

07-580-CD

Discover Bank vs Veronica Payne

Discover Bank vs Veronica Payne  
2007-580-CD

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA

Discover Bank

(Plaintiff)

c.o David J Apothaker, Esq.  
2417 Welsh Road, Suite 21 #520

(Street Address)

Philadelphia, PA 19114

(City, State ZIP)

CIVIL ACTION

No. 07-580-CD

Type of Case: civil

Type of Pleading: complaint

VS.

Veronica Payne

(Defendant)

47 Redwood Dr.

(Street Address)

Penfield, PA 15849

(City, State ZIP)

Filed on Behalf of:

Plaintiff

(Plaintiff/Defendant)

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

(Filed by)

(Address)

(Phone)

(Signature)

FILED Atty pd. 85.00  
M 12/31/07 1cc Sheriff  
APR 16 2007

William A. Shaw  
Prothonotary/Clerk of Courts

APOTHAKER & ASSOCIATES, P.C.

BY: David J. Apotheker, Esq.  
Attorney I.D.#38423  
2417 Welsh Road, Suite 21 #520  
Philadelphia, PA 19114  
(215) 634-8920  
Attorneys for Plaintiff

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

Plaintiff,  
vs.

VERONICA PAYNE  
47 REDWOOD DR  
PENFIELD, PA 15849-9777  
Defendant.

) COURT OF COMMON PLEAS  
 ) CLEARFIELD COUNTY  
 )  
 ) NO.:  
 )  
 )  
 )  
 )  
 )  
 )  
 )  
 )  
 )  
 )  
 )

## 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 SUFICIENTE 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. Apotheker, 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. )  
VERONICA PAYNE )  
47 REDWOOD DR )  
PENFIELD, PA 15849-9777 )  
Defendant. )

**CIVIL ACTION COMPLAINT  
FIRST COUNT**

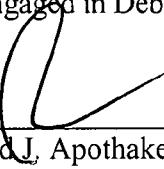
1. Plaintiff, DISCOVER BANK, is a company with its principal place of business located at c/o Apotheker & Associates, P.C., 2417 Welsh Road, Suite 21 #520, Philadelphia, PA 19114.
2. Defendant is VERONICA PAYNE, an adult individual residing at 47 REDWOOD DR PENFIELD, PA 15849-9777.
3. At the special 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 \$11,637.19 from February 09, 2006.

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 \$11,637.19 plus costs, and reasonable attorney's fees.

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

BY: \_\_\_\_\_

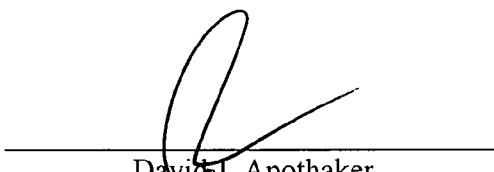
  
David J. Apothaker

Dated: March 30, 2007

Our File No.: 91673

**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: March 30, 2007

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

VERONICA PAYNE  
47 REDWOOD DR  
PENFIELD, PA 15849-9777

STATEMENT OF ACCOUNT

Debtor's Name: VERONICA PAYNE

Account Number: 6011002290367135

Date of Debt: February 09, 2006

Balance Due: \$11,637.19

Our File No.: 91673

EXHIBIT "A"

**In The Court of Common Pleas of Clearfield County, Pennsylvania**

Service # 1 of 1 Services

Sheriff Docket # **102692**

DISCOVER BANK

Case # **07-580-CD**

vs.

VERONICA PAYNE

TYPE OF SERVICE COMPLAINT

**SHERIFF RETURNS**

NOW September 26, 2007 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT "NOT FOUND" AS TO VERONICA PAYNE, DEFENDANT. DEFENDANT UNKNOWN.

SERVED BY: /

**Return Costs**

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	APOTHAKER	45184G	10.00
SHERIFF HAWKINS	APOTHAKER	45184G	29.52

**FILED** No. cc.  
03:13pm  
SEP 26 2007  
(S)

William A. Shaw  
Prothonotary/Clerk of Courts

Sworn to Before me This

So Answers,

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA

Discover Bank

\_\_\_\_\_  
 (Plaintiff)  
 c.o David J Apothaker, Esq.  
 2417 Welsh Road, Suite 21 #520  
 \_\_\_\_\_  
 (Street Address)  
 Philadelphia, PA 19114  
 \_\_\_\_\_  
 (City, State ZIP)

## CIVIL ACTION

No. 07-580-CD  
 Type of Case: civil  
 Type of Pleading: complaint

VS.

Veronica Payne  
 \_\_\_\_\_  
 (Defendant)  
 \_\_\_\_\_  
 47 Redwood Dr.  
 \_\_\_\_\_  
 (Street Address)  
 Penfield, PA 15849  
 \_\_\_\_\_  
 (City, State ZIP)

## Filed on Behalf of:

Plaintiff  
 \_\_\_\_\_  
 (Plaintiff/Defendant)

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

(Filed by)

(Address)

(Phone)

(Signature)

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

APR 16 2007

Attest.

*William J. Apothaker*  
 Prothonotary/  
 Clerk of Courts

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.	)	
VERONICA PAYNE	)	
47 REDWOOD DR	)	
PENFIELD, PA 15849-9777	)	
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 asentarse 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 cumpla 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 TELÉFONO A LA OFICINA CUYA DIRECCIÓN 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.

VERONICA PAYNE

47 REDWOOD DR

PENFIELD, PA 15849-9777

Defendant.

) COURT OF COMMON PLEAS

) CLEARFIELD COUNTY

)

) NO.:

)

)

)

)

)

)

)

**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 VERONICA PAYNE, an adult individual residing at 47 REDWOOD DR PENFIELD, PA 15849-9777.

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 \$11,637.19 from February 09, 2006.

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 \$11,637.19 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: March 30, 2007

Our File No.: 91673

**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: March 30, 2007

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

VERONICA PAYNE  
47 REDWOOD DR  
PENFIELD, PA 15849-9777

STATEMENT OF ACCOUNT

Debtor's Name: VERONICA PAYNE

Account Number: 6011002290367135

Date of Debt: February 09, 2006

Balance Due: \$11,637.19

Our File No.: 91673

EXHIBIT "A"

Our File No.: 91673  
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: May 6, 2009

5  
FILED ICC Atty  
m 12:10pm MAY 14 2009  
Apotheker  
William A. Shaw LIA  
Prothonotary/Clerk of Courts