

05-1739-CD  
Citibank vs Jane Angeletti

Citibank vs Jane Angeletti  
05-1739-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

**FILED**

*No CC*  
*m/1:33 am*  *ICC Shff.*

NOV - 7 2005 *pd \$85.00 AHK*

William A. Shaw

Prothonotary

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. *05-1739-CD*

JANE ANGELETTI

11 N. 3rd Street, Du Bois PA 15801-3155

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-8056



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

: IN THE COURT OF COMMON PLEAS

: CLEARFIELD COUNTY, PENNSYLVANIA

v.

: NO.

JANE ANGELETTI  
11 N. 3rd Street, Du Bois PA 15801-3155  
Defendant

: 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 Jane Angeletti, who resides at 11 N. 3rd Street, Du Bois, 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.

4. Plaintiff furnished consumer credit to the defendant by means of a credit card with account number 4428135181969767 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 credits, if any issued subsequent to the Exhibit A statement, is \$3,896.40.

Wherefore, plaintiff demands judgment against defendant for the sum of \$3,896.40, 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.

C-8036

07/22/05 \$3896.40 \$321.00  
PMT DUE DATE NEW BALANCE MIN AMT DUE

SITE:KC-CL TM:CO-5000 ACID:KCB7150  
09/28/05 22:52:59

JANE ANGELETTI  
11 N 3RD ST  
DU BOIS  
15801-3155000

PA

CHOICE VISA  
PO BOX 183068  
COLUMBUS, OH  
43218-3068

Choice®

Account Number  
4428 1351 8196 9767

Customer Service:

1-800-866-9900	Total Credit Line \$7000	Available Credit Line \$0	Cash Advance Limit \$2500	Available Cash Limit \$0	New Balance \$3896.40
BOX 6248	Statement/ Closing Date 06/27/2005	Amount Over Credit Line \$0.00 +	Past Due \$240.00 +	Purch/Adv Minimum Due \$81.00 =	Minimum Amount Due \$321.00
SIOUX FALLS, SD 57117					

Sale Date	Post Date	Reference Number	Activity Since Last Statement	Amount
	6/27		Standard Purch PURCHASES*FINANCE CHARGE*PERIODIC RATE 84 0000 0	31.88 70000000000

Your account is now 3 MONTHS PAST DUE and currently closed. Please call the toll-free number shown above to learn about our special payment options. Call Monday - Friday, 7 am to 9 pm, or Saturday, 8 am to 5 pm, Central Time.

Our records show home phone 814-371-4079 and business phone 814-375-6337. Please update coupon if incorrect.

EXHIBIT

Account Summary	Previous Balance	(+) Purchases & Advances	(-) Payments & Credits	(+) FINANCE CHARGE	(=) New Balance
PURCHASES	\$3,864.52	\$0.00	\$0.00	\$31.88	\$3,896.40
ADVANCES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
TOTAL	\$3,864.52	\$0.00	\$0.00	\$31.88	\$3,896.40

Days This Billing Period: 32

Rate Summary	Balance Subject to Finance Charge	Periodic Rate	Nominal APR	ANNUAL PERCENTAGE RATE
PURCHASES				
Standard Purch	\$3,864.52	0.82500%(M)	9.900%	9.900%
ADVANCES				
Standard Adv	\$0.00	0.02712%(F)	9.900%	9.900%

Angeletti  
C 8056

## Verification

I, Courtney Gilbert 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: 10/03/05

Signature: Courtney Gilbert

**DOCUMENTS FOR FILING**

OUR FILE: C-8056  
DATE: October 28, 2005

TO: Clearfield County Prothonotary  
1 North Second Street  
Clearfield, PA 16830

RE: Citibank (South Dakota) N.A. v. Jane Angeletti

The following is enclosed for filing: Complaint

- Please file the original
- Return a time-stamped copy to us in the envelope provided
- Forward all remaining documents to the Sheriff for processing.

Our check for your fee is enclosed.

