

05-1843-CD
Discover Bank vs Adam Gallaher et al

Discover Bank vs Adam C. Gallaher
05-1843-CD

FILED

NOV 28 2005 No CC
m/10:58 am ICC Shff
pd \$85.00 A444

William A. Shaw
Prothonotary

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

DISCOVER BANK

Plaintiff

vs.

ADAM C GALLAHER
AKA ADAM GALLAHER

Defendant

No: 05-1843-CJ

COMPLAINT IN CIVIL ACTION

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

James C. Warmbrodt, 42524
WELTMAN, WEINBERG & REIS CO., L.P.A.
436 Seventh Avenue, Suite 2718
Pittsburgh, PA 15219
(412) 434-7955
FAX: 412-338-7130
04641468 C A Pit WLG

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

DISCOVER BANK

Plaintiff

vs.

Civil Action No

ADAM C GALLAHER
AKA ADAM GALLAHER

Defendant

COMPLAINT 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.

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 DR.
HILLIARD , OH 43026 .

2. Defendant is adult individual(s) residing at the address listed
below:

ADAM C GALLAHER
1680 STATE ST
OSCEOLA MILLS, PA 16666

3. Defendant applied for and received a credit card issued by
Plaintiff bearing the account number 6011002650391394 . A copy of
Plaintiff's Statement of Account s attached hereto, marked as Exhibit
"A" and made a part hereof.

4. Defendant made use of said credit card and currently has a balance
due and owing to Plaintiff, as of November 08, 2005 , in the amount of
\$4810.69 .

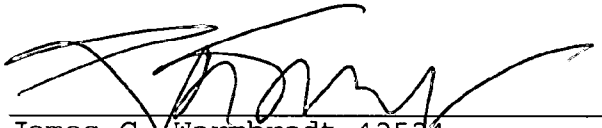
5. Defendant is in default by failing to make payments when due.

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 balance due to Plaintiff.

Wherefore, the Plaintiff prays for Judgment in its favor and against Defendant , ADAM C GALLAHER , INDIVIDUALLY , in the amount of \$4810.69 with interest at the legal rate of 6.000% per annum from date of judgment plus attorneys' fees of \$500.00 , and costs.



James C. Warmbrodt, 42524
WELTMAN, WEINBERG & REIS CO., L.P.A.
436 Seventh Avenue, Suite 2718
Pittsburgh, PA 15219
(412) 434-7955
FAX: 412-338-7130
04641468 C A Pit WLG

This law firm is a debt collector attempting to collect this debt for our client and any information obtained will be used for that purpose.

DISCOVER
CARD

\$4,810.69

\$615.00

enter amount enclosed below

payment due date
October 26, 2005

\$

Please make check payable to Discover Gold Card.
Minimum payment due includes a past due amount of
\$518.00.

27 SDSN6A01 0007606

ADAM GALLAHER
1680 STATE ST
OSCEOLA MILLS PA 16666-1648Consolidate bills quickly and securely
with a Balance Transfer to your Discover
Card - Call 1-877-353-0986 TODAY!PO BOX 15251
WILMINGTON DE 19886-5251Address or telephone change? Please print change in the space above,
or go to Discovercard.com.

000006011002650391394048106900000000061500

Discover Gold Card Account Summary

Closing Date: September 27, 2005 page 1 of 1

account number	6011 0026 5039 1394
payment due date	October 26, 2005
minimum payment due	\$615.00
credit limit	\$4,000.00
credit available	\$-810.00
cash credit limit	\$2,000.00
cash credit available	\$0.00

previous balance	\$4,665.72
payments and credits	- 0.00
purchases	+ 74.00
cash advances	+ 0.00
balance transfers	+ 0.00
FINANCE CHARGES	+ 70.97
new balance	= \$4,810.69

You may be able to avoid Periodic Finance Charges, see
the reverse side for details.

EXHIBIT

A

Discover®
Gold
Rewards

Gold Rewards	this period	to date
Qualified Purchases	\$0.00	\$270.47
Gold Rewards Earned		\$0.00
Gold Rewards anniversary date:	February 27	

Transactions

	trans. date	post date		
Other/Miscellaneous	Sep 26	Sep 26	LATE FEE	\$ 39.00
	Sep 27	Sep 27	OVERLIMIT FEE	35.00

***** ATTENTION ***** ATTENTION ***** ATTENTION ***** ATTENTION ***** ATTENTION *****
Your account is seriously past due. Payment of the amount due and arrangements for future payments should be
made immediately.

