

07-488-CD
Discover Bank vs J. Witherite

2007-488-CD
Discover Bank vs Jason Witherite

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

Discover Bank
(Plaintiff)
c/o David Apotheker, Esq.
(Street Address)

CIVIL ACTION

No. 07-488-CD

(City, State ZIP)
Apotheker & Associates, P.C.
2417 Welsh Road
Suite 21 #520
Philadelphia, PA 19114

Type of Case: Civil

Type of Pleading: Complaint

Filed on Behalf of:

Discover Bank
(Plaintiff/Defendant)

vs.

Jason L. Witherite
(Defendant)

36 Bud Farm Ln.
(Street Address)

Curwensville, PA 16833
(City, State ZIP)

David J. Apotheker, Esq.
(Filed by)

Apotheker & Associates, P.C.
2417 Welsh Road
Suite 21 #520
(Address) Philadelphia, PA 19114

215-634-8920
(Phone)

(Signature)

FILED Atty pd \$5.00
M 12:30 PM
MAR 28 2007
1cc Sheriff
(JM)

William A. Shaw
Prothonotary/Clerk of Courts

APOTHAKER & ASSOCIATES, P.C.

BY: David J. Apotheker

Attorney I.D.#38423

2417 Welsh Road, Suite 21 #520

Philadelphia, PA 19114

(215) 634-8920

Attorneys for Plaintiff

DISCOVER BANK) COURT OF COMMON PLEAS
c/o David J Apothaker, Esquire) CLEARFIELD COUNTY
2417 Welsh Road, Suite 21 #520)
Philadelphia, PA 19114) NO.:
Plaintiff,)
vs.)
JASON L WITHERITE)
36 BUD FARM LN)
CURWENSVILLE, PA 16833)
Defendant.)

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 with 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 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 ONE. 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.

CLEARFIELD COUNTY BAR ASSOCIATION

Lawyer Referral and Information Service

814-765-2641

AVISO

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha de la demanda y la notificacion. Hace falta asentar una comparencia escrita o con un abogado y entregar a la corte en forma escrita sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademas, la corte puede decidir a favor del demandante y requiere que usted compla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFFICIENTE DE PAGAR TAL SERVICIO. VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL.

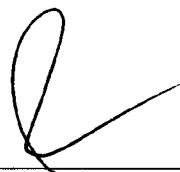
CLEARFIELD COUNTY BAR ASSOCIATION

Lawyer Referral and Information Service

814-765-2641

VERIFICATION

David J. Apothaker, Esq. hereby states that I am counsel for plaintiff in this action, and that I am authorized to take this Verification, and that the statements made in the foregoing Civil Action Complaint are true and correct to the best of my knowledge, information, and belief. The undersigned understands that the statements therein are made subject to the penalties of 18 Pa.C.S.A. 4904 relating to unsworn falsification to authorities.



David J. Apothaker, Esq.
Attorney for Plaintiff

DATE: 3/19/2007

DISCOVER.BANK
c/o David J Apothaker, Esquire
2417 Welsh Road, Suite 21 #520
Philadelphia, PA 19114

JASON L WITHERITE
36 BUD FARM LN
CURWENSVILLE, PA 16833

STATEMENT OF ACCOUNT

Debtor's Name: JASON L WITHERITE

Account Number: 6011002470682337

Date of Debt: March 08, 2006

Balance Due: \$8,029.04

Our File No.: 91415

EXHIBIT "A"

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102622
NO: 07-488-CD
SERVICE # 1 OF 1
COMPLAINT

PLAINTIFF: DISCOVER BANK
vs.
DEFENDANT: JASON L. WITHERITE

FILED

04:59 PM
AUG 14 2007

William A. Shaw
Prothonotary/Clerk of Courts

SHERIFF RETURN

NOW, April 18, 2007 AT 4:30 PM SERVED THE WITHIN COMPLAINT ON JASON L. WITHERITE DEFENDANT AT 36 BUD FARM LN, CURWENSVILLE, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO JASON WITHERITE, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