Thank you,

BURTON NEIL & ASSOCIATES, P.C.  
1060 Andrew Drive, Suite 170  
West Chester, PA 19380  
610-696-2120

P \$85.00  
S \$100.00  
D \$10.00

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 100980  
NO: 05-1739-CD  
SERVICE # 1 OF 1  
COMPLAINT

PLAINTIFF: CITIBANK (SOUTH DAKOTA) N.A.  
vs.  
DEFENDANT: JANE ANGELETTI

SHERIFF RETURN

NOW, November 17, 2005 AT 1:02 PM SERVED THE WITHIN COMPLAINT ON JANE ANGELETTI DEFENDANT AT 11 N. 3RD ST., DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO PHIL ANGELETTI, HUSBAND A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: DEHAVEN /

FILED  
01/30/06  
FEB 15 2006  
LW

William A. Shaw  
Prothonotary/Clerk of Courts



PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	NEIL	16042	10.00
SHERIFF HAWKINS	NEIL	16041	36.43

Sworn to Before Me This

\_\_\_\_\_ Day of \_\_\_\_\_ 2006

\_\_\_\_\_

So Answers,

  
  
Chester A. Hawkins  
Sheriff



1. The Defendant is without sufficient information to form an answer.
2. Admitted.
3. The Defendant is without sufficient information to form an answer.
4. Admitted.
5. The Defendant is without sufficient information to form an answer.
6. Defendant admits that she received a statement each month from the Plaintiff; otherwise the allegations are denied.
7. Admitted.
8. Paragraph 8 constitutes a legal conclusion; therefore, no answer is required.
9. Defendant denies that she is indebted to Plaintiff in the amount of \$3,896.40.

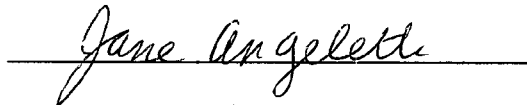
**New Matter**

10. On December 5, 2005, counsel for Plaintiff and a representative of Defendant entered into a written agreement with respect to the settlement of the claims of Plaintiff against the Defendant. The settlement amount as stated in the agreement was \$2,891.40. (A copy of the aforesaid agreement is attached as Exhibit A.)
11. All payments required pursuant to the aforesaid agreement have been made, viz: \$2,891.40.

**WHEREFORE**, Defendant prays that the action filed by Plaintiff be dismissed.

The Defendant certifies that the forgoing answers to the allegations set forth in the Complaint are true and correct.

A jury trial is demanded.



Jane Angeletti, pro se.

I, Jane Angeletti, hereby certify that a copy of the foregoing answer was mailed to counsel for plaintiff this 22<sup>nd</sup> day of February, 2006.

12-13-05 11:34 FROM-

T-024 P001/001 F-056

**LAW OFFICES**  
**BURTON NEIL & ASSOCIATES, P.C.**  
1060 ANDREW DRIVE, SUITE 170  
WEST CHESTER, PENNSYLVANIA 19380  
610-696-2120

Burton Neil  
Edward J. O'Brien  
Jay H. Pressman  
Yale D. Weinstein

Facsimile 610-696-4111  
Email: [Burton.neil@burt-law.com](mailto:Burton.neil@burt-law.com)

December 5, 2005

Refer to File #  
C-8056

Karen Dugan  
Century Settlement Services  
1061 Main St., Ste 19  
N. Huntingdon, PA. 15642

RE: Citibank South Dakota, NA  
Account with Jane Angeletti  
Lawsuit balance \$2891.40

Dear Ms. Dugan:

This letter confirms the agreement made to pay your client's account with Citibank South Dakota, NA. A lawsuit was filed to obtain a judgment against her. The lawsuit balance noted above includes the principal balance owed and court costs. It is our understanding that your client will not defend the lawsuit. Should your client change her mind and decide to defend the lawsuit, which is her right, this agreement will be void. Once a judgment is entered, your client agrees to pay the full amount of the judgment plus interest at 6% per annum and court costs. The payment terms follow.

Your client will begin with an initial payment today of \$1,200.00 which will be followed by 5 payments of \$150.00. We will then contact your client on or about May 15, 2006 to renegotiate the monthly payment amount.

