

07-1368-CD
Discover Bank vs Uriah Pierce

FILED ^{Pl \$85.00}
^{m/11:47am}
AUG 24 2007 ^{ICC Shift}
William A. Shaw
Prothonotary/Clerk of Courts

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

DISCOVER BANK

Plaintiff

vs.

URIAH PIERCE

Defendant

No: 07-1368-CD

COMPLAINT IN CIVIL ACTION

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
06103050 C A Pit WLG

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

DISCOVER BANK

Plaintiff

vs.

Civil Action No

URIAH PIERCE

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.

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.

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:

URIAH PIERCE
11390 BURNSIDE MCGEE HWY
MAHAFFEY, PA 15757

3. Defendant applied for and received a credit card issued by
Plaintiff bearing the account number 6011002900380577 . A copy of
Plaintiff's Statement of Account s 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 August 07, 2007 , in the amount of
\$1789.14 .

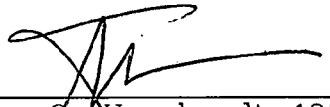
5. Defendant is in default by failing to make payments when due.

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 \$300.00 .

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 , URIAH PIERCE , INDIVIDUALLY , in the amount of \$1789.14 with interest at the legal rate of 6.000% per annum from date of judgment plus attorneys' fees of \$300.00 , and costs.



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
06103050 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
\$1,789.14

Minimum Payment Due
\$1,789.14

Account Number 6011 0029 0038 0577
Enter Amount Enclosed Below

Payment Due Date
May 21, 2007

\$ 6103050

Please make check payable to Discover Platinum Card. Minimum payment due includes a past due amount of \$352.00.

22 SDSN6A01 0005481
URIAH PIERCE
58 E WATER ST APT B
MIDDLETOWN PA 17057-1870

Manage your budget, track your spending and avoid fees with FREE timely e-mail reminders. To find out more, visit Discovercard.com/reminders

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.

000006011002900380577017891400000000178914

Discover More Card Account Summary

Closing Date: April 22, 2007

page 1 of 1

Account Number	6011 0029 0038 0577	Previous Balance	\$1,789.14
Payment Due Date	May 21, 2007	Payments And Credits	- 0.00
Minimum Payment Due	\$1,789.14	Purchases	+ 0.00
Credit Limit	\$1,000.00	Cash Advances	+ 0.00
Credit Available	\$0.00	Balance Transfers	+ 0.00
Cash Credit Limit	\$0.00	Finance Charges	+ 0.00
Cash Credit Available	\$0.00	New Balance	= \$1,789.14

Cashback Bonus®

Opening Cashback Bonus Balance	\$ 0.00
New Cashback Bonus Earned	+ 0.00

Cashback Bonus Balance Available to Redeem	\$ 0.00
--	---------

Cashback Bonus® Anniversary
Date: May 22

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 More 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. We have terminated, however, any introductory or promotional rate on purchases and any special balance transfer rate, and applied the standard APR for purchases to your outstanding balance of purchases and balance transfers. 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.

EXHIBIT

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: 22 days						
Purchases	\$0	0.06025%	21.99% V	21.99%	\$0	none
Cash Advances	\$0	0.06299%	22.99% F	22.99%	\$0	\$0
previous billing period: 6 days						
Purchases	\$0	0.06025%	21.99% V	21.99%	\$0	none

The rates that apply to your Account are either fixed (F) or they may vary (V) as noted above.

VERIFICATION

The undersigned does hereby verify subject to the penalties of 18 PA.C.S. §4904 relating to unsworn falsifications to authorities, that he/she is Yvette Benner,

(Name)

Accounts Manager of DFS Services, LLC, plaintiff herein, that
(Title) (Company)

he/she 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.

Yvette Benner
(Signature)

WWR # 6103050
URIAH PIERCE
6011002900380577

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 1 of 1 Services

Sheriff Docket # **103127**

DISCOVER BANK

Case # 07-1368-CD

vs.

URIAH PIERCE

TYPE OF SERVICE COMPLAINT

SHERIFF RETURNS

NOW January 18, 2008 AFTER DILIGENT SEARCH IN MY BAILIWICK I RETURNED THE WITHIN COMPLAINT "NOT FOUND" AS TO URIAH PIERCE, DEFENDANT. POSSIBLY WORKS @ HERSHEY MEDICAL CENTER.

SERVED BY: /

Return Costs

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	WELTMAN	8476333	10.00
SHERIFF HAWKINS	WELTMAN	8476333	30.34

FILED

01/18/08

JAN 21 2008



William A. Shaw
Prothonotary/Clerk of Courts

Sworn to Before me This

_____ Day of _____ 2008

So Answers,

Chester A. Hawkins
Sheriff

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

AUG 24 2007

Attest.

William E. L...
Prothonotary/
Clerk of Courts.

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

DISCOVER BANK

Plaintiff

vs.

URIAH PIERCE

Defendant

No: 07-1368-CD

COMPLAINT IN CIVIL ACTION

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
06103050 C A Pit WLG

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

DISCOVER BANK

Plaintiff

vs.

