

08-127-CD  
Kay Jewelers vs Barb Martini

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

KAY JEWELERS

Plaintiff

No. 08-127-CD

vs.

COMPLAINT IN CIVIL ACTION

BARB MARTINI

Defendant

FILED ON BEHALF OF  
Plaintiff

COUNSEL OF RECORD OF  
THIS PARTY:

William T. Molczan, Esquire  
PA I.D. #47437  
WELTMAN, WEINBERG & REIS CO., L.P.A.  
2718 Koppers Building  
436 Seventh Avenue  
Pittsburgh, PA 15219  
(412) 434-7955

WWR#06468811

FILED *Atty pd,*  
*1/28/08* *\$95.00*  
JAN 28 2008  
1CC Sheriff  
William A. Shaw  
Prothonotary/Clerk of Courts

COMPLAINT

1. Plaintiff is a corporation with offices in 375 GHENT ROAD AKRON, OH 44333-0000.
2. Defendant is an adult individual residing at 1057 TREASURE LAKE DUBOIS, PA 15801
3. Defendant applied for and received a credit card issued by Plaintiff bearing the account number \$ 916.67 . A true and correct copy of the Application is attached hereto, marked as Exhibit "1" and made a part hereof.
4. Defendant made use of said credit card and has currently a balance due and owing to Plaintiff, as of JANUARY 02, 2008, in the amount of \$916.67.
5. Defendant is in default of the terms of the cardholder Agreement having not made monthly payments to Plaintiff thereby rendering the entire balance immediately due and payable.
6. Plaintiff avers that the Cardholder Agreement between the parties provides that Plaintiff is entitled to the addition of finance charges at the rate of 6.00% per annum on the unpaid balance.
7. Although repeatedly requested to do so by Plaintiff, Defendant has willfully failed and/or refused to pay the principal balance, finance charges or any part thereof to Plaintiff.

WHEREFORE, Plaintiff demands Judgment in its favor and against Defendant, BARB MARTINI individually, in the amount of \$916.67 with continuing finance charges thereon at the rate of 6.00% per annum from JANUARY 02, 2008 plus costs.

THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED  
SHALL BE USED FOR THAT PURPOSE.

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

  
\_\_\_\_\_  
William T. Molczan, Esquire  
PA I.D. #47437  
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WWR#:06468811