	Average Daily Balances	Daily Periodic Rates	Nominal ANNUAL PERCENTAGE RATES	ANNUAL PERCENTAGE RATES	Periodic FINANCE CHARGES	Transaction Fee FINANCE CHARGES
current billing period: 31 days						
Purchases	\$3771.99	0.04723%	17.24% V	17.24%	\$55.21	none
Cash Advances	\$927.97	0.05477%	19.99% F	19.99%	\$15.76	\$0

The rates that apply to your Account are either fixed (F) or they may vary (V) as noted above.

Questions? Call 1-800-DISCOVER (1-800-347-2683) or log on to Discovercard.com. For TDD (Telecommunication Device for the
Deaf) assistance, see reverse side. Send billing error notice to: Discover Gold; P.O. Box 15192; Wilmington, DE 19850-5192.

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 Accounts Manger of Discover Bank, Plaintiff herein, that 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.

Robert Adkins
Signature

WWR# 04641468

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 1 of 1 Services

Sheriff Docket # **101040**

DISCOVER BANK

Case # 05-1843-CD

vs.

ADAM C. GALLAHER aka ADAM GALLAHER

TYPE OF SERVICE COMPLAINT

SHERIFF RETURNS

NOW March 01, 2006 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT "NOT FOUND" AS TO ADAM C. GALLAHER AKA ADAM GALLAHER, DEFENDANT. NO STATE ST. POSSIBLY CENTRE CO..

SERVED BY: /

Return Costs

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	WELTMAN	2354452	10.00
SHERIFF HAWKINS	WELTMAN	2354452	33.40

Sworn to Before me This

_____ Day of _____ 2006

So Answers,


Chester A. Hawkins
Sheriff

FILED
013123/01
MAR 01 2006
(10)

William A. Shaw
Prothonotary/Clerk of Courts

I hereby certify this to be a true
and attested copy of the original
statement filed in this case.

NOV 28 2005

Attest.

William A. Shaw
Frothonotary/
Clerk of Courts

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

DISCOVER BANK

Plaintiff

vs.

ADAM C GALLAHER
AKA ADAM GALLAHER

Defendant

No: 05-1843-CD

COMPLAINT IN CIVIL ACTION

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

James C. Warmbrodt, 42524
WELTMAN, WEINBERG & REIS CO., L.P.A.
436 Seventh Avenue, Suite 2718
Pittsburgh, PA 15219
(412) 434-7955
FAX: 412-338-7130
04641468 C A Pit WLG

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

DISCOVER BANK

Plaintiff

vs.

Civil Action No

ADAM C GALLAHER
AKA ADAM GALLAHER

Defendant

COMPLAINT 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.

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 DR.
HILLIARD , OH 43026 .

2. Defendant is adult individual(s) residing at the address listed
below:

ADAM C GALLAHER
1680 STATE ST
OSCEOLA MILLS, PA 16666

3. Defendant applied for and received a credit card issued by
Plaintiff bearing the account number 6011002650391394 . A copy of
Plaintiff's Statement of Account s attached hereto, marked as Exhibit
"A" and made a part hereof.

4. Defendant made use of said credit card and currently has a balance
due and owing to Plaintiff, as of November 08, 2005 , in the amount of
\$4810.69 .

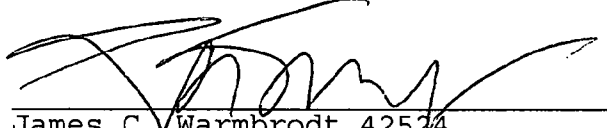
5. Defendant is in default by failing to make payments when due.

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 balance due to Plaintiff.

Wherefore, the Plaintiff prays for Judgment in its favor and against Defendant , ADAM C GALLAHER , INDIVIDUALLY , in the amount of \$4810.69 with interest at the legal rate of 6.000% per annum from date of judgment plus attorneys' fees of \$500.00 , and costs.



James C. Warmbrodt, 42524
WELTMAN, WEINBERG & REIS CO., L.P.A.
436 Seventh Avenue, Suite 2718
Pittsburgh, PA 15219
(412) 434-7955
FAX: 412-338-7130
04641468 C A Pit WLG

This law firm is a debt collector attempting to collect this debt for our client and any information obtained will be used for that purpose.

DISCOVER
CARD

\$4,610.09

\$615.00

enter amount enclosed below

payment due date
October 26, 2005

\$

Please make check payable to Discover Gold Card.
Minimum payment due includes a past due amount of
\$518.00.

