

00-1408-CD
FIRST SELECT INCORPORATED -vs- DONALD J. BARTASAVICH

VALERIE ROSENBLUTH PARK, ESQUIRE
Attorney I.D. #72094
PARK LAW ASSOCIATES, P.C.
25 East State Street
P.O. Box 1779
Doylestown, PA 18901
(215) 348-5200
ATTORNEY FOR PLAINTIFF

CLEARFIELD COUNTY COURT OF COMMON PLEAS

FILED

FIRST SELECT INCORPORATED

Plaintiff

VS.

DONALD J BARTASAVICH
Defendant

NOV 14 2000

William A. Shaw
Prothonotary

NO. 00-1408-CO

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 an 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 other claims 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 OR CANNOT AFFORD ONE, GO TO, OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

David S. Meholick, Court Administrator
Clearfield County Courthouse
Clearfield, PA 16830
(814) 765-2641, Ext. 32

THIS IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

VALERIE ROSENBLUTH PARK
ATTORNEY I.D. # 72094
PARK LAW ASSOCIATES, P.C.
25 EAST STATE STREET, P.O. BOX 1779
DOYLESTOWN, PA 18901
(215) 348-5200
ATTORNEY FOR PLAINTIFF
ACT#:4168100010240966

CLEARFIELD COUNTY COURT OF COMMON PLEAS

FIRST SELECT, INC.
4460 ROSEWOOD DRIVE
PLEASANTON, CA 94588

PLAINTIFF

VS

DONALD J BARTASAVICH
314 E. WEBER AVE.
DU BOIS, PA 15801

DEFENDANT

NO.

CIVIL ACTION

1. The Plaintiff, First Select, Inc. is a Delaware corporation organized and existing under the laws of the State of Delaware with its principal place of business at 4460 Rosewood Drive, Pleasanton, CA 94588. Plaintiff is the owner of this account, which is the subject matter of this action.
2. The Defendant, DONALD J BARTASAVICH, is an individual who resides at 314 E. WEBER AVE., .
3. The Defendant is indebted to Plaintiff on the credit account by virtue of charges or cash advances incurred by the Defendant or authorized by the Defendant on a credit card or line of credit, bearing account number 4168100010240966.
4. The terms of said account are stated in the documentation attached hereto as Exhibit "A".

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5. The Defendant has failed to pay the amount owed in accordance with the Account Agreement and has failed to pay the outstanding debt as agreed.

6. The Defendant is indebted to the Plaintiff in the amount of \$8,200.02 as of 07/20/2000, plus pre-judgment contractual interest at the rate of 21.49% per annum, less payments made.

7. In accordance with the documentation attached as Exhibit "A," Plaintiff is entitled to reasonable attorney's fees, and Plaintiff will incur attorney's fees in the amount of \$1,394.00.

WHEREFORE, Plaintiff demands that judgment be rendered in favor of the Plaintiff, FIRST SELECT, INC. and against the Defendant in the amount of \$8,200.02, plus pre-judgment interest at the contractual rate of 21.49% per annum from 07/20/2000 until the date of the judgment herein, plus reasonable attorney's fees in the amount of \$1,394.00, less payments made, plus costs and any other such relief as this Court deems reasonable and just.

COUNT II

8. Plaintiff hereby incorporates paragraphs 1 through 7 above as though set forth in full.

9. The Defendant received a monetary benefit, which was in fact appreciated by the Defendant.

10. The Defendant accepted the benefits.

11. By virtue of the circumstances surrounding the request for funds made, the Defendant knowingly requested the funds at issue and/or knowingly and voluntarily accepted the benefits bestowed.

12. It would be inequitable for this Court to allow the Defendant to retain the benefits of the funds or to be unjustly enriched at the expense of the Plaintiff or allow the Defendant to retain the value of the funds at issue without repaying the Plaintiff the value of same.

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WHEREFORE, Plaintiff demands that Judgment be rendered in favor of the Plaintiff, First Select, Inc. and against the Defendant in the amount of \$8,200.02, plus pre-judgment interest at the contractual rate of 21.49% per annum from 07/20/2000 until the date of the judgment herein, plus reasonable attorney's fees in the amount of \$1,394.00, less payments made, plus costs and any other such relief as this Court deems reasonable and just.

PARK LAW ASSOCIATES, P.C.

BY: 

VALERIE ROSENBLUTH PARK, ESQUIRE

PURSUANT TO THE FAIR DEBT COLLECTION PRACTICES ACT, IT IS REQUIRED THAT WE STATE THE FOLLOWING TO YOU: THIS IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

ORDER FOR SERVICE

THIS IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

VERIFICATION

I, MONICA YANKOWSKI, declare that: I am a designated agent of FIRST SELECT INCORPORATED, the Plaintiff in this action, and I am duly authorized to make this verification on its behalf. I have read the foregoing complaint and know the contents thereof; that the same is true of my own knowledge, except as to those matters stated on information and belief and, as to those matters, I believe them to be true. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn falsification to authorities.

