Report ID:JD343CFPPPL

179812-2

Our file No.: 179317
APOTHAKER & ASSOCIATES, P.C.
520 Fellowship Road C306
Mount Laurel, NJ 08054
(800) 672-0215
Attorneys for Plaintiff
Attorney ID# 55140

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

JAN 20 2009



Attest.

William H. ...
Prothonotary/
Clerk of Courts

ATLANTIC CREDIT & FINANCE INC.
ASSIGNEE FROM HSBC

Plaintiff,

vs.

JAMIE L CALDWELL

Defendant.

) COURT OF COMMON PLEAS
) CLEARFIELD COUNTY
)
) DOCKET NO.: 08-2215-CD
)
) Civil Action
)
) STIPULATION IN LIEU OF JUDGMENT
)
)

The matters and things in controversy having been discussed by and between the parties, and a settlement having been agreed upon:

It is on December 22, 2008, STIPULATED by and between Plaintiff, ATLANTIC CREDIT & FINANCE INC. ASSIGNEE FROM HSBC, and Defendant, JAMIE L CALDWELL parties as follows:

1. Defendant agrees to pay the sum of \$4,316.90, which sum Plaintiff agrees to accept in full settlement of its claim herein, inclusive of counsel fees and court costs.
2. The sum aforesaid of \$4,316.90 shall be paid by the by Defendant, JAMIE L CALDWELL, to the attorneys for Plaintiff in the following manner:
 - a. \$431.00 to be paid on or before December 31, 2008;
 - b. \$100.00 to be paid on or before the 30th day of each month, beginning January 30, 2009 until paid in full.

All checks are to made payable to ATLANTIC CREDIT & FINANCE INC. ASSIGNEE FROM HSBC, and sent to:

Apothaker & Associates, P.C.
520 Fellowship Road C306
Mount Laurel, NJ 08054

3. In the event Defendant fails to pay in accordance with the terms set forth in this Stipulation, then, and in that event, Plaintiff shall be entitled to obtain the entry of

Judgment against Defendant *ex parte*, in the sum of \$4,316.90, giving Defendant credit for any sums actually paid pursuant to the terms of this Stipulation.

4. In the event of default as aforesaid, and default is not cured within ten (10) days, Plaintiff shall be entitled to obtain the entry of Judgment upon *ex parte* application, with supporting certification, and with notice to Defendant only in the form of a copy of the application addressed to JAMIE L CALDWELL by first-class, postage prepaid.

We hereby consent to the form and entry of the within Stipulation.

APOTHAKE & ASSOCIATES, P.C.
Attorneys for Plaintiff
A Law Firm Engaged in Debt Collection

By: 

Kimberly F. Scian, Esquire


JAMIE L CALDWELL

FILED
MAY 20 2011
William A. Story
Prothonotary/Clerk of Courts

OFFICE OF THE PROTHONOTARY
COURT OF COMMON PLEAS

TO: JAMIE L CALDWELL
704 OGDEN AVE
CLEARFIELD, PA 16830

ATLANTIC CREDIT & FINANCE INC.	)	COURT OF COMMON PLEAS OF
ASSIGNEE FROM HSBC	)	CLEARFIELD COUNTY
)	
Plaintiff	)	NO.: 08-2215-CD
vs.)	
	)	Civil Action
JAMIE L CALDWELL)	
)	
Defendant)	

NOTICE

Pursuant to Rule 236 of the Supreme Court of Pennsylvania, you are hereby notified that a Judgment has been entered against you in the above proceeding as indicated below.

☒ JUDGMENT FOR FAILURE TO COMPLY WITH THE TERMS
AND CONDITIONS OF THE STIPULATION IN LIEU OF
JUDGMENT

☐ JUDGMENT BY DEFAULT

☐ JUDGMENT IN REPLEVIN

☐ JUDGMENT BY CONFESSION

☐ JUDGMENT FOR POSSESSION

☐ JUDGMENT ON AWARD OF ARBITRATORS

IF YOU HAVE ANY QUESTIONS CONCERNING THIS NOTICE, PLEASE CALL:

ATTORNEY David J. Apcthaker, Esq. at this telephone number: 215-634-8920

Our File No.: 179817
APOTHAKE & ASSOCIATES, P.C.
By: Benjamin J. Cavallaro, Esquire
Attorney I.D. #307949
520 Fellowship Road C306
Mount Laurel, NJ 08054
(800) 672-0215
Attorneys for Plaintiff

CA
FILED iCC Atty
m/11:02am Cavallaro
OCT 26 2011

William A. Shaw
Prothonotary/Clerk of Courts

ATLANTIC CREDIT & FINANCE INC.
ASSIGNEE FROM HSBC

Plaintiff

vs.

