

07-1741-CD
Bank of Am vs Dagmar Kessler

2037672

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

484/351-0500

BANK OF AMERICA, N.A. (USA)
1825 E. BUCKEYE RD
PHOENIX, AZ 85034

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

VS.

DOCKET NO. : 07-1741-CD

DAGMAR X KESSLER
611 1ST ST
DU BOIS PA 15801-3015

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 *iccShenff*

6/9/4864
OCT 29 2007 *iccAtty*

WMS
William A. Shaw *Atty pd. 85.00*
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 Affidavit 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 \$7,237.62.

5. Plaintiff has made demand upon the defendant(s) for payment of the balance due of \$7,237.62 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 8/15/06.

WHEREFORE, plaintiff claims of the defendant(s) the sum of \$7,237.62 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

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"

2054

2037672

BANK OF AMERICA, N.A. (USA)

DAGMAR X KESSLER

4888920999879065

AFFIDAVIT

I, Michele A. Cannon, 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 4888920999879065
in the amount of \$6,782.99; and

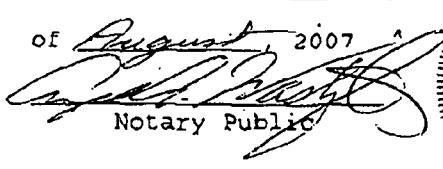
6. If called upon, affiant can testify at trial as to the facts
pertaining to this matter.

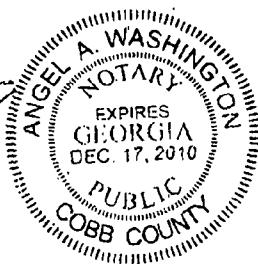
The above facts are true and correct to the best of my knowledge,
information and belief.


(Name of Affiant)

Sworn to and Subscribed

before me this 16 day :

of August, 2007

Notary Public



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103362
NO: 07-1741-CD
SERVICE # 1 OF 1
COMPLAINT

PLAINTIFF: BANK OF AMERICA, N.A. (USA)
vs.
DEFENDANT: DAGMAR X. KESSLER

SHERIFF RETURN

NOW, November 01, 2007 AT 12:05 PM SERVED THE WITHIN COMPLAINT ON DAGMAR X. KESSLER DEFENDANT AT (RESIDENCE) 611 1ST ST., DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO DAGMAR KESSLER, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: COUDRIET / NEVLING

FILED

FEB 13 2008

07/13/08
William A. Shaw
Prothonotary/Clerk of Courts

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	GORDON	40605	10.00
SHERIFF HAWKINS	GORDON	40605	36.43

Sworn to Before Me This

Day of 2008
2007-

So Answers,

Chester A. Hawkins
by: Marilyn Hark
Chester A. Hawkins
Sheriff

Prothonotary/Clerk of Court
William A. Shaw
Prothonotary/Clerk of Court
William A. Shaw
Prothonotary/Clerk of Court
William A. Shaw

FEB 13 2008

~~FILED~~

2037672

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

FILED
M 11:04 AM MAR 14 2008
Atty pd. 20.00
ICCD Notice to
William A. Shaw
Prothonotary/Clerk of Courts
Def.
GK

BANK OF AMERICA, N.A. (USA)

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

Statement to
Atty
GK

vs.

DOCKET NO. : 07-1741-CD

DAGMAR X KESSLER

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	\$7,237.62
Costs (Complaint & Service)	\$131.43
Total:	\$7,369.05

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: BANK OF AMERICA, N.A. (USA) and that the last known address of defendant, DAGMAR X KESSLER, 611 1ST ST, DU BOIS PA 15801-3015.

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 _____ day of _____, 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 , \$7,369.05 as per the above certification.

Prothonotary

GORDON & WEINBERG, P.C.

BY: _____

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

2037672

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

BANK OF AMERICA, N.A. (USA)

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

vs.

DOCKET NO. : 07-1741-CD

DAGMAR X KESSLER

NOTICE OF INTENTION TO TAKE DEFAULT

TO/ PARA :
DAGMAR X KESSLER
611 1ST ST
DU BOIS PA 15801-3015

DATE OF NOTICE/FECHA DEL AVISO: February 19, 2008

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.

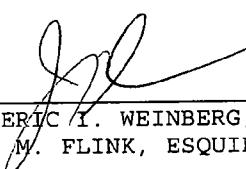
YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE, IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

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

2037672

GORDON & WEINBERG, P.C.
BY: FREDERIC I. WEINBERG, ESQUIRE
Identification No.: 41360
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1001 E. Hector Street, Ste 220
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BANK OF AMERICA, N.A. (USA)

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

vs.

DOCKET NO. : 07-1741-CD

DAGMAR X KESSLER

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 \$7,369.05
/ Money Judgment \$
/ Judgment on Award of Arbitrators\$
/ 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

Willie L. Khan 3/14/08
PROTHONOTARY

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA
STATEMENT OF JUDGMENT

Bank of America, N.A. (USA)
Plaintiff(s)

No.: 2007-01741-CD

Real Debt: \$7,369.05

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Dagmar X. Kessler
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: March 14, 2008

Expires: March 14, 2013

Certified from the record this 14th day of March, 2008.



William A. Shaw, Prothonotary

SIGN BELOW FOR SATISFACTION

Received on _____, _____, of defendant full satisfaction of this Judgment,
Debt, Interest and Costs and Prothonotary is authorized to enter Satisfaction on the same.

Plaintiff/Attorney