

02-1563-CD  
DISCOVER BANK vs. STEPHEN MATTHEW BUFFALO

Our File No. 157374  
ATTORNEYS FOR PLAINTIFF  
ERIC M. BERMAN, P.C.

BY: Eric M. Berman, Esquire, I.D. 83698  
BY: Ron Z. Opher, Esquire, I.D. 57507  
985 Old Eagle School Road, Suite 505  
Wayne, PA 19087  
(610) 902-0530

HILHU

OCT 07 2002  
M/2/5 MA pd 8000

William A. Shaw  
Prothonotary

COURT OF COMMON PLEAS  
COUNTY OF CLEARFIELD

-----X  
DISCOVER BANK :  
c/o ERIC M. BERMAN, P.C. :  
985 Old Eagle School Road, Suite 505 :  
Wayne, PA 19087 :  
vs. :  
STEPHEN MATTHEW DUFFALO :  
-----X

TRIAL DIVISION  
CIVIL ACTION

Term

No. 02-1563-CD

#### 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 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 SUFFICIENTE 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.: 800-692-73

Our File No. 157374  
ATTORNEYS FOR PLAINTIFF  
ERIC M. BERMAN, P.C.  
BY: Eric M. Berman, Esquire, I.D. 83698  
BY: Ron Z. Opher, Esquire, I.D. 57505  
985 Old Eagle School Road, Suite 505  
Wayne, PA 19087  
(610) 902-0530

-----X  
DISCOVER BANK : COURT OF COMMON PLEAS  
c/o ERIC M. BERMAN, P.C. : COUNTY OF CLEARFIELD  
985 Old Eagle School Road, Suite 505 : CIVIL ACTION  
Wayne, PA 19087 : \_\_\_\_\_ Term \_\_\_\_\_  
vs. : No.  
: :  
STEPHEN MATTHEW DUFFALO :  
-----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), STEPHEN MATTHEW DUFFALO ,  
resides at 545 W LONG AVE , DU BOIS, PA 15801-1709.

3. There is due from the Defendant(s) the sum of \$2,224.86 for  
credit extended by Plaintiff to Defendant(s), acct. no. 6011002410657530,  
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.

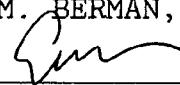
4. The Plaintiff has made demand upon the Defendant(s) for payment  
of monies in the sum of \$2,224.86 advanced to Defendant(s) through  
Defendant(s) use of the above-referenced credit account, but Defendant(s)  
has failed and refused to pay the said sum or any part thereof.

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 \$2,224.86  
plus interest, attorneys fees and costs which are justly due and  
owing from the Defendant(s) to the Plaintiff.

Dated: MAY 07, 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: MAY 07, 2002

SPACE-AQ

**ATTORNEY:** Berman  
**ACCOUNT NUMBER:** 6011002410657530  
**BALANCE:** \$2224.86  
**CARDMEMBER (S):** STEPHEN MATTHEW DUFFALO

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 6011002410657530 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 Monday, February 11, 2002.

  
\_\_\_\_\_  
NOTARY



CHRISTY BALL  
Notary Public  
In and for the State of Ohio  
My Commission Expires  
August 20, 2008

FILED

*BA for go to growth  
BA Notice to Growth*

OCT 07 2002

William A. Shaw  
Prothonotary

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 13143

DISCOVER BANK

02-1563-CD

VS.

DUFFALO, STEPHEN MATTHEW

COMPLAINT

**SHERIFF RETURNS**

NOW OCTOBER 25, 2002 AT 1:14 PM DST SERVED THE WITHIN COMPLAINT ON STEPHEN MATTHEW DUFFALO, DEFENDANT AT RESIDENCE, 116 1/2 SIMPSON AVE., DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO SHIRLEY DUFFALO, MOTHER A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN TO HIM THE CONTENTS THEREOF.

SERVED BY: COUDRIET/RYEN

---

Return Costs

Cost	Description
42.70	SHFF. HAWKINS PD. BY: ATTY.
10.00	SURCHARGE PD. BY: ATTY.

Sworn to Before Me This

17 Day Of January 2003  
William A. Shaw

So Answers,

Chester Hawkins  
by Marly Hanna  
Chester A. Hawkins  
Sheriff

FILED  
02-18 BA no cc  
JAN 17 2003

William A. Shaw  
Prothonotary

**FILED**

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

FEB 24 2003

William A. Shaw  
Prothonotary

**Discover Bank**

IN THE COURT OF COMMON PLEAS  
Clearfield COUNTY, PA

Plaintiff

v.

