SHERIFF'S SALE COST SHEET

NO. 57-10 ED NO. 1796-09	vs. 211/19	'i ì	,	
NO. <u>57-10</u> ED NO. <u>/ 796-09</u>	JD DATE/TII	ME OF SALE	Stavest	
		_		
DOCKET/RETURN	\$15.00			
SERVICE PER DEF.	\$ <u>095,00</u>	_		
LEVY (PER PARCEL	\$15.00			
MAILING COSTS	\$ <u> 62,50 </u>	_		
ADVERTISING SALE BILLS & COPIES	*			
ADVERTISING SALE (NEWSPAPER) MILEAGE	\$15.00			
POSTING HANDBILL	\$ 2-1-00	_		
CRYING/ADJOURN SALE	\$15.00			
SHERIFF'S DEED	\$10.00			
TRANSFER TAX FORM	\$35.00			
DISTRIBUTION FORM	\$25.00			
COPIES	\$ 25,00 కృత్యంత			
***		_		
NOTARY	********	G 437.00)	
TOTAL		\$	-	
WEB POSTING	\$ 150.00			
PRESS ENTERPRISE INC.	\$ 76 6 60			
SOLICITOR'S SERVICES	\$7 5.00	_		
TOTAL ******	#******	· \$ 111468	·	
		<u> </u>	-	
PROTHONOTARY (NOTARY)	\$ 10.00			
RECORDER OF DEEDS				
RECORDER OF DEEDS TOTAL ************************************	******	\$ - O -		
			-	
REAL ESTATE TAXES:				
BORO, TWP & COUNTY 20	\$	_		. 6
SCHOOL DIST. 20	\$			1/20
DELINQUENT 20	\$ <u>.5,00</u>	-		·:*
TOTAL *******	*******	\$ <u>5190</u>		V
MINIODAL PERGINIE				
MUNICIPAL FEES DUE:	Ф			
SEWER 20 WATER 20	\$			
SEWER 20	*** ****	a - 0		
TOTAL TETETER	# # # # # # # # # # # # # # # # # # #	\$		
SURCHARGE FEE (DSTE)		\$ 176,00		
MISC	\$			
	\$			
TOTAL ********	ν <u></u> ***********	S - 0 -	···	71 S
				
TOTAL COSTS (OF	PENING BID)	A	\$ 177900 C	
	.) 1	-J		
	FICE	7/15-7	\$ <u>1778000</u> *∂73,3∂	<u>.</u>

TERRENCE J. McCABE ...

EDWARD D. CONWAY ...

DEBORAH K. CURRAN ±-

LAURA H.G. O'SULLIVAN ... GAYU C. SPIVAK --ANDREW L. MARKOWITŻ --

MARC S. WEISBERG ..

MARGARET GAIRO ...

USA L, WALLACE+1

HEIDI R, SPIVAK • SCOTT T, TAGGART •

MARISA J. COHEN .

KEVIN T. McQUAIL •
ALEXANDRA T. GARCIA •
CORRIN DEMENT ~

ABBY K. MOYNIHAN --

MELISSA A. SPOSATO A
HEATHER WEINERT *

See www.ninec-lew.com for licensing key.

CATHERINE WELKER 'A'

ANTOINETTE N. MOORE --CHRISTINE GRAHAM -

Jason Brooks , Èrin M. Brady .. LAW OFFICES

McCABE, WEISBERG & CONWAY, P.C.
SUITE 2080
123 SOUTH BROAD STREET
PHILADELPHIA, PA 19109
(215) 790-1010
FAX (215) 790-1274

SUITE 303 216 MADDON AVENUE WESTMONT, NJ 08+08 (856) 858-7080 FAX (856) 858-7020

SI/ITE 499
145 HUGHENOT STREET
NOW ROCHELLE, NY 10801
(914-636-8901
GENERAL FAX (914) 636-8901
MEDIATION ONLY FAX (914) 819-2503
Also servicing Connecticut

February 7, 2011

SUITE 100 8101 SANDY SPRING ROAD LAURIL, MD 20707 (301) 490-3361 FAX (301) 490-1568 Also servicing the District of Columbia

> STITTE 203 4021 UNIVERSITY ORIVE FAREAX, VA 220,40 (860) 656-0379

Sheriff's Office Columbia County Courthouse 35 West Main Street Bloomsburg, Pennsylvania 17815

Re: Deutsche Bank National Trust Company, As Trustee For Morgan Stanley et.al.

V5,

Chad Killian and Heather Killian

Columbia County, Court of Common Pleas, No. 2009 CV 1796

Premises: 7619 A Columbia Boulevard, Berwick, Pennsylvania 18603

Dear Sheriff:

As you know, the above-captioned matter is currently scheduled for the February 9, 2011 Sheriff's Sale. I am requesting at this time that you stay this sale. Plaintiff has place foreclosure on hold. NO MONIES RECEIVED.

In addition, please return the Writ to the Prothonotary and forward any refund due my client.

As acknowledgment of this stay, I would appreciate your signing or time-stamping a copy of this letter and faxing the same to my attention. Thank you for your cooperation.

Very truly yours,

fam watt

Lana Watts Legal Assistant

/lw

SENT VIA FACSIMILE TRANSMITTAL-NUMBER 570-389-5625 SHERIFF'S OFFICE-RECEIVED BY:

