

08-2394-CD
Asset Acpt. Vs Gary W. Holes

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

CIVIL ACTION -- (LAW) (EQUITY)

No. 08-2394-CD

Type of Case: Civil

Type of Pleading: Complaint in Civil Action

ASSET ACCEPTANCE LLC,
Assignee of HSBC CONSUMER LENDING (USA)

Plaintiff(s)

Filed on Behalf of: Plaintiff

v.

GARY W HOLES

Defendant(s)

Counsel of Record for this Party:

Paul J. Klemm, Esquire
Nudelman, Nudelman, & Ziering, P.C.
425 Eagle Rock Avenue
Roseland, NJ 07068
973-618-0000 tel
973-618-0647 fax
Attorney ID # 92125

Dated: December 2, 2008

5
FILED 1cc Sheriff
DEC 15 2008 11:32 AM 1cc Any
(LM) Atty pd. 95.00
William A. Shaw
Prothonotary/Clerk of Courts

**PAUL J. KLEMM, ESQUIRE
NUDELMAN, NUDELMAN, & ZIERING, P.C.
425 EAGLE ROCK AVENUE
ROSELAND, NJ 07068
973-618-0000
ID # 92125**

ATTORNEY FOR PLAINTIFF

ASSET ACCEPTANCE LLC, As Assignee of
HSBC CONSUMER LENDING (USA)
Plaintiff(s)

v.

GARY W HOLES

Defendant(s)

CLEARFIELD COUNTY

COMPLAINT IN CIVIL ACTION

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, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

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

DANIEL J. NELSON, COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
CLEARFIELD, PA 16830

AVISO

USTED HA SIDO DEMANDADO/A EN CORTE Si usted desea defenderse de las demandas que se presentan más adelante en las siguientes páginas, debe tomar acción dentro de los próximos veinte (20) días después de la notificación de esta Demanda y Avios radicando personalmente o por medio de un abogado una comparecencia escrita y radicando en la Corte por escrito sus defensas de, y objeciones a, las demandas presentadas aquí en contra suya. Se le advierte de que si usted falla de tomar acción como se describe anteriormente, el caso puede proceder sin usted y un fallo por cualquier suma de dinero reclamada en la demanda o cualquier otra reclamación o remedio solicitado por el demandante puede ser dictado en contra suya por la Corte sin más aviso adicional. Usted puede perder dinero o propiedad u otros derechos importantes para usted.

USTED DEBE LLEVAR ESTE DOCUMENTO A SU ABOGADO INMEDIATAMENTE. SI USTED NO TIENE UN ABOGADO, LLAME O VAYA A LA SIGUIENTE OFICINA ESTA OFICINA PUEDE PROVEERLE INFORMACION A CERCA DE COMO CONSEGUIR UN ABOGADO.

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973-618-0000
ID #92125

ATTORNEY FOR PLAINTIFF

Asset Acceptance LLC , As Assignee	:	CLEARFIELD COUNTY
of HSBC CONSUMER LENDING (USA)	:	
	:	
Plaintiff(s)	:	
v.	:	
	:	
GARY W HOLES	:	
Defendant(s)	:	

COMPLAINT IN CIVIL ACTION

AND NOW, comes Plaintiff, Asset Acceptance LLC , As Assignee of HSBC CONSUMER LENDING (USA), by and through its attorney, Paul J. Klemm and the law offices of Nudelman, Nudelman & Ziering, P.C., and files the following **Complaint in Civil Action** and in support thereof aver as follows:

1. Plaintiff, Asset Acceptance LLC , is a corporation licensed to do business in the State of Pennsylvania.
2. Defendant, GARY W HOLES, is an individual and citizen of the Commonwealth of Pennsylvania, who is believed to currently reside at , 353 MAIN ST, MAHAFFEY PA 15757.
3. At the special insistence and request of the Defendant, Defendant was issued a credit card and / or line of credit by HSBC CONSUMER LENDING (USA), account number 71020200381474.

4. The Defendant is responsible for an unpaid balance in the amount of \$8,332.06 and interest in the amount of \$.00.

5. Plaintiff, Asset Acceptance LLC, is the assignee of Defendant's HSBC CONSUMER LENDING (USA) account, account number 71020200381474.

6. The Defendant is liable to the Plaintiff, Asset Acceptance LLC as Assignee of Defendant's HSBC CONSUMER LENDING (USA) account in the amount of \$8,332.06.

7. Plaintiff has made demand to Defendant for \$8,332.06, but Defendant has willfully failed and/or refused to reimburse Plaintiff for the aforesaid sum due.

Wherefore, Plaintiff demands Judgment in its favor and against the Defendant in the amount of \$8,332.06, plus attorney fees of \$2,083.02 and interest from the date of breach, with continuing interest thereon at the legal rate from the date of Judgment plus anticipated court costs. The damages requested are less than the maximum amount for compulsory arbitration as set by the Court.

Respectfully Submitted:

NUDELMAN, NUDELMAN & ZIERING, P.C.



Paul J. Klemm, Esquire
425 Eagle Rock Avenue
Roseland, NJ 07068
(973) 618-0000

VERIFICATION

The undersigned, Paul J. Klemm, Esquire, hereby states that he is the attorney for Plaintiff in this action and verifies that the statements made in the foregoing pleading are true and correct to the best of his knowledge, information and belief. Counsel has signed this verification at the request of Plaintiff as a matter of time and convenience. Plaintiff has represented to counsel that there is a debt due and owing from Defendant to Plaintiff in the amount as set forth within the foregoing pleading. Plaintiff has provided counsel with all relevant information in order to allow counsel to sign this verification. Plaintiff agrees to provide a verification signed by Plaintiff upon request by Defendant. The undersigned understands that the statements herein are made subject to the penalties of 19 Pa.C.S.A Section 4904 relating to unsworn falsification to authorities.

