

04-1026-CD
CITIBANK

VS

LARRY R MONACO JR

Citibank vs Larry Monaco
2004-1026-CD

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.

LARRY R MONACO JR

RD 1 BOX 211

DU BOIS, PA

Defendant

: NO. 04-1026-CD

: 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

10018.034.5151

FILED

7/13/2004
JUL 06 2004

William A. Shaw
Prothonotary/Clerk of Courts

BURTON NEIL & ASSOCIATES, P.C.
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1060 Andrew Drive, Suite 170
West Chester, PA 19380
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Attorney for Plaintiff

CITIBANK (SOUTH DAKOTA) N.A.
701 EAST 60TH STREET NORTH
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Plaintiff

: IN THE COURT OF COMMON PLEAS

: CLEARFIELD COUNTY, PENNSYLVANIA

v.

: NO.

LARRY R MONACO JR
RD 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 LARRY R MONACO JR, who resides at RD 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 5398468100776879 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 \$6612.28

Wherefore, plaintiff demands judgment against the defendant for the sum of \$6612.28 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.

Your AT&T Universal Card Statement

March 6 - April 4, 2003

Page 1 of 3



LARRY R MONACO JR
Account 5398 4681 0077 6879
Calling Card 8410246304 + PIN

How To Reach Us

Account Online: www.universalcard.com
Customer Service: 1 800 423-4343 or write
Cardmember Services, PO Box 44167
Jacksonville, FL 32231-4167

Quick Reference

Minimum Payment Due..... \$1,316.11
Due Date*..... April 29, 2003

*Payment must be received by 1:00 pm local time on the payment due date.

Amount Past Due..... \$523.09
Amount Over Limit..... \$642.78

Credit Line..... \$5,970.00
Available Credit..... \$0.00
Cash Advance Limit..... \$2,500.00
Available Cash Advance Limit..... \$0.00

Account Summary

Previous Balance	6,403.54
Payments and Adjustments	0.00
Master Card Activity	209.24
Total AT&T Services	0.00
New Balance	\$6,612.78

Note: Detailed activity starts on page 3.

Your account is seriously past due and your credit privileges have been suspended. Please call the toll-free number shown above to learn about our special payment options.

Payment Record

Amount Paid: _____ Date Paid: _____ Check Number: _____

Please follow payment instructions outlined in the "Important Instructions for Making Payments" section of the statement.

Account Number	Payment Due	New Balance	Minimum Payment	Enter Amount Enclosed
5398 4681 0077 6879	04/29/03	\$6,612.78	\$1,316.11	\$

*If you provide an e-mail address, we may use it to contact you about your account. We may also use your e-mail address to send you information about products and services you might find useful.

Address		Apt/Suite
City	State	Zip
Home phone		Business phone
()		()
Email*		

235S MC 20 A 1 AR7050496



LARRY R MONACO JR
RD 1 BOX 211
DU BOIS PA 15801-9354

Make check payable to: AT&T Universal Card



AT&T UNIVERSAL CARD
PO BOX 8203
SOUTH HACKENSACK NJ 07606-8203



53984681007768790001316110006612781

EXHIBIT A

LARRY R MONACO JR
Account 5398 4681 0077 6879
March 6 - April 4, 2003

Page 2 of 3



In the return envelope, please:

- 1 Enclose your check or money order.** Include your account number and name on the front of your check or money order. Please, no cash or foreign currency.
- 2 Enclose your payment coupon.** Do not staple or tape it to your payment. Insert the payment coupon so that the entire AT&T Universal Card address appears through the window of your remittance envelope.



AT&T Universal MasterCard Activity

Purchases..... 0.00
Cash Advances and Checks..... 0.00
Finance Charges..... 145.24
Fees..... 64.00
Total MasterCard Activity..... \$209.24



Purchases

Total MasterCard Purchases..... \$0.00



Cash Advances

Cash Advance Limit..... \$2,500.00* *This represents a portion of your total credit line.

Finance Charge Information

	Nominal APR	Periodic Rate	Days in x Billing Period	x	Balance Subject to Finance Charge	=	Periodic FINANCE CHARGE	+ Fee/ FINANCE CHARGE	ANNUAL PERCENTAGE RATE
PURCHASES									
Standard Purch	28.240%	.07737%(D)	x	29	x		\$4,919.53	= \$110.38 +	\$0.00 28.240%
CASH ADVANCES									
Standard Adv	28.240%	.07737%(D)	x	29	x		\$1,553.86	= \$34.86 +	\$0.00 28.240%
Total							FINANCE CHARGE = \$145.24		

Fees

Standard Purch

Trans	Post	Description	Amount
	04/04	LATE FEE - MAR PAYMENT PAST DUE	35.00
	04/04	OVER CREDIT LIMIT FEE	29.00
Total Fees			\$64.00

AT&T Services Summary

AT&T Universal Calling Card Calls..... \$0.00

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: 5398468100776879
Defendant: LARRY R MONACO JR

FILED

JUL 06 2004

William A. Shaw
Prothonotary/Clerk of Courts

In The Court of Common Pleas of Clearfield County, Pennsylvania

CITIBANK

VS.

MONACO, LARRY R. JR.

COMPLAINT

Sheriff Docket #

15930

04-1026-CD

SHERIFF RETURNS

NOW AUGUST 3, 2004 AT 10:20 AM SERVED THE WITHIN COMPLAINT ON LARRY R. MONACO JR., DEFENDANT AT RESIDENCE, RD#1 BOX 211, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO LARRY MONACO JR. 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
32.62	SHERIFF HAWKINS PAID BY: ATTY CK# 19974
10.00	SURCHARGE PAID BY: ATTY CK# 20205

Sworn to Before Me This

1st Day Of August 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
Chester A. Hawkins
Sheriff

FILED

clz 1:50pm

AUG 17 2004

elb

William A. Shaw
Prothonotary

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.

Plaintiff

VS.

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Defendant

: IN THE COURT OF COMMON PLEAS

: CLEARFIELD COUNTY, PENNSYLVANIA

: NO. 04-1026-CD

: 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.

18.5151

FILED

*m 1:31 PM sec 1 cont
to atty*

OCT 01 2004

William A. Shaw
Prothonotary

**IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA**

CIVIL DIVISION

Citibank (South Dakota) N.A.

Vs.

No. 2004-01026-CD

Larry R. Monaco Jr.

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.

William A. Shaw, Prothonotary