The checks, payable to Citibank South Dakota, NA, are to be mailed to this office. Provided payments are made as agreed, my client will take no additional legal action to collect its judgment. Once the judgment is paid in full, my office will arrange to have the judgment marked satisfied on the court's records. Should your client default, my client may proceed with further legal action to collect any balance remaining due on the judgment. If the terms above do not correctly state the agreement that was reached, your client should immediately contact us. If you need to discuss the account with us in the future, please do not hesitate to contact us. The account representative's name and extension are noted below.

Very truly yours,

  
Burton Neil

Account representative Julie Wells Extension 267  
In making this communication, we advise that our firm is a debt collector.  
Fax: Karen Dugan @ 724.864.5589

BURTON NEIL & ASSOCIATES, P.C.  
BY: Yale D. Weinstein, Esquire  
Identification No. 89678  
1060 Andrew Drive, Suite 170  
West Chester, PA 19380  
610-696-2120  
Attorney for Plaintiff

FILED <sup>NO CC</sup>  
m) 12:55 PM  
MAR 20 2006  
William A. Shaw  
Prothonotary/Clerk of Courts

CITIBANK (SOUTH DAKOTA), N.A.  
Plaintiff

: IN THE COURT OF COMMON PLEAS

: CLEARFIELD COUNTY, PENNSYLVANIA

VS.

: NO. <sup>05-</sup>~~05-~~1739 CD

JANE ANGELETTI

Defendant

: CIVIL ACTION - LAW

**PLAINTIFF'S REPLY TO DEFENDANT'S NEW MATTER**

10. Denied. To the contrary, the payment arrangement Defendant's representative entered with Plaintiff was on the full lawsuit balance, court costs and 6% per annum interest once the judgment was entered. The lawsuit balance on the December 5, 2005 letter reflected the balance after the \$1,200.00 payment was posted, which was the accurate lawsuit balance at the time the letter was sent to the Defendant's representative.

11. Denied. Plaintiff has received payments totaling \$1,650.00 towards the balance pled in Plaintiff's complaint.

WHEREFORE Plaintiff moves the Court to enter judgment against Defendant as per Plaintiff's Complaint.

BURTON NEIL & ASSOCIATES, P.C.

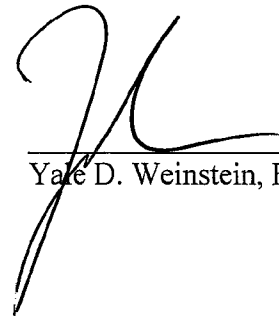
BY: 

Yale D. Weinstein, Esquire  
Attorneys for Plaintiff

In making this communication, we advise that our firm is a debt collector.

### Verification

Yale D. Weinstein, attorney for plaintiff Citibank (South Dakota) N.A. hereby verifies the statements of fact in lieu of plaintiff as plaintiff is outside the jurisdiction of the court and the verification of plaintiff can not be obtained within the time allowed for the pleading. The averments of fact in the within pleading are true and correct upon information and belief based on information provided to the undersigned verifier by plaintiff. The undersigned understands that the statements made herein are subject to the penalties of 18 Pa. C.S. Section 4904, relating to unsworn falsification to the authorities.



---

Yale D. Weinstein, Esquire

BURTON NEIL & ASSOCIATES, P.C.  
By: Yale D. Weinstein, Esquire  
Identification No. 89678  
1060 Andrew Drive, Suite 170  
West Chester, PA 19380  
610-696-2120  
ATTORNEY FOR: Plaintiff

CITIBANK (SOUTH DAKOTA) N.A.  
Plaintiff

VS.

JANE ANGELETTI

Defendant

: IN THE COURT OF COMMON PLEAS

: CLEARFIELD COUNTY, PENNSYLVANIA

: NO. 05-1739-CD

: CIVIL ACTION - LAW

### Certificate of Service

I, Yale D. Weinstein, Esquire, do hereby certify that I served a true and correct copy of the within Plaintiff's Reply to Defendant's New Matter on *pro se* defendant, Jane Angeletti, at her address of record via first class mail, postage prepaid on the date set forth below.