SIGNATURE DATE

SHERIFF'S SALE COST SHEET

Deutsche Pank pat Trust ve	s. Chad 1	- Hoatier	- Wallian	!
No. 59-10 ED NO. 1796-09	DATE/TIN	ME OF SALE	Feb. 9	_
DOCKET/RETURN		-		<i>'</i>
SERVICE PER DEF.	\$15.00			
LEVY (PER PARCEL	\$ 240,00	-		
MAILING COSTS	\$15.00 \$ 62.50			
ADVERTISING SALE BILLS & COPIES	\$17.50			
ADVERTISING SALE (NEWSPAPER)	\$17.50 \$15.00			
MILEAGE	\$ 34/100			
POSTING HANDBILL	\$15.00			
CRYING/ADJOURN SALE	\$10.00			
SHERIFF'S DEED	\$35.00			
TRANSFER TAX FORM	\$25.00			
DISTRIBUTION FORM	\$25.00			
COPIES	\$ 8/00			
NOTARY	\$ 15.00			
TOTAL *******	******	\$522,00	>	
		ψ <u>3 · σ /σ ·</u>	-	
WEB POSTING	\$150.00			
PRESS ENTERPRISE INC.	\$ 964686			
SOLICITOR'S SERVICES	4==00			
TOTAL ********	******	s //89,68	? *	
		<u> </u>	•	
PROTHONOTARY (NOTARY)	\$10.00			
RECORDER OF DEEDS TOTAL ************************************	\$ 55,00	10 m 10 m		
IOIAL *********	******	\$ 62,00	-	
REAL ESTATE TAXES:				
BORO, TWP & COUNTY 20	\$ Pol			
SCHOOL DIST. 20	\$			
DELINGUENT 20	\$_57.50			
TOTAL ********	******	\$ 5,00		
		<u></u>		
MUNICIPAL FEES DUE:				
SEWER 20	\$ 2//3/15			
WATER 20_	\$			
SEWER 20	******	\$ 3/13/15		
SURCHARGE FEE (DSTE)	•	s 170,00		
MISC.	S			
TOTAL *******	\$ <u>*********</u>			
TOTAL TOTAL TATALANA	*****	2		
TOTAL COSTS (OPE	NING RIDI		\$	
101111 CO313 (OLD	anno DID)		Φ_ ~	

COLUMBIA COUNTY

COLUMBIA COUNTY TAX OFFICE
11 W MAIN STREET
PO BOX 380
BLOOMSBURG, PA 17815
(570) 389-5649 FAX: (570) 389-5646

TAX CERTIFICATION

2011 - REAL ESTATE

As of Date: 02/03/2011 01:15:47 PM

Owner: KILLIAN CHAD & HEATHER

1599 N MULBERRY ST APT 13

BERWICK PA 18603

Municipality: BRIAR CREEK BOROUGH

Parcel #:06 -01;-018-01,000

Property Desc:

		Discount:	Face:	Penalty:
Bill # 010057	R	*\frac{\textbf{Amount}}{\\$73.78} \text{04/30/2011}	Amount <u>Due Date</u> \$75.29 06/30/2011	Amount Due Date \$82.82 08/31/2011
010057	G	Payment \$124.97 04/30/2011	\$127.52 06/30/2011 _:	\$140.27 08/31/2011
010057	S	Payment \$27.35 04/30/2011	\$27.91 06/30/2011	\$30.70 08/31/2011
		Payment		

	Total	Paid	To	Date:	\$0.00
i	<u> </u>	. <u>.</u> .			

Signature

Date

THIS CERTIFICATION ONLY INCLUDES THE CURRENT YEAR COUNTY & MUNICIPAL REAL ESTATE TAXES.

PLEASE MAKE PAYMENT TO COLUMBIA COUNTY TAX OFFICE.

DO NOT COMBINE CURRENT & DELINQUENT PAYMENTS ON A CHECK.



February 2, 2011

Timothy T. Chamberlain Sheriff of Columbia County Court House- P.O. Box 380 Bloomsburg, PA 17815

Dear Timothy:

The amount due on the following sewer accounts we spoke of this morning are as follows through the service period of March 31, 2011:

Chad & Heather Killian- 7619A Columbia Blvd., Berwick \$2113.15

Francis & Beth Ann McGady- 218 W. Third Street Mifflinville \$316.32

John Hunsinger- 804 Vine Street, Berwick \$275,11

Christopher & Amy Force- 325 E. 2nd Street, Berwick \$641.31

Please feel free to contact me with any questions that you may have.

Sincerely.

Hearing Impaired Authority Clerk

"BAJSA is an Equal Opportunity Provider and Employer" Hearing Impaired 711 "BAJSA is an Equal Opportunity Provider and Provider"

1108 Freas Avenue • Berwick, Pennsylvania 18603

Phone: (570) 752-8477 • Fax: (570) 752-8479

Deutsche Bank National Trust Company, As Trustee For Morgan Stanley Capi Plaintiff

٧.

Chad Killian and Heather Killian Defendants COLUMBIA COUNTY
COURT OF COMMON PLEAS

No. 2009 CV 1796

ORDER

AND NOW, this day of lecentles, 2010, upon consideration of Plaintiff's Motion to Adjourn the Sheriff's Sale currently scheduled in the above-captioned matter for December 8, 2010, it is hereby ORDERED that the Sheriff's Sale of the property known as 7619 A Columbia Boulevard, Berwick, Pennsylvania 18603 is adjourned to the February 9, 2011 Sheriff's Sale. It is FURTHER ORDERED that no additional advertising of said Sale is necessary and no new notice to the parties previously set forth in the Affidavit Pursuant to Pa.R.C.P. 3129 is required.

BY THE COURT.

McCABE, WEISBERG AND CONWAY, P.C.

BY: MARGARET GAIRO, ESQUIRE - ID # 34419

123 South Broad Street, Suite 2080 Philadelphia, Pennsylvania 19109

(215) 790-1010

Deutsche Bank National Trust Company, As Trustee For Morgan Stanley Capi Plaintiff

COLUMBIA COUNTY
COURT OF COMMON PLEAS

Attorneys for Plaintiff

No. 2009 CV 1796

Chad Killian and Heather Killian
Defendants

ν.

MOTION TO ADJOURN SHERIFF'S SALE

Plaintiff, Deutsche Bank National Trust Company, As Trustee For Morgan Stanley Capi, by and through its attorney, Margaret Gairo, Esquire, moves this Honorable Court for an Order adjourning the Sheriff's Sale scheduled for and avers as follows:

- 1. Plaintiff filed a Writ of Execution, as well as the Affidavit required by Pa.R.C.P. 3129, in order to list the property known as 7619 A Columbia Boulevard, Berwick, Pennsylvania 18603 for Sheriff's Sale originally scheduled for June 23, 2010.
- 2. Plaintiff has postponed the Sheriff's Sale to the full extent permitted, and is now requesting that the sale currently scheduled for December 8, 2010 be postponed further until February 9, 2011 as the client is conducting a review of foreclosure document.
- 3. Plaintiff has complied with all the pertinent statutory and procedural rules of court governing the listing of real property for Sheriff's Sale.
- 4. Neither the parties hereto nor the parties previously set forth in the Affidavit Pursuant to Rule 3129 will be prejudiced by the adjournment of the Sheriff's Sale.

