

04-1021-CD  
CITIBANK VS TRACEY MONACO

Citibank NA vs Tracey Monaco  
2004-1021-CD

In The Court of Common Pleas of Clearfield County, Pennsylvania

CITIBANK  
VS.  
MONACO, TRACEY  
COMPLAINT

Sheriff Docket # 15926  
04-1021-CD

**SHERIFF RETURNS**

NOW JULY 8, 2004 AT 9:12 AM SERVED THE WITHIN COMPLAINT ON TRACEY MONACO, DEFENDANT AT RESIDENCE, RR#1 BOX 211, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO TRACEY MONACO A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN TO HER THE CONTENTS THEREOF.  
SERVED BY: McCLEARY

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**Return Costs**

Cost	Description
32.62	SHERIFF HAWKINS PAID BY: ATTY CK# 19869
10.00	SURCHARGE PAID BY: ATTY CK# 19870

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Sworn to Before Me This  
14 Day of July 2004  
*William A. Shaw*  
WILLIAM A. SHAW  
Prothonotary  
My Commission Expires  
1st Monday in Jan. 2006  
Clearfield Co., Clearfield, PA

So Answers,

*Chester A. Hawkins  
by Marley Harris*  
Chester A. Hawkins  
Sheriff

**FILED**  
13:50pm  
JUL 14 2004  
EAS  
William A. Shaw  
Prothonotary

BURTON NEIL & ASSOCIATES, P.C.  
By: Burton Neil  
Identification No. 11348  
1060 Andrew Drive, Suite 170  
West Chester, PA 19380  
610-696-2120  
Attorney for Plaintiff

CITIBANK (SOUTH DAKOTA) N.A.  
701 EAST 60th STREET NORTH  
SIOUX FALLS, SD

Plaintiff

: IN THE COURT OF COMMON PLEAS

: CLEARFIELD COUNTY, PENNSYLVANIA

v.

TRACEY MONACO  
RR 1 BOX 211  
DU BOIS, PA

Defendant

: NO. 04-1021-C

: CIVIL ACTION - LAW

**COMPLAINT  
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 (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 claim 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, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER. 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.**

LAWYER REFERENCE AND  
INFORMATION SERVICE  
Court Administrator  
Clearfield County Courthouse,  
Clearfield, PA 16830  
814-765-2641  
10007.034.6292

FILED 1CCShff  
m/15/04 Atty pd. 85.00  
JUL 06 2004

William A. Shaw  
Prothonotary/Clerk of Courts

BURTON NEIL & ASSOCIATES, P.C.  
By: Burton Neil  
Identification No. 11348  
1060 Andrew Drive, Suite 170  
West Chester, PA 19380  
610-696-2120  
Attorney for Plaintiff

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CITIBANK (SOUTH DAKOTA) N.A.  
701 EAST 60th STREET NORTH  
SIOUX FALLS, SOUTH DAKOTA  
Plaintiff

: IN THE COURT OF COMMON PLEAS

: CLEARFIELD COUNTY, PENNSYLVANIA

v.

: NO.

TRACEY MONACO  
RR 1 BOX 211  
DU BOIS, PENNSYLVANIA

Defendant

: CIVIL ACTION - LAW

### **Complaint**

1. The plaintiff is Citibank (South Dakota) N.A., with place of business located at 701 East 60th Street North, Sioux Falls, South Dakota.
2. The defendant is TRACEY MONACO, who resides at RR 1 BOX 211 DU BOIS, CLEARFIELD County, Pennsylvania.
3. Plaintiff, a national banking association, engages in various types of banking business including consumer lending through the issuance of credit cards.
4. Plaintiff furnished consumer credit to the defendant by means of a credit card with an account number 5424180542716466 hereinafter referred to as the credit card account.
5. Plaintiff maintained an accurate and running record of all debits and credits to the credit card account in its books of account.
6. Plaintiff mailed defendant a written statement each month which accurately stated the debits and credits to the credit card account for the prior billing cycle.
7. Defendant received the monthly statements from plaintiff for the credit card account, including the statement attached as Exhibit A, without protest, dispute or objection.

8. Defendant, by not protesting, disputing, or objecting to the statements including the Exhibit A statement, thereby assented and agreed to the correctness of the balance due on the credit card account so as to constitute an account stated.

9. The amount due plaintiff on the account stated less credits, if any issued subsequent to the Exhibit A statement, is \$5574.78

Wherefore, plaintiff demands judgment against the defendant for the sum of \$5574.78 and the costs of this action.

 BURTON NEIL & ASSOCIATES, P.C.

By: 

Burton Neil, Esquire

Attorney for Plaintiff

In making this communication, we advise our firm is a debt collector.

