

06-404-CD
NCO/Assignee of Citibank vs Jason
Kephart

NCO/Assignee of Citibank vs Jason Kephart
2006-404-CD

NCO17906

THIS IS AN ARBITRATION MATTER. ASSESSMENT OF
DAMAGES HEARING REQUIRED.

GORDON & WEINBERG, P.C.

BY: FREDERIC I. WEINBERG, ESQUIRE

Identification No.: 41360

PAUL M. SCHOFIELD, JR., ESQUIRE

Identification No.: 81894

21 SOUTH 21ST STREET

PHILADELPHIA, PA 19103

215/988-9600

FILED

MAR 17 2006

m/11:55/ww
William A. Shaw
Prothonotary/Clerk of Courts

SENT TO SUMMER

ATTY

NCO/ASSIGNEE OF CITIBANK CC
1804 WASHINGTON BLVD.
Baltimore MD 21230

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

vs.

DOCKET NO. : 2006-404-CD

JASON W KEPHART
45 POPLAR ST
COALPORT PA 16627-9343

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 JUDGEMENT 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.

David S. Meholick, Court Admin.
Clearfield County Courthouse
Clearfield, PA 16830
(814) 765-2641

COMPLAINT IN CIVIL-ACTION

1. At all times relevant hereto, the defendant(s) was the holder of a credit card, which at the request of the defendant(s) was issued to the defendant(s) by the plaintiff under the terms of which the plaintiff agreed to extend to defendant(s) the use of plaintiff's credit facilities.

2. Defendant(s) accepted and used the aforesaid credit card so issued and by so doing agreed to perform the terms and conditions prescribed by the plaintiff for the use of said credit card.

3. The defendant(s) received and accepted goods and merchandise and/or accepted services or cash advances through the use of the credit card issued by the Plaintiff. A true and correct copy of the Statement of Account is attached hereto as Exhibit "A".

4. All the credits to which the defendant(s) is entitled have been applied and there remains a balance due in the amount of \$1,293.67.

5. Plaintiff has made demand upon the defendant(s) for payment of the balance due of \$1,293.67 but the defendant(s) has failed and refused and still refuses to pay the same or any part thereof.

WHEREFORE, plaintiff claims of the defendant(s) the sum of \$1,293.67 at the rate of 21.4% from the date of May 16, 2002,

together with costs and attorney fees.

GORDON & WEINBERG, P.C.

BY: 

FREDERIC I. WEINBERG, ESQUIRE
PAUL M. SCHOFIELD, JR., ESQUIRE
Attorney for Plaintiff

P01E

VERIFICATION

FREDERIC I. WEINBERG, ESQUIRE, hereby states that he is the attorney for the Plaintiff(s) in this action and verifies that the statements made in the foregoing pleading are true and correct to the best of his knowledge, information and belief.

The undersigned understands that the statements herein are made subject to the penalties of 18 Pa.C.S.A. Section 4904 relating to unsworn falsification to authorities.



FREDERIC I. WEINBERG, ESQUIRE

EXHIBIT "A"

NC017906
NCO Financial Systems, Inc.

JASON W KEPHART
4128003266705311

AFFIDAVIT

I, CRYSTAL HECKSTALL, being duly served sworn according to law, depose and say that:

1. I am the agent for the Plaintiff herein and I have custody and control of the files relating to this account;

2. I have personal knowledge of the facts and circumstances in connection with this case;

3. Plaintiff's files are maintained in the usual and ordinary course of business;

4. This action is based on a claim for breach of contract and that damages are sought as a direct result of said breach;

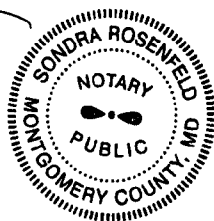
5. After allowing for all offsets and credits, a balance remains on the subject account having account number 4128003266705311 in the amount of \$1,293.67; and

6. If called upon, affiant can testify at trial as to the facts pertaining to this matter.

The above facts are true and correct to the best of my knowledge, information and belief.

Crystal Heckstall
CRYSTAL HECKSTALL

Sworn to and Subscribed
before me this 10 day
of Feb., 2006
Sondra Rosenfeld
Notary Public



Sondra Rosenfeld
NOTARY PUBLIC
Montgomery County
State of Maryland
My Commission Expires:
June 4, 2006

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101357
NO: 06-404-CD
SERVICE # 1 OF 1
COMPLAINT

PLAINTIFF: NCO/ASSIGNEE OF CITIBANK CC
vs.
DEFENDANT: JASON W. KEPHART

SHERIFF RETURN

NOW, March 21, 2006 AT 10:26 AM SERVED THE WITHIN COMPLAINT ON JASON W. KEPHART DEFENDANT AT 45 POPLAR ST., COALPORT, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO AMY KEPHART, WIFE A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: DAVIS / MORGILLO

FILED

APR 25 2006

William A. Shaw
Prothonotary/Clerk of Courts

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	GORDON	16315	10.00
SHERIFF HAWKINS	GORDON	16315	42.92

Sworn to Before Me This

_____ Day of _____ 2006

So Answers,

Chester A. Hawkins
by Mandy Hamr
Chester A. Hawkins
Sheriff

NCO17906

GORDON & WEINBERG, P.C.
BY: FREDERIC I. WEINBERG, ESQUIRE
Identification No.: 41360
PAUL M. SCHOFIELD, JR., ESQUIRE
Identification No.: 81894
21 SOUTH 21ST STREET
PHILADELPHIA, PA 19103
215/988-9600

NCO/ASSIGNEE OF CITIBANK CC

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

vs.

DOCKET NO. : 2006-404-CD

JASON W KEPHART

NOTICE

PURSUANT TO RULE 236 OF THE SUPREME COURT OF PENNSYLVANIA, YOU ARE
HEREBY NOTIFIED THAT A JUDGMENT BY DEFAULT HAS BEEN ENTERED AGAINST
YOU IN THE ABOVE PROCEEDING IN THE AMOUNT OF \$2,401.06. IF YOU HAVE
ANY QUESTIONS CONCERNING THIS NOTICE, PLEASE CALL GORDON & WEINBERG,
P.C. AT 215/988-9600.

GORDON & WEINBERG, P.C.

BY: _____

FREDERIC I. WEINBERG, ESQUIRE
PAUL M. SCHOFIELD, JR., ESQUIRE
Attorney for Plaintiff

Dated: May 17, 2006

FILED *Atty pd. 20.00*
m/q:51/31
MAY 30 2006 *cc: Notice to Def.*
Statement to Atty
William A. Shaw
Prothonotary/Clerk of Courts *(OK)*

GORDON & WEINBERG, P.C.
BY: FREDERIC I. WEINBERG, ESQUIRE
Identification No.: 41360
PAUL M. SCHOFIELD, JR., ESQUIRE
Identification No.: 81894
21 SOUTH 21ST STREET
PHILADELPHIA, PA 19103
215/988-9600

NCO/ASSIGNEE OF CITIBANK CC

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

vs.

DOCKET NO. : 2006-404-CD

JASON W KEPHART

PRAECIPE FOR JUDGMENT

The Prothonotary will please enter Judgment in the above matter by default for want of an answer against the Defendant, JASON W KEPHART, and assesses the damages as per statement below.

FREDERIC I. WEINBERG, ESQUIRE
PAUL M. SCHOFIELD, JR., ESQUIRE
Attorney for Plaintiff

Principal	\$1,293.67
Interest from November 2, 2005	
@21.4%	\$1,107.39
Total:	\$2,401.06

I hereby certify that written notice of the intention to file this Praecipe was mailed or delivered to the parties against whom judgment is to be entered and to his attorney of record, if any, after the default occurred and at least ten (10) days prior to the date of the filing of this Praecipe.

FREDERIC I. WEINBERG, ESQUIRE
PAUL M. SCHOFIELD, JR., ESQUIRE
Attorney for Plaintiff

Filed:

By the Prothonotary:

AND NOW, this 30th day of May, 2006 Judgment is entered in favor of the plaintiff(s) and against defendant, for want of an answer and damages assessed at the sum of , \$2,401.06 as per the above certification.

Prothonotary

GORDON & WEINBERG, P.C.
BY: FREDERIC I. WEINBERG, ESQUIRE
Identification No.: 41360
PAUL M. SCHOFIELD, JR., ESQUIRE
Identification No.: 81894
21 SOUTH 21ST STREET
PHILADELPHIA, PA 19103
215/988-9600

NCO/ASSIGNEE OF CITIBANK CC

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

vs.

DOCKET NO. : 2006-404-CD

JASON W KEPHART

CERTIFICATION OF ADDRESS

I hereby certify that the precise residence of the holder of the within judgment is; NCO/ASSIGNEE OF CITIBANK CC and that the last known address of defendant, JASON W KEPHART, 45 POPLAR ST, COALPORT PA 16627-9343.

GORDON & WEINBERG, P.C.

BY: 
FREDERIC I. WEINBERG, ESQUIRE
PAUL M. SCHOFIELD, JR., ESQUIRE
Attorney for Plaintiff

GORDON & WEINBERG, P.C.
BY: FREDERIC I. WEINBERG, ESQUIRE
Identification No.: 41360
PAUL M. SCHOFIELD, JR., ESQUIRE
Identification No.: 81894
21 SOUTH 21ST STREET
PHILADELPHIA, PA 19103
215/988-9600

NCO/ASSIGNEE OF CITIBANK CC

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

vs.

DOCKET NO. : 2006-404-CD

JASON W KEPHART

AFFIDAVIT OF NON-MILITARY SERVICE

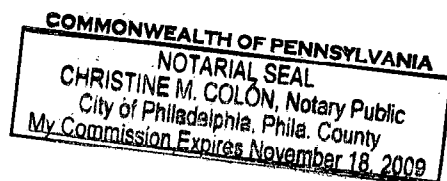
FREDERIC I. WEINBERG, ESQUIRE, being duly sworn according to law, deposes and says that he represents the plaintiff in the above-entitled case; that he is authorized to make this affidavit on behalf of the plaintiff; and that the above-named defendant is over twenty-one years of age; that the address of the defendant is, 45 POPLAR ST, COALPORT PA 16627-9343; that the occupation of the defendant is unknown; and that the defendant is not in the Military Service of the United States, nor any State or Territory thereof or its allies as defined in the Soldiers' and Sailors' Civil Relief Act of 1940 and the amendments thereto.


Sworn to and Subscribed

Before me this 17th Day

of May, 2006.


Notary Public




FREDERIC I. WEINBERG, ESQUIRE
PAUL M. SCHOFIELD, JR. ESQUIRE
Attorney for Plaintiff

NCO17906

GORDON & WEINBERG, P.C.
BY: FREDERIC I. WEINBERG, ESQUIRE
Identification No.: 41360
PAUL M. SCHOFIELD, JR., ESQUIRE
Identification No.: 81894
21 SOUTH 21ST STREET
PHILADELPHIA, PA 19103
215/988-9600

NCO/ASSIGNEE OF CITIBANK CC

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

vs.

DOCKET NO. : 2006-404-CD

JASON W KEPHART

NOTICE OF INTENTION TO TAKE DEFAULT

TO/PARA :

JASON W KEPHART
45 POPLAR ST
COALPORT PA 16627-9343

DATE OF NOTICE/FECHA DEL AVISO: May 3, 2006

IMPORTANT NOTICE

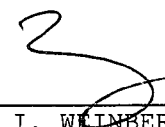
YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY AN ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU 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.

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. Meholick, Court Admin.
Clearfield County Courthouse
Clearfield, PA 16830
(814) 765-2641

GORDON & WEINBERG, P.C.

BY: 
FREDERIC I. WEINBERG, ESQUIRE
PAUL M. SCHOFIELD, JR., ESQUIRE

P10D-2

NOTICE OF JUDGMENT

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

CIVIL DIVISION

NCO/Assignee of Citibank CC

Vs.

No. 2006-00404-CD

Jason W. Kephart

To: DEFENDANT(S)

NOTICE is given that a JUDGMENT in the above captioned matter has been entered against you in the amount of \$2,401.06 on May 30, 2006.

William A. Shaw
Prothonotary

A handwritten signature in cursive script, appearing to read 'William A. Shaw', is written over a horizontal line.

William A. Shaw

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY ,
PENNSYLVANIA
STATEMENT OF JUDGMENT

CC. Y

NCO/Assignee of Citibank CC
Plaintiff(s)

No.: 2006-00404-CD

Real Debt: \$2,401.06

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Jason W. Kephart
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: May 30, 2006

Expires: May 30, 2011

Certified from the record this 30th day of May, 2006.



William A. Shaw, Prothonotary

SIGN BELOW FOR SATISFACTION

Received on _____, _____, of defendant full satisfaction of this Judgment,
Debt, Interest and Costs and Prothonotary is authorized to enter Satisfaction on the same.

Plaintiff/Attorney