

06-495-CD
Excalibur II LLC vs Robert Conrad

Excalibur II et al vs Robert Conrad
2006-495-CD

2010261

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

Excalibur II, LLC as successor
in interest to DISCOVER
FINANCIAL SERVICES, I
65 FLAGSHIP DRIVE
North Andover MA 01845

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

vs.

DOCKET NO. : 06-495-CD

ROBERT CONRAD
114 S STOCKDALE ST
DU BOIS PA 15801-2049

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

FILED *Atty pd. 85.00*
10:52 AM
MAR 30 2006 ICC Shff
WAS

William A. Shaw
Prothonotary/Clerk of Courts

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 \$5,333.65.

5. Plaintiff has made demand upon the defendant(s) for payment of the balance due of \$5,333.65 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 \$5,333.65 at the rate of 0% from the date of May 31, 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

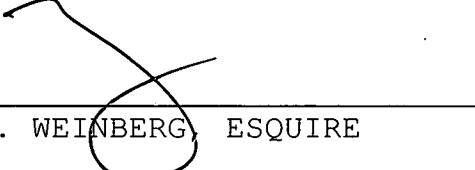


EXHIBIT "A"

2010261

Excalibur II, LLC as successor in
interest to DISCOVER FINANCIAL SERVICES,
I

ROBERT CONRAD
6011300890065335

AFFIDAVIT

Karen Darisso

I, _____, 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
6011300890065335 in the amount of \$5,333.65; 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.

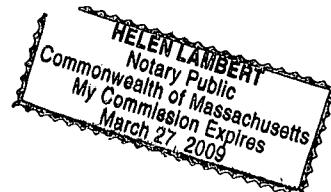
Karen Darisso
(Name of Affiant)

Sworn to and Subscribed

before me this 14 day

of Dec., 2005

Helen Lambert
Notary Public



In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 1 of 1 Services

Sheriff Docket # **101400**

EXCALIBUR II, LLC as successor in interest to DISCOVER FINANCIAL
SERVICES

Case # 06-495-CD

vs.

ROBERT CONRAD

TYPE OF SERVICE COMPLAINT

FILED
06-495-CD
MAY 03 2006
AM

SHERIFF RETURNS

William A. Shaw
Prothonotary/Clerk of Courts

NOW May 03, 2006 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT "NOT FOUND" AS TO ROBERT CONRAD, DEFENDANT. DEFENDANT IN ALTOONA HOSPITAL.

SERVED BY: /

Return Costs

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	GORDON	16724	10.00
SHERIFF HAWKINS	GORDON	16724	64.73

Sworn to Before me This

____ Day of _____ 2006

So Answers,


Chester A. Hawkins
Sheriff

2010261

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BY: FREDERIC I. WEINBERG, ESQUIRE
Identification No.: 41360
PAUL M. SCHOFIELD, JR., ESQUIRE
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David S. Meholick, Court Admin.

Clearfield County Courthouse

Clearfield County Courthouse
Clearfield, PA 16830 (814) 765-2641
I hereby certify this to be a true and attested copy of the original statement filed in this case.

(814) 765-2641

Attest

William L. Shaw
Prothonotary/
Clerk of Courts

COMPLAINT IN CIVIL-ACTION

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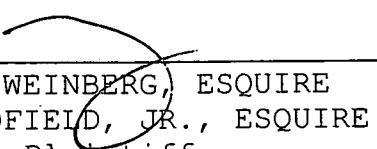
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PAUL M. SCHOFIELD, JR., ESQUIRE
Attorney for Plaintiff

P01E

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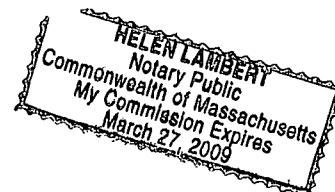
Karen Darisse
(Name of Affiant)

Sworn to and Subscribed

before me this 14 day

of Dec. 2005

Helen Lambert
Notary Public



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

EXCALIBUR, II, LLC and DISCOVER FINANCIAL SERVICES* NO. 2006-495-CD
Plaintiffs *
vs. *
ROBERT CONRAD *
Defendant *
*
FILED
03/16/14
MAR 17 2014
14

FILED

0/2:16/14C

9 MAR 21 2013

ORDER

William A. Shaw *ICK*
Prothonotary/Clerk of Courts

NOW, this 15th day of March, 2013, upon the Court's review of the docket and noting that there has been no activity for a period of over six years, it is the ORDER of this Court that the case be moved to inactive status. The Prothonotary shall code the case in Full Court as Z-INACTA.

BY THE COURT,

FREDERIC J. AMMERMAN
President Judge