

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

CACV OF COLORADO, LLC,

Plaintiff

No. 04-659-CJ

vs.

COMPLAINT IN CIVIL ACTION

RICHARD BUTLER

Defendant

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

William T. Molczan, Esquire
PA I.D. #47437
WELTMAN, WEINBERG & REIS CO., L.P.A.
2718 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR#03319300

FILED

MAY 12 2004

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

CACV OF COLORADO, LLC,

Plaintiff

vs.

Civil Action No.

RICHARD BUTLER

Defendant

COMPLAINT IN CIVIL ACTION AND NOTICE TO DEFEND

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 an 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 the complaint or for any other claim or relief requested 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 TO FIND OUT WHERE YOU CAN GET LEGAL HELP

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
230 EAST MARKET ST., SUITE 228
CLEARFIELD, PA 16830
(814) 765-2641, ext. 1300-1301

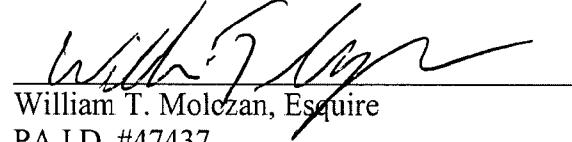
COMPLAINT

1. Plaintiff is a corporation with offices in 1999 BROADWAY, STE 2150, DENVER, CO 88202.
2. Defendant is residing at RR 4 BOX 176, DU BOIS, PA 15801..
3. Defendant applied for and received a credit card issued by Plaintiff's assignor bearing the account number 5260312360057668.
4. Defendant made use of said credit card and has currently a balance due and owing to Plaintiff, as of April 8, 2004, in the amount of \$3,743.18. A true and correct copy of Plaintiff's Statement of Account is attached hereto, marked as Exhibit "1" and made a part hereof.
5. Defendant is in default of the terms of the cardholder Agreement having not made monthly payments to Plaintiff thereby rendering the entire balance immediately due and payable.
6. Plaintiff avers that the Cardholder Agreement between the parties provides that Plaintiff is entitled to the addition of finance charges at the rate of 24.99% per annum on the unpaid balance.
7. Although repeatedly requested to do so by Plaintiff, Defendant has willfully failed and/or refused to pay the principal balance, finance charges or any part thereof to Plaintiff.

WHEREFORE, Plaintiff demands Judgment in its favor and against Defendant, Richard Butler, individually, in the amount of \$3,743.18 with continuing finance charges thereon at the rate of 24.99% per annum from April 8, 2004 plus costs.

THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED
SHALL BE USED FOR THAT PURPOSE.

WELTMAN, WEINBERG & REIS, CO., L.P.A.



William T. Molczan, Esquire
PA I.D. #47437
WELTMAN, WEINBERG & REIS CO., L.P.A.
2718 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR#:03319300

Please indicate
Name, or address _____

Telephone changes
Home () _____ Work () _____

ACCOUNT NUMBER	PAYMENT DUE DATE	PAST DUE AMOUNT	MINIMUM PAYMENT	NEW BALANCE	AMOUNT OF PAYMENT ENCLOSED
5260 3123 6005 7668	06/11/2002	.00	.00	.00	\$

8122 3100 AT Z X 1 7 12

RICHARD BUTLER
RR 4 BOX 176
DU BOIS PA 15801-9694

ACCOUNT NUMBER		CREDIT LINE	CREDIT AVAILABLE	DAYS IN BILLING CYCLE	BILL DATE	PAYMENT DUE DATE	MINIMUM PAYMENT DUE
DATE OF TRANS	POST	REFERENCE NUMBER	DESCRIPTION OF TRANSACTIONS				AMOUNT
0517	0517	F812200GT00999990	CHARGE OFF ACCOUNT-PRINCIPALS				1959.00-
0517	0517	F812200GT00999990	CHARGE OFF ACCOUNT *FINANCE CHARGES*				856.04-
			ENROLL IN CHASE PAYMENT PROTECTOR PLAN TODAY. THE PLAN THAT HELPS PROTECT YOUR CREDIT RATING.				

