



2029680

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

Capital One Bank  
P.O. Box 85147  
Richmond, VA 85147

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

vs.

DOCKET NO. : *06-1529-CD*

JOHN T HOFFMAN  
502 E MARKET ST FL 2  
CLEARFIELD PA 16830-2437

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

**FILED** *Any pd.*  
*m) 11:15 AM*  
**SEP 21 2006** *85.00*  
*ICC Shff*  
William A. Shaw  
Prothonotary/Clerk of Courts

COMPLAINT IN CIVIL ACTION

1. At all times relevant hereto, the defendant was the holder of a credit card, which at the request of the defendant was issued to the defendant by the plaintiff under the terms of which the plaintiff agreed to extend to defendant the use of plaintiff's credit facilities.

2. Defendant 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 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 an affidavit of indebtedness is attached hereto as Exhibit "A".

4. All the credits to which the defendant is entitled have been applied and there remains a balance due in the amount of \$3,080.61.

5. Plaintiff has made demand upon the defendant for payment of the balance due of \$3,080.61 but the defendant has failed and refused and still refuses to pay the same or any part thereof.

WHEREFORE, plaintiff claims of the defendant the sum of \$3,080.61 at the rate of 25.9% from the date of February 8, 2004,

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 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.



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FREDERIC I. WEINBERG, ESQUIRE

EXHIBIT "A"

## Capital One Bank

JOHN T HOFFMAN

4388642058394316

AFFIDAVIT

I, **SARA RUBIN**, 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 4388642058394316 in the amount of \$3,080.61; 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.

  
SARA RUBIN

Sworn to and Subscribed

before me this 22 dayof Aug 2006  
Notary Public

KARL HERNANDEZ  
Notary Public, State of New York  
No. 014E3095733  
Qualified in Suffolk County  
Commission Expires July 21, 2007

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101941  
NO: 06-1529-CD  
SERVICE # 1 OF 1  
COMPLAINT

PLAINTIFF: CAPITAL ONE BANK  
vs.  
DEFENDANT: JOHN T. HOFFMAN

SHERIFF RETURN

NOW, October 05, 2006 AT 2:50 PM SERVED THE WITHIN COMPLAINT ON JOHN T. HOFFMAN DEFENDANT AT SHERIFF'S OFFICE, 1 N. 2ND ST., SUITE 116, CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO JOHN T. HOFFMAN, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: SNYDER /

FILED  
9/2:20am  
DEC 14 2006

William A. Shaw  
Prothonotary/Clerk of Courts


PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	GORDON	24333	10.00
SHERIFF HAWKINS	GORDON	24333	21.00

Sworn to Before Me This

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

\_\_\_\_\_

So Answers,

  
Chester A. Hawkins  
Sheriff

FILED *Amg pd. 82,00*  
*M 12:11 PM*  
 JAN 26 2007 *1109*  
 Notice to Judge.  
 William A. Shaw  
 Prothonotary/Clerk of Courts  
*Statement*  
*to Amy*  
*J*  
*GR*

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

DOCKET NO. : 06-1529-CD

PRAECIPE FOR JUDGMENT

FREDERIC I. WEINBERG, ESQUIRE  
PAUL M. SCHOFIELD, JR., ESQUIRE  
Attorney for Plaintiff

I hereby certify that written notice of the intention to file this Praecipe was mailed or delivered to the parties against whom judgment is to be entered and to his attorney of record, if any, after the default occurred and at least ten (10) days prior to the date of the filing of this Praecipe.

Filed: \_\_\_\_\_  
By the Prothonotary: \_\_\_\_\_

damages assessed at the  
cation. William H. Hays  
Prothonotary

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

Capital One Bank

COURT OF COMMON PLEAS

CLEARFIELD COUNTY

vs.

DOCKET NO. : 06-1529-CD

JOHN T HOFFMAN

CERTIFICATION OF ADDRESS

I hereby certify that the precise residence of the holder of the within judgment is; Capital One Bank and that the last known address of defendant, JOHN T HOFFMAN, 502 E MARKET ST FL 2, CLEARFIELD PA 16830-2437.

GORDON & WEINBERG, P.C.

BY: 

FREDERIC I. WEINBERG, ESQUIRE  
PAUL M. SCHOFIELD, JR., ESQUIRE  
Attorney for Plaintiff

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

Capital One Bank

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

vs.