10/03/03 \$5574.87 \$9999.99 SITE:KC-CL TM:CO-5000 ACID:KCB3074  
 PAY DUE DATE NEW BALANCE MIN AMT DUE 01/28/04 17:54:07:

TRACEY MONACO  
 ATTNY ACCOUNT-CODE=CXBE  
 DU BOIS  
 15801-9354000 PA

P.O. BOX 8105  
 S HACKENSACK, NJ  
 07606-8105

## Citi® Platinum Select® Card

Account Number  
 5424 1805 4271 6466  
 Payment must be received by 1:00 pm local time on 10/03/2003

Statement/Closing Date	Total Credit Line	Available Credit Line	Cash Advance Limit	Available Cash Limit	New Balance
09/09/2003	\$6900	\$0	\$1200	\$0	\$5574.87
		Amount Over Credit Line	Past Due	Purch/Adv Minimum Due	Minimum Amount Due
		\$0.00	\$1007.81	\$121.00	\$5574.87

For Customer Service, call or write  
 1-800-950-5114

To report billing errors, write  
 to this address; calling will  
 not preserve your rights.

BOX 6500  
 SIOUX FALLS, SD  
 57117

Sale Date	Post Date	Reference Number	Activity Since Last Statement	Amount
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Help is available! Please call the toll-free  
 number shown above to learn about our special  
 payment options. Call Monday - Friday, 7 am to  
 9 pm, or Saturday, 8 am to 5 pm, Central Time.  
 Please give us the opportunity to assist you.

Account Summary	Previous Balance	(+) Purchases & Advances	(-) Payments & Credits	(+) FINANCE CHARGE	(=) New Balance
PURCHASES	\$4,408.26	\$0.00	\$0.00	\$0.00	\$4,408.26
ADVANCES	\$1,166.61	\$0.00	\$0.00	\$0.00	\$1,166.61
TOTAL	\$5,574.87	\$0.00	\$0.00	\$0.00	\$5,574.87

Days This Billing Period: 32

Rate Summary	Balance Subject to Finance Charge	Periodic Rate	Nominal APR	ANNUAL PERCENTAGE RATE
PURCHASES				
Standard Purch	\$0.00	0.06573%(D)	23.990%	23.990%
ADVANCES				
Standard Adv	\$1,178.57	0.06573%(D)	23.990%	23.990%

SEND PAYMENTS TO:

PLEASE REFER TO THE REVERSE SIDE OF THE ORIGINAL STATEMENT FOR PAYMENT INFORMATION.

928

Make check or money order payable in U.S. dollars on a U.S. bank to Citi Cards. Include account number on check or money order. No cash please.

EXHIBIT A

## Verification

Jennifer Sisson is an attorney management specialist for Citibank (South Dakota), N.A. and Citicorp Credit Services, Inc., wholly owned subsidiaries of Citigroup, the within Plaintiff in this action. She/he verifies that the statements of fact made in the foregoing Complaint are true and correct to the best of her knowledge and belief. The undersigned understands that the statements made herein are subject to the penalties of 18 Pa. C.S. Section 4904, relating to unsworn falsification to authorities.

Date: 6/15/04

Jennifer Sisson  
Name

Account number: 5424180542716466  
Defendant: TRACEY MONACO

**FILED**

**JUL 06 2004**

William A. Shaw  
Prothonotary/Clerk of Courts

BURTON NEIL & ASSOCIATES, P.C.  
BY: Burton Neil, Esquire  
Identification No. 11348  
1060 Andrew Drive, Suite 170  
West Chester, PA 19382  
610-696-2120  
ATTORNEY FOR: Plaintiff

CITIBANK (SOUTH DAKOTA), N.A.

: IN THE COURT OF COMMON PLEAS

Plaintiff

: CLEARFIELD COUNTY, PENNSYLVANIA

VS.

: NO. 04-1021-CD

TRACEY MONACO

Defendant

: CIVIL ACTION - LAW

**PRAECIPE TO SETTLE, END & DISCONTINUE**

TO THE PROTHONOTARY:

Mark the above matter Settled, Ended and Discontinued.

BURTON NEIL & ASSOCIATES, P.C.

BY: 

Burton Neil, Esquire  
Attorney for Plaintiff

The law firm of Burton Neil & Associates is a debt collector.

**FILED**  
M 11/31/04 1:00 PM  
cc & Court  
to Atty  
OCT 01 2004

7.6292

William A. Shaw  
Prothonotary

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

Citibank (South Dakota) N.A.

Vs.  
Tracey Monaco

No. 2004-01021-CD

CERTIFICATE OF DISCONTINUATION

Commonwealth of PA  
County of Clearfield

I, William A. Shaw, Prothonotary of the Court of Common Pleas in and for the County and Commonwealth aforesaid do hereby certify that the above case was on October 1, 2004, marked:

Discontinued, settled and ended.

Record costs in the sum of \$127.62 have been paid in full by Attorney Burton Neil.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 1st day of October A.D. 2004.

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William A. Shaw, Prothonotary