

08-515-CD
Capital One vs Matthew Yasovskiy

150358

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

Capital One Bank
(Plaintiff)

c/o 2417 Welsh Road Suite 21 #520

(Street Address)

Phila., PA 19114

(City, State ZIP)

CIVIL ACTION

No. 08-515-CD

Type of Case: CIVIL

Type of Pleading: COMPLAINT

vs.

Matthew Yasovsky
(Defendant)

Filed on Behalf of:

Capital One Bank
(Plaintiff/Defendant)

15 1/2 N 5th St Apt B
(Street Address)

Clearfield PA 16830
(City, State ZIP)

David J. Apothaker, Esquire

(Filed by)

2417 Welsh Road Suite 21 #520

(Address) Phila., PA 19114

215-634-8920

(Phone)

(Signature)

FILED Atty pd.
MAY 14 1988 95.00
MAR 20 1988 1CC Atty
1CC Sheriff
William A. Shaw
Prothonotary/Clerk of Courts

Our File No.: 150358
APOTHAKER & ASSOCIATES, P.C.
BY: David J. Apothaker, Esq.
Attorney I.D.#38423
2417 Welsh Road, Suite 21 #520
Philadelphia, PA 19114
(215) 634-8920
Attorneys for Plaintiff

CAPITAL ONE BANK) COURT OF COMMON PLEAS
c/o Apothaker & Associates, P.C.) CLEARFIELD COUNTY
2417 Welsh Road, Suite 21 #520)
Philadelphia, PA 19114) NO.:
Plaintiff,)
vs.)
MATTHEW YASOVSKY)
15 1/2 N 5TH ST APT B)
CLEARFIELD, PA 16830-2426)
Defendant.)

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 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.

CLEARFIELD COUNTY BAR ASSOCIATION
Lawyer Referral and Information Service
814-765-2641

AVISO

Le han demandado a usted en la corte. Si usted quiere defendarse de estas demandas expuestas en las páginas siguientes, usted tiene veinte (20) días de plazo al partir de la fecha de la demanda y la notificación. Hace falta asentar una comparecencia escrita o con un abogado y entregar a la corte en forma escrita sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomará medidas y puede continuar la demanda en contra suya sin previo aviso o notificación. Además, la corte puede decidir a favor del demandante y requiere que usted compla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFFICIENTE DE PAGAR TAL SERVICIO. VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL.

CLEARFIELD COUNTY BAR ASSOCIATION
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APOTHAKER & ASSOCIATES, P.C.

BY: David J. Apothaker, Esq.

Attorney I.D.# 38423

2417 Welsh Road, Suite 21 #520

Philadelphia, PA 19114

(215) 634-8920

Attorneys for Plaintiff

CAPITAL ONE BANK
c/o Apothaker & Associates, P.C.
2417 Welsh Road, Suite 21 #520
Philadelphia, PA 19114

Plaintiff,

vs.

MATTHEW YASOVSKY
15 1/2 N 5TH ST APT B
CLEARFIELD, PA 16830-2426

Defendant.

) COURT OF COMMON PLEAS
) CLEARFIELD COUNTY
)
) NO.
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**CIVIL ACTION COMPLAINT
FIRST COUNT**

1. Plaintiff, CAPITAL ONE BANK, is a company with its principal place of business located at c/o Apothaker & Associates, P.C., 2417 Welsh Road, Suite 21 #520, Philadelphia, PA 19114.

2. Defendant is MATTHEW YASOVSKY, an adult individual residing at 15 1/2 N 5TH ST APT B CLEARFIELD, PA 16830-2426.

3. At the special instance and request of Defendant, Plaintiff sold and delivered to Defendant goods and/or services at the times, of the kinds, in the quantities, and for the prices set forth in Plaintiff's records. A true and correct copy of which is attached hereto, incorporated herein by reference and designated Exhibit "A".

4. Defendant received and accepted the goods and/or services described in Exhibit "A".

5. The prices set forth in Exhibit "A" are the fair, reasonable and market prices for said goods and/or services, and the prices which Defendant agreed to pay.

6. All credits, if any, to which Defendant is entitled, are set forth in Exhibit "A".

7. In addition, Plaintiff avers that Defendant has failed and continues to fail to make any payments, leaving a balance due and owing of \$1,561.55.

8. Although demand has been made, Defendant has failed to make payment of the amount due as above.

WHEREFORE, Plaintiff demands judgment in favor of Plaintiff and against Defendant(s) for the sum of \$1,561.55 and requests this Court award Plaintiff attorney's fees and costs to the extent permitted by applicable law.

