

06-419-CD
Discover Bank vs Michelle
Longstreth

Discover bank vs Michelle Longstreth
2006-419-CD

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

DISCOVER BANK

Plaintiff

vs.

MICHELLE L LONGSTRETH

Defendant

No: 06-419-CD

COMPLAINT IN CIVIL ACTION

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
05026718 C A Pit WLG

FILED
m/12:45 PM
MAR 20 2006
Atty pd 85.00
cc Shff

William A. Shaw
Prothonotary/Clerk of Courts

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

DISCOVER BANK

Plaintiff

vs.

Civil Action No

MICHELLE L LONGSTRETH

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:

MICHELLE L LONGSTRETH
595 REAMS RD
OSCEOLA MILLS, PA 16666

3. Defendant applied for and received a credit card issued by
Plaintiff bearing the account number 6011002450660642 . A copy of
Plaintiff's Statement of Account s 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 March 14, 2006 , in the amount of
\$5180.94 .

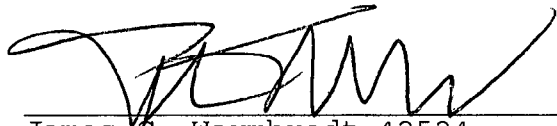
5. Defendant is in default by failing to make payments when due.

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 , MICHELLE L LONGSTRETH , INDIVIDUALLY , in the amount of \$5180.94 with interest at the legal rate of 6.000% per annum from date of judgment plus attorneys' fees of \$500.00 , and costs.



James C. Warmbrodt, 42524
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Pittsburgh, PA 15219
(412) 434-7955
FAX: 412-338-7130
05026718 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.

February 11, 2006

12 SDSN6A01 0001944

MICHELLE LONGSTRETH
595 REAMS RD
OSCEOLA MILLS PA 16666-9001

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.

000006011002450660642051809400000000048700

Discover Platinum Card Account Summary

Closing Date: January 12, 2006

page 1 of 1

account number 6011 0024 5066 0642
payment due date February 11, 2006
minimum payment due \$487.00
credit limit \$4,500.00
credit available \$0.00
cash credit limit \$2,300.00
cash credit available \$0.00

| | |
|------------------------|---------------------|
| previous balance | \$5,008.21 |
| payments and credits | - 0.00 |
| purchases | + 74.00 |
| cash advances | + 0.00 |
| balance transfers | + 0.00 |
| FINANCE CHARGES | + 98.73 |
| new balance | = \$5,180.94 |

Cashback Bonus®

Cashback Bonus® Anniversary
Date: March 12

| | |
|--------------------------------|----------------|
| Opening Cashback Bonus Balance | \$ 0.00 |
| New Cashback Bonus Earned | + 0.00 |
| Cashback Bonus Balance | \$ 0.00 |
| Available to Redeem | \$ 0.00 |

Transactions

| | trans. date | post date | | |
|---------------------|----------------|--------------|---------------|----------|
| Other/Miscellaneous | Jan 12 | Jan 12 | LATE FEE | \$ 39.00 |
| | Jan 12 | Jan 12 | OVERLIMIT FEE | 35.00 |

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: 31 days | | | | | | |
| Purchases | \$1690.29 | 0.06299% | 22.99% V | 22.99% | \$33.01 | none |
| Cash Advances | \$3365.53 | 0.06299% | 22.99% F | 22.99% | \$65.72 | \$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 PA.C.S. §4904 relating to
unsworn falsifications to authorities, that he/she is S. Caldwell
Acct Manager of Discover Financial plaintiff herein, that
(Title) (Company)

he/she is duly authorized to make this Verification, and that the facts set forth in the foregoing Complaint
in Civil Action are true and correct to the best of his/her knowledge, information and belief.

S. Caldwell
(Signature)

WWR # 5026718
MICHELLE L. LONGSTRETH
6011002450660642

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101362
NO: 06-419-CD
SERVICE # 1 OF 1
COMPLAINT

PLAINTIFF: DISCOVER BANK
vs.
DEFENDANT: MICHELLE L. LONGSTRETH

SHERIFF RETURN

NOW, March 30, 2006 AT 9:42 AM SERVED THE WITHIN COMPLAINT ON MICHELLE L. LONGSTRETH DEFENDANT AT SHERIFF'S OFFICE, 1 N. 2ND ST., SUITE 116, CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO MICHELLE L. LONGSTRETH, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: SNYDER /

FILED
01:40 PM
APR 25 2006
LM


William A. Shaw
Prothonotary/Clerk of Courts

| PURPOSE | VENDOR | CHECK # | AMOUNT |
|-----------------|---------|---------|--------|
| SURCHARGE | WELTMAN | 2410585 | 10.00 |
| SHERIFF HAWKINS | WELTMAN | 2410585 | 71.40 |

Sworn to Before Me This

_____ Day of _____ 2006

So Answers,


Chester A. Hawkins
Sheriff

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

DISCOVER BANK

Plaintiff

vs.

Civil Action No. 06-419-CD

MICHELLE L LONGSTRETH

Defendant

NOTICE OF JUDGMENT OR ORDER

TO: ☐ Plaintiff
 ☒ Defendant
 ☐ Garnishee

You are hereby notified that the following
Order or Judgment was entered against you
on May 24, 2006

(xx) Assumpsit Judgment in the amount
 of \$5,680.94 plus costs.

() Trespass Judgment in the amount
 of \$_____ plus costs.

() If not satisfied within sixty (60)
days, your motor vehicle operator's license and/or registration
will be suspended by the Department of Transportation, Bureau
of Traffic Safety, Harrisburg, PA.

(xx) Entry of Judgment of
 ☐ Court Order
 ☐ Non-Pros
 ☐ Confession
 (xx) Default
 ☐ Verdict
 ☐ Arbitration
 Award

Prothonotary

By: 

PROTHONOTARY (OR DEPUTY)

MICHELLE L LONGSTRETH
595 REAMS RD
OSCEOLA MILLS, PA 16666

Plaintiff's address is:

c/o Weltman, Weinberg & Reis Co., L.P.A., 2718 Koppers Building, 436 7th Avenue, Pittsburgh, PA 15219
1-888-434-0085

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

DISCOVER BANK

Plaintiff

vs.

MICHELLE L LONGSTRETH

Defendant

No. 06-419-CD

PRAECIPE FOR DEFAULT JUDGMENT

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 Bldg.
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR#05026718
Judgment Amount \$ 5,680.94

FILED

MAY 24 2006

W/12:45/W
William A. Shaw

Prothonotary/Clerk of Courts

1 cert w/NOTA
TO DEFT.

**THIS LAW FIRM IS ATTEMPTING TO COLLECT THIS DEBT FOR ITS CLIENT AND ANY
INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.**

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

DISCOVER BANK

Plaintiff

vs.

Civil Action No. 06-419-CD

MICHELLE L LONGSTRETH

Defendant

PRAECIPE FOR DEFAULT JUDGMENT

TO THE PROTHONOTARY:

Kindly enter Judgment against the Defendant, MICHELLE L LONGSTRETH above named, in the default of an Answer, in the amount of \$5,680.94 computed as follows:

| | |
|--|------------|
| Amount claimed in Complaint | \$5,180.94 |
| Interest from date of judgment at the legal interest rate of 6% per annum | |
| Attorney's fees | \$500.00 |
| TOTAL | \$5,680.94 |

I hereby certify that appropriate Notices of Default, as attached have been mailed in accordance with PA R.C.P. 237.1 on the dates indicated on the Notices.

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

By: 

James C. Warmbrodt, Esquire
PA I.D.#42524

Weltman, Weinberg & Reis Co., L.P.A.
2718 Koppers Bldg.
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR#05026718

Plaintiff's address is:

c/o Weltman, Weinberg & Reis Co., L.P.A., 2718 Koppers Building, 436 7th Avenue, Pittsburgh, PA 15219

And that the last known address of the Defendant is: 595 REAMS RD., OSCEOLA MILLS, PA 16666.

