

05-837-CD  
Citibank vs. Robert M. Vanzant

Citibank v. Robert Vanzant  
2005-837-CD

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.

: IN THE COURT OF COMMON PLEAS

: CLEARFIELD COUNTY, PENNSYLVANIA

: NO. 05-837-CD

ROBERT M VANZANT

616 Arnold Avenue, Clearfield PA 16830

Defendant

: 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. Meholick

Court Administrator

Clearfield County Courthouse

Clearfield, PA 16830

Telephone No. 814-765-2641 Ext. 5982

C-5693

C-6118

**FILED** Atty pd.

m/1:16/85 85.00  
JUN 13 2005

William A. Shaw ICC SHFF  
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.  
701 East 60th Street North, Sioux Falls, SD  
Plaintiff

v.

ROBERT M VANZANT  
616 Arnold Avenue, Clearfield PA 16830  
Defendant

: IN THE COURT OF COMMON PLEAS  
:  
: CLEARFIELD COUNTY, PENNSYLVANIA  
:  
: NO.  
:  
: CIVIL ACTION - LAW

### 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 Robert M Vanzant, who resides at 616 Arnold Avenue, 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.

### COUNT I

4. Plaintiff furnished consumer credit to the defendant by means of a credit card with account number 5424180230337302 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 in 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 credit for a \$1,000 payment made on account on 12/1/04 is \$9,045.20.

Wherefore, plaintiff demands judgment against defendant on Count I for the sum of \$9,045.20, and the costs of this action.

## COUNT II

10. Plaintiff furnished consumer credit to the defendant by means of a credit card with account number 5424180522274106 hereinafter referred to as the credit card account.

11. Plaintiff maintained an accurate and running record of all debits and credits to the credit card account in its books of account.

12. 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.

13. Defendant received the monthly statements from plaintiff for the credit card account including the statement attached hereto as Exhibit B statement without protest, dispute or objection.

14. Defendant in not protesting, disputing or objecting to the statements including the Exhibit B statement thereby assented and agreed to the correctness of the balance due on the credit card account so as to constitute an account stated.

15. The amount due plaintiff on the account stated, less credits, if any issued subsequent to the Exhibit B statement, is \$7,061.16.

Wherefore, plaintiff demands judgment against defendant on Court II for the sum of \$7,061.16, 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.

12/06/04 \$10045.20 \$9999.99

SITE:KC-CL TM:CO-5000 ACID:KCB7150  
05/13/05 20:25:16:

PMT DUE DATE NEW BALANCE MIN AMT DUE

ROBERT M VANZANT  
PO BOX 15  
MORRISDALE  
16858-0015000

PA

CITI CARDS  
P.O. BOX 8107  
S HACKENSACK, NJ  
07606-8107

## Citi® Platinum Select® Card



Account Number

5424 1802 3033 7302

## Customer Service:

1-800-950-5114	Total Credit Line \$9100	Available Credit Line \$0	Cash Advance Limit \$620	Available Cash Limit \$0	New Balance \$10045.20
BOX 6500	Statement/ Closing Date 11/09/2004	Amount Over Credit Line \$945.20 +	Past Due \$583.54 +	Purch/Adv Minimum Due \$222.21 =	Minimum Amount Due \$1750.95
SIoux FALLS, SD					
57117					

Sale Date	Post Date	Reference Number	Activity Since Last Statement	Amount
	11/09		Standard Purch	
			CREDITSHIELD PREMIUM	5.82
	11/09		74 0000	0000000000
			LATE FEE - OCT PAYMENT PAST DUE	39.00
	11/09		66 0000	0000000000
			OVER CREDIT LIMIT FEE	35.00
	11/09		62 0000	0000000000
			PURCHASES*FINANCE CHARGE*PERIODIC RATE	123.22
	11/09		84 0000	0000000000
			Purch/Adv Thru 09/11/2002	
	11/09		PURCHASES*FINANCE CHARGE*PERIODIC RATE	86.93
			84 0000	0000000000
			Balance Transfer - Charged To Offer 4	
	11/09		PURCHASES*FINANCE CHARGE*PERIODIC RATE	7.06
			84 0000	0000000000

Your CreditShield coverage has been reinstated.

Your late fee was based on your account balance as of the payment due date (11/05/04), which was \$9,748.17.

Your account is past due and your balance is over the credit line. To ensure you continue to receive the many benefits of your cardmembership, please send the Minimum Amount Due shown. If you have already sent us this payment, thank you.

