

08-2261-CD
Palisades Collection vs Robert Powell

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

PALISADES COLLECTION, LLC

: NO. 08-2261-CD

:

210 SYLVAN AVENUE

:

ENGLEWOOD CLIFFS NJ 07632

Plaintiff

:

vs.

:

ROBERT W POWELL

:

Defendant(s)

:

PRAECIPE FOR JUDGMENT

s
FILED *Atty pd.*
11/10/14 B&H 20-00
NOV 24 2008
(IN) ICCA Notice
William A. Shaw
Prothonotary/Clerk of Courts
to Def.

Statement to Atty

Please enter Judgment in favor of Plaintiff and against Defendant(s),
ROBERT W POWELL and ,
pursuant to the District Justice Transcript.

(X) Amount due \$ 5685.90
TOTAL \$ 5685.90 , 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 Praeclipe 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: 11/10/08 Signature:

Philip C. Warholic
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

NOW, November 24, 2008, JUDGMENT IS ENTERED AS ABOVE.

William A. Shaw
Prothonotary/Clerk, Civil Division

By: _____
Deputy

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: **CLEARFIELD**

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

9/29/08
**NOTICE OF JUDGMENT/TRANSCRIPT
CIVIL CASE**

PLAINTIFF:

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

NAME and ADDRESS

DEFENDANT:

POWELL, ROBERT W
38 TREASURE LAKE
DUBOIS, PA 15801

VS.

NAME and ADDRESS

Docket No.: **CV-0000242-08**
Date Filed: **5/29/08**



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

THIS IS TO NOTIFY YOU THAT:

Judgment: **DEFAULT JUDGMENT PLTF** (Date of Judgment) **8/25/08**

<input checked="" type="checkbox"/> Judgment was entered for: (Name) PALISADES COLLECTION LLC	<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 \$ _____	<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 50%;">Amount of Judgment</td><td style="width: 50%; text-align: right;">\$ 5,535.40</td></tr><tr><td>Judgment Costs</td><td style="text-align: right;">\$ 150.50</td></tr><tr><td>Interest on Judgment</td><td style="text-align: right;">\$.00</td></tr><tr><td>Attorney Fees</td><td style="text-align: right;">\$.00</td></tr><tr><td>Total</td><td style="text-align: right;">\$ 5,685.90</td></tr><tr><td>Post Judgment Credits</td><td style="text-align: right;">\$ _____</td></tr><tr><td>Post Judgment Costs</td><td style="text-align: right;">\$ _____</td></tr><tr><td colspan="2" style="text-align: right;">Certified Judgment Total \$ _____</td></tr></table>	Amount of Judgment	\$ 5,535.40	Judgment Costs	\$ 150.50	Interest on Judgment	\$.00	Attorney Fees	\$.00	Total	\$ 5,685.90	Post Judgment Credits	\$ _____	Post Judgment Costs	\$ _____	Certified Judgment Total \$ _____	
Amount of Judgment			\$ 5,535.40															
Judgment Costs			\$ 150.50															
Interest on Judgment			\$.00															
Attorney Fees			\$.00															
Total			\$ 5,685.90															
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.

8/25/08 Date Patrick N. Ford, Jr., Magisterial District Judge

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

10/28/08 Date Patrick N. Ford, Magisterial District Judge

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

SEAL

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

PALISADES COLLECTION, LLC	:	No.
	:	
210 SYLVAN AVENUE	:	
ENGLEWOOD CLIFFS NJ 07632	:	
Plaintiff	:	
	:	
vs.	:	CIVIL ACTION - LAW
	:	
ROBERT W POWELL	:	
	:	
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, ROBERT W POWELL , above-named, is over 21 years of age; is last known to reside at 38 TREASURE LK DU BOIS 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.

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

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Kimberly L. Eischenauer, Notary Public
Hanover Twp., Cumberland County
My Commission Expires Nov. 17, 2009
Member, Pennsylvania Association of Notaries

SWORN and SUBSCRIBED to before me this 6 day of November, 2008.

