

08-339-CD
IDT Carmel Inc vs Maria Boyer

2044517

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

IDT CARMEL INC AS ASSIGNEE OF
CITIFINANCIAL
2080 ELM ST SOUTHEAST
MINNEAPOLIS, MN 55414

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

vs.

DOCKET NO. : 08-339-CD

MARIA BOYER
228 S HIGHLAND ST
DU BOIS, PA 15801-2076

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 1CC Atty
1/10/3201 1CC Sheriff
FEB 28 2008
Atty Pd.

William A. Shaw
Prothonotary/Clerk of Courts \$5.00

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, if available, 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 \$1,986.07.

6. Plaintiff has made demand upon the defendant(s) for payment of the balance due of \$1,986.07 but the defendant(s) has failed and refused and still refuses to pay the same or any part

thereof.

7. Defendant's last payment on account was made on June 1, 2005.

WHEREFORE, plaintiff claims of the defendant(s) the sum of \$1,986.07 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

2062

2044517

IDT CARMEL INC AS ASSIGNEE OF Citi
Financial--Gordons

MARIA BOYER

6035253003453637

AFFIDAVIT

I, Todd Anderson, 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;

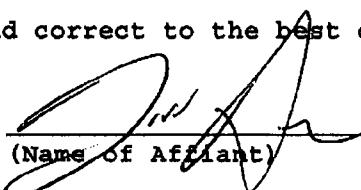
3. Plaintiff's files are maintained in the usual and ordinary
course of business;

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
6035253003453637 in the amount of \$1,240.84; 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 3 day

of December 2007

Veronica Jane
Notary Public



COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

IDT CARMEL INC, AS ASSIGNEE CIVIL ACTION
CITI FINANCIAL (Plaintiff)

2080 Elm St. Southeast
(Street Address)

MINNEAPOLIS, MN. 55414
(City, State ZIP)

No. 08-339-CD

Type of Case: CIVIL

Type of Pleading: ANSWER

vs.

MARIA BOYER
(Defendant)

Filed on Behalf of:

MARIA BOYER
(Plaintiff/Defendant)

228 S. Highland St.
(Street Address)

Dubois, PA. 15801-2076
(City, State ZIP)

Maria Boyer
(Filed by)

228 S. Highland St.
(Address)

(814) 375-9694
(Phone)

Maria Boyer
(Signature)

FILED

0 12:46 P.M. 04

MAR 17 2008

3CC TO DEF.

William A. Shaw
Prothonotary/Clerk of Courts

(6P)

IN THE COURT OF COMMON PLEAS OF Clearfield COUNTY
PENNSYLVANIA CIVIL ACTION - LAW

: Court of Common Pleas
Clearfield County

Plaintiff

IDT Carmel Inc. as Assignee. NO. 08-339-CD
of CitiFinancial
2080 Elm St. Southeast
Minneapolis, MN 55414

Defendant

Maria Boyer
228 S. Highland St.
DuBois, PA. 15801-2076

ANSWER

1. "Admitted"

2. "Admitted"

3. "Admitted"

4. "Denied" There is no exhibit "A" or statement of Account attached. Notice the Plaintiff's filed Affidavit, dated December 3, 2007.

5. "Denied" That the approximate balance on the account was about \$800.00 when the last payment was made on June 1, 2005. Proper credits weren't applied toward late fees and accrued interest, as verbally agreed upon.

6. "Denied"

Balance is less than half of the demand. My spouse and I, are both authorized to discuss this account, never refused, nor failed to offer a small monthly payment or settlement, due to medical and financial hardship, in which our offers were denied.

7. "Admitted"

8.

9.

10

11.

12.

13.

14.

15.

(Add extra paragraphs (and pages) as needed.)

WHEREFORE, the Defendant respectfully requests that the Plaintiff's Complaint be

dismissed.

By: Maria Boyer
Maria Boyer (814) 375-9694

Copy to: Gordon and Weinberg, P.C.

Frederic I. Weinberg, Esquire
Joel M. Flink, Esquire
1001 E. Hector St. Ste 220

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 103814
NO: 08-339-CD
SERVICE # 1 OF 1
COMPLAINT

PLAINTIFF: IDT CARMEL INC. as assignee
vs.
DEFENDANT: MARIA BOYER

SHERIFF RETURN

NOW, February 29, 2008 AT 12:48 PM SERVED THE WITHIN COMPLAINT ON MARIA BOYER DEFENDANT AT 228 S. HIGHLAND ST., DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO FRANK BOYER, HUSBAND A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: NEVLING /

FILED
03/10/08
JUN 18 2008

William A. Shaw
Prothonotary/Clerk of Courts

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	GORDON	048019	10.00
SHERIFF HAWKINS	GORDON	048019	37.19

Sworn to Before Me This

____ Day of _____ 2008

So Answers,

*Chester A. Hawkins
by Marilyn Hamm*
Chester A. Hawkins
Sheriff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

