

06-1617-CD
Discover Bank vs Kim S. Matthews

2006-1617-CD
Discover Bank vs Kim Matthews

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

DISCOVER BANK

Plaintiff

No: 2006-1617-C

vs.

COMPLAINT IN CIVIL ACTION

KIM S MATTHEWS

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
05430193 C A Pit WLG

FILED pd \$85.00 A/H
M/2:05pm NO CC
OCT 04 2006 CC Shft

William A. Shaw
Prothonotary/Clerk of Courts

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

DISCOVER BANK

Plaintiff
vs.
KIM S MATTHEWS
Defendant

Civil Action No

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

COMPLAINT

1. Plaintiff, is a corporation with offices at 6500 NEW ALBANY ROAD
NEW ALBANY , OH 43054 .

2. Defendant is adult individual(s) residing at the address listed
below:

KIM S MATTHEWS
479 FLOOD RD
CLEARFIELD, PA 16830

3. Defendant applied for and received a credit card issued by
Plaintiff bearing the account number 6011002190312298 . 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 September 25, 2006 , in the amount
of \$2729.03 .

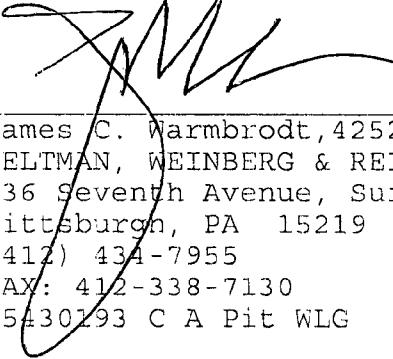
5. Defendant is in default by failing to make payments when due.

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 \$500.00 .

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 , KIM S MATTHEWS , INDIVIDUALLY , in the amount of \$2729.03 with interest at the legal rate of 6.000% per annum from date of judgment plus attorneys' fees of \$500.00 , 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
05430193 C A Pit WLG

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.



new balance
\$2,729.03

minimum payment due
\$2,729.03

payment due date
August 21, 2006

account number 6011 0021 9031 2298
enter amount enclosed below

\$

5430193

22 SDSN6A01 0005439
KIM MATTHEWS
479 FLOOD RD
CLEARFIELD PA 16830-4319

Please make check payable to Discover Platinum Card. Minimum payment due includes a past due amount of \$597.00.

Avoid fees by signing up for timely e-mail reminders. Get alerts when your payment due date is coming up and more. Go to Discovercard.com/reminders

PL 17

PO BOX 15251
WILMINGTON DE 19886-5251

Address, 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.

000006011002190312298027290300000000272903

Discover Platinum Card Account Summary

account number 6011 0021 9031 2298
payment due date August 21, 2006
minimum payment due \$2,729.03
credit limit \$1,800.00
credit available \$0.00
cash credit limit \$0.00
cash credit available \$0.00

Closing Date: July 22, 2006

page 1 of 1

previous balance	\$2,729.03
payments and credits	- 0.00
purchases	+ 0.00
cash advances	+ 0.00
balance transfers	+ 0.00
FINANCE CHARGES	+ 0.00
new balance	= \$2,729.03

EXHIBIT

11A11

Cashback Bonus®

Cashback Bonus® Anniversary
Date: January 22

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

Transactions

Shop confidently. Your Discover(R) Card has you covered with Complete Fraud Protection for your peace of mind. With our advanced fraud warnings, you'll know right away if any suspicious activity occurs. And if someone makes fraudulent charges with your card, our \$0 fraud liability guarantee means you're not responsible.

Check out Shop Discover Card at Discovercard.com/shop for discount offers from your favorite online retailers.

Average Daily Balances	Daily Periodic Rates	Nominal ANNUAL PERCENTAGE RATES	ANNUAL PERCENTAGE RATES	Periodic FINANCE CHARGES	Transaction Fee FINANCE CHARGES
current billing period: 30 days 0.00	0.07797%	08.91%	08.94%	\$0	none

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 is Robert Adkins,
Accounts Manager of Discover Financial Services, LLC., plaintiff herein, that
(Name)
(Title) (Company)

he 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.


(Signature)

WWR # 5430193
KIM S MATTHEWS
6011002190312298

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

DISCOVER BANK

Plaintiff No. : 2006-1617-CD

vs.

PRAECIPE TO SETTLE, DISCONTINUE
AND END WITHOUT PREJUDICE TO REFILE

KIM S MATTHEWS

Defendant 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#05430193

FILED

NOV 20 2006

11:50 AM
William A. Shaw
Prothonotary/Clerk of Courts

1 CERT TO ATT

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

DISCOVER BANK

Plaintiff

vs.

Civil Action No. : 2006-1617-CD

KIM S MATTHEWS

Defendant

PRAECIPE TO SETTLE, DISCONTINUE
AND END WITHOUT PREJUDICE TO REFILE

TO THE PROTHONOTARY OF CLEARFIELD COUNTY:

SIR:

Settle, Discontinue and End the above-captioned matter upon the records of the Court without
prejudice to refile and mark the costs paid.

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

By: _____
Attorney for Plaintiff
2718 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955
WWR#05430193

SWORN TO AND SUBSCRIBED

before me this 14th day

of November, 2006

NOTARY PUBLIC
COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Heidi J. Kelly, Notary Public
City Of Pittsburgh, Allegheny County
My Commission Expires Nov. 4, 2009
Member, Pennsylvania Association of Notaries

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 101997
NO: 06-1617-CD
SERVICE # 1 OF 1
COMPLAINT

PLAINTIFF: DISCOVER BANK
vs.
DEFENDANT: KIM S. MATTHEWS

FILED
07/31/2006
JAN 18 2007
S.M.

William A. Shaw
Prothonotary/Clerk of Courts

SHERIFF RETURN

NOW, October 11, 2006 AT 1:14 PM SERVED THE WITHIN COMPLAINT ON KIM S. MATTHEWS DEFENDANT AT SHERIFF'S OFFICE, 1 N. 2ND ST., SUITE 116, CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO KIM S. MATTHEWS, 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	8363933	10.00
SHERIFF HAWKINS	WELTMAN	8363933	21.00

Sworn to Before Me This

____ Day of _____ 2007

So Answers,

Chester A. Hawkins
By Marilyn Ham
Chester A. Hawkins
Sheriff