

06-1958-CD

Discover Bank vs Kelly M. Reifer

Discover Bank vs Kelly Reifer
2006-1958-CD

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

DISCOVER BANK

Plaintiff

No: *06-1958-cd*

vs.

COMPLAINT IN CIVIL ACTION

KELLY MICHAEL REIFER

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
05124350 C A Pit WLG

Atty fd. \$5.00
M 11:58 AM NOV 22 2006
FILED ICC Shaff
NOV 22 2006
WILLIAM A. SHAW
William A. Shaw
Prothonotary/Clerk of Courts

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

DISCOVER BANK

Plaintiff
vs. Civil Action No
KELLY MICHAEL REIFER
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

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:

KELLY MICHAEL REIFER
263 BIRCH ST
HOUTZDALE, PA 16651

3. Defendant applied for and received a credit card issued by
Plaintiff bearing the account number 6011003860075751 . 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 November 01, 2006 , in the amount of
\$9234.97 .

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 \$1500.00

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 , KELLY MICHAEL REIFER , INDIVIDUALLY , in the amount of \$9234.97 with interest at the legal rate of 6.000% per annum from date of judgment plus attorneys' fees of \$1500.00 , and costs.

James C. Warmbrodt, 42524
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05124350 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
\$9,234.97

Minimum Payment Due
\$1,470.00

Payment Due Date
February 15, 2004

Account Number 6011 0038 6007 5751
Enter Amount Enclosed Below

\$

Please make check payable to Discover Platinum Card. Minimum payment due includes a past due amount of \$1,264.00.

16 SDSN6A01 0001178
REIFER, KELLY MICHAEL
263 BIRCH ST
HOUTZDALE PA 16651-9024

EXHIBIT

11A1

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.

000006011003860075751092349700000000147000

PO BOX 15251 
WILMINGTON DE 19886-5251


Discover Platinum Card Account Summary

Closing Date: January 16, 2004

page 1 of 1

Account Number	6011 0038 6007 5751
Payment Due Date	February 15, 2004
Minimum Payment Due	\$1,470.00
Credit Limit	\$11,500.00
Credit Available	\$0.00
Cash Credit Limit	\$5,800.00
Cash Credit Available	\$0.00

Previous Balance	\$ 9,006.87
Payments And Credits	0.00
Purchases	+ 35.00
Cash Advances	+ 0.00
Balance Transfers	+ 0.00
Finance Charges	+ 193.10
New Balance	= \$9,234.97

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

Cashback Bonus®

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

Cashback Bonus® Anniversary

Date: May 16

How Can We Help You?

Please have your Discover Card available.

Manage your account online at Discovercard.com

Customer Service: 1-800-DISCOVER (1-800-347-2683)

For Account Inquiries, write to us at:
Discover Platinum Card, PO Box 30943
Salt Lake City, UT 84130

TDD (Telecommunications Device for the Deaf):
For assistance, see reverse side.

Transactions

\$0 Fraud Liability Guarantee Use your Discover Card with confidence.

Trans. Date	Post Date			
Other/Miscellaneous	Jan 16	Jan 16	LATE FEE	\$ 35.00

Information For You

Please note, the Traditional Cashback Bonus award is now called the Purchase Cashback Bonus award.

Simplify and Save with three easy ways to transfer balances to your Discover(R) Card. Call 1-800-767-7339 to see if a Balance Transfer offer is available for you, go to Discovercard.com, or look for Balance Transfer checks in the mail.

Finance Charge Summary

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	0.000 17%	24.00%	24.99%	\$70.87	none

VERIFICATION

The undersigned does hereby verify subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities, that he is an attorney for the Plaintiff herein and makes this Verification based upon the facts as supplied to him by the Plaintiff because the Plaintiff is outside the jurisdiction of the court and the Plaintiff's Verification cannot be obtained within the time allowed for the filing of this pleading; and that the facts and circumstances set forth in this pleading, are true and correct to the best of his knowledge, information and belief.



James C. Warmbrodt, Esquire

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 1 of 1 Services

Sheriff Docket #

102184

DISCOVER BANK

Case # 06-1958-CD

VS.

KELLY MICHAEL REIFER

FILED

07/31/07 BY
MAR 06 2007

TYPE OF SERVICE COMPLAINT

SHERIFF RETURNS

William A. Shaw
Prothonotary/Clerk of Courts

NOW March 06, 2007 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT "NOT FOUND" AS TO KELLY MICHAEL REIFER, DEFENDANT. 263 BIRCH ST., HOUTZDALE, PA. "EMPTY".