PREVIOUS BALANCE	PAYMENTS	CREDITS	NEW PURCHASES AND ADVANCES	DEBIT ADJUSTMENTS	FINANCE CHARGE	OVERLINE AMOUNT	NEW BALANCE
2815.04	.00	2815.04	.00	.00	.00	.00	.00

AN AMOUNT FOLLOWED BY A MINUS SIGN(-) IS A CREDIT OR A CREDIT BALANCE UNLESS OTHERWISE INDICATED

YOU MAY AVOID ADDITIONAL FINANCE CHARGES ON PURCHASES IF YOU PAY THIS AMOUNT BY THE DUE DATE
\$ 2221.79

TYPES OF CREDIT TO WHICH RATES APPLY	FINANCE CHARGE BALANCES	DAILY PERIODIC RATE	NOMINAL ANNUAL PERCENTAGE RATES		ANNUAL PERCENTAGE RATES
			PURCHASES	24.99 %	
			ADVANCES	24.99 %	%
					%

SEND INQUIRIES TO PO BOX 15919 WILMINGTON DE 19850-5919 IF YOU TELEPHONE YOUR INQUIRY, YOU DO NOT PRESERVE YOUR RIGHTS UNDER FEDERAL LAW.

CUSTOMER SERVICE TELEPHONE NUMBER'S: 800-441-7681, 800-545-0464

TO REPORT LOST/STOLEN CARDS, TOLL FREE 800-441-7681 ANYTIME FROM ALL 50 STATES, PUERTO RICO, AND THE U.S. VIRGIN ISLANDS. YOU ARE NOT REQUIRED TO PAY ANY SPECIFIC AMOUNT YOU HAVE PROPERLY REPORTED TO US AS DISPUTED PENDING OUR COMPLIANCE WITH APPLICABLE LAW.

Exhibit "1"

VERIFICATION

The undersigned does hereby verify subject to the penalties of 18 PA. C.S. 4904 relating to unsworn falsifications to authorities, that he/she is Peter W. Brook
(NAME)

Authorised Agent of CACW of COLORADO, LLC, plaintiff herein, that
(TITLE) (COMPANY)

he/she is duly authorized to make this verification, and that the facts set forth in the foregoing Complaint are true and correct to the best of his/her knowledge, information and belief.



(SIGNATURE)

03319300

In The Court of Common Pleas of Clearfield County, Pennsylvania

CACV OF COLORADO, LLC

VS.

BUTLER, RICHARD

COMPLAINT

Sheriff Docket #

15570

04-659-CD

SHERIFF RETURNS

NOW MAY 14, 2004 AT 11:30 AM SERVED THE WITHIN COMPLAINT ON RICHARD BUTLER, DEFENDANT AT RESIDENCE, RR#4 BOX 176, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO CHRIS BUTLER, SON A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN TO HIM THE CONTENTS THEREOF.
SERVED BY: McCLEARY/COUDRIET

Return Costs

Cost	Description
32.25	SHERIFF HAWKINS PAID BY: ATTY CK# 8130980
10.00	SURCHARGE PAID BY: ATTY Ck# 8130981

Sworn to Before Me This

19 Day Of May 2004
William A. Shaw

So Answers,


Chester A. Hawkins
Sheriff

FILED
0 2:05 PM
MAY 19 2004 

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

CACV OF COLORADO, LLC

Plaintiff No. 04-659-CD

vs. PRAECIPE FOR DEFAULT JUDGMENT

RICHARD BUTLER

Defendant

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

William T. Molczan
PA I.D. #47437
WELTMAN, WEINBERG & REIS CO., L.P.A.
2718 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR#03319300
Judgment Amount \$ 3,935.38

THIS LAW FIRM IS ATTEMPTING TO COLLECT THIS DEBT FOR ITS CLIENT AND ANY
INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

FILED

JUL 01 2004

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

CACV OF COLORADO, LLC

Plaintiff

vs.