WHEREFORE, Plaintiff prays that this Honorable Court grant an Order adjourning the Sheriff's Sale of the property known as 7619 A Columbia Boulevard, Berwick, Pennsylvania 18603 to the February 9, 2011 Sheriff's Sale with no additional advertising of said Sale and no new notice to the parties previously set forth in the Affidavit Pursuant to Pa.R.C.P. 3129 being required, except for an announcement be made at the sale currently scheduled for December 8, 2010.

McCABE, WEISBERG AND CONWAY, PC

Marganet Gaing, Esquire

Attorney for Plaintif

John/Flick, Esquire

McCABE, WEISBERG AND CONWAY, P.C.

Attorneys for Plaintiff

BY: MARGARET GAIRO, ESQUIRE - ID# 34419

123 South Broad Street, Suite 2080 Philadelphia, Pennsylvania 19109

(215) 790-1010

Deutsche Bank National Trust Company, As Trustee For Morgan Stanley Capi Plaintiff

v.

Chad Killian and Heather Killian Defendants COLUMBIA COUNTY
COURT OF COMMON PLEAS

No. 2009 CV 1796

MEMORANDUM OF LAW

Plaintiff requested that the Sheriff Sale originally scheduled for June 23, 2010 in this matter be continued for the legally allowable time without requesting the postponement from the Court.

Plaintiff at this time requests that the Sheriff Sale set for December 8, 2010 be adjourned to February 9, 2011 as foreclosure document review.

Pursuant to Pa.R.C.P. 3129.3, the Court has the discretion to adjourn a Sheriff's Sale and dispense the requirement of new notice.

WHEREFORE, Plaintiff prays that a special order of court be granted and the Sheriff's Sale of the property known as 7619 A Columbia Boulevard, Berwick, Pennsylvania 18603 be adjourned to the February 9, 2011 Sheriff's Sale with no additional advertising of said Sale and no new notice to the parties previously set forth in the Affidavit Pursuant to Pa.R.C.P. 3129 being required, except that an announcement be made at the sale currently scheduled for December 8, 2010.

McCABE, WEISBERG AND CONWAY, PC

Margaret Gairo, Esquire

Attorney for Plaintiff

Jøhn Flick, Esquire

VERIFICATION

The undersigned hereby certifies that she is the attorney for the Plaintiff in the within action and that she is authorized to make this verification and that the foregoing facts based on the information from the Plaintiff's representative, who is out of jurisdiction and not available to sign this verification at this time, are true and correct to the best of her knowledge, information and belief and further states that false statements herein are made subject to the penalties of 18 PA.C.S. §4904 relating to unsworn falsification to authorities.

McCABE, WEISBERG AND CONWAY, PC

Margaret Gafro, Esquire

John Flick, Esquir

Attorneys for Plaintiff

McCABE, WEISBERG AND CONWAY, P.C.

BY: MARGARET GAIRO, ESQUIRE - ID # 34419

123 South Broad Street, Suite 2080 Philadelphia, Pennsylvania 19109

(215) 790-1010

Deutsche Bank National Trust Company, As Trustee For Morgan Stanley Capi

Plaintiff

v.

Chad Killian and Heather Killian Defendants COLUMBIA COUNTY
COURT OF COMMON PLEAS

No. 2009 CV 1796

CERTIFICATION OF SERVICE

I, Margaret Gairo, Esquire, attorney for the Plaintiff, hereby certify that I served a true and correct copy of the foregoing Motion To Postpone Sheriff Sale, by United States Mail, first class, postage prepaid, on the 2nd day of December, 2010, upon the following:

Chad Killian Heather Killian 1599 Mulberry Street Apt. #13Berwick, Pennsylvania, 18603

McCABE, WEISBERG AND CONWAY, PC

Margaret Gailo, Esqui Attorney for Plaintiff

John Flick, Esquire, Esquire

LAW OFFICES

McCABE, WEISBERG & CONWAY, P.C.

SUITE 2080 123 SOUTH BROAD STREET PHILADELPHIA, PA 19109 (215) 790-1010 FAX (215) 790-1274

SUITE 303 216 HADDON AVENUE WESTMON'T, NJ 08108 (856) 858-7080 FAX (856) 858-7020

SUITE 499 145 HUGUENOT STREET NEW ROCHELLE, NY 10801 (9) 4)-636-8900 GENERAL FAX (914) 636-8901 MEDIATION ONLY FAX (914) 819-5505

Also servicing Connecticut SUITE 100 8101 SANDY SPRING ROAD LAUREL, MD 20707

(301) 490-3361

FAX (301) 490-1568

Also servicing the District of Columbia

SUITE 201 4021 UNIVERSITY DRIVE FAIRFAX, VA 22030 (866) 656-0379

December 8, 2010

Contraining

See www.apwe-law.com for licenshing toy.

TERRENCE J. McCABE ---MARC S. WEISBERG --FDWARD D. CONWAY --

MARGARET GAIRO ...

DEBORAH K. CURRAN ..

LAURA H.G. O'SULLIVAN ...

FRANK DUBIN --ANDREW L. MARKOWITZ --

KATHERINE D. SANTANGINI --

LISA L. WALLACE +1

GAYL C. SPIVAK ...

HE(D) R. SPIVAK .

MARISA J. COHEN .

JASON BROOKS FAITH MIROS ... ERIN M. BRADY ..

KEVIN T. McQUAIL -

ALEXANDRA T. GARCIA -

ANTOINETTE N. MOORE ... CHRISTINE GRAHAM -

RABIHAH SCOTT ...

CORRIN DEMENT **

ABBY K. MOYNIHAN ...

CATHLEEN WELKER ".

SCOTT T. TAGGARY .

Sheriff of Columbia County Columbia County Courthouse 35 West Main Street Bloomsburg, Pennsylvania 17815

Deutsche Bank National Trust Company, As Trustee For Morgan Stanley Capi Re:

Chad Killian and Heather Killian

Columbia County, Court of Common Pleas, No. 2009 CV 1796

Premises: 7619 A Columbia Boulevard, Berwick, Pennsylvania 18603

Dear Sheriff:

As you know, the above-captioned matter is currently scheduled for the December 8, 2010 Sheriff's Sale. I am requesting at this time that you postpone this matter to the February 9, 2011 Sheriff's Sale.

