

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

CAPITAL ONE BANK

Plaintiff

vs.

TANYA R DIGILARMO II

Defendant

No: 2007-353-CD

COMPLAINT IN CIVIL ACTION

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
05614603 C N Pit CXC

FILED pd \$85.00 Atty
m/b:00 cm ICC SHff
MAR 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

vs.

Civil Action No

TANYA R DIGILARMO II

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:

TANYA R DIGILARMO II
416 W DUBOIS AVE
DU BOIS, PA 15801

3. Defendant applied for and received a credit card bearing the account number 5178052504012481 .

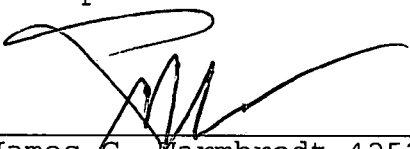
4. Defendant made use of said credit card and has a current balance due of \$1253.67 , as of February 19, 2007 .

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 February 19, 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 , TANYA R DIGILARMO II , INDIVIDUALLY , in the amount of \$1253.67 with continuing interest thereon at the rate of 26.990% per annum from February 19, 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
05614603 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 Featured!

peoplepc™ online
A better way to Internet.

\$497*
a month for first 3 months; \$9.95/mo thereafter

SIGN UP TODAY!

1-888-587-9669
Mention Offer Code: COPPER
Visit: www.peoplepc.com/go/copper

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.

SPECIAL PRICE FOR CAPITAL ONE CARDHOLDERS

CapitalOne

PLATINUM MASTERCARD ACCOUNT

JUL 12 - AUG 11, 2005

5178-0525-0401-2481

Page 1 of 1

Account Summary

Previous Balance \$840.02
Payments, Credits and Adjustments \$3.00
Transactions \$29.00
Finance Charges \$19.47

New Balance \$888.49
Minimum Amount Due \$888.49
Payment Due Date September 10, 2005

Total Credit Line \$500
Total Available Credit \$0.00
Credit Line for Cash \$500
Available Credit for Cash \$0.00

At your service

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

Send payments to:
Attn: Remittance Processing
Capital One Bank
P.O. Box 790216
St. Louis, MO 63179-0216

Send inquiries to:
Capital One
P.O. Box 30285
SLC, UT 84130-0285

Payments, Credits and Adjustments

Transactions

1 11 AUG PAST DUE FEE \$29.00

You were assessed a past due fee of \$29.00 on 08/11/2005 because your minimum payment was not received by the due date of 08/11/2005. To avoid this fee in the future, we recommend that you allow at least 7 business days for your payment to reach Capital One.

EXHIBIT

Finance Charges Please see reverse side for important information

	Balance rate applied	Periodic rate	Corresponding APR	FINANCE CHARGE
PURCHASES	\$360.69	.07395%	26.99%	\$8.27
CASH	\$488.71	.07395%	26.99%	\$11.20

ANNUAL PERCENTAGE RATE applied this period 26.99%

▼ PLEASE RETURN PORTION BELOW WITH PAYMENT ▼

CapitalOne

00000000 0 5178052504012481 11 0888490040000888492

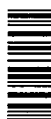
New Balance \$888.49
Minimum Amount Due \$888.49
Payment Due Date September 10, 2005
Total enclosed \$
Account Number: 5178-0525-0401-2481

Please print mailing address and/or e-mail change below using blue or black ink.

Street Apt#
City State ZIP
Home Phone Alternate Phone
Email Address @

Capital One Bank
P.O. Box 790216
St. Louis, MO 63179-0216

006056



#9022425839294828# MAIL ID NUMBER
TANYA R DIGILARMO II
416 W DUBOIS AVE
DU BOIS PA 15801-2713

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

SIGN UP TODAY! **1-888-587-9669**
Mention Offer Code: COPPER
Visit: www.peoplepc.com/go/copper

© 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.

next to "Balance Rate Applied To," we multiply the charges appearing on your account after you have

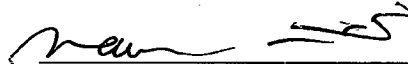
VERIFICATION

CAPITAL ONE BANK

vs

DIGILARMO II, TANYA R

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, MAISHA DAVIS, 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.



MAISHA DAVIS



MYRA PRINDLE
Notary Public
Gwinnett County Georgia
My Commission Expires July 31st 2009

5178052504012481

A049

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

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

CAPITAL ONE BANK

Plaintiff

vs.

TANYA R DIGILARMO II

Defendant

No. : 2007-353-CD

PRAECIPE TO SETTLE, DISCONTINUE
AND END WITHOUT PREJUDICE TO REFILE

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.
2718 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR#05614603

FILED *icca 1 cert of
disc issued
m/11:35 am to Atty.*
MAY 24 2007

(W)
William A. Shaw
Prothonotary/Clerk of Courts

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

CAPITAL ONE BANK

Plaintiff

vs.

Civil Action No. : 2007-353-CD

TANYA R DIGILARMO II

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: 

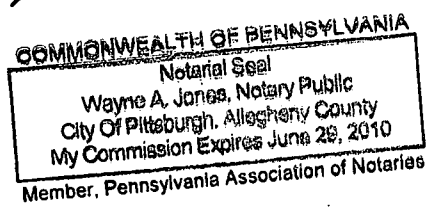
Attorney for Plaintiff
2718 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955
WWR#05614603

SWORN TO AND SUBSCRIBED

before me this 10 day

of May 2007


NOTARY PUBLIC



IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

COPY

Capital One Bank

Vs.

