

02-583-CD  
DISCOVER BANK -vs- MICHELLE L. PATTERSON

Our File No. 154831  
ATTORNEYS FOR PLAINTIFF  
ERIC M. BERMAN, P.C.

BY: Eric M. Berman, Esquire, I.D. 83698  
BY: Ron Z. Opher, Esquire, I.D. 57507  
198 Allendale Road, Suite 306  
King of Prussia, PA 19406  
(610) 265-7720

FILED

APR 15 2002

William A. Shaw  
Prothonotary  
COURT OF COMMON PLEAS  
COUNTY OF CLEARFIELD

DISCOVER BANK :  
c/o ERIC M. BERMAN, P.C. : TRIAL DIVISION  
198 Allendale Road, Suite 306 :  
King of Prussia, PA 19406 : CIVIL ACTION  
vs. : Term \_\_\_\_\_  
MICHELLE L PATTERSON :  
-----X : No. 02-583-CJ

NOTICE

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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 abogado 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 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.

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LAWYER REFERRAL SERVICE, COUNTY OF CLEARFIELD BAR ASSOCIATION  
Address: CLEARFIELD COUNTY COURTHOUSE, CLEARFIELD, PA 16830 Tel.: 800-692-73

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c/o ERIC M. BERMAN, P.C. : COUNTY OF CLEARFIELD  
198 Allendale Road, Suite 306 : CIVIL ACTION  
King of Prussia, PA 19406 : Term \_\_\_\_\_  
vs. : No.  
MICHELLE L PATTERSON :  
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COMPLAINT

1. Plaintiff, DISCOVER BANK ,  
is a DELAWARE BANK  
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), MICHELLE L PATTERSON ,  
resides at 476 E 8TH ST , CLEARFIELD, PA 16830-2802.

3. There is due from the Defendant(s) the sum of \$2,399.67 for  
credit extended by Plaintiff to Defendant(s), acct. no. 6011002400201927,  
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.

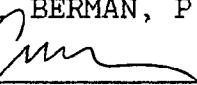
4. The Plaintiff has made demand upon the Defendant(s) for payment  
of monies in the sum of \$2,399.67 advanced to Defendant(s) through  
Defendant(s) use of the above-referenced credit account, but Defendant(s)  
has failed and refused to pay the said sum or any part thereof.

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 \$2,399.67  
plus interest, attorneys fees and costs which are justly due and  
owing from the Defendant(s) to the Plaintiff.

Dated: FEBRUARY 13, 2002

ERIC M. BERMAN, P.C.

BY:   
ERIC M. BERMAN, ESQUIRE

SPACE-AQ

BY:   
RON Z. OPHER, Esquire  
Attorneys for Plaintiff

VERIFICATION

RON Z. OPHER, ESQUIRE, being duly sworn according to law, deposes and says that he is of Counsel to 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

---



RON Z. OPHER, ESQUIRE

Dated: FEBRUARY 13, 2002

SPACE-AQ

**ATTORNEY:** Berman  
**ACCOUNT NUMBER:** 6011002400201927  
**BALANCE:** \$2399.67  
**CARDMEMBER (S):** MICHELLE L PATTERSON

STATE OF OHIO  
COUNTY OF FRANKLIN

K. Lanning, personally appeared before me, this day and after being duly sworn, according to law, upon his/her oath and says:

I am a Legal Placement Account Manager for **DISCOVER FINANCIAL SERVICES INC.**, the servicing agent of DISCOVER BANK, an FDIC insured Delaware State Bank.

THAT this affidavit is made on the basis of my personal knowledge and in support of Plaintiff's suit on account against the Debtor(s)

THAT, in my capacity as Legal Placement Account Manager, I have control over and access to records regarding Discover Card Account 6011002400201927 of the above referenced Debtor(s), further, that I have personally inspected said Account and statements regarding the balance due on said account. DISCOVER FINANCIAL SERVICES, INC. maintains these records in the ordinary course of business.