As acknowledgment of this postponement, I would appreciate your signing or time-stamping a copy of this letter and faxing the same to my attention. Thank you for your cooperation.

Very truly yours,

Paniola Alikai Legal Assistant

/pa SENT VIA FACSIMILE TRANSMITTAL--NUMBER 570-389-5625 SHERIFF'S OFFICE-RECEIVED BY:

SIGNATURE

DATE

facsimile TRANSMITTAL

to:

Sheriff of Columbia County

fax #:

570-389-5625

re:

Deutsche Bank National Trust Company, As Trustee For Morgan Stanley Capi

Chad Killian and Heather Killian

date

December 8, 2010

pages: 2

Please see the attached letter requesting that you postpone the Sheriff's Sale scheduled in the above-captioned matter.

From the desk of...

PANJOLA ALIKAJ LEGAL ASSISTANT McCABE, WEISBERG & CONWAY, P.C. 123 S. BROAD STREET, SUITE 2080 PHILADELPHIA, PA 19109

> 215-790-1010 Fax: 215-790-1274



Timothy T. Chamberlain Sheriff of Columbia County Court House- P.O. Box 380 Bloomsburg, PA 17815

Dear Timothy:

The amount due on the following sewer accounts we spoke of this morning are as follows through the service period of December 31, 2010:

<u>Chad & Heather Killian – 7619A Columbia Blvd.</u> \$1814.94

<u>Sean Trapane – 66 Maplewood Road</u> \$6184.35

Joshua Fought - 515 Arch Street \$436.70

Francis & Beth Ann McGady - 218 W Third Street, Mifflinville \$479.83

John Hunsinger – 804 Vine Street \$188.10

Damyon Corradini - 120 W 11th Street \$285.03

Please feel free to contact me with any questions that you may have.

Sincerely,

Kristy Romie

Hearing Impaired 711

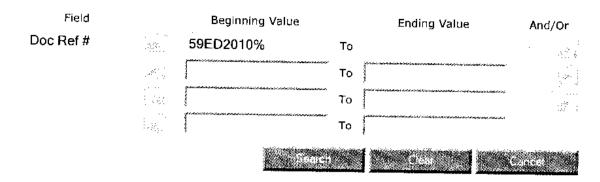
"BAJSA is an Equal Opportunity Provider and Employer"

vider and Employer" Hearing Impaired 711 "BAJSA is an Equal Opportunity Provider and Provider"

1108 Freas Avenue • Berwick, Pennsylvania 18603

Phone: (570) 752-8477 • Fax: (570) 752-8479

CRITERIA



RESULTS

Trans #	Ship To ID	ConsName	Shipper	Doc Ref #	Ship Date	Carrier	Track
20 <u>859</u>	<u>208</u> 59	COMMONWEALTH OF PA	Sheriff	59ED2010	4/23/2010	POST	91719:
<u>20860</u>	<u>20860</u>	COMMONWEALTH OF PA	<u>She</u> riff	59ED2010	4/23/2010	POST	91719;
<u>2086</u> 1	<u>20861</u>	COMMONWEALTH OF PA	<u>Sh</u> eriff	59ED2010	4/23/2010	POST	91719;
<u>2086</u> 2	<u>20862</u>	DEPT OF PUBLIC WELFARE	Sheriff	59ED2010	4/23/2010	POST	91719;
2 <u>0863</u>	<u>208</u> 63	US ATTY FOR MIDDLE DISTRICT	<u>Sheriff</u>	59ED2010	4/23/2010	POST	91719:
2 <u>0864</u>	<u>20864</u>	UNITED STATES OF AMERICA	<u>Sheriff</u>	59ED2010	4/23/2010	POST	91719:
<u>20865</u>	COP	COMMONWEALTH OF PENNSYLVANIA	S <u>heriff</u>	59ED2010	4/23/2010	POST	91719;
<u>20</u> 86 <u>6</u>	F <u>AIR</u>	OFFICE OF F.A.I.R.	<u>S</u> he <u>riff</u>	59ED2010	4/23/2010	POST	91719;
<u>20867</u>	<u>ŞBA</u>	<u> U.S. Small Business Administration</u>	Sh <u>eriff</u>	59ED2010	4/23/2010	POST	91719:
2 <u>0868</u>	<u>IRS</u>	INTERNAL REVENUE SERVICE	<u>Sheriff</u>	<u>59E</u> D2 <u>010</u>	<u>4/23/</u> 20 <u>10</u>	POST	91719:

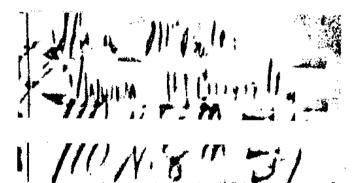
Records: 1 - 10 of 10



COUNTY OF COLUMBIA - SHERIFF

The following is the delivery information for Certified Mail™ item number 7192 4291 0010 0000 1263. Our records indicate that this item was delivered on 04/26/2010 at 02:54 p.m. in PHILADELPHIA, PA, 19107. The scanned image of the recipient information is provided below.

Signature of Recipient:



Address of Recipient:

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representitive.

Sincerely,

United States Postal Service



COUNTY OF COLUMBIA - SHERIFF

The following is the delivery information for Certified Maii™ item number 7192 4291 0010 0000 1270. Our records indicate that this item was delivered on 04/26/2010 at 10:03 a.m. in HARRISBURG, PA, 17107. The scanned image of the recipient information is provided below

Joseph Mehrn

Signature of Recipient:

ECON :

Address of Recipient:

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representitive.

Sincerely,

United States Postal Service



COUNTY OF COLUMBIA - SHERIFF

The following is the delivery information for Certified Mail™ item number 7192 4291 0010 0000 1287. Our records indicate that this item was delivered on 04/28/2010 at 07:06 a.m. in HARRISBURG, PA, 17107. The scanned image of the recipient information is provided below

L. Sammers

Signature of Recipient:

Address of Recipient:

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representitive.

Sincerely,

United States Postal Service



COUNTY OF COLUMBIA - SHERIFF

The following is the delivery information for Certified Mail™ item number 7192 4291 0010 0000 1294. Our records indicate that this item was delivered on 04/29/2010 at 07:33 a.m. in SCRANTON, PA, 18501. The scanned image of the recipient information is provided below.