JAMIE L CALDWELL

Defendant

COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY

NO.: 08-2215-CD

Civil Action

MOTION TO AMEND CAPTION

1. On or about November 06, 2008 our firm filed a Civil Action Complaint captioned ATLANTIC CREDIT & FINANCE INC. ASSIGNEE FROM HSBC vs. JAMIE L CALDWELL.

2. Defendant's account with ATLANTIC CREDIT & FINANCE INC. ASSIGNEE FROM HSBC was recently purchased by MIDLAND FUNDING LLC. A true and correct copy of the Bill of Sale is attached hereto as Exhibit "A".

3. The correct name for the Plaintiff should be MIDLAND FUNDING LLC.

4. Accordingly, the Plaintiff now respectfully petitions the Court to allow Plaintiff to Amend the caption to reflect the proper name of the Plaintiff, MIDLAND FUNDING LLC.

5. The Pennsylvania Rules of Civil Procedure, Pa.R.C.P. 1033, specifically permit parties to amend their pleadings:

A party, either by filed consent of the adverse party or by leave of court, may at any time change the form of action, correct the name of a party or amend his pleading. The amended pleading may aver transactions or occurrences which have happened before or after the filing of the original pleading, even though they

give rise to a new cause of action or defense. An amendment may be made to conform the pleading to the evidence offered or admitted.

6. Defendant's rights will not be prejudiced by this change.

WHEREFORE, Plaintiff requests this court to enter an Order granting leave to amend Plaintiff's Complaint.

APOTHAKE & ASSOCIATES, P.C.
Attorney for Plaintiff
A Law Firm Engaged in Debt Collection

BY: 

Benjamin J. Cavallaro, Esquire

Dated: October 20, 2011

Our File No.: 179817
APOTHAKE & ASSOCIATES, P.C.
By: Benjamin J. Cavallaro, Esquire
Attorney I.D. #307949
520 Fellowship Road C306
Mount Laurel, NJ 08054
(800) 672-0215
Attorneys for Plaintiff

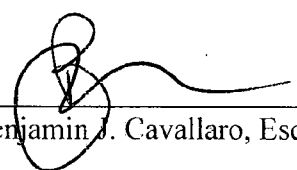
ATLANTIC CREDIT & FINANCE INC.	)	COURT OF COMMON PLEAS OF
ASSIGNEE FROM HSBC	)	CLEARFIELD COUNTY
)	
Plaintiff	)	NO.: 08-2215-CD
vs.)	
	)	Civil Action
JAMIE L CALDWELL)	
)	
Defendant)	

**BRIEF IN SUPPORT OF PLAINTIFF'S
MOTION TO AMEND CAPTION**

Plaintiff, ATLANTIC CREDIT & FINANCE INC. ASSIGNEE FROM HSBC filed suit against Defendant on or about November 06, 2008. Plaintiff requests that this Court enter an Order allowing Plaintiff to file the Amended Complaint attached hereto pursuant to Pa.R.C.P. No. 1033.

WHEREFORE, ATLANTIC CREDIT & FINANCE INC. ASSIGNEE FROM HSBC, respectfully requests this Honorable Court grant Plaintiff's Motion to Amend Caption.

APOTHAKE & ASSOCIATES, P.C.
Attorney for Plaintiff
A Law Firm Engaged in Debt Collection

BY: 
Benjamin J. Cavallaro, Esquire

Dated: October 20, 2011

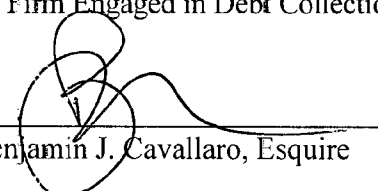
Our File No.: 179817
APOTHAKE & ASSOCIATES, P C.
By: Benjamin J. Cavallaro, Esquire
Attorney I.D. #307949
520 Fellowship Road C306
Mount Laurel, NJ 08054
(800) 672-0215
Attorneys for Plaintiff

ATLANTIC CREDIT & FINANCE INC.	)	COURT OF COMMON PLEAS OF
ASSIGNEE FROM HSBC	)	CLEARFIELD COUNTY
)	
Plaintiff	)	NO.: 08-2215-CD
vs.)	
	)	Civil Action
JAMIE L CALDWELL)	
)	
Defendant)	

CERTIFICATION OF SERVICE

I, Benjamin J. Cavallaro, Esquire, attorney for Plaintiff, certify that on October 20, 2011,
I mailed a copy of Plaintiff's Order, Motion to Amend Caption, and Brief in support thereof to:
JAMIE L CALDWELL
704 OGDEN AVE
CLEARFIELD, PA 16830

APOTHAKE & ASSOCIATES, P.C.
Attorney for Plaintiff
A Law Firm Engaged in Debt Collection

BY: 
Benjamin J. Cavallaro, Esquire

Dated: October 20, 2011

CA

ATLANTIC CREDIT & FINANCE INC.
ASSIGNEE FROM HSBC

Plaintiff

vs.

