

LAW OFFICES OF GREGORY JAVARDIAN  
BY: GREGORY JAVARDIAN  
ID# 55669  
1310 INDUSTRIAL BOULEVARD  
1<sup>ST</sup> FLOOR, SUITE 101  
SOUTHAMPTON, PA 18966  
(215) 942-9690

2008 JUN -3 PM 3:29

DAUPHIN COUNTY  
PENNA

ATTORNEY FOR PLAINTIFF

EMC MORTGAGE CORPORATION  
800 STATE HIGHWAY 121 BYPASS  
LEWISVILLE, TX 75067-4180  
PLAINTIFF

COURT OF COMMON PLEAS

CIVIL DIVISION

DAUPHIN COUNTY

VS.

TIMOTHY R. EAST,  
A/K/A TIM R. EAST,  
A/K/A TIMOTHY RANDOLPH EAST  
2404 PARKWAY BOULEVARD  
HARRISBURG, 17103  
DEFENDANT

NO.

2008 CW 6704 ME

COMPLAINT IN  
MORTGAGE FORECLOSURE

CIVIL ACTION MORTGAGE FORECLOSURE

1. EMC Mortgage Corporation (hereinafter referred to as "Plaintiff") is an Institution conducting business under the Laws of the Commonwealth of Pennsylvania with a principal place of business at the address indicated in the caption hereof.
2. Upon information and belief, Timothy R. East, a/k/a Tim R. East, a/k/a Timothy Randolph East (hereinafter referred to as "Defendant") is an adult individual residing at 102 Albemarle Road, Apt. E 8, Brooklyn, NY 11218.
3. Plaintiff brings this action to foreclose on the mortgage between Defendant and itself as Mortgagee by Assignment. The Mortgage, dated July 14, 2006, was recorded on July 18, 2006 in the Office of the Recorder of Deeds in Dauphin County at 20060028700. A copy of the Mortgage is attached and made a part hereof as Exhibit 'A'. Plaintiff is now the legal owner of the mortgage and in the process of formalizing an assignment of same.
4. The Mortgage secures the indebtedness of a Note executed by the Defendant on July 14, 2006 in the original principal amount of \$125,200.00 payable to Plaintiff in monthly installments with an interest rate of 9.00%. A copy of the Note is attached and made a part hereof as Exhibit 'B'.



5. The land subject to the mortgage is 2404 Parkway Boulevard, Harrisburg, 17103. A copy of the Legal Description is attached as part of the Mortgage as Exhibit 'A' and incorporated herein.
6. The Defendant is the Record Owner of the mortgaged property located at 2404 Parkway Boulevard, Harrisburg, 17103.
7. The Mortgage is now in default due to the failure of Defendant to make payments as they become due and owing. As a result of the default, the following amounts are due:

Principal Balance	\$123,957.33
Interest to 5/16/2008	\$5,106.87
Accumulated Late Charges	\$201.48
Penalty Interest	\$4,451.28
Recoverable Balance	\$35.24
Other Fees Due	\$28.50
Cost of Suit and Title Search	\$550.00
Attorney's Fees	\$1,000.00
TOTAL	\$135,330.70

plus interest from 5/17/2008 at \$30.56 per day, costs of suit and attorney's fees.

8. The attorney's fees set forth above are in conformity with the Mortgage documents and Pennsylvania Law, and will be collected in the event of a third party purchase at Sheriff's sale. If the Mortgage is reinstated prior to the Sale, reasonable attorney's fees will be charged.
9. Pennsylvania law requires that a plaintiff in mortgage foreclosure provide a defaulting mortgagor with a Notice of Homeowners' Emergency Mortgage Assistance ("Act 91 Notice") 35 P.S. Section 1680.403c.
10. The Notice of Homeowners' Emergency Mortgage Assistance was required and Plaintiff sent the uniform notice as promulgated by the Pennsylvania Housing Finance Agency to the Defendant by regular and certified mail on April 3, 2008. A copy of the Notice is attached and made a part hereof as Exhibit 'C'.