Signature of Recipient:

Rend fect

Address of Recipient:

1 POBOx 309

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representitive.

Sincerely,

United States Postal Service



COUNTY OF COLUMBIA - SHERIFF

The following is the delivery information for Certified Mail™ Item number 7192 4291 0010 0000 1300. Our records indicate that this item was delivered on 04/29/2010 at 08:26 a.m. in HARRISBURG, PA, 17108. The scanned image of the recipient information is provided below

Signature of Recipient:

Address of Recipient:

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representitive.

Sincerely,

United States Postal Service



COUNTY OF COLUMBIA - SHERIFF

The following is the delivery information for Certified Mail™ item number 7192 4291 0010 0000 1331. Our records indicate that this item was delivered on 04/26/2010 at 11:31 a.m. in KING OF PRUSSIA, PA, 19406. The scanned image of the recipient information is provided below.

Signature of Recipient:

Address of Recipient:

115 1st Are #1001

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representitive.

Sincerely,

United States Postal Service



COUNTY OF COLUMBIA - SHERIFF

The following is the delivery information for Certified Mail™ item number 7192 4291 0010 0000 1348. Our records indicate that this item was delivered on 04/26/2010 at 08:32 a.m. in PHILADELPHIA, PA, 19106. The scanned image of the recipient information is provided below.

Signature of Recipient:

Address of Recipient:

Address of Recipient:

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representitive.

Sincerely,

United States Postal Service

BESTEART TARY

280 SEP 21 A # 00

LEAU CHOOLOGS OFFICE

Deutsche Bank National Trust Company, As Trustee For Morgan Stanley Capi

Plaintiff

٧.

Chad Killian and Heather Killian

Defendants

COURT OF COMMON PLEAS COLUMBIA COUNTY

Number 2009 CV 1796

ORDER

AND NOW, this 20 day of 2010, upon consideration of Plaintiff's Motion to Adjourn the Sheriff's Sale currently scheduled in the above-captioned matter for September 22, 2010, it is hereby ORDERED that the Sheriff's Sale of the property known as 7619 A Columbia Boulevard, Berwick, Pennsylvania 18603, is adjourned to the December 8, 2010 Sheriff's Sale. It is FURTHER ORDERED that no additional advertising of said Sale is necessary and no new notice to the parties previously set forth in the Affidavit Pursuant to Pa.R.C.P. 3129 is required.

BY THE COURT:

J,

McCABE, WEISBERG, & CONWAY, P.C. BY: TERRENCE J. MCCABE, ESQUIRE **Identification Number 16496** 123 S. Broad Street Suite 2080 Philadelphia, Pennsylvania 19109 (215) 790-1010

Attorney for Plaintiff

Deutsche Bank National Trust Company, As Trustee For Morgan Stanley Capi

COURT OF COMMON PLEAS COLUMBIA COUNTY

Plaintiff

Number 2009 CV 1796

Chad Killian and Heather Killian

٧.

Defendants

MOTION TO ADJOURN SHERIFF'S SALE

Plaintiff, Deutsche Bank National Trust Company, as Trustee for Morgan Stanly Capi, by and through its attorney, Terrence J. McCabe, Esquire, moves this Honorable Court for an Order adjourning the Sheriff's Sale scheduled for September 22, 2010 and avers as follows:

- 1. Plaintiff filed a Writ of Execution, as well as the Affidavit required by Pa.R.C.P. 3129, in order to list the property known as 7619 A Columbia Boulevard, Berwick, Pennsylvania 18603 for the June 23, 2010 Sheriff's Sale.
- 2. Plaintiff requested the Sale of June 23, 2010 be postponed until the August 4, 2010 in order for Plaintiff to determine Defendant's eligibility for the Home Affordable Modification Program (HAMP).
- 3. Plaintiff further requested the Sale of August 4, 2010 be postponed until the September 22, 2010 in order for Defendant to be further reviewed for the Home Affordable Modification Program (HAMP),

- 4. Plaintiff is now requesting the Sheriff's Sale for September 22, 2010 be postponed until the December 8, 2010 Sheriff's Sale as Plaintiff is extending time for Defendant to comply with requirements of the Home Affordable Modification Program (HAMP).
- 5. Plaintiff has complied with all the pertinent statutory and procedural rules of court governing the listing of real property for Sheriff's Sale.
- 6. Neither the parties hereto nor the parties previously set forth in the Affidavit

 Pursuant to Rule 3129 will be prejudiced by the adjournment of the Sheriff's Sale.

WHEREFORE, Plaintiff prays that this Honorable Court grant an Order adjourning the Sheriff's Sale of the property known as 7619 A Columbia Boulevard, Berwick, Pennsylvania 18603 to the December 8, 2010 Sheriff's Sale with no additional advertising of said Sale and no new notice to the parties previously set forth in the Affidavit Pursuant to Pa.R.C.P. 3129 being required, except that an announcement be made at the sale currently scheduled for September 22, 2010.

TERRENCE J. MCCABE, ESQUIRE

McCABE, WEISBERG, & C NWAY, P.C. BY: TERRENCE J. MCCABE, ESQUIRE Identification Number 16496 123 S. Broad Street Suite 2080 Philadelphia, Pennsylvania 19109 (215) 790-1010

Attorney for Plainaff

Deutsche Bank National Trust Company, As Trustee For Morgan Stanley Capi

COURT OF COMMON PLEAS COLUMBIA COUNTY

Plaintiff

Number 2009 CV 1796

ν.

Chad Killian and Heather Killian

Defendants

MEMORANDUM OF LAW

Plaintiff requested that the Sheriff's Sale originally scheduled for June 23, 2010 be continued to the August 4, 2010 Sheriff's Sale.

Plaintiff further requested that the Sheriff's Sale scheduled for August 4, 2010 be adjourned to September 22, 2010 Sheriff's Sale.

Plaintiff, at this time, requests that the Sheriff Sale set for September 22, 2010 be adjourned to December 8, 2010 as Plaintiff is extending time for Defendant to comply with requirements of the Home Affordable Modification Program (HAMP).

