

07-1230-CD
Atlantic Credit vs Robert B. St. Clair

2031904

THIS IS AN ARBITRATION MATTER. ASSESSMENT OF
DAMAGES HEARING REQUIRED.

GORDON & WEINBERG, P.C.

BY: FREDERIC I. WEINBERG, ESQUIRE

Identification No.: 41360

JOEL M. FLINK, ESQUIRE

Identification No.: 41200

1001 E. Hector Street, Ste 220

Conshohocken, PA 19428

215/988-9600

Atlantic Credit & Finance Inc.
Assignee from Household Bank
3353 Orange Avenue
Roanoke, VA 24012

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

vs.

DOCKET NO. : 07-1230-cd

ROBERT B ST CLAIR
168 COOPER AVE
GRASSFLAT PA 16839-9608

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 Atty pd 85.00
M 11/02/04
AUG 01 2004 ICC Sheriff
JW

William A. Shaw
Prothonotary/Clerk of Courts

COMPLAINT IN CIVIL-ACTION

1. Plaintiff is a debt buyer and successor in interest to the original creditor as set forth in the caption of this Complaint.

2. 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.

3. 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.

4. 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".

5. All the credits to which the defendant(s) is entitled have been applied and there remains a balance due in the amount of \$2,565.87.

6. Plaintiff has made demand upon the defendant(s) for payment of the balance due of \$2,565.87 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 6/14/05.

WHEREFORE, plaintiff claims of the defendant(s) the sum of \$2,565.87 plus applicable costs, interest and attorney's fees.

GORDON & WEINBERG, P.C.

BY: 

FREDERIC I. WEINBERG, ESQUIRE
JOEL M. FLINK, ESQUIRE
Attorney for Plaintiff

P01A.DB

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

ATLANTIC CREDIT & FINANCE, INC.

2031904

v.

ROBERT B STCLAIR

AFFIDAVIT OF DEBT AND VERIFIED BILL OF PARTICULARS

The undersigned being first duly sworn according to law, deposes and says that she is familiar with the policies and practices, as well as the books and records of the Plaintiff with respect to the matters stated herein, and based on information and belief states as follows:

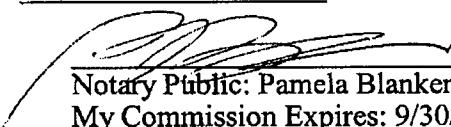
1. Plaintiff's principal business consists of purchasing charged off receivables.
2. The Defendant defaulted on HOUSEHOLD BANK Account No. 5466410011764625. Said Account was charged off on January 31, 2006 in the amount of \$2,565.87.
3. Plaintiff purchased or was otherwise assigned this charged off account along with other debts. As a result of the foregoing sale and assignment, the Plaintiff succeeded to all right, title and interest in the charged off account, and it now owns the account.
4. Plaintiff conducted a due diligence investigation to determine, among other things, the accuracy of the account information provided to ascertain whether the statute of limitations was a bar to demand or institution of suit. Further, Plaintiff and/or its predecessor entered into a contract where the predecessor made representations and warranties that 1) it had clear right, title and interest in the account; 2) the account was free and clear of all liens and encumbrances; and 3) it had the power, authority, and full right to sell and convey its interest in the account.
5. According to Plaintiff's records, the last payment date was June 14, 2005. After application of all payments, credits, adjustments, and lawful offsets, if any, there is still a balance due and owing on this indebtedness of \$2,565.87.
6. The internal Account Statement of Plaintiff is attached hereto as Exhibit A and displays the account information that was provided to Plaintiff at the time of purchase and assignment.

The foregoing is true and correct to the best of my knowledge and belief.

By:


Heather Clary
Assistant Director of Forwarding

Subscribed and sworn before me 10-25-06.


Notary Public: Pameila Blankenship
My Commission Expires: 9/30/2010



THIS COMMUNICATION IS FROM A DEBT COLLECTOR



Atlantic Credit & Finance, Inc.
Account Statement

Report Date

10/10/2006 17:47:5

Our Account ID: 2331897

Account Number: 5466410011764625

Status: LGJ

Received: 02/22/2006

Original Balance: \$ 2,565.87

Amount Paid: \$ 0.00

RECEIVED BY:

Name: STCLAIR, ROBERT B

SSN-Last 4 Digits: 4785

Other Name:

HomePhone: 7173527510

Street1: 168 COOPER AVE

WorkPhone: 8148577704

Street2:

City, State Zip: GRASSFLAT, PA 16839-9608

RECEIVED BY:

Date	Type	Matched	Check No	Invoiced	Amount	Comment
------	------	---------	----------	----------	--------	---------

No Payments Received

Payment Type 'PU', 'PA', 'PC' - Payment
Payment Type 'PUR', 'PAR', 'PCR' - Returned Payment NSF

Page No:

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103058
NO: 07-1230-CD
SERVICE # 1 OF 1
COMPLAINT

PLAINTIFF: ATLANTIC CREDIT & FINANCE INC.
vs.
DEFENDANT: ROBERT B. ST. CLAIR

SHERIFF RETURN

NOW, August 22, 2007 AT 9:24 AM SERVED THE WITHIN COMPLAINT ON ROBERT B. ST. CLAIR DEFENDANT AT 168 COOPER AVE., GRASSFLAT, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO JOANNA ST. CLAIR, WIFE A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: HUNTER / DEHAVEN

