

07-468-CD
Capital One Bank vs Jonathan Heid

Capital One Bank vs Jonathan Heid
2007-468-CD

2033073

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

FILED ICC Sheriff
m/q 45/BD
MAR 26 2007 Atty pd
S 85.00

William A. Shaw
Prothonotary/Clerk of Courts

Capital One Bank
P.O. BOX 85147
RICHMOND, VA 23276

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

vs.

DOCKET NO. : 07-468-CJ

JONATHAN HEID
208 W DUBOIS AVE
DU BOIS PA 15801-2709

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. Meholick, Court Admin.
Clearfield County Courthouse
Clearfield, PA 16830
(814) 765-2641

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 \$7,498.95.

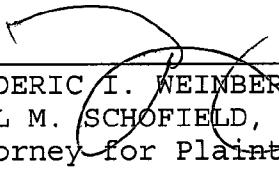
5. Plaintiff has made demand upon the defendant for payment of the balance due of \$7,498.95 but the defendant has failed and refused and still refuses to pay the same or any part thereof.

6. Defendant's last payment on account was made on December 26, 2003.

WHEREFORE, plaintiff claims of the defendant the sum of

\$7,498.95 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.

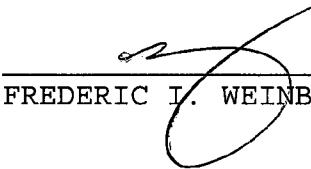

FREDERIC I. WEINBERG, ESQUIRE

EXHIBIT "A"

2033073

Capital One Bank

JONATHAN HEID

5291152119584502

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;

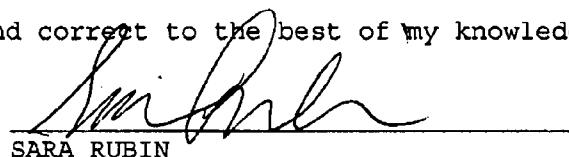
3. Plaintiff's files are maintained in the usual and ordinary course of business;

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 5291152119584502 in the amount of \$7,182.92; and

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

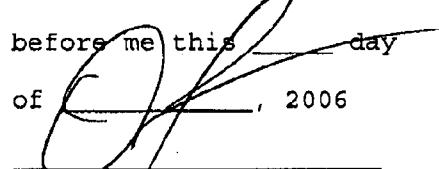
The above facts are true and correct to the best of my knowledge, information and belief.



SARA RUBIN

Sworn to and Subscribed

before me this _____ day

of , 2006

Notary Public

DEC 07 2006

Dawn Felicciardi
Notary Public, State of New York
No. 01FE6141635
Qualified in Suffolk County
My Commission Expires 02/27/2010

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102613
NO: 07-468-CD
SERVICE # 1 OF 1
COMPLAINT

PLAINTIFF: CAPITAL ONE BANK
vs.
DEFENDANT: JONATHAN HEID

SHERIFF RETURN

NOW, April 20, 2007 AT 12:09 PM SERVED THE WITHIN COMPLAINT ON JONATHAN HEID DEFENDANT AT 208 W. DUBOIS AVE., DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO JONATHAN HEID, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: NEVLING /

FILED
07/01/07
AUG 10 2007
WM
William A. Shaw
Prothonotary/Clerk of Courts

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	GORDON	31848	10.00
SHERIFF HAWKINS	GORDON	31848	54.86

Sworn to Before Me This

____ Day of _____ 2007

So Answers,

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

GORDON & WEINBERG, P.C.
 BY: FREDERIC I. WEINBERG, ESQUIRE
 Identification No.: 41360
 JOEL M. FLINK, ESQUIRE
 Identification No.: 41200
 1001 E. Hector Street, Ste 220
 Conshohocken, PA 19428
 484/351-0500

Capital One Bank

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

vs.

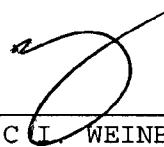
DOCKET NO. : 07-468-CD

JONATHAN HEID

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 \$8,208.90. 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
 JOEL M. FLINK, ESQUIRE
 Attorney for Plaintiff

Dated: September 10, 2007

FILED Atty pd. 7.00
 M7/31/07
 SEP 24 2007 ICC Notice
 to Def.

William A. Shaw
 Prothonotary/Clerk of Courts

Statement to
 Atty
 (GR)

GORDON & WEINBERG, P.C.
BY: FREDERIC I. WEINBERG, ESQUIRE
Identification No.: 41360
JOEL M. FLINK, ESQUIRE
Identification No.: 81894
1001 E. Hector Street, Ste 220
Conshohocken, PA 19428
484/351-0500

Capital One Bank

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

vs.