Pursuant to Pa.R.C.P. 3129.3, the Court has the discretion to adjourn a Sheriff's Sale and dispense the requirement of new notice.

WHEREFORE, Plaintiff prays that a special order of court be granted and the Sheriff's Sale of the property known as 7619 A Columbia Boulevard, Berwick, Pennsylvania 18603 be adjourned to the December 8, 2010 Sheriff's Sale with no additional advertising of said Sale and no new notice to the parties previously set forth in the Affidavit Pursuant to Pa.R.C.P. 3129 being required, except that an announcement be made at the sale currently scheduled for September 22, 2010.

TERRENCE J. MCCABE, ESQUIRE

VERIFICATION

The undersigned, hereby certifies that he is the attorney for the Plaintiff in the within action and that he is authorized to make this verification and that the foregoing facts are true and correct to the best of his knowledge, information and belief and further states that false statements herein are made subject to the penalties of 18 PA.C.S. §4904 relating to unsworn falsification to authorities.

TERRENCE J. MCCABE, ESQUIRE

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McCABE, WEISBERG, & CONWAY, P.C. BY: TERRENCE J. MCCABE, ESQUIRE Identification Number 16496 123 S. Broad Street Suite 2080 Philadelphia, Pennsylvania 19109 (215) 790-1010

Attorney for Plaintiff

Deutsche Bank National Trust Company, As Trustee For Morgan Stanley Capi

COURT OF COMMON PLEAS COLUMBIA COUNTY

Plaintiff

Number 2009 CV 1796

Chad Killian and Heather Killian

Defendants

CERTIFICATION OF SERVICE

I, Terrence J. McCabe, Esquire, attorney for the Plaintiff, hereby certify that I served a true and correct copy of the foregoing Motion to Adjourn the Sheriff Sale, by United States Mail, first class, postage prepaid, on the 16th day of September, 2010, upon the following:

Chad Killian and Heather Killian 1599 Mulberry Street, Apt. 13 Berwick, PA 18603

TERRENCE J. McCABE, ESQUIRE

TARA

2000 SEP 21 A 8: 90

THE SECOND SECURITY OF FICE OF THE SECOND SE

Deutsche Bank National Trust Company, As Trustee For Morgan Stanley Capi

Plaintiff

v.

Chad Killian and Heather Killian

Defendants

COURT OF COMMON PLEAS COLUMBIA COUNTY

Number 2009 CV 1796

ORDER

AND NOW, this 20 day of Schemol 2010, upon consideration of Plaintiff's Motion to Adjourn the Sheriff's Sale currently scheduled in the above-captioned matter for September 22, 2010, it is hereby ORDERED that the Sheriff's Sale of the property known as 7619 A Columbia Boulevard, Berwick, Pennsylvania 18603, is adjourned to the December 8, 2010 Sheriff's Sale. It is FURTHER ORDERED that no additional advertising of said Sale is necessary and no new notice to the parties previously set forth in the Affidavit Pursuant to Pa.R.C.P. 3129 is required.

BY THE COURT:

McCABE, WEISBERG, & CONWAY, P.C. BY: TERRENCE J. MCCABE, ESQUIRE Identification Number 16496 123 S. Broad Street Suite 2080 Philadelphia, Pennsylvania 19109 (215) 790-1010

Attorney for Plaintiff

Deutsche Bank National Trust Company, As Trustee For Morgan Stanley Capi

COURT OF COMMON PLEAS COLUMBIA COUNTY

Plaintiff

Number 2009 CV 1796

riamui

Chad Killian and Heather Killian

Defendants

MOTION TO ADJOURN SHERIFF'S SALE

Plaintiff, Deutsche Bank National Trust Company, as Trustee for Morgan Stanly Capi, by and through its attorney, Terrence J. McCabe, Esquire, moves this Honorable Court for an Order adjourning the Sheriff's Sale scheduled for September 22, 2010 and avers as follows:

- 1. Plaintiff filed a Writ of Execution, as well as the Affidavit required by Pa.R.C.P. 3129, in order to list the property known as 7619 A Columbia Boulevard, Berwick, Pennsylvania 18603 for the June 23, 2010 Sheriff's Sale.
- Plaintiff requested the Sale of June 23, 2010 be postponed until the August 4,
 2010 in order for Plaintiff to determine Defendant's eligibility for the Home Affordable
 Modification Program (HAMP).
- 3. Plaintiff further requested the Sale of August 4, 2010 be postponed until the September 22, 2010 in order for Defendant to be further reviewed for the Home Affordable Modification Program (HAMP).

- 4. Plaintiff is now requesting the Sheriff's Sale for September 22, 2010 be postponed until the December 8, 2010 Sheriff's Sale as Plaintiff is extending time for Defendant to comply with requirements of the Home Affordable Modification Program (HAMP).
- 5. Plaintiff has complied with all the pertinent statutory and procedural rules of court governing the listing of real property for Sheriff's Sale.
- 6. Neither the parties hereto nor the parties previously set forth in the Affidavit

 Pursuant to Rule 3129 will be prejudiced by the adjournment of the Sheriff's Sale.

WHEREFORE, Plaintiff prays that this Honorable Court grant an Order adjourning the Sheriff's Sale of the property known as 7619 A Columbia Boulevard, Berwick, Pennsylvania 18603 to the December 8, 2010 Sheriff's Sale with no additional advertising of said Sale and no new notice to the parties previously set forth in the Affidavit Pursuant to Pa.R.C.P. 3129 being required, except that an announcement be made at the sale currently scheduled for September 22, 2010.

TERRENCE J. MCCABE, ESQUIRE

McCABE, WEISBERG, & CC VAY, P.C. BY: TERRENCE J. MCCABE, ESOUIRE **Identification Number 16496** 123 S. Broad Street Suite 2080 Philadelphia, Pennsylvania 19109 (215) 790-1010

Attorney for Plaintiff

Deutsche Bank National Trust Company, As Trustee For Morgan Stanley Capi

Plaintiff

٧.

Chad Killian and Heather Killian

Defendants

COURT OF COMMON PLEAS COLUMBIA COUNTY

Number 2009 CV 1796

MEMORANDUM OF LAW

Plaintiff requested that the Sheriff's Sale originally scheduled for June 23, 2010 be continued to the August 4, 2010 Sheriff's Sale.

