

2004-1212-CD  
Discover Bank vs David Olson

04-1212-CD  
DISCOVER BANK  
VA  
DAVID E. OLSON

STOCK & GRIMES, LLP  
BY: Edward Stock, Esquire  
I.D.# 13657  
804 West Avenue  
Jenkintown, PA 19046  
(215) 576-1900

Attorney for Plaintiff

DISCOVER BANK, ISSUER OF DISCOVER CARD BY  
ITS AGENT DISCOVER FINANCIAL SERVICES, INC.  
P.O. Box 6011  
Dover, DE 19903-6011

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY  
CIVIL ACTION-LAW

Plaintiff

vs.

DAVID E. OLSON  
641 Tree Farm Road  
Curwensville, PA 16833-6927

NO. 04-1212-C

Defendant(s)

Pa  
FILED <sup>1cc</sup> <sub>shff</sub>  
m7d:2561 Aug 9 2004 <sup>Any pd</sup>  
AUG 09 2004 <sub>85.00</sub>

CIVIL ACTION

William A. Shaw  
Prothonotary/Clerk of Courts  
AVISO

"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 twenty (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 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.

"Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las páginas siguientes, usted tiene veinte (20) días de plazo al partir de la fecha de la demanda y la notificación. Hace falta asentar una comparecencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomará medidas y puede continuar la demanda en contra suya sin previo aviso o notificación. Además, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted."

"LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFFICIENTE DE PAGAR TAL SERVICIO, VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL.

LAWYERS REFERENCE SERVICE

Office of the Court Administrator  
Clearfield County Courthouse  
1 N. Second Street  
Clearfield, PA 16830  
(814) 765-2641 ext. 32

STOCK & GRIMES, LLP  
BY: EDWARD STOCK, ESQUIRE  
I.D. #13657  
804 West Avenue  
Jenkintown, PA 19046  
(215) 576-1900

Attorney for Plaintiff

DISCOVER BANK, ISSUER OF  
DISCOVER CARD, BY ITS AGENT  
DISCOVER FINANCIAL SERVICES,  
INC.  
P.O. Box 6011  
Dover, DE 19903-6011  
Plaintiff

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY  
CIVIL ACTION-LAW

vs.

NO.

DAVID E. OLSON  
641 Tree Farm Road  
Curwensville, PA 16833-6927

Defendant(s)

CIVIL ACTION

COMPLAINT IN ASSUMPSIT

1. Plaintiff, Discover Bank, issuer of Discover Card, by its agent Discover Financial Services, Inc., is a duly organized banking institution under the laws of the State of Delaware and has a principal place of business at the address contained in the above caption.

2. Defendant(s), David E. Olson, is an adult individual and resides at the address contained in the above caption.

3. After application by the Defendant(s) to the Plaintiff for a credit card account, which application

was approved by the Plaintiff, the Plaintiff issued a credit card to the Defendant(s) so that the Defendant(s) could make purchases from merchants, on credit, who had established a business relationship with the Plaintiff in regard to the same.

4. Thereafter, the Defendant(s) utilized the said credit card on various and sundry occasions.

5. Plaintiff attaches hereto as Exhibit "A" to this Complaint, a true and correct copy of the last monthly statement in regard to the activities in connection with the Defendant's account and also attaches hereto as Exhibit "B" to this Complaint, an Affidavit from the Plaintiff attesting to the present balance due the Plaintiff from the Defendant(s) in regard to the said account.

6. Notwithstanding repeated requests and demands of the Plaintiff upon the Defendant(s) to satisfy the outstanding indebtedness in the sum of \$12,065.03 the Defendant(s) has/have and still refuse(s) to pay the same.

7. As a result thereof, Plaintiff has been forced to incur reasonable attorney collection fees in the sum of \$3,016.25 in an attempt to legally enforce collection of the debt due it from the Defendant(s), which reasonable attorney fees are the responsibility

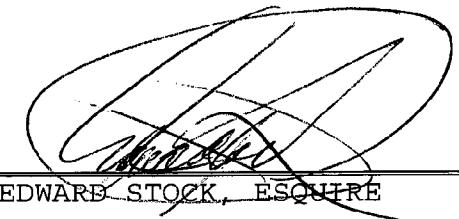
of the Defendant(s) to pay in accordance with the Cardmember Agreement.