Kemuel Renhaver
Notary Public

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

PALISADES COLLECTION,LLC	:	No.
	:	
210 SYLVAN AVENUE	:	CIVIL ACTION - LAW
ENGLEWOOD CLIFFS NJ 07632	:	
Plaintiff	:	
	:	
vs.	:	
ROBERT W POWELL	:	
	:	
Defendant(s)	:	

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

I hereby certify that the precise residence of Plaintiff is:

PALISADES COLLECTION,LLC

ASSIGNEE OF PROVIDIAN
210 SYLVAN AVENUE
ENGLEWOOD CLIFFS NJ 07632

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

ROBERT W POWELL
38 TREASURE LK
DU BOIS PA 15801

Philip C. Warholic

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
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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

PALISADES COLLECTION, LLC : NO. 08-2261-CD
 :
 210 SYLVAN AVENUE :
 :
 ENGLEWOOD CLIFFS NJ 07632 Plaintiff :
 :
 vs. : CIVIL ACTION - LAW
 :
 ROBERT W POWELL :
 :
 38 TREASURE LK :
 DU BOIS PA 15801 :
 :
 Defendant(s) :
 :

NOTICE OF ORDER, DECREE OR JUDGMENT

TO: ROBERT W POWELL

38 TREASURE LK
DU BOIS PA 15801

You are hereby notified that the following ORDER, DECREE or JUDGMENT has been entered against you on November 24, 2008 in accordance with the provisions of Pa. R.C.P. 236.

() Decree Nisi in Equity
 () Final Decree in Equity
 () Judgment of () Confession () Verdict
 () Default () Non-suit
 () Non-pros () Arbitration Award
 (X) Judgment is in the amount of \$ 5685.90, plus costs.
 (X) District Justice transcript of judgment in civil action in the amount of \$ 5086.70, attorney's fees in the amount of \$ 0.00, interest in the amount of \$ 448.70, plus costs.
 () If not satisfied within sixty (60) days, your motor vehicle operator's license will be suspended by the Pennsylvania Department of Transportation.

By: Philip C. Warholic
 Prothonotary

If you have any questions regarding this Notice, please contact the filing party.

Philip C. Warholic
 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 / (717) 303-6700

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

Palisades Collection, LLC
Plaintiff(s)

No.: 2008-02261-CD

Real Debt: \$5,685.90

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Robert W. Powell
Defendant(s)

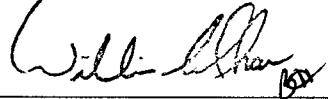
Entry: \$20.00

Instrument: DJ Judgment

Date of Entry: November 24, 2008

Expires: November 24, 2013

Certified from the record this 24th 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

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

PALISADES COLLECTION, LLC,

CIVIL ACTION - LAW

Plaintiff,

CASE NO: 2008 CD 2261

v.

ROBERT W. POWELL

SUGGESTION OF BANKRUPTCY

Filed on Behalf of :

DEFENDANT

Defendant.

FILED

MAY 20 2009

William A. Shaw
Prothonotary/Clerk of Courts

NO
cc

GW

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

PALISADES COLLECTION, LLC,

CIVIL ACTION - LAW

Plaintiff,

v.

CASE NO: 2008 CD 2261

ROBERT W. POWELL

Defendant.

SUGGESTION OF BANKRUPTCY

AND NOW, comes the Defendant, Robert W. Powell, by and through his attorney, Joseph H. Ellermeyer, and respectfully represents and would show this Court:

1. The Defendant, Robert W. Powell, has filed a Chapter 7 petition for relief under Title 11, United States Code, in the United States Bankruptcy Court for the Western District of Pennsylvania which bears the Case No. 09 - 70552 WWB.

2. Relief was ordered on May 1, 2009.

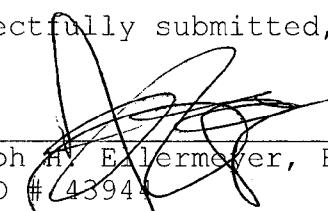
3. This action is founded on a claim from which a discharge would be a release or that seeks to impose a charge on the property of the estate.

4. This is for informational purposes only and does not constitute a notice of appearance by the undersigned.

WHEREFORE, the Defendant, Robert Powell, suggests that this action has been stayed by the operation of 11 U.S.C. Section 362.

Respectfully submitted,

Date 5/15/09


Joseph H. Ellermeyer, Esquire
PA ID # 43944
379 Main Street
Brookville, PA 15825
814/849-6701

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

PALISADES COLLECTION, LLC,

CIVIL ACTION - LAW

Plaintiff,

v.

CASE NO: 2008 CD 2261

ROBERT W. POWELL

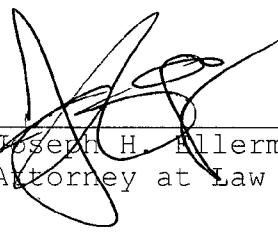
Defendant.

CERTIFICATE OF SERVICE

I, Joseph H. Ellermeyer, Esquire, do hereby certify that a true and correct copy of the within Suggestion of Bankruptcy was served via first class mail, postage prepaid, addressed as follows:

Philip C. Warholic, Esquire
Mann Bracken, LLP
4660 Trindle Road, Suite 300
Camp Hill, PA 17011

Dated: May 15, 2009


Joseph H. Ellermeyer
Attorney at Law

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

PALISADES COLLECTION, LLC,

CIVIL ACTION - LAW

Plaintiff,

CASE NO: 2008 cd 2261

v.

