

2007-865-CD
Discover Bank vs Raymond Smeal

2007-865-CD
Discover Bank vs Raymond Smeal

FILED

(E)

JUN 04 2007

12:15 PM

William A. Shaw
Prothonotary/Clerk of Courts

1 CERT TO ATTY

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

DISCOVER BANK

Plaintiff

No: 2007-865-CJ

vs.

COMPLAINT IN CIVIL ACTION

RAYMOND L SMEAL

Defendant

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

James C. Warmbrodt, 42524
WELTMAN, WEINBERG & REIS CO., L.P.A.
436 Seventh Avenue, Suite 2718
Pittsburgh, PA 15219
(412) 434-7955
FAX: 412-338-7130
05877264 C A Pit WLG

Nov 17, 2008 Document
Reinstated/Reissued to Sheriff/Attorney
for service.

William A. Shaw

Deputy Prothonotary

GK

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

DISCOVER BANK

Plaintiff
vs. Civil Action No
RAYMOND L SMEAL
Defendant

COMPLAINT AND NOTICE TO DEFEND

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 an 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 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.

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COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
230 EAST MARKET ST., SUITE 228
CLEARFIELD, PA 16830
(814) 765-2641, ext 1300-1301

COMPLAINT

1. Plaintiff, is a corporation with offices at 6500 NEW ALBANY ROAD
NEW ALBANY , OH 43054 .

2. Defendant is adult individual(s) residing at the address listed
below:

RAYMOND L SMEAL
1249 COOPER AVE
GRASSFLAT, PA 16839

3. Defendant applied for and received a credit card issued by
Plaintiff bearing the account number 6011002105458434 . A copy of
Plaintiff's Statement of Account is attached hereto, marked as Exhibit
"A" and made a part hereof.

4. Defendant made use of said credit card and currently has a balance
due and owing to Plaintiff, as of May 18, 2007 , in the amount of
\$3994.04 .

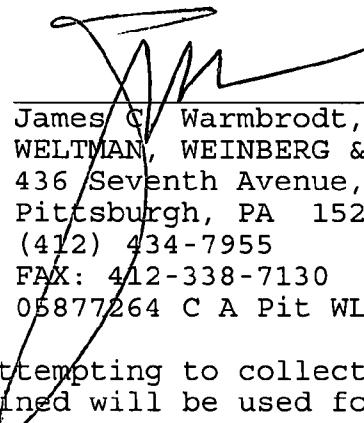
5. Defendant is in default by failing to make payments when due.

6. Plaintiff avers that the Agreement between the parties provides
that Defendant will pay Plaintiff's attorneys' fees.

7. Plaintiff avers that such attorneys' fees will amount to \$500.00 .

8. Although repeatedly requested to do so by Plaintiff, Defendant has willfully failed and/or refused to pay the balance due to Plaintiff.

Wherefore, the Plaintiff prays for Judgment in its favor and against Defendant, RAYMOND L SMEAL, INDIVIDUALLY, in the amount of \$3994.04 with interest at the legal rate of 6.000% per annum from date of judgment plus attorneys' fees of \$500.00, and costs.


James C. Warmbrodt, 42524
WELTMAN, WEINBERG & REIS CO., L.P.A.
436 Seventh Avenue, Suite 2718
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(412) 434-7955
FAX: 412-338-7130
05877264 C A Pit WLG

This law firm is a debt collector attempting to collect this debt for our client and any information obtained will be used for that purpose.

VERIFICATION

The undersigned does hereby verify subject to the penalties of 18 PA.C.S. §4904 relating to unsworn falsifications to authorities, that he is Robert Adkins,
(Name)
Accounts Manager of Discover Financial Services, LLC., plaintiff herein, that
(Title) (Company)

he is duly authorized to make this Verification, and that the facts set forth in the foregoing Complaint in Civil Action are true and correct to the best of his/her knowledge, information and belief.


(Signature)

WWR # 5877264
RAYMOND L SMEAL
6011002105458434

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 1 of 1 Services

Sheriff Docket #

102867

DISCOVER BANK

Case # 07-865-CD

vs.