THAT the annexed statement of account is a true and correct statement of what is now due and owing Discover Bank on the account, and exhibit A is a copy of the Cardmember Agreement between Discover Bank and the above referenced Debtor(s). The Cardmember Agreement governs the terms and conditions of the relationship between Discover Bank and the Debtor(s) in connection with the account.

Based on my review of the account records, to the best of my knowledge and belief the above referenced Debtor(s) 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.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

K. Lanning  
Affiant

Sworn and Subscribed before me,  
This day of Monday, November 12, 2001.

Karen Livengood  
NOTARY



KAREN RENEE LIVENGOOD  
Notary Public  
In and for the State of Ohio  
My Commission Expires  
Apr. 05, 2006

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 12391

DISCOVER BANK

02-583-CD

VS.

PATTERSON, MICHELLE L.

COMPLAINT

**SHERIFF RETURNS**

NOW MAY 1, 2002 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURN THE  
WITHIN COMPLAINT "NOT FOUND" AS TO MICHELE L. PATTERSON, DEFENDANT.  
HOUSE IS EMPTY.

---

Return Costs

| Cost  | Description                  |
|-------|------------------------------|
| 20.00 | SHFF. HAWKINS PAID BY: ATTY. |
| 10.00 | SURCHARGE PAID BY: ATTY.     |

**FILED**

MAY 02 2002  
014:00

William A. Shaw  
Prothonotary

*E  
KBS*

Sworn to Before Me This

2nd Day Of May 2002  
Will A. Shaw

WILLIAM A. SHAW  
Prothonotary  
My Commission Expires  
1st Monday in Jan. 2006  
Clearfield Co., Clearfield, PA

So Answers,

*Chester A. Hawkins  
by Maelyn Harris*  
Chester A. Hawkins  
Sheriff

Our File No. 154831  
ATTORNEYS FOR PLAINTIFF  
ERIC M. BERMAN, P.C.  
BY: Eric M. Berman, Esquire, I.D. 83698  
BY: Ron Z. Opher, Esquire, I.D. 57507  
198 Allendale Road, Suite 306  
King of Prussia, PA 19406  
(610) 265-7720

I hereby certify this to be a true  
and attested copy of the original  
statement filed in this case

APR 15 2002

*Attest: [Signature]*  
COURT OF COMMON PLEAS  
COUNTY OF CLEARFIELD

DISCOVER BANK : TRIAL DIVISION  
c/o ERIC M. BERMAN, P.C. :  
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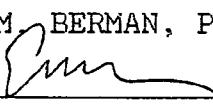
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Dated: FEBRUARY 13, 2002

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BY:   
ERIC M. BERMAN, ESQUIRE

SPACE-AQ

BY:   
RON Z. OPHER, Esquire  
Attorneys for Plaintiff

VERIFICATION

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\_\_\_\_\_  
ERIC M. BERMAN, ESQUIRE

Dated: FEBRUARY 13, 2002

SPACE-AQ

  
\_\_\_\_\_  
RON Z. OPHER, ESQUIRE

ATTORNEY: **BERMAN**  
ACCOUNT NUMBER: **6011002400201927**  
BALANCE: **\$2399.67**  
CARDMEMBER (S): **MICHELLE L PATTERSON**

STATE OF OHIO  
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K. Lanning, personally appeared before me, this day and after being duly sworn, according to law, upon his/her oath and says:

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Sworn and Subscribed before me,  
This day of Monday, November 12, 2001.

Renee Livengood  
NOTARY



KAREN RENEE LIVENGOOD  
Notary Public  
In and for the State of Ohio  
My Commission Expires  
Apr. 05, 2006

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BY: Ron Z. Opher, Esquire, I.D. 57507  
198 Allendale Road, Suite 306  
King of Prussia, PA 19406  
(610) 265-7720

I hereby certify this to be a true and attested copy of the original statement filed in this case.