FILED
06/4/07
DEC 21 2007
S

William A. Shaw
Prothonotary/Clerk of Courts

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	GORDON	37209	10.00
SHERIFF HAWKINS	GORDON	37209	60.68

Sworn to Before Me This

____ Day of _____ 2006

So Answers,

Chester A. Hawkins
by Maelyn Hause
Chester A. Hawkins
Sheriff

2031904

FILED

GORDON & WEINBERG, P.C.
BY: FREDERIC I. WEINBERG, ESQUIRE
Identification No.: 41360
JOEL M. FLINK, ESQUIRE
Identification No.: 41200
1001 E. Hector Street, Ste 220
Conshohocken, PA 19428
484/351-0500

FEB 04 2008

1/230/08

William A. Shaw
Prothonotary/Clerk of Courts

CERT w/ NOTICE TO DEPT.

ATTY

Atlantic Credit & Finance Inc.
Assignee from Household Bank

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

vs.

DOCKET NO. : 07-1230-CD

ROBERT B ST CLAIR

NOTICE

Pursuant to Pa.R.Civ.P. 236 of the Supreme Court of Pennsylvania,
you are hereby notified that a judgment has been entered against
you in the above proceeding as indicated below.

/X/ Judgment by Default \$2,721.55
1/ Money Judgment \$
1/ Judgment on Award of Arbitrators\$
1/ Judgment on Verdict\$

IF YOU HAVE ANY QUESTIONS CONCERNING THIS NOTICE, PLEASE CALL
ATTORNEYS: FREDERIC I. WEINBERG OR JOEL M. FLINK, ESQUIRES AT THIS
TELEPHONE NUMBER: 484/351-0500


PROTHONOTARY

2031904

GORDON & WEINBERG, P.C.
BY: FREDERIC I. WEINBERG, ESQUIRE
Identification No.: 41360
JOEL M. FLINK, ESQUIRE
Identification No.: 81894
1001 E. Hector Street, Ste 220
Conshohocken, PA 19428
484/351-0500

Atlantic Credit & Finance Inc.
Assignee from Household Bank

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

vs.

DOCKET NO. : 07-1230-CD

ROBERT B ST CLAIR

PRAECIPE FOR ENTRY OF JUDGMENT FOR WANT OF AN ANSWER, ASSESSMENT
OF DAMAGES, VERIFICATION OF ADDRESS AND NON-MILITARY SERVICE

TO THE PROTHONOTARY:

Enter judgment for want of an answer for plaintiff and against defendant(s) above named only and assess damages certified to be calculable as a sum certain from the complaint, as follows:

Principal	\$2,565.87
Costs (Complaint & Service)	\$155.68
Total:	\$2,721.55

Understanding the false statements made herein are subject to penalty under 18 Pa.C.S.A. §4904, Unsworn Falsification to Authorities, I verify that:

1. The last known addresses of the parties are: Atlantic Credit & Finance Inc. Assignee from Household Bank and that the last known address of defendant, ROBERT B ST CLAIR, 168 COOPER AVE, GRASSFLAT PA 16839-9608.

2. The annexed notice(s) of intention to file this

praecipe was (were) mailed to all parties, defendant and to their record attorneys, if any, after default occurred, and at least ten days prior to the date of filing of this praecipe.

3. The said defendant(s) is (are) not in the military service of the United States or otherwise within the coverage of the Soldiers and Sailors Civil Relief Act and is (are) over 18 years of age.

AND NOW, this 4th day of FEBRUARY, 2008 Judgment is entered in favor of the plaintiff(s) and against defendant(s) by default for want of an answer and damages assessed at the sum of , \$2,721.55 as per the above certification.



Prothonotary

GORDON & WEINBERG, P.C.

BY: 

FREDERIC I. WEINBERG, ESQUIRE
JOEL M. FLINK, ESQUIRE
Attorney for Plaintiff

2031904

GORDON & WEINBERG, P.C.
BY: FREDERIC I. WEINBERG, ESQUIRE
Identification No.: 41360
JOEL M. FLINK, ESQUIRE
Identification No.: 41200
1001 E. Hector Street, Ste 220
Conshohocken, PA 19428
484/351-0500

Atlantic Credit & Finance Inc.
Assignee from Household Bank

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

vs.

DOCKET NO. : 07-1230-CD

ROBERT B ST CLAIR

NOTICE OF INTENTION TO TAKE DEFAULT

TO/ PARA :

ROBERT B ST CLAIR
168 COOPER AVE
GRASSFLAT PA 16839-9608

DATE OF NOTICE/FECHA DEL AVISO: December 27, 2007

IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY AN ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR PROPERTY OR OTHER IMPORTANT RIGHTS.

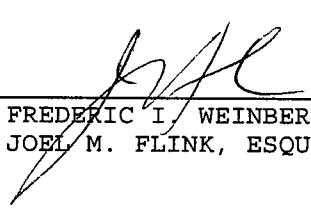
YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE, IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

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

GORDON & WEINBERG, P.C.

BY:


FREDERIC I. WEINBERG, ESQUIRE
JOEL M. FLINK, ESQUIRE