

07-196-CD
Capital One vs Robert Greenawalt

Capital One vs Robert Greenawalt
2007-196-CD

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

CAPITAL ONE BANK

Plaintiff

No: 2007-196-CD

vs.

COMPLAINT IN CIVIL ACTION

ROBERT A GREENAWALT

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
05591503 C N Pit CXC

FILED *PA \$85.00 AM*
M/12/30/07 *UN* FEB 08 2007 *CCS*
FEB 08 2007 *UN* Shft

William A. Shaw
Prothonotary/Clerk of Courts

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

CAPITAL ONE BANK

Plaintiff
vs. Civil Action No

ROBERT A GREENAWALT

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, CAPITAL ONE BANK is a corporation with offices at 140 EAST SHORE DR GLEN ALLEN , VA 23059 .

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

ROBERT A GREENAWALT
1583 OLD ROUTE 322
PHILIPSBURG, PA 16866

3. Defendant applied for and received a credit card bearing the account number 4862362162425337 .

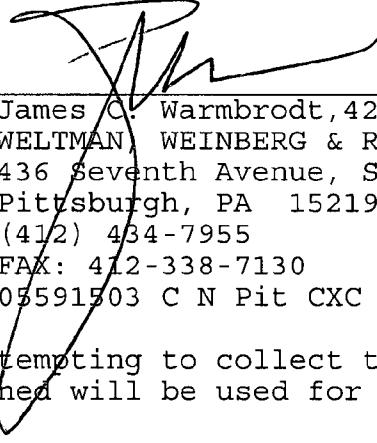
4. Defendant made use of said credit card and has a current balance due of \$1281.54 , as of January 08, 2007 .

5. Defendant is in default by failing to make monthly payments when due. As such, the entire balance is immediately due and payable to Plaintiff.

6. Plaintiff is entitled to the addition of interest at the rate of 26.990% per annum on the unpaid balance from January 08, 2007 . A copy of Plaintiff's STATEMENT is attached hereto, marked as Exhibit "1" and made a part hereof.

7. 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, ROBERT A GREENAWALT, INDIVIDUALLY, in the amount of \$1281.54 with continuing interest thereon at the rate of 26.990% per annum from January 08, 2007 plus 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
05591503 C N Pit CXC

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.

MORE Features!!

peoplepc™ online

A better way to Internet.

\$4.97*
per month for
first 3 months

1-888-5TRYNOW

(1-888-587-9869)

SIGN UP
TODAY!

Mention Offer Code: GOLD
Visit: www.peoplepc.com/go/gold

Special Price for Capital One® Cardholders!

**003
UNLIMITED
INTERNET ACCESS**

PeoplePC Online offers all the features you would expect from higher-priced Internet service providers, including:

- Virus Protection powered by Symantec™
- Pop-up Blocker™
- Spam Controls
- Smarter Smart Dialer Technology
- More Email Addresses
- Internet Call Waiting

Or, Surf up to 5x faster with PeoplePC Online Accelerated for a few dollars more.

CapitalOne®

PLATINUM VISA ACCOUNT

4862-3621-6242-5337

JUN 26 - JUL 25, 2005

Page 1 of 1

Account Summary

Previous Balance	\$871.72
Payments, Credits and Adjustments	\$0.00
Transactions	\$29.00
Finance Charges	\$19.55
New Balance	\$920.27
Minimum Amount Due	\$920.27
Payment Due Date	August 25, 2005
Total Credit Line	\$500
Total Available Credit	\$0.00
Credit Line for Cash	\$500
Available Credit for Cash	\$0.00

Payments, Credits and Adjustments

Transactions

1	25 JUL	PAST DUE FEE	\$29.00
---	--------	--------------	---------

****Notice of Change in Account Terms**** If your account is five or more days past due within six billing periods after being two or more days past due, or if we do not receive your minimum monthly payment for two consecutive billing periods, all rates may increase to the Default APR previously disclosed to you. All other terms and conditions on your account remain in effect.

You were assessed a past due fee of \$29.00 on 07/25/2005 because your minimum payment was not received by the due date of 07/25/2005. To avoid this fee in the future, we recommend that you allow at least 7 business days for your payment to reach Capital One.

At your service

To call Customer Relations or to report a lost or stolen card:
1-800-903-3637

For free online account service and special customer offers log on to:
www.capitalone.com

Send payments to: **Send inquiries to:**
Alt: Remittance Processing
CapitalOneBank CapitalOne
P.O. Box 790216 P.O. Box 30285
St. Louis, MO 63179-0216 SLC, UT 84130-0285

EXHIBIT

Finance Charges		Please see reverse side for important information		
		Balance applied	Periodic rate	Corresponding APR
PURCHASES		\$881.13	.07395% ²⁸	26.99%
CASH		\$0.00	.07395% ²⁸	26.99%

ANNUAL PERCENTAGE RATE applied this period **26.99%**

▼ PLEASE RETURN PORTION BELOW WITH PAYMENT ▼

CapitalOne®

0000000 0 4862362162425337 25 0920270065000920274

New Balance **\$920.27**
Minimum Amount Due **\$920.27**
Payment Due Date **August 25, 2005**
Total enclosed **\$**
Account Number: **4862-3621-6242-5337**

Please print mailing address and/or mailing address below in blue or black ink.