RECEIVED  
OFFICE OF  
PROTHONOTARY

2013 OCT -4 AM 9:55

DAUPHIN COUNTY  
PENNA

LAW OFFICES OF GREGORY JAVARDIAN  
By: SEAN P. MAYS, ESQUIRE  
IDENTIFICATION NO. 307518  
1310 INDUSTRIAL BOULEVARD, SUITE 101  
SOUTHAMPTON, PA 18966  
(215) 942-9690

FV-1, INC. IN TRUST FOR MORGAN  
STANLEY MORTGAGE CAPITAL  
HOLDINGS LLC, use Plaintiff

COURT OF COMMON PLEAS

DAUPHIN COUNTY

Plaintiff,

NO: 2008-CV-6704-MF

vs.

Timothy R. East a/k/a Tim R. East  
a/k/a Timothy Randolph East

Defendant(s),

EMERGENCY PETITION TO POSTPONE  
SHERIFF'S SALE

TO THE HONORABLE, THE JUDGES OF THE SAID COURT:

Petitioner, the above named plaintiff, by its attorney, Sean P. Mays, Esquire, respectfully represents that:

1. This matter concerns an action in Mortgage Foreclosure instituted by Plaintiff against Defendants.
2. Judgment was entered in favor of Plaintiff and against Defendant(s) and a Writ of Execution thereafter issued scheduling the mortgaged premises for Sheriff's Sale on July 11, 2013.
3. The sheriff's sale was subsequently postponed until October 10, 2013.
4. The Plaintiff was not prepared to proceed with the October 10, 2013 because Defendants are being reviewed under the HAMP guidelines.



MAR 05 2014  
ION PLEASE  
DISTRIBUTED

IN THE COURT OF COMMON PLEAS  
DAUPHIN COUNTY, PENNSYLVANIA  
NO. 2008 CV 6704-MF

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: CIVIL ACTION - LAW

RECEIVED  
OFFICE OF  
PROTHONOTARY  
14 MAR -5 AM 8:  
DAUPHIN COUNTY  
PENNA

AND NOW, this 4<sup>th</sup> day of March, 2014, upon consideration of the

BY THE COURT:

J.

Gregory Javardian, Esquire, 1310 Industrial Blvd, Ste. 101, Southampton, PA 18966  
Timothy R. East, 35 North Linden Street, Harrisburg, PA 17103

6/4/2013 - 12:40  
POSTED 3 HANDBILLS ON 2404 PARKWAY BOULEVARD HBG PA  
17103

7/3/2013 - 11:58  
SALE CONTD TO 9/5/2013 BY ATTY FOR PLT

9/4/2013 - 10:18  
CONTINUED TO 10/10/2013

10/7/2013 - 16:08  
CONTINUED TO 12/5/2013 PER COURT ORDER

12/4/2013 - 15:26  
CONTINUED TO 1/9/2014 PER COURT ORDER

1/9/2014 - 10:00  
SALE CONTD TO 3/6/2014 PER C.O.

4/4/2014 - 16:16  
SALE CONTD TO 4/17/2014 BY ATTY FOR PLTF

4/15/2014 - 15:28  
SALE CON'T TO 6/5/2014 PER C.O.

6/5/2014 - 8:54  
SALE CON'T TO 7/17/2014 PER C.O.

7/16/2014 - 10:56  
SALE CON'T TO 9/4/2014 BY COURT ORDER

7/18/2014 - 15:30  
RECD CERTIFICATE OF FILING FOR 9/4/2014 SALE

9/3/2014 - 17:11  
SALE STAYED BY ATTY FOR PLTF

**Cash Accounting**

Amount	Date Added	Category	ID
\$500.00	5/3/2013	Deposit Agency	451037
\$1,500.00	5/3/2013	Deposit Agency	451038
(\$303.00)	9/8/2014	Sheriff Costs	485031
(\$20.00)	9/8/2014	State Fee	485032
(\$1,132.00)	9/8/2014	Advertising	485033
(\$545.00)	9/8/2014	Refund to Atty/Pltf	485034

**Total Number of Rows: 6**

**Balance Due: \$0.00**