Civil Action No

URIAH PIERCE

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.

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.

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:

URIAH PIERCE
11390 BURNSIDE MCGEE HWY
MAHAFFEY, PA 15757

3. Defendant applied for and received a credit card issued by
Plaintiff bearing the account number 6011002900380577 . A copy of
Plaintiff's Statement of Account s 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 August 07, 2007 , in the amount of
\$1789.14 .


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 \$300.00 .

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 , URIAH PIERCE , INDIVIDUALLY , in the amount of \$1789.14 with interest at the legal rate of 6.000% per annum from date of judgment plus attorneys' fees of \$300.00 , and costs.



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
06103050 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
\$1,789.14

Minimum Payment Due
\$1,789.14

Account Number 6011 0029 0038 0577
Enter Amount Enclosed Below

Payment Due Date
May 21, 2007

\$ 6103050

Please make check payable to Discover Platinum Card. Minimum payment due includes a past due amount of \$352.00.

22 SDSN6A01 0005481

URIAH PIERCE
58 E WATER ST APT B
MIDDLETOWN PA 17057-1870

Manage your budget, track your spending and avoid fees with FREE timely e-mail reminders. To find out more, visit Discovercard.com/reminders

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.

000006011002900380577017891400000000178914

Discover More Card Account Summary

Closing Date: April 22, 2007

page 1 of 1

Account Number	6011 0029 0038 0577	Previous Balance	\$1,789.14
Payment Due Date	May 21, 2007	Payments And Credits	- 0.00
Minimum Payment Due	\$1,789.14	Purchases	+ 0.00
Credit Limit	\$1,000.00	Cash Advances	+ 0.00
Credit Available	\$0.00	Balance Transfers	+ 0.00
Cash Credit Limit	\$0.00	Finance Charges	+ 0.00
Cash Credit Available	\$0.00	New Balance	= \$1,789.14

Cashback Bonus®

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

Cashback Bonus® Anniversary
Date: May 22

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 More 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. We have terminated, however, any introductory or promotional rate on purchases and any special balance transfer rate, and applied the standard APR for purchases to your outstanding balance of purchases and balance transfers. 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.

EXHIBIT

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: 22 days						
Purchases	\$0	0.06025%	21.99% V	21.99%	\$0	none
Cash Advances	\$0	0.06299%	22.99% F	22.99%	\$0	\$0
previous billing period: 6 days						
Purchases	\$0	0.06025%	21.99% V	21.99%	\$0	none

The rates that apply to your Account are either fixed (F) or they may vary (V) as noted above.

VERIFICATION

The undersigned does hereby verify subject to the penalties of 18 PA.C.S. §4904 relating to
unsworn falsifications to authorities, that he/she is Yvette Benner,

(Name)

Accounts Manager of DFS Services, LLC, plaintiff herein, that
(Title) (Company)

he/she 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.

Yvette Benner
(Signature)

WWR # 6103050
URIAH PIERCE
6011002900380577

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

DISCOVER BANK

Plaintiff

vs.

URIAH PIERCE

Defendant

No. 07-1368-CD

PRAECIPE TO SETTLE, DISCONTINUE
AND END WITHOUT PREJUDICE TO REFILE

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#6103050

FILED ICC + 1 Cert of
m/10:45 am disc issued to
SEP 30 2008 Atty Warmbrodt
(LM)
William A. Shaw
Prothonotary/Clerk of Courts

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

DISCOVER BANK

Plaintiff

vs.

Civil Action No. 07-1368-CD

URIAH PIERCE

Defendant

PRAECIPE TO SETTLE, DISCONTINUE
AND END WITHOUT PREJUDICE TO REFILE

TO THE PROTHONOTARY OF CLEARFIELD COUNTY:

SIR:

Settle, Discontinue and End the above-captioned matter upon the records of the Court without
prejudice to refile and mark the costs paid.

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

By: 

James C. Warmbrodt, Esquire

PA I.D. #42524

1400 Koppers Building

436 Seventh Avenue

Pittsburgh, PA 15219

(412) 434-7955

WWR#6103050

SWORN TO AND SUBSCRIBED

before me this 25th day

of September, 2008



NOTARY PUBLIC

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal

Wendy L. Gault, Notary Public

City Of Pittsburgh, Allegheny County

My Commission Expires July 15, 2010

Member, Pennsylvania Association of Notaries

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

COPY

Discover Bank

Vs.
Uriah Pierce

No. 2007-01368-CD

CERTIFICATE OF DISCONTINUATION

Commonwealth of PA
County of Clearfield

I, William A. Shaw, Prothonotary of the Court of Common Pleas in and for the County and Commonwealth aforesaid do hereby certify that the above case was on September 30, 2008, marked:

Settled, discontinued and ended without prejudice

Record costs in the sum of \$85.00 have been paid in full by James C. Warmbrodt Esq.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 30th day of September A.D. 2008.



William A. Shaw, Prothonotary

LM