Plaintiff further requested that the Sheriff's Sale scheduled for August 4, 2010 be adjourned to September 22, 2010 Sheriff's Sale.

Plaintiff, at this time, requests that the Sheriff Sale set for September 22, 2010 be adjourned to December 8, 2010 as Plaintiff is extending time for Defendant to comply with requirements of the Home Affordable Modification Program (HAMP).

Pursuant to Pa.R.C.P. 3129.3, the Court has the discretion to adjourn a Sheriff's Sale and dispense the requirement of new notice.

WHEREFORE, Plaintiff prays that a special order of court be granted and the Sheriff's Sale of the property known as 7619 A Columbia Boulevard, Berwick, Pennsylvania 18603 be adjourned to the December 8, 2010 Sheriff's Sale with no additional advertising of said Sale and no new notice to the parties previously set forth in the Affidavit Pursuant to Pa.R.C.P. 3129 being required, except that an announcement be made at the sale currently scheduled for September 22, 2010.

TERRENCE J. MCCABE, ESQUIRE

VERIFICATION

The undersigned, hereby certifies that he is the attorney for the Plaintiff in the within action and that he is authorized to make this verification and that the foregoing facts are true and correct to the best of his knowledge, information and belief and further states that false statements herein are made subject to the penalties of 18 PA.C.S. §4904 relating to unsworn falsification to authorities.

TERRENCE J. MCCABE, ESQUIRE

McCABE, WEISBERG, & CONWAY, P.C. BY: TERRENCE J. MCCABE, ESQUIRE Identification Number 16496 123 S. Broad Street Suite 2080 Philadelphia, Pennsylvania 19109 (215) 790-1010

Attorney for Plaintiff

Deutsche Bank National Trust Company, As Trustee For Morgan Stanley Capi

COURT OF COMMON PLEAS COLUMBIA COUNTY

Plaintiff

Number 2009 CV 1796

. 101111111

Chad Killian and Heather Killian

٧.

Defendants

CERTIFICATION OF SERVICE

I, Terrence J. McCabe, Esquire, attorney for the Plaintiff, hereby certify that I served a true and correct copy of the foregoing Motion to Adjourn the Sheriff Sale, by United States Mail, first class, postage prepaid, on the 16th day of September, 2010, upon the following:

Chad Killian and Heather Killian 1599 Mulberry Street, Apt. 13 Berwick, PA 18603

TERRENCE J. McCABE, ESQUIRE



August 3, 2010

Timothy T. Chamberlain Sheriff of Columbia County Court House- P.O. Box 380 Bloomsburg, PA 17815

DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR MORGAN STANLEY CAPI

VS.

CHAD KILLIAN HEATHER KILLIAN

DOCKET # 59ED2010

JD # 1796JD2009

Dear Timothy:

The updated amount due on the sewer account #600314 for the property located at 7619A Columbia Blvd Berwick, Pa through September 30, 2010 is \$1670.13.

Please feel free to contact me with any questions that you may have.

Sincerely,

Kelly Noss

Authority Clerk

Hearing Impaired 711 "BAJSA is an Equal Opportunity Provider and Employer"

Hearing Impaired 711

1108 Freas Avenue • Berwick, Pennsylvania 18603

Phone: (570) 752-8477 • Fax: (570) 752-8479

LAW OFFICES

McCABE, WEISBERG & CONWAY, P.C.

SUITE 2080 123 SOUTH BROAD STREET PHILADELPHIA, PA 19109 (215) 790-1010 FAX (215) 790-1274

SHITE 303 216 HADDON AVENUE WESTMONT, NJ 08108 (856) 858-7080 FAX (856) 858-7020

SUITE 401 145 HUGUENOT STREET NEW ROCHECLE, NY 10301 (914)-636-8900 FAX (914)-636-8901 Also servicing Connecticut

SUITE 302 8101 SANDY SPRING ROAD LAUREL, MD 20707 (301) 490-3361 FAX (301) 490-1568 Also servicing the District of Columbia and Virginia

August 4, 2010

Of Counsel DEBORAH K. CURRAN • - MO & DC LAURA H.G. O'SULLIVAN» - MD & DC STEPHANIE H. HURLEY ** - MD JOSEPH F. RIGA* - PA & NJ

TERRENCE J. McCABE*** MARC S. WEISBERG** EDWARD D. CONWAY MARGARET GAIRO LISA L. WALLACE+† BRENDA L. BROGDON* FRANK DUBIN ANDREW L. MARKOWITZ GAYL, C. SPLVAK* HEIDI R. SPIVAK* SCOTT TAGGART* MARISA COHEN® KATHERINE SANTANGINI^ JASON BROOKS^ DEBORAH K CURRAN± LAURA H.G. O'SULLIVAN±4 STEPHANIE H. HURLEY ...

Licensed in PA & NJ Licensed in PA & NY

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Licensed in PA & CT
Licensed in NY & CT
Licensed in MD & DC
Licensed in MD & DC
Licensed in MD & DC
Licensed in MD
Managing Autorney for NY
Managing Autorney for MD

Sheriff's Office Columbia County Courthouse 35 West Main Street Bloomsburg, PA 17815

Re: Chase v. Killian, Chad

CCP; Columbia County; Number 2009 CV 1796

Property: 7619 A Columbia Boulevard, Berwick, PA 18603

Dear Sheriff:

As you know, the above-captioned matter is currently scheduled for the August 4, 2010 Sheriff's Sale. I am requesting at this time that you postpone this matter to the September 22, 2010 Sheriff's Sale.

As acknowledgment of this postponement, I would appreciate your signing or time-stamping a copy of this letter and faxing the same to my attention. Thank you for your cooperation.

Very truly yours,

Lana Watts Foreclosure Paralegal

/lw

SENT VIA FACSIMILE TRANSMITTAL--NUMBER 570-389-5625

SHERIFF'S OFFICE-RECEIVED BY:

SIGNATURE

facsimile TRANSMITTAL

to:

Sheriff Chamberlain/ Columbia County

fax #:

570-389-5625

re:

Chase v. Killian, Chad

date

August 4, 2010

pages:

2

Please see the attached letter requesting that you postpone the Sheriff's Sale scheduled in the above-captioned matter.

From the desk of...

