

06-806-CD
Target Natl Bank vs Judith W. Tubbs

2006-806-CD
Target National vs Judith Tubbs

GREGG L. MORRIS, ESQ.
PATENAUDA & FELIX, A.P.C.
213 E. MAIN STREET
CARNEGIE, PA 15106
(412) 429-7675
FACSIMILE (412) 429-7679
PA ID#69006

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

TARGET NATIONAL BANK)
Plaintiff,) NO. 06-806-CJ
v.)
JUDITH W TUBBS ,)
Defendant(s).)

COMPLAINT IN CIVIL ACTION

Filed on behalf of:
TARGET NATIONAL BANK ,
Plaintiff

Counsel of Record for This Party:

Gregg L. Morris, Esquire
Pa I.D. #69006

Patenaude & Felix, A.P.C.
213 East Main Street
Carnegie, PA 15106
(412) 429-7675

FILED Atty pd. ~~285.00~~
MAY 22 2006 cc Shff
William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

TARGET NATIONAL BANK ,)
)
Plaintiff,) NO.
)
v.)
)
JUDITH W TUBBS ,)
)
Defendant.)
)

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 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, 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 Administration
Clearfield County Courthouse
Clearfield, PA 16830
814-765-2641

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

TARGET NATIONAL BANK ,)
Plaintiff) NO.
v.)
JUDITH W TUBBS ,)
Defendant.)

COMPLAINT IN CIVIL ACTION

AND NOW, comes Plaintiff, TARGET NATIONAL BANK , by and through its attorney, GREGG L. MORRIS, ESQUIRE and the law offices of PATENAUME & FELIX, A.P.C. and files the following **Complaint in Civil Action**, and in support thereof aver as follows:

1. Plaintiff, TARGET NATIONAL BANK , is a corporation and for the purpose of this litigation, maintaining a place of business c/o Patenaude and Felix, A.P.C., 213 East Main Street, Carnegie, Pennsylvania 15106.
2. Defendant is JUDITH W TUBBS , an adult individual, believed to currently reside at 107 BAILEY RD , CURWENSVILLE, PA 168331201.
3. Heretofore, the Defendant opened a TARGET NATIONAL BANK account with Plaintiff being Account No. 4352373408481148 , for the purchase of goods and services.
4. The Defendant has made or authorized a number of purchases and as of 03/21/06, Defendant owes \$11,804.13 on said account plus interest.

5. Plaintiff maintains accurate books of account recording all credits and debits for this account.

6. The Defendant has received monthly billing statements from Plaintiff setting forth the nature and amount of all charges made by Defendant, and the transactions between Plaintiff and Defendant give rise to an account stated, upon which Plaintiff has relied.

7. The Defendant made payments, but has refused to pay, and now refuses to pay the balance due and owing on the aforesaid account in the sum of \$11,804.13, plus interest and costs.

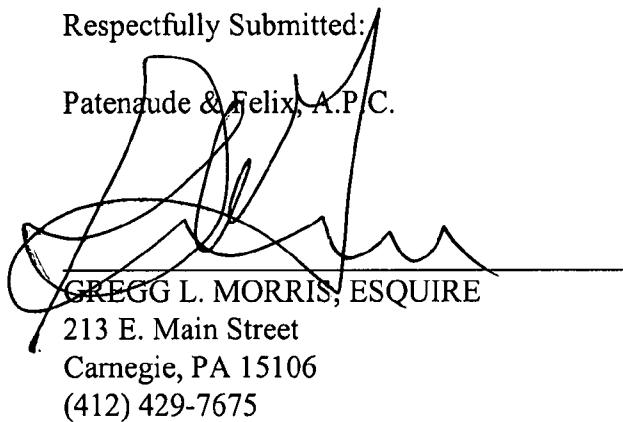
8. By failing to object or dispute to the statements including the statement attached hereto as Plaintiff's Exhibit "1", Defendant has assented to and agreed to the correctness of the balance due on the credit card account so as to constitute and account stated.

9. Despite repeated demands, Defendant has failed to make the required installment payments when due and therefore the full amount of the account is now due and payable.

WHEREFORE, Plaintiff demands Judgment in its favor, and against Defendant, in the amount of \$11,804.13, plus legal interest from the date of breach, with continuing interest at the legal rate thereon from the date of Judgment plus costs. The damages requested are less than the maximum amount for compulsory arbitration as set by the Court.

