

06-1845-CD

Atlantic Credit vs Amy Hoyt

2006-1845-CD

Atlantic Credit et al vs Amy Hoyt

2028537

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

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Atlantic Credit & Finance Inc.  
Assignee from Household Bank  
3353 Orange Avenue  
Roanoke, VA 24012

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

vs.

DOCKET NO. : 06-1845-CD

AMY HOYT  
810 KNEPP RD  
CLEARFIELD PA 16830

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. Meholic, Court Admin.

Clearfield County Courthouse

Clearfield, PA 16830

(814) 765-2641

FILED Atty pd.  
m/11/23/01 85.00  
NOV 09 2006  
ICC Staff

William A. Shaw  
Prothonotary/Clerk of Courts

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 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.

3. 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.

4. 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 debt and verified bill of particulars is attached hereto as Exhibit "A".

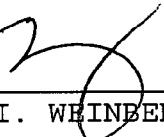
5. All the credits to which the defendant is entitled have been applied and there remains a balance due in the amount of \$4,418.22.

6. Plaintiff has made demand upon the defendant for payment of the balance due of \$4,418.22 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 \$4,418.22 plus interest from the date of March 3, 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 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

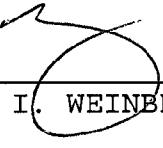


EXHIBIT "A"

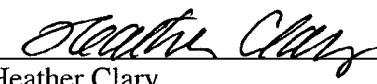
v.  
AMY HOYT**AFFIDAVIT OF DEBT AND VERIFIED BILL OF PARTICULARS**

The undersigned being first duly sworn according to law, deposes and says that she is familiar with the policies and practices, as well as the books and records of the Plaintiff with respect to the matters stated herein, and based on information and belief states as follows:

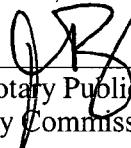
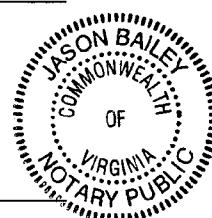
1. Plaintiff's principal business consists of purchasing charged off receivables.
2. The Defendant defaulted on HOUSEHOLD BANK Account No. 5480420008040154. Said Account was charged off on May 31, 2004 in the amount of \$4,418.22.
3. Plaintiff purchased or was otherwise assigned this charged off account along with other debts. As a result of the foregoing sale and assignment, the Plaintiff succeeded to all right, title and interest in the charged off account, and it now owns the account.
4. Plaintiff conducted a due diligence investigation to determine, among other things, the accuracy of the account information provided to ascertain whether the statute of limitations was a bar to demand or institution of suit. Further, Plaintiff and/or its predecessor entered into a contract where the predecessor made representations and warranties that 1) it had clear right, title and interest in the account; 2) the account was free and clear of all liens and encumbrances; and 3) it had the power, authority, and full right to sell and convey its interest in the account.
5. According to Plaintiff's records, the last payment date on this charged off account was March 3, 2004. After application of all payments, credits, adjustments, and lawful offsets, if any, there is still a balance due and owing on this indebtedness of \$4,418.22.
6. The internal Account Statement of Plaintiff is attached hereto as Exhibit A and displays the account information that was provided to Plaintiff at the time of purchase and assignment.

The foregoing is true and correct to the best of my knowledge and belief.

By:

  
Heather Clary  
Assistant Director of Forwarding

Subscribed and sworn before me on June 29, 2006.

  
Notary Public: Jason Bailey  
My Commission Expires: 12/31/08

THIS COMMUNICATION IS FROM A DEBT COLLECTOR

# Atlantic Credit & Finance Inc.

<u>Our Account ID:</u> 808109	<u>Status:</u> LEG	<u>Report Date</u> 6/29/2006 9:40AM
<u>Account Number:</u> 5480420008040154		
<u>Received:</u> 6/23/2004	<u>Closed:</u>	<u>Returned:</u>
<u>Original Balance</u> \$4,418.22		
<u>Amount Paid:</u> \$0.00		
<u>Current Balance:</u> \$4,418.22		

## Debtors

<u>Name</u> HOYT, AMY	<u>SSN - Last 4 Digits</u> 7028	<u>DOB</u>
<u>OtherName</u>	<u>HomePhone</u>	8147652067
<u>Street1</u> 114 1/2 WEAVER ST	<u>WorkPhone</u>	8147682280
<u>Street2</u>		
<u>CSZ</u> CLEARFIELD,PA 16830		

## Payments

Date	Type	Matched	Check No	Invoiced	Amount	Comment

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102123  
NO: 06-1845-CD  
SERVICE # 1 OF 1  
COMPLAINT

PLAINTIFF: ATLANTIC CREDIT & FINANCE INC.

vs.