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

DISCOVER BANK

Plaintiff

Case # 66-419-CD

MICHELLE L LONGSTRETH

Defendant(s)

IMPORTANT NOTICE

TO: MICHELLE L LONGSTRETH
595 REAMS RD
OSCEOLA MILLS, PA 16666

Date of Notice: 5-1-06

WWR#: 05026718

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 FOLLOWING 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.

COURT ADMINSTRATOR
CLEARFIELD COUNTY COURTHOUSE
230 EAST MARKET ST., SUITE 228
CLEARFIELD, PA 16830
(814) 765-2641, ext. 1300-1301

BY: 

JAMES WARMBRODT, ESQUIRE

PA I.D. #42524

WELTMAN, WEINBERG & REIS CO., L.P.A.
2718 KOPPERES BLDG, 436 7TH AVE.
PITTSBURGH, PA 15219

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

DISCOVER BANK

Case no: 06-419-CD

Plaintiff

NON-MILITARY AFFIDAVIT

vs.

MICHELLE L LONGSTRETH

Defendant

The undersigned, who first being duly sworn, according to law, deposes and states as follows:

That he/she is the duly authorized agent of the Plaintiff in the within matter.

Affiant further states that the within Affidavit is made pursuant to and in accordance with the Servicemembers' Civil Relief Act (SCRA), 50 U.S.C. App. § 521.

Affiant further states that based upon investigation it is the affiant's belief that the Defendant, MICHELLE L LONGSTRETH is not in the military service.

Affiant further states that this belief is supported by the attached certificate from the Defense Manpower Data Center (DMDC), which states that the Defendant, MICHELLE L LONGSTRETH is not in the military service.

Further Affiant sayeth naught.

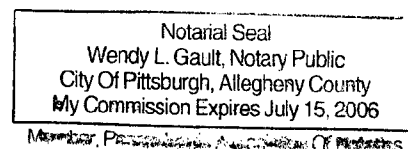


AFFIANT

SWORN TO AND SUBSCRIBED in my presence this 12 day
of May, 2006.



NOTARY PUBLIC



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.

Department of Defense Manpower Data Center

MAY-09-2006 13:02:56



Military Status Report
Pursuant to the Servicemembers Civil Relief Act

| ◀ Last Name | First/Middle | Begin Date | Active Duty Status | Service/Agency |
|-------------|--------------|--|--------------------|----------------|
| LONGSTRETH | | Based on the information you have furnished, the DMDC does not possess any information indicating that the individual is currently on active duty. | | |

Upon searching the information data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the current status of the individual as to all branches of the Military.

Robert J. Brandewie, Director
Department of Defense - Manpower Data Center
1600 Wilson Blvd., Suite 400
Arlington, VA 22209-2593

The Defense Manpower Data Center (DMDC) is an organization of the Department of Defense that maintains the Defense Enrollment and Eligibility Reporting System (DEERS) database which is the official source of data on eligibility for military medical care and other eligibility systems.

The Department of Defense strongly supports the enforcement of the Servicemembers Civil Relief Act [50 USCS Appx. §§ 501 et seq] (SCRA) (formerly the Soldiers' and Sailors' Civil Relief Act of 1940). DMDC has issued hundreds of thousands of "does not possess any information indicating that the individual is currently on active duty" responses, and has experienced a small error rate. In the event the individual referenced above, or any family member, friend, or representative asserts in any manner that the individual is on active duty, or is otherwise entitled to the protections of the SCRA, you are strongly encouraged to obtain further verification of the person's active duty status by contacting that person's Military Service via the "defenselink.mil" URL provided below. If you have evidence the person is on active-duty and you fail to obtain this additional Military Service verification, provisions of the SCRA may be invoked against you.

If you obtain further information about the person (e.g., an SSN, improved accuracy of DOB, a middle name), you can submit your request again at this Web site and we will provide a new certificate for that query.

This response reflects current active duty status only. For historical information, please contact the Military Service SCRA points-of-contact.

See: <http://www.defenselink.mil/faq/pis/PC09SLDR.html>

WARNING: This certificate was provided based on a name and Social Security number (SSN) provided

by the requester. Providing an erroneous name or SSN will cause an erroneous certificate to be provided.

Report ID: **BQJZTWGNQOU**