Street _____ Apt# _____

City _____ State _____ ZIP _____

HomePhone _____ AlternatePhone _____

EmailAddress _____

#9020773971726699# MAIL ID NUMBER

ROBERT A GREENAWALT
1583 OLD ROUTE 322
PHILIPSBURG PA 16866-8010



Please write your account number on your check or money order made payable to Capital One Bank and mail in the enclosed envelope.

peoplepc™ online
A better way to Internet.

UNLIMITED INTERNET ACCESS

1-888-5TRYNOW
(1-888-587-9669)

**SIGN UP
TODAY!**

Mention Offer Code: GOLD
Visit: www.peoplepc.com/ga/gold

PeoplePC is solely responsible for this offer, and is not affiliated with Capital One. Capital One does not provide, endorse or guarantee and is not affiliated with any product or service shown here. Any trademarks mentioned herein are solely owned by the respective entity. All rights reserved. By responding to this offer, you may be communicating information about yourself to the company that provides this product – for example, that you are a Capital One customer.

*PeoplePC Online: First 3 months are billed at \$4.87 per month; \$9.95 per month thereafter. PeoplePC Online Accelerated™: First 3 months are billed at \$7.47 per month; \$14.95 per month thereafter. Offer available to new dial-up subscribers at least 18 years of age and may not be redeemed with any other offer. Offer subject to change at any time. Phone technical support available for \$1.95 per minute.

†With PeoplePC Online Accelerated, certain Web page text and graphics will load faster when compared to standard dial-up Internet service. Actual results may vary. PeoplePC Online Accelerated is only compatible with PeoplePC Online Internet service and specified Windows® browsers. PeoplePC Online Accelerated is not compatible with Windows® 95 with IE 5.5 SP2.

Service not available in all areas. Access fees, taxes, and other fees and restrictions may apply. Telephone toll charges may apply, even during trial periods. You are responsible for determining whether a call to one of our access numbers will result in telephone toll charges. Access may be limited, especially during times of peak usage. Dial-up numbers may be changed at PeoplePC's discretion. Continuous use subject to timeout procedures. All use is subject to PeoplePC Online's Service Agreement and Acceptable Use Policy. 56K is the maximum speed of service; actual speed may vary.

© 2005 PeoplePC Inc. All Rights Reserved. PeoplePC Online and its logos are trademarks of PeoplePC in the U.S. and other countries.
© 2005 Capital One Services, Inc. Capital One is a federally registered service mark. All rights reserved.

© 2005 Capital One Services, Inc. Capital One is a federally registered service mark. All rights reserved.

1. How To Avoid A Finance Charge

•1LGLBAK

Important Notice: Payments on account(s) as we will be credited to your account(s) of the business day you received, provided (1) you send the payment prior to 3 p.m. E.T. (11 a.m. PT). Please allow five (5) business days for processing of payments. Payments are received by us at any other time or day or in any other form may not be credited to the account(s) of the day we receive them. Our business days are Monday through Saturday, excluding holidays. Please do not use staples, paperclips, etc., when preparing payment. When you send us a check(s), you authorize us to make one or more electronic transfers from your bank account for the amount(s) on the check. This authorization applies to all checks received during the billing cycle even if sent by someone else. If we cannot process the transfer, you authorize us to make a charge against your bank account(s) in the amount(s) on the check, paper draft or otherwise.

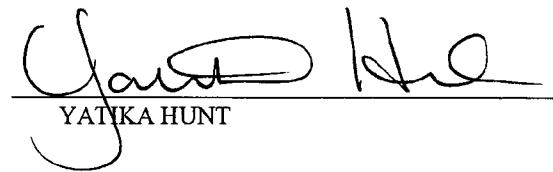
VERIFICATION

CAPITAL ONE BANK

vs

GREENAWALT, ROBERT A

The undersigned does hereby verify subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn falsification to authorities, that he/she is, YATIKA HUNT, Authorized Agent, of CAPITAL ONE BANK, Plaintiff Herein, that he/she is duly authorized to make this Declaration, 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.



YATIKA HUNT

4862362162425337

A049

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



CORTNEY T. CHERRY
NOTARY PUBLIC GWINNETT COUNTY GEORGIA
MY COMMISSION EXPIRES OCTOBER 16th 2007

exC

FILED

FEB 08 2007

William A. Shaw
Prothonotary/Clerk of Courts

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

CAPITAL ONE BANK

Plaintiff No.: 2007-196-CD

vs.