RAYMOND L. SMEAL

TYPE OF SERVICE COMPLAINT

SHERIFF RETURNS

NOW October 29, 2007 RETURNED THE WITHIN COMPLAINT AS TO RAYMOND L. SMEAL, DEFENDANT,
SERVED BY: *I AS DEF. DOES NOT RESIDE AT EITHER ADDRESS PROVIDED BY
THE PLAINTIFF. *AS* NOT SERVED.*

Return Costs

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	WELTMAN	8470386	10.00
SHERIFF HAWKINS	WELTMAN	8470396	44.34

FILED
04:30pm
OCT 29 2007
William A. Shaw
Prothonotary/Clerk of Courts
Amen
BY *ca.*

Sworn to Before me This

____ Day of _____ 2007

So Answers,

Chester A. Hawkins
My Mainly Hand
Chester A. Hawkins
Sheriff

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

JUN 04 2007

Attest.

W.L.G.
Prothonotary/
Clerk of Courts

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

DISCOVER BANK

Plaintiff

No: 2007. 865-C1

vs.

COMPLAINT IN CIVIL ACTION

RAYMOND L SMEAL

Defendant

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

James C. Warmbrodt, 42524
WELTMAN, WEINBERG & REIS CO., L.P.A.
436 Seventh Avenue, Suite 2718
Pittsburgh, PA 15219
(412) 434-7955
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(Name)
Accounts Manager of Discover Financial Services, LLC, plaintiff herein, that
(Title) (Company)

he is duly authorized to make this Verification, and that the facts set forth in the foregoing Complaint in Civil Action are true and correct to the best of his/her knowledge, information and belief.

Robert Atkins
(Signature)

WWR # 5877264
RAYMOND L SMEAL
6011002105458434

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

DISCOVER BANK

Plaintiff No. 2007-865-CD

vs. PRAECIPE TO REINSTATE COMPLAINT

RAYMOND L SMEAL

Defendant FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

James C. Warmbrodt, Esquire
PA I.D. #42524
WELTMAN, WEINBERG & REIS, CO., L.P.A.
1400 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR#5877264

FILED Atty pd.
M 10:35 AM 2008 7.00
NOV 17 2008 100-1

William A. Shaw
Prothonotary/Clerk of Courts to Sheriff

(G10)

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

DISCOVER BANK

Plaintiff

vs.

Civil Action No. 2007-865-CD

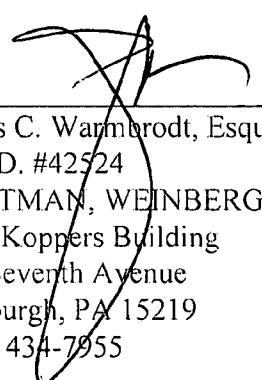
RAYMOND L SMEAL

Defendant

PRAECIPE TO REINSTATE COMPLAINT

Kindly reinstate the Complaint in the above captioned matter.

WELTMAN, WEINBERG & REIS CO., L.P.A.

By: 
James C. Warmbrodt, Esquire
PA I.D. #42524
WELTMAN, WEINBERG & REIS CO., L.P.A.
1400 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR #5877264

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

DISCOVER BANK

Plaintiff No:

vs.

COMPLAINT IN CIVIL ACTION

RAYMOND L SMEAL

Defendant FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

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

DISCOVER BANK

Plaintiff
vs. Civil Action No

RAYMOND L SMEAL

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COURT ADMINISTRATOR
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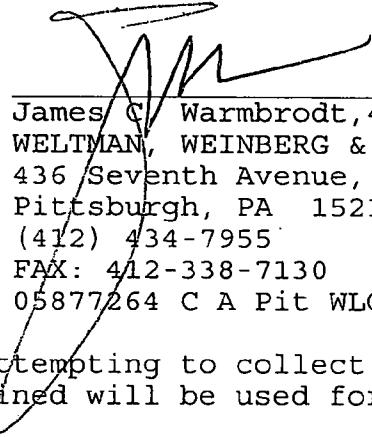
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(Title) (Company)

he is duly authorized to make this Verification, and that the facts set forth in the foregoing Complaint in Civil Action are true and correct to the best of his/her knowledge, information and belief.

Robert Wilson
(Signature)

WWR # 5877264
RAYMOND L SMEAL
6011002105458434

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

NO: 07-865-CD

DISCOVER BANK

vs

RAYMOND L. SMEAL

SERVICE # 1 OF 1

5 FILED

03/16/09
DEC 23 2008
2M

William A. Shaw
Prothonotary/Clerk of Courts

PRAEICE & COMPLAINT

SERVE BY: 12/17/2008

HEARING:

PAGE: 104940

W.C.I.