APOTHAKER & ASSOCIATES, P.C.
Attorney for Plaintiff
A Law Firm Engaged in Debt Collection

BY: _____
David J. Apothaker

Dated: 2/29/2008

Our File No.: 150358

VERIFICATION

John F. Kelly, hereby states that I am Att'l for plaintiff in this action, and that I am authorized to take this Verification, and that the statements made in the foregoing Civil Action Complaint are true and correct to the best of my knowledge, information, and belief. The undersigned understands that the statements therein are made subject to the penalties of 18 Pa.C.S.A. 4904 relating to unsworn falsification to authorities.

John F. Kelly

DATE:

**Your account is temporarily suspended
from future purchases and cash
advances due to its past due status.**

**A good credit rating may help you get credit cards,
a cell phone or even a job.**

We can help restore your charging privileges:

- Use our free Check by Phone service by calling 1-800-955-6600.
- Call our friendly associates for payment options at the number above.
- If you have on-line account access, log on to your account and pay now at www.capitalone.com.
- If you prefer, simply use the payment coupon below.

046
ACCOUNT STATUS FOR:
MATTHEW YASCVSKY

**60 DAYS
PAST DUE!**

**TEMPORARILY
SUSPENDED**

Capital One®
what's in your wallet?™

The purpose of this letter is to collect a debt. Any information obtained will be used for that purpose.
© 2004 Capital One Services, Inc. Capital One is a federally registered service mark. All rights reserved.

048-0404

Capital One®

PLATINUM VISA ACCOUNT

DEC 18, 2004 - JAN 17, 2005

4362-3622-1096-3891

Page 1 of 1

Account Summary

Previous Balance	\$755.21
Payments, Credits and Adjustments	\$0.00
Transactions	\$29.00
Finance Charges	\$16.79
 New Balance	 \$801.00
Minimum Amount Due	\$301.00
Payment Due Date	February 17, 2005
 Total Credit Line	 \$500
Total Available Credit	\$0.00
Credit Line for Cash	\$500
Available Credit for Cash	\$0.00

Payments, Credits and Adjustments

Transactions

1 17 JAN PAST DUE FEE

\$29.00

You were assessed a past due fee of \$29.00 on 01/17/2005 because your minimum payment was not received by the due date of 01/17/2005. To avoid this fee in the future, we recommend that you allow at least 7 business days for your payment to reach Capital One.

At your service

To call Customer Relations or to report a lost or stolen card:
1-800-798-0363

Send payment to: Send inquiries to:
After Remittance Processing Capital One Services
Capital One Service F.O. Box 35015
P.O. Box 85147 Richmond, VA 23234-5015
Richmond, VA 23276

Important Account Information

We would like to take this opportunity to inform you that we may report information about your account to credit bureaus. The reporting of your account information to credit bureaus contributes to your overall credit profile. Late payments, missed payments or other defaults on your account may also be reflected in your credit report.

Finance Charges

Please see reverse side for important information

	Balance rate applied to	Periodic rate	Corresponding APR	FINANCE CHARGE
PURCHASES	\$763.30	.07096%	25.90%	\$16.79
CASH	\$0.00	.07096%	25.90%	\$0.00

ANNUAL PERCENTAGE RATE applied this period

25.90%

▼ PLEASE RETURN PORTION BELOW WITH PAYMENT ▼

Capital One®

0000000 0 4862362210963891 17 0801000050000301006

New Balance	\$801.00
Minimum Amount Due	\$301.00
Payment Due Date	February 17, 2005
Total enclosed	\$ <input type="text"/>
Account Number:	4862-3622-1096-3891

Please print mailing address and/or e-mail changes below using blue or black ink.

Street	Apt. #	
City	State	ZIP
Home Phone	Alternate Phone	
Email Address: <input type="text"/>		

#9001856884960720# MAIL ID NUMBER:

MATTHEW YASCVSKY
404 1/2 S 2ND ST
APT B
CLEARFIELD PA 16830-2104

Capital One Bank
P.O. Box 85147
Richmond, VA 23276

05775

05775

05775 05775 05775 05775 05775 05775 05775 05775

Please write your account number on your check or money order made payable to Capital One Bank and mail in the enclosed envelope.

In The Court of Common Pleas of Clearfield County, Pennsylvania

Service # 1 of 1 Services

Sheriff Docket #

103930

CAPITAL ONE BANK

Case # 08-515-CD

VS.

