

07-539-CD

Discover Bank vs Joni DigiLarmino

2007-539-CD

Discover Bank vs Joni DigiLarmino

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA

**FILED**

APR 05 2007 *PA*

12:00 PM  
William A. Shaw  
Prothonotary/Clerk of Courts

DISCOVER BANK  
(Plaintiff)

CIVIL ACTION

No. 2007-589-CO

1 CIVIL TO ATTY  
1 CIVIL TO SUPER

Apothaker & Associates, P.C.  
2417 Welsh Road  
Suite 21 #520  
Philadelphia, PA 19114

(City, State ZIP)

vs.

JONI DIGILARMO  
(Defendant)

Filed on Behalf of:

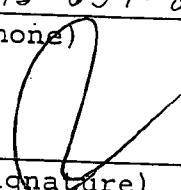
PLAINTIFF  
(Plaintiff/Defendant)

145 HICKORY ROAD  
(Street Address)

DUBOIS, PA 15801-4149  
(City, State ZIP)

DAVID J. APOTHAKER, ESQ.  
(Filed by) Apothaker & Associates, P.C.  
2417 Welsh Road  
Suite 21 #520  
Philadelphia, PA 19114  
(Address)

215-634-8920  
(Phone)

  
(Signature)

APOTHAKER & ASSOCIATES, P.C.  
BY: David J. Apothaker, Esq.  
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 Apothaker & Associates, P.C. ) CLEARFIELD COUNTY  
2417 Welsh Road, Suite 21 #520 )  
Philadelphia, PA 19114 ) NO.:  
Plaintiff, )  
vs. )  
JONI E DIGILARMO )  
145 HICKORY RD )  
DU BOIS, PA 15801-4149 )  
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 páginas siguientes, usted tiene veinte (20) días de plazo al partir de la fecha de la demanda y la notificación. Hace falta asentar una comparecencia 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 tomará medidas y puede continuar la demanda en contra suya sin previo aviso o notificación. Además, 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

APOTHAKER & ASSOCIATES, P.C.

BY: David J. Apothaker, Esq.

Attorney I.D.#38423

2417 Welsh Road, Suite 21 #520

Philadelphia, PA 19114

(215) 634-8920

Attorneys for Plaintiff

DISCOVER BANK

c/o Apothaker & Associates, P.C.

2417 Welsh Road, Suite 21 #520

Philadelphia, PA 19114

Plaintiff,

vs.

) COURT OF COMMON PLEAS

) CLEARFIELD COUNTY

)

) NO.:

)

)

)

JONI E DIGILARMO

145 HICKORY RD

DU BOIS, PA 15801-4149

Defendant,

)

)

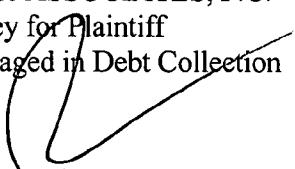
**CIVIL ACTION COMPLAINT  
FIRST COUNT**

1. Plaintiff, DISCOVER BANK, is a company with its principal place of business located at c/o Apothaker & Associates, P.C., 2417 Welsh Road, Suite 21 #520, Philadelphia, PA 19114.
2. Defendant is JONI E DIGILARMO, an adult individual residing at 145 HICKORY RD DU BOIS, PA 15801-4149.
3. At the special instance and request of Defendant, Plaintiff sold and delivered to Defendant goods and/or services at the times, of the kinds, in the quantities, and for the prices set forth in Plaintiff's records. A true and correct copy of which is attached hereto, incorporated herein by reference and designated Exhibit "A".
4. Defendant received and accepted the goods and/or services described in Exhibit "A".
5. The prices set forth in Exhibit "A" are the fair, reasonable and market prices for said goods and/or services, and the prices which Defendant agreed to pay.
6. All credits, if any, to which Defendant is entitled, are set forth in Exhibit "A".
7. In addition, Plaintiff avers that Defendant has failed and continues to fail to make any payments, leaving a balance due and owing of \$13,371.30 from September 16, 2005.

8. Although demand has been made, Defendant has failed to make payment of the amount due as above.

WHEREFORE, Plaintiff demands judgment in favor of Plaintiff and against Defendant(s) for the sum of \$13,371.30 plus costs, and reasonable attorney's fees.

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

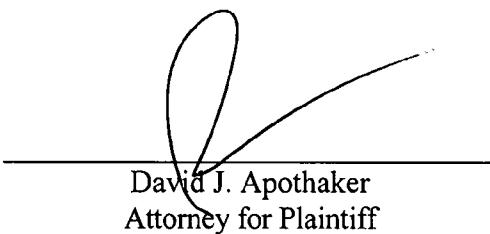
BY:   
David J. Apothaker

Dated: 3/22/2007

Our File No.: 91503

**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  
Attorney for Plaintiff

DATE: 3/22/2007

DISCOVER BANK  
c/o Apothaker & Associates, P.C.  
2417 Welsh Road, Suite 21 #520  
Philadelphia, PA 19114

JONI E DIGILARMO  
145 HICKORY RD  
DU BOIS, PA 15801-4149

STATEMENT OF ACCOUNT

Debtor's Name: JONI E DIGILARMO

Account Number: 6011002360340046

Date of Debt: September 16, 2005

Balance Due: \$13,371.30

Our File No.: 91503

EXHIBIT "A"

APOTHAKER & ASSOCIATES, P.C.  
BY: David J. Apothaker  
Attorney I.D.#38423  
2417 Welsh Road, Suite 21 #520  
Philadelphia, PA 19114  
(215) 634-8920  
Attorney for Plaintiff

DISCOVER BANK ) COURT OF COMMON PLEAS  
Plaintiff, ) CLEARFIELD COUNTY  
vs. )  
JONI E DIGILARMO ) NO. 2007-~~549~~<sup>539</sup> CD  
Defendant. )

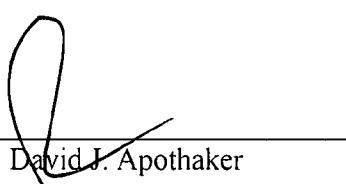
**PRAECIPE TO DISMISS WITHOUT PREJUDICE**

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. Apothaker

Dated: May 2, 2007

Our File No. 91503

FILED 1cc & 1 Cert  
2:10 pm of disc issued  
MAY 09 2007 to Atty  
William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

COPY

CIVIL DIVISION

**Discover Bank**

Vs.  
**Joni E. Digilarmo**

**No. 2007-00539-CD**

**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 9, 2007, marked:

Dismiss without prejudice

Record costs in the sum of \$85.00 have been paid in full by Apothaker & Associates.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 9th day of May A.D. 2007.



\_\_\_\_\_  
William A. Shaw, Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 102656  
NO: 07-539-CD  
SERVICE # 1 OF 1  
COMPLAINT

PLAINTIFF: DISCOVER BANK

vs.

DEFENDANT: JONI DIGILARMO

SHERIFF RETURN

NOW, April 17, 2007 AT 1:10 PM SERVED THE WITHIN COMPLAINT ON JONI DIGILARMO DEFENDANT AT 145 HICKORY ROAD, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO CHRIS DIGILARMO, HUSBAND A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: NEVLING / COUDRIET

FILED

013:22731  
AUG 22 2007

William A. Shaw  
Prothonotary/Clerk of Courts

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	APOTHAKER	44613G	10.00
SHERIFF HAWKINS	APOTHAKER	44613G	36.43

Sworn to Before Me This

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

So Answers,

*Chester A. Hawkins  
by Marilyn Hays*  
Chester A. Hawkins  
Sheriff