IDT Carmel Inc As Assignee of) CIVIL ACTION - LAW
Citifinancial)
Plaintiff,) Docket No. 08-339 CD
vs.)
Maria Boyer,)
Defendants)

FILED
01216 BOY
JUL 09 2008
WM

William A. Shaw
Prothonotary/Clerk of Courts

AFFIDAVIT OF SERVICE

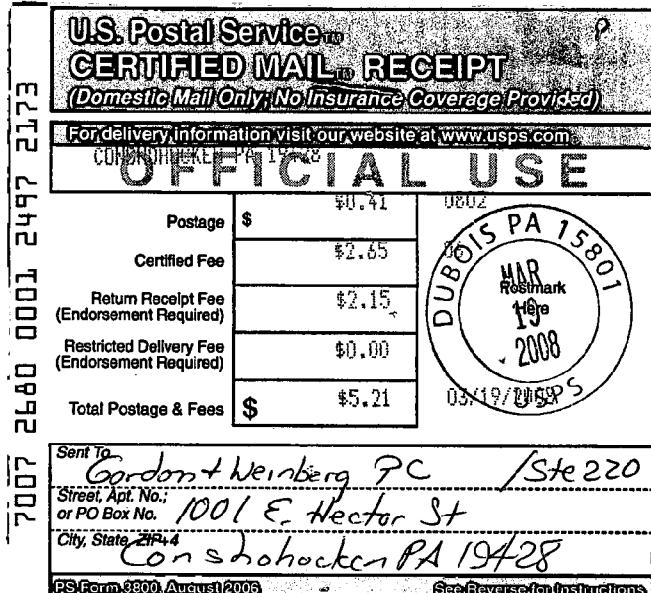
This will certify that on the March 19, 2008, the undersigned served a copy of the Answer
in the above-captioned matter on the Plaintiff's Attorney at the addresses shown below by
Certified U.S. Mail:

Gordon & Weinberg, P.C.
Frederic I. Weinberg, Esquire
Joel M Flink, Esquire
1001 E. Hector Street, Ste 220
Conshohocken PA 19428

Dated: July 9, 2008

Maria Boyer
Maria Boyer
Defendant

cc: Attached is the green card showing receipt


SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

GORDON & WEINBERG, P.C.
FREDERIC J. WEINBERG, ESQ.
JOEL M. FLINK, ESQ.
1001 E. HECTOR ST. STE 220
CONSHOHOCKEN, PA. 19428

COMPLETE THIS SECTION ON DELIVERY
A. Signature

M. Diffr Agent
 Addressee

B. Received by (Printed Name)
C. Date of Delivery
D. Is delivery address different from item 1? Yes

If YES, enter delivery address below: No

3. Service Type

Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes

2. Article Number

(Transfer from service label)

7007 2680 0001 2497 2173

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

IDT CARMEL AND CITIFINANCIAL * NO. 2008-339-CD
Plaintiffs *
vs. *
MARIA BOYER *
Defendant *
*

ORDER

NOW, this 25th day of June, 2013, upon the Court's review of the docket and noting no activity for a period of over four years, it is the ORDER of this Court that the case be moved to inactive status. The Prothonotary shall code the case in Full Court as Z-INACTA.

BY THE COURT,



FREDRIC J. AMMERMAN
President Judge

2013-06-28 NOCC
019.08 cm
2 JUN 28 2013
6K
William A. Shaw
Prothonotary/Clerk of Courts

2044517

FILED

CA

The Law Offices of Frederic I Weinberg
& Associates, P.C.

BY: Frederic I. Weinberg, Esquire
Identification No.: 41360
Joel M. Flink, Esquire
Identification No.: 41200
375 E. Elm Street, Suite 210
Conshohocken, PA 19428
484/351-0500

2
S AUG 24 2015
m 19:15 am
BRIAN K. SPENCER
PROTHONOTARY & CLERK OF COURTS
ICC Weinberg

IDT CARMEL INC AS ASSIGNEE OF
CITI-FINANCIAL

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

vs.

DOCKET NO. : 08-339-CD

MARIA BOYER

PRAECIPE TO WITHDRAW COMPLAINT

TO THE PROTHONOTARY:

Kindly withdraw the above-captioned action, without
prejudice.

The Law Offices of Frederic I. Weinberg
& Associates, P.C.

BY:

Frederic I. Weinberg, Esquire
Joel M. Flink, Esquire
Attorney for Plaintiff

P006

CERTIFICATION OF SERVICE

I, **FREDERIC I. WEINBERG, ESQUIRE**, hereby certify that I, on the date below, served a copy of the Praeclipe to Withdraw Complaint to Pa.R.C.P. 1028(c)(1), via First Class Mail, postage pre-paid, to all other parties or their counsel of record.



FREDERIC I. WEINBERG, ESQUIRE

Dated 8/18/15