8. Plaintiff's investigation has determined that the Defendant is not in the military service.

9. THIS COMMUNICATION IS FROM A DEBT COLLECTOR. THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

WHEREFORE, Plaintiff, Discover Bank, issuer of Discover Card, by its agent Discover Financial Services, Inc., demands Judgment against the Defendant(s), David E. Olson, in the sum of \$15,081.28, with interest and costs.

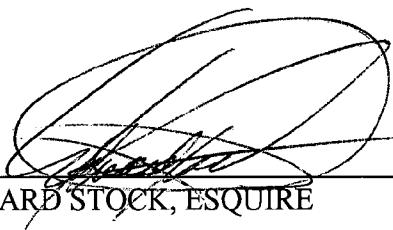
DATE: 8/6/04



EDWARD STOCK, ESQUIRE

**VERIFICATION**

EDWARD STOCK, ESQUIRE, Attorney for Plaintiff herein, verifies that the statements made in this Pleading are true and correct and that he is authorized to make them on behalf of the Plaintiff. He understands that the statements herein are made subject to the penalties of 18 Pa. C.S.A. Sec. 4904, relating to unsworn falsification to authorities.



EDWARD STOCK, ESQUIRE

Department of Defense Manpower Data Center

AUG-06-2004 07:34:37



## Military Status Report

Pursuant to the Servicemen's Civil Relief Act of 2003

Last Name	First	Middle	Begin Date	Active Duty Status	Service/Agency
OLSON	DAVID	E.			

Currently not on Active Military Duty, based on the Social Security Number and last name provided.

Upon searching the information data banks of the Department of Defense Manpower Data Center, the above is the current status of the Defendant(s), per the Information provided, as to all branches of the Military.

---

Robert J. Brandewie, Director

Department of Defense - Manpower Data Center  
1600 Wilson Blvd., Suite 400  
Arlington, VA 22209-2593

The Defense Manpower Data Center (DMDC) is an organization of the Department of Defense that maintains the Defense Enrollment and Eligibility Reporting System (DEERS) database which is the official source of data on eligibility for military medical care and other eligibility systems.

If you have information that makes you feel that the DMDC response is not correct, please send an e-mail to [sscra.helpdesk@osd.pentagon.mil](mailto:sscra.helpdesk@osd.pentagon.mil). For personal privacy reasons, SSNs are not available on this printed results page. Requesters submitting a SSN only receive verification that the SSN they submitted is a match or non-match.

DISC VER  
CARD

*payment due date*  
**October 29, 2003**  
*minimum payment due*  
**\$2,017.53**

*new balance*  
\$0,00

account number 6011 0025 9052 2025  
enter amount enclosed below

03 SDPNEA01 0001932  
DAVID OLSON  
641 TREE FARM RD  
CURWENSVILLE PA 16833-6927

Simplify and Save! Use your Discover® Card to pay off high-rate balances today. You can save money and consolidate your debt into one convenient payment. Call 1-800-767-7315 to see if a special Balance Transfer offer is available for you.

PO BOX 15251   
WILMINGTON DE 19886-5251

*Address or telephone change? Please print change in the space above, or go to [Discovercard.com](http://Discovercard.com).*

#### Discover Platinum Card Account Summary

account number	6011 0025 9052 2025
payment due date	October 29, 2003
minimum payment due	\$2,017.53
credit limit	\$9,900
credit available	\$0
cash credit limit	\$5,000.00
cash credit available	\$0.00

<i>previous balance</i>	\$12,265.03
<i>payments and credits</i>	- 12,265.03
<i>purchases</i>	+ 0.00
<i>cash advances</i>	+ 0.00
<i>balance transfers</i>	+ 0.00
<b>FINANCE CHARGES</b>	+ 0.00
<i>new balance</i>	= \$0.00

**SPECIAL BALANCE TRANSFER RATES!** Save money and simplify your life by consolidating your debt. Call 1-800-767-7339 today to see if an offer is available for you!