DOCKET NO. : 06-1529-CD

JOHN T HOFFMAN

**AFFIDAVIT OF NON-MILITARY SERVICE**

FREDERIC I. WEINBERG, ESQUIRE, being duly sworn according to law, deposes and says that he represents the plaintiff in the above-entitled case; that he is authorized to make this affidavit on behalf of the plaintiff; and that the above-named defendant is over twenty-one years of age; that the address of the defendant is, 502 E MARKET ST FL 2, CLEARFIELD PA 16830-2437; that the occupation of the defendant is unknown; and that the defendant is not in the Military Service of the United States, nor any State or Territory thereof or its allies as defined in the Soldiers' and Sailors' Civil Relief Act of 1940 and the amendments thereto.

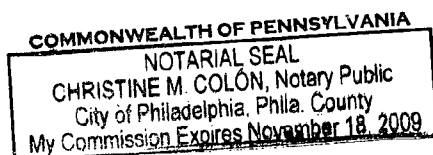
Sworn to and Subscribed

Before me this 10<sup>th</sup> Day

of January, 2007.

*Christine M. Colon*  
Notary Public

*[Signature]*  
FREDERIC I. WEINBERG, ESQUIRE  
PAUL M. SCHOFIELD, JR. ESQUIRE  
Attorney for Plaintiff



2029680

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

Capital One Bank

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

vs.

DOCKET NO. : 06-1529-CD

JOHN T HOFFMAN

**NOTICE OF INTENTION TO TAKE DEFAULT**

TO/PARA :

JOHN T HOFFMAN  
502 E MARKET ST FL 2  
CLEARFIELD PA 16830-2437

DATE OF NOTICE/FECHA DEL AVISO: December 27, 2006

**IMPORTANT NOTICE**

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY AN 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 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 Admin.  
Clearfield County Courthouse  
Clearfield, PA 16830  
(814) 765-2641

GORDON & WEINBERG, P.C.

BY: \_\_\_\_\_  
FREDERIC I. WEINBERG, ESQUIRE  
PAUL M. SCHOFIELD, JR., ESQUIRE

P10D-2

2029680

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

Capital One Bank

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

vs.

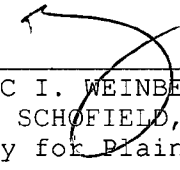
DOCKET NO. : 06-1529-CD

JOHN T HOFFMAN


**NOTICE**

PURSUANT TO RULE 236 OF THE SUPREME COURT OF PENNSYLVANIA, YOU ARE  
HEREBY NOTIFIED THAT A JUDGMENT BY DEFAULT HAS BEEN ENTERED AGAINST  
YOU IN THE ABOVE PROCEEDING IN THE AMOUNT OF \$3,513.58. IF YOU HAVE  
ANY QUESTIONS CONCERNING THIS NOTICE, PLEASE CALL GORDON & WEINBERG,  
P.C. AT 215/988-9600.

GORDON & WEINBERG, P.C.

BY:   
FREDERIC I. WEINBERG, ESQUIRE  
PAUL M. SCHOFIELD, JR., ESQUIRE  
Attorney for Plaintiff

Dated: January 9, 2007

 COPY

NOTICE OF JUDGMENT

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

CIVIL DIVISION

Capital One Bank

Vs.

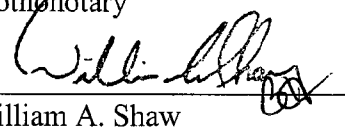
No. 2006-01529-CD

John T. Hoffman

To: DEFENDANT(S)

NOTICE is given that a JUDGMENT in the above captioned matter has been entered against you in the amount of \$3,513.58 on January 26, 2007.

William A. Shaw  
Prothonotary

  
\_\_\_\_\_  
William A. Shaw

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA  
STATEMENT OF JUDGMENT

CO. 1

Capital One Bank  
Plaintiff(s)

No.: 2006-01529-CD

Real Debt: \$3,513.58

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

John T. Hoffman  
Defendant(s)

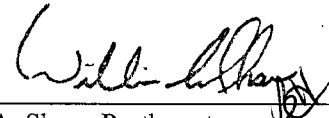
Entry: \$20.00

Instrument: Default Judgment

Date of Entry: January 26, 2007

Expires: January 26, 2012

Certified from the record this 26th day of January, 2007.



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