

05-1217-CD
Palisades Collection LLC vs Kimberly
Barkley

Palisades Collection vs Kimberly Barkley
2005-1217-CD

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

PALISADES COLLECTION LLC
 ASSIGNEE OF PROVIDIAN NATIONAL
 BANK
 210 SYLVAN AVENUE
 ENGLEWOOD CLIFFS, NJ 07632

NO. 05-1217-CD

Plaintiff

VS.

CIVIL ACTION - LAW

KIMBERLY BARKLEY

223 HILL ST
 FALLS CREEK PA 15840-3105

Defendant(s)

FILED 2cc
 m/1:09/01 ShH
 AUG 15 2005 Atty pd.
 William A. Shaw
 Prothonotary/Clerk of Courts

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 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 or any other claim or relief requested by the Plaintiff. You may lose money or property 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 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.

NOTICIA

Le han demandado a usted en la corte. Si usted quiere defensas de esas demandas expuestas en las paginas, siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha de la demanda y la notificacion. Usted debe presentar una apariciencia escrita o en persona o por abogado y archivar en la corte en forma escrita sus defensas o sus objeciones a las demandas en corte de su persona. Sea avisado que si usted no se defiende, la corte tomara medidas y podria entrar una orden contra usted sin previo aviso o notificacion y por cualquier queja o alivio que es pedido en la peticion de demanda. Usted puede perder dinero o sus propiedades o 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 ASISTANCIA LEGAL.

PA Lawyer Referral Service
 Pennsylvania Bar Assn.
 P.O. Box 186

Harrisburg
 800-692-7375

PA 17108

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

PALISADES COLLECTION LLC
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 210 SYLVAN AVENUE
 ENGLEWOOD CLIFFS, NJ 07632

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FALLS CREEK PA 15840-3105

:

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Defendant(s)

COMPLAINT

Now comes the Plaintiff, PALISADES COLLECTION LLC, by and through its attorneys, and the law firm of Wolpoff & Abramson, L.L.P., and files this Complaint and in support avers as follows:

1. Plaintiff, PALISADES COLLECTION LLC
 ASSIGNEE OF PROVIDIAN NATIONAL
 BANK
 210 SYLVAN AVENUE
 ENGLEWOOD CLIFFS, NJ 07632

is a business entity doing business within the Commonwealth of Pennsylvania and the other states of the United States.

2. Defendant, KIMBERLY BARKLEY, is an adult individual with a last known address of

223 HILL ST
 FALLS CREEK PA 15840-3105

COUNTY OF CLEARFIELD

3. It is averred that Defendant(s) was/were issued an open end credit card account.

4. At all relevant times material hereto, Defendant(s) has/have used said charge card for the purchase of products, goods and/or for obtaining services.

5. Plaintiff provided Defendant(s) with copies of the Statements of Account showing all debits and credits for transactions on the aforementioned credit card account to which there was no bona fide objection by Defendant(s). A true and correct copy of the Statement of Account is attached hereto, incorporated herein, and marked as Exhibit "A".

6. As of the date of this Complaint, the remaining balance due, owing and unpaid on Defendant's credit card account as a result of the charges made by said Defendant(s) and/or any authorized users is the sum of \$ 8611.27.

7. Pursuant to the applicable Pennsylvania law, any unpaid or delinquent balances on said account shall continue to bear interest at the rate of 18%.

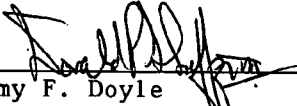
8. As of the date of the filing of this Complaint, the amount of interest which has accrued is the sum of \$ 3579.93.

9. Despite reasonable and repeated demands for payment, Defendant(s) has/have refused and continue to refuse to pay all sums due and owing on the aforementioned account balance, all to the damage and detriment of the Plaintiff.

10. The amount in controversy is within the jurisdictional amount requiring compulsory arbitration.

WHEREFORE, Plaintiff respectfully requests this Honorable Court enter Judgment in favor of the Plaintiff and against Defendant(s) in the amount of \$ 8611.27, plus interest in the amount of \$ 3579.93, plus costs of this action and any other relief as this Court deems just and reasonable.