I declare under penalty of perjury that the foregoing are true and correct.

Executed at Alameda County, in the State of California.

Date

Designated Agent


MONICA YANKOWSKI

FILED

NOV 14 2000

William A. Shaw
Prothonotary

ML9341 cth. Park Rd \$80.00

Lee Shewitt

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 10403

FIRST SELECT INCORPORATED

00-1408-CD

VS.

BARTASAVICH, DONALD J.

COMPLAINT

SHERIFF RETURNS

NOW NOVEMBER 21, 2000 AT 1:49 PM EST SERVED THE WITHIN COMPLAINT
ON DONALD J. BARTASAVICH, DEFENDANT AT RESIDENCE, 314 E. WEBER ST.,
DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO PAT
BARTASAVICH, DEFENDANT'S EX-WIFE, A TRUE AND ATTESTED COPY OF THE
ORIGINAL COMPLAINT AND MADE KNOWN TO HER THE CONTENTS THEREOF.
SERVED BY: COUDRIET

Return Costs

Cost	Description
28.21	SHFF. HAWKINS PAID BY: ATTY.
10.00	SURCHARGE PAID BY: ATTY.

FILED

DEC 13 2000
01:11:04
William A. Shaw
Prothonotary

E. Weber

Sworn to Before Me This

13th Day Of December 2000
William A. Shaw

WILLIAM A. SHAW
Prothonotary
My Commission Expires
1st Monday in Jan. 2002
Clearfield Co. Clearfield, PA.

So Answers,

Chester A. Hawkins
by Mary Z. Harris
Chester A. Hawkins
Sheriff

VALERIE ROSENBLUTH PARK
ATTORNEY I.D. # 72094
PARK LAW ASSOCIATES, P.C.
25 EAST STATE STREET
DOYLESTOWN, PA 18901
(215) 348-5200
ATTORNEY FOR PLAINTIFF

I HEREBY CERTIFY THAT THE
TRUE AND CORRECT ADDRESS IS:
PLAINTIFF: 4460 ROSEWOOD DRIVE
PLEASANTON, CA 94588
DEF: 314 E. WEBER AVE.
DU BOIS, PA 15801
4168100010240966

CLEARFIELD COUNTY COURT OF COMMON PLEAS

FIRST SELECT INCORPORATED
Plaintiff

VS

²⁴ DONALD J BARTASAVICH
Defendant

NO.00-1408

PRAECIPE FOR JUDGMENT

FILED

JAN 12 2001

William A. Shaw
Prothonotary

TO THE PROTHONOTARY:


Please enter Judgment in favor of the Plaintiff and against the said Defendant for failure to plead or otherwise respond to the Complaint and assess the damages as follows:

AMOUNT OF CLAIM	\$8,200.02
ATTORNEY FEES	\$1,394.00
PLUS ACCRUED INTEREST	\$671.08
LESS PRINCIPAL PAID	(\$0.00)
LESS OTHER PAYMENTS	(\$0.00)

TOTAL \$10,265.10
PLUS ADDITIONAL COSTS

I CERTIFY THAT THE FOREGOING ASSESSMENT OF DAMAGES IS FOR SPECIFIED AMOUNTS ALLEGED TO BE DUE IN THE COMPLAINT AND IS CALCULABLE AS A SUM CERTAIN FROM THE COMPLAINT.

I certify that written notice of the intention to file this Praecipe was mailed or delivered to the party against whom judgment is to be entered and to the attorney of record, if any, after the default occurred and at least ten (10) days prior to the date of the filing of this Praecipe. A true and correct copy of the notice pursuant to Pennsylvania Rule of Civil Procedure No. 237.1 is attached hereto and marked Exhibit "A".


VALERIE ROSENBLUTH PARK, ESQUIRE
Attorney for the Plaintiff

AND NOW, January 12, 2001, Judgment is entered in favor of the Plaintiff and against the Defendant by Default for want of an Answer and damages assessed in the sum set forth in the above certification.

PROTHONOTARY

PURSUANT TO THE FAIR DEBT COLLECTION PRACTICES ACT, IT IS
REQUIRED THAT WE STATE THE FOLLOWING TO YOU. THIS IS AN ATTEMPT
TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT
PURPOSE.