# COPY

APR 15 2002

Attest: *Willie B.*  
COURT OF COMMON PLEAS  
COUNTY OF CLEARFIELD

DISCOVER BANK :  
c/o ERIC M. BERMAN, P.C. : TRIAL DIVISION  
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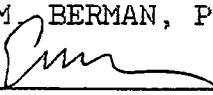
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BY:   
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SPACE-AQ

BY:   
RON Z. OPHER, Esquire  
Attorneys for Plaintiff

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ERIC M. BERMAN, ESQUIRE

  
\_\_\_\_\_  
RON Z. OPHER, ESQUIRE

Dated: FEBRUARY 13, 2002

SPACE-AQ

ATTORNEY: **BERMAN**  
ACCOUNT NUMBER: **6011002400201927**  
BALANCE: **\$2399.67**  
CARDMEMBER (S): **MICHELLE L PATTERSON**

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COUNTY OF FRANKLIN

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K. Lanning  
Affiant

Sworn and Subscribed before me,  
This day of Monday, November 12, 2001.

*Karen Livengood*  
NOTARY



KAREN RENEE LIVENGOOD  
Notary Public  
In and for the State of Ohio  
My Commission Expires  
Apr. 05, 2006

65  
ERIC BERMAN, P.C.  
BY: Ron Z. Opher, Esq.  
Attorney for Plaintiff  
Attorney#57507  
985 Old Eagle School Rd #505  
Wayne PA 19087  
610-902-0530

---

DISCOVER BANK  
C/O ERIC M. BERMAN P.C  
198 Allendale Rd. Suite 306  
King of Prussia, PA 19406

Plaintiff

v.  
MICHELLE L PATTERSON  
476 E 8<sup>th</sup> St  
Clearfield, PA 16830

Defendant

---

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY, PA

CIVIL ACTION - LAW

NO. 02-583-CS

ORDER

This matter having been brought before the Court on motion of Ron Z. Opher, attorney for Plaintiff, for an Order Allowing Alternative Service of the Complaint by ordinary and certified mail, return receipt requested, and the Court having considered the matter and good cause appearing,

AND NOW, to wit, this 6<sup>th</sup> day of June, 2002, Plaintiff's Motion for Alternative Service is GRANTED. Plaintiff may serve the Complaint upon Defendant by ordinary and certified mail, return receipt requested. The Complaint shall be deemed as served if the requirements of Pa.R.Civ.P. 403, relating to service by mail, are met.

BY THE COURT:

J.

**FILED**

JUN 07 2002

010:awu

William A. Shaw  
Prothonotary

1 CENT TO FILE *by*

ERIC BERMAN, P.C.  
BY: Ron Z. Opher, Esq.  
Attorney for Plaintiff  
Attorney#57507  
985 Old Eagle School Rd #505  
Wayne PA 19087  
610-902-0530

**FILED**

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011-241100  
William A. Shaw  
Prothonotary

DISCOVER BANK  
C/O ERIC M. BERMAN P.C  
198 Allendale Rd. Suite 306  
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COURT OF COMMON PLEAS  
CLEARFIELD COUNTY, PA

Plaintiff

v.  
MICHELLE L PATTERSON  
476 E 8<sup>th</sup> St  
Clearfield, PA 16830

CIVIL ACTION - LAW

Defendant

NO. 02-583-CS

**PLAINTIFF'S MOTION FOR ALTERNATIVE SERVICE**

1. Plaintiff, by and through its undersigned counsel, filed a complaint against Defendant on or about April 15, 2002.
2. Plaintiff sought service of said complaint upon Defendant on or about May 1, 2002. Service of Process by the Sheriff was not obtained.. A true and correct copy of Sheriff's Order For Service is attached hereto and marked Exhibit "A."
3. Plaintiff inquired of the postal authorities pursuant to the Freedom of Information Act, 39 C.F.R. Part 265, to learn that the address of Defendant whereupon the Sheriff sought to serve the complaint is the Defendant's correct address. A true and correct copy of the Freedom of Information request is attached hereto and marked Exhibit "B."
4. Plaintiff consulted various on-line address and telephone directories, to no avail.
5. Plaintiff requests that the Court allow Alternative Service by ordinary and certified mail, return receipt requested; to wit, Pa.R.Civ.P. 430 provides that the Plaintiff may move the Court for a special order directing the method of service if service cannot be made and a good faith effort to serve the complaint by regular service has been made.

