

06-1066-CD

Discover Bank vs Lois J. Leach.

2006-1066-CD

Discover Bank vs Lois Leach

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

DISCOVER BANK

Plaintiff

No: 2006-1066-C

vs.

COMPLAINT IN CIVIL ACTION

LOIS J LEACH

Defendant

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
05237144 C A Pit KMJ

COMPLAINT

FILED

JUL 05 2006
m/12:20/was
William A. Shaw
Prothonotary/Clerk of Courts
1 CENT TO SHAR

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

DISCOVER BANK

Plaintiff
vs. Civil Action No
06-27
LOIS J LEACH

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

LOIS J LEACH

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:

LOIS J LEACH
1100 W LONG AVE # 508
DU BOIS, PA 15801

3. Defendant applied for and received a credit card issued by
Plaintiff bearing the account number 6011002735331183 . A copy of
Plaintiff's Statement of Account is 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 June 22, 2006 , in the amount of
\$2038.32 .

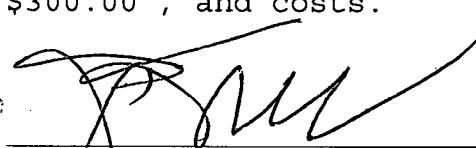
5. Defendant is in default by failing to make payments when due.

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 \$300.00 .

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 , LOIS J LEACH individually , in the amount of \$2038.32 with interest at the legal rate of 6.000% per annum from date of judgment plus attorneys' fees of \$300.00 , and costs.


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
05237144 C A Pit KMJ

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.

payment due date
May 19, 2006\$
Please make check payable to Discover Card.
Minimum payment due includes a past due amount of
\$158.00.20 SDSN6A01 0005795
LOIS LEACH
1100 W LONG AVE # 508
DU BOIS PA 15801-39865237144
Consolidate bills quickly and securely
with a Balance Transfer to your Discover
Card - Call 1-877-353-0989 or visit
Discovercard.com/balancetransfer TODAY!PO BOX 15251
WILMINGTON DE 19886-5251Address, e-mail or telephone change? Print change in space above, or
go to Discovercard.com. Print your e-mail address to receive important
Account information and special offers.

CLB

000006011002735331183020383200000000019900

Discover Card Account Summary

account number	6011 0027 3533 1183
payment due date	May 19, 2006
minimum payment due	\$199.00
credit limit	\$4,300.00
credit available	\$2,261.00
cash credit limit	\$2,200.00
cash credit available	\$0.00

Closing Date: April 20, 2006

page 1 of 1

previous balance	\$ 1,967.76
payments and credits	- 0.00
purchases	+ 39.00
cash advances	+ 0.00
balance transfers	+ 0.00
FINANCE CHARGES	+ 31.56
new balance	= \$2,038.32

You may be able to avoid Periodic Finance Charges, see
the reverse side for details.

EXHIBIT

"A"

Cashback Bonus®

Cashback Bonus® Anniversary
Date: January 20

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

Transactions

	trans. date	post date		
Other/Miscellaneous	Apr 20	Apr 20	LATE FEE	\$ 39.00

***** ATTENTION ***** ATTENTION ***** ATTENTION ***** ATTENTION ***** ATTENTION *****
 Your account is seriously past due. Payment of the amount due and arrangements for future payments should be
 made immediately.

	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	\$1982.99	0.05134%	18.74% V	18.74%	\$31.56	none
Cash Advances	\$0	0.06299%	22.99% F	22.99%	\$0	\$0

5237144

KLM

JUN 13 2006

VERIFICATION

The undersigned does hereby verify subject to the penalties of 18 P.A.C.S. §4904 relating to
unsworn falsifications to authorities, that he/she is Robert Adkins
Accounts Manager (Name)
(Title) of Discover Financial Services, LLC., plaintiff herein, that
(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.

Robert Adkins
(Signature)

WWR # 5237144
LOIS J LEACH
6011002735331183

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101685
NO: 06-1066-CD
SERVICE # 1 OF 1
COMPLAINT

PLAINTIFF: DISCOVER BANK
vs.
DEFENDANT: LOIS J. LEACH

SHERIFF RETURN

NOW, July 17, 2006 AT 11:50 AM SERVED THE WITHIN COMPLAINT ON LOIS J. LEACH DEFENDANT AT 1100 W. LONG AVE. #508, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO LOIS LEACH, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: COUDRIET /

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	WELTMAN	8332523	10.00
SHERIFF HAWKINS	WELTMAN	8332523	34.91

FILED
9/2/2006
JUL 21 2006
WM

William A. Shaw
Prothonotary/Clerk of Courts

Sworn to Before Me This

____ Day of _____ 2006

So Answers,

*Chester A. Hawkins
by Marilyn Hart*
Chester A. Hawkins
Sheriff

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

DISCOVER BANK

Plaintiff No. 2006-1066-CD

vs. PRAECIPE FOR DEFAULT JUDGMENT

LOIS J LEACH

Defendant

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

WILLIAM T. MOLCZAN, ESQUIRE
PA I.D.#47437
Weltman, Weinberg & Reis Co., L.P.A.
2718 Koppers Bldg.
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR#05237144
Judgment Amount \$ 2,338.32

FILED Atty pd.
m/12/06 10/20/06
SEP 08 2006 10/20/06
Notice to
Def. and
Atty Hearn
William A. Shaw
Prothonotary/Clerk of Courts

