

05-2007-CD

Bluestone Inv. Inc. vs Pamela

Bluestone investments vs Pamela Bracken
2005-2007-CD

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

BLUESTONE INVESTMENTS, INC.

Plaintiff

: No. 05-2007-CD

FILED *Atty pd.*
M/11/2005 85.00
DEC 23 2005

vs.

PAMELA BRACKEN

: CIVIL ACTION

Defendant

N O T I C E

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 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.

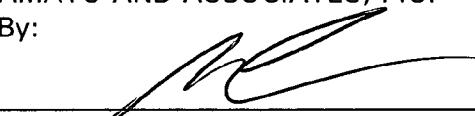
YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

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.

David S. Meholic, Court Administrator
Clearfield County Courthouse
Clearfield PA 16830
Telephone No.(814) 765-2641, Ext 5982

AMATO AND ASSOCIATES, P.C.

By:


Ronald Amato, Esq., Atty ID #32323
Michael J. Kennedy, Esq., Atty ID #72412
Attorneys for Plaintiff
107 North Commerce Way
Bethlehem, PA 18017
(610) 866-0400

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

BLUESTONE INVESTMENTS, INC.

Plaintiff	:	No.
vs.	:	
PAMELA BRACKEN	:	CIVIL ACTION
Defendant(s)	:	

C O M P L A I N T

The above Plaintiff brings this action against the above Defendant to recover the sum of **\$12,539.80**, with interest thereon as hereinafter stated, upon the following cause of action:

1. The Plaintiff, **BLUESTONE INVESTMENTS, INC.**, is located at 107 North Commerce Way, Bethlehem, PA 18017.
2. The Defendant(s), **PAMELA BRACKEN** is located at 307 Williams Street, CLEARFIELD PA 16830.
3. At the special instance and request of the Defendant, Chase Manhattan Bank, issued to Defendant its Mastercard credit card, and from time to time thereafter, Defendant made various purchases, in which transactions Defendant made use of said Mastercard credit card. A true and correct copy of a Statement of Defendant's Account, is attached hereto, made a part hereof and marked Exhibit "A".
4. For value received, Chase Manhattan Bank assigned, transferred and set over to Plaintiff all its rights, title and interest in this claim.
5. By virtue of said assignment, Plaintiff acquired legal title to said Account, and became the legal holder of the claim against the Defendant.

6. Defendant has not adhered to the agreed repayment obligations that govern the aforesaid Mastercard credit card account, by reason of which Defendant is in default thereof.

7. The Defendant received, accepted and made various purchases using the credit card described in Exhibit "A", and a total amount which became due as a result thereof, after allowance for all proper credits for payments and/or adjustments, if any, was \$8,071.22.

8. Plaintiff is entitled to receive interest on the above amount determined by applying the agreed interest rate of 24.00% per annum to the past due balance. As of December 14, 2005 the total amount of interest due to plaintiff is \$4,468.58.

9. Plaintiff is entitled to have the 24.00% interest charge continue to accrue as set forth above, from December 14, 2005 on down to the date of judgment in this matter.

10. The Plaintiff has made demand against the Defendant for the aforesaid sum, but Defendant failed or refused to pay the same or any part thereof.

WHEREFORE, Plaintiff demands judgment against the Defendant for **\$12,539.80** together with the continually accruing interest charge at the agreed rate of 24.00% per annum from December 14, 2005, and cost of suit.

COUNT II

Alternative to Count I - Unjust Enrichment

11. Plaintiff incorporates the allegations of every paragraph enumerated above of this Complaint as if said paragraphs were fully set forth here at length.

12. The goods, monies, wares, merchandise, and/or services, described in the exhibits attached hereto were purchased by Defendant, and Defendant received and accepted the benefit of such goods, monies, wares, merchandise, and/or services provided by Plaintiff.

13. At all times material hereto, Defendant was aware that Plaintiff was providing

the aforesaid goods, monies, wares, merchandise, and/or services to Defendant, and that Plaintiff expected to be paid for such.

14. At all times material hereto, Defendant, with the aforesaid knowledge, permitted Plaintiff to provide and/or deliver said goods, monies, wares, merchandise, and/or services, and to incur damages.

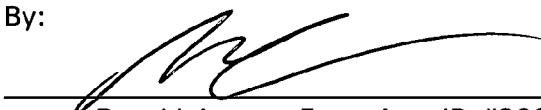
15. At all times material hereto, Defendant was unjustly enriched by retaining the benefit of receiving said goods, monies, wares, merchandise, and/or services without paying Plaintiff fair and reasonable compensation.