Date: 3/17/06

BURTON NEIL & ASSOCIATES, P.C.

BY: 

Yale D. Weinstein, Esquire  
Attorney for Plaintiff

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

BURTON NEIL & ASSOCIATES, P.C.  
BY: Yale D. Weinstein, Esquire  
Identification No. 89678  
1060 Andrew Drive, Suite 170  
West Chester, PA 19380  
610-696-2120  
ATTORNEY FOR: Plaintiff

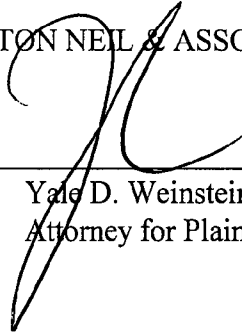
CITIBANK SOUTH DAKOTA N.A. : IN THE COURT OF COMMON PLEAS  
Plaintiff : CLEARFIELD COUNTY, PENNSYLVANIA  
VS.  
JANE ANGELETTI : NO. 05-1739-CD  
Defendant : CIVIL ACTION - LAW


PRAECIPE TO SUBSTITUTE VERIFICATION

TO THE PROTHONOTARY:

Kindly substitute the attached verification for the attorney verification filed with plaintiff's  
Reply to New Matter.

BURTON NEIL & ASSOCIATES, P.C.

BY:   
Yale D. Weinstein, Esquire  
Attorney for Plaintiff


FILED <sup>no cc</sup>  
m12:45pm  
APR 17 2006 

William A. Shaw  
Prothonotary/Clerk of Courts

## Verification

Sherri Smith is 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: 3-29-06

  
Signature

Jane Angeletti  
4428135181969767



Burton Neil & Associates, P.C.  
By: Yale D. Weinstein, Esquire ID. NO. 89678  
1060 Andrew Drive, Suite 170  
West Chester, PA 19380  
610-696-2120  
Attorney for Plaintiff

CITIBANK SOUTH DAKOTA N.A.

Plaintiff

v.

JANE ANGELETTI

Defendant

: IN THE COURT OF COMMON PLEAS

: CLEARFIELD COUNTY, PENNSYLVANIA

: NO. 05-1739-CD

: CIVIL ACTION - LAW

**Praeipce to Settle, End, & Discontinue**

To the Prothonotary:

Mark the above matter Settled, Ended and Discontinued.

Burton Neil & Associates, P.C.

By: 

Yale D. Weinstein, Esquire  
Attorney for Plaintiff

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

C-8056

**FILED** ICC d 1 Cert  
M 12:05pm of disc issued  
DEC 26 2006 to Atty Weinstein  
(US)

William A. Shaw  
Prothonotary/Clerk of Courts



**LAW OFFICES**  
**BURTON NEIL & ASSOCIATES, P.C.**  
1060 ANDREW DRIVE, SUITE 170  
WEST CHESTER, PENNSYLVANIA 19380  
610-696-2120

Burton Neil  
Edward J. O'Brien  
Yale D. Weinstein

Facsimile 610-696-4111  
Email: [Burton.neil@burt-law.com](mailto:Burton.neil@burt-law.com)

December 14, 2006

Refer to File #  
C-8056

Clearfield County Prothonotary  
1 North Second Street  
Clearfield, PA 16830

RE: Citibank South Dakota, NA v. Jane Angeletti  
Docket No. 05-1739-CD

**Documents for Filing**

Enclosed please find a Praeipce to Settle, End and Discontinue for filing. Please file the original and return a copy to our office in the enclosed envelope. A check for your fees is enclosed.

Burton Neil & Associates, P.C.

Enclosure  
Check

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

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

COPY

**Citibank (South Dakota) N.A.**

**Vs.**

**No. 2005-01739-CD**

**Jane Angeletti**

**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 December 26, 2006, marked:

Settled, Ended and Discontinued

Record costs in the sum of \$85.00 have been paid in full by Burton Neil Esq. (Citibank).

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 26th day of December A.D. 2006.



\_\_\_\_\_  
William A. Shaw, Prothonotary