

06-1767-CD

Harvest Credit vs John K. Martin

Harvest Credit et al vs John Martin
2006-1767-CD

2028398

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

FILED *Atty pd. 85.00*
Oct 30 2006 *ICC Shff*

William A. Shaw
Prothonotary/Clerk of Courts

HARVEST CREDIT MANAGEMENT VII,
LLC AS SUCCESSOR IN INTEREST TO
CHASE
600 17TH STREET
Denver CO 80202

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

vs.

DOCKET NO. : *D6-1767-CD*

JOHN K MARTIN
62 CRANBERRY LN
OSCEOLA MILLS PA 16666-1548

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

COMPLAINT IN CIVIL-ACTION

1. Plaintiff is a debt buyer and successor in interest to the original creditor as set forth in the caption of this Complaint.

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

3. Defendant(s) 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.

4. The defendant(s) 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 the Statement of Account is attached hereto as Exhibit "A".

5. All the credits to which the defendant(s) is entitled have been applied and there remains a balance due in the amount of \$3,925.22.

6. Plaintiff has made demand upon the defendant(s) for payment of the balance due of \$3,925.22 but the defendant(s) has failed and refused and still refuses to pay the same or any part thereof.

WHEREFORE, plaintiff claims of the defendant(s) the sum of

\$3,925.22 at the rate of 0% from the date of September 15, 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.DB

VERIFICATION

FREDERIC I. WEINBERG, ESQUIRE, hereby states that he is the attorney for the Plaintiff(s) 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.

FREDERIC I. WEINBERG, ESQUIRE

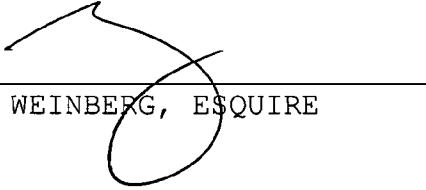


EXHIBIT "A"

2028398

HARVEST CREDIT MANAGEMENT VII, LLC AS
SUCCESSOR IN INTEREST TO CHASE

JOHN K MARTIN

4029360010459912

David Ravin AFFIDAVIT

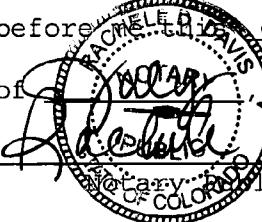
I, _____, being duly served
sworn according to law, depose and say that:

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 4029360010459912 in the amount of \$3,925.22; 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.


(Name of Affiant)

Sworn to and Subscribed

before me this 26 day
of September, 2006

Notary Public
State of Colorado

My Commission Expires Sept. 26 2009

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 1 of 1 Services

Sheriff Docket #

102080

HARVEST CREDIT MANAGEMENT VII, LLC

Case # 06-1767-CD

vs.

JOHN K. MARTIN

TYPE OF SERVICE COMPLAINT

SHERIFF RETURNS

NOW February 06, 2007 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT "NOT FOUND" AS TO JOHN K. MARTIN, DEFENDANT. SEVERAL ATTEMPTS, NOT HOME.

SERVED BY: /

Return Costs

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	GORDON	25689	10.00
SHERIFF HAWKINS	GORDON	25689	85.20

FILED
9:20 AM
FEB 06 2007
CLERK

William A. Shaw
So Answers, Prothonotary/Clerk of Courts

Sworn to Before me This

____ Day of 2007

Chester A. Hawkins
Chester A. Hawkins
Sheriff

2028398

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

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

OCT 30 2006

Attest.

William L. Chen
Prothonotary/
Clerk of Courts

HARVEST CREDIT MANAGEMENT VII,
LLC AS SUCCESSOR IN INTEREST TO
CHASE
600 17TH STREET
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GORDON & WEINBERG, P.C.

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

P01E.DB

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FREDERIC I. WEINBERG, ESQUIRE

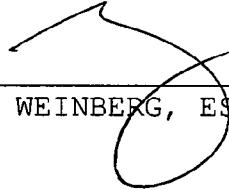


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(Name of Affiant)

Sworn to and Subscribed

before me on the 26 day
of July, 2006



My Commission Expires Sept. 26 2008

2028398

GORDON & WEINBERG, P.C.
BY: FREDERIC I. WEINBERG, ESQUIRE
Identification No.: 41360
JOEL M. FLINK, ESQUIRE
Identification No.: 81894
1001 E. Hector Street, Ste 220
Conshohocken, PA 19428
484/351-0500

FILED
M 7 9 10 2009
PAUL J. AMBROSE
GR

S
William A. Shaw
Prothonotary/Clerk of Courts

HARVEST CREDIT MANAGEMENT VII, LLC AS SUCCESSOR IN INTEREST TO CHASE

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

vs.

DOCKET NO. : 06-1767-CD

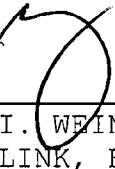
JOHN K MARTIN

SUGGESTION OF BANKRUPTCY OF DEFENDANT

TO THE PROTHONOTARY:

AND NOW, this March 6, 2009, it is suggested of record that Defendant, JOHN K MARTIN, filed a petition in bankruptcy under Chapter 13 of the Bankruptcy Code on or about July 18, 2007, in the United States Bankruptcy Court for the Western District of Pennsylvania, docket number 07-70818. Therefore, this matter should be stayed until further notice.

GORDON & WEINBERG, P.C.

BY: 

FREDERIC I. WEINBERG, ESQUIRE
JOEL M. FLINK, ESQUIRE
Attorney for Plaintiff

2028398

**The Law Offices of Frederic I Weinberg
& Associates, P.C.**

BY: Frederic I. Weinberg, Esquire
Identification No.: 41360
Joel M. Flink, Esquire
Identification No.: 41200
375 E. Elm Street, Suite 210
Conshohocken, PA 19428
484/351-0500

HARVEST CREDIT MANAGEMENT VII,
LLC AS SUCCESSOR IN INTEREST
TO CHASE

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

vs.

DOCKET NO. : 06-1767-CD

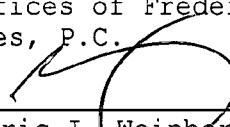
JOHN K MARTIN

PRAECIPE TO WITHDRAW COMPLAINT

TO THE PROTHONOTARY:

Kindly withdraw the above-captioned action, without
prejudice.

The Law Offices of Frederic I. Weinberg
& Associates, P.C.

BY: 

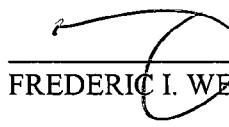
Frederic I. Weinberg, Esquire
Joel M. Flink, Esquire
Attorney for Plaintiff

P006

FILED
M 4:38 a.m. 6/11
MAR 16 2015
2 S BRIAN K. PROTHONOTARY
PROTHONOTARY'S OFFICE
6/12

CERTIFICATION OF SERVICE

I, **FREDERIC I. WEINBERG, ESQUIRE**, hereby certify that I, on the date below, served a copy of the Praeclipe to Withdraw Complaint to Pa.R.C.P. 1028(c)(1), via First Class Mail, postage pre-paid, to all other parties or their counsel of record.


FREDERIC I. WEINBERG, ESQUIRE

Dated 2/16/15