

01-1001-CD
DISCOVER BANK -vs- JAMES A. GILBERT etal


ERIC M. BERMAN, P.C.
BY: Ron Z. Opher, Esquire
Attorney for Plaintiff
Attorney #57507
198 Allendale Rd., Suite 306
King of Prussia, PA 19406
(610) 265-7720

Discover Bank	:	IN THE COURT OF COMMON PLEAS
Clearfield COUNTY, PA:	:	
	:	
Plaintiff	:	
	:	
v.	:	CIVIL ACTION - LAW
James A. Gilbert and	:	
Laverne M. Gilbert	:	
412 Knarr St.	:	
Du Bois, PA 15801	:	
	:	NO. 01-1001-CD
Defendants	:	

PRAECIPE TO SETTLE, DISCONTINUE AND END

TO THE PROTHONOTARY:

Kindly mark the above-captioned matter Settled, Discontinued and Ended.

BY: 
Ron Z. Opher, Esquire
Attorney for Plaintiff

DATED: October 23, 2001

FILE

OCT 25 2001

William A. Shaw
Prothonotary

FILED

OCT 25 2001

0/2.34 p.m.

William A. Shay

Prothonotary

no cc

Cert. Dis. to atty Ophers

Copy to CA

27
[Signature]

COPY

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

Discover Bank

Vs.

No. 2001-01001-CD

James A. Gilbert

Laverne M. Gilbert

CERTIFICATE OF DISCONTINUATION

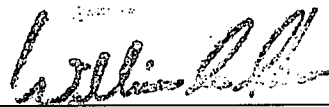
Commonwealth of PA
County of Clearfield

I, William A. Shaw, Prothonotary of the Court of Common Pleas in and for the County and Commonwealth aforesaid do hereby certify that the above case was on 25th day of October, 2001 marked:

Settled, Discontinued and Ended

Record costs in the sum of \$\$80.00 have been paid in full by Ron Z. Opher, Esquire.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 25th day of October A.D. 2001.



William A. Shaw, Prothonotary

Our File No. 115406
ATTORNEYS FOR PLAINTIFF
ERIC M. BERMAN, P.C.
BY: Eric M. Berman, Esquire, I.D. 83698

198 Allendale Road, Suite 306
King of Prussia, PA 19406
(610) 265-7720

COURT OF COMMON PLEAS
COUNTY OF CLEARFIELD

DISCOVER BANK
c/o ERIC M. BERMAN, P.C.
198 Allendale Road, Suite 306
King of Prussia, PA 19406

TRIAL DIVISION
CIVIL ACTION

vs.

Term, 2001

JAMES A. GILBERT
LAVERNE M. GILBERT

No. 01-1001 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 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 this complaint or for any other claim or relief required 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 OR FIND OUT WHERE YOU CAN GET LEGAL HELP.

AVISO

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plaza al partir de la fecha de la demanda y la notificacion. Hace falta asentar una comparencia escrita o en persona o con un abagado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. A demas la la corte puede decidir a favor del demandante y requiere que usted compla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGA O SO NO TIENE EL DINERO SUFICIENTE DE PAGAR TAL SERVICIO, VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL.

LAWYER REFERRAL SERVICE, COUNTY OF CLEARFIELD BAR ASSOCIATION
Address: CLEARFIELD COUNTY COURTHOUSE, CLEARFIELD, PA 16830 Tel.: 800-692-737

William A. Shaw
Prothonotary

Our File No. 115406
ATTORNEYS FOR PLAINTIFF
ERIC M. BERMAN, P.C.
BY: Eric M. Berman, Esquire, I.D. 83698

198 ALLENDALE ROAD, SUITE 306
KING OF PRUSSIA, PA 19406
(610) 265-7720

DISCOVER BANK
c/o ERIC M. BERMAN, P.C.
198 Allendale Road, Suite 306
King of Prussia, PA 19406

vs.

JAMES A. GILBERT
LAVERNE M. GILBERT

COURT OF COMMON PLEAS
COUNTY OF CLEARFIELD

CIVIL ACTION
Term, 1997

No.

COMPLAINT

1. Plaintiff, DISCOVER BANK ,
is a DELAWARE BUSINESS TRUST
licensed to do business in the Commonwealth of Pennsylvania with its
place of business at P.O. BOX 8003, HILLIARD, OH 43026.

2. The Defendant(s), JAMES A. GILBERT LAVERNE M. GILBERT ,
resides at 412 KNARR ST. , DUBOIS, PA 15801-0000.

3. There is due from the Defendant(s) the sum of \$3,012.40 for
credit extended by Plaintiff to Defendant(s), acct. no. 6011002080558810,
and which such credit was drawn and used by the Defendant(s).
Defendant(s) is in default for failure to make payments for such use.

4. The Plaintiff has made demand upon the Defendant(s) for payment
of monies in the sum of \$3,012.40 advanced to Defendant(s) through
Defendant(s) use of the above-referenced credit account, but Defendant(s)
has failed and refused to pay the said sum or any part thereof.

5. All applicable credits, if any, have been duly applied to
Defendant(s) credit account.

WHEREFORE, Plaintiff claims of the Defendant(s) the sum of \$3,012.40
plus interest, attorneys fees and costs which are justly due and
owing from the Defendant(s) to the Plaintiff.

Dated: APRIL 21, 2001

SPACE-AQ

ERIC M. BERMAN, P.C..

