FILED: MONTGOMERY COUNTY CLERK 04/18/2022 02:19 PM

INDEX NO. EF2022-8

YSCEF DOC. NO. 7 RECEIVED NYSCEF: 04/18/2022

SUPREME COURT OF	THE STATE OF NEW YORK	
COUNTY OFMONTGO	MERY	
	Х	Index No. EF2022-008
JEFFERSON CAPITAL S	SYSTEMS, LLC	
	Plaintiff	AFFIDAVIT OF PURCHASE
-against-		AND SALE OF ACCOUNT
		BY DEBT SELLER
MELISSA MOAK,		
	Defendant	
	X	Account No. Ending in 9800

PLEASE TAKE NOTICE attached please find the Affidavit of Facts and Sale of Account by BLUESTEM BRANDS, INC.



NYSCEF DOC. NO. 7

RECEIVED NYSCEF: 04/18/2022

AFFIDAVIT OF PURCHASE AND SALE OF ACCOUNT BY DEBT SELLER

(Debt Buyer Actions)

The undersigned, being duly sworn, deposes and says:

- I am an employee of Bluestem Brands, Inc. ("Debt Seller"), and I have personal knowledge of and access to Bluestem Brands, Inc. books and records ("Business Records"), including electronic records, relating to a pool of charged-off consumer credit accounts purchased by or assigned to Bluestem Brands, Inc. from WEBBANK on March 19th, 2020 (the "Purchase"), which included the accounts ("Accounts") of the consumers ("Consumers") identified in the exhibits attached hereto and incorporated herein. As part of the Purchase, WEBBANK assigned all of its interest in the Accounts to Bluestem Brands, Inc., and it transferred Business Records relating to the Accounts to Bluestem Brands, Inc. The receivables associated with the Accounts, serviced by Bluestem Brands, Inc. on behalf of Santander Consumer USA, Inc., were likewise transferred to Bluestem Brands, Inc. as part of the Purchase.
- 2. In my position, I also have personal knowledge of Bluestem Brands, Inc. procedures for creating and maintaining its Business Records, including its procedures relating to the purchase, sale and assignment of consumer credit accounts. Bluestem Brands, Inc. 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 Bluestem Brands, Inc. Business Records, I have personal knowledge of the facts set forth in this affidavit.
- 3. On March 26th, 2020, Bluestem Brands, Inc. sold or assigned a pool of charged-off consumer credit accounts to Jefferson Capital Systems, LLC (the "Sale"), which included the Accounts of the Consumers. At that time, Bluestem Brands, Inc. assigned all of its interest in the Accounts, including Santander Consumer USA, Inc. interest in the receivables, and including the right to any proceeds from the Accounts, to Jefferson Capital Systems, LLC. As part of the Sale, Business Records relating to the Accounts were transferred to Jefferson Capital Systems, LLC. Prior to the Sale, those Business Records had been created and maintained in the ordinary course of Bluestem Brands, Inc. business. A true and correct copy of the bill of sale or written assignment of the Accounts is attached as an exhibit to this affidavit.
- 4. At the time of Sale, each Consumer owed the amount set forth opposite their name in an exhibit attached hereto and made a part hereof, which also sets forth the amount of the charge-off balance and, the total amounts, if applicable, of any post-charge-off interest and post-charge-off fees and charges, less any post-charge-off credits or payments made by or on behalf of each respective Consumer.

The above statements are true and correct to the best of my personal knowledge.

Dated: April 16, 2020

Signature

Philip Ott - Collections Analyst

Name - Title

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

Notary Public

AMY ELIZABETH ANDING Notery Public State of Minnesota My Commission Expires Jenuary 31, 2023

1053 FHT - SCUSA - FF



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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

Harold T. Mitchell III

Attorney Licensed to Practice in the State of Minnesota

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EXHIBIT B ASSIGNMENT AND BILL OF SALE

Bluestem Brands, Inc. (for itself and as agent for Santander Consumer USA Inc., collectively "Seller") has entered into a Purchase Agreement ("Agreement") dated February 20, 2020 for the sale of accounts and associated receivables, described in Schedule 1 hereto ("Purchased Accounts"), to Jefferson Capital Systems, LLC("Buyer") upon the terms and conditions set forth in that Agreement.

