

**07-1160-CD**  
**Bank of Am vs Lori L. Smith**

**Bank of America vs Lori Smith**  
**2007-1160-CD**

2035310

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  
BREA, CA 92823

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

vs.

DOCKET NO. : 07-1160-CJ

LORI L SMITH  
1220 JOSEPH RD  
CLEARFIELD PA 16830-1109

**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 *pd \$85.00 Atty*  
*ICC Shff*  
*7/18/07 cm ICC Atty*  
JUL 23 2007  
*LS*

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 \$7,074.96.

5. Plaintiff has made demand upon the defendant(s) for payment of the balance due of \$7,074.96 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 2/26/06.

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

7,074.96 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.

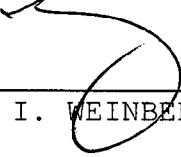
  
FREDERIC I. WEINBERG, ESQUIRE

EXHIBIT "A"

2035310  
BANK OF AMERICA, N.A. (USA)

LORI L SMITH

4888936991649165

AFFIDAVIT

I, Michele A. Clammon, 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 4888936991649165 in the amount of \$4,593.34; 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.

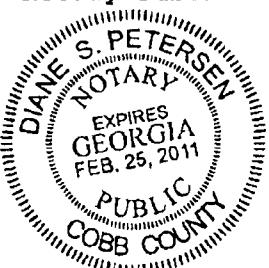
Michele A. Clammon  
(Name of Affiant)

Sworn to and Subscribed

before me this 29<sup>th</sup> day

of May, 2007

Diane S. Petersen  
Notary Public



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103015  
NO: 07-1160-CD  
SERVICE # 1 OF 1  
COMPLAINT

PLAINTIFF: BANK OF AMERICA, N.A.

vs.

DEFENDANT: LORI L. SMITH

**SHERIFF RETURN**

NOW, August 09, 2007 AT 9:37 AM SERVED THE WITHIN COMPLAINT ON LORI L. SMITH DEFENDANT AT 1220 JOSEPH RD, CLEARFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO LORI L. SMITH, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: HUNTER / DEHAVEN

**FILED**  
09.07.07  
DEC 18 2007  
WAS  
William A. Shaw  
Prothonotary/Clerk of Courts

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	GORDON	36647	10.00
SHERIFF HAWKINS	GORDON	36647	22.00

Sworn to Before Me This

\_\_\_\_ Day of \_\_\_\_\_ 2008

So Answers,

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

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

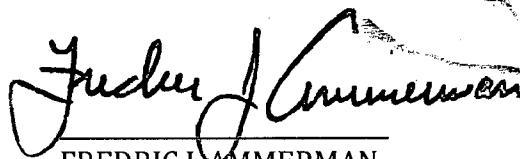
BANK OF AMERICA, N.A. (USA)  
Plaintiff  
vs.  
LORI L. SMITH  
Defendant

\* NO. 2007-1160-CD  
\*  
\*  
\*  
\*

ORDER

NOW, this 21<sup>st</sup> day of June, 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

FILED 01/05/2013 10:00 AM JUN 25 2013  
10:00 AM JUN 25 2013  
JUN 25 2013  
William A. Shaw  
Prothonotary/Clerk of Courts  
61

JUN 25 2013

William A. Shaw  
Prothonotary/Clerk of Courts

deft

1320 Joseph Rd  
Clarke 1J 16830

William A. Shaw  
Prothonotary/Clerk of Courts  
Po Box 549  
Clearfield, PA 16830.

19  
FILED

JUL 08 2013  
18:45 LG  
William A. Shaw  
Prothonotary/Clerk of Courts

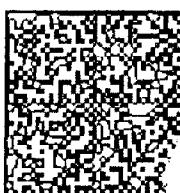
Lori L Smith  
1220 Joseph Rd  
Clearfield 16830

NIXIE 152 FE 1009 0007/03/13

NOT RETURN TO SENDER  
UNDELIVERABLE AS ADDRESSED  
UNABLE TO FORWARD

16830054949

BC: 16830054949 \*1019-01864-26-44  
16830054949



Hasler

016H26524836  
\$00.460  
06/26/2013  
Mailed From 16830  
US POSTAGE

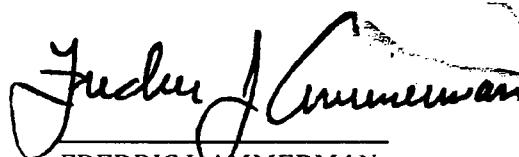
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
CIVIL DIVISION

BANK OF AMERICA, N.A. (USA) \* NO. 2007-1160-CD  
Plaintiff \*  
vs. \*  
LORI L. SMITH \*  
Defendant 1220 Joseph Rd \*  
Clearfield 16830 \*

ORDER

NOW, this 21<sup>st</sup> day of June, 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

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

JUN 25 2013

Attest.



William L. Chesser  
Prothonotary/  
Clerk of Courts