DOCKET NO. : 07-468-CD

JONATHAN HEID

PRAECIPE FOR JUDGMENT

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

FREDERIC I. WEINBERG, ESQUIRE
JOEL M. FLINK, ESQUIRE
Attorney for Plaintiff

Principal	\$7,182.92
Interest from 12/4/06	
@15.9%	\$876.12
Costs (Complaint & Service)	\$149.86
Total:	\$8,208.90

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
JOEL M. FLINK, ESQUIRE
Attorney for Plaintiff

Filed:

By the Prothonotary:

AND NOW, this 24th day of September, 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 , \$8,208.90 as per the above certification.

W. L. Shahan
Prothonotary

GORDON & WEINBERG, P.C.
BY: FREDERIC I. WEINBERG, ESQUIRE
Identification No.: 41360
JOEL M. FLINK, ESQUIRE
Identification No.: 81894
1001 E. Hector Street, Ste 220
Conshohocken, PA 19428
484/351-0500

Capital One Bank

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

vs.

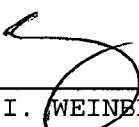
DOCKET NO. : 07-468-CD

JONATHAN HEID

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, JONATHAN HEID, 208 W DUBOIS AVE, DU BOIS PA
15801-2709.

GORDON & WEINBERG, P.C.

BY: 
FREDERIC I. WEINBERG, ESQUIRE
JOEL M. FLINK, ESQUIRE
Attorney for Plaintiff

GORDON & WEINBERG, P.C.
BY: FREDERIC I. WEINBERG, ESQUIRE
Identification No.: 41360
JOEL M. FLINK, ESQUIRE
Identification No.: 81894
1001 E. Hector Street, Ste 220
Conshohocken, PA 19428
484/351-0500

Capital One Bank

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

vs.

DOCKET NO. : 07-468-CD

JONATHAN HEID

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, 208 W DUBOIS AVE, DU BOIS PA 15801-2709; 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 19 Day
of Sept , 2007.

DAWN M. MARSHALL
Notary Public

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
DAWN M. MARSHALL, Notary Public
City of Philadelphia, Phila. County
My Commission Expires November 18, 2009


FREDERIC I. WEINBERG, ESQUIRE
JOEL M. FLINK, ESQUIRE
Attorney for Plaintiff

2033073

GORDON & WEINBERG, P.C.
BY: FREDERIC I. WEINBERG, ESQUIRE
Identification No.: 41360
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1001 E. Hector Street, Ste 220
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484/351-0500

Capital One Bank

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

vs.

DOCKET NO. : 07-468-CD

JONATHAN HEID

NOTICE OF INTENTION TO TAKE DEFAULT

TO/ PARA :
JONATHAN HEID
208 W DUBOIS AVE
DU BOIS PA 15801-2709

DATE OF NOTICE/FECHA DEL AVISO: August 28, 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
JOEL M. FLINK, ESQUIRE

COA
NOTICE OF JUDGMENT

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

CIVIL DIVISION

Capital One Bank

Vs.

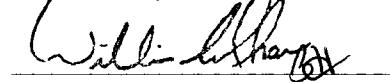
No. 2007-00468-CD

Jonathan Heid

To: DEFENDANT(S)

NOTICE is given that a JUDGMENT in the above captioned matter has been entered against you in the amount of \$8,208.90 on September 24, 2007.

William A. Shaw
Prothonotary



William A. Shaw

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

OPY

Capital One Bank
Plaintiff(s)

No.: 2007-00468-CD

Real Debt: \$8,208.90

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Jonathan Heid
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: September 24, 2007

Expires: September 24, 2012

Certified from the record this 24th day of September, 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

2033073

GORDON & WEINBERG, P.C.
BY: FREDERIC I. WEINBERG, ESQUIRE
Identification No.: 41360
JOEL M. FLINK, ESQUIRE
Identification No.: 81894
1001 E. Hector Street, Ste 220
Conshohocken, PA 19428
484/351-0500

FILED

JUL 18 2008

7/18/08
William A. Shaw
Prothonotary/Clerk of Courts

1 cent to Harry

Capital One Bank

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

vs.

DOCKET NO. : 07-468-CD

JONATHAN HEID

SUGGESTION OF BANKRUPTCY OF DEFENDANT

TO THE PROTHONOTARY:

AND NOW, this July 9, 2008, it is suggested of record that Defendant, JONATHAN HEID, filed a petition in bankruptcy under Chapter 07 of the Bankruptcy Code on or about May 9, 2008, in the United States Bankruptcy Court for the Western District of Pennsylvania, docket number 08-70506. Therefore, this matter should be stayed until further notice.

GORDON & WEINBERG, P.C.

BY: _____

FREDERIC I. WEINBERG, ESQUIRE
JOEL M. FLINK, ESQUIRE
Attorney for Plaintiff