

08-629-CD

Atlantic Credit vs Melissa Loomis

2045376

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

Atlantic Credit & Finance Inc.

Assignee from Household Bank

3353 Orange Avenue

Roanoke, VA 24012

COURT OF COMMON PLEAS

CLEARFIELD COUNTY

vs.

DOCKET NO. : 08-629-CD

MELISSA A LOOMIS

109 THUNDERBIRD RD

DU BOIS PA 15801-5185

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. Meholick, Court Admin.

Clearfield County Courthouse

Clearfield, PA 16830

(814) 765-2641

FILED

APR 07 2008

William A. Shaw
Prothonotary/Clerk of Courts

Any pd: 95.00

icc Any

icc Sheriff

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 \$3,078.87.

6. Plaintiff has made demand upon the defendant(s) for payment of the balance due of \$3,078.87 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 12/22/06.

WHEREFORE, plaintiff claims of the defendant(s) the sum of \$3,078.87 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

I hereby state that I am the agent for the plaintiff herein, and that the facts set forth in the attached Affidavit which is incorporated by reference in the foregoing Complaint in Civil Action are true and correct to the best of my knowledge, information and belief and is based upon information which plaintiff has furnished to counsel. The language in the Complaint is that of counsel and not of plaintiff. To the extent that the contents of the Complaint are that of counsel, plaintiff has relied upon counsel in making this verification. This verification is made subject to 18 Pa.C.S. §4904 which provides for certain penalties for making false statements


Name

ATLANTIC CREDIT & FINANCE, INC.
v.
MELISSA A LOOMIS

2645376

AFFIDAVIT OF DEBT AND VERIFIED BILL OF PARTICULARS

The undersigned being first duly sworn according to law, deposes and says that she is familiar with the policies and practices, as well as the books and records of the Plaintiff with respect to the matters stated herein, and based on information and belief states as follows:

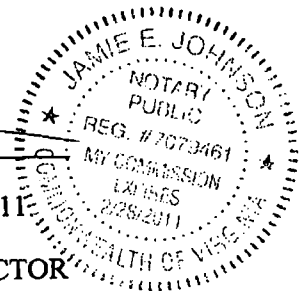
1. Plaintiff's principal business consists of purchasing charged off receivables.
2. The Defendant defaulted on HOUSEHOLD BANK Account No. 5433390002485374. Said Account was charged off on April 30, 2007 and subsequently sold to Atlantic Credit & Finance, Inc with a balance of \$3,078.87.
3. Plaintiff purchased or was otherwise assigned this charged off account along with other debts. As a result of the foregoing sale and assignment, the Plaintiff succeeded to all right, title and interest in the charged off account, and it now owns the account.
4. Plaintiff conducted a due diligence investigation to determine, among other things, the accuracy of the account information provided to ascertain whether the statute of limitations was a bar to demand or institution of suit. Further, Plaintiff and/or its predecessor entered into a contract where the predecessor made representations and warranties that 1) it had clear right, title and interest in the account; 2) the account was free and clear of all liens and encumbrances; and 3) it had the power, authority, and full right to sell and convey its interest in the account.
5. According to Plaintiff's records, the last payment date was December 22, 2006. After application of all payments, credits, adjustments, and lawful offsets, if any, there is still a balance due and owing on this indebtedness of \$3,078.87.
6. The internal Account Statement of Plaintiff is attached hereto as Exhibit A and displays the account information that was provided to Plaintiff at the time of purchase and assignment.

The foregoing is true and correct to the best of my knowledge and belief.

By: Heather Clary
Heather Clary
Assistant Director of Forwarding

Subscribed and sworn before me December 28, 2007.

Jamie E. Johnson
Jamie E. Johnson, Notary Public
My Commission Expires: