

06-106-CD
Discover Bank vs Jeffrey A Muth

Discover Bank vs Jeffrey Muth
2006-106-CD

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

DISCOVER BANK

Plaintiff

No: 2006-106-CD

vs.

COMPLAINT IN CIVIL ACTION

JEFFREY A MUTH
AKA JEFFREY MUTH

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
04917362 C A Pit WLG

FILED *pd \$86.00 Att'y*
m/2:17pm *No CC*
JAN 23 2006 *ICC to shfb*

William A. Shaw
Prothonotary

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

DISCOVER BANK

Plaintiff
vs. Civil Action No

JEFFREY A MUTH
AKA JEFFREY MUTH

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:

JEFFREY A MUTH
3642 SHAMOKIN TRL
LUTHERSBURG, PA 15848

3. Defendant applied for and received a credit card issued by Plaintiff bearing the account number 6011298734861390 . 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 16, 2006 , in the amount of \$3357.00 .

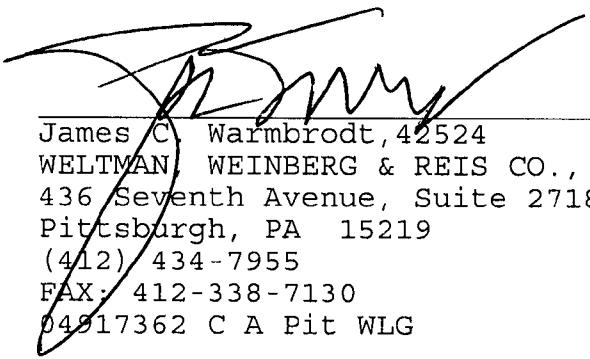
5. Defendant is in default by failing to make payments when due.

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 , JEFFREY A MUTH , INDIVIDUALLY , in the amount of \$3357.00 with interest at the legal rate of 6.000% per annum from date of judgment plus attorneys' fees of \$500.00 , and costs.



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04917362 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.

30 SDSN6A01 0007890
JEFFREY MUTH
3642 SHAMOKIN TRL
LUTHERSBURG PA 15848-4026

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.

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

PO BOX 15251 
WILMINGTON DE 19886-5251

Discover Card Account Summary

<i>account number</i>	6011 2987 3486 1390
<i>payment due date</i>	December 29, 2005
<i>minimum payment due</i>	\$553.00
<i>credit limit</i>	\$1,800.00
<i>credit available</i>	\$-1,557.00
<i>cash credit limit</i>	\$900.00
<i>cash credit available</i>	\$0.00

Closing Date: November 30, 2005

page 1 of 1

<i>previous balance</i>	\$3,357.00
<i>payments and credits</i>	- 3,357.00
<i>purchases</i>	+ 0.00
<i>cash advances</i>	+ 0.00
<i>balance transfers</i>	+ 0.00
FINANCE CHARGES	+ 0.00
<i>new balance</i>	= \$0.00

Cashback Bonus®

Cashback Bonus® Anniversary
Date: February 26

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

Transactions

	trans. date	post date	
Payments and Credits	Nov 30	Nov 30	INTERNAL CHARGE-OFF
			\$ -3,357.00

EXHIBIT

A

<u>Average Daily Balances</u>	<u>Daily Periodic Rates</u>	<u>Nominal ANNUAL PERCENTAGE RATES</u>	<u>ANNUAL PERCENTAGE RATES</u>	<u>Periodic FINANCE CHARGES</u>	<u>Transaction Fee FINANCE CHARGES</u>
<i>current billing period: 4 days</i>					
Purchases	\$0	0.06847%	24.99% F	24.99%	\$0
Cash Advances	\$0	0.06847%	24.99% F	24.99%	\$0

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

Verification

The undersigned does hereby verify subject to the penalties of 18 P.A.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.


Signature

WWR# 04917362

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101188
NO: 06-106-CD
SERVICE # 1 OF 1
COMPLAINT

PLAINTIFF: DISCOVER BANK
vs.
DEFENDANT: JEFFREY A. MUTH aka JEFFREY MUTH

SHERIFF RETURN

NOW, February 07, 2006 AT 2:03 PM SERVED THE WITHIN COMPLAINT ON JEFFREY A. MUTH aka JEFFREY MUTH DEFENDANT AT 3642 SHAMOKIN TRL, LUTHERSBURG, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO JEFFREY A. MUTH, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: DEHAVEN /

01/05/06
UN

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	WELTMAN	8251640	10.00
SHERIFF HAWKINS	WELTMAN	8251640	15.00
SHERIFF HAWKINS	WELTMAN	2383621	18.13

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. 2006-106-CD

vs.

PRAECIPE TO SETTLE, DISCONTINUE
AND END

JEFFREY A. MUTH AKA JEFFREY MUTH

Defendant

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

James C. Warmbrodt, Esquire
PA I.D. #42524
WELTMAN, WEINBERG & REIS CO., L.P.A.
2718 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR#04917362

FILED

m/1.45cm
APR - 7 2006
1cc & 1 Cert of
disc issued to
Atty Warmbrodt

Copy to C/A

William A. Shaw
Prothonotary

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

DISCOVER BANK

Plaintiff

vs.

Civil Action No. 2006-106-CD

JEFFREY A. MUTH AKA JEFFREY MUTH

Defendant

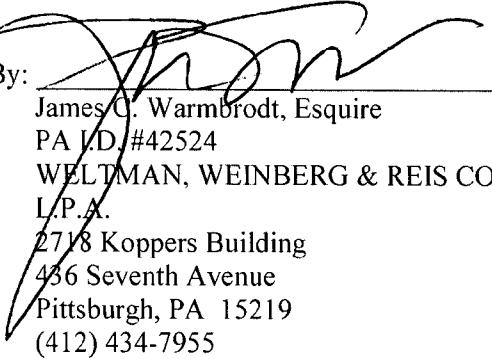
PRAECIPE TO SETTLE, DISCONTINUE AND END

TO THE PROTHONOTARY OF CLEARFIELD COUNTY:

SIR:

Kindly settle, discontinue and end the above-captioned matter upon the records of the Court and mark the costs paid.

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

By: 

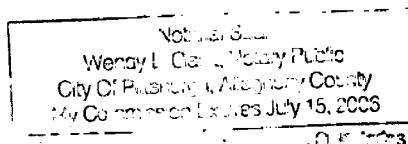
James C. Warmbrodt, Esquire
PA ID #42524
WELTMAN, WEINBERG & REIS CO.,
L.P.A.
2718 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

SWORN TO AND SUBSCRIBED

before me this 3 day

of April, 2006

NOTARY PUBLIC



IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

COPY

Discover Bank

Vs.
Jeffrey A. Muth

No. 2006-00106-CD

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 7, 2006, marked:

Settled, discontinued and ended

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 7th day of April A.D. 2006.



William A. Shaw, Prothonotary