Date: November 26, 2008



Paul J. Klemm, Esquire
Nudelman, Nudelman & Ziering, P.C.
425 Eagle Rock Avenue
Roseland, NJ 07068
(973) 618-0000

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

NO: 08-2394-CD

ASSET ACCEPTANCE LLC, assignee
vs
GARY W. HOLES

SERVICE # 1 OF 1

COMPLAINT

SERVE BY: 01/14/2009 HEARING: PAGE: 105057

DEFENDANT: GARY W. HOLES
ADDRESS: 353 MAIN ST.
MAHAFFEY, PA 15757
ALTERNATE ADDRESS

FILED
01/13/2009
JAN 15 2009
William A. Shaw
Prothonotary/Clerk of Courts

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT OCCUPIED

ATTEMPTS 12-17-08-9:44^{AM}-N/H 12-23-08-11:00^{AM}-N/H
12-18-08-9:50^{AM}-N/H 1-8-08-10:21^{AM}-N/H

SHERIFF'S RETURN

NOW, _____ AT _____ AM / PM SERVED THE WITHIN

COMPLAINT ON GARY W. HOLES, DEFENDANT

BY HANDING TO _____

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

ADDRESS SERVED _____

NOW _____ AT _____ AM / PM POSTED THE WITHIN

COMPLAINT FOR GARY W. HOLES

AT (ADDRESS) _____

NOW 1-15-09 AT 1:47 AM PM AFTER DILIGENT SEARCH IN MY BAILIWICK,

I MAKE RETURN OF NOT FOUND AS TO GARY W. HOLES

REASON UNABLE TO LOCATE Had No CONTACT with Det., Paper Ran out

SWORN TO BEFORE ME THIS

_____ DAY OF _____ 2008

So Answers: CHESTER A. HAWKINS, SHERIFF

BY:

James C. Davis
Deputy Signature

JAMES F. DAVIS
Print Deputy Name

PAUL J. KLEMM, ESQUIRE
NUDELMAN, NUDELMAN, & ZIERING, P.C.
425 EAGLE ROCK AVENUE
ROSELAND, NJ 07068
973-618-0000
ID # 92125

DEC 15 2008

Attest
ATTORNEY FOR PLAINTIFF

William L. Shaw
Prothonotary/
Clerk of Courts

ASSET ACCEPTANCE LLC, As Assignee of
HSBC CONSUMER LENDING (USA)
Plaintiff(s)

v.

GARY W HOLES

Defendant(s)

CLEARFIELD COUNTY

08-2394-CD

COMPLAINT IN CIVIL ACTION

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CLEARFIELD COUNTY COURTHOUSE
CLEARFIELD, PA 16830

PAUL J. KLEMM, ESQUIRE
NUDELMAN, NUDELMAN, & ZIERING, P.C.
425 EAGLE ROCK AVENUE
ROSELAND, NJ 07068
973-618-0000
ID #92125

ATTORNEY FOR PLAINTIFF

Asset Acceptance LLC , As Assignee	:	CLEARFIELD COUNTY
of HSBC CONSUMER LENDING (USA)	:	
	:	
Plaintiff(s)	:	
v.	:	
	:	
GARY W HOLES	:	
Defendant(s)	:	

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Respectfully Submitted:

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Paul J. Klemm, Esquire
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Date: November 26, 2008

Paul J. Klemm, Esquire
Nudelman, Nudelman & Ziering, P.C.
425 Eagle Rock Avenue
Roseland, NJ 07068
(973) 618-0000

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 105057
NO: 08-2394-CD
SERVICES 1
COMPLAINT

PLAINTIFF: ASSET ACCEPTANCE LLC, assignee
vs.
DEFENDANT: GARY W. HOLES

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	NUDELMAN	032445	10.00
SHERIFF HAWKINS	NUDELMAN	032445	90.00

³ FILED
01/31/2009
MAR 26 2009
William A. Shaw
Prothonotary/Clerk of Courts

Sworn to Before Me This

_____ Day of _____ 2009

So Answers,



Chester A. Hawkins
Sheriff

PAUL J. KLEMM, ESQUIRE
NUDELMAN, NUDELMAN, & ZIERING, P.C.
425 EAGLE ROCK AVENUE
ROSELAND, NJ 07068
973-618-0000
ID #92125

FILED

MAR 22 2010

William A. Shaw
Prothonotary/Clerk of Courts
e c k n + to

ATTORNEY FOR PLAINTIFF

Asset Acceptance LLC : CLEARFIELD COUNTY
v. : COURT OF COMMON PLEAS
GARY W HOLES : NO. 08-2394-CD

ORDER TO DISCONTINUE AND END

TO THE PROTHONOTARY:

Kindly mark the above-captioned matter as discontinued and ended upon payment of your costs only.

Date: March 16, 2010

Respectfully Submitted:

NUDELMAN, NUDELMAN & ZIERING, P.C.



Paul J. Klemm, Esquire
425 Eagle Rock Avenue
Roseland, NJ 07068
(973) 618-0000

AST01538

FILED

MAR 22 2010

William A. Shaw
Prothonotary/Clerk of Courts