K A Y

16

SSN

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A T C Y P E  P E R S O N A L  E M P L O Y M E N T  R E F E R E N C E  A P P L I C A N T  A P P L I C A N T	<input type="checkbox"/> INDIVIDUAL ACCOUNT: In one name and based solely on your own credit worthiness. Applicant if married, may apply for an individual account.			<input type="checkbox"/> JOINT ACCOUNT: Is based on credit worthiness of both applicant and joint applicant. Both may use the account and will be liable and responsible for payments.			<input type="checkbox"/> COSIGNED ACCOUNT: Cosigner and applicant must each complete separate applications. Only applicant will be permitted to use the account, but both will be liable and responsible for payments.		
	NOTE: *Alimony, child support or separate maintenance need not be revealed if you do not want to reveal it to obtain credit.								
	Name: <b>Barbara Martini</b>			1. Are you a U.S. Citizen? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N 2. Are you in the military? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N 3. Do you have established credit? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N					
	Home Address: <b>1057 Treasure Lake</b> Apt: <b></b>			City: <b>DuBois</b> State: <b>PA</b> Zip Code: <b>15801</b>					
	Phone: <b>814 375-4144</b> Name Phone Billed Under: <b>Barbara</b>			Rent/Buy/Other: <b>Own</b>			Monthly Payment: <b>none</b> Length of Time: <b>11 YR</b>		
	Statement/Mailing Address: <b>n/a</b>						Number of Dependents: <b>1</b>		
	Previous Address: <b>n/a</b>						Length of Time:		
	SSN: <b></b> DOB: <b>72657</b> DL: <b>177222201</b>			State: <b>PA</b>			DL Issue Date: <b>4-18-03</b>		
	Other Phone: <b>814 771-0074</b> E-Mail Address: <b></b>								
	Employer: <b>DuBois Business College</b> Position: <b>Placement</b> Self-Employed? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N								
Address: <b>Beaver Drive</b> City: <b>DuBois</b> State: <b>PA</b> Zip Code: <b>15801</b>									
Phone: <b>814 375-6920</b> Work Ext.: <b></b>			Gross Monthly Salary: <b>\$1950</b>			Length of Time: <b>6 months</b>			
Previous Employer: <b>Dr Robert Martini</b> <i>(if with current employer less than 1 year)</i>						Prev. Length of Time: <b>6 yrs</b>			
*Other Income Amount: <b>\$1350 trust acct</b> Source: <b>Husband's retirement</b>									
Nearest Relative Not Living With You: <b>Cindy Steffey</b>			Relationship to Applicant: <b>Aunt friend</b>			Phone: <b>814 938-4766</b>			
Address: <b>Punxsutawney</b>			City: <b>PA</b> State: <b></b>			Zip Code: <b>15767</b>			
Receiver of Merchandise or Second Reference:			Relationship to Applicant:			Phone: <b>( )</b>			
Address:			City: <b></b> State: <b></b>			Zip Code: <b></b>			
Name:			Relationship to Applicant:			Rent/Buy/Other:			
Address, City, State, Zip Code: <b></b> Length of Time: <b></b>									
Phone: <b>( )</b> SSN: <b></b> DOB: <b></b> DL: <b></b>						DL State: <b></b>			
Employer Name and Address:						Self-Employed? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N			
Phone: <b>( )</b> Work Ext.: <b></b>			Gross Monthly Salary: <b></b>			Length of Time: <b></b>			
*Other Income Amount: <b></b> Source: <b></b>									
<p>You may investigate my credit record and obtain a consumer report in connection with this application and later in connection with an update, renewal, extension of credit or collection of the account. Upon request, I will be told whether or not a consumer report was requested and, if such a report was requested, I will be told the name and address of the reporting agency that furnished that report. TO FIND OUT ABOUT CHANGES IN THE INFORMATION IN THE AGREEMENT ACCOMPANYING THIS APPLICATION, WRITE TO US AT P.O. BOX 3680, AKRON, OH 44309-3680. STATE LAW REQUIRES US TO GIVE THE FOLLOWING NOTICES: California Residents: After credit approval, each applicant may be liable for all amounts of credit extended under this account to any joint applicant. Ohio Residents: THE OHIO LAWS AGAINST DISCRIMINATION REQUIRE THAT ALL CREDITORS MAKE CREDIT EQUALLY AVAILABLE TO ALL CREDITWORTHY CUSTOMERS. AND THAT CREDIT REPORTING AGENCIES MAINTAIN SEPARATE CREDIT HISTORIES ON EACH INDIVIDUAL UPON REQUEST. THE OHIO CIVIL RIGHTS COMMISSION ADMINISTERS COMPLIANCE WITH THIS LAW. New York Residents: We have a security interest in goods costing more than \$200 until the full payment price of those goods is paid. Wisconsin Residents: Marital Agreement Notice - No provision of marital property agreement, unilateral statement under Sec. 766.59 Wis. Stats., or court decree under Sec. 766.70 Wis. Stats., will adversely affect our rights unless we are furnished a copy of the agreement, statement or decree, or we have actual knowledge of its terms, before credit is granted or the account is opened. We are required to ask married residents of Wisconsin for the following information:</p>									
Name of Spouse: <b></b> Address of Spouse: <b></b> <b>BEFORE SIGNING BELOW, I (WE) HAVE READ THE DISCLOSURES THAT APPEAR ON THIS APPLICATION AND THE KAY JEWELERS RETAIL INSTALLMENT CREDIT AGREEMENT, THE TERMS OF WHICH ARE INCORPORATED BY REFERENCE IN AND MADE A PART OF THIS APPLICATION, AND I (WE) HAVE RECEIVED A COPY OF THAT AGREEMENT.</b>									
Applicant: <b>Barbara Martini</b> Date: <b>3-18-04</b>			Joint Applicant: <b>X</b>						
Credit Line: <b>3900</b>			Account Number: <b>3073390213</b>			0300-13S-0000 (R:02/04) 680891			

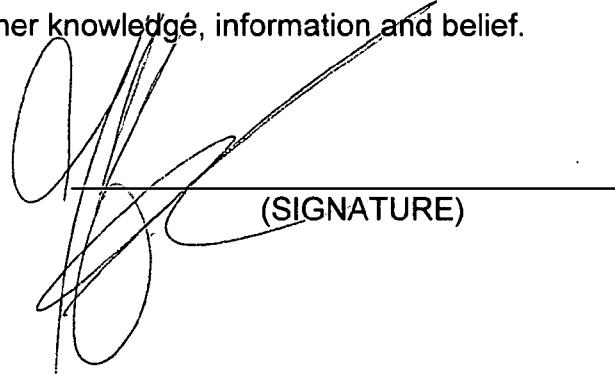
EXHIBIT

1

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 Jeff Sales  
(NAME)

Legal Analyst of Sterling Jewelers Inc, plaintiff herein, that  
(TITLE) (COMPANY)  
he/she is duly authorized to make this verification, and that the facts set forth in the foregoing  
Complaint are true and correct to the best of his/her knowledge, information and belief.