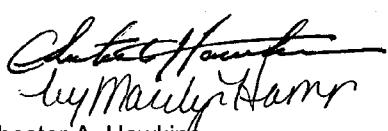
SERVED BY: SNYDER /

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	APOTHAKER	44258G	10.00
SHERIFF HAWKINS	APOTHAKER	44258G	29.64

Sworn to Before Me This

____ Day of _____ 2007

So Answers,


Chester A. Hawkins
Sheriff

914

Our file No.: 91415
APOTHAKER & ASSOCIATES, P.C.
2417 Welsh Road, Suite 21 #520
Philadelphia, PA 19114
(215) 634-8920
Attorneys for Plaintiff

FILED
DEC 17 2007
RECEIVED
DEC - 3 2007
William A. Shaw
Prothonotary/Clerk of Courts
1 cent. to Am
By

DISCOVER BANK

Plaintiff,

vs.

JASON L WITHERITE

Defendant.

) COURT OF COMMON PLEAS
) CLEARFIELD COUNTY
)
) DOCKET NO.: 07-488-CD
)
) Civil Action
)
) STIPULATION IN LIEU OF JUDGMENT
)
)

The matters and things in controversy having been discussed by and between the parties, and a settlement having been agreed upon:

It is on November 15, 2007, STIPULATED by and between Plaintiff, DISCOVER BANK, and Defendant, JASON L WITHERITE parties as follows:

1. Defendant agrees to pay the sum of \$6,668.68 , which sum Plaintiff agrees to accept in full settlement of its claim herein, inclusive of interest, counsel fees and court costs.

2. The sum aforesaid shall be paid by Defendant, JASON L WITHERITE, to the attorneys for Plaintiff in the following manner:

- a. Payment of \$165.00 to be paid on or before November 28, 2007 and
- b. Payment of \$165.00 to be paid on or before December 28, 2007 and due the 28th of each month until paid in full.

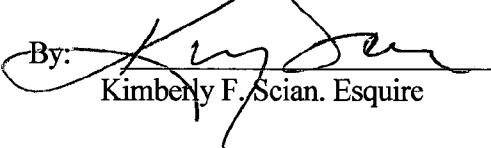
All checks are to be made payable to DISCOVER BANK, and sent to:

Apothaker & Associates, P.C.
520 Fellowship Road C306
Mount Laurel, NJ 08054

4. If the default is not cured within 15 days after written notice to the Defendant's attorneys, then Plaintiff has the right to obtain the entry of Judgment against Defendant, JASON L WITHERITE, ex parte, in the sum of \$6,668.68, giving Defendant, JASON L WITHERITE credit for any sums actually paid pursuant to the terms of this Stipulation.

We hereby consent to the form and entry of the within Stipulation.

APOTHAKER & ASSOCIATES
Attorneys for Plaintiff
A Law Firm Engaged in Debt Collection

By: 
Kimberly F. Scian, Esquire


JASON L WITHERITE

FILED
DEC 17 2007
William A. Shaw
Prothonotary Clerk, J. C. County

Our File No.: 91415
APOTHAKER & ASSOCIATES, P.C.
BY: David J. Apothaker, Esquire
Attorney I.D.# 38423
520 Fellowship Road C306
Mount Laurel, NJ 08054
(800) 672-0215
Attorney for Plaintiff

PRAEICE TO DISMISS WITHOUT PREJUDICE

TO THE PROTHONOTARY:

Kindly dismiss this action without prejudice.

APOTHAKER & ASSOCIATES, P.C.
Attorneys for Plaintiff
A Law Firm Engaged in Debt Collection

By: David J. Apotheker, Esquire

Dated: 3/17/2010

FILED NO
S MAR 15 2010 cc
MAR 25 2010 (6A)
William A. Shaw
Prothonotary/Clark of Courts