## Transactions

	trans. date	post date	
Payments and Credits	Sep 30	Sep 30	INTERNAL CHARGE-OFF
			\$-12,265.03

<u>Average Daily Balances</u>	<u>Daily Periodic Rates</u>	<u>Nominal ANNUAL PERCENTAGE RATES</u>	<u>ANNUAL PERCENTAGE RATES</u>	<u>Periodic FINANCE CHARGES</u>	<u>Transaction Fee FINANCE CHARGES</u>
<i>Current billing period: 21 days</i>					
Purchases	\$0.	0.05203%	18.99% F	18.99%	\$0 none
Cash Advances	\$0	0.05751%	20.99% F	20.99%	\$0 \$0

The rates that apply to your Account are either fixed (F) or they may vary (V) as noted above.

Questions? Call 1-800-DISCOVER (1-800-347-2683) or log on to [Discovercard.com](http://Discovercard.com). For TDD (Telecommunication Device for the Deaf) assistance, see reverse side. See the [Discover Cardholder Agreement](#) for complete terms and conditions.

**EXHIBIT "A"**

ATTORNEY: STOCK  
ACCOUNT NUMBER: 6011002590522025  
BALANCE: \$12265.03  
CARDMEMBER (S): DAVID E OLSON

STATE OF OHIO  
COUNTY OF FRANKLIN

T. Spencer, personally appeared before me, this day and after being duly sworn, according to law, upon his/her oath and says:

I am a Legal Placement Account Manager for **DISCOVER FINANCIAL SERVICES INC.**, the servicing agent of DISCOVER BANK, an FDIC insured Delaware State Bank.

THAT this affidavit is made on the basis of my personal knowledge and in support of Plaintiff's suit on account against the Debtor(s)

THAT, in my capacity as Legal Placement Account Manager, I have control over and access to records regarding the Discover Card Account of the above referenced Debtor(s), further, that I have personally inspected said Account and statements regarding the balance due on said account. DISCOVER FINANCIAL SERVICES, INC. maintains these records in the ordinary course of business.

THAT the annexed statement of account is a true and correct statement of what is now due and owing Discover Bank on the account, and exhibit A is a copy of the Cardmember Agreement between Discover Bank and the above referenced Debtor(s). The Cardmember Agreement governs the terms and conditions of the relationship between Discover Bank and the Debtor(s) in connection with the account.

Based on my review of the account records, to the best of my knowledge and belief the above referenced Debtor(s) is not engaged in the military service of the United States and is a resident of the State and of the Country in which this action has been filed.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

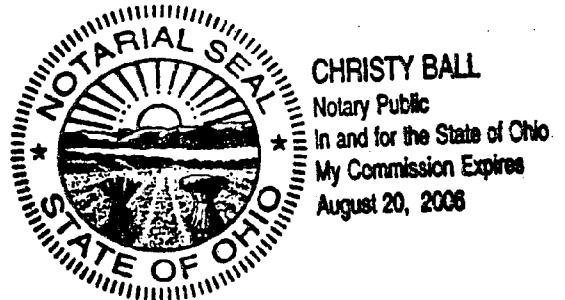
T. Sp

Affiant

Sworn and Subscribed before me,  
This day of Monday, October 13, 2003.

Christy Ball  
NOTARY

EXHIBIT "B"



**FILED**

**AUG 09 2004**

*William A. Shaw*  
Prothonotary/Clerk of Courts

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

DISCOVER BANK  
VS.  
OLSON, DAVID E.  
COMPLAINT

Sheriff Docket # 16091  
04-1212-CD

**SHERIFF RETURNS**

NOW SEPTEMBER 1, 2004 AT 9:04 AM SERVED THE WITHIN COMPLAINT ON DAVID E. OLSON, DEFENDANT AT RESIDENCE, 641 TREE FARM ROAD, CURWENSVILLE, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO DAVID E. OLSON A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN TO HIM THE CONTENTS THEREOF.

