

07-1127-CD
Bank of AM vs Wayne Yeager

Bank of America vs Wayne Yeager
2007-1127-CD

2031475

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

BANK OF AMERICA, N.A. (USA)
275 S Valencia Ave Ca7-70
Brea, CA 92823

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

vs.

DOCKET NO. : 07-1127-CD

WAYNE YEAGER

75 SWWOPE STREET

CURWENSVILLE PA 16833

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

FILED *Att. pd.*
m/1252/01 8500
JUL 19 2007
(CC) ICC Sheriff
William A. Shaw
Prothonotary/Clerk of Courts

COMPLAINT IN CIVIL-ACTION

1. At all times relevant hereto, the defendant(s) was the holder of a credit card, which at the request of the defendant(s) was issued to the defendant(s) by the plaintiff under the terms of which the plaintiff agreed to extend to defendant(s) the use of plaintiff's credit facilities.

2. Defendant(s) 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(s) 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 the Statement of Account is attached hereto as Exhibit "A".

4. All the credits to which the defendant(s) is entitled have been applied and there remains a balance due in the amount of \$5,700.91.


5. Plaintiff has made demand upon the defendant(s) for payment of the balance due of \$5,700.91 but the defendant(s) 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 6/13/05.

WHEREFORE, plaintiff claims of the defendant(s) the sum of

\$5,700.91 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(s) 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"

2031475

STATE OF Georgia)
COUNTY OF Cobb)

AFFIDAVIT OF ACCOUNT

BANK OF AMERICA, N.A. (USA)

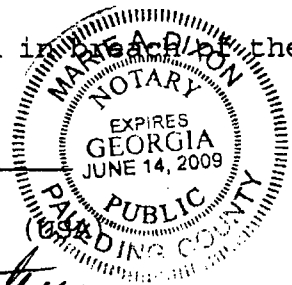
v.

WAYNE YEAGER

COMES NOW, Nicole Gunnell, and after being duly sworn before the below person authorized to administer oaths states the following:

1. I am over 18 years old and sui juris.
2. I am agent for Bank of America, N.A. (USA).
3. I am familiar with the books and records of the Plaintiff.
4. These books and records are kept in the ordinary course of business.
5. The agreement attached hereto is true and correct.
6. The Defendant (s) owe (s) the principal sum of \$3,478.21 as of October 2, 2006.
7. The Defendant (s) owe (s) past due interest of \$1,593.21 through October 2, 2006 at the rate of 29.49% from January 25, 2006.
8. Interest will continue to accrue at the aforementioned rate.
9. I know no liability insurance, bond or other security which may be available to pay this debt.
10. The Defendant (s) account number for which he owes the debt is 4427100032586021.
11. The Defendant (s) is/are not a minor nor an incompetent person.
12. Affiant has no knowledge of whether the Defendant (s) is/are on active duty in the military.
13. The Defendant (s) is/are past due on this account and in breach of the contractual agreement to pay as agreed.

Nicole Gunnell
Agent Nicole Gunnell
Bank of America, N.A. (USA)



Sworn to and subscribed before me this 9th of October, 2006.

Martha A. Deffen

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103004
NO: 07-1127-CD
SERVICE # 1 OF 1
COMPLAINT

PLAINTIFF: BANK OF AMERICA, N.A.
vs.
DEFENDANT: WAYNE YEAGER

FILED
0/3:00
DEC 05 2007
William A. Shaw
Prothonotary/Clerk of Courts

SHERIFF RETURN

NOW, July 25, 2007 AT 10:05 AM SERVED THE WITHIN COMPLAINT ON WAYNE YEAGER DEFENDANT AT 75 SWOPE ST., CURWENSVILLE, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO BOYD YEAGER, FATHER A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: MORGILLO /

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	GORDON	36522	10.00
SHERIFF HAWKINS	GORDON	36522	23.82

Sworn to Before Me This

_____ Day of _____ 2007

So Answers,

Chester A. Hawkins
by Marilyn Hamer

Chester A. Hawkins
Sheriff

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

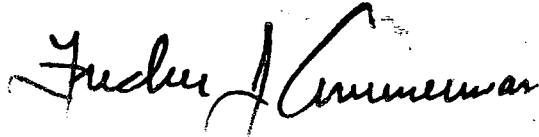
BANK OF AMERICA, N.A. (USA)
Plaintiff
vs.
WAYNE YEAGER
Defendant

* NO. 2007-1127-CD
*
*
*
*
*

ORDER

NOW, this 21st day of June, 2013, upon the Court's review of the docket and noting no activity for a period of over four 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

FILED cc Atty Weinberg
6/8/13 8:43 am ICC doctt
JUN 25 2013
William A. Shaw
Prothonotary/Clerk of Courts
GW

FILED

JUN 25 2013

William A. Shaw
Prothonotary/Clerk of Courts

deft
75 Swope St
Curtwensville 16833