

02-186-03
BENEFICIAL, CONSUMER DISCOUNT -vs- JAMES C. WALKINS et al
COMPANY

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

BENEFICIAL CONSUMER DISCOUNT
COMPANY,

Plaintiff,

vs.

JAMES C. WATKINS and
BETTY L. WATKINS,

Defendants.

Plaintiff's Address:
2700 Sanders Road
Prospect Heights, IL 60070

Defendants' Address:
16 South 4th Street
Clearfield, PA 16830

CIVIL DIVISION

No. 02-186-CD

TYPE OF PLEADING:

Complaint

TYPE OF CASE:

Civil Action

FILED ON BEHALF OF:

BENEFICIAL CONSUMER DISCOUNT
COMPANY

COUNSEL OF RECORD:

CATHY ANN CHROMULAK, ESQ.
PA ID NO. 42067
MICHELLE D. SMITH, ESQ.
PA ID NO. 74800

MOLLIKA & MURRAY
Firm #952

450 Trimont Plaza
1305 Grandview Avenue
Pittsburgh, PA 15211-1205

(412) 381-7000

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

FILED

FEB 08 2002

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

BENEFICIAL CONSUMER DISCOUNT
COMPANY,

CIVIL DIVISION

Plaintiff,

No. 02-186-CD

vs.

JAMES C. WATKINS and
BETTY L. WATKINS,

Defendants.

NOTICE TO DEFEND
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 the complaint or for any other claim 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. 5982

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IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

BENEFICIAL CONSUMER DISCOUNT
COMPANY,

CIVIL DIVISION

No.

Plaintiff,

vs.

JAMES C. WATKINS and
BETTY L. WATKINS,

Defendants.

COMPLAINT

AND NOW COMES, the Plaintiff, **BENEFICIAL CONSUMER DISCOUNT COMPANY**, by its Attorneys, **Mollica & Murray**, with its Civil Action Complaint, the following of which is a statement thereof:

1. **BENEFICIAL CONSUMER DISCOUNT COMPANY** is a Corporation, duly authorized to conduct business in the Commonwealth of Pennsylvania with its principal office situate at 2700 Sanders Road, Prospect Heights, IL 60070, hereinafter referred to as "Plaintiff".

2. **JAMES C. WATKINS** and **BETTY L. WATKINS** are adult individuals residing at 16 South 4th Street, Clearfield, PA 16830.

3. On or about September 8, 1999, Defendants entered into a Loan Agreement with the Plaintiff as evidenced by the Affidavit attached hereto as "Exhibit A" and incorporated herein.

4. Pursuant to the Agreement with Defendants, Plaintiff advanced funds to the Defendants.

5. Defendants are in default under the terms and conditions of the aforementioned Agreement for failing to make payments when due, with the last payment having been made on or about March 22, 2000.

6. Pursuant to the terms of the Agreement, Plaintiff has the right to require payment of the entire amount owed upon default. The total amount due, including principal and interest, and owing by the Defendants is in the sum of Seven Thousand Two Hundred Forty Eight and 83/100 (\$7,248.83) Dollars as of December 5, 2001.


7. Numerous demands have been made upon Defendants by Plaintiff, but Defendants have failed or refused to pay.

8. Pursuant to the Agreement, Plaintiff is entitled to recover costs of collection and reasonable attorney's fees.

WHEREFORE, Plaintiff claims damages in the sum of Seven Thousand Two Hundred Forty Eight and 83/100 (\$7,248.83) Dollars, with interest thereon at the rate of 18.49% from December 5, 2001, plus court costs and attorneys' fees.

Respectfully submitted,

MOLLICA & MURRAY

By: 
CATHY ANN CHROMULAK, ESQ.
PA ID NO. 42067
MICHELLE D. SMITH, ESQ.
PA ID NO. 74800
Attorneys for Plaintiff
450 Trimont Plaza
1305 Grandview Avenue
Pittsburgh, PA 15211



P.O. Box 10640
Virginia Beach, VA 23450

AFFIDAVIT OF LOST NOTE

I, the undersigned, do hereby certify that I am the representative of the lender. I further certify that

James C Watkins

account# 711723 00522498 executed a revolving note loan agreement

dated 9/8/99 with monthly installments. The first being due on 10/8/99.