DEFENDANT: RAYMOND L. SMEAL
ADDRESS: 1249 COOPER AVE.
GRASSFLAT, PA 16839

ALTERNATE ADDRESS

~~New: 1918 Derry St~~
~~NOT 1~~
~~Circumstances~~

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT OCCUPIED

ATTEMPTS

12/2/08 does not live @ above address Possibly Harrisburg

SHERIFF'S RETURN

NOW, _____ AT _____ AM / PM SERVED THE WITHIN

PRAEICE & COMPLAINT ON RAYMOND L. SMEAL, DEFENDANT

BY HANDING TO _____ / _____

A TRUE AND ATTESTED COPY OF THE ORIGINAL DOCUMENT AND MADE KNOW TO HIM / HER THE CONTENTS THEREOF.

ADDRESS SERVED _____

NOW _____ AT _____ AM / PM POSTED THE WITHIN

PRAEICE & COMPLAINT FOR RAYMOND L. SMEAL

AT (ADDRESS) _____

NOW 12-22-08 AT 8:30 AM PM AFTER DILIGENT SEARCH IN MY BAILIWICK,

I MAKE RETURN OF **NOT FOUND** AS TO RAYMOND L. SMEAL

REASON UNABLE TO LOCATE NOT FOUND

SWORN TO BEFORE ME THIS

DAY OF _____ 2008

So Answers: CHESTER A. HAWKINS, SHERIFF

BY: Deputy S. Hunter
Deputy Signature

S. Hunter

Print Deputy Name

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

DISCOVER BANK

Plaintiff No. 2007-865-CD

vs. PRAECIPE TO REINSTATE COMPLAINT

RAYMOND L SMEAL

Defendant FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

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PA I.D. #42524
WELTMAN, WEINBERG & REIS, CO., L.P.A.
1400 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR#5877264

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

NOV 17 2008

Attest.

William L. Shan
Prothonotary/
Clerk of Courts

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

DISCOVER BANK

Plaintiff

vs.

Civil Action No. 2007-865-CD

RAYMOND L SMEAL

Defendant

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WELTMAN, WEINBERG & REIS CO., L.P.A.

By: _____
James C. Warmbrodt, Esquire
PA I.D. #42524
WELTMAN, WEINBERG & REIS CO., L.P.A.
1400 Koppers Building
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WWR #5877264

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

DISCOVER BANK

Plaintiff

No: 07-865-CD

vs.

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05877264 C A Pit WLG

11/17/08 Document
Reinstated/Reissued to Sheriff/██████████
for service. Willie L. Sharpe
Deputy Prothonotary

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

DISCOVER BANK

Plaintiff
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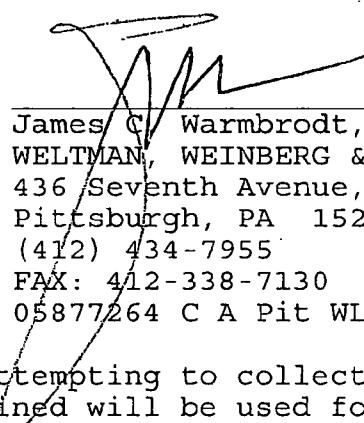
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Pittsburgh, PA 15219
(412) 434-7955
FAX: 412-338-7130
05877264 C A Pit WLG

This law firm is a debt collector attempting to collect this debt for our client and any information obtained will be used for that purpose.



New Balance
\$3,994.04

Minimum Payment Due
\$3,994.04

Payment Due Date
March 14, 2007

Account Number 6011 0021 0545 8434
Enter Amount Enclosed Below

\$

Please make check payable to Discover Platinum Card. Minimum payment due includes a past due amount of \$871.00.

15 SDSN6A01 0006005
RAYMOND SMEAL
1249 COOPER AVE
GRASSFLAT PA 16839-9619

Save time and a stamp this month by paying your bill online. To find out about our free and flexible online payment features, visit Discovercard.com/payments

PO BOX 15251
WILMINGTON DE 19886-5251

Address, e-mail or telephone change? Print change in space above, or go to Discovercard.com. Print your e-mail address to receive important Account information and special offers.