LANA WATTS
Foreclosure Paralegal
McCABE, WEISBERG & CONWAY, P.C.
123 S. BROAD STREET, SUITE 2080
PHILADELPHIA, PA 19109

215-790-1010 Fax: 215-790-1274



COUNTY OF COLUMBIA - SHERIFF

The following is the delivery information for Certified Mail™ item number 7192 4291 0010 0000 1263. Our records indicate that this item was delivered on 04/26/2010 at 02:54 p.m. in PHILADELPHIA, PA, 19107. The scanned image of the recipient information is provided below.

Signature of Recipient:

1/1/N/8/17-5/

Address of Recipient:

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representitive.

Sincerely,

United States Postal Service



COUNTY OF COLUMBIA - SHERIFF

The following is the delivery information for Certified Mail™ item number 7192 4291 0010 0000 1287. Our records indicate that this item was delivered on 04/28/2010 at 07:06 a.m. in HARRISBURG, PA, 17107. The scanned image of the recipient information is provided below

L. Smass

Signature of Recipient:

Address of Recipient:

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representitive.

Sincerely,

United States Postal Service



COUNTY OF COLUMBIA - SHERIFF

The following is the delivery information for Certified Mail™ item number 7192 4291 0010 0000 1294. Our records indicate that this item was delivered on 04/29/2010 at 07:33 a.m. in SCRANTON, PA, 18501. The scanned image of the recipient information is provided below.

Signature of Recipient:

Read fet Rohar 14 ton

Address of Recipient:

1 POBOx 309

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representitive.

Sincerely,

United States Postal Service



COUNTY OF COLUMBIA - SHERIFF

The following is the delivery information for Certified Mail™ item number 7192 4291 0010 0000 1300. Our records indicate that this item was delivered on 04/29/2010 at 08:26 a.m. in HARRISBURG, PA, 17108. The scanned image of the recipient information is provided below

Signature of Recipient:

Address of Recipient:

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representitive.

Sincerely,

United States Postal Service



COUNTY OF COLUMBIA - SHERIFF

The following is the delivery information for Certified Mail™ item number 7192 4291 0010 0000 1317. Our records indicate that this item was delivered on 04/26/2010 at 10:03 a.m. in HARRISBURG, PA, 17107. The scanned image of the recipient information is provided below

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Signature of Recipient:

Address of Recipient:

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representitive.

Sincerely,

United States Postal Service



COUNTY OF COLUMBIA - SHERIFF

The following is the delivery information for Certified Mail™ item number 7192 4291 0010 0000 1331. Our records indicate that this item was delivered on 04/26/2010 at 11:31 a.m. in KING OF PRUSSIA, PA, 19406. The scanned image of the recipient information is provided below.

Signature of Recipient:

Address of Recipient:

#1001

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representitive.

Sincerely,

United States Postal Service



COUNTY OF COLUMBIA - SHERIFF

The following is the delivery information for Certified Mail™ item number 7192 4291 0010 0000 1348. Our records indicate that this item was delivered on 04/26/2010 at 08:32 a.m. in PHILADELPHIA, PA, 19106. The scanned image of the recipient information is provided below.

Signature of Recipient:

Address of Recipient:

Address of Recipient:

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representitive.

Sincerely,

United States Postal Service

LAW OFFICES

McCABE, WEISBERG & CONWAY, P.C.

SUITE 2080 123 SOUTH BROAD STREET PHILADELPHIA, PA 19109 (215) 790-1010 FAX (215) 790-1274

June 21, 2010

SUITE 303 216 HADDON AVENUE WESTMONT, NJ 08108 (85a) 858-7080 FAX (856) 858-7020

SUTTE 499 145 HUGUENOT STREET NEW ROCHELLE, NY 10801 (914)-636-8900 FAX (914)-636-8901 Also servicing Connecticut

SUTTE 100 8101 SANDY SPRING ROAD LAUREL, MD 20707 (301) 490-3361 FAX (301) 490-1568 Also servicing the District of Columbia and Virginia

TERRENCE J, McCABE*** MARC S. WEISBERG .. EDWARD D. CONWAY -MARGARET CAIRO ... USA L. WALLACE+† DEBORAH K. CURRAN±-LAURA 11.G. O'SULLIVAN±4 GAYL C. SPIVAK*-FRANK DUBIN ... ANDREW L MARKOWITZ -HEIDL R. SPIVAK* SCOTT TAGGART* MARISA COHEN* KATHERINE SANTANGINI^^ JASON BROOKS t STEPHANIE H. HURLEY .. FAJTH MIROS '< ERIN BRADY-AARON D. NEAL ** KEVIN T. MCOUAIL --RUHI MIRZA 5 SHABNAM KHALILI « ALEXANDRA R. GARCIA -CORRIN DeMONTA

- Literace in PA
- Licensed in PA & NJ Licensed to PA & NY
- Licensed in NY
- Licensed in NI
 Licensed in NI
 Licensed in PA & WA
- Licensed in PA, NI & NY Usensed in NY & CT Licensed in MD & DC Licensed in MD

- Licensed in MD
 Mannaging Antarney for NY
 Managing Antarney for MD
 Managing Antarney for NI
 Licensed in VA
 Licensed in CT & NI

Sheriff of Columbia County Columbia County Courthouse 35 West Main Street Bloomsburg, Pennsylvania 17815

Deutsche Bank National Trust Company, As Trustee For Morgan Stanley Capi Re:

VS.

Chad Killian and Heather Killian

Columbia County, Court of Common Pleas, No. 2009 CV 1796

Premises: 7619 A Columbia Boulevard, Berwick, Pennsylvania 18603

Dear Sheriff:

As you know, the above-captioned matter is currently scheduled for the June 23, 2010 Sheriff's Sale. 1 am requesting at this time that you postpone this matter to the August 4, 2010 Sheriff's Sale.

As acknowledgment of this postponement, I would appreciate your signing or time-stamping a copy of this letter and faxing the same to my attention. Thank you for your cooperation.

Very truly yours,

Nanor Arabatlian Legal Assistant

SENT VIA FACSIMILE TRANSMITTAL--NUMBER 570-389-5625 SHERIFF'S OFFICE-RECEIVED BY:

SIGNATURE DATE

This is a communication from a debt collector.

This letter may be an attempt to collect a debt and any information obtained will be used for that purpose.