Respectfully Submitted:

Patenaude & Felix, A.P.C.



GREGG L. MORRIS, ESQUIRE
213 E. Main Street
Carnegie, PA 15106
(412) 429-7675



TARGET



00000

Account Number: 4352-3734-0848-1148
JUDITH W TUBBS

Statement Closing Date: March 16, 2006
Page 1 of 1

Target Visa Account Summary

Total Credit Limit \$0
Cash Limit \$0
Available Credit \$0
Portion Available for Cash \$0
The Cash Limit is a portion of the Total Credit Limit

Previous Balance	\$11,804.13
Payments & Credits	0.00
Purchases & Advances	0.00
Other Charges	0.00
FINANCE CHARGES	0.00
New Balance	\$11,804.13
Amount Past Due	\$1,308.19
Minimum Payment Due (includes any Amount Past Due)	\$1,427.19
Payment Due Date	April 10, 2006

Questions? Call Us:

Target Credit Services 1-888-755-5856
TDD/TDY 1-800-347-5842
Outside the U.S. 11-612-307-8622 (Call Collect)
Calling will not preserve your billing-error rights

Payments & Credits

No payments or credits were received last month.

Finance Charges

Days in Billing Period: 28

Balance Type	Daily Periodic Rate	Corresponding Annual Percentage Rate	Average Daily Balance	Periodic FINANCE CHARGE	Transaction FINANCE CHARGE
Purchases	0.00000%	0.00%	\$0.00	\$0.00	\$0.00
Cash	0.00000%	0.00%	\$0.00	\$0.00	\$0.00
Total FINANCE CHARGES:					\$0.00
Actual ANNUAL PERCENTAGE RATE:					0.00%

Target National Bank, an affiliate of Target Stores

NOTICE: SEE REVERSE SIDE FOR IMPORTANT INFORMATION



INCLUDE THIS PORTION WITH YOUR PAYMENT MADE PAYABLE TO TARGET NATIONAL BANK

Account Number 4352-3734-0848-1148
New Balance \$11,804.13
Minimum Payment Due \$1,427.19
Payment Due Date April 10, 2006



NEW PHONE, HOME OR
E-MAIL ADDRESS?
PLEASE UPDATE ON
REVERSE SIDE.

OFFICE COPY



TARGET NATIONAL BANK
P.O. BOX 59317

MINNEAPOLIS, MN 55459-0317



Amount
Enclosed
\$

JUDITH W TUBBS
107 BAILEY RD
CURWENSVILLE, PA 16833-1201



Exhibit 11

2002680142719118041390435237340848114871

In _____ Court

_____ Judicial (Circuit/District)

Original Creditor Name: TARGET NATIONAL BANK

Debtor Name: TUBBS, JUDITH W

Co-Debtor Name:

Account Number: 4352373408481148

AFFIDAVIT OF ACCOUNT

STATE OF MINNESOTA

COUNTY OF HENNEPIN

ss:

The undersigned, CHRISTIE COMES states that:

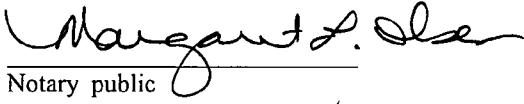
1. I am a representative of TARGET NATIONAL BANK and am authorized to Verify current balances due and owing to TARGET NATIONAL BANK on credit card accounts.
2. As of the date of this affidavit I have reviewed the records of the above listed person and account, and that the amount due and owing to TARGET NATIONAL BANK on this account, over and above all known legal set offs is \$ 11804.13.
3. That reasonable inquiry has been made to determine if the defendant is in the military service of the United States of America, and to the best of my knowledge that defendant is not in such military service and is therefore not entitled to the rights and privileges provided under the Soldiers and Sailors Civil Relief Act of 1940, as amended.

That the above information is true to the best of my knowledge, information and belief, and based upon the books and business records of TARGET NATIONAL BANK.

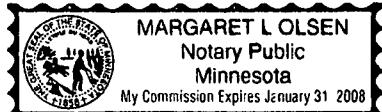


Authorized Agent of TARGET NATIONAL BANK

Subscribed and sworn to before
Me on 28th day of March, 2006



Notary public
My commission expires: 1/31/2008



4352373408481148
A144 PATENAUME & FELIX, A.P.C

The undersigned does hereby verify subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn falsification to authorities, that she is, Christie Comes, Assistant Secretary, of Target National Bank, Plaintiff Herein, that she is duly authorized to make this Declaration, and hat the facts set forth in the foregoing Complaint in Civil Action are true and correct to the best of her knowledge, information and belief.



