

07-125-CD  
Capital One vs Deborah Leitzel

Capital One Bank vs Deborah Leitzel  
2007-125-CD

2031149

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  
6851 Jericho Turnpike  
Richmond, VA 85273

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

vs.

DOCKET NO. : 2007-125-CV

DEBORAH J. LEITZEL  
754 TREASURE LAKE  
DU BOIS PA 15801-9015

**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 OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

David S. Meholic, Court Admin.  
Clearfield County Courthouse  
Clearfield, PA 16830  
(814) 765-2641

**FILED**

JAN 25 2007

m(11-301 wa)

William A. Shaw  
Prothonotary/Clerk of Courts

1 CERT. TO APP

1 CERT. TO SHFR

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 account 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 \$4,595.58.

5. Plaintiff has made demand upon the defendant for payment of the balance due of \$4,595.58 but the defendant has failed and refused and still refuses to pay the same or any part thereof.

6. Defendant's last payment on account was made on May 30, 2003.

WHEREFORE, plaintiff claims of the defendant the sum of

\$4,595.58 plus applicable costs, interest and attorney's fees.

GORDON & WEINBERG, P.C.

BY: 

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

P01A

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.

---

FREDERIC I. WEINBERG, ESQUIRE

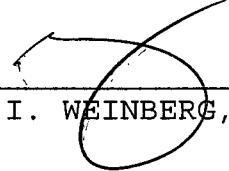


EXHIBIT "A"

2031149

Capital One Bank

DEBORAH LEITZEL

4121741677467917

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;

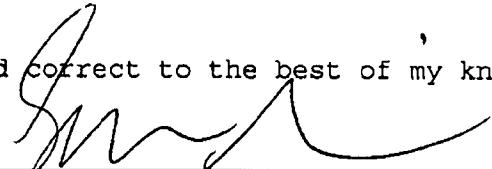
3. Plaintiff's files are maintained in the usual and ordinary course of business;

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 4121741677467917 in the amount of \$4,407.91; and

6. If called upon, affiant can testify at trial as to the facts pertaining to this matter.

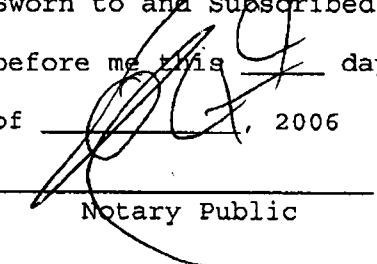
The above facts are true and correct to the best of my knowledge, information and belief.

  
SARA RUBIN

Sworn to and Subscribed

before me this 1 day

of July, 2006

  
Notary Public

KARL HERNANDEZ  
Notary Public State of New York  
No. 014E6095733  
Qualified in Suffolk County  
Commission Expires July 21, 2007

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102375  
NO: 07-125-CD  
SERVICE # 1 OF 1  
COMPLAINT

PLAINTIFF: CAPITAL ONE BANK  
vs.  
DEFENDANT: DEBORAH J. LEITZEL

**SHERIFF RETURN**

---

NOW, February 21, 2007 AT 3:00 PM SERVED THE WITHIN COMPLAINT ON DEBORAH J. LEITZEL DEFENDANT AT 754 TREASURE LAKE, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO BOB DEJOHN, ADULT AT RESIDENCE A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: COUDRIET / NEVLING

**FILED**  
03/4/07  
MAY 01 2007  
WM  
William A. Shaw  
Prothonotary/Clerk of Courts

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	GORDON	29102	10.00
SHERIFF HAWKINS	GORDON	29102	36.43

Sworn to Before Me This

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

So Answers,

*Chester A. Hawkins  
by Marilyn Harris*  
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

Capital One Bank

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

vs.

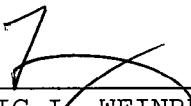
DOCKET NO. : 2007-125-CD

DEBORAH J. LEITZEL

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 \$5,277.49. IF YOU HAVE ANY QUESTIONS CONCERNING THIS NOTICE, PLEASE CALL GORDON & WEINBERG, P.C. AT 215/988-9600.

GORDON &amp; WEINBERG, P.C.

BY: 

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

Dated: May 23, 2007

2031149  
 FILED 2031149 Atty  
 May 10 2007 ICC notice to  
 JUN 15 2007 deft  
 (un) ICC Statement  
 William A. Shaw  
 Prothonotary/Clerk of Courts to Atty

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

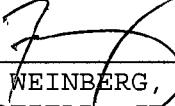
vs.

DOCKET NO. : 2007-125-CD

DEBORAH J. LEITZEL

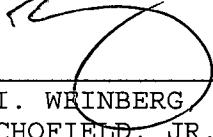
PRAECIPE FOR JUDGMENT

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

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

Principal	\$4,407.91
Interest from 9/29/06	
@25.9%	\$738.15
Costs (Complaint & Service)	\$131.43
<b>Total:</b>	<b>\$5,277.49</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 15th day of June, 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, \$5,277.49 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

---

Capital One Bank

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

vs.

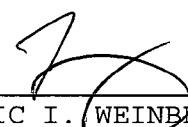
DOCKET NO. : 2007-125-CD

DEBORAH J. LEITZEL

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, DEBORAH J. LEITZEL, 754 TREASURE LAKE, DU BOIS PA 15801-9015.

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. : 2007-125-CD

DEBORAH J. LEITZEL

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, 754 TREASURE LAKE, DU BOIS PA 15801-9015; 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.

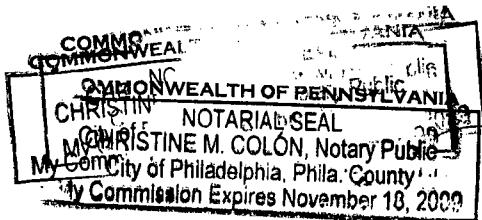
Sworn to and Subscribed

Before me this 23<sup>rd</sup> Day

*of May  
Christine M. Colon*, 2007  
Notary Public

*F*

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



2031149

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. : 2007-125-CD

DEBORAH J. LEITZEL

NOTICE OF INTENTION TO TAKE DEFAULT

TO/ PARA :  
DEBORAH J. LEITZEL  
754 TREASURE LAKE  
DU BOIS PA 15801-9015

DATE OF NOTICE/FECHA DEL AVISO: May 9, 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

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

Capital One Bank  
Plaintiff(s)

No.: 2007-00125-CD

Real Debt: \$5,277.49

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Deborah J. Leitzel  
Defendant(s)

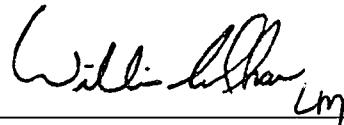
Entry: \$20.00

Instrument: Default Judgment

Date of Entry: June 15, 2007

Expires: June 15, 2012

Certified from the record this June 15, 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