

06-24-CD
Discover Bank vs Garth Mitchell

Discover Bank vs Garth Mitchell
2006-24-CD

Our File No. 222571
ATTORNEYS FOR PLAINTIFF

ERIC M. BERMAN, P.C.

BY: Eric M. Berman, Esquire, I.D. 83698

BY: Robert M. Kline, Esquire, I.D. 56479

500 North Gulph Road, Suite 350

King of Prussia, PA 19406

(610) 265-7720

COURT OF COMMON PLEAS
COUNTY OF CLEARFIELD

DISCOVER BANK

c/o ERIC M. BERMAN, P.C.

500 North Gulph Road, Suite 350

King of Prussia, PA 19406

vs.

GARTH MITCHELL

1155 FIRE TOWER RD

CLEARFIELD, PA 16830 3246

TRIAL DIVISION

CIVIL ACTION

Term

FILED

JAN 06 2006

William A. Shaw
Prothonotary/Clerk of Courts

2 cc Shff
Atty pd. 85.00

No. D6-24-CD

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 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 this complaint or for any other claim or relief required 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 OR FIND OUT WHERE YOU CAN GET LEGAL HELP.

AVISO

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plaza al partir de la fecha de la demanda y la notificacion. Hace falta asentar una comparencia escrita o en persona o con un abagado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. A demas la la corte puede decidir a favor del demandante y requiere que usted compla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGA O SO NO TIENE EL DINERO SUFICIENTE 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 ASISTENCIA LEGAL.

LAWYER REFERRAL SERVICE, COUNTY OF CLEARFIELD BAR ASSOCIATION
Add.: P.O. BOX 186, HARRISBURG, PA 17108 Tel.: 800-692-7375

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ATTORNEYS FOR PLAINTIFF
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500 North Gulph Road, Suite 350
King of Prussia, PA 19406
(610) 265-7720

-----X
DISCOVER BANK : COURT OF COMMON PLEAS
c/o ERIC M. BERMAN, P.C. : COUNTY OF CLEARFIELD
500 North Gulph Road, Suite 350 :
King of Prussia, PA 19406 : CIVIL ACTION
 : _____ Term _____
 :
vs. : No.
 :
GARTH MITCHELL :
1155 FIRE TOWER RD :
CLEARFIELD, PA 16830 3246 :
-----X

COMPLAINT

1. Plaintiff, DISCOVER BANK ,
is a DELAWARE STATE BANK
authorized to do business in the Commonwealth of Pennsylvania with
its place of business at 3311 MILL MEADOW DRIVE, HILLIARD, OH 43026.

2. The Defendant(s), GARTH MITCHELL ,
resides at 1155 FIRE TOWER RD , CLEARFIELD, PA 16830-3246.

3. There is due from the Defendant(s) the sum of \$15,503.84 for
credit extended by Plaintiff to Defendant(s), acct. no. 6011003820244869,
and which such credit was drawn and used by the Defendant(s).
Defendant(s) is in default for failure to make payments for such use.

4. The Plaintiff has made demand upon the Defendant(s) for payment
of monies in the sum of \$15,503.84 advanced to Defendant(s) through
Defendant(s) use of the above-referenced credit account, but Defendant(s)
has failed and refused to pay the said sum or any part thereof.

5. All applicable credits, if any, have been duly applied to
Defendant(s) credit account.

WHEREFORE, Plaintiff claims of the Defendant(s) the sum of \$15,503.84
plus interest, attorneys fees and costs which are justly due and
owing from the Defendant(s) to the Plaintiff.

Dated: NOVEMBER 21, 2005

ERIC M. BERMAN, P.C.