Christie Comes
Authorized Agent of Target National Bank/Target Visa

4352373408481148
A144
PATENAUXE & FELIX, A.P.C

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101564
NO. 06-806-CD
SERVICE # 1 OF 1
COMPLAINT

PLAINTIFF: TARGET NATIONAL BANK
vs.
DEFENDANT: JUDITH W. TUBBS

SHERIFF RETURN

NOW, May 24, 2006 AT 1:51 PM SERVED THE WITHIN COMPLAINT ON JUDITH W. TUBBS DEFENDANT AT SHERIFF'S OFFICE, 1 N. 2ND ST., SUITE 116, CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO JUDITH W. TUBBS, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: SNYDER /

FILED
92:25 cm
JUN 15 2006

William A. Shaw
Prothonotary

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	PATENAUME	7108	10.00
SHERIFF HAWKINS	PATENAUME	7108	24.34

Sworn to Before Me This

____ Day of _____ 2006

So Answers,

Chester A. Hawkins
by Marilyn Harr
Chester A. Hawkins
Sheriff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

TARGET NATIONAL BANK,) NO. 06-806-CD
Plaintiff)
v.)
JUDITH W. TUBBS,)
Defendant)

**PRAECIPE TO SETTLE
AND DISCONTINUE
WITHOUT PREJUDICE**

Filed on behalf of
Target National Bank,

Plaintiff

Counsel of Record for This
Party:

Gregg L. Morris, Esquire
Pa I.D. #69006

Patenaude & Felix, A.P.C.
213 E. Main Street
Carnegie, PA 15106
(412)429-7675

FILED *File*

TUBBS, JUDITH 2051.1475.wpd

JUN 28 2006
m/2:00/c
William A. Shaw
Prothonotary/Clerk of Courts
No Court Copie
Clerk of Disc.
to Atty & CA

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

TARGET NATIONAL BANK,) NO. 06-806-CD
Plaintiff)
v.)
JUDITH W. TUBBS,)
Defendant)

PRAECIPE TO SETTLE AND DISCONTINUE WITHOUT PREJUDICE

TO: Prothonotary

Please settle and discontinue the matter captioned above without prejudice. Thank you.

Date: 6/6/06

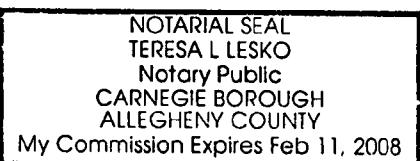
Respectfully submitted:

Gregg L. Morris, Esquire
Paterno & Felix, A.P.C.
213 E. Main Street
Carnegie, PA 15106
(412) 429-7675

Sworn to and subscribed before me

this 26 day of June 2006,

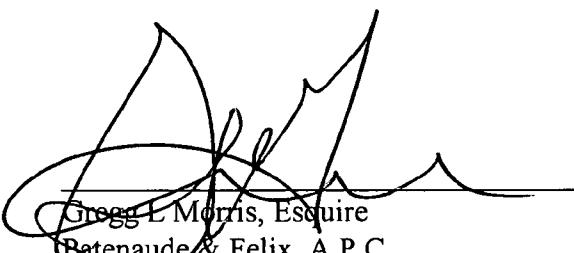
Teresa L. Lesko
Notary Public



I, Gregg L Morris, attorney for Plaintiff, Target National Bank, hereby certify that a true and correct copy of the foregoing document was served this date by US First Class Mail, postage prepaid upon the following:

R. Denning Gearhardt, Esq.
207 E. Market St.
Clearfield, PA 16830

Date: 6/26/06


Gregg L. Morris, Esquire
Batenau & Felix, A.P.C.
Attorneys for Plaintiff
213 E. Main Street
Carnegie, PA 15106
(412) 429-7675

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

Target National Bank

Vs. No. 2006-00806-CD
Judith W. Tubbs

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 June 28, 2006, marked:

Settled and Discontinue without prejudice

Record costs in the sum of \$85.00 have been paid in full by 85.00.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 28th day of June A.D. 2006.

William A. Shaw, Prothonotary