MATTHEW YASOVSKY

TYPE OF SERVICE COMPLAINT

SHERIFF RETURNS

NOW July 11, 2008 RETURNED THE WITHIN COMPLAINT "NOT SERVED, TIME EXPIRED" AS TO MATTHEW YASOVSKY, DEFENDANT.

NOT ENOUGH TIME TO TRY OTHER ADDRESS: 15 1/2 N. 5TH ST., CLFD. or 715 DOREY ST., CLFD.

SERVED BY: /

Return Costs

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	APOTHAKER	79374	10.00
SHERIFF HAWKINS	APOTHAKER	79374	16.00

FILED
07-13-09 AM
JUL 11 2008
William A. Shaw
Prothonotary/Clerk of Courts


Sworn to Before me This

____ Day of _____ 2008

So Answers,


Chester A. Hawkins
Sheriff

150358

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

CAPITAL ONE BANK
(Plaintiff)

c/o 2417 Welsh Road Suite 21 #520

(Street Address)

Phila., PA 19114

(City, State ZIP)

CIVIL ACTION

-515-

No. 08-815-CD

Type of Case: CIVIL

Type of Pleading: COMPLAINT

VS.

Matthew Vasovsky
(Defendant)

Filed on Behalf of:

CAPITAL ONE BANK
(Plaintiff/Defendant)

15 1/2 N 5th St Apt B
(Street Address)

Clearfield PA 16830
(City, State ZIP)

David J. Apotheker, Esquire

(Filed by)

2417 Welsh Road Suite 21 #520

(Address) Phila., PA 19114

215-634-8920

(Phone)

(Signature)

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

MAR 20 2008

Attest.

William L. Bissell
Prothonotary/
Clerk of Courts

Our File No.: 150358
APOTHAKER & ASSOCIATES, P.C.
BY: David J. Apothaker, Esq.
Attorney I.D.#38423
2417 Welsh Road, Suite 21 #520
Philadelphia, PA 19114
(215) 634-8920
Attorneys for Plaintiff

CAPITAL ONE BANK) COURT OF COMMON PLEAS
c/o Apothaker & Associates, P.C.) CLEARFIELD COUNTY
2417 Welsh Road, Suite 21 #520)
Philadelphia, PA 19114) NO.:
Plaintiff,)
vs.)
MATTHEW YASOVSKY)
15 1/2 N 5TH ST APT B)
CLEARFIELD, PA 16830-2426)
Defendant.)
)

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CLEARFIELD COUNTY BAR ASSOCIATION
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814-765-2641

AVISO

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LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFFICIENTE DE PAGAR TAL SERVICIO. VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL.

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BY: David J. Apothaker, Esq.
Attorney I.D.# 38423
2417 Welsh Road, Suite 21 #520
Philadelphia, PA 19114
(215) 634-8920
Attorneys for Plaintiff

CAPITAL ONE BANK) COURT OF COMMON PLEAS
c/o Apothaker & Associates, P.C.) CLEARFIELD COUNTY
2417 Welsh Road, Suite 21 #520)
Philadelphia, PA 19114) NO.:
Plaintiff,)
vs.)
MATTHEW YASOVSKY)
15 1/2 N 5TH ST APT B)
CLEARFIELD, PA 16830-2426)
Defendant.)

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3. At the special instance and request of Defendant, Plaintiff sold and delivered to Defendant goods and/or services at the times, of the kinds, in the quantities, and for the prices set forth in Plaintiff's records. A true and correct copy of which is attached hereto, incorporated herein by reference and designated Exhibit "A".
4. Defendant received and accepted the goods and/or services described in Exhibit "A".
5. The prices set forth in Exhibit "A" are the fair, reasonable and market prices for said goods and/or services, and the prices which Defendant agreed to pay.
6. All credits, if any, to which Defendant is entitled, are set forth in Exhibit "A".
7. In addition, Plaintiff avers that Defendant has failed and continues to fail to make any payments, leaving a balance due and owing of \$1,561.55.

8. Although demand has been made, Defendant has failed to make payment of the amount due as above.

WHEREFORE, Plaintiff demands judgment in favor of Plaintiff and against Defendant(s) for the sum of \$1,561.55 and requests this Court award Plaintiff attorney's fees and costs to the extent permitted by applicable law.