Statement to
Atty Molczan

610

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. 2006-1066-CD

LOIS J LEACH

Defendant

PRAECIPE FOR DEFAULT JUDGMENT

TO THE PROTHONOTARY:

Kindly enter Judgment against the Defendant, LOIS J LEACH above named, in the default of an Answer, in the amount of \$2,338.32 computed as follows:

Amount claimed in Complaint	\$2,038.32
Interest from date of judgment at the legal interest rate of 6% per annum	
Attorney's fees	\$300.00
TOTAL	\$2,338.32

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: 
WILLIAM T. MOLCZAN, ESQUIRE

PA I.D.#47437

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

WWR#05237144

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: 1100 W LONG AVE # 508 , DU BOIS,PA 15801 .

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

DISCOVER BANK

Plaintiff

2006-1066-CD

LOIS J LEACH

Defendant

IMPORTANT NOTICE

TO:

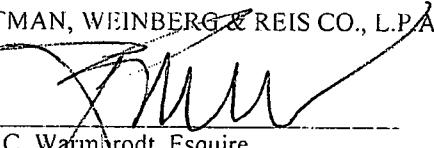
LOIS J LEACH
1100 W LONG AVE # 503
DU BOIS, PA 15801

Date of Notice: 08/15/06

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 NOTICE TO A LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE FOLLOWING OFFICE 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

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 Building

436 Seventh Avenue

Pittsburgh, PA 15219

(412) 434-7955

WWR#05237144

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

DISCOVER BANK

Plaintiff

2006-1066-CD

LOIS J LEACH

Defendant

IMPORTANT NOTICE

TO:

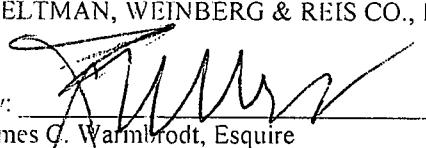
DOUG HEARN, ESQUIRE
2054 E. COLLEGE AVENUE,
STATE COLLEGE, PA. 16801

Date of Notice: 08/15/16

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 NOTICE TO A LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE FOLLOWING OFFICE 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

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

By: 

James G. Warmbrodt, Esquire

PA I.D. #42524

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

2718 Kopfers Building

436 Seventh Avenue

Pittsburgh, PA 15219

(412) 434-7955

WWR #05237144

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

DISCOVER BANK

Case no: 2006-1066-CD

Plaintiff
vs.
NON-MILITARY AFFIDAVIT

LOIS J LEACH

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.

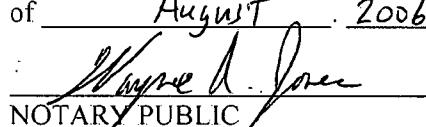
Affiant further states that based upon investigation it is the affiant's belief that the Defendant, LOIS J LEACH is not in the military service.

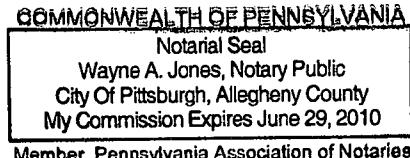
Affiant further states that this belief is supported by the attached certificate from the Defense Manpower Data Center (DMDC), which states that the Defendant, LOIS J LEACH is not in the military service.

Further Affiant sayeth naught.


AFFIANT

SWORN TO AND SUBSCRIBED in my presence this 29 day
of August 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

AUG-29-2006 05:51:38



Military Status Report
Pursuant to the Servicemembers Civil Relief Act

Last Name	First/Middle	Begin Date	Active Duty Status	Service/Agency
LEACH			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.

Mary M. Snavely-Dixon

Mary M. Snavely-Dixon, 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. #167;#167; 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: BBDAHZOKAAU

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

DISCOVER BANK

Plaintiff

vs.

Civil Action No. 2006-1066-CD

LOIS J LEACH

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 9/8/06

Assumpsit Judgment in the amount
of \$2,338.32 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.

Entry of Judgment of
 Court Order
 Non-Pro
 Confession
 Default
 Verdict
 Arbitration
Award

Prothonotary

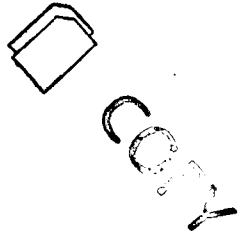
By: Weltman
PROTHONOTARY (OR DEPUTY)

LOIS J LEACH
1100 W LONG AVE # 508
DU BOIS, PA 15801

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 CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION



DISCOVER BANK

Plaintiff

vs.

Civil Action No. 2006-1066-CD

LOIS J LEACH

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 9/18/06

Assumpsit Judgment in the amount
of \$2,338.32 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.

Entry of Judgment of
 Court Order
 Non-Pro
 Confession
 Default
 Verdict
 Arbitration
Award

Prothonotary

By: Will Hearn

PROTHONOTARY (OR DEPUTY)

DOUG HEARN, ESQUIRE
2054 COLLEGE AVENUE,
STATE COLLEGE, PA. 16801

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
STATEMENT OF JUDGMENT

Copy

Discover Bank
Plaintiff(s)

No.: 2006-01066-CD

Real Debt: \$2,338.32

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Lois J. Leach
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: September 8, 2006

Expires: September 8, 2011

Certified from the record this 8th day of September, 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