I further certify that after 9/8/99 the said revolving note loan agreement was

either lost or destroyed and that there is presently an outstanding balance of \$ 7248.83

plus interest at the contract rate of 18.49 percent from 12/4/01 and reasonable attorney fees, if applicable, due upon default.

Patricia Garcia
RECOVERY SPECIALIST

Sworn and subscribed to before me, this 25th day of Jan., 2002.

Notary Public, Commonwealth of Virginia
Commission Expires May 31, 2004

My commission expires: _____

John L. Smith
NOTARY PUBLIC

PLAINTIFF'S
EXHIBIT

A

A Household Company



P.O. Box 10640
Virginia Beach, VA 23450

AFFIDAVIT OF LOST NOTE

I, the undersigned, do hereby certify that I am the representative of the lender. I further certify that

Betty L. Watkins

account# 711723 00 522498 executed a revolving note loan agreement

dated 9/8/99 with monthly installments. The first being due on 10/8/99.

I further certify that after 9/8/99 the said revolving note loan agreement was

either lost or destroyed and that there is presently an outstanding balance of \$ 7248.83

plus interest at the contract rate of 18.49 percent from 12/4/01 and reasonable

attorney fees, if applicable, due upon default.

Patricia A. Garcia
RECOVERY SPECIALIST

Sworn and subscribed to before me this 25th day of Jan., 2002.
JERI L. HARRINGTON

My commission expires: Notary Public, Commonwealth of Virginia
Commission Expires May 31, 2004

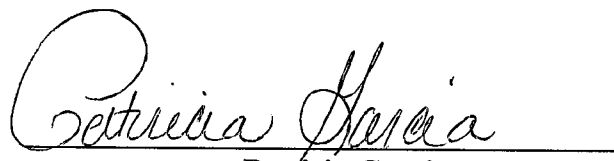
Jeri L. Harrington
NOTARY PUBLIC

VERIFICATION

Patricia Garcia, Recovery Specialist for

BENEFICIAL CONSUMER DISCOUNT COMPANY, a Household International Company,

deposes and says subject to the penalties of 18 Pa C.S. Section 4904 relating to unsworn falsification to authorities, that the facts set forth in the foregoing Complaint are true and correct to the best of her knowledge, information and belief.

A handwritten signature in cursive script, reading "Patricia Garcia", is written over a horizontal line.

Patricia Garcia

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THAT PURPOSE.

FILED

FEB 08 2002

7:30 p.m.

William A. Shaw

Prothonotary

cc to sheriff

ASD

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 12074

BENEFICIAL CONSUMER DISCOUNT COMPANY

02-186-CD

VS.

WATKINS, JAMES C. & BETTY L.

COMPLAINT

SHERIFF RETURNS

NOW FEBRUARY 12, 2002 AT 2:34 PM EST SERVED THE WITHIN COMPLAINT
ON JAMES C. WATKINS, DEFENDANT AT RESIDENCE, 16 S. 4TH ST., CLEARFIELD
CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO ASHLEY WATKINS,
DAUGHTER A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND
MADE KNOWN TO HER THE CONTENTS THEREOF.
SERVED BY: DAVIS/MORGILLO

NOW FEBRUARY 12, 2002 AT 2:34 PM EST SERVED THE WITHIN COMPLAINT
ON BETTY L. WATKINS, DEFENDANT AT RESIDENCE, 16 S. 4TH ST., CLEARFIELD
CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO ASHLEY WATKINS,
DAUGHTER A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND
MADE KNOWN TO HER THE CONTENTS THEREOF.
SERVED BY: DAVIS/MORGILLO

Return Costs

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

FILED

APR 15 2002

011.48
William A. Shaw
Prothonotary

Sworn to Before Me This

15th Day Of April, 2002

WILLIAM A. SHAW

Prothonotary

My Commission Expires
1st Monday in Jan. 2006
Clearfield Co., Clearfield, PA

So Answers,

Chester A. Hawkins
by Maury Hays

Chester A. Hawkins
Sheriff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

BENEFICIAL CONSUMER DISCOUNT
COMPANY,

Plaintiff,

vs.

