

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

11/2/13 8:50 AM
11/5/2002 11:55 AM
cc's Sherry
REC'D AT CLERK'S OFFICE

COURT OF COMMON PLEAS
WILMINGTON, PA
COUNTY OF CLEARFIELD
Prothonotary

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

Our File No. 165747
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BY: Ron Z. Opher, Esquire, I.D. 57505
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(610) 902-0530

-----X
: COURT OF COMMON PLEAS
: COUNTY OF CLEARFIELD
DISCOVER BANK :
c/o ERIC M. BERMAN, P.C. : CIVIL ACTION
985 Old Eagle School Road, Suite 505 : Term _____
Wayne, PA 19087 :
: No.
vs. :
: _____
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.

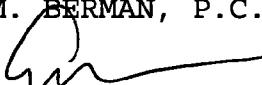
4. The Plaintiff has made demand upon the Defendant(s) for payment
of monies in the sum of \$8,734.60 advanced to Defendant(s) through
Defendant(s) use of the above-referenced credit account, but Defendant(s)
has failed and refused to pay the said sum or any part thereof.

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

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: 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.

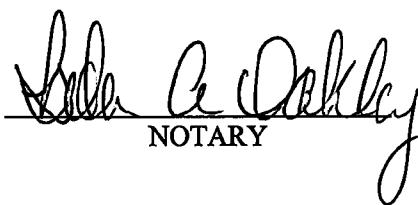
Based on my review of the account records, to the best of my knowledge and belief the above referenced Debtor(s) is not engaged in the military service of the United States and is a resident of the State and of the Country in which this action has been filed.

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



Affiant

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



NOTARY



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

28 Feb 03 Document

Reinstated/Released to Sheriff/Attorney
for service.

Willie L. Sharpe

Deputy Prothonotary

21 April 03 Document

Reinstated/Released to Sheriff/Attorney
for service.

Willie L. Sharpe

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
2003
WILLIAM A. SHAW
Prothonotary
My Commission Expires
1st Monday in Jan. 2006
Clearfield Co., Clearfield, PA

So Answers,

Chester A. Hawkins
My Marilyn Hause
Chester A. Hawkins
Sheriff

FILED
03/3
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

-----X : ~~Attest~~ COURT OF COMMON PLEAS
COUNTY OF CLEARFIELD
Clerk of Courts

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

vs. : 2002 Term 1887-CD

NANCY KAY ALBRIGHT : No.
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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.

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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 _____
: No.
vs. :
NANCY KAY ALBRIGHT :
-----X

COMPLAINT

1. Plaintiff, DISCOVER BANK ,
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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.

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Defendant(s) credit account.

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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

1

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: 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



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

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 23 2003

William A. Shaw
Prothonotary

FILED No cc

March 16, 1978 Atty Berman pd.

7.00

William A. Shaw 1/ Comp Re-instated
1/1978 Atty Berman pd.

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 AM PD 2003
APR 21 2003
(cc) remitted to sheriff
(cc) remitted to S. Beaman

William A. Shaw
Prothonotary

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

DISCOVER BANK

Sheriff Docket # 13395

VS.

02-1887-CD

ALBRIGHT, NANCY KAY

COMPLAINT

SHERIFF RETURNS

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

FILED

101:57 AM

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
Will A. Shaw

So Answers,

Chester A. Hawkins
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. Ober
Prothonotary/
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

2002 Term 1887 C.D.

vs.

NANCY KAY ALBRIGHT

No.

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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/Rescued to Sheriff/Attorney
for service.

William L. Ober
Prothonotary

Our File No. 165747
ATTORNEYS FOR PLAINTIFF
ERIC M. BERMAN, P.C.
BY: Eric M. Berman, Esquire, I.D. 83698
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-----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.
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BY:


ERIC M. BERMAN, ESQUIRE

BY:

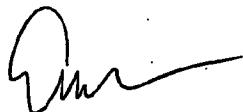

RON Z. OPHER, Esquire
Attorneys for Plaintiff

SPACE-AQ

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ERIC M. BERMAN, ESQUIRE



RON Z. OPHER, 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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Affiant

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This day of Tuesday, June 11, 2002.

Beth A. Oakley
NOTARY



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

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

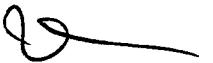
CIVIL ACTION - LAW

NO. 2002-1887CD

PRAEICE 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

NO
cc
MAILING COPY TO CIA
JUN 30 2003

William A. Shaw
Secretary