

2004-1026-CD  
CitiBank vs Larry Monaco

04-1026-CD  
CITIBANK VS LARRY R MONACO JR

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

: NO. 04-1026-C

: CIVIL ACTION - LAW

Defendant

**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** Atty pd.  
m7/3/2004 85.00  
JUL 06 2004 1:00 PM  
William A. Shaw  
Prothonotary/Clerk of Courts

BURTON NEIL & ASSOCIATES, P.C.

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Attorney for Plaintiff

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

: IN THE COURT OF COMMON PLEAS

: CLEARFIELD COUNTY, PENNSYLVANIA

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: NO.

LARRY R MONACO JR  
RD 1 BOX 211  
DU BOIS, PENNSYLVANIA

Defendant

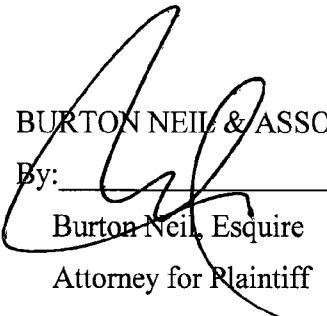
: CIVIL ACTION - LAW

**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](http://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

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.

## Account Summary

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

Note: Detailed activity starts on page 3.

## 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*		

Make check payable to: AT&T Universal Card

235S MC 20 A 1 AR7050496

.....

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

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
<b>Total MasterCard Activity.....</b>	<b>\$209.24</b>



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

#### 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
<b>Total Fees</b>			<b>\$64.00</b>

### 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

17<sup>th</sup> Day Of Aug 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 Hays  
Chester A. Hawkins  
Sheriff

**FILED**  
07:50 PM  
AUG 17 2004  
EBS

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.

: IN THE COURT OF COMMON PLEAS

Plaintiff

: CLEARFIELD COUNTY, PENNSYLVANIA

VS.

: NO. 04-1026-CD

LARRY R MONACO JR

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.

18.5151

**FILED**  
M 1:31 PM '04 *cc Court to attorney*

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.  
**Larry R. Monaco Jr.**

No. 2004-01026-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