SERVED BY: DAVIS/MORGILLO

**Return Costs**

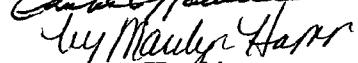
Cost	Description
22.87	SHERIFF HAWKINS PAID BY: ATTY CK#8792
10.00	SURCHARGE PAID BY: ATTY CK# 8823

**Sworn to Before Me This**

7<sup>th</sup> Day Of Sept. 2004  


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

**So Answers,**

  
by   
Chester A. Hawkins  
Sheriff

**FILED**

SEP 07 2004  
3:00  
William A. Shaw  
Prothonotary/Clerk of Courts

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

DISCOVER BANK, ISSUER OF DISCOVER  
CARD BY ITS AGENT DISCOVER  
FINANCIAL SERVICES, INC.

Plaintiff

No. 04-1212-CD

v.

DAVID E. OLSON,  
Defendant

**PRAECIPE FOR ENTRY OF  
APPEARANCE**

Filed on behalf of

**Defendant**

Counsel of Record for this Party:

James N. Bryant, Esq.  
Attorney-At-Law  
PA I.D. 14084

BRYANT & CANTORNA, P.C.  
107 East Main Street  
Millheim, PA 16854

(814) 349-5666

FILED  
m12:1401  
SEP 09 2004  
No  
ce

William A. Shaw  
Prothonotary/Clerk of Courts

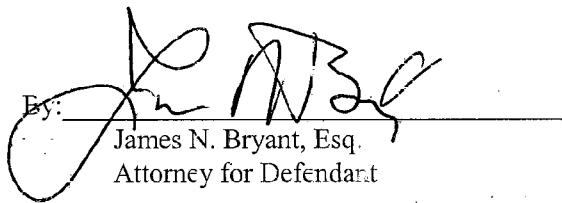
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL ACTION

DISCOVER BANK, ISSUER OF DISCOVER :  
CARD BY ITS AGENT DISCOVER :  
FINANCIAL SERVICES, INC. :  
Plaintiff :  
: No. 04-1212-CD  
v. :  
: :  
DAVID E. OLSON :  
Defendant :  
:

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the within PRAECIPE FOR ENTRY OF APPEARANCE was served by depositing the same with the United States Postal Service, postage prepaid, addressed to the following:

Edward Stock, Esq.  
Stock & Grimes, LLP  
804 West Avenue  
Jenkintown, PA 19046

  
By: \_\_\_\_\_  
James N. Bryant, Esq.  
Attorney for Defendant

DATED: September 8, 2004

**FILED**

**SEP 09 2004**

✓ William A. Shaw  
Prothonotary/Clerk of Courts

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

DISCOVER BANK, ISSUER OF DISCOVER :  
CARD BY ITS AGENT DISCOVER :  
FINANCIAL SERVICES, INC. :  
Plaintiff :  
v. : No. 04-1212-CD  
DAVID E. OLSON, :  
Defendant :  
:

**ANSWER**

Filed on behalf of

**Defendant**

Counsel of Record for this Party:

James N. Bryant, Esq.  
Attorney-At-Law  
PA I.D. 14084

BRYANT & CANTORNA, P.C.  
107 East Main Street  
Millheim, PA 16854

(814) 349-5666

Legal Documents September 2004  
cd:Olson David E Answer

FILED  
m 11:48 AM  
SEP 16 2004  
cc

William A. Shaw  
Prothonotary/Clerk of Courts

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

DISCOVER BANK, ISSUER OF DISCOVER :  
CARD BY ITS AGENT DISCOVER :  
FINANCIAL SERVICES, INC. :  
Plaintiff :  
v. : No. 04-1212-CD  
DAVID E. OLSON, :  
Defendant :  
:

ANSWER

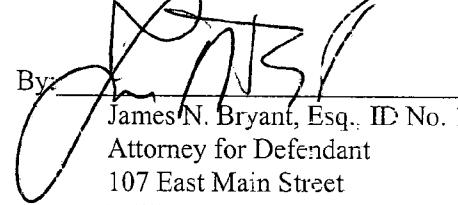
AND NOW, comes the Defendant, David E. Olson, by and through his attorney, James N. Bryant, Esq., of Bryant & Cantorna, P.C., and files this Answer, and avers as follows:

1. Admitted.
2. Admitted.
3. Admitted.
4. Admitted.
5. After a reasonable investigation, the Defendant is without knowledge or information sufficient to form a belief as to the allegations contained in this paragraph and therefore denies same and demands strict proof at the time of trial.
6. Denied as stated. On the contrary, the Defendant has attempted to satisfy some of the obligations, but is unable to secure financing to pay this and also is not certain that the amount stated is accurate and therefore demands strict proof at the time of trial.
7. After a reasonable investigation, the Defendant is without knowledge or information sufficient to form a belief as to the allegations contained in this paragraph and therefore denies same and demands strict proof at the time of trial.
8. Admitted.

9. It is unclear why this allegation is included, therefore this is denied.

WHEREFORE, Defendant requests the Complaint be dismissed.

BRYANT & CANTORNA, P.C.

By: 

James N. Bryant, Esq. ID No. 14084  
Attorney for Defendant  
107 East Main Street  
Millheim, PA 16854  
(814) 349-5666

I verify that the statements made in the foregoing are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. 4904, relating to unsworn falsification to authorities.



David E. Olson

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

DISCOVER BANK, ISSUER OF DISCOVER  
CARD BY ITS AGENT DISCOVER  
FINANCIAL SERVICES, INC.

Plaintiff

No. 04-1212-CD

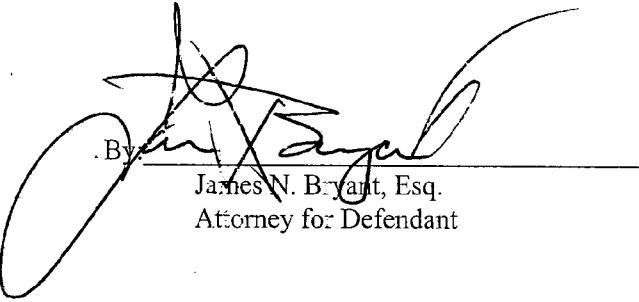
v.

DAVID E. OLSON,  
Defendant

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the within ANSWER was served by depositing the same with the United States Postal Service, postage prepaid, addressed to the following:

Edward Stock, Esq.  
Stock & Grimes, LLP  
804 West Avenue  
Jenkintown, PA 19046

  
By: \_\_\_\_\_  
James N. Bryant, Esq.  
Attorney for Defendant

DATED: September 15, 2004

**FILED**

**SEP 16 2004**

William A. Shaw  
Prothonotary/Clerk of Courts

CA

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL TRIAL LISTING

---

CERTIFICATE OF READINESS

TO THE PROTHONOTARY

---

CASE NUMBER 04-1212-CD TYPE TRIAL REQUESTED Jury ESTIMATED TRIAL TIME January 19, 2006  
Date Complaint  Jury  Non-Jury  
Filed: 08-17-2004  Arbitration 1/2 days/hours

---

PLAINTIFF(S)

DISCOVER BANK, ISSUER OF DISCOVER CARD  
BY ITS AGENT DISCOVER FINANCIAL

SERVICES, LLC

DEFENDANT(S)

DAVID E. OLSON

ADDITIONAL DEFENDANT(S)

Check block if a Minor  
is a Party to the Case

**FILED**

*m/2:16 cm ACC AM Stock*  
*JAN 26 2006* *for \$20.00 by*

JURY DEMAND FILED BY:

DATE JURY DEMAND FILED:

*William A. Shaw*  
*Prothonotary*

---

AMOUNT AT ISSUE \$15,081.28, with interest and costs CONSOLIDATION DATE CONSOLIDATION ORDERED

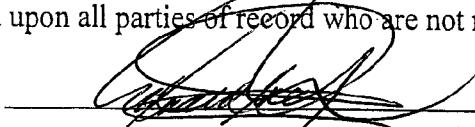
More than

&  yes  no

---

PLEASE PLACE THE ABOVE CAPTIONED CASE ON THE TRIAL LIST.