16. By reason of the aforesaid unjust enrichment of Defendant at Plaintiff's expense, an implied contract exists between Plaintiff and Defendant, and Defendant is obligated to pay Plaintiff the quantum meruit value of the value of the goods, monies, wares, merchandise, and/or services described in the exhibits attached hereto, in the amount of \$8,071.22.

WHEREFORE, Plaintiff demands judgment against Defendant for **\$8,071.22** together with the continually accruing interest charge at the statutory rate of 6.00% per annum from December 14, 2005, costs of suit and all other relief to which Plaintiff may be justly entitled.

AMATO AND ASSOCIATES, P.C.

By:



Ronald Amato, Esq., Atty ID #32323
Michael J. Kennedy, Esq., Atty ID #72412
Attorneys for Plaintiff
107 North Commerce Way
Bethlehem, PA 18017
(610) 866-0400



BLUESTONE INVESTMENTS, INC.

107 North Commerce Way
Bethlehem PA 18017

STATEMENT OF ACCOUNT

CREDITOR NAME:	Bluestone Investments, Inc.
ORIGINAL CREDITOR:	Chase Manhattan Bank
ORIGINAL ACCOUNT #:	5222-7630-0237-7137
DEBTOR NAME:	PAMELA BRACKEN
ACCOUNT NUMBER:	1050003
DATE OPENED:	Opened 08/01/93
DATE LAST PAID:	LP 08/25/03
PRINCIPAL:	\$8,071.22
INTEREST:	\$4,468.58
INTEREST RATE:	24%
TOTAL:	\$12,394.28



VERIFICATION

Carrie Tobin, hereby states that she is the Financial Administrator of Bluestone Investments, Inc., Plaintiff in this action, and verifies that the statements made in the attached Complaint are true and correct to the best of her knowledge, information and belief. The undersigned understands that the statements herein are made subject to the penalties of 18 PA C.S. §4904 relating to unsworn falsification to authorities.

Carrie Tobin

Carrie Tobin

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101108
NO: 05-2007-CD
SERVICE # 1 OF 1
COMPLAINT

PLAINTIFF: BLUESTONE INVESTMENTS, INC.
vs.
DEFENDANT: PAMELA BRACKEN

SHERIFF RETURN

NOW, January 03, 2006 AT 2:05 PM SERVED THE WITHIN COMPLAINT ON PAMELA BRACKEN DEFENDANT AT 307 WILLIAMS ST., CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO PAMELA BRACKEN, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: HUNTER / NEVLING

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	AMATO	198105	10.00
SHERIFF HAWKINS	AMATO	198105	24.00

FILED

9/3/06 cm
MAR 15 2006

Sworn to Before Me This

____ Day of _____ 2006

William A. Show
So Answers, *initials*

Chester A. Hawkins
by Marilyn Hamm
Chester A. Hawkins
Sheriff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

BLUESTONE INVESTMENTS, INC.

Plaintiff : No. 05-2007-CD

vs.

PAMELA BRACKEN

CIVIL ACTION

Defendant

NOTICE OF JUDGMENT

(XX) NOTICE IS HEREBY GIVEN THAT A JUDGMENT IN THE ABOVE CAPTIONED MATTER HAS BEEN ENTERED AGAINST THE ABOVE-NAMED DEFENDANT(s) IN THE AMOUNT OF \$12,983.72 *ON March 22, 2006.*

() A COPY OF ALL DOCUMENTS FILED WITH THE PROTHONOTARY OF CLEARFIELD COUNTY IN SUPPORT OF THE *WITHIN* JUDGMENT IS/ARE ENCLOSED.

Will
PROTHONOTARY - CLEARFIELD COUNTY

If you have any questions concerning the above, please contact the undersigned.

AMATO AND ASSOCIATES, P.C.

By:

RA
Ronald Amato, Esq., Atty ID #32323
Michael J. Kennedy, Esq., Atty ID #72412
Attorneys for Plaintiff
107 North Commerce Way
Bethlehem, PA 18017
(610) 866-0400

FILED

EW
MAR 22 2006

3-30/6
William A. Shaw
Prothonotary/Clerk of Courts

Went to Atty

CFn to DEPT-

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

BLUESTONE INVESTMENTS, INC.

Plaintiff : No. 05-2007-CD

vs.