JAMIE L CALDWELL

Defendant

COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY

NO.: 08-2215-CD

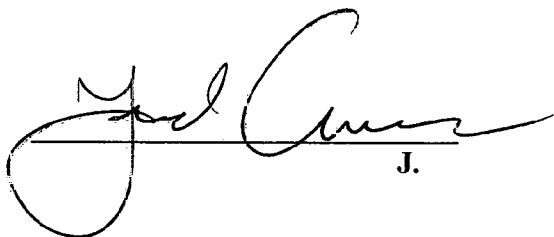
Civil Action

ORDER

AND NOW, this 28 day of October, 2011, upon consideration of the within
MOTION TO AMEND CAPTION, it is hereby ORDERED that the Caption be amended to
reflect the proper name of the Plaintiff as MIDLAND FUNDING LLC.

BY THE COURT:

BY THE COURT,


J.

FILED

100
9/30/11
OCT 31 2011
Amy Cavallaro
William A. Shaw
Prothonotary/Clerk of Courts 68

FILED

OCT 31 2011

William A. Shaw
Probationary/Clerk of Courts

DATE: 10/31/11

☒ You are responsible for serving all appropriate parties.

☐ The Probationary's office has provided service to the following parties:

☐ _____ Plaintiff(s) Attorney _____ Other

☐ _____ Defendant(s) Attorney _____

☐ Additional Instructions:

CA

Our File No.: 179817
Apothaker Scian P.C.
By: Derek A. Moatz, Esquire
Attorney I.D. #205200
520 Fellowship Road Suite C306, PO Box 5496
Mt. Laurel, NJ 08054-5496
(800) 672-0215
Attorneys for Plaintiff


MIDLAND FUNDING, LLC	)	COURT OF COMMON PLEAS
	)	CLEARFIELD COUNTY
Plaintiff,)	
vs.)	
)	
JAMIE L CALDWELL	)	NO. 08-2215-CD
)	
Defendant.)	
)	

PRAECIPE TO MARK JUDGMENT SATISFIED

TO THE PROTHONOTARY:

Please mark the Judgment Satisfied against the Defendant.

Apothaker Scian P.C.
Attorneys for Plaintiff
A Law Firm Engaged in Debt Collection

By: 
Derek A. Moatz, Esquire

FILED

BVT



* Q 1 7 9 8 1 7 S A T 1 - *

5 OCT 13 2015
M1012/BVT
BRIAN K. SPENCER
PROTHONOTARY & CLERK OF COURTS
Tpd lcc Atty Moatz

FILED

OCT 13 2015

**BRIAN K. SPENCER
PROTHONOTARY & CLERK OF COURTS**

2

Atlantic Credit & Finance INC, Assignee from
HSBC

Plaintiff,

vs.

Jamie L. Caldwell

Defendant(s).

IN THE COURT OF COMMON PLEAS
CLEARFIELD COUNTY, PA

CIVIL ACTION
NO. 08-2215-CD

PRAECIPE TO ENTER APPEARANCE

TO THE PROTHONOTARY:

Kindly **ENTER** my appearance in the above captioned matter on behalf of **PLAINTIFF**, Atlantic
Credit & Finance INC, Assignee from HSBC.

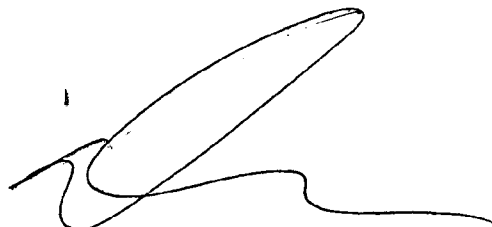
Papers may be served at the address set forth below:

Daniel J. Santucci, Esquire
P.O. BOX 517
Essington, PA 19029
Telephone Number: (866) 300-8750

Date:

9-22-15

By:



Daniel J. Santucci
Attorney for Plaintiff

S **FILED**
M 11:23 a.m. 6/6 No 6
NOV 16 2015
BRIAN K. SPENCER
PROTHONOTARY & CLERK OF COURTS 6/6