

**Capital One Bank vs Andrew Kephart  
2006-1043-CD**

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

CAPITAL ONE BANK

Plaintiff

No. 06-1043-CD

vs.

COMPLAINT IN CIVIL ACTION

ANDREW L KEPHART

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#05215538

✓vr

FILED  
Plaintiff

FILED *cc Shff*

*3/11/22 09*  
JUN 30 2006 *Att'y fd .85.00*

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

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

CAPITAL ONE BANK

**Plaintiff**

vs.

**Civil Action No.**

ANDREW L KEPHART

**Defendant**

**COMPLAINT IN CIVIL ACTION 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

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

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

CAPITAL ONE BANK

Plaintiff

vs.

Civil Action No.

ANDREW L KEPHART

Defendant

COMPLAINT

AND NOW COMES, Plaintiff, by and through its counsel, WELTMAN, WEINBERG & REIS, CO., LPA., and hereby files this Complaint against Defendant, ANDREW L KEPHART, and, in support thereof, Plaintiff avers as follows:

1. The Plaintiff is a corporation with its principal place of business located at P.O. Box 85147, Richmond, VA 23285.
2. Plaintiff is the owner of this account; which is the subject matter of this action.
3. Defendant is an adult individual residing at 3339 WALKER ST , OSCEOLA MILLS,PA 16666 .
4. Defendant requested the account and made use of said account and has currently a balance due and owing to Plaintiff, as of JUNE 26, 2006, in the amount of \$2,318.99.

5. Although repeatedly requested to do so by Plaintiff, Defendant has willfully failed and/or refused to pay the balance.

WHEREFORE, Plaintiff demands Judgment in its favor and against Defendant, ANDREW L KEPHART, individually, in the amount of \$2,318.99 with finance charges thereon at the rate of 20.65% per annum from JUNE 26, 2006, plus costs.

**THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED SHALL BE USED FOR THAT PURPOSE.**

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

  
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#: 05215538

Weltman

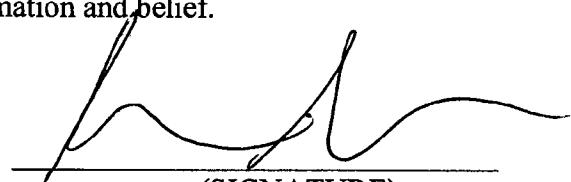
Weltman  
2718 Koppers  
436 7th Avenue  
Pittsburgh, PA 15219

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 Sara Rubin  
(NAME)

Agent (TITLE) of \_\_\_\_\_, plaintiff herein, that  
(COMPANY)

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)

**In The Court of Common Pleas of Clearfield County, Pennsylvania**

Service # 1 of 1 Services

Sheriff Docket #

**101678**

CAPITAL ONE BANK

Case # 06-1043-CD

VS.

ANDREW L. KEPHART

TYPE OF SERVICE COMPLAINT

**SHERIFF RETURNS**

NOW July 20, 2006 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT "NOT FOUND" AS TO ANDREW L. KEPHART, DEFENDANT. 3339 WALKER ST., OSCEOLA MILLS, IS IN CENTRE CO..

SERVED BY: /

**Return Costs**

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	WELTMAN	8332707	10.00
SHERIFF HAWKINS	WELTMAN	8332707	14.00

FILED  
02:30 PM  
JUL 21 2006  
WASH

William A. Shaw  
Prothonotary/Clerk of Courts

Sworn to Before me This

So Answers,

\_\_\_\_ Day of \_\_\_\_\_ 2006  
\_\_\_\_\_  
\_\_\_\_\_

*Chester A. Hawkins*  
*by Marlyn Haskay*  
Chester A. Hawkins  
Sheriff

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

CAPITAL ONE BANK

Plaintiff

No. *06-1043-CD*

vs.

COMPLAINT IN CIVIL ACTION

ANDREW L KEPHART

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#05215538  
M

FILED  
PRO

I hereby certify this to be a true  
and attested copy of the original  
statement filed in this case.

JUN 30 2006

Attest.

