

2004-1773-CD
DISCOVER BANK VS SHAWN THOMA VOGEL

04-1773-CD
DISCOVER BANK VS. SHAWN THOMA VOGEL

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

DISCOVER BANK

Plaintiff

No. 04-1773-CD

vs.

COMPLAINT IN CIVIL ACTION

SHAWN THOMA VOGEL

Defendant

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

William T. Molczan, Esquire
PA I.D. #47437
WELTMAN, WEINBERG & REIS CO., L.P.A.
2718 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR#03860057

FILED 1cc Shff
M/23/04 Atty pd.
NOV 08 2004 85.00
William A. Shaw
Prothonotary/Clerk of Courts

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

DISCOVER BANK

Plaintiff

vs.

Civil Action No.

SHAWN THOMA VOGEL

Defendant

COMPLAINT IN CIVIL ACTION AND NOTICE TO DEFEND

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 an 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

COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
230 EAST MARKET ST., SUITE 228
CLEARFIELD, PA 16830
(814) 765-2641, ext. 1300-1301

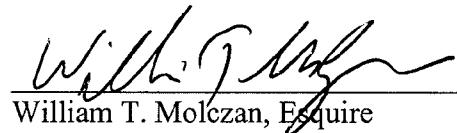
COMPLAINT

1. Plaintiff is a corporation with offices at 3311 Mill Meadow Drive, Hilliard, OH 43026.
2. Defendant is an adult individual residing at 116 N STATE ST, DU BOIS, PA 15801.
3. Defendant applied for and received a credit card issued by Plaintiff bearing the account number 6011002510722143 .
4. Defendant made use of said credit card and has currently a balance due and owing to Plaintiff, as of OCTOBER 29, 2004, in the amount of \$9,047.33 .
5. Defendant is in default of the terms of the cardholder Agreement having not made monthly payments to Plaintiff thereby rendering the entire balance immediately due and payable.
6. Plaintiff avers that the Agreement between the parties provides that Defendant will pay Plaintiff's attorneys' fees.
7. Plaintiff avers that such attorneys' fees will amount to \$1,500.00.
8. Although repeatedly requested to do so by Plaintiff, Defendant has willfully failed and/or refused to pay the principal balance, finance charges or any part thereof to Plaintiff.

WHEREFORE, Plaintiff demands Judgment in its favor and against Defendant, SHAWN THOMA VOGEL individually, in the amount of \$9,047.33 with interest at the legal interest rate of 6% per annum from date of judgment plus attorneys' fees of \$1,500.00, and costs.

THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED SHALL BE USED FOR THAT PURPOSE.

WELTMAN, WEINBERG & REIS, CO., L.P.A.



William T. Molczan, Esquire
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WWR#:03860057

VERIFICATION

The undersigned does hereby verify subject to the penalties of 18 P.A.C.S. §4904 relating to unsworn falsifications to authorities, that he/she is Robert Adkins
(Name)

Accounts Manager of Discover Financial Services Inc., servicing agent of the plaintiff herein, that
(Title) (Company)

he/she is duly authorized to make this Verification, and that the facts set forth in the foregoing Complaint in Complaint are true and correct to the best of his/her knowledge, information and belief.

Robert Adkins
(Signature)

WWR# 03860057

In The Court of Common Pleas of Clearfield County, Pennsylvania

DISCOVER BANK

VS.

VOGEL, SHAWN THOMA

COMPLAINT

Sheriff Docket # 16589

04-1773-CD

SHERIFF RETURNS

NOW NOVEMBER 12, 2004 AT 12:00 NOON SERVED THE WITHIN COMPLAINT ON SHAWN THOMA VOGEL, DEFENDANT AT RESIDENCE, 116 N. STATE ST., DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA BY HANDING TO SHAWN VOGEL A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN TO HIM THE CONTENTS THEREOF.

SERVED BY COUDRIET

Return Costs

Cost	Description
32.25	SHERIFF HAWKINS PAID BY: ATTY CK# 8167380
10.00	SURCHARGE PAID BY: ATTY CK# 8167381

Sworn to Before Me This

16 Day Of Nov 2004


So Answers,


Chester A. Hawkins
Sheriff

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

FILED
ew

DEC 16 2004

692:00

William A. Shaw
Prothonotary/Clerk of Courts

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

DISCOVER BANK

Plaintiff No. 04-1773-CD

vs. PRAECIPE FOR DEFAULT JUDGMENT

SHAWN THOMA VOGEL,

Defendant

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

William T. Molczan, Esquire
PA I.D. #47437
WELTMAN, WEINBERG & REIS CO., L.P.A.
2718 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR#03860057
Judgment Amount \$ 10,547.33

FILED
M 2/17/04 Pd 70
Nicole Dif
JAN 07 2005
Sue to City

William A.
Prothonotary

THIS LAW FIRM IS ATTEMPTING TO COLLECT THIS DEBT FOR ITS CLIENT AND ANY
INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

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

DISCOVER BANK

Plaintiff

vs.