**STEPHEN MATTHEW DUFFALO**  
116 1/2 Simpson Ave.  
DU BOIS, PA 15801

CIVIL ACTION - LAW

NO. 2002-1563-CD

Defendant

**PRAECLPICE FOR JUDGMENT**

Enter Judgment in favor of Plaintiff, **Discover Bank**, against Defendant, **STEPHEN MATTHEW DUFFALO**, for want of an answer

Assess damages as follows:

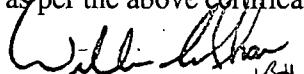
Debt	<u>\$2224.86</u>
TOTAL	<u>\$2224.86 (plus costs)</u>

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 February 24, 2003, Judgment is entered in favor of **Discover Bank**, against Defendant, **STEPHEN MATTHEW DUFFALO**, by Default for want of an answer, and damages assessed at the sum of \$2224.86 plus costs as per the above certification.

  
William A. Shaw  
Prothonotary

OFFICE OF THE PROTHONOTARY  
COURT OF COMMON PLEAS  
Clearfield COUNTY COURTHOUSE  
P.O. Box 549  
Clearfield, PA 16830

TO: **STEPHEN MATTHEW DUFFALO**  
116 1/2 Simpson Ave.  
DU BOIS, PA 15801

<b>Discover Bank</b>	IN THE COURT OF COMMON PLEAS Clearfield COUNTY, PA
Plaintiff	
v.	CIVIL ACTION - LAW
<b>STEPHEN MATTHEW DUFFALO</b> 116 1/2 Simpson Ave. DU BOIS, PA 15801	NO. 2002-1563-CD
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> C/O Eric M. Berman, PC 985 Old Eagle School Rd., Ste 505 Wayne, PA 19087	: IN THE COURT OF COMMON PLEAS CLEARFIELD COUNTY, PA
Plaintiff	: CIVIL ACTION - LAW
v.	: NO. 2002-1563-CD
<b>STEPHEN MATTHEW DUFFALO</b> 116 1/2 Simpson Ave. DU BOIS, PA 15801	: Defendant

---

TO: **STEPHEN MATTHEW DUFFALO**  
116 1/2 Simpson Ave.  
DU BOIS, PA 15801

DATED: January 31, 2003

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

U.S. POSTAL SERVICE **CERTIFICATE OF MAILING**

MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE-POSTMASTER

Re Ron Opher, Esq.

Eric M. Berman, P.C.

985 Old Eagle School Rd. #505

Wayne, PA 19087

One piece of ordinary mail addressed to:

Stephen Matthew Duffalo  
116 1/2 Simpson Ave.  
DuBois, PA 15801

Frank C. Laubach 535 LOVE 60 U.S.A. 30c

PS Form 3817, January 2001

Discover Bank

IN THE COURT OF COMMON PLEAS  
Clearfield COUNTY, PA

Plaintiff

v.

**STEPHEN MATTHEW DUFFALO**  
116 1/2 Simpson Ave.  
DU BOIS, PA 15801

CIVIL ACTION - LAW

NO. 2002-1563-CD

Defendant

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 116 1/2 Simpson Ave., DU BOIS, PA 15801. 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: February 19, 2003

BY:

  
Ron Z. Opher, Esquire

**FILED**

Atty Opher  
pd. 20.00

14:08 PM  
FEB 24 2003  
C  
Notice & ice to Def.  
Statement to Atty  
William A. Shaw  
Prothonotary

NOTICE OF JUDGMENT

COPY

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

CIVIL DIVISION

Discover Bank

Vs.

No. 2002-01563-CD

Stephen Matthew Duffalo

To: DEFENDANT(S)

NOTICE is given that a JUDGMENT in the above captioned matter has been entered  
against you in the amount of \$2,224.86 on February 24, 2003.

William A. Shaw  
Prothonotary

---

William A. Shaw

**COPY**

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

Discover Bank  
Plaintiff(s)

No.: 2002-01563-CD

Real Debt: \$2,224.86

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Stephen Matthew Duffalo  
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: February 24, 2003

Expires: February 24, 2008

Certified from the record this 24th day of February, 2003.

---

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