BY: 
ERIC M. BERMAN, ESQUIRE

BY: _____

VERIFICATION

, being duly sworn according to law, deposes and says that he is associated with the Law Firm of Eric M. Berman, P.C., and/or ERIC M. BERMAN, ESQUIRE, being duly sworn according to law, deposes and says that he is the Principal attorney of Eric M. Berman, P.C., attorneys for the Plaintiff, and as said attorney, he is authorized to take this verification on its behalf, and that the facts in the Complaint as set forth therein are true and correct to the best of his knowledge, information and belief.

I verify that the statements made in the within instrument are true and correct. I understand that false statements are subject to the penalties of 18 Pa C.S.A. Section 4904 relating to unsworn falsifications to authorities.



ERIC M. BERMAN, ESQUIRE

Dated: APRIL 21, 2001

SPACE-AQ

Novus Services
June 19, 2000

115406

DJ

Record Type: 1
Account No.: 6011002080558810
Debtor 1: JAMES A GILBERT
Debtor 2: LAVERNE M GILBERT
Street: 412 KNARR ST
City: DUBOIS
State: PA
Zip Code: 15801
Work Phone: (814) 371-2446
Work Phone: (717) 705-0564
S.S.N.: 190-38-1432
Account Open Date: 03/96
Current Balance: 3212.40
Line of Credit:
Cash Advance:
Last Pay Date: 01/19/00
Charge Off (Interest) Date: 05/31/00
External Status: Z
Brand Type: D, 411
Miscellaneous: 6011 0020 8055 8810
CARDMEMBER STATEMENT 14:05:00 06/05/00
GILBERT,JAMES A CLOSING DATE: 05/04/00
GILBERT,LAVERNE M VIEW DATE: 05 / 00
CREDIT LIMIT: 2000
PAYMENT DUE DATE: 05/29/00
PREVIOUS BALANCE: 3093.63
CREDIT AVAIL: 0
MIN PAYMENT DUE: 380.00
PAYMENTS/CREDITS: - 0.00-
AMOUNT PAST DUE: 332.00
PURCHASES/MISC: + 40.00
MULTIPLE STATEMENTS CASH ADVANCES: + 0.00
BALANCE TRANSFERS + 0.00
FINANCE CHARGES: + 58.77
NEW BALANCE: = 3192.40

OTHER/MISCELLANEOUS 04/09 LATE FEE 20.00
05/04 OVERLIMIT FEE 20.00

B = Bravo
P = Private Issue
D = Discover Card

115406

ATTORNEY: BERMAN

6011002080558810

BALANCE: \$3212.40

CARDMEMBER(S): JAMES A GILBERT & LAVERNE M GILBERT

STATE OF OHIO
COUNTY OF FRANKLIN

G. Rogers, personally appeared before me, this day and after being duly sworn, according to law, upon her oath and says:

THIS person is the Legal Representative for **DISCOVER FINANCIAL SERVICES, INC.**, a GREENWOOD TRUST COMPANY, a corporation duly organized and existing under and by virtue of the laws of the State of: Delaware.

THAT their capacity as Legal Representative Affiant has control over and access to all records regarding the account of this debtor; further that the Affiant has personally inspected said account and statements regarding the balance due on said account. These Records are kept in the normal course of business.

THAT the undersigned Affiant being duly sworn deposes and says that there has not been a knowing violation of the State Consumer and Credit Laws regarding this transaction.

THAT the annexed statement of account, in favor of GREENWOOD TRUST COMPANY, is a true and correct statement and there is now due and owing to GREENWOOD TRUST COMPANY, the sum over and above all legal set-offs. 'Attached' hereto as exhibit A is a copy of the terms of the account which we forwarded with the charge card to the Cardmember(s).

THAT to the best of Affiant's knowledge and belief the defendant is employed in civilian life and by reason thereof is not engaged in the military service of the United States and is a resident of the State and of the Country in which this action has been filed.

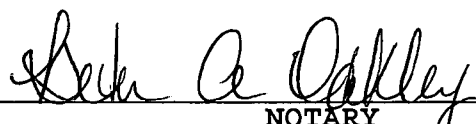
THAT this affidavit is made on the basis of Affiant's personal knowledge and in support of Plaintiff's suit on account against said Debtor.

Beth A. Oakley
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES 02-15-05



Affiant

Sworn and Subscribed before me
this 5TH day of JUNE, 2000



NOTARY



BETH A. OAKLEY
Notary Public
In and for the State of Ohio
My Commission Expires
Feb. 15, 2005

FILED

JUN 21 2001
01342104
William A. Shaw
Prothonotary

Barnon
Pd 88.00

Dec atty.

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 11154

DISCOVER BANK

01-1001-CD

VS.

GILBERT, JAMES A. & LAVERNE M.

COMPLAINT

SHERIFF RETURNS

NOW JULY 20, 2001 AT 10:55 AM DST SERVED THE WITHIN COMPLAINT ON LAVERNE M. GILBERT, DEFENDANT AT RESIDENCE, 412 KNARR ST., DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO LAVERNE M. GILBERT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN TO HER THE CONTENTS THEREOF.
COUDRIET/MARSHALL

NOW JULY 20, 2001 AT 10:55 AM DST SERVED THE WITHIN COMPLAINT ON JAMES A. GILBERT, DEFENDANT AT RESIDENCE, 412 KNARR ST., DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO LAVERNE M. GILBERT, WIFE A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN TO HER THE CONTENTS THEREOF.
COUDRIET/MARSHALL

Return Costs

Cost	Description
36.69	SHFF. HAWKINS PAID BY: ATTY.
20.00	SURCHARGE PAID BY: ATTY.

FILED

012:26:51
JUL 31 2001

William A. Shaw
Prothonotary

Sworn to Before Me This

31st Day Of July 2001

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 Marilyn Harris
Chester A. Hawkins
Sheriff