VALERIE ROSENBLUTH PARK
ATTORNEY I.D. # 72094
PARK LAW ASSOCIATES, P.C.
DRIVE
25 EAST STATE STREET, P.O. BOX 1779
DOYLESTOWN, PA 18901
(215) 348-5200
ATTORNEY FOR PLAINTIFF

I HEREBY CERTIFY THAT THE
TRUE AND CORRECT ADDRESS IS:
PLAINTIFF: 4460 ROSEWOOD

PLEASANTON, CA 94588
DEF: 314 E. WEBER AVE.
DU BOIS, PA 15801

CLEARFIELD COUNTY COURT OF COMMON PLEAS

FIRST SELECT INCORPORATED

Plaintiff

VS

DONALD J BARTASAVICH

Defendant

NO. 00-1408

**NOTICE OF PRAECIPE FOR
ENTRY OF DEFAULT JUDGMENT**

TO: DONALD J BARTASAVICH
314 E. WEBER AVE.
DU BOIS, PA 15801

DATE OF NOTICE: 12/19/00

IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO TAKE ACTION REQUIRED OF YOU IN THIS CASE. UNLESS YOU ACT WITHIN TEN (10) DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR PROPERTY OR OTHER IMPORTANT RIGHTS. YOU SHOULD TAKE THIS NOTICE TO A LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE FOLLOWING OFFICE TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

**David S. Meholic, Court Administrator
Clearfield County Courthouse
Clearfield, PA 16830
(800) 692-7375**

PARK LAW ASSOCIATES, P.C.

BY: 
VALERIE ROSENBLUTH PARK, ESQ.

cc:

THIS IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED
WILL BE USED FOR THAT PURPOSE.

EXHIBIT A

VALERIE ROSENBLUTH PARK
ATTORNEY I.D. # 72094
PARK LAW ASSOCIATES, P.C.
25 EAST STATE STREET
DOYLESTOWN, PA 18901
(215) 348-5200
ATTORNEY FOR PLAINTIFF

I HEREBY CERTIFY THAT THE
TRUE AND CORRECT ADDRESS IS:
PLAINTIFF: 4460 ROSEWOOD DRIVE
PLEASANTON, CA 94588
DEF: 314 E. WEBER AVE.
DU BOIS, PA 15801

CLEARFIELD COUNTY COURT OF COMMON PLEAS

FIRST SELECT INCORPORATED
Plaintiff

VS

DONALD J BARTASAVICH
Defendant

NO. 00-1408


VERIFICATION OF NON-MILITARY SERVICE

COMMONWEALTH OF PENNSYLVANIA:
COUNTY OF BUCKS :

VALERIE ROSENBLUTH PARK, Esquire, being duly sworn according to law, deposes and says that she will make this affidavit on behalf of the within Plaintiff, being authorized to do so, and that she believes and therefore avers, that DONALD J BARTASAVICH, Defendant is over 21 years of age; that his/her place of residence/business is located at 314 E. WEBER AVE. DU BOIS, PA 15801 and that he/she is employed and that he/she is not in the Military or Naval Service of the United States or its Allies or otherwise within the provisions of the Soldiers and Sailors Civil Relief Act of Congress of 1940 and its amendments.

PARK LAW ASSOCIATES, P.C.

BY:


Valerie Rosenbluth Park
Attorney for Plaintiff

VALERIE ROSENBLUTH PARK
ATTORNEY I.D. # 72094
PARK LAW ASSOCIATES, P.C.
25 EAST STATE STREET
DOYLESTOWN, PA 18901
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DU BOIS, PA 15801

CLEARFIELD COUNTY COURT OF COMMON PLEAS

FIRST SELECT INCORPORATED
Plaintiff

VS
DONALD J BARTASAVICH
Defendant

NO. 00-1408

NOTICE

Pursuant to Rule 236 of the Supreme Court of Pennsylvania, you are hereby notified that a Judgment has been entered against you in the above proceeding as indicated below:

- ☒ Judgment by Default
- ☐ Money Judgment
- ☐ Judgment in Replevin
- ☐ Judgment in Possession
- ☐ Judgment on Award of Arbitration
- ☐ Judgment on Verdict
- ☐ Judgment on Court Findings
- ☐ Judgment on District Justice Transcripts
- ☐ Judgment on Judgment Note
- ☐ Judgment on Writ of Revival
- ☐ Praecipe to Reassess Damages

IF YOU HAVE ANY QUESTIONS CONCERNING THIS NOTICE,
PLEASE CALL: Park Law Associates, P.C. at this telephone
number: (215) 348-5200.

PROTHONOTARY:

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REQUIRED THAT WE STATE THE FOLLOWING TO YOU. THIS IS AN ATTEMPT
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PURPOSE.

FILED

JAN 12 2001

William A. Shaw
Prothonotary

PD \$20.00

Not to Day.

Statement to City
E
~~for~~

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA
STATEMENT OF JUDGMENT

COPY

First Select Incorporated
Plaintiff(s)

No.: 2000-01408-CD

Real Debt: \$10,265.10

Atty's Comm:

Vs.

Costs: \$

Int. From:

Donald J. Bartasavich
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: January 12, 2001

Expires: January 12, 2006

Certified from the record this 12th of January, 2001



William A. Shaw, Prothonotary

SIGN BELOW FOR SATISFACTION

Received on _____, _____, of defendant full satisfaction of this Judgment, Debt,
Interest and Costs and Prothonotary is authorized to enter Satisfaction on the same.

Plaintiff/Attorney