Respectfully submitted,

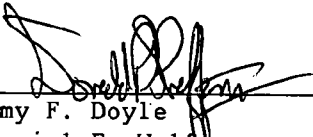

 Amy F. Doyle #87062
 Daniel F. Wolfson #20617
 Bruce H. Cherkis #18837
 Philip C. Warholc #86341
 Ronald M. Abramson #94266
 Ronald S. Canter #94000
 Donald P. Shiffer #89451
 Andrew C. Spears #87737
 WOLPOFF & ABRAMSON, L.L.P. / Counsel for Plaintiff
 Attorneys in the Practice of Debt Collection
 4660 Trindle Road, 3rd Floor, Camp Hill, PA 17011
 (717) 303-6700

ATTORNEY VERIFICATION

I hereby state that I am the attorney for the Plaintiff, who is located outside of this jurisdiction and in order to file the within document in an expedient and timely manner, am authorized to take this verification on behalf of said Plaintiff in this action and verify that the statements made in the foregoing Complaint are true and correct to the best of my knowledge, information, and belief, based upon information provided by the Plaintiff.

The undersigned understands that false statements herein are made subject to the penalties of 18 Pa.C.S. Section 4904, relating to unsworn falsification to authorities.

Date:



Amy F. Doyle #87062
Daniel F. Wolfson #20617
Bruce H. Cherkis #18837
Philip C. Warholc #86341
Ronald M. Abramson #94266
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89041

EXHIBIT "A"

13262
File Number 135284831 Media Number 05012023835 Account Number 4465682200451131
PROVIDER PALISADES COLLECTION LLC ASSIGNEE OF PROV

PAGE 1

Plaintiff = 353788
Client Reference Num = 4465682200451131
Client = PROV03
Current Balance = 8611.27
LSTPYMTDT =
C/O Date = 20030228
Last Name = BARKLEY
First Name = KIMBERLY
Middle Name =
Addr1 = RR 1 BOX 57
Addr2 =
City = FALLS CREEK
State = PA
Zip = 158409205
Home Phone = 0000000000
Work Phone = 0000000000
SSN = 163607347
DOB =
Debtor #2 Last Name =
Debtor #2 First Name =
Debtor #2 Middle Nam =
Debtor #2 Addr1 =
Debtor #2 Addr2 =
Debtor #2 City =
Debtor #2 State =
Debtor #2 Zip =
Debtor #2 Home Phone =
Debtor #2 Work Phone =
Debtor #2 SSN =
Debtor #2 DOB =
Debtor Number = 8595134
Open Date = 19971017
DOS = 2007
=

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

PALISADES COLLECTION, L.L.C.
Assignee of PROVIDIAN NATIONAL BANK
Plaintiff

NO. 05-1217-CD

vs.

CIVIL ACTION - LAW


KIMBERLY BARKLEY
Defendant

PRAECIPE TO DISCONTINUE

To the Prothonotary:

Please mark the above-entitled case as discontinued without prejudice.

Respectfully Submitted,



Amy F. Doyle #87062
Daniel F. Wolfson #20617
Philip C. Warholic #86341
Andrew C. Spears #87737
David R. Galloway #87326
Tonilyn M. Chippie #87852
Sarah E. Ehasz #86469
Robert N. Polas, Jr. #201259
Ronald M. Abramson #94266
Ronald S. Canter #94000
Bruce H. Cherkis #18837
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LAW OFFICES
WOLPOFF & ABRAMSON, L.L.P.
ATTORNEYS IN THE PRACTICE
OF DEBT COLLECTION

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THIRD FLOOR
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135284831

FILED

m/2:12pm

APR 17 2008

LM

iccd/cert of
disc to Atty
Spears
iccd/cert of
disc to def

William A. Shaw C/A
Prothonotary

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

Palisades Collection LLC
Providian National Bank

Vs.
Kimberly Barkley

No. 2005-01217-CD

COPY

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 April 17, 2006, marked:

Discontinued without prejudice

Record costs in the sum of \$85.00 have been paid in full by Donald P. Shiffer Esq..

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 17th day of April A.D. 2006.



William A. Shaw, Prothonotary