ROBERT A GREENAWALT

Defendant FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

James C Warmbrodt
Paid# 42524
Weltman, Weinberg & Reis Co.
2718 Koppers Bldg
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR#05591503

FILED pd \$20.00 Atty
m/11/50cm ICC notice to
APR 30 2007 deft

William A. Shaw
Prothonotary/Clerk of Courts
Statement to Atty

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

CAPITAL ONE BANK

Plaintiff

vs.

Civil Action No. : 2007-196-CD

ROBERT A GREENAWALT

Defendant

PRAECIPE FOR JUDGMENT BY CONSENT

TO THE PROTHONOTARY:

Kindly enter Judgment against Defendant, ROBERT A GREENAWALT, in the amount of \$1281.54 plus costs, based upon the consent of the parties.

CONSENTED TO:

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

By: _____
Attorney for Plaintiff

WWR#05591503

ROBERT A GREENAWALT,

By: _____
Defendant

Robert A Greenawalt

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

CAPITAL ONE BANK

Plaintiff

vs.

Civil Action No. : 2007-196-CD

ROBERT A GREENAWALT

Defendant

**STIPULATION OF THE PARTIES FOR PAYMENT
AND FOR THE ENTRY OF JUDGMENT BY CONSENT**

TO THE PROTHONOTARY:

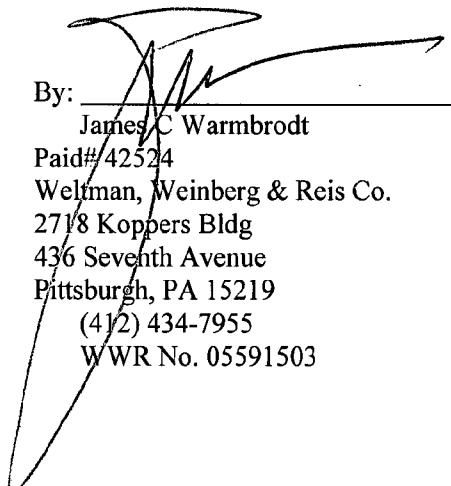
Kindly enter Judgment in favor of Plaintiff and against the Defendant, ROBERT A GREENAWALT, above-named, in the amount of \$1281.54 pursuant to the Stipulation of the Parties for Payment and for the Entry of Judgment by Consent, as follows:

1. Defendant admits indebtedness to Plaintiff in the amount of \$1281.54 with continuing interest thereon at a rate of 6.00% per annum plus costs from MARCH 19, 2007.
2. To secure the repayment of said indebtedness, Defendant agrees that Judgment by Consent will be entered in favor of the Plaintiff and against the Defendant, ROBERT A GREENAWALT, in the amount of \$1281.54 plus continuing interest thereon at the rate of 6.00% per annum from MARCH 19, 2007 and costs.
3. Plaintiff agrees not to execute on its Judgment so long as Defendant causes to be delivered to Plaintiff the following payments in full by 12:00 NOON on the following dates:
 - (a) \$130.00 due by 04/15/07;
 - (b) \$130.00 due on the 15TH day of each consecutive month thereafter until the Judgment amount plus accrued interest and costs are paid in full.

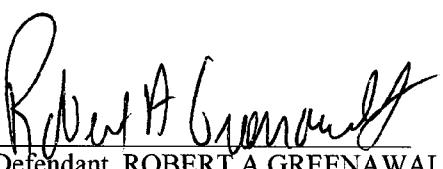
4. All payments are to be made payable to the order of "CAPITAL ONE BANK"
5. All payments due under this agreement are to be received at the offices of Weltman, Weinberg & Reis, Co., L.P.A., 2718 Koppers Building, 436 Seventh Avenue, Pittsburgh, PA 15219.
6. In the event of default, each payment received shall be first attributed to costs, interest and then to principal.
7. Time is of the essence of this agreement and should the Defendant fail to have in the hands of Plaintiff or Plaintiff's counsel any payment in full within five (5) calendar days of the stated due date, then Plaintiff shall be immediately free to issue Execution as well as pursue all other remedies, in law or in equity, to collect the full balance of the Judgment entered hereunder plus appropriate additional interest and costs.
8. No act or omission of the Plaintiff, nor of anyone alleged to be acting on its behalf, shall constitute a waiver, estoppel, or any other excuse for non-performance of any duty undertaken by the Defendant in this Stipulation which the parties agree is final and complete.

9. Intending to be legally bound, the parties set their hands and seals this 13 day of April
2007.

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

By: 

James C. Warmbrodt
Paid# 42524
Weltman, Weinberg & Reis Co.
2718 Koppers Bldg
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955
WWR No. 05591503

By: 
Defendant, ROBERT A. GREENAWALT

FILED

APR 30 2007

William A. Shaw
Prothonotary/Clerk of Courts

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

CAPITAL ONE BANK

Plaintiff

vs.

