

02-1887-CD
DISCOVER BANK vs. NANCY KAY ALBRIGHT

Our File No. 165747
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

FILED

M 2:13 EA pd 85.00
100 to Sheriff
100 to atty.
DEC 05 2002

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

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

TRIAL DIVISION
CIVIL ACTION
:
2002 Term 1887-4
:
No.

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 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-

Our File No. 165747
ATTORNEYS FOR PLAINTIFF
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BY: Ron Z. Opher, Esquire, I.D. 57505
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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.
NANCY KAY ALBRIGHT :
-----X

COMPLAINT

1. Plaintiff, DISCOVER BANK ,
is a DELAWARE STATE BANK
authorized to do business in the Commonwealth of Pennsylvania with
its place of business at 3311 MILL MEADOW DRIVE, HILLIARD, OH 43026.

2. The Defendant(s), NANCY KAY ALBRIGHT ,
resides at SHADY LN. , DRIFTING, PA 16834-0155.

3. There is due from the Defendant(s) the sum of \$8,734.60 for
credit extended by Plaintiff to Defendant(s), acct. no. 6011009420615564,
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 \$8,734.60 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 \$8,734.60
plus interest, attorneys fees and costs which are justly due and
owing from the Defendant(s) to the Plaintiff.

Dated: OCTOBER 28, 2002

ERIC M. BERMAN, P.C.

BY: 
ERIC M. BERMAN, ESQUIRE

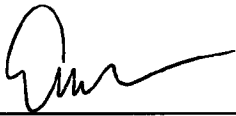
BY: 
RON Z. Opher, Esquire
Attorneys for Plaintiff

SPACE-AQ

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: OCTOBER 28, 2002

SPACE-AQ

ATTORNEY: BERMAN
ACCOUNT NUMBER: 6011009420615564
BALANCE: \$8734.60
CARDMEMBER (S): NANCY KAY ALBRIGHT

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 the Discover Card Account 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. Ray
Affiant

Sworn and Subscribed before me,
This day of Tuesday, June 11, 2002.

Beth A. Oakley
NOTARY



28 Feb 03 Document

Reinstated/~~Reissued~~ to Sheriff/Attorney
for service.


Deputy Prothonotary

21 April 03 Document

Reinstated/~~Reissued~~ to Sheriff/Attorney
for service.


Deputy Prothonotary

In The Court of Common Pleas of Clearfield County, Pennsylvania

Sheriff Docket # 13395

DISCOVER BANK

02-1887-CD

VS.

ALBRIGHT, NANCY KAY

COMPLAINT

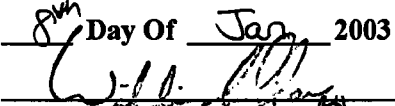
SHERIFF RETURNS

NOW JANUARY 8, 2003 RETURN THE WITHIN COMPLAINT "NOT SERVED,
TIME EXPIRED" AS TO NANCY KAY ALBRIGHT, DEFENDANT.


Return Costs

Cost	Description
39.07	SHFF. HAWKINS PAID BY; ATTY.
10.00	SURCHARGE PAID BY: ATTY.

Sworn to Before Me This

8th Day Of Jan 2003

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

So Answers,


Chester A. Hawkins
Sheriff

FILED
0/331
JAN 08 2003

William A. Shaw
Prothonotary

Our File No. 165747
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

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

DEC 05 2002

DISCOVER BANK

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

985 Old Eagle School Road, Suite 505

Wayne, PA 19087

vs.

NANCY KAY ALBRIGHT

COURT OF COMMON PLEAS
COUNTY OF CLEARFIELD
Clerk of Courts

TRIAL DIVISION

CIVIL ACTION

2002 Term 1887-CD

No.

NOTICE

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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.
NANCY KAY ALBRIGHT :
-----X

COMPLAINT

1. Plaintiff, DISCOVER BANK ,
is a DELAWARE STATE BANK
authorized to do business in the Commonwealth of Pennsylvania with
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2. The Defendant(s), NANCY KAY ALBRIGHT ,
resides at SHADY LN. , DRIFTING, PA 16834-0155.

3. There is due from the Defendant(s) the sum of \$8,734.60 for
credit extended by Plaintiff to Defendant(s), acct. no. 6011009420615564,
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 \$8,734.60 advanced to Defendant(s) through
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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 \$8,734.60
plus interest, attorneys fees and costs which are justly due and
owing from the Defendant(s) to the Plaintiff.

Dated: OCTOBER 28, 2002

ERIC M. BERMAN, P.C.

