

04-1200-CD  
CITIBANK (SOUTH DAKOTA) N.A. VS GARY I. TEATS

2004-1200-CD  
CitiBank vs Gary Teats

BURTON NEIL & ASSOCIATES, P.C.  
By: Burton Neil, Esquire  
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

v.

GARY I TEATS  
Rd #2 Box 42a, Clearfield PA 16830-9775  
Defendant

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

: NO. 04-1200-CW  
: 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 OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP. 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  
David S. Meholic  
Court Administrator  
Clearfield County Courthouse  
Clearfield, PA 16830  
Telephone No. 814-765-2641 Ext. 5982

c-2213

(F.G.K.)  
FILED 1CC SHF  
7/2/2004  
AUG 06 2004 Atty pd.  
85.00  
William A. Shaw  
Prothonotary/Clerk of Courts

BURTON NEIL & ASSOCIATES, P.C.

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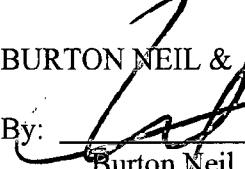
### **Complaint**

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 Gary I. Teats, who resides at Rd #2 Box 42a, Clearfield, 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 account number 5491492011210717 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 period.
7. Defendant received the monthly statements from plaintiff for the credit card account including the statement attached hereto as Exhibit A statement without protest, dispute or objection.
8. Defendant is 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 \$8,518.67.

Wherefore, plaintiff demands judgment against defendant for the sum of \$8,518.67, and the costs of this action.

BURTON NEIL & ASSOCIATES, P.C.

By: 

Burton Neil, Esquire  
Attorney for Plaintiff

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

06/02/04 \$8518.67 \$9999.99 SITE:KC-CL TM:CO-5000 ACID:KCB7150  
 PMT DUE DATE NEW BALANCE GRANT DUE 06/01/04 17:27:52:

GARY I TEATS  
 RD #2 BOX 42A  
 CLEARFIELD  
 16830-9775000

PA

MELLON  
 P.O. BOX 8106  
 S HACKENSACK, NJ  
 07606-8106

## Platinum



Account Number  
 5491 4920 1121 0717

**Customer Service:**

|  | Total Credit Line          | Available Credit Line      | Cash Advance Limit | Available Cash Limit     | New Balance           |
|--|----------------------------|----------------------------|--------------------|--------------------------|-----------------------|
| 1-877-888-5132                                 | \$7000                     | \$0                        | \$7000             | \$0                      | \$8518.67             |
| PO Box 44167<br>Jacksonville, FL<br>32231-4167 | Statement/<br>Closing Date | Amount Over<br>Credit Line | Past Due           | Purch/Adv<br>Minimum Due | Minimum<br>Amount Due |
|  | 05/10/2004                 | \$1518.67                  | \$1145.00          | \$181.64                 | \$8518.67             |

| Sale Date | Post Date | Reference Number | Activity Since Last Statement   | Amount                                       |
|-----------|-----------|------------------|---|--|
|           |           |                  | Standard Purch<br>OVER CREDIT LIMIT FEE<br>62 0000 0<br>PURCHASES*FINANCE CHARGE*PERIODIC RATE<br>84 0000 0 | 29.00<br>70000000000<br>31.74<br>70000000000 |
| 5/10      |           |                  | Standard Adv<br>ADVANCES*FINANCE CHARGE*PERIODIC RATE<br>84 0000 0  | 43.71<br>70000000000                         |
| 5/10      |           |                  | Purch/Adv<br>PURCHASES*FINANCE CHARGE*PERIODIC RATE<br>84 0000 0  | 46.86<br>70000000000                         |
| 5/10      |           |                  | Rate Sale - Charged To Offer 4<br>ADVANCES*FINANCE CHARGE*PERIODIC RATE<br>84 0000 0                        | 54.33<br>70000000000                         |

Please note that payments must be received by 1:00 p.m. local time, on a bank business day at the payment processing facility that handles your payments, in order to be credited to your account as of that day, and payments must conform to the payment instructions set forth on the reverse side. All conforming payments received at the payment processing facility after that time will be credited as of the following bank business day.