JAMES C. WATKINS and
BETTY L. WATKINS,

Defendants.

Plaintiff's Address:
2700 Sanders Road
Prospect Heights, IL 60070

Defendant's address:
16 South 4th Street
Clearfield, Pa 16830

CIVIL DIVISION

No. 02-186-CD

TYPE OF PLEADING:

Praecipe for Default Judgment

TYPE OF CASE:

CIVIL ACTION

FILED ON BEHALF OF:

BENEFICIAL CONSUMER DISCOUNT
COMPANY

COUNSEL OF RECORD:

CATHY ANN CHROMULAK, ESQ.
PA ID NO. 42067
MICHELLE D. SMITH, ESQUIRE
PA ID NO. 74800

MOLLIKA & MURRAY
FIRM #952

450 Trimont Plaza
1305 Grandview Avenue
Pittsburgh, PA 15211-1205
(412) 381-7000

FILED

MAY 16 2002

William A. Shaw
Prothonotary

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TO: PROTHONOTARY

Please enter judgment by default against the within-named defendants, JAMES C. WATKINS and BETTY L. WATKINS, for failure to file an Answer as follows:

Amount claimed in Complaint: \$7,248.83

Interest from 12/6/01 thru 5/13/02: 565.18

Costs of Collection thru 5/13/02: 659.00

TOTAL	\$8,473.01
-------	------------

With interest accruing on the total balance of \$8,473.01 at the rate of 6% per annum, together with additional costs of suit.

By: M. Michelle D. Smith
CATHY ANN CHROMULAK, ESQ.
MICHELLE D. SMITH, ESQ.
Attorneys for Plaintiff

AFFIDAVIT OF NON-MILITARY SERVICE
AND CERTIFICATION OF MAILING OF NOTICE OF
INTENT TO TAKE DEFAULT JUDGMENT

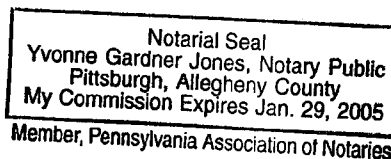
COMMONWEALTH OF PENNSYLVANIA)
) SS:
COUNTY OF ALLEGHENY)

Before me, the undersigned authority, a Notary Public in and for said County and State, personally appeared MICHELLE D. SMITH, ESQUIRE, attorney for and authorized representative of plaintiff who, being duly sworn according to law, deposes and says that the defendants are not in the military service of the United States of America to the best of her knowledge, information and belief and certifies that the Notice of Intent to take Default Judgment was mailed to defendants on **April 18, 2002** by certificate of mailing in accordance with Pa.R.C.P. 237.1, as evidenced by the attached copy.

Michelle D Smith
CATHY ANN CHROMULAK, ESQ.
MICHELLE D. SMITH, ESQ.

Sworn to and subscribed before me
this 14th day of May, 2002.

Notary Public



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IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

BENEFICIAL CONSUMER DISCOUNT
COMPANY,

Plaintiff,

CIVIL DIVISION

No. 02-186-CD

vs.

JAMES C. WATKINS and
BETTY L. WATKINS,

Defendants.

TO: JAMES C. WATKINS
16 South 4th Street
Clearfield, PA 16830

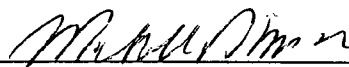
DATE OF NOTICE: April 18, 2002

IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN 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. Meholick,
Court Administrator
Clearfield County Courthouse
Clearfield, PA 16830
814-765-2641 Ext. 5982

By:


CATHY ANN CHROMULAK, ESQ.
MICHELLE D. SMITH, ESQ.
Attorneys for Plaintiff

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IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

BENEFICIAL CONSUMER DISCOUNT
COMPANY,

CIVIL DIVISION

Plaintiff,

No. 02-186-CD

vs.

JAMES C. WATKINS and
BETTY L. WATKINS,

Defendants.

TO: BETTY L. WATKINS
16 South 4th Street
Clearfield, PA 16830

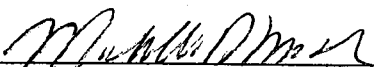
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Court Administrator
Clearfield County Courthouse
Clearfield, PA 16830
814-765-2641 Ext. 5982.