PAMELA BRACKEN

CIVIL ACTION

Defendant

PRAECLPICE FOR JUDGMENT

TO THE PROTHONOTARY, CLEARFIELD COUNTY:

Kindly enter judgment by default for want of an answer in favor of Plaintiff and against the above-named defendant(s) only and assess damages as follows:

Debt	\$12,539.80
Interest (from December 14, 2005 to February 7, 2006 at 24.00% per annum)	\$443.92
Payments	
Total	\$12,983.72

I CERTIFY THAT THE FOREGOING ASSESSMENT OF DAMAGES IS FOR SPECIFIED AMOUNTS ALLEGED TO BE DUE IN THE COMPLAINT AND IS CALCULABLE AS A SUM CERTAIN FROM THE COMPLAINT.

Pursuant to RCP 237.1, I certify that a copy of the annexed written notice(s) of intention to file this praecipe was mailed or delivered to all parties against whom judgment is to be entered and to their attorney of record, if any, after the default occurred, and at least ten days prior to the date of filing of this praecipe. Please note that said notice was mailed to all parties on January 27, 2006.

Dated: 2006

AMATO AND ASSOCIATES, P.C.

By:



Ronald Amato, Esq., Atty ID #32323

Michael J. Kennedy, Esq., Atty ID #72412

Attorneys for Plaintiff

107 North Commerce Way

Bethlehem, PA 18017

(610) 866-0400

1050003

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

BLUESTONE INVESTMENTS, INC.

Plaintiff : No. 05-2007-CD
vs. :
PAMELA BRACKEN : CIVIL ACTION
Defendant :
.

PRAECIPE FOR JUDGMENT

TO THE PROTHONOTARY, CLEARFIELD COUNTY:

Kindly enter judgment by default for want of an answer in favor of Plaintiff and against the above-named defendant(s) only and assess damages as follows:

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Interest (from December 14, 2005 to February 7, 2006 at 24.00% per annum)	\$443.92
Payments	
Total	\$12,983.72

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Dated: 2006

AMATO AND ASSOCIATES, P.C.

By:



Ronald Amato, Esq., Atty ID #32323
Michael J. Kennedy, Esq., Atty ID #72412
Attorneys for Plaintiff
107 North Commerce Way
Bethlehem, PA 18017
(610) 866-0400

1050003

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

BLUESTONE INVESTMENTS, INC.

Plaintiff : No. 05-2007-CD
vs. :
PAMELA BRACKEN : CIVIL ACTION
Defendant :
.

CERTIFICATION OF ADDRESSES

I do certify that the precise last known address of the within named plaintiff is:

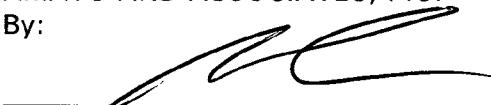
107 North Commerce Way
BETHLEHEM PA 18017

I do certify that the precise last known address of the within named defendant is:

203 Clark Street, #1
CLEARFIELD PA 16830-3122

AMATO AND ASSOCIATES, P.C.

By:


Ronald Amato, Esq., Atty ID #32323
Michael J. Kennedy, Esq., Atty ID #72412
Attorneys for Plaintiff
107 North Commerce Way
Bethlehem, PA 18017
(610) 866-0400

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

BLUESTONE INVESTMENTS, INC.

Plaintiff : No. 05-2007-CD
vs. :
PAMELA BRACKEN : CIVIL ACTION
Defendant(s) :
:

AFFIDAVIT OF NON-MILITARY SERVICE

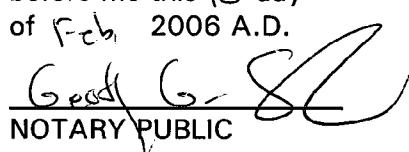
COMMONWEALTH OF PENNSYLVANIA :
COUNTY OF NORTHAMPTON :
:

The undersigned, being duly sworn, according to law, deposes and says that the above Defendant(s) is/are not in the Military or Naval Service of the United States or its Allies, or otherwise within the provisions of The Servicemembers Civil Relief Act of 2003;

That Pamela Bracken is over 18 years of age, resides at 203 Clark Street, #1, CLEARFIELD PA 16830-3122.



Sworn to and subscribed
before me this 10 day
of Feb 2006 A.D.


NOTARY PUBLIC

NOTARIAL SEAL
GEOFFREY G SCHOENECK
Notary Public
HANOVER TOWNSHIP, NORTHAMPTON CNTY
My Commission Expires Mar 29, 2008

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

BLUESTONE INVESTMENTS, INC.