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       | \$3,699.31       | \$29.00                  | \$0.00                 | \$78.60            | \$3,806.91      |
| ADVANCES        | \$4,613.72       | \$0.00                   | \$0.00                 | \$98.04            | \$4,711.76      |
| TOTAL           | \$8,313.03       | \$29.00                  | \$0.00                 | \$176.64           | \$8,518.67      |

Days This Billing Period: 32

| Rate Summary   | Balance Subject to Finance Charge | Periodic Rate | Nominal APR | ANNUAL PERCENTAGE RATE |
|----------------|-----------------------------------|---------------|-------------|------------------------|
| PURCHASES      |                                   |               |             |                        |
| Standard Purch | \$1,509.15                        | 0.06573%(D)   | 23.990%     | 23.990%                |
| Purch/Adv      | \$2,228.10                        | 0.06573%(D)   | 23.990%     | 23.990%                |
| ADVANCES       |                                   |               |             |                        |
| Standard Adv   | \$2,077.93                        | 0.06573%(D)   | 23.990%     | 23.990%                |
| Offer 4        | \$2,583.10                        | 0.06573%(D)   | 23.990%     | 23.990%                |

EXHIBIT

A

## **VERIFICATION**

**SUSAN CAREY** is Attorney Management Specialist for Citibank (South Dakota) N.A. the within Plaintiff in this action, and that the statements of fact made in the foregoing Complaint are true and correct to the best of the undersigned verifier's 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:

7/1/04

✓ Susan Carey

Gary I. Teats  
5491492011210717

**FILED**

**AUG 06 2004**

William A. Shaw  
Prothonotary/Clerk of Courts

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

**CITIBANK**  
VS.  
**TEATS, GARY I.**  
**COMPLAINT**

**Sheriff Docket #** 16077  
**04-1200-CD**

**SHERIFF RETURNS**

NOW AUGUST 30, 2004 AT 9:30 AM SERVED THE WITHIN COMPLAINT ON GARY I. TEATS, DEFENDANT AT RESIDENCE, RD#2 BOX 42A, CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO GARY TEATS A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN TO HIM THE CONTENTS THEREOF.  
SERVED BY: NEVLING

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**Return Costs**

| <b>Cost</b>  | <b>Description</b>                            |
|--------------|---|
| <b>20.00</b> | <b>SHERIFF HAWKINS PAID BY: ATTY CK# 1424</b> |
| <b>10.00</b> | <b>SURCHARGE PAID BY: ATTY CK# 1425</b>       |

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**Sworn to Before Me This**

2<sup>nd</sup> Day Of Sept. 2004  
William A. Shaw

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

**So Answers,**

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

**FILED** *66K*  
*0230871*  
**SEP 02 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 19380  
610-696-2120  
ATTORNEY FOR: Plaintiff

CITIBANK (SOUTH DAKOTA) N.A.  
Plaintiff

: IN THE COURT OF COMMON PLEAS

: CLEARFIELD COUNTY, PENNSYLVANIA

VS.

GARY I TEATS  
Defendant

: NO. 04-1200-CD

: CIVIL ACTION - LAW

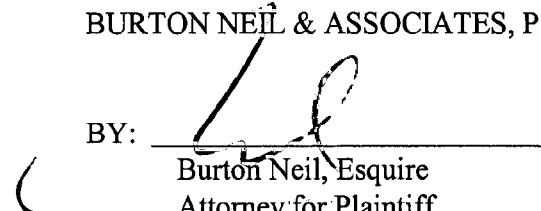
PRAECIPE TO DISCONTINUE

TO THE PROTHONOTARY:

Kindly discontinue the above-captioned action without prejudice.

BURTON NEIL & ASSOCIATES, P.C.

BY:

  
Burton Neil, Esquire  
Attorney for Plaintiff

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

c-2213

**FILED**  
M 11/6/04 11:44 a.m. Oct 25, 2004  
Copy to CJA  
OCT 25 2004

William A. Shaw  
Prothonotary

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

**CIVIL DIVISION**

**Citibank (South Dakota) N.A.**

**Vs.**  
**Gary I. Teats**

**No. 2004-01200-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 25, 2004, marked:

Discontinued, Settled and Ended.

Record costs in the sum of \$115.00 have been paid in full by Attorney Neil.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 25th day of October A.D. 2004.

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William A. Shaw, Prothonotary