By:

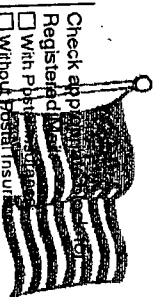

CATHY ANN CHROMULAK, ESQ.
MICHELLE D. SMITH, ESQ.
Attorneys for Plaintiff

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MOLLIKA & MURRAY

Name and Address of Sender
 450 TRIMONT PLAZA
 1305 GRANDVIEW AVENUE
 PITTSBURGH, PENNSYLVANIA 15211-1205

Indicate type of mail:
☐ Registered
☐ Insured
☐ COD
☐ Certified
☐ Return Receipt for Merchandise
☐ Registered Mail
☐ Insured
☐ COD
☐ Certified



Affix stamp here if required
 certificate of mailing of to
 adding 8 copies of this certificate
 Postmark and Date of Receipt
 Due, Sender
 P B 5 5 2 9 6 0 4
 MAR 10 2002
 Remarks
 15211

Line	Article Number	Name of Addressee, Street, and Post Office Address	Postage	Fee	Handling Charge	Act. Value (if Regis.)	Insured Value
1		STEPHENSON, SUSAN M. * 408 Franklin Street, Slippery Rock PA 16057					
2		STUCK, DOUGLAS J. 1561 Leishman Avenue, New Kensington PA 15068					
3		WATKINS, JAMES C. * 16 South 4th Street, Clearfield PA 16830					
4		WATKINS, BETTY L. * 16 South 4th Street, Clearfield PA 16830					
5							
6							
7							
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11							
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15							
Total Number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving Employee)				
4		4	K. Romano				

The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise insurance is \$500. The maximum indemnity payable is \$25,000 for registered mail, sent with optional postal insurance. See Domestic Mail Manual R900, S913, and S921 for limitations of coverage on insured and COD mail. See International Mail Manual for limitations of coverage on international mail. Special handling charges apply only to Standard Mail (A) and Standard Mail (B) parcels.



PS Form 3877, February 1994
 10269-4

Form Must Be Completed by Typewriter, Ink, or Ball Point Pen

FILED

MAY 18 2002

13:51 atty Chromulek
William A. Shaw
Prothonotary

pd \$20.00

not. to Dg

Stat. to atty.

428

COPY

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

BENEFICIAL CONSUMER DISCOUNT
COMPANY,

CIVIL DIVISION

No. 02-186-CD

Plaintiff,

vs

JAMES C. WATKINS and
BETTY L. WATKINS,

Defendants.

NOTICE OF ORDER, DECREE OR JUDGMENT

TO: JAMES C. WATKINS
16 South 4th Street
Clearfield, Pa 16830

(X) Defendant

You are hereby notified that an Order, Decree or Judgment
was entered in the above captioned proceeding on May 16, 2002.

() A copy of the Order or Decree is enclosed, or

(X) The judgment is as follows: \$8,473.01 plus
interest at the rate of 6% per annum and
additional costs of suit.

Deputy

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COPY

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

BENEFICIAL CONSUMER DISCOUNT
COMPANY,

CIVIL DIVISION

No. 02-186-CD

Plaintiff,

vs

JAMES C. WATKINS and
BETTY L. WATKINS,

Defendants.

NOTICE OF ORDER, DECREE OR JUDGMENT

TO: BETTY L. WATKINS
16 South 4th Street
Clearfield, Pa 16830

(X) Defendant

You are hereby notified that an Order, Decree or Judgment
was entered in the above captioned proceeding on May 14, 2002.

- () A copy of the Order or Decree is enclosed, or
- (X) The judgment is as follows: \$8,473.01 plus
interest at the rate of 6% per annum and
additional costs of suit.

Deputy

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COPY

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

Beneficial Consumer Discount Co.
Plaintiff(s)

No.: 2002-00186-CD

Real Debt: \$8,473.01

Atty's Comm:

Vs.

Costs: \$

Int. From:

James Watkins and
Betty Watkins
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: May 16, 2002

Expires: May 16, 2007

Certified from the record this 16th of May, 2002

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