No. 2007-00353-CD

Tanya R. Digilarmo II

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 May 24, 2007, marked:

Settled, discontinued, and ended without prejudice to refile.

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 24th day of May A.D. 2007.



William A. Shaw, Prothonotary

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 1 of 1 Services

Sheriff Docket # **102536**

CAPITAL ONE BANK

Case # **07-353-CD**

vs.

TANYA R. DIGILARMO II

TYPE OF SERVICE COMPLAINT

SHERIFF RETURNS

NOW July 06, 2007 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT "NOT FOUND" AS TO TANYA R. DIGILARMO II, DEFENDANT. DEFENDANT UNKNOWN @ 416 W. DUBOIS AVE., DUBOIS.

SERVED BY: /

FILED
9/3:20 am
JUL 06 2007
Ⓢ

Return Costs

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	WELTMAN	2841928	10.00
SHERIFF HAWKINS	WELTMAN	2841928	32.43

William A. Shaw
Prothonotary/Clerk of Courts

Sworn to Before me This

_____ Day of _____ 2007

So Answers,


Chester A. Hawkins
Sheriff

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

CAPITAL ONE BANK

Plaintiff

vs.

TANYA R DIGILARMO II

Defendant

No: 2007-353-CD

COMPLAINT IN CIVIL ACTION

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
05614603 C N Pit CXC

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

MAR 08 2007

Attest.

William L. 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

TANYA R DIGILARMO II

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:

TANYA R DIGILARMO II
416 W DUBOIS AVE
DU BOIS, PA 15801

3. Defendant applied for and received a credit card bearing the account number 5178052504012481 .

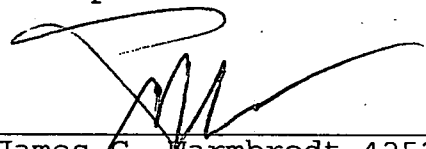
4. Defendant made use of said credit card and has a current balance due of \$1253.67 , as of February 19, 2007 .

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 February 19, 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 , TANYA R DIGILARMO II , INDIVIDUALLY , in the amount of \$1253.67 with continuing interest thereon at the rate of 26.990% per annum from February 19, 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
05614603 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*
a month for first 3 months; \$9.95/mo thereafter

SIGN UP TODAY!

1-888-587-9669
Mention Offer Code: COPPER
Visit: www.peoplepc.com/go/copper

SPECIAL PRICE FOR CAPITAL ONE CARDHOLDERS

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 faster¹ with PeoplePC Online Accelerated™ for a few dollars more.

CapitalOne

PLATINUM MASTERCARD ACCOUNT
5178-0525-0401-2481

JUL 12 - AUG 11, 2005
Page 1 of 1

Account Summary

Previous Balance	\$840.02
Payments, Credits and Adjustments	\$0.00
Transactions	\$29.00
Finance Charges	\$19.47
New Balance	\$888.49
Minimum Amount Due	\$888.49
Payment Due Date	September 10, 2005
Total Credit Line	\$500
Total Available Credit	\$0.00
Credit Line for Cash	\$500
Available Credit for Cash	\$0.00

At your service

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

Send payments to:
Attn: Remittance Processing
Capital One Bank
P.O. Box 790216
St. Louis MO 63179-0216

Send inquiries to:
Capital One
P.O. Box 30285
SLC, UT 84130-0285

Payments, Credits and Adjustments

Transactions

1	11 AUG	PAST DUE FEE	\$29.00
---	--------	--------------	---------

You were assessed a past due fee of \$29.00 on 08/11/2005 because your minimum payment was not received by the due date of 08/11/2005. To avoid this fee in the future, we recommend that you allow at least 7 business days for your payment to reach Capital One.

EXHIBIT

Finance Charges

Please see reverse side for important information

	Balance applied	Periodic rate	Corresponding APR	FINANCE CHARGE
PURCHASES	\$360.69	.07395%	26.99%	\$8.27
CASH	\$488.71	.07395%	26.99%	\$11.20

ANNUAL PERCENTAGE RATE applied this period 26.99%

▼ PLEASE RETURN PORTION BELOW WITH PAYMENT ▼

CapitalOne

0000000 0 5178052504012481 11 0888490040000888492

New Balance	\$888.49
Minimum Amount Due	\$888.49
Payment Due Date	September 10, 2005
Total enclosed \$	
Account Number:	5178-0525-0401-2481

Please print mailing address and/or mail change below using blue or black ink.

Street	Apt#
City	State ZIP
Home Phone	Alternate Phone
Email Address	@

Capital One Bank
P.O. Box 790216
St. Louis, MO 63179-0216

#9022425839294828# MAIL ID NUMBER
TANYA R DIGILARMO II
416 W DUBOIS AVE
DU BOIS PA 15801-2713

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

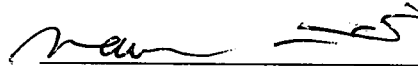
VERIFICATION

CAPITAL ONE BANK

vs

DIGILARMO II, TANYA R

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, MAISHA DAVIS, 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.



MAISHA DAVIS



MYRA PRINDLE
Notary Public
Gwinnett County Georgia
My Commission Expires July 31st 2009

5178052504012481

A049

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