This ASSIGNMENT AND BILL OF SALE is for the Purchased Accounts, as further described in Schedule 1 which is hereby included by reference, delivered by Seller to Buyer on March 26, 2020 with a Closing Date of March 26, 2020.

NOW, THEREFORE, for good and valuable consideration, Seller hereby sells, assigns and transfers to Buyer all rights, title and interest in each and every one of the Purchased Accounts described in the Agreement.

This ASSIGNMENT AND BILL OF SALE is executed without recourse or warranties except as stated and provided for herein and within the Agreement. All of the information contained in Seller's Accounts Information (a) constitutes Seller's own business records regarding the Purchased Accounts and (b) accurately reflects in all material respects the information about the Purchased Accounts in Seller's possession. All of Seller's Accounts Information has been kept in the regular course of Seller's business, and was made or compiled at or near the time of the event and recorded by (or from information transmitted by) a person (i) with knowledge of the data entered into and maintained in Seller's business records or (ii) who caused the data to be entered into and maintained in Seller's business records. It is the regular practice of Seller's business to maintain and compile such data.

IN WITNESS WHEREOF, Seller has signed and delivered this instrument on the March 26, 2020.

Seller: Bluestem Brands, Inc.

7075 Flying Cloud Dr Eden Prairie, MN 55344

Richard J. Winship

SVP, Credit Operations, Credit Management

Santander Consumer USA Inc.

By: Bluestern Brands, Inc., as agent

Richard J. Winship

SVP, Credit Operations, Credit Management



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EXHIBIT E

AFFIDAVIT OF SALE OF ACCOUNT BY DEBT SELLER

State of Minnesota County of Hennepin

Richard J. Winship being duly sworn, deposes and says:

I am over 18 and not a party to this action. I am the SVP, Credit Operations, Credit Management of Bluestem Brands, Inc., ("Bluestem"). In that capacity, I am a custodian of certain books and records of Bluestem and certain of its subsidiaries and affiliates (altogether, "Debt Seller"), and am aware of the process of the sale and assignment of electronically stored business records.

Bluestem owns certain accounts, and maintains and records information in the records as they relate to such accounts. I am authorized to make the statements and representations set forth in this affidavit on behalf of Bluestem. Bluestem is the agent of Santander Consumer USA Inc. ("SCUSA"). SCUSA owns certain receivables associated with the accounts, and Bluestem maintains and records information in the records as they relate to such receivables. I am authorized to make the statements and representations set forth in this affidavit on behalf of SCUSA. The statements set forth herein are true and correct to the best of my knowledge, information, and belief, based on either personal knowledge or review of the business records of the Bluestem.

As a custodian of records for Bluestem my duties include having knowledge of, and access to, business records relating to the Accounts and Receivables (as defined below). These records are kept by Bluestem in the regular course of business, and it was in the regular course of business of Bluestem for an employee or representative with personal knowledge of the act, event, condition, or opinion recorded to make memorandum or records or to transmit information thereof to be included in such memorandum or records; and that the records were made at or near the time of the act and/or event recorded or reasonably soon thereafter.

On March 26th, 2020, Bluestem sold a pool of charged-off accounts ("Accounts") by a Purchase and Sale Agreement and a Bill of Sale to Jefferson Capital Systems, LLC ("Buyer"). WebBank had previously sold, assigned and conveyed the Accounts to Bluestem pursuant to a Bill of Sale and Assignment, as attached hereto and incorporated herein by reference.

Original Creditor

The original creditor was CIT Bank for accounts originated between September 29, 2003 and February 16, 2010. (CIT previously sold, assigned and conveyed the Accounts originated prior to February 17, 2010, to MetaBank pursuant to an Account Transfer Agreement dated February 5, 2010) ("CIT Agreement").

MetaBank for accounts originated between February 17, 2010 and June 30, 2012 or WebBank for accounts originated between July 1, 2012 and the present. (MetaBank previously sold, assigned and conveyed to WebBank the Accounts originated prior to July 1, 2012, pursuant to an Account Transfer Agreement dated June 28, 2012) ("MetaBank Agreement").

WebBank is the original creditor for all Accounts that were originated after July 1, 2012.



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