(SIGNATURE)

A handwritten signature in black ink, appearing to read "Jeff Sales", is written over a horizontal line. To the right of the signature, the words "(SIGNATURE)" are printed in capital letters.

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.

WWR#06468811

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103684  
NO: 08-127-CD  
SERVICE # 1 OF 1  
COMPLAINT

PLAINTIFF: KAY JEWELERS  
VS.  
DEFENDANT: BARB MARTINI

**SHERIFF RETURN**

NOW, February 05, 2008 AT 9:35 AM SERVED THE WITHIN COMPLAINT ON BARB MARTINI DEFENDANT AT RESIDENCE 1057 TREASURE LAKE aka SEC. 7E LOT 22D, DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO BARB MARTINI, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: COUDRIET /

**FILED**  
MAY 21 2008  
William A. Shaw  
Prothonotary/Clerk of Courts

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	WELTMAN	8621418	10.00
SHERIFF HAWKINS	WELTMAN	8621418	37.19

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

KAY JEWELERS

Plaintiff No. 08-127-CD

vs. PRAECIPE TO SETTLE, DISCONTINUE  
and END

BARB MARTINI

Defendant

FILED ON BEHALF OF  
Plaintiff

COUNSEL OF RECORD OF  
THIS PARTY:

James C. Warmbrodt  
PA I.D #42524  
WELTMAN, WEINBERG & REIS CO., L.P.A.  
2718 Koppers Building  
436 Seventh Avenue  
Pittsburgh, PA 15219  
(412) 434-7955

WWR#06468811

FILED 1cc + 1Cert of  
m/12:05pm disc issued  
MAY 29 2008 to Atty  
WM Warmbrodt  
William A. Shaw  
Prothonotary/Clerk of Courts

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

KAY JEWELERS

Plaintiff

vs.

Civil Action No. 08-127-CD

BARB MARTINI

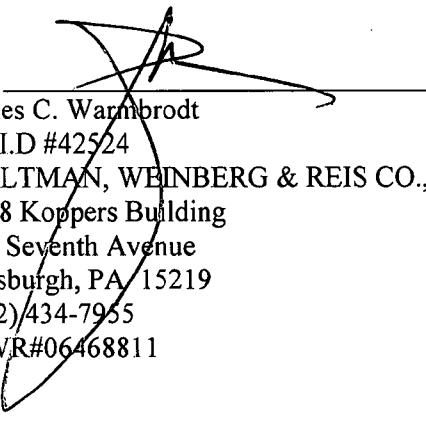
Defendant

**PRAECIPE TO SETTLE DISCONTINUE and END**

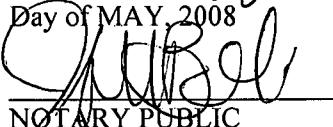
**TO THE PROTHONOTARY OF COUNTY:**

**Please kindly Settle Discontinue and End the above captioned matter upon the records of the Court and  
mark the cost paid.**

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

By:   
James C. Warmbrodt  
PA I.D #42524  
WELTMAN, WEINBERG & REIS CO., L.P.A.  
2718 Koppers Building  
436 Seventh Avenue  
Pittsburgh, PA 15219  
(412)434-7955  
WWR#06468811

Sworn to and subscribed  
Before me the 22  
Day of MAY, 2008

  
NOTARY PUBLIC

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal

Jennifer M. Borowski, Notary Public  
City of Pittsburgh, Allegheny County  
My Commission Expires Feb. 22, 2012  
Member, Pennsylvania Association of Notaries

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

*COPY*

**Kay Jewelers**

Vs.  
**Barb Martini**

**No. 2008-00127-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 May 29, 2008, marked:

Settled, Discontinued and Ended

Record costs in the sum of \$95.00 have been paid in full by William T. Molczan Esq.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 29th day of May A.D. 2008.

*William A. Shaw*

*lm*

William A. Shaw, Prothonotary