000006011002105458434039940400000000399404

Discover Platinum Card Account Summary

Closing Date: February 15, 2007 page 1 of 1

Account Number	6011 0021 0545 8434
Payment Due Date	March 14, 2007
Minimum Payment Due	\$3,994.04
Credit Limit	\$3,000.00
Credit Available	\$0.00
Cash Credit Limit	\$0.00
Cash Credit Available	\$0.00

Previous Balance	\$ 3,994.04
Payments And Credits	0.00
Purchases	+ 0.00
Cash Advances	+ 0.00
Balance Transfers	+ 0.00
Finance Charges	+ 0.00
New Balance	= \$3,994.04

EXHIBIT

Cashback Bonus

Gas & Auto

Cashback Bonus® Anniversary

Date: December 15

Opening Cashback Bonus Balance	\$ 0.00
New Cashback Bonus Earned	+ 0.00
Cashback Bonus Balance Available to Redeem	\$ 0.00
	\$ 0.00

How Can We Help You?

Please have your Discover Card available.

Manage your account online at Discovercard.com

Customer Service: 1-800-DISCOVER (1-800-347-2683)

For Account Inquiries, write to us at:
Discover Platinum Card, PO Box 30943
Salt Lake City, UT 84130

TDD (Telecommunications Device for the Deaf):
For assistance, see reverse side.

Transactions \$0 Fraud Liability Guarantee Use your Discover Card with confidence.

Information For You

While we are permitted under the Cardmember Agreement to increase the APRs on your Account because your payment was late, we have chosen not to do so at this time. However, we reserve the right to increase the APRs on your Account if you fail to pay the minimum payment due by the payment due date. See the Default Rate Plan section of the Cardmember Agreement for details.

Finance Charge Summary

	Average Daily Balances	Daily Periodic Rates	Nominal ANNUAL PERCENTAGE RATES	ANNUAL PERCENTAGE RATES	Periodic FINANCE CHARGES	Transaction Fee FINANCE CHARGES
current billing period: 31 days						
Purchases	\$0	0.07942%	28.99% V	28.99%	\$0	none
Cash Advances	\$0	0.07942%	28.99% V	28.99%	\$0	\$0

VERIFICATION

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Accounts Manager of Discover Financial Services, LLC., plaintiff herein, that
(Name)
(Title) (Company)

he is duly authorized to make this Verification, and that the facts set forth in the foregoing Complaint in Civil Action are true and correct to the best of his/her knowledge, information and belief.


(Signature)

WWR # 5877264
RAYMOND L SMEAL
6011002105458434

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 104940
NO: 07-865-CD
SERVICES 1
PRAECIPE & COMPLAINT

PLAINTIFF: DISCOVER BANK
vs.
DEFENDANT: RAYMOND L. SMEAL

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	WELTMAN	8795919	10.00
SHERIFF HAWKINS	WELTMAN	8795919	30.74

5
FILED
01/30/09
FEB 26 2009
WAS
William A. Shaw
Prothonotary/Clerk of Courts

Sworn to Before Me This

So Answers,

____ Day of _____ 2009



Chester A. Hawkins
Sheriff

FILED
APR 05 2010
NO
m112-2134 CC
60

William A. Shaw
Prothonotary/Clerk of Courts

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

DISCOVER BANK

Plaintiff No. 2007-865-CD

vs. PRAECIPE TO SETTLE, DISCONTINUE
RAYMOND L SMEAL AND END WITHOUT PREJUDICE TO REFILE

Defendant(s) FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

Lyndsay E Rowland, Esquire
PA I.D. #205520
WELTMAN, WEINBERG & REIS CO., L.P.A.
1400 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR#5877264 DIS

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

DISCOVER BANK

Plaintiff

vs.

Civil Action No. 2007-865-CD

RAYMOND L SMEAL

Defendant(s)

PRAECIPE TO SETTLE, DISCONTINUE
AND END WITHOUT PREJUDICE TO REFILE

TO THE PROTHONOTARY OF Clearfield COUNTY:

SIR:

Kindly settle, discontinue and end without prejudice to refile the above-captioned matter upon the records of the Court and mark the costs paid.

WELTMAN, WEINBERG & REIS CO., L.P.A.

By: Lyndsay E. Rowland
Lyndsay E. Rowland, Esquire
PA I.D. #205520
WELTMAN, WEINBERG & REIS CO., L.P.A.
1400 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

SWORN TO AND SUBSCRIBED

before me this 11 day

of March, 2010

Sheila G. Bevan
NOTARY PUBLIC