WHEREFORE, Plaintiff respectfully requests that this Honorable Court grant its Motion for Alternative Service of the Complaint by ordinary and certified mail, return receipt requested, upon Defendant. The Complaint shall be deemed as served if the requirements of Pa.R.Civ.P. 403 relating to service by mail, are met.

BY: 

Ron Z. Opher, Esquire  
Attorney for Plaintiff

DATED: June 4, 2002

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 12391

DISCOVER BANK

02-583-CD

VS.

PATTERSON, MICHELLE L.

COPY

COMPLAINT

**SHERIFF RETURNS**

**NOW MAY 1, 2002 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURN THE  
WITHIN COMPLAINT "NOT FOUND" AS TO MICHELE L. PATTERSON, DEFENDANT.  
HOUSE IS EMPTY.**

---

Return Costs

| Cost | Description |
|------|-------------|
|------|-------------|

|       |                              |
|-------|------------------------------|
| 20.00 | SHFF. HAWKINS PAID BY: ATTY. |
|-------|------------------------------|

|       |                          |
|-------|--------------------------|
| 10.00 | SURCHARGE PAID BY: ATTY. |
|-------|--------------------------|

Sworn to Before Me This

So Answers,

\_\_\_\_ Day Of \_\_\_\_\_ 2002



Chester A. Hawkins  
Sheriff

Postmaster  
Clearfield, PA 16830  
City, State, ZIP Code

Date 5/20/02

**Request for Change of Address or Boxholder  
Information Needed for Service of Legal Process**

Please furnish the new address or the name and street address (if a boxholder) for the following:

Name: Michelle L. Patterson

Address: 476 E. 8th St, Clearfield, PA 16830

NOTE: The name and last known address are required for change of address information. The name, if known, and post office box address are required for boxholder information.

The following information is provided in accordance with 39 CFR 265.6(d)(6)(ii). There is no fee for providing boxholder information. The fee for providing change of address information is waived in accordance with 39 CFR 265.6(d)(1) and (2) and corresponding Administrative Support Manual 352.44a and b.

1. Capacity of requester (e.g., process server, attorney, party representing himself): attorney
2. Statute or regulation that empowers me to serve process (not required when requester is an attorney or a party acting *pro se* - except a corporation acting *pro se* must cite statute): n/a

3. The names of all known parties to the litigation: Discover Bank V. Michelle L. Patterson

4. The court in which the case has been or will be heard: Common Pleas

5. The docket or other identifying number if one has been issued: 02-583-CS

6. The capacity in which this individual is to be served (e.g. defendant or witness): defendant

**WARNING**

THE SUBMISSION OF FALSE INFORMATION TO OBTAIN AND USE CHANGE OF ADDRESS INFORMATION OR BOXHOLDER INFORMATION FOR ANY PURPOSE OTHER THAN THE SERVICE OF LEGAL PROCESS IN CONNECTION WITH ACTUAL OR PROSPECTIVE LITIGATION COULD RESULT IN CRIMINAL PENALTIES INCLUDING A FINE OF UP TO \$10,000 OR IMPRISONMENT OR (2) TO AVOID PAYMENT OF THE FEE FOR CHANGE OF ADDRESS INFORMATION OF NOT MORE THAN 5 YEARS, OR BOTH (TITLE 18 U.S.C. SECTION 1001).

I certify that the above information is true and that the address information is needed and will be used solely for service of legal process in connection with actual or prospective litigation.

Signature: Ron Z. Opher, Esquire  
Address: 985 Old Eagle School Rd., #505

Printed Name: Wayne, PA 19087

City, State, ZIP Code

**FOR POST OFFICE USE ONLY**

No change of address order on file.  NEW ADDRESS or

BOXHOLDER'S POSTMARK

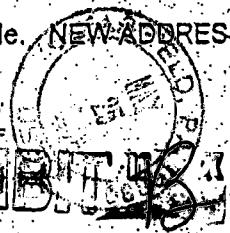
Not known at address given.

NAME and STREET ADDRESS

Moved, left no forwarding address.

No such address.

