

08-127-CD

Kay Jewelers vs Barb Martini

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

KAY JEWELERS

Plaintiff

vs.

BARB MARTINI

Defendant

No. 08-127-CD

COMPLAINT IN CIVIL ACTION

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,*
m/12:47/01 \$95.00
JAN 28 2008
ICC 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.

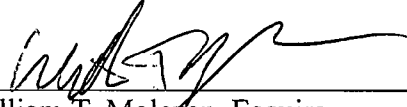
6. Plaintiff avers that the Cardholder Agreement between the parties provides that Plaintiff is entitled to the addition of finance charges at the rate of 6.00% per annum on the unpaid balance.

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.

A handwritten signature in black ink, appearing to read 'W. Molczan', is written over a horizontal line.

William T. Molczan, Esquire

PA I.D. #47437

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

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TYPE	<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. Both must sign below.		<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.	
	NOTICE: *Alimony, child support or separate maintenance need not be revealed if you do not wish to reveal it to obtain credit.					
PERSONAL	Name: <u>Barbara Martini</u>		1. Are you a U.S. Citizen? <u>Y</u>		2. Are you in the military? <u>N</u>	
	Home Address: <u>1057 Treasure Lake</u>		Apt: <u></u>	City: <u>DuBois</u>	State: <u>PA</u>	Zip Code: <u>15801</u>
	Phone: <u>814 375-4194</u>	Name Phone Billed Under: <u>Barbara</u>	Rent/Buy/Other: <u>Own</u>	Monthly Payment: <u>none</u>	Length of Time: <u>11 YR</u>	
	Statement Mailing Address: <u>n/a</u>		Number of Dependents: <u>1</u>			
	Previous Address: <u>n/a</u>		City: <u></u>	State: <u></u>	Zip Code: <u></u>	Length of Time: <u></u>
EMPLOYMENT	SSN: <u>DOB: 72657</u>		DL: <u>PA</u>		DL Issue Date: <u>4-18-03</u>	
	Other Phone: <u>814 771-6074</u>		E-Mail Address: <u></u>			
	Employer: <u>DuBois Business College</u>		Position: <u>Placement</u>		Self-Employed? <u>Y</u> <u>N</u>	
	Address: <u>Beaver Drive</u>		City: <u>DuBois</u>	State: <u>PA</u>	Zip Code: <u>15801</u>	
	Phone: <u>814 375-6820</u>	Work Ext.: <u></u>	Gross Monthly Salary: <u>\$1950</u>	Length of Time: <u>6 months</u>		
FINANCIAL	Previous Employer: <u>Dr Robert Martini</u>		Prev. Length of Time: <u>6 yrs</u>			
	*Other Income Amount: <u>\$1350 trust acct</u>		Source: <u>Husbands retirement</u>			
	Nearest Relative Not Living With You: <u>Cindy Steffey</u>		Relationship to Applicant: <u>Aunt Frank</u>		Phone: <u>814 938-4766</u>	
	Address: <u>Punxsutawney</u>		City: <u>PA</u>	State: <u></u>	Zip Code: <u>15767</u>	
	Receiver of Merchandise or Second Reference: <u></u>		Relationship to Applicant: <u></u>		Phone: <u>()</u>	
JOINT APPLICANT	Address: <u></u>		City: <u></u>	State: <u></u>	Zip Code: <u></u>	
	Name: <u></u>		Relationship to Applicant: <u></u>		Rent/Buy/Other: <u></u>	
	Address, City, State, Zip Code: <u></u>		Are you a U.S. Citizen? <u>Y</u> <u>N</u>		Length of Time: <u></u>	
	Phone: <u>()</u>	SSN: <u></u>	DOB: <u></u>	DL: <u></u>	DL State: <u></u>	
	Employer Name and Address: <u></u>		Self-Employed? <u>Y</u> <u>N</u>			
Phone: <u>()</u>		Work Ext.: <u></u>	Gross Monthly Salary: <u></u>	Length of Time: <u></u>		
*Other Income Amount: <u></u>		Source: <u></u>				
<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: <u></u>		Address of Spouse: <u></u>				
<p>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.</p>						
Applicant: <u>Barbara Martini</u>		DOB: <u>3-18-04</u>		Joint Applicant: <u>X</u>		
Credit Line: <u>3900</u>		Account Number: <u>3073390213</u>		0300-13S-0000 (R-02/04) 680891		

EXHIBIT

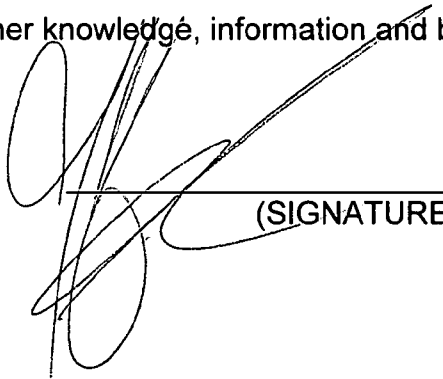
1

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 Salts
(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)

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
07/21/08
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 Maury Harris
Chester A. Hawkins
Sheriff

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

KAY JEWELERS

Plaintiff

vs.

BARB MARTINI

Defendant

No. 08-127-CD

PRAECIPE TO SETTLE, DISCONTINUE
and END

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 *ice & 1 cert of*
m/12:05pm disc issued
MAY 29 2008 *to Atty*
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.

No. 2008-00127-CD

Barb Martini

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.



LM

William A. Shaw, Prothonotary