APOTHAKER & ASSOCIATES, P.C.
Attorney for Plaintiff
A Law Firm Engaged in Debt Collection

BY: _____
David J. Apothaker

Dated: 2/29/2008

Our File No.: 150358

VERIFICATION

John P. Kelly, hereby states that I am John P. Kelly for plaintiff in this action, and that I am authorized to take this Verification, and that the statements made in the foregoing Civil Action Complaint are true and correct to the best of my knowledge, information, and belief. The undersigned understands that the statements therein are made subject to the penalties of 18 Pa.C.S.A. 4904 relating to unsworn falsification to authorities.

John P. Kelly

DATE:

**Your account is temporarily suspended
from future purchases and cash
advances due to its past due status.**

**A good credit rating may help you get credit cards,
a cell phone or even a job.**

We can help restore your charging privileges:

- Use our free Check by Phone service by calling 1-800-955-6600.
- Call our friendly associates for payment options at the number above.
- If you have online account access, log on to your account and pay now at www.capitalone.com.
- If you prefer, simply use the payment coupon below.

048
ACCOUNT STATUS FOR:
MATTHEW YASOVSKY

60 DAYS
PAST DUE!

TEMPORARILY
SUSPENDED

CapitalOne
what's in your wallet?

The purpose of this letter is to collect a debt. Any information obtained will be used for that purpose.
© 2004 Capital One Services, Inc. Capital One is a federally registered service mark. All rights reserved.

048-0404

CapitalOne

PLATINUM VISA ACCOUNT

DEC 18, 2004 - JAN 17, 2005

Page 1 of 1

Account Summary

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Credit Line for Cash	\$500
Available Credit for Cash	\$0.00

Payments, Credits and Adjustments

Transactions

1	17 JAN	PAST DUE FEE	\$29.00
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At your service

To call Customer Relations or to report a lost or stolen card:
1-800-798-0363

Send payments to:
Attn: Remittance Processing
Capital One Services
P.O. Box 85147
Richmond, VA 23276

Send inquiries to:
Capital One Services
P.O. Box 85215
Richmond, VA 23285-5015

Important Account Information:

We would like to take this opportunity to inform you that we may report information about your account to credit bureaus. The reporting of your account information to credit bureaus contributes to your overall credit profile. Late payments, missed payments or other defaults on your account may also be reflected in your credit report.

677895

Finance Charges

Please see reverse side for important information

Balance rate applied to	Periodic rate	Corresponding APR	FINANCE CHARGE
PURCHASES	\$762.30	0.07096%	25.90%
CASH	\$0.00	0.07096%	25.90%

ANNUAL PERCENTAGE RATE applied this period

25.90%

▼ PLEASE RETURN PORTION BELOW WITH PAYMENT ▼

CapitalOne

0000000 0 4862362210963891 17 0801000050000301006

New Balance	\$301.00
Minimum Amount Due	\$301.00
Payment Due Date	February 17, 2005
Total enclosed	\$ <input type="text"/>
Account Number:	4862-3622-1096-3891

Please print mailing address and/or e-mail changes below using blue or black ink.

Street	Apt. #	
City	State	ZIP
Home Phone	Alternate Phone	
Email Address		

#9001856884960720# MAIL ID NUMBER
MATTHEW YASOVSKY
404 1/2 S 2ND ST
APT B
CLEARFIELD PA 16830-2104

Capital One Bank
P.O. Box 85147
Richmond, VA 23276

057789

Please write your account number on your check or money order made payable to Capital One Bank and mail in the enclosed envelope.

Our File No.: 150358
APOTHAKER & ASSOCIATES, P.C.
BY: David J. Apothaker, Esquire
Attorney I.D.# 38423
520 Fellowship Road C306
Mount Laurel, NJ 08054
(800) 672-0215
Attorney for Plaintiff

CAPITAL ONE BANK) COURT OF COMMON PLEAS
vs. Plaintiff,) CLEARFIELD COUNTY
MATTHEW YASOVSKY)
Defendant.) NO. 08-515-CD

PRAECIPE TO DISMISS WITHOUT PREJUDICE

TO THE FROTHONOTARY:

Kindly dismiss this action without prejudice.

APOTHAKER & ASSOCIATES, P.C.
Attorneys for Plaintiff
A Law Firm Engaged in Debt Collection

By: _____
David J. Apotheker, Esquire

Dated: 1/29/2010

FILED
M T H U R B R I C
FEB 09 2010
S NO CC
William A. Shaw
Prothonotary/Clerk of Courts
(60)