Plaintiff : No. 05-2007-CD
vs.
PAMELA BRACKEN

Defendant(s) :

TO: Pamela Bracken
203 Clark Street, #1
CLEARFIELD PA 16830-3122

Date of Notice: January 27, 2006

IMPORTANT NOTICE

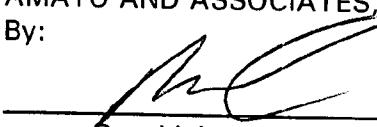
YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR PROPERTY OR OTHER IMPORTANT RIGHTS.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

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David S. Meholic, Court Administrator
Clearfield County Courthouse
Clearfield PA 16830
Telephone No.(814) 765-2641, Ext 5982

AMATO AND ASSOCIATES, P.C.
By:


Ronald Amato, Esq., Atty ID #32323
Michael J. Kennedy, Esq., Atty ID #72412
Attorneys for Plaintiff
107 North Commerce Way
Bethlehem, PA 18017
(610) 866-0400

William A. Shaw
Prothonotary/Clerk of Courts

MAR 22 2006

FILED

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

BLUESTONE INVESTMENTS, INC.

Plaintiff : No. 05-2007-CD

vs.

PAMELA BRACKEN

CIVIL ACTION

Defendant(s)

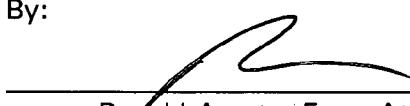
PRAECIPE TO SATISFY JUDGMENT

TO THE PROTHONOTARY OF CLEARFIELD COUNTY:

Please satisfy the judgment entered in the above-captioned case.

AMATO AND ASSOCIATES, P.C.

By:


Ronald Amato, Esq., Atty ID #32323
Michael J. Kennedy, Esq., Atty ID #72412
Attorneys for Plaintiff
107 North Commerce Way
Bethlehem, PA 18017
(610) 866-0400
A DEBT COLLECTION LAW FIRM

FILED *1/14/06 AM* *APR 10 2006* *LM* *ICC+ Cert of Satisfaction to Atty Amato*

William A. Shaw
Prothonotary

FILED

APR 10 2006

William A. Shaw
Prothonotary

AMATO AND ASSOCIATES, P.C.

SUITE 100, COMMERCE SQUARE
107 NORTH COMMERCE WAY
BETHLEHEM, PA 18017-8930
TELEPHONE (610) 866-0400
FACSIMILE (610) 866-9155
WEBSITE www.amatolaw.com
EMAIL email@amatolaw.com

RONALD AMATO†
DAVID C. SCHATTENSTEIN†
MICHAEL J. KENNEDY†
JUSTIN N. DAVIS†
CHRISOVALANTE P. FLIAKOS††
ronamato@amatolaw.com
dschattenstein@amatolaw.com
mkennedy@amatolaw.com
jdavis@amatolaw.com
cflakos@amatolaw.com
†Admitted PA Only ††Admitted PA and NJ
A DEBT COLLECTION LAW FIRM

March 29, 2006

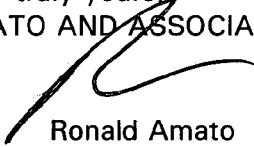
Prothonotary - Clearfield County
William Shaw
Court of Common Pleas, Clearfield County
230 East Market Street
Clearfield, PA 16830

Re: **BLUESTONE INVESTMENTS, INC.**
v. PAMELA BRACKEN
Court of Common Pleas of Clearfield County
Civil Action No.: 05-2007-CD
Our File #: 1050003

Dear William Shaw:

Enclosed please find an original and one (1) copy of a Praecept to Satisfy the judgment entered in the above-captioned matter. Kindly time-stamp and return the copy to the undersigned in the enclosed SASE. Your cooperation is appreciated in advance.

Very truly yours,
AMATO AND ASSOCIATES, P.C.
By:


Ronald Amato

RA\CTX
Enclosure

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

Q
O
P
Y

CERTIFICATE OF SATISFACTION OF JUDGMENT

No.: 2005-02007-CD

Bluestone Investments, Inc.

Debt: \$12983.72

Vs.

Atty's Comm.:

Pamela Bracken

Interest From:

Cost: \$7.00

NOW, Monday, April 10, 2006 , directions for satisfaction having been received, and all costs having been paid, SATISFACTION was entered of record.

Certified from the record this 10th day of April, A.D. 2006.



Prothonotary