Civil Action No. 04-1773-CD

SHAWN THOMA VOGEL,

Defendant

PRAECIPE FOR DEFAULT JUDGMENT

TO THE PROTHONOTARY:

Kindly enter Judgment against the Defendant, SHAWN THOMA VOGEL, above named, in the default of an Answer, in the amount of \$10,547.33 computed as follows:

Amount claimed in Complaint	\$9,047.33
Interest from date of judgment at the legal interest rate of 6% per annum	
Attorney's fees	\$1500.00
TOTAL	\$10,547.33

I hereby certify that appropriate Notices of Default, as attached have been mailed in accordance with PA R.C.P. 237.1 on the dates indicated on the Notices.

WELTMAN, WEINBERG & REIS CO., L.P.A.

By: 
William T. Molczan, Esquire

PA I.D. #47437
WELTMAN, WEINBERG & REIS CO., L.P.A.
2718 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR#03860057

Plaintiff's address is:

c/o Weltman, Weinberg & Reis Co., L.P.A., 2718 Koppers Building, 436 7th Avenue, Pittsburgh, PA 15219
And that the last known address of the Defendant is: 116 N STATE ST, DU BOIS, PA 15801

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

DISCOVER BANK

Plaintiff

vs.

Civil Action No. 04-1773-CD

SHAWN THOMA VOGEL

Defendant

IMPORTANT NOTICE

TO: Shawn Thoma Vogel
116 N State Street
DuBoise, PA 15801

Date of Notice: Dec 21, 2004

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR PROPERTY OR OTHER IMPORTANT RIGHTS. YOU SHOULD TAKE THIS NOTICE TO A LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE FOLLOWING OFFICE TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

CLEARFIELD COUNTY

COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
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CLEARFIELD, PA 16830
(814) 765-2641, ext. 1300-1301

WELTMAN, WEINBERG & REIS CO., L.P.A.

By: William T. Molczan
William T. Molczan

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WWR #03860057

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

DISCOVER BANK

Case no: 04-1773-CD

Plaintiff
vs.

SHAWN THOMA VOGEL,

Defendant

The undersigned, who first being duly sworn, according to law, deposes and states as follows:

That he/she is the duly authorized agent of the Plaintiff in the
within matter.

Affiant further states that the within Affidavit is made pursuant to and in accordance with the
Servicemembers' Civil Relief Act (SCRA), 50 U.S.C. App. § 521.

Affiant further states that based upon investigation it is the affiant's belief that the Defendant,
SHAWN THOMA VOGEL, is not in the military service.

Affiant further states that this belief is supported by the attached certificate from the Defense
Manpower Data Center (DMDC), which states that the Defendant, SHAWN THOMA VOGEL, is not in the
military service.

Further Affiant sayeth naught.


AFFIANT

SWORN TO AND SUBSCRIBED in my presence this 4 day
of July 2007.


NOTARY PUBLIC

Wendy L. Gault, Notary Public
City Of Pittsburgh, Allegheny County
Commission Expires July 15, 2005

This law firm is a debt collector attempting to collect this debt for our client and any information obtained
will be used for that purpose.

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

DISCOVER BANK

Plaintiff

vs.

Civil Action No. 04-1773-CD

SHAWN THOMA VOGEL,

Defendant

NOTICE OF JUDGMENT OR ORDER

TO: () Plaintiff
 (xx) Defendant
 () Garnishee

You are hereby notified that the following
Order or Judgment was entered against
you on _____

(xx) Assumpsit Judgment in the amount
of \$10,547.33 plus costs.

() Trespass Judgment in the amount
of \$_____ plus costs.

() If not satisfied within sixty (60)
days, your motor vehicle operator's license and/or registration will be
suspended by the Department of Transportation, Bureau of Traffic Safety,
Harrisburg, PA.

(xx) Entry of Judgment of
 () Court Order
 () Non-Pros
 () Confession
 (xx) Default
 () Verdict
 () Arbitration
 Award

Prothonotary

By: _____
PROTHONOTARY (OR DEPUTY)

SHAWN THOMA VOGEL
116 N STATE ST
DU BOIS, PA 15801

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY ,
PENNSYLVANIA
STATEMENT OF JUDGMENT

Discover Bank

Plaintiff(s)

No.: 2004-01773-CD

Real Debt: \$10,547.33

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Shawn Thoma Vogel

Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: January 7, 2005

Expires: January 7, 2010

Certified from the record this 7th day of January, 2005

William A. Shaw, Prothonotary

SIGN BELOW FOR SATISFACTION

Received on _____, _____, of defendant full satisfaction of this Judgment. Debt, Interest and Costs and Prothonotary is authorized to enter Satisfaction on the same.

Plaintiff/Attorney