I certify that all discovery in the case has been completed; all necessary parties and witnesses are available; serious settlement negotiations have been conducted; the case is ready in all respects for trial, and a copy of this Certificate has been served upon all counsel of record and upon all parties of record who are not represented by counsel:



---

FOR THE PLAINTIFF  
EDWARD STOCK, ESQUIRE  
804 West Avenue, Jenkintown, PA 19046

TELEPHONE NUMBER  
(215) 576-1900

---

FOR THE DEFENDANT  
JAMES N. BRYANT, ESQUIRE  
107 E. Main Street, Milheim, PA 16854

TELEPHONE NUMBER  
(814) 349-5666

---

FOR ADDITIONAL DEFENDANT

TELEPHONE NUMBER

*Edward Stock  
Francis X. Grimes\**

*\*Also Admitted in N.J.*

*Law Offices  
Stock & Grimes, LLP  
804 West Avenue  
Jenkintown, Pennsylvania 19046  
(215) 576-1900*

January 19, 2006

Office of the Prothonotary  
Clearfield County Courthouse  
230 E. Market Street  
Clearfield, PA 16380

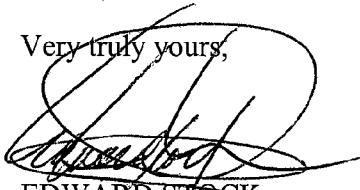
Re: Discover Bank vs. David E. Olson  
No. 04-1212-CD

Gentlemen:

Enclosed please find an original and two (2) copies of a Certificate of Readiness in regard to the above matter which I would appreciate your docketing and filing for me. I am also enclosing herewith our check in the amount of \$20.00 to cover the cost of the same, and I would appreciate your notifying the Court Administrator to list this case for Compulsory Arbitration after the matter has been properly docketed.

I would also appreciate your returning one of the copies to me properly time-stamped in the enclosed envelope evidencing your receipt of the same.

Thank you for your courtesy.

Very truly yours,  
  
EDWARD STOCK

ES:pms  
Enclosure

cc: James N. Bryant, Esquire

STOCK & GRIMES, LLP  
BY: Edward Stock, Esquire  
I.D. #13657  
804 West Avenue  
Jenkintown, PA 19046  
(215) 657-1900

Attorney for Plaintiff

DISCOVER BANK, ISSUER OF  
DISCOVER CARD, BY ITS AGENT  
DISCOVER FINANCIAL SERVICES, INC.  
Plaintiff

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

CIVIL ACTION - LAW

vs

NO. 04-1212-CD

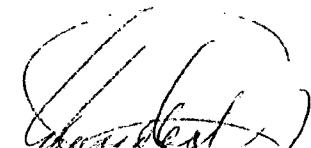
DAVID E. OLSON  
Defendant

**PRAECIPE TO DISCONTINUE**

TO THE PROTHONOTARY:

Kindly mark the above captioned case discontinued.

DATE: 2/28/06

  
EDWARD STOCK, ESQUIRE  
Attorney for Plaintiff

FILED <sup>NO ce</sup>  
13:39 AM  
MAR 02 2006 Cert. of Disc.  
to Atty  
William A. Shaw  
Prothonotary/Clerk of Court  
copy to CIA

**FILED**

**MAR 02 2006**

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

CCOPY

**Discover Bank**

Vs. **No. 2004-01212-CD**  
**David Eric Olson**

**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 March 2, 2006, marked:

Discontinued

Record costs in the sum of \$105.00 have been paid in full by Edward Stock, Esq.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 2nd day of March A.D. 2006.



\_\_\_\_\_  
William A. Shaw, Prothonotary