

05-619-CD

Huntington vs R McCormick et al

Huntin Nat'l Bank v. Rachael McCormick
2005-619-CD

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

THE HUNTINGTON NATIONAL BANK

Plaintiff No. 2005-619-C0

vs. COMPLAINT IN CIVIL ACTION

RACHAEL A MCCORMICK AND
DIANE R ECK

Defendants 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#04047893

FILED

MAY 02 2005

ml 2005/cu

William A. Shaw
Prothonotary

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

THE HUNTINGTON NATIONAL BANK

Plaintiff

vs.

Civil Action No.

RACHAEL A MCCORMICK AND
DIANE R ECK

Defendants

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

CLEARFIELD COUNTY
SOURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
230 EAST MARKET ST., SUITE 228
CLEARFIELD, PA 16830
(841) 765-2641, EXT 1300-1301

COMPLAINT

1. Plaintiff is a corporation having offices in 2361 Morse Rd., NC2W21, Columbus, OH 43229.
2. Defendant, Rachael A. Mccormick, is an adult individual residing at 133 1/2 Dubois St., Dubois, PA 15801.
2. Defendant, Diane R. Eck, is an adult individual residing at 1315 Arkansas Avenue, Pittsburgh, PA 15216.
3. On or about June 15, 2002, Defendants duly executed a Personal Loan Agreement (hereinafter the "Contract") in favor of The Huntington National Bank, a true and correct copy of said Contract is attached hereto, marked as Exhibit "1" and made a part hereof.
4. Pursuant to said Contract, Defendants took possession of the vehicle more particularly identified in the Contract as a 2001 Hyundai Accent.
5. Plaintiff avers that Defendants is in default of the Contract by having not made payment to Plaintiff as promised, thereby rendering the entire balance immediately due and payable.
6. Plaintiff avers that a balance of \$ 6,852.02 is due from Defendant as of December 3, 2004.

7. Plaintiff avers that the Contract between the parties provides that Plaintiff is entitled to interest at the rate of 11.11% per annum.

8. Although repeatedly requested to do so by Plaintiff, Defendants have willfully failed and/or refused to pay the principal balance, interest or any part thereof to Plaintiff.

WHEREFORE, Plaintiff demands judgment against Defendants, Rachael A. McCormick and Diane R. Eck, jointly and severally, in the amount of \$6,852.02 with continuing interest thereon at the Contract rate of 11.11% per annum from December 3, 2004 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.


James C. Warmbrodt

PA I.D #42524
WELTMAN, WEINBERG & REIS CO., L.P.A.
2718 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-79555

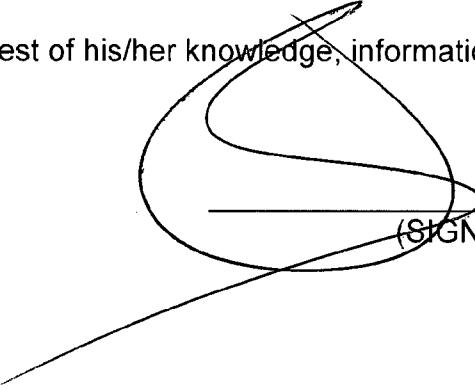
WWR#:04047893

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 Unfiled Exhibit
(NAME)

Litigation Specialist of Huntington Bank, plaintiff herein, that
(TITLE) (COMPANY)

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


(SIGNATURE)

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

THE HUNTINGTON NATIONAL BANK,

Plaintiff No. 2005-619-CD

vs.

PRAECIPE TO SETTLE, DISCONTINUE
AND END WITHOUT PREJUDICE TO REFILE

RACHAEL A MCCORMICK AND
DIANE R ECK,

Defendant 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#04047893

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FILED No CC
MAY 11 2005 2 Cert. of Disc.
to Atty
William A. Shaw
Prothonotary/Clerk of Courts
Copy to CIA

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

THE HUNTINGTON NATIONAL BANK,

Plaintiff

vs.

Civil Action No. 2005-619-CD

RACHAEL A MCCORMICK AND
DIANE R ECK,

Defendant

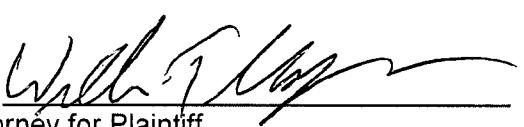
PRAECIPE TO SETTLE, DISCONTINUE
AND END WITHOUT PREJUDICE TO REFILE

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.

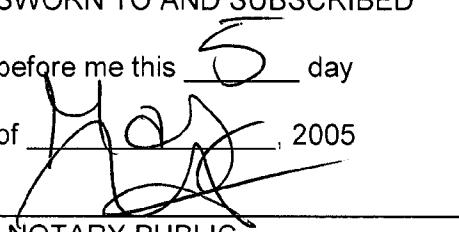
WELTMAN, WEINBERG & REIS CO., L.P.A.

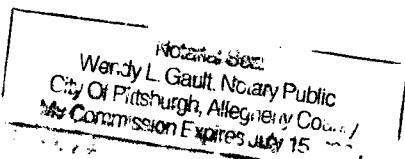
By: 
Attorney for Plaintiff
2718 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955
WWR#04047893

SWORN TO AND SUBSCRIBED

before me this 5 day

of May, 2005


NOTARY PUBLIC



IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA



CIVIL DIVISION

Huntington National Bank

Vs.

No. 2005-00619-CD

Rachael A. McCormick
Diane R. Eck

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 May 11, 2005, marked:

Settled, Discontinued, and Ended without Prejudice to Refile

Record costs in the sum of \$85.00 have been paid in full by Weltman, Weinberg & Reis Co., L.P.A.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 11th day of May A.D. 2005.

William A. Shaw, Prothonotary