EXHIBIT

A

Account Summary	Previous Balance	(+) Purchases & Advances	(-) Payments & Credits	(+) FINANCE CHARGE	(=) New Balance
PURCHASES	\$9,748.17	\$79.82	\$0.00	\$217.21	\$10,045.20
ADVANCES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
TOTAL	\$9,748.17	\$79.82	\$0.00	\$217.21	\$10,045.20

Days This Billing Period: 28

Rate Summary	Balance Subject to Finance Charge	Periodic Rate	Nominal APR	ANNUAL PERCENTAGE RATE
PURCHASES				
Standard Purch	\$5,589.11	0.07874%(D)	28.740%	28.740%
Purch/Adv thru 09/11/2002	\$3,943.03	0.07874%(D)	28.740%	28.740%
Offer 4	\$320.36	0.07874%(D)	28.740%	28.740%
ADVANCES				
Standard Adv	\$0.00	0.07874%(D)	28.740%	28.740%

12/20/04 \$7061.16 \$9999.99  
 PMT DUE DATE NEW BALANCE MIN AMT DUE

SITE:KC-CL TM:CO-5000 ACID:KCB7150  
 05/13/05 20:25:17:

ROBERT M VANZANT  
 BX 15  
 MORRISDALE  
 16858-0015000

PA

CITI CARDS  
 P.O. BOX 8117  
 S HACKENSACK, NJ  
 07606-8117

# Citi® Driver's Edge® Card Charter Rebates



Account Number

5424 1805 2227 4106

## Customer Service:

1-800-967-8500

BOX 6500  
 SIOUX FALLS, SD  
 57117

Total Credit Line	Available Credit Line	Cash Advance Limit	Available Cash Limit	New Balance
\$6410	\$0	\$310	\$0	\$7061.16
Statement/ Closing Date	Amount Over Credit Line	Past Due	Purch/Adv Minimum Due	Minimum Amount Due
11/24/2004	\$651.16 +	\$427.44 +	\$163.93 =	\$1242.53

Sale Date	Post Date	Reference Number	Activity Since Last Statement	Amount
	11/24		Standard Purch	
			CREDITSHIELD PREMIUM	4.10
	11/24		74 0000	0000000000
			LATE FEE - OCT PAYMENT PAST DUE	39.00
	11/24		66 0000	0000000000
			OVER CREDIT LIMIT FEE	35.00
	11/24		62 0000	0000000000
			PURCHASES*FINANCE CHARGE*PERIODIC RATE	153.49
	11/24		84 0000	0000000000
			Standard Adv	
	11/24		ADVANCES*FINANCE CHARGE*PERIODIC RATE	5.44
			84 0000	0000000000

## \*\*\*Driver's Edge Charter Member Rebate Summary\*\*\*

Previous Statement Rebates Total	112.33
Base Rebates Earned	0.00
Total Rebates Earned This Period	0.00
Total Rebates Available	112.33
Lifetime Rebates Earned	186.21

Bonus Rebates may take one to two billing cycles to appear on your statement. Please refer to the specific terms and conditions pertaining to the promotion for further details.

Your late fee was based on your account balance as of the payment due date (11/18/04), which was \$6,824.13.

Your account is past due and your balance is over the credit line. To ensure you continue to receive the many benefits of your cardmembership, please send the Minimum Amount Due shown. If you have already sent us this payment, thank you.

EXHIBIT

B

Sale Date	Post Date	Reference Number	Activity Since Last Statement	Amount
-----------	-----------	------------------	-------------------------------	--------

Account Summary	Previous Balance	(+) Purchases & Advances	(-) Payments & Credits	(+) FINANCE CHARGE	(=) New Balance
PURCHASES	\$6,590.42	\$78.10	\$0.00	\$153.49	\$6,822.01
ADVANCES	\$233.71	\$0.00	\$0.00	\$5.44	\$239.15
TOTAL	\$6,824.13	\$78.10	\$0.00	\$158.93	\$7,061.16

Days This Billing Period: 29

Rate Summary	Balance Subject to Finance Charge	Periodic Rate	Nominal APR	ANNUAL PERCENTAGE RATE
PURCHASES				
Standard Purch	\$6,664.22	0.07942%(D)	28.990%	28.990%
ADVANCES				
Standard Adv	\$236.33	0.07942%(D)	28.990%	28.990%

## Verification

I, Amanda Carter am an employee of Citicorp Credit Services, Inc., (USA) which is by contract the service provider for plaintiff CITIBANK SOUTH DAKOTA N.A. retained to perform services including but not primarily limited to collecting delinquent debt. I am authorized to make this verification as attorney-in-fact for plaintiff under powers of attorney from plaintiff to Citicorp Credit Services, Inc. (USA) and to me. The foregoing averments of fact in the within pleading are true and correct to the best of my knowledge, information and belief. I understand that the statements made herein are subject to the penalties of 18 Pa. C.S. Section 4904, relating to unsworn falsification to the authorities.