Civil Action No. : 2007-196-CD

ROBERT A GREENAWALT

Defendant

COPY

NOTICE OF JUDGMENT OR ORDER

TO: Plaintiff
 Defendant
 Garnishee

You are hereby notified that the following
Order or Judgment was entered against you
on April 30, 2007

Assumpsit Judgment in the amount
of \$1281.54 plus costs.

Trespass Judgment in the amount
of \$_____ plus costs.

If not satisfied within sixty (60)
days, your motor vehicle operator's license and/or registration will be
suspended by the Department of Transportation, Bureau of Traffic
Safety, Harrisburg, PA.

Entry of Judgment of
 Court Order
 Non-Pro
 Confession
 Default
 Verdict
 Arbitration
 Award
 By Consent

Prothonotary

ROBERT A GREENAWALT
1583 OLD ROUTE 322
PHILIPSBURG, PA 16866

By: Willie L. Shan LM
PROTHONOTARY (OR DEPUTY)

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

COPY

Capital One Bank
Plaintiff(s)

No.: 2007-00196-CD

Real Debt: \$1281.54

Atty's Comm: \$

Vs.

Costs: \$

Robert A. Greenawalt
Defendant(s)

Entry: \$20.00

Instrument: Judgment by Consent

Date of Entry: April 30, 2007

Expires: April 12, 2012

Certified from the record this April 30, 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

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102432
NO: 07-196-CD
SERVICE # 1 OF 1
COMPLAINT

PLAINTIFF: CAPITAL ONE BANK
vs.
DEFENDANT: ROBERT A. GREENAWALT

SHERIFF RETURN

NOW, March 09, 2007 AT 2:35 PM SERVED THE WITHIN COMPLAINT ON ROBERT A. GREENAWALT DEFENDANT AT SHERIFF'S OFFICE, 1 N. 2ND ST., SUITE 116, CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO ROBERT A. GREENAWALT, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: HAWKINS /

FILED
07/18/2007
MAY 21 2007
JN
William A. Shaw
Prothonotary/Clerk of Courts

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	WELTMAN	2676009	10.00
SHERIFF HAWKINS	WELTMAN	2676009	50.04

Sworn to Before Me This

____ Day of _____ 2007

So Answers,

Chester A. Hawkins
by Marilyn Harris
Chester A. Hawkins
Sheriff

FILED

MAY 21 2007

William A. Shaw
Prothonotary/Clerk of Courts

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

CAPITAL ONE BANK

Plaintiff

No. : 2007-196-CD

vs.

PRAEICE FOR SATISFACTION OF
JUDGMENT

ROBERT A GREENAWALT

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.
1400 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR#5591503

(G10)
FILED NO CC
M/1/2008 Atty pd. 7.00
NOV 03 2008
S William A. Shaw Cert. of Sat.
Prothonotary/Clerk of Courts to Atty

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

CAPITAL ONE BANK

Plaintiff

vs.

Civil Action No. : 2007-196-CD

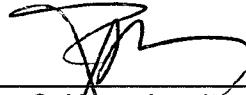
ROBERT A GREENAWALT

Defendant

PRAECIPE FOR SATISFACTION OF JUDGMENT

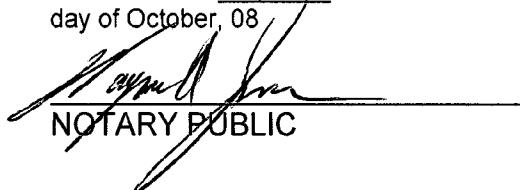
At the request of the undersigned attorneys for the Plaintiff, you are directed to satisfy the above-captioned
Judgment.

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

By: 
James C. Warmbrodt
PA I.D #42524
WELTMAN, WEINBERG & REIS CO., L.P.A.
1400 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR #5591503

Sworn to and subscribed
before me this 08
day of October, 08


NOTARY PUBLIC

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal
Wayne A. Jones, Notary Public
City Of Pittsburgh, Allegheny County
My Commission Expires June 29, 2010

Member, Pennsylvania Association of Notaries

FILED

NOV 03 2008

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CCD
11/3/08

CIVIL DIVISION

CERTIFICATE OF SATISFACTION OF JUDGMENT

No.: 2007-00196-CD

Capital One Bank

Debt: \$1,281.54

Vs.

Atty's Comm.:

Robert A. Greenawalt

Interest From:

Cost: \$7.00

NOW, Monday, November 03, 2008, directions for satisfaction having been received, and all costs having been paid, SATISFACTION was entered of record.

Certified from the record this 3rd day of November, A.D. 2008.



Prothonotary