MAIL IS ON HOLD



|                             |           |                       |
|-----------------------------|-----------|-----------------------|
| DISCOVER BANK               | :         | COURT OF COMMON PLEAS |
| C/O ERIC M. BERMAN P.C      | :         | CLEARFIELD COUNTY, PA |
| 198 Allendale Rd. Suite 306 | :         |                       |
| King of Prussia, PA 19406   | :         |                       |
|                             | Plaintiff | :                     |
|                             | v.        |                       |
| MICHELLE L PATTERSON        | :         | CIVIL ACTION - LAW    |
| 476 E 8 <sup>th</sup> St    | :         |                       |
| Clearfield, PA 16830        | :         | NO. 02-583-CS         |
|                             | Defendant | :                     |

PROOF OF ATTEMPTS TO SERVE DEFENDANT BY REGULAR SERVICE

1. I, Ron Z. Opher, Esquire certify that on April 15, 2002, I filed a Civil Complaint against Defendant Michelle L Patterson. I sent a copy of the Complaint to the Sheriff to make Service of Process upon 476 E 8<sup>th</sup> St, Clearfield, PA 16830. The Sheriff was unable to make service upon Defendant. A true and correct copy of Sheriff's Order For Service is attached hereto and marked Exhibit "A."

2. I then sent a request to the postal authorities in Clearfield PA, to verify that the Defendant's address was correct. The Postmaster verified that Defendant continues to reside/receive mail at 476 E 8<sup>th</sup> St, Clearfield, PA 16830. A copy of the Postmaster's response is attached.

3. I consulted various on-line address and telephone directories to verify Defendant's address, to no avail.

AFFIDAVIT

|                              |     |  |
|------------------------------|-----|--|
| COMMONWEALTH OF PENNSYLVANIA | :   |  |
|                              | ss. |  |
| COUNTY OF CLEARFIELD         | :   |  |

I, Ron Z. Opher, Esquire hereby certify that the statements made in the foregoing Proof of Attempts to Serve Defendant by Regular Service are true and correct to the best of my knowledge, information and belief and that said statements are made subject to the penalties of 18 Pa. C.S.A. §4904 relating to unsworn falsification to authorities.

DATED: June 4, 2002

  
 Ron Z. Opher, Esquire  
 Attorney for Plaintiff- Movant

DISCOVER BANK  
C/O ERIC M. BERMAN P.C  
198 Allendale Rd. Suite 306  
King of Prussia, PA 19406

Plaintiff

v.  
MICHELLE L PATTERSON  
476 E 8<sup>th</sup> St  
Clearfield, PA 16830

Defendant

: COURT OF COMMON PLEAS  
: CLEARFIELD COUNTY, PA

: CIVIL ACTION - LAW

: NO. 02-583-CS

CERTIFICATION OF MAILING

COMMONWEALTH OF PENNSYLVANIA

:SS

COUNTY OF CLEARFIELD

I, Ron Z. Opher, Esquire, being duly sworn according to law, hereby certify that on June 4, 2002 a true and correct copy of Plaintiff's Motion for Alternative Service was served by mailing same by United States first-class mail, postage prepaid, to Defendant 476 E 8<sup>th</sup> St, Clearfield, PA 16830.

DATED: June 4, 2002

BY:

  
Ron Z. Opher, Esquire

ERIC M. BERMAN, P.C.  
BY: Ron Z. Opher, Esquire  
Attorney for Plaintiff  
Attorney #57507  
985 Old Eagle School Rd., Suite 505  
Wayne, PA 19087  
(610) 902-0530

Discover Bank : IN THE COURT OF COMMON PLEAS  
Clearfield COUNTY, PA: Plaintiff :  
v. : CIVIL ACTION - LAW  
Michelle L. Patterson :  
476 E. 8th Street :  
Clearfield, PA 16830-2802 : NO. 02-583<sup>CD</sup>  
Defendant :

**PRAEICE TO REINSTATE COMPLAINT-CIVIL ACTION**

## TO THE PROTHONOTARY:

Kindly reinstate the Complaint in the above-captioned matter for an additional 30 days, as service of Complaint has not yet been made upon Defendant.