BY: 
ERIC M. BERMAN, ESQUIRE

BY: 
RON Z. Opher, Esquire
Attorneys for Plaintiff

SPACE-AQ

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: OCTOBER 28, 2002

SPACE-AQ

ATTORNEY: BERMAN
ACCOUNT NUMBER: 6011009420615564
BALANCE: \$8734.60
CARDMEMBER (S): NANCY KAY ALBRIGHT

STATE OF OHIO
COUNTY OF FRANKLIN

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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. Ray
Affiant

Sworn and Subscribed before me,
This day of Tuesday, June 11, 2002.

Beth A Oakley
NOTARY



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.

NANCY KAY ALBRIGHT
SHADY LN
DRIFTING, PA 16834-0155
Defendant

IN THE COURT OF COMMON PLEAS
Clearfield COUNTY, PA

CIVIL ACTION - LAW

NO. 2002-1887CD

PRAECIPE 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: February 25, 2003

FILED

FEB 28 2003

William A. Shaw
Prothonotary

FILED

No CC

MAR 28 2008

Atty Berman pd.

7.00

WILLIAM A. CHEN
PROSECUTOR

1 Compl re-instated
to Atty
6/24

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.

NANCY KAY ALBRIGHT
SHADY LN
DRIFTING, PA 16834-0155
Defendant

IN THE COURT OF COMMON PLEAS
Clearfield COUNTY, PA

CIVIL ACTION - LAW

NO. 2002-1887CD

PRAECIPE 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: January 29, 2003

FILED

APR 21 2003

William A. Shaw
Prothonotary

FILED

M 2:07 PM
APR 21 2003

*ICC of remanded to sheriff
ICC of remanded to E. Seimen*

William A. Shaw
Prothonotary

In The Court of Common Pleas of Clearfield County, Pennsylvania
DISCOVER BANK
VS.
ALBRIGHT, NANCY KAY
COMPLAINT

Sheriff Docket # 13395
02-1887-CD

SHERIFF RETURNS

NOW MAY 28, 2003 RETURN THE WITHIN COMPLAINT "NOT SERVED, TIME EXPIRED" AS TO NANCY KAY ALBRIGHT, DEFENDANT.

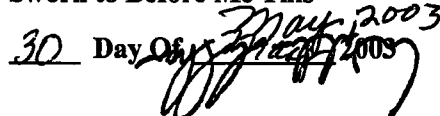
FILED
BA 0 1:57 BA
MAY 30 2003

William A. Shaw
Prothonotary

Return Costs


Cost	Description
20.84	SHERIFF HAWKINS PAID BY: ATTY CK# 12112
10.00	SURCHARGE PAID BY: ATTY CK# 12113

Sworn to Before Me This

30 Day Of May 2003




So Answers,


Chester A. Hawkins
Sheriff

Our File No. 165747
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

and attested copy of the original
statement filed in this case.

DEC 05 2002

Attest.

William L. Harris
Prothonotary/
Clerk of the Court
COURT OF COMMON PLEAS
COUNTY OF CLEARFIELD

DISCOVER BANK
c/o ERIC M. BERMAN, P.C.
985 Old Eagle School Road, Suite 505
Wayne, PA 19087

TRIAL DIVISION

CIVIL ACTION

vs.

2002 Term 1887 C.D.

NANCY KAY ALBRIGHT

No.

NOTICE

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

21, April 2003 Document
Reinstated/Reissued to Sheriff/Attorney
for service.

William L. Harris
Prothonotary

Our File No. 165747

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

DISCOVER BANK

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

985 Old Eagle School Road, Suite 505

Wayne, PA 19087

vs.

NANCY KAY ALBRIGHT

COURT OF COMMON PLEAS
COUNTY OF CLEARFIELD

CIVIL ACTION

Term

No.

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owing from the Defendant(s) to the Plaintiff.

Dated: OCTOBER 28, 2002

ERIC M. BERMAN, P.C.

BY:

ERIC M. BERMAN, ESQUIRE

BY:

RON Z. OPHER, Esquire
Attorneys for Plaintiff

SPACE-AQ

VERIFICATION

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ERIC M. BERMAN, ESQUIRE



RON Z. OPPER, ESQUIRE

Dated: OCTOBER 28, 2002

SPACE-AQ .

ATTORNEY: BERMAN
ACCOUNT NUMBER: 6011009420615564
BALANCE: \$8734.60
CARDMEMBER (S): NANCY KAY ALBRIGHT

STATE OF OHIO
COUNTY OF FRANKLIN

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K. Ray
Affiant

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Beth A Oakley
NOTARY




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
	:	
NANCY KAY ALBRIGHT	:	
SHADY LN	:	
DRIFTING, PA 16834-0155	:	NO. 2002-1887CD
Defendant	:	

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: June 25, 2003

FILED

JUN 30 2003

William A. Shaw
Prothonotary

RECEIVED
JUN 20 1963

NO
CC

MIP:25261
JUN 20 1963
copy to CIA

William A. Shaw
Prothonotary