DEFENDANT: AMY HOYT

FILED

03/07/07  
FEB 13 2007

William A. Shaw  
Prothonotary/Clerk of Courts

SHERIFF RETURN

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NOW, November 17, 2006 AT 2:54 PM SERVED THE WITHIN COMPLAINT ON AMY HOYT DEFENDANT AT 810 KNEPP RD, CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO AMY HOYT, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: HUNTER /

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	GORDON	26400	10.00
SHERIFF HAWKINS	GORDON	26400	20.00

Sworn to Before Me This

\_\_\_\_ Day of \_\_\_\_\_ 2007

So Answers,

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

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. 20.00  
M 11:37 AM MAR 28 2007  
ccor Notice  
to Def.

William A. Shaw  
Prothonotary/Clerk of Courts

Statement to  
Atty (GK)

Atlantic Credit & Finance Inc.  
Assignee from Household Bank

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

vs.

DOCKET NO. : 06-1845-CD

AMY HOYT

PRAECIPE FOR JUDGMENT

The Prothonotary will please enter Judgment in the above matter by default for want of an answer against the Defendant, AMY HOYT, and assesses the damages as per statement below.

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

Principal	\$4,418.22
Interest from 3/3/04	
@0%	\$ .00
Costs (Complaint & Service)	\$115.00
<b>Total:</b>	<b>\$4,533.22</b>

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.

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

Filed:

By the Prothonotary:

AND NOW, this 28<sup>th</sup> day of March, 2007 Judgment is entered in favor of the plaintiff(s) and against defendant, for want of an answer and damages assessed at the sum of , \$4,533.22 as per the above certification.

\_\_\_\_\_  
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

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Atlantic Credit & Finance Inc.  
Assignee from Household Bank

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

vs.

DOCKET NO. : 06-1845-CD

AMY HOYT

CERTIFICATION OF ADDRESS

I hereby certify that the precise residence of the holder of the  
within judgment is; Atlantic Credit & Finance Inc. Assignee from  
Household Bank and that the last known address of defendant, AMY  
HOYT, 810 KNEPP RD, CLEARFIELD PA 16830.

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

Atlantic Credit & Finance Inc.  
Assignee from Household Bank

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

vs.

DOCKET NO. : 06-1845-CD

AMY HOYT

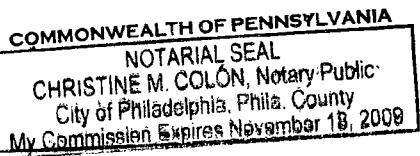
AFFIDAVIT OF NON-MILITARY SERVICE

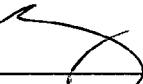
FREDERIC I. WEINBERG, ESQUIRE, being duly sworn according to law, deposes and says that he represents the plaintiff in the above-entitled case; that he is authorized to make this affidavit on behalf of the plaintiff; and that the above-named defendant is over twenty-one years of age; that the address of the defendant is, 810 KNEPP RD, CLEARFIELD PA 16830; 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 14th Day

of March, 2007.  
Christine M. Colon  
Notary Public



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

2028537

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

Atlantic Credit & Finance Inc.  
Assignee from Household Bank

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

vs.

DOCKET NO. : 06-1845-CD

AMY HOYT

NOTICE OF INTENTION TO TAKE DEFAULT

TO/PARA :

AMY HOYT  
810 KNEPP RD  
CLEARFIELD PA 16830

DATE OF NOTICE/FECHA DEL AVISO: February 26, 2007

IMPORTANT NOTICE

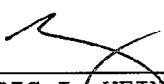
YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY AN ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU 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. Meholic, 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

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

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Atlantic Credit & Finance Inc.  
Assignee from Household Bank

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

vs.

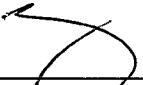
DOCKET NO. : 06-1845-CD

AMY HOYT

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 \$4,533.22. 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: March 13, 2007

COPY

NOTICE OF JUDGMENT

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

CIVIL DIVISION

Atlantic Credit & Finance, Inc.,  
Assignee of Household Bank

Vs.

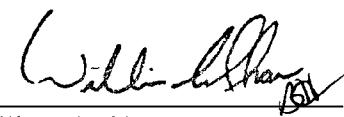
No. 2006-01845-CD

Amy Hoyt

To: DEFENDANT(S)

NOTICE is given that a JUDGMENT in the above captioned matter has been entered  
against you in the amount of \$4,533.22 on March 28, 2007.

William A. Shaw  
Prothonotary

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

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

COPY

Atlantic Credit & Finance, Inc.  
Household Bank  
Plaintiff(s)

No.: 2006-01845-CD

Real Debt: \$4,533.22

Atty's Comm: \$

Vs. Costs: \$

Int. From: \$

Amy Hoyt Entry: \$20.00  
Defendant(s)

Instrument: Default Judgment

Date of Entry: March 28, 2007

Expires: March 28, 2012

Certified from the record this 28th day of March, 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