

07-545-CD

Capital One vs Randy Thompson

2007-545-CD
Capital One vs Randy Thompson

2031119

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

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

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

vs.

DOCKET NO. : 07-545-CD

RANDY M. THOMPSON
1027 KEENER ROAD
MAHAFFEY PA 15757-7805

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

FILED
M 19 29 2007 85.00
APR 09 2007 85.00
Clerk
William A. Shaw
Prothonotary/Clerk of Courts

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 \$1,249.88.

5. Plaintiff has made demand upon the defendant for payment of the balance due of \$1,249.88 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 July 16, 2003.

WHEREFORE, plaintiff claims of the defendant the sum of

\$1,249.88 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

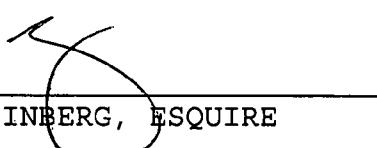


EXHIBIT "A"

2031119

Capital One Bank

RANDY THOMPSON and
THOMPSON TERI LEE
4121741610663895

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;

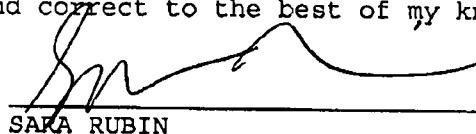
3. Plaintiff's files are maintained in the usual and ordinary course of business;

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 4121741610663895 in the amount of \$1,152.44; and

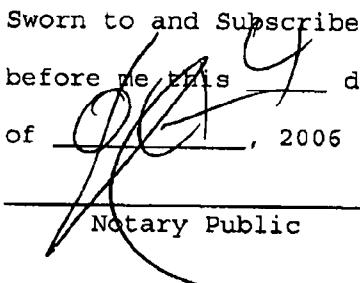
6. If called upon, affiant can testify at trial as to the facts pertaining to this matter.

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 7 day
of July, 2006


Notary Public

KARL HERNANDEZ
Notary Public State of New York
No. 114-6095733
Qualified in Suffolk County
Commission Expires July 21, 2007

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 1 of 1 Services

Sheriff Docket # **102658**

CAPITAL ONE BANK

Case # **07-545-CD**

vs.

RANDY M. THOMPSON

TYPE OF SERVICE COMPLAINT

SHERIFF RETURNS

NOW August 22, 2007 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT "NOT FOUND" AS TO RANDY M. THOMPSON, DEFENDANT. WHEREABOUTS UNKNOWN.

SERVED BY: /

FILED
08/22/07
AUG 22 2007
WM
William A. Shaw
Prothonotary/Clerk of Courts

Return Costs

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	GORDON	32312	10.00
SHERIFF HAWKINS	GORDON	32312	35.34

Sworn to Before me This

So Answers,

____ Day of _____ 2007

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

2031119

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DAMAGES HEARING REQUIRED.

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BY: FREDERIC I. WEINBERG, ESQUIRE

Identification No.: 41360

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David S. Meholic, Court Admin.
Clearfield County Courthouse
Clearfield, PA 16830
(814) 765-2641

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

APR 09 2007

Attest.

William L. Ober
Prothonotary/
Clerk of Courts

COMPLAINT IN CIVIL-ACTION

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BY: 

FREDERIC I. WEINBERG, ESQUIRE
PAUL M. SCHOFIELD, JR., ESQUIRE
Attorney for Plaintiff

P01A

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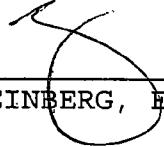

FREDERIC I. WEINBERG, ESQUIRE

EXHIBIT "A"

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Capital One Bank

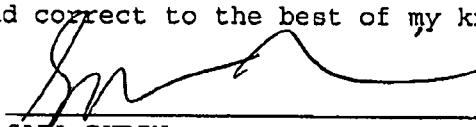
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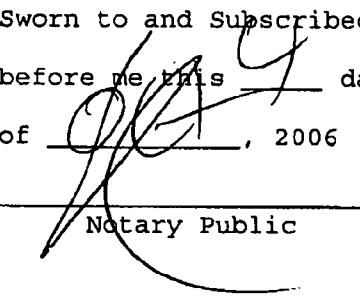
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The above facts are true and correct to the best of my knowledge, information and belief.


SARA RUBIN

Sworn to and Subscribed
before me this 4 day
of July, 2006


Notary Public

KARL FERNANDEZ
Notary Public State of New York
No. 11ME6095733
Qualified in Suffolk County
Commission Expires July 21, 2007

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

CAPITAL ONE BANK
Plaintiff
vs.
RANDY M. THOMPSON
Defendant

* NO. 2007-545-CD

*

*

*

*

*

FILED

0/23/13 KK

MAR 20 2013

ORDER

William A. Shaw
Prothonotary/Clerk of Courts KIC

NOW, this 21st day of March, 2013, upon the Court's review of the docket and noting no activity for a period of over five years, it is the ORDER of this Court that the case be moved to inactive status. The Prothonotary shall code the case in Full Court as Z-INACTA.

BY THE COURT,



FREDRIC J. AMMERMAN
President Judge