27 SDSN6A01 0007606

ADAM GALLAHER
1680 STATE ST
OSCEOLA MILLS PA 16666-1648

Consolidate bills quickly and securely
with a Balance Transfer to your Discover
Card - Call 1-877-353-0986 TODAY!

PO BOX 15251
WILMINGTON DE 19886-5251

Address or telephone change? Please print change in the space above,
or go to Discovercard.com.

000006011002650391394048106900000000061500

Discover Gold Card Account Summary

Closing Date: September 27, 2005 page 1 of 1

account number 6011 0026 5039 1394
payment due date October 26, 2005
minimum payment due \$615.00
credit limit \$4,000.00
credit available \$-810.00
cash credit limit \$2,000.00
cash credit available \$0.00

previous balance	\$4,665.72
payments and credits	- 0.00
purchases	+ 74.00
cash advances	+ 0.00
balance transfers	+ 0.00
FINANCE CHARGES	+ 70.97
new balance	= \$4,810.69

You may be able to avoid Periodic Finance Charges, see
the reverse side for details.

EXHIBIT

A

Discover® Gold Rewards

Gold Rewards	this period	to date
Qualified Purchases	\$0.00	\$270.47
Gold Rewards Earned		\$0.00
Gold Rewards anniversary date: February 27		

Transactions

	trans. date	post date		
Other/Miscellaneous	Sep 26	Sep 26	LATE FEE	\$ 39.00
	Sep 27	Sep 27	OVERLIMIT FEE	35.00

***** ATTENTION ***** ATTENTION ***** ATTENTION ***** ATTENTION *****
Your account is seriously past due. Payment of the amount due and arrangements for future payments should be
made immediately.

	Average Daily Balances	Daily Periodic Rates	Nominal ANNUAL PERCENTAGE RATES	ANNUAL PERCENTAGE RATES	Periodic FINANCE CHARGES	Transaction Fee FINANCE CHARGES
current billing period: 31 days						
Purchases	\$3771.99	0.04723%	17.24% V	17.24%	\$55.21	none
Cash Advances	\$927.97	0.05477%	19.99% F	19.99%	\$15.76	\$0

The rates that apply to your Account are either fixed (F) or they may vary (V) as noted above.

Questions? Call 1-800-DISCOVER (1-800-347-2683) or log on to Discovercard.com. For TDD (Teletypewriter Device for the
Deaf) assistance, see reverse side. Send billing error notice to: Discover Gold; P.O. Box 15192; Wilmington, DE 19850-5192.

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
Accounts Manger of Discover Bank, Plaintiff herein, that 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.

Robert Adkins
Signature

WWR# 04641468

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

DISCOVER BANK

Plaintiff

vs.

ADAM C GALLAHER
AKA ADAM GALLAHER

Defendant

No. 05-1843-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#04641468

FILED

M/12:00 4m

APR - 3 2006

⑤

ICC & Cert
of disc to

Atty

Warmbrodt

William A. Shaw Copy to C/A
Prothonotary

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

DISCOVER BANK

Plaintiff

vs.

Civil Action No. 05-1843-CD

ADAM C GALLAHER
AKA ADAM GALLAHER

Defendant

PRAECIPE TO SETTLE, DISCONTINUE
AND END WITHOUT PREJUDICE TO REFILE

TO THE PROTHONOTARY OF CLEARFIELD COUNTY:

SIR:

Kindly settle, discontinue and end without prejudice to refile the above-captioned matter upon the records
of the Court and mark the costs paid.

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

By: 

James C. Warmbrodt

PA I.D. #42524

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

2718 Koppers Building

436 Seventh Avenue

Pittsburgh, PA 15219

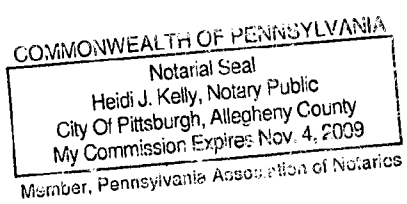
(412) 434-7955

SWORN TO AND SUBSCRIBED

before me this 28 day

of March, 2006


NOTARY PUBLIC



FILED

APR - 3 2006

William A. Shaw
Prothonotary

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

Discover Bank

Vs.
Adam C. Gallaher

No. 2005-01843-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 3, 2006, 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 Esq. .

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 3rd day of April A.D. 2006.



William A. Shaw, Prothonotary