*William L. Hause*  
Prothonotary/  
Clerk of Courts

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

CAPITAL ONE BANK

Plaintiff

vs.

Civil Action No.

ANDREW L KEPHART

Defendant

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

for any  
indefinite

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

CAPITAL ONE BANK

Plaintiff

vs.

Civil Action No.

ANDREW L KEPHART

Defendant

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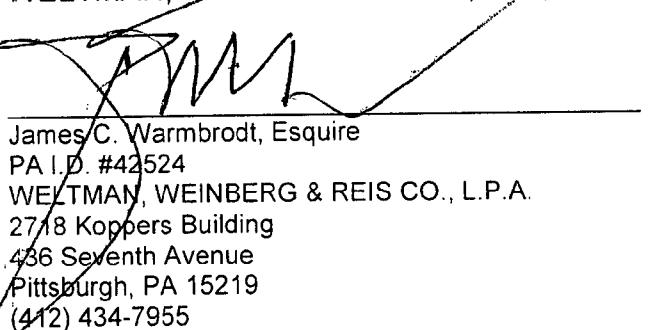
1

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

  
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#: 05215538

Weltman

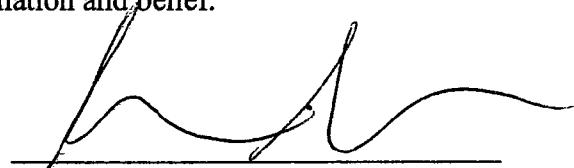
2718 K.C.P.  
436 7th  
Pittsburgh, PA 15219

VERIFICATION

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(NAME)

Agent of \_\_\_\_\_, plaintiff herein, that  
(TITLE) (COMPANY)

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)

A handwritten signature in black ink, appearing to read "Sara Rubin", is written over a horizontal line. Below the line, the words "(SIGNATURE)" are printed in capital letters.

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

CAPITAL ONE BANK

Plaintiff No. 06-1043-CD

vs. PRAECIPE TO SETTLE, DISCONTINUE  
AND END WITHOUT PREJUDICE TO REFILE

ANDREW L KEPHART

Defendants FILED ON BEHALF OF  
Plaintiff

COUNSEL OF RECORD OF  
THIS PARTY:

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

WWR#05215538

**FILED**  
M 11:20 AM AUG 10 2008  
1CC & 1 Cert of Disc  
Issued to Atty Warmbrodt  
S

William A. Shaw  
Prothonotary

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

CAPITAL ONE BANK

Plaintiff

vs.

Civil Action No. 06-1043-CD

ANDREW L KEPHART

Defendants

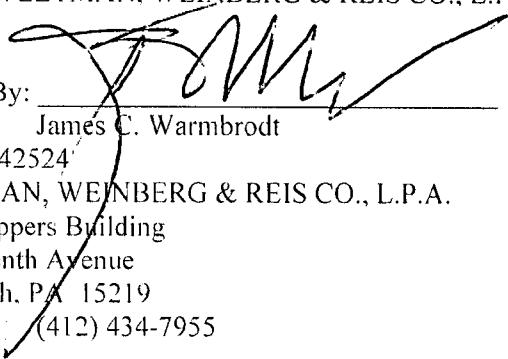
PRAECIPE TO SETTLE, DISCONTINUE  
AND END WITHOUT PREJUDICE TO REFILE

TO THE PROTHONOTARY OF CLEARFIELD COUNTY:

SIR:

Kindly settle, discontinue and end without prejudice to refile 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

PA I.D #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 31 day

  
of July, 2006  
NOTARY PUBLIC

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal	
City of <u>Pittsburgh</u>	County of <u>Allegheny</u>
Commission Expires <u>07-06-2006</u>	
Pennsylvania Association of Notaries	

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

COPY

Capital One Bank

Vs. No. 2006-01043-CD  
Andrew L. Kephart

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 August 10, 2006, marked:

Settled, discontinued and ended without prejudice to refile

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 10th day of August A.D. 2006.

  
\_\_\_\_\_  
William A. Shaw, Prothonotary