Date: 04/29/05

Amanda Carter  
Signature

Robert M Vanzant  
5424180230337302



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 100555  
NO: 05-837-CD  
SERVICE # 1 OF 1  
COMPLAINT

PLAINTIFF: CITIBANK SOUTH DAKOTA, N.A.  
vs.  
DEFENDANT: ROBERT M. VANZANT

SHERIFF RETURN

NOW, June 16, 2005 AT 2:29 PM SERVED THE WITHIN COMPLAINT ON ROBERT M. VANZANT DEFENDANT AT SHERIFF'S OFFICE, 1 N. 2ND ST., SUITE 116, CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO ROBERT M. VANZANT, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: SNYDER /

FILED

JUN 17 2005 @  
1:40 pm GK

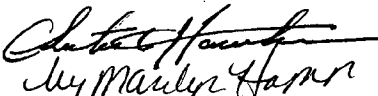
William A. Shaw  
Prothonotary

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	NEIL	10092	10.00
SHERIFF HAWKINS	NEIL	10091	21.37

Sworn to Before Me This

\_\_\_\_\_ Day of \_\_\_\_\_ 2005

So Answers,

  
Chester A. Hawkins  
Sheriff

CITIBANK SOUTH DAKOTA N.A.  
701 East 60th Street N, Sioux Falls, SD 57117  
Plaintiff

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

VS.

: NO. 05-837-CD

ROBERT M VANZANT  
616 Arnold Avenue  
Clearfield PA 16830

Defendant

: CIVIL ACTION - LAW

**FILED** *Atty pd. 20.00*  
*m/2:24/31/* Notice to  
JUL 28 2005 Def.  
Statement  
William A. Shaw to Atty  
Prothonotary/Clerk of Courts  
*60*

**Praeipe for Default Judgment**

To the Prothonotary:

Please enter judgment by default for want of an answer in the above case in favor of the plaintiff and against the defendant, and assess damages as follows:

Count I:	\$9,045.20
Count II:	\$7,061.16
<b>TOTAL</b>	<b>\$16,106.36</b>

Understanding that false statements herein made are subject to penalty under 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities, I verify that:

1. The above are the precise last-known addresses of the judgment debtor and creditor.
2. The annexed notice of intention to file this praecipe was mailed to all parties against whom judgment is to be entered and to their record attorneys, if any, after the default occurred, and at least ten days prior to the date of the filing of this praecipe.
3. Pursuant to Section 201(b)(1)(A) of the Servicemembers Civil Relief Act of 2003 (SCRA), the defendant is not in the military service of the United States based on information received from the defendant and/or the Department of Defense website.

**JUDGMENT BY DEFAULT ENTERED  
AND DAMAGES ASSESSED AS ABOVE.  
NOTICE GIVEN UNDER PA.R.CIV.P. 236**

*July 28, 2005*  
Pro Prothonotary

BURTON NEIL & ASSOCIATES, P.C.

BY: *[Signature]*

Burton Neil, Esquire  
Attorney for Plaintiff  
I.D. #11348  
1060 Andrew Drive, Suite 170  
W. Chester, PA 19380

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

C-5693



CITIBANK SOUTH DAKOTA N.A.

: IN THE COURT OF COMMON PLEAS

Plaintiff

: CLEARFIELD COUNTY, PENNSYLVANIA

vs.

: NO. 05-837-CD

ROBERT M VANZANT

Defendant

: CIVIL ACTION - LAW

**Notice of Intention to File Praecipe for Default Judgment**

TO: Robert M Vanzant  
616 Arnold Avenue  
Clearfield PA 16830

DATE OF NOTICE: July 11, 2005

**IMPORTANT NOTICE**

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 obligations to the claims set forth against you. Unless you act within ten (10) 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 your 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. 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. Meholick  
Court Administrator  
Clearfield County Courthouse  
Clearfield, PA 16830  
Telephone No. 814-765-2641 Ext. 5982

**BURTON NEIL & ASSOCIATES, P.C.**

BY: 

Burton Neil, Esquire

Attorney for Plaintiff

Identification No. 11348

1060 Andrew Drive, Suite 170

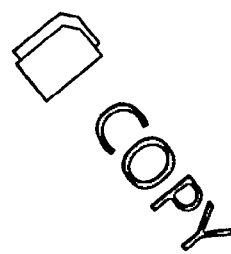
West Chester, PA 19380

610-696-2120

The firm of Burton Neil & Associates, P.C. is attempting to collect a debt.

C-5693



COPY

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

VS.

ROBERT M VANZANT  
Defendant

: IN THE COURT OF COMMON PLEAS  
: CLEARFIELD COUNTY, PENNSYLVANIA  
: NO. 05-837-CD  
: CIVIL ACTION - LAW

**RULE OF CIVIL PROCEDURE NO. 236 (REVISED)**

Notice is given that a JUDGMENT in the above captioned matter has been entered against you on

July 28, 2005.

Prothonotary


By: \_\_\_\_\_  
Deputy

If you have any questions concerning the above, please contact:

Burton Neil, Esquire  
Attorney for Party Filing  
1060 Andrew Drive, Suite 170  
West Chester, PA 19380  
Phone: 610-696-2120

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

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

 COPY

Citibank South Dakota, N.A.  
Plaintiff(s)

No.: 2005-00837-CD

Real Debt: \$16,106.36

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Robert M. Vanzant  
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: July 28, 2005

Expires: July 28, 2010

Certified from the record this 28th day of July, 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