ROBERT W. POWELL,

SUGGESTION OF BANKRUPTCY

Filed on Behalf of :

DEFENDANT

Defendant.

FILED *no cc*
M11019001
SEP 09 2009 *(610)*

S
William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

PALISADES COLLECTION, LLC,
Plaintiff,

CIVIL ACTION - LAW

CASE NO: 2008 CD 2261

v.

ROBERT W. POWELL,
Defendant.

SUGGESTION OF BANKRUPTCY

AND NOW, comes the Defendant, Robert Powell, by and through his attorney, Joseph H. Ellermeyer, and respectfully represents and would show this Court:

1. The Defendant, Robert W. Powell, has filed a Chapter 7 petition for relief under Title 11, United States Code, in the United States Bankruptcy Court for the Western District of Pennsylvania which bears the Case No. 09 - 70552 WWB.

2. Relief was ordered on May 1, 2009.

3. This action is founded on a claim from which a discharge would be a release or that seeks to impose a charge on the property of the estate.

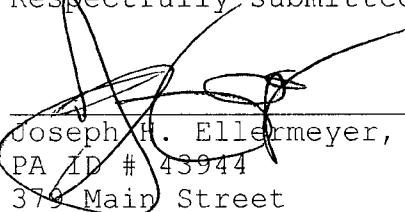
4. On September 4, 2009, a Default Order was issued in the Debtor's Bankruptcy releasing the lien imposed by the Plaintiff's Judgment.

5. This is for informational purposes only and does not constitute a notice of appearance by the undersigned.

WHEREFORE, the Defendant, Robert Powell, suggests that this action has been stayed by the operation of 11 U.S.C. Section 362.

Respectfully submitted,

Date 9/8/09


Joseph H. Ellermeyer, Esquire
PA ID # 43944
379 Main Street
Brookville, PA 15825
814/849-6701

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:

ROBERT W. POWELL d/b/a
ROBERT POWELL & SONS,

DARLENE S. POWELL,
Debtors.

CASE NO. 09 - 70552 BM

ROBERT W. POWELL d/b/a
ROBERT POWELL & SONS,

CHAPTER 7

DARLENE S. POWELL,
Movants,

Doc. # 38

vs.

PALISADES COLLECTION, LLC.,
Respondent.

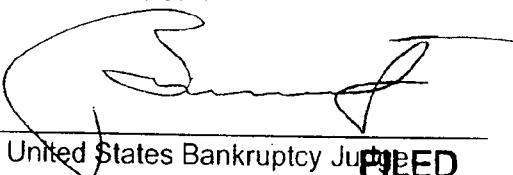
DEFAULT ORDER ON MOTION FOR AVOIDANCE
OF LIENS OR SECURITY INTERESTS

THIS 4th day of Sept, 2009, upon default, no response objecting to the Motion having been timely filed by an interested party, and upon Movant's certification of service and certification of no objection, it is

ORDERED that the above-captioned Motion is granted and the property of the Debtor, as described therein, shall be, and hereby is, released from the liens ~~and/or~~ ^{of respondent} security interests as requested in the Motion.

Movant shall, within 5 days hereof, serve a copy of the within Order on parties in interest and file a certificate of service.

BY THE COURT


United States Bankruptcy Judge **REED**

cc Joseph H. Ellermeyer, Esquire
379 Main Street
Brookville, PA 15825

SEP 4 2009

CLERK, U.S. BANKRUPTCY COURT
WEST. DIST. OF PENNSYLVANIA

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

PALISADES COLLECTION, LLC,
Plaintiff,

CIVIL ACTION - LAW

CASE NO: 2008 CD 2261

v.

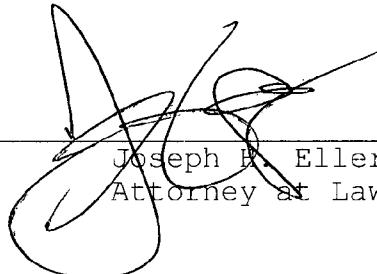
ROBERT W. POWELL,
Defendant.

CERTIFICATE OF SERVICE

I, Joseph H. Ellermeyer, Esquire, do hereby certify that a true and correct copy of the within Suggestion of Bankruptcy was served via first class mail, postage prepaid, addressed as follows:

Philip C. Warholic, Esquire
Mann Bracken, LLP
4660 Trindle Road, Suite 300
Camp Hill, PA 17011

Dated: September 8, 2009


Joseph H. Ellermeyer
Attorney at Law