

**Discover Bank vs Ruth Marien  
2006-83-CD**

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

DISCOVER BANK

Plaintiff

No: 06-83-CD

vs.

COMPLAINT IN CIVIL ACTION

RUTH ILENE MARIEN  
AKA RUTH MARIEN

Defendant

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  
04833252 C A Pit WLG

FILED *AAy pd 8500*  
*m13:38/61*  
JAN 17 2006 *LM* ICC Shsf

William A. Shaw  
Prothonotary/Clerk of Courts

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:

RUTH ILENE MARIEN  
3258 SANBORN RD  
HOUTZDALE, PA 16651

3. Defendant applied for and received a credit card issued by Plaintiff bearing the account number 6011002340137850 . A copy of Plaintiff's Statement of Account is 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 January 06, 2006 , in the amount of \$12054.68 .

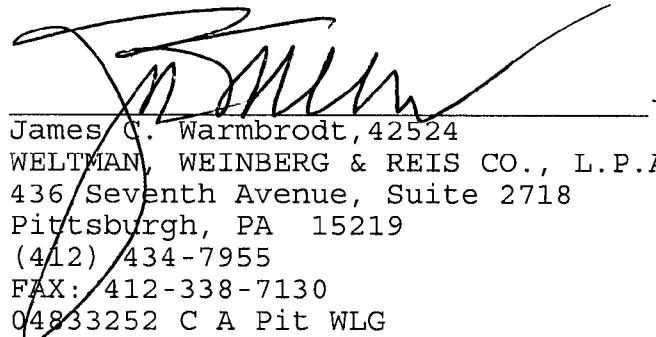
5. Defendant is in default by failing to make payments when due.

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 \$1500.00

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 , RUTH ILENE MARIEN , INDIVIDUALLY , in the amount of \$12054.68 with interest at the legal rate of 6.000% per annum from date of judgment plus attorneys' fees of \$1500.00 , and costs.



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FAX: 412-338-7130  
04833252 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.

04833252

31 SDSN6A01 0006024  
**RUTH MARIEN**  
**3258 SANBORN RD**  
**HOOTZDALE PA 16651-8253**

To order Cash Access Checks, select  
 your P.I.N., or to find cash locations call  
 1-800-DISCOVER (1-800-347-2683) or  
 visit Discovercard.com.

PO BOX 15251      ######  
**WILMINGTON DE 19886-5251**  
 ######

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

00000601100234013785000000000000000222500

**Discover Platinum Card Account Summary**

account number 6011 0023 4013 7850  
 payment due date November 29, 2005  
 minimum payment due \$2,225.00  
 credit limit \$10,000.00  
 credit available \$0.00  
 cash credit limit \$5,000.00  
 cash credit available \$0.00

**Closing Date: October 31, 2005** page 1 of 1

|                        |             |
|------------------------|-------------|
| previous balance       | \$12,054.68 |
| payments and credits   | - 12,054.68 |
| purchases              | + 0.00      |
| cash advances          | + 0.00      |
| balance transfers      | + 0.00      |
| <b>FINANCE CHARGES</b> | + 0.00      |
| <b>new balance</b>     | = \$0.00    |

**Cashback Bonus®**

|   |         |
|---|---------|
| Opening Cashback Bonus Balance                    | \$ 0.00 |
| New Cashback Bonus Earned                         | + 0.00  |
| <b>Cashback Bonus Balance Available to Redeem</b> | \$ 0.00 |
|   | \$ 0.00 |

Cashback Bonus® Anniversary  
 Date: July 16

**Transactions**

|                             | trans. date | post date |                     |              |
|-----------------------------|-------------|-----------|---------------------|--------------|
| <b>Payments and Credits</b> | Oct 31      | Oct 31    | INTERNAL CHARGE-OFF | \$-12,054.68 |

**EXHIBIT**  
 A

|                                 | Average Daily Balances | Daily Periodic Rates | Nominal ANNUAL PERCENTAGE RATES | ANNUAL PERCENTAGE RATES | Periodic FINANCE CHARGES | Transaction Fee FINANCE CHARGES |
|---------------------------------|------------------------|----------------------|---------------------------------|-------------------------|--------------------------|---------------------------------|
| current billing period: 15 days |                        |                      |                                 |                         |                          |                                 |
| Purchases                       | \$0                    | 0.07052%             | 25.74% V                        | 25.74%                  | \$0                      | none                            |
| Cash Advances                   | \$0                    | 0.05477%             | 19.99% F                        | 19.99%                  | \$0                      | \$0                             |

**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# 04833252

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101180  
NO: 06-83-CD  
SERVICE # 1 OF 1  
COMPLAINT

PLAINTIFF: DISCOVER BANK  
vs.  
DEFENDANT: RUTH ILENE MARIEN aka RUTH MARIEN

**SHERIFF RETURN**

NOW, February 06, 2006 AT 11:22 AM SERVED THE WITHIN COMPLAINT ON RUTH ILENE MARIEN aka RUTH MARIEN DEFENDANT AT 3258 SANBORN RD., HOUTZDALE, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO ALAN ROBINSON, NEPHEW A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: DAVIS / MORGILLO

01105801  
LHM  
Clearfield County Sheriff's Office  
Clearfield County, Pennsylvania

| PURPOSE         | VENDOR  | CHECK # | AMOUNT |
|-----------------|---------|---------|--------|
| SURCHARGE       | WELTMAN | 8251307 | 10.00  |
| SHERIFF HAWKINS | WELTMAN | 8251307 | 15.00  |
| SHERIFF HAWKINS | WELTMAN | 2379331 | 29.41  |

Sworn to Before Me This

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

So Answers,

  
Chester A. Hawkins  
Sheriff

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

DISCOVER BANK

Plaintiff No. 06-83-CD

vs.

PRAECIPE TO SETTLE, DISCONTINUE  
AND END WITHOUT PREJUDICE TO REFILE

RUTH ILENE MARIEN

Defendant FILED ON BEHALF OF  
Plaintiff

COUNSEL OF RECORD OF  
THIS PARTY:

William T. Molczan, Esquire  
PA I.D. #47437  
WELTMAN, WEINBERG & REIS CO., L.P.A.  
2718 Koppers Building  
436 Seventh Avenue  
Pittsburgh, PA 15219  
(412) 434-7955

WWR#04833252

FILED  
m/2/19 LM (W) APR 17 2006  
No CC  
1 Cert of Disc  
to Atty Molczan

William A. Shaw  
Prothonotary

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

DISCOVER BANK

Plaintiff

vs.

Civil Action No. 06-83-CD

RUTH ILENE MARIEN

Defendant

PRAECIPE TO SETTLE, DISCONTINUE  
AND END WITHOUT PREJUDICE TO REFILE

TO THE PROTHONOTARY OF CLEARFIELD COUNTY:

SIR:

Settle, Discontinue and End the above-captioned matter upon the records of the Court without  
prejudice to refile and mark the costs paid.

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

By:   
Attorney for Plaintiff  
2718 Koppers Building  
436 Seventh Avenue  
Pittsburgh, PA 15219  
(412) 434-7955  
WWR#04833252

SWORN TO AND SUBSCRIBED

before me this 12 day

of April, 2006

  
NOTARY PUBLIC

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal

Heidi J. Kelly, Notary Public  
City Of Pittsburgh, Allegheny County  
My Commission Expires Nov 4, 2009

Member, Pennsylvania Association of Notaries

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

Discover Bank

Vs.  
Ruth Ilene Marien

No. 2006-00083-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:

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 17th day of April A.D. 2006.



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

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
DKT PG. 101180

DISCOVER BANK

NO. 06-83-CD

-VS-

RUTH ILENE MARIEN aka RUTH MARIEN

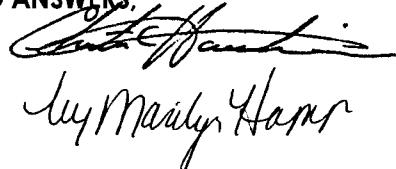
COMPLAINT

AMENDED  
SHERIFF'S RETURN

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NOW APRIL 26, 2006 AMEND RETURN CHANGING SHERIFF COSTS FROM \$29.41 to \$19.41.

SO ANSWERS,



CHESTER A. HAWKINS  
SHERIFF

SWORN TO BEFORE ME THIS  
\_\_\_\_ DAY OF \_\_\_\_\_ 2006

FILED  
04/26/2006  
APR 26 2006

William A. Shaw  
Prothonotary/Clerk of Courts