BY:

Ron Z. Opher, Esquire  
Attorney for Plaintiff

DATED: June 24, 2002

**FILED**

JUL 22 2002

William A. Shaw  
Prothonotary

**FILED**

*(cc)*

*Atty*

*M 13-29481*

*Atty*

*JUL 22 2002*

*Atty pd 700*

William A. Shaw 1 Compl re-instated  
Prothonotary

*Atty*

*Atty*

ERIC M. BERMAN, P.C.  
BY: Ron Z. Opher, Esquire  
Attorney for Plaintiff  
Attorney#57507  
985 Old Eagle School Rd., Suite 505  
Wayne, PA 19087  
(610) 902-0530

|                       |           |                       |
|-----------------------|-----------|-----------------------|
| Discover Bank         | :         | COURT OF COMMON PLEAS |
|                       | :         | COUNTY OF Clearfield  |
|                       | :         | CIVIL ACTION          |
|                       | Plaintiff | :                     |
| v.                    | :         |                       |
| Michelle L. Patterson | :         | NO. 02-583C           |
|                       | Defendant | :                     |

**FILED**

SEP 13 2002

M1305/noc

William A. Shaw  
Prothonotary

PROOF OF SERVICE

1. Plaintiff filed a Complaint-Civil Action in the above matter on April 15, 2002.
2. Plaintiff, upon Motion to the Court, obtained an Order for Alternative (Mail) Service upon Defendant on June 7, 2002.
3. Plaintiff filed a Praecept to Reinstate said Complaint on July 22, 2002.
4. Plaintiff's attorney sent a copy of this Complaint to Defendant on July 29, 2002 via USPS certified mail RRR and by regular mail, pursuant to the Court Order and Pa.R.C.P. 404(2), 403(1).
5. The complaint was served on August 3, 2002 upon Defendant by mail. A copy of the certified mail return receipt, along with the Certificate of Mailing for regular mail, dated July 29, 2002 are attached hereto and marked collectively as Exhibit "A."
- 6 Plaintiff files this Proof of Service pursuant to Pa.R.C.P. 405 and 430.

AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA :  
:ss.  
COUNTY OF Clearfield :

I, Ron Z. Opher, Esquire hereby certify that the statements made in the foregoing Proof of Service are true and correct to the best of my knowledge, information and belief and that said statements are made subject to the penalties of 18 Pa. C.S.A. §4904 relating to unsworn falsification to authorities.

DATED: September 6, 2002

  
Ron Z. Opher, Esquire

U.S. POSTAL SERVICE **CERTIFICATE OF MAILING**  
MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT  
PROVIDE FOR INSURANCE. DIRECT MAILER

Received From:

Ron Z. Ophir, Esq.  
Eric M. Berman, P.C.  
985 Old Eagle School Rd #505  
Wayne, PA 19087

One piece of ordinary mail addressed to:

*Michelle L. Patterson*  
476 E. 8th St.  
Clearfield, PA 16830-2802

PS Form 3817, Mar. 1989

GPO : 1993 O - 151-051

PS #505  
JUL 2



USA 23  
and  
e. of  
rent

EXHIBIT

**U.S. Postal Service  
CERTIFIED MAIL RECEIPT**  
*(Domestic Mail Only: No Insurance Coverage Provided)*



|   |    |
|---|----|
| Postage   | \$ |
| Certified Fee<br>(Endorsement Required)           | \$ |
| Return Receipt Fee<br>(Endorsement Required)      | \$ |
| Restricted Delivery Fee<br>(Endorsement Required) | \$ |
| Total Postage & Fees                              | \$ |

Sent to *Michelle L. Patterson*  
Street, Apt. No.  
or P.O. Box No. *476 E. 8th St.*  
City, State, ZIP *Clearfield, PA 16830-2802*

PS Form 3800, January 2001.

See reverse for instructions.

