

02-798-CD  
DISCOVER BANK -vs- LARRY E. ROY

Our File No. 155196  
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

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

LARRY E ROY

No. 02-798-00

#### 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 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 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 INMEDIATEMENTE. 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.

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

MAY 20 2002

William A. Shaw  
Prothonotary

Our File No. 155196  
ATTORNEYS FOR PLAINTIFF  
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KING OF PRUSSIA, PA 19406  
(610) 265-7720

-----X  
DISCOVER BANK : COURT OF COMMON PLEAS  
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.  
LARRY E ROY :  
-----X

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), LARRY E ROY ,  
resides at 23 CARSON AVE , DU BOIS, PA 15801-1103.

3. There is due from the Defendant(s) the sum of \$3,326.18 for  
credit extended by Plaintiff to Defendant(s), acct. no. 6011002847530516,  
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 \$3,326.18 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 \$3,326.18  
plus interest, attorneys fees and costs which are justly due and  
owing from the Defendant(s) to the Plaintiff.

Dated: MARCH 12, 2002

SPACE-AQ

ERIC M. BERMAN, P.C.

BY:   
ERIC M. BERMAN, ESQUIRE

BY:   
RON Z. OPHER, Esquire  
Attorneys for Plaintiff

VERIFICATION

RON Z. OPPER, 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. OPPER, ESQUIRE

Dated: MARCH 12, 2002

SPACE-AQ

**ATTORNEY:** **BERMAN**  
**ACCOUNT NUMBER:** 6011002847530516  
**BALANCE:** \$3326.18  
**CARDMEMBER (S):** LARRY E ROY

STATE OF OHIO  
COUNTY OF FRANKLIN

K. Ray, 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 6011002847530516 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.

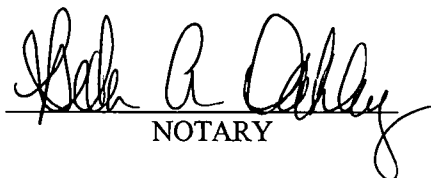
THAT the annexed statement of account is a true and correct statement of what is now due and owing Discover Bank on the account, and exhibit A is a copy of the Cardmember Agreement between Discover Bank and the above referenced Debtor(s). The Cardmember Agreement governs the terms and conditions of the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

  
\_\_\_\_\_  
Affiant

Sworn and Subscribed before me,  
This day of Friday, November 23, 2001.

  
\_\_\_\_\_  
NOTARY



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

**FILED**

MAY 20 2002

01/93/att, Berman  
By William A. Shaw  
Prothonotary Pd \$80.00

lcc Sharyb  
lcc 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

Plaintiff

v.

Larry E. Roy  
23 Carson Ave.  
Du Bois, PA 15801-1103

Defendant

IN THE COURT OF COMMON PLEAS  
Clearfield COUNTY, PA

CIVIL ACTION - LAW

NO. 02-798

PRAECIPE TO WITHDRAW COMPLAINT WITHOUT PREJUDICE

TO THE PROTHONOTARY:

Kindly mark the Complaint in the above-captioned matter WITHDRAWN WITHOUT PREJUDICE.

BY: 

Ron Z. Opher, Esquire  
Attorney for Plaintiff

DATED: July 24, 2002

**FILED**

JUL 29 2002  
m/3:20/2cc atty Opher  
William A. Shaw  
Prothonotary  
Copy to E  
10/1

**In The Court of Common Pleas of Clearfield County, Pennsylvania**

Sheriff Docket # 12550

DISCOVER BANK

02-798-CD

VS.

ROY, LARRY E.

COMPLAINT

**SHERIFF RETURNS**

NOW JUNE 14, 2002 AT 10:24 AM DST SERVED THE WITHIN COMPLAINT  
ON LARRY E. ROY, DEFENDANT AT RESIDENCE, 23 CARSON AVE., DUBOIS,  
CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO SHARON ROY, WIFE  
A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE  
KNOWN TO HER THE CONTENTS THEREOF.  
SERVED BY: NEVLING.

**Return Costs**

Cost Description

47.70 SHFF. HAWKINS PAID BY: ATTY.

10.00 SURCHARGE PAID BY: ATTY.

Sworn to Before Me This

7 Day Of Aug 2002

WILLIAM A. SHAW  
Prothonotary  
My Commission Expires  
12/31/2003  
Clearfield County, PA

So Answers,

*Chester A. Hawkins*  
*by Maury Hawk*  
Chester A. Hawkins  
Sheriff

**FILED**

AUG 07 2002  
0/4:00/6  
William A. Shaw  
Prothonotary

er  
KDS



ATTORNEYS FOR PLAINTIFF

ERIC M. BERMAN, P.C.

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BY: Ron Z. Opher, Esquire, I.D. 57507

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COPY

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COUNTY OF CLEARFIELD

DISCOVER BANK

c/o ERIC M. BERMAN, P.C.

198 Allendale Road, Suite 306

King of Prussia, PA 19406

vs.

LARRY E ROY

TRIAL DIVISION

CIVIL ACTION

Term

No. 02-798-CO

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Thereby certify this to be a true  
and attested copy of the original

Statement filed in this case

Address: CLEARFIELD COUNTY COURTHOUSE, CLEARFIELD, PA 16830 Tel.: 800-692-7

MAY 20 2002

Attest.

*[Signature]*  
Prothonotary/  
Clerk of Courts

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SPACE-AQ

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