SERVED BY: /

Return Costs

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	WELTMAN	8367573	10.00
SHERIFF HAWKINS	WELTMAN	8367573	30.02

Sworn to Before me This

So Answers,

____ Day of _____ 2007

Chester A. Hawkins
by Marilyn Harr
Chester A. Hawkins
Sheriff

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

DISCOVER BANK

Plaintiff No: 06-1958-CD

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THIS PARTY:

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(412) 434-7955
FAX: 412-338-7130
05124350 C A Pit WLG

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

NOV 22 2006

Attest.

William A. Chan
Prothonotary/
Clerk of Courts

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

DISCOVER BANK

Plaintiff
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REIFER, KELLY MICHAEL
263 BIRCH ST
HOUTZDALE PA 16651-9024

EXHIBIT

11A1

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.

000006011003860075751092349700000000147000

PO BOX 15251
WILMINGTON DE 19886-5251

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Closing Date: January 16, 2004		page 1 of 1
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Payments And Credits	0.00	
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Cash Advances	+ 0.00	
Balance Transfers	+ 0.00	
Finance Charges	+ 193.10	
New Balance	= \$9,234.97	

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

Cashback Bonus®

Cashback Bonus® Anniversary

Date: May 16

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

How Can We Help You?

Please have your Discover Card available.

Manage your account online at Discovercard.com

Customer Service: 1-800-DISCOVER (1-800-347-2683)

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Simplify and Save with three easy ways to transfer balances to your Discover(R) Card. Call 1-800-767-7339 to see if a Balance Transfer offer is available for you, go to Discovercard.com, or look for Balance Transfer checks in the mail.

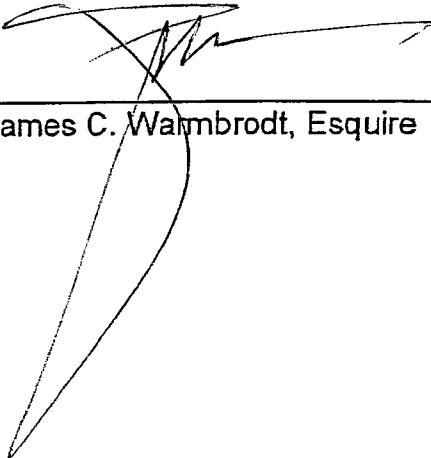
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James C. Warmbrodt, Esquire

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

DISCOVER BANK

Plaintiff No. 06-1958-CD

vs.
PRAECIPE TO SETTLE, DISCONTINUE
AND END WITHOUT PREJUDICE TO REFILE

KELLY MICHAEL REIFER

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 Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR#05124350

FILED 1cc & 1 Cert of
m/2/15 cm disc issued to
OCT 01 2007 Atty Molczan
im

William A. Shaw
Prothonotary/Clerk of Courts

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

DISCOVER BANK

Plaintiff

vs.

Civil Action No. 06-1958-CD

KELLY MICHAEL REIFER

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.

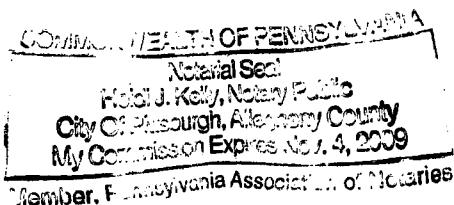
By: Will Riger
Attorney for Plaintiff
2718 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955
WWR#05124350

SWORN TO AND SUBSCRIBED

before me this 14 day

of September 2007

Debra J. Kelly
NOTARY PUBLIC



IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

COPY

CIVIL DIVISION

Discover Bank

Vs. No. 2006-01958-CD
Kelly Michael Reifer

CERTIFICATE OF DISCONTINUATION

Commonwealth of PA
County of Clearfield

I, William A. Shaw, Prothonotary of the Court of Common Pleas in and for the County and Commonwealth aforesaid do hereby certify that the above case was on October 1, 2007, marked:

Settled, Discontinued and Ended without Prejudice

Record costs in the sum of \$85.00 have been paid in full by James C. Warmbrodt Esq.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 1st day of October A.D. 2007.



LM

William A. Shaw, Prothonotary