

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF MONTGOMERY**

-----X

JEFFERSON CAPITAL SYSTEMS, LLC

Plaintiff

-against-

MELISSA MOAK,

Defendant

-----X

Index No. EF2022-008

**AFFIDAVIT OF FACTS
AND SALE OF ACCOUNT
BY ORIGINAL CREDITOR**

Account No. Ending in 9800

PLEASE TAKE NOTICE attached please find the Affidavit of Facts and Sale of Account by WEBBANK.

**AFFIDAVIT OF FACTS AND SALE
OF ACCOUNT BY ORIGINAL CREDITOR**

STATE OF MINNESOTA)
) ss.:
COUNTY OF HENNEPIN)

The undersigned, being duly sworn, deposes and says:

1. I am an employee of Bluestem Brands, Inc. (“Bluestem”), attorney-in-fact for WebBank (“Original Creditor”) under the limited power of attorney reproduced as an exhibit hereto. I have personal knowledge of and access to the books and records (“Business Records”), including electronic records, maintained by Bluestem for Original Creditor relating to a pool of charged-off consumer credit accounts sold or assigned by WebBank to Bluestem Brands, Inc. (in this capacity, the “Debt Buyer”), on March 26th, 2020 (the “Sale”), which included the accounts (“Accounts”) of the consumers (“Consumers”) identified in the exhibits attached hereto and incorporated herein. As part of the Sale, Original Creditor assigned all of its interest in the Accounts, including, by way of prior transfer, the right to any proceeds from the Accounts, to Debt Buyer, and it transferred ownership of Business Records relating to the Accounts to Debt Buyer. A true and correct copy of the bill of sale or written assignment of the Account is attached as an exhibit to this affidavit.

2. In my position, I also have personal knowledge of Bluestem’s procedures for creating and maintaining Business Records for Original Creditor, including procedures relating to the sale and assignment of consumer credit accounts. The Business Records were made in the regular course of business and it was the regular course of such business to make the Business Records. The Business Records were made at or near the time of the events recorded. Based on my knowledge of Original Creditor’s Business Records as maintained by Bluestem, I have personal knowledge of the facts set forth in this affidavit.

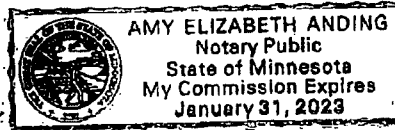
3. Original Creditor and Consumers were parties to credit agreements (“Agreements”) as indicated in the exhibits hereto. Each Consumer agreed to pay Original Creditor for all goods, services and cash advances provided pursuant to the relevant Agreement. The date and the amount of the last payment, if any, made by each Consumer are set forth in the exhibits attached hereto and made a part hereof. Each Consumer defaulted and a demand for payment was made by Bluestem on behalf of Original Creditor.

4. At the time of Sale, the Consumers owed the amounts set forth in the exhibits attached hereto and made a part hereof, which also set forth the name of each Consumer; the last four digits of the Account number; the date and amount of the charge-off balance; the date and amount of the last payment, if any; the total amounts, if applicable, of any post-charge-off interest and post-charge-off fees and charges; any post-charge-off credits or payments made by

or on behalf of such Consumer; and the balance due at the time of the Sale. The above statements are true and correct to the best of my personal knowledge.

Philip Ott
Philip Ott

Sworn to before me this
16th day of April 2020.



Amy Elizabeth Anding
Notary Public

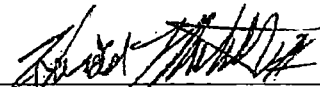
Affidavit of Facts and Sale of Account – Blanket Affidavit - JCAP

CERTIFICATE OF CONFORMITY

STATE OF MINNESOTA
COUNTY OF HENNEPIN

The undersigned does hereby certify that he/she is an attorney at law duly admitted to practice in the State of Minnesota, and is a resident of Hennepin county, in the State of Minnesota; that he/she is a person duly qualified to make this certificate of conformity pursuant to the laws of the State of Minnesota; that the foregoing acknowledgment by Philip Ott named in the foregoing instrument taken before Amy Anding a notary in the State of Minnesota was taken on April 16, 2020 in the manner prescribed by such laws of the State of Minnesota, being the State in which it was taken; and that it duly conforms with such laws and is in all respects valid and effective in such state.

April 16, 2020
Date



Harold T. Mitchell III
Attorney Licensed to Practice in the State of Minnesota

LIMITED POWER OF ATTORNEY

November 15, 2018

KNOW ALL PERSONS BY THESE PRESENTS that,

WHEREAS, WebBank, an FDIC-insured, Utah-chartered industrial bank headquartered in Salt Lake City, Utah, provides customized consumer and commercial financing solutions on a nationwide basis. WebBank is a leading provider of closed-end and revolving private-label and bank card financing programs; and,

WHEREAS, under standing agreements with Bluestem Brands, Inc. ("Bluestem"), WebBank offers the private label credit program for Bluestem's Fingerhut and Gettington.com brands (the "Program") by making installment and revolving credit accounts available to Bluestem's customers, for the financing of merchandise from Bluestem; and,

WHEREAS, when accounts in the Program are charged off, Bluestem purchases them from WebBank, typically for on-sale to third parties; and,

WHEREAS, while consumers in the Program enter into account agreements with and obtain credit from WebBank, all interactions with customers and all recordkeeping are performed for WebBank by Bluestem, with the consequence that WebBank staff do not have the ability to prepare the personal-knowledge affidavits required pursuant to Unif. R. 202.27-a (Supreme and the County Courts); Unif. R. 208.14-a (New York City Civil Court); Unif. R. 210.14-a (City Courts outside the City of New York); Unif. R. 212.14-a (District Courts) (collectively, the "New York Affidavit Rules");

NOW, THEREFORE, premises considered, WebBank hereby makes, constitutes and appoints Bluestem as its true and lawful agent and attorney-in-fact to include in affidavits, from time to time in connection with accounts opened for borrowers residing in New York and sold by Bluestem to a Debt Buyer, in the name, place and stead of WebBank, truthful, complete, correct, and expressly required information pursuant to the New York Affidavit Rules. WebBank further grants unto such attorney-in-fact full authority and power to do and perform any and all acts necessary or incident to the execution of the powers expressly granted in the preceding sentence, as WebBank or its agents might or could do, or cause to be done, itself. This Limited Power of Attorney does not, and shall not be construed to, provide any other powers or rights other than the limited power of attorney to take the specific actions set forth in this paragraph. This Limited Power of Attorney may be revoked at any time by WebBank. WebBank's granting of this Limited Power of Attorney shall be deemed to be part of the "Program" as defined in the Program Agreement dated as of April 18, 2013 among WebBank, Bluestem and the other parties thereto (as amended, restated, or otherwise modified from time to time). This Limited Power of

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