ERIC M. BERMAN, P.C.  
BY: Ron Z. Opher, Esquire  
Attorney for Plaintiff  
Attorney#57507  
985 Old Eagle School Rd., Suite 505  
Wayne, PA 19087  
(610) 902-0530

|                              |   |                       |
|------------------------------|---|-----------------------|
| <b>Discover Bank</b>         | : | COURT OF COMMON PLEAS |
|                              | : | COUNTY OF Clearfield  |
|                              | : | CIVIL ACTION          |
| Plaintiff                    | : |                       |
| v.                           | : |                       |
| <b>Michelle L. Patterson</b> | : | NO. 02-583CS          |
| Defendant                    | : |                       |

AFFIDAVIT OF NON-MILITARY SERVICE

COMMONWEALTH OF PENNSYLVANIA :  
:ss.  
COUNTY OF **Clearfield** :

I, Ron Z. Opher, Esquire, being duly sworn according to law, depose and say that I am an agent of the Plaintiff; that I am authorized to take this affidavit on behalf of Plaintiff; that Defendant **Michelle L. Patterson** is located at RR1 Box 345, Houtzdale, PA 16651-9405; and that Defendant **Michelle L. Patterson** is not in the Military Service of the United States, nor any State or Territory Thereof or its allies as defined in the Soldiers' and Sailors' Civil Relief Act of 1940 and the amendments thereto.

Affiant also certifies that the address of Plaintiff is c/o Eric M. Berman, P.C., 985 Old Eagle School Rd., Suite 505, Wayne, PA 19087.

DATED: September 6, 2002

  
Ron Z. Opher, Esquire

ERIC M. BERMAN, P.C.  
BY: Ron Z. Opher, Esquire  
Attorney for Plaintiff  
Attorney#57507  
985 Old Eagle School Rd., Suite 505  
Wayne, PA 19087  
(610) 902-0530

Discover Bank : IN THE COURT OF COMMON PLEAS  
Plaintiff : Clearfield COUNTY, PA  
v. :  
Michelle L. Patterson : CIVIL ACTION - LAW  
RR1 Box 345 : NO. 02-583-CD  
Houtzdale, PA 16651-9405 :  
Defendant :  
\_\_\_\_\_  
Plaintiff

PRAECIPE FOR JUDGMENT

Enter Judgment in favor of Plaintiff, **Discover Bank**, against Defendant, **Michelle L. Patterson**, for want of an answer

Assess damages as follows:

|       |                        |
|-------|------------------------|
| Debt  | \$2399.67              |
| TOTAL | \$2399.67 (plus 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 after the default occurred and at least ten days prior to the date of the filing of this praecipe. Copies are attached. R.C.P. 237.1

  
Ron Z. Opher, Esquire ID #57507  
Attorney for Plaintiff

AND NOW September 13, 2002, Judgment is entered in favor of **Discover Bank**, against Defendant, **Michelle L. Patterson**, by Default for want of an answer, and damages assessed at the sum of \$2399.67 plus costs as per the above certification.

  
\_\_\_\_\_  
William A. Shaw

Prothonotary

**FILED**

SEP 13 2002

mj3:13/atty Opher pd 20.00  
William A. Shaw Not. to Dey. GJB  
Prothonotary Stat. to Atty. GJB

OFFICE OF THE PROTHONOTARY  
COURT OF COMMON PLEAS  
Clearfield COUNTY COURTHOUSE  
230 E. Market St.  
Clearfield, PA 16830

TO: **Michelle L. Patterson**  
RR1 Box 345  
Houtzdale, PA 16651-9405

---

|                              |   |                              |
|------------------------------|---|------------------------------|
| <b>Discover Bank</b>         | : | IN THE COURT OF COMMON PLEAS |
|                              | : | Clearfield COUNTY, PA        |
|                              | : |                              |
| Plaintiff                    | : |                              |
|                              | : |                              |
| v.                           | : | CIVIL ACTION - LAW           |
|                              | : |                              |
| <b>Michelle L. Patterson</b> | : |                              |
| RR1 Box 345                  | : |                              |
| Houtzdale, PA 16651-9405     | : | NO. 02-583- CO               |
|                              | : |                              |
| Defendant                    | : |                              |

---

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.

Prothonotary

IF YOU HAVE ANY QUESTIONS CONCERNING THIS NOTICE, PLEASE CALL  
RON Z. OPHER, ESQUIRE, at 610-902-0530.

ERIC M. BERMAN, P.C.  
Ron Z. Opher, Esquire  
Attorney for Plaintiff  
Attorney#57507  
985 Old Eagle School Rd. Ste. 505  
Wayne, PA 19087  
(610) 902-0530

---

|                              |   |                              |
|------------------------------|---|------------------------------|
| <b>Discover Bank</b>         | : | IN THE COURT OF COMMON PLEAS |
| C/O Eric Berman,PC           | : |                              |
| 985 Old Eagle School Rd #505 | : | CLEARFIELD COUNTY, PA        |
| Wayne, PA 19087              | : |                              |
| Plaintiff                    | : |                              |
| v.                           | : | CIVIL ACTION - LAW           |
| <b>Michelle L. Patterson</b> | : |                              |
| RR1 Box 345                  | : |                              |
| Houtzdale, PA 16651-9405     | : | NO. 02-583- CO               |
| Defendant                    | : |                              |

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TO: **Michelle L. Patterson**  
RR1 Box 345  
Houtzdale, PA 16651-9405

DATED: August 28, 2002

IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO TAKE ACTION REQUIRED OF YOU IN THIS CASE. 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.

LAWYER REFERRAL SERVICE  
Clearfield County Bar Association  
215 E. Locust St.  
Clearfield, PA 16830  
(814) 765-1581

|                              |                              |
|------------------------------|------------------------------|
| <b>Discover Bank</b>         | IN THE COURT OF COMMON PLEAS |
|                              | Clearfield COUNTY, PA        |
| Plaintiff                    |                              |
| v.                           | CIVIL ACTION - LAW           |
| <b>Michelle L. Patterson</b> |                              |
| RR1 Box 345                  |                              |
| Houtzdale, PA 16651-9405     | NO. 02-583 - CO              |
| Defendant                    |                              |

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CERTIFICATION OF ADDRESSES AND AFFIDAVIT OF NON-MILITARY SERVICE

COMMONWEALTH OF PENNSYLVANIA :  
:SS  
COUNTY OF Clearfield :

I, Ron Z. Opher, Esquire, being duly sworn according to law, depose and say that I am the attorney for Plaintiff and I am authorized to make this affidavit on Plaintiff's behalf. I hereby certify that the address of the Plaintiff is c/o Eric M. Berman, P.C., 985 Old Eagle School Rd., Suite 505, Wayne, PA 19087. Defendant's address is RR1 Box 345, Houtzdale, PA 16651-9405. In addition, Defendant is not in the Military Service of the United States, nor any State or Territory thereof or its allies as defined in the Soldiers' and Sailors' Civil Relief Act of 1940 or the amendments thereto.

I verify that the statements made in the foregoing certification and affidavit are true and correct to the best of my knowledge, information and belief; and I understand that the statements in said certification and affidavit are made subject to the penalties of 18 Pa.C.S. §4904 relating to unsworn falsification to authorities.

DATED: September 9, 2002

BY:   
Ron Z. Opher, Esquire

**COPY**

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

Discover Bank  
Plaintiff(s)

No.: 2002-00583-CD

Real Debt: \$2,399.67

Atty's Comm:

Vs.

Costs: \$

Int. From:

Michelle L. Patterson  
Defendant(s)

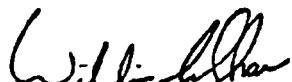
Entry: \$20.00

Instrument: Default Judgment

Date of Entry: September 13, 2002

Expires: September 13, 2007

Certified from the record this 13th of September, 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

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

CERTIFICATE OF SATISFACTION OF JUDGMENT

CO  
PY  
Y

No.: 2002-00583-CD

Discover Bank

Debt: \$2399.67

Vs.

Atty's Comm.:

Michelle L. Patterson

Interest From:

Cost: \$

NOW, Wednesday, November 27, 2002 , directions for satisfaction having been received, and all costs having been paid, SATISFACTION was entered of record.

Certified from the record this 27th day of November, A.D. 2002.

---

Prothonotary