BY: 
ERIC M. BERMAN, ESQUIRE

BY: 
ROBERT M. KLINE ESQUIRE

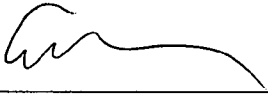
SPACEBNW-ZN

Attorneys for Plaintiff

VERIFICATION

Eric M. Berman, Esquire, being duly sworn according to law, deposes and says that he is the Principal attorney of Eric M. Berman, P.C., attorneys for the Plaintiff, and/or Robert M. Kline, Esquire, being duly sworn according to law, deposes and says that he is an associate attorney with said firm, and as said attorney, is authorized to take this verification on its behalf, and that the facts in the Complaint as set forth therein are true and correct to the best of his knowledge, information and belief.

I verify that the statements made in the within instrument are true and correct. I understand that false statements are subject to the penalties of 18 Pa C.S.A. Section 4904 relating to unsworn falsifications to authorities.



ERIC M. BERMAN, ESQUIRE



ROBERT M. KLINE, ESQUIRE

Dated: NOVEMBER 21, 2005

SPACEBNW-ZN

FILED

JAN 06 2006

William A. Shaw
Prothonotary/Clerk of Courts

Our File No. 222571
ERIC M. BERMAN, P.C.
By: Robert M. Kline, Esquire
Identification No. 56479
500 N. Gulph Road, Suite, 350
King of Prussia, PA 19406

Attorneys for Plaintiff

DISCOVER BANK
:
:
c/o Eric M. Berman, P.C.
:
500 N. Gulph Road, Suite 335
:
King of Prussia, PA 19406
:
:
Vs.
:
:
GARTH MITCHELL
:
:
:

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

CIVIL ACTION

CASE NO.: 06-24-CD

PRAECIPE TO SETTLE, DISCONTINUE AND END

TO THE PROTHONOTARY:

Please mark this action Settled, Discontinued and Ended.

Dated: February 23, 2006



Robert M. Kline, Esquire
Attorney for Plaintiff

FILED 100010006
m/3:31cm (un) disc to Atty
FEB 27 2006 Kline & copy
to C/A

William A. Shaw
Prothonotary

FILED

FEB 27 2008

William A. Shaw
Prothonotary

ERIC M. BERMAN, P.C.

ATTORNEYS AT LAW

500 WEST MAIN STREET, SUITE 212
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TOLL FREE: 888-868-4490

1482 BARBARA STREET
MT. PLEASANT, SC 29464

PLEASE CONTACT OUR KING OF PRUSSIA OFFICE

February 24, 2006

Clearfield County Courthouse
Prothonotary
230 E. Market Street
Clearfield, PA 16830

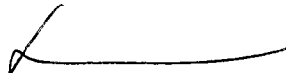
RE: Discover Bank v. Mitchell – 06-24-CD

To Whom It May Concern:

Enclosed please find an original and one copy of the Praeipce to Settle, Discontinue and End in the above matter. Kindly return a time stamped copy to us in the enclosed return envelope.

Sincerely,

ERIC M. BERMAN, P.C.



By: Robert M. Kline, Esquire

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

COPY

Discover Bank

Vs.

No. 2006-00024-CD

Garth Mitchell

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 February 27, 2006, marked:

Settled, Discontinued and Ended

Record costs in the sum of \$85.00 have been paid in full by Eric M. Berman P.C..

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 27th day of February A.D. 2006.



William A. Shaw, Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101137
NO: 06-24-CD
SERVICE # 1 OF 1
COMPLAINT

PLAINTIFF: DISCOVER BANK
vs.
DEFENDANT: GARTH MITCHELL

SHERIFF RETURN

NOW, January 11, 2006 AT 2:12 PM SERVED THE WITHIN COMPLAINT ON GARTH MITCHELL DEFENDANT AT 1155 FIRE TOWER ROAD, CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO GARTH MITCHELL, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: HUNTER / NEVLING

FILED
01/31/30
MAR 21 2006
William A. Shaw
Prothonotary/Clerk of Courts

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	BERMAN	24208	10.00
SHERIFF HAWKINS	BERMAN	24208	20.00

Sworn to Before Me This

_____ Day of _____ 2006

So Answers,


Chester A. Hawkins
Sheriff