

05-47-CD
Discover Bank vs. T. Szypulski

Discover Bank v. Terri Szypulski
2005-47-CD

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

DISCOVER BANK,

Plaintiff

vs.

TERRI SZYPULSKI,

Defendant

No. 05-47-CD

COMPLAINT IN CIVIL ACTION

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

James C. Warmbrodt
PA I.D #42524
WELTMAN, WEINBERG & REIS CO., L.P.A.
2718 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR#03741660

FILED *icc*
m/3:32/11 *Shff*
JAN 10 2005 *Any pd. 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.

TERRI SZYPULSKI,

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

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.

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

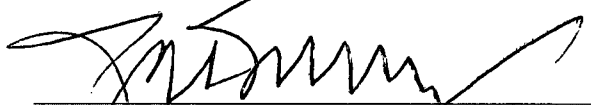
COMPLAINT

1. Plaintiff is a corporation with offices at 3311 Mill Meadow Drive, Hilliard, OH 43026.
2. Defendant is an adult individual residing at RR 2 BOX 137, DU BOIS, PA 15801.
3. Defendant applied for and received a credit card issued by Plaintiff bearing the account number 6011002180656183.
4. Defendant made use of said credit card and has currently a balance due and owing to Plaintiff, as of December 22, 2004, in the amount of \$5,468.21.
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 \$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, TERRI SZYPULSKI individually, in the amount of \$5,468.21 with interest at the legal interest rate of 6% per annum from date of judgment plus attorneys' fees of \$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.

A handwritten signature in black ink, appearing to read 'James C. Warmbrodt', is written over a horizontal line.

James C. Warmbrodt

PA I.D. #42524

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

2718 Koppers Building

436 Seventh Avenue

Pittsburgh, PA 15219

(412) 434-7955

WWR#:03741660

VERIFICATION

The undersigned does hereby verify subject to the penalties of 18 PA.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# 03741660

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 100134
NO: 05-47-CD
SERVICE # 1 OF 1
COMPLAINT

PLAINTIFF: DISCOVER BANK
vs.
DEFENDANT: TERRI SZYPULSKI

SHERIFF RETURN

NOW, January 25, 2005 AT 1:45 PM SERVED THE WITHIN COMPLAINT ON TERRI SZYPULSKI DEFENDANT AT 146 GOAT ROAD, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO TERRI SZYPULSKI, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: COUDRIET /

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	WELTMAN	8194558	10.00
SHERIFF HAWKINS	WELTMAN	8194558	33.39

FILED

^{6*} FEB 11 2005
0/2:50/2
William A. Shaw
Prothonotary/Clerk of Courts

Sworn to Before Me This

_____ Day of _____ 2005

So Answers,



Chester A. Hawkins
Sheriff

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

DISCOVER BANK,

Plaintiff

vs.

TERRI SZYPULSKI,

Defendant

No. 05-47-CD

SUGGESTION OF BANKRUPTCY

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

James C. Warmbrodt
PA I.D. #42524
WELTMAN, WEINBERG & REIS CO., L.P.A.
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436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR#03741660

FILED ⁽⁶⁸⁾ 10
m/1:25/11 cc
MAR 14 2005

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. 05-47-CD

TERRI SZYPULSKI,

Defendant

SUGGESTION OF BANKRUPTCY

TO PROTHONOTARY:

AND NOW comes Plaintiff, by counsel, Weltman, Weinberg & Reis, Co., L.P.A. to advise this Honorable Court that the above named Defendant, TERRI SZYPULSKI, has filed a Chapter 7 Bankruptcy in the United State Bankruptcy Court for the WESTERN District of Pennsylvania at Bankruptcy Case Number 05-70390, and accordingly, all proceedings in this Court are stayed pursuant to 11 U.S.C. § 362.

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

By: 
Attorney for Plaintiff
2601 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219

WWR #03741660

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

DISCOVER BANK,

Plaintiff

vs.

TERRI SZYPULSKI,

Defendant

No. 05-47-CD

PRAECIPE TO SETTLE, DISCONTINUE
AND END WITHOUT PREJUDICE TO REFILE

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

James C. Warmbrodt
PA I.D #42524
WELTMAN, WEINBERG & REIS CO., L.P.A.
2718 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR#03741660

FILED *No cc*
m/10:11 Bdl
MAR 22 2005 *Copy to CIA*

William A. Shaw *Cert. of*
Prothonotary/Clerk of Courts *Disc.*
to Amy

(62)

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

DISCOVER BANK,

Plaintiff

vs.

Civil Action No. 05-47-CD

TERRI SZYPULSKI,

Defendant

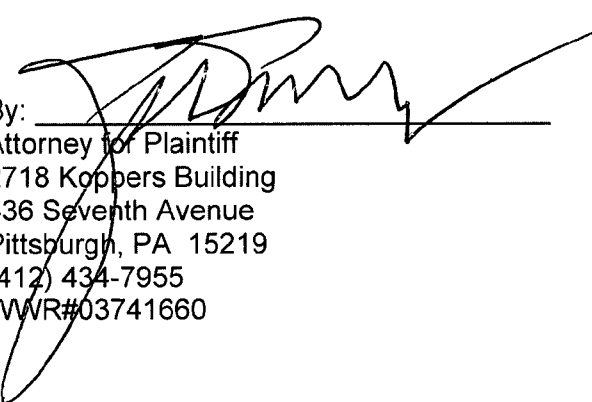
PRAECIPE TO SETTLE, DISCONTINUE
AND END WITHOUT PREJUDICE TO REFILE

TO THE PROTHONOTARY OF CLEARFIELD COUNTY:

SIR:

Settle, Discontinue and End the above-captioned matter upon the records of the Court without
prejudice to refile and mark the costs paid.

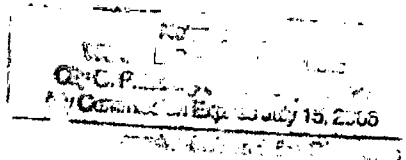
WELTMAN, WEINBERG & REIS CO., L.P.A.

By: 
Attorney for Plaintiff
2718 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955
WWR#03741660

SWORN TO AND SUBSCRIBED

before me this 17 day
of March, 2005


NOTARY PUBLIC



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

CIVIL DIVISION

COPY

Discover Bank

Vs.

No. 2005-00047-CD

Terri Szypulski

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 22, 2005, marked:

Settled, Discontinued, and Ended without Prejudice to refile

Record costs in the sum of \$85.00 have been paid in full by James C. Warmbrodt.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 22nd day of March A.D. 2005.

William A. Shaw, Prothonotary