Civil Action No. 04-659-CD

RICHARD BUTLER

Defendant

PRAECIPE FOR DEFAULT JUDGMENT

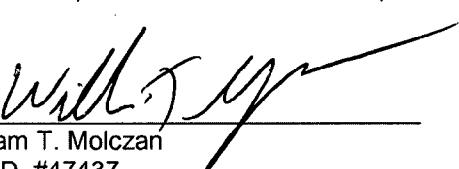
TO THE PROTHONOTARY:

Kindly enter Judgment against the Defendant, Richard Butler, above named, in the default of an Answer, in the amount of \$3,935.38 computed as follows:

Amount claimed in Complaint	\$3,743.18
Interest from April 8, 2004 to June 22, 2004 at the contract interest rate of 24.99% per annum	\$192.20
Attorneys' fees	\$
TOTAL	\$3,935.38

I hereby certify that appropriate Notices of Default, as attached have been mailed in accordance with PA R.C.P. 237.1 on the dates indicated on the Notices.

WELTMAN, WEINBERG & REIS CO., L.P.A.

By: 
William T. Molczan
PA I.D. #47437
WELTMAN, WEINBERG & REIS CO., L.P.A.
2718 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR#03319300

Plaintiff's address is: c/o Weltman, Weinberg & Reis Co., L.P.A., 2601 Koppers Building, 436 7th Avenue, Pittsburgh, PA 15219

And that the last known address of the Defendant is: RR4 Box 176, Dubois, PA 15801

IN THE COURT OF COMMON PLEAS CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

CACV OF COLORADO, LLC

Plaintiff

vs.

Civil Action No. 04-659-CD

RICHARD BUTLER

Defendant

IMPORTANT NOTICE

TO: Richard Butler
RR4 Box 176
DuBois, PA 15801

Date of Notice: 6/8/04

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. 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
PA Bar Association
P.O. Box 186
Harrisburg, PA 17108
1-800-692-7375

WELTMAN, WEINBERG & REIS CO., L.P.A.

By: William T. Molczan
William T. Molczan
PA I.D. #47437
WELTMAN, WEINBERG & REIS CO., L.P.A.
2718 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR #03319300

VERIFICATION

The undersigned does hereby verify subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn falsification to authorities, that the parties against whom Judgment is to be entered according to the Praecipe attached are not members of the Armed Forces of the United States or any other military or non-military service covered by the Soldiers and Sailors Civil Relief Act of 1940. The undersigned further states that the information is true and correct to the best of the undersigned's knowledge and belief and upon information received from others.

WELTMAN, WEINBERG & REIS CO., L.P.A.

By: 
William T. Molczan
PA I.D. #47437
WELTMAN, WEINBERG & REIS CO., L.P.A.
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IN THE COURT OF COMMON PLEAS CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

CACV OF COLORADO, LLC

Plaintiff

vs.

Civil Action No. 04-659-CD

RICHARD BUTLER

Defendant

NOTICE OF JUDGMENT OR ORDER

TO: Plaintiff
 Defendant
 Garnishee

You are hereby notified that the following
Order or Judgment was entered against
you on _____

Assumpsit Judgment in the amount
of \$3,935.38 plus costs.

Trespass Judgment in the amount
of \$_____ plus costs.

If not satisfied within sixty (60)
days, your motor vehicle operator's license and/or registration will be
suspended by the Department of Transportation, Bureau of Traffic Safety,
Harrisburg, PA.

Entry of Judgment of
 Court Order
 Non-Pro
 Confession
 Default
 Verdict
 Arbitration
Award

Prothonotary

Richard Butler
RR4 Box 176
Du Bois, PA 15801

By: _____
PROTHONOTARY (OR DEPUTY)

7/104

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

CACV of Colorado, LLC
Plaintiff(s)

No.: 2004-00659-CD

Real Debt: \$3,935.38

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Richard Butler
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: July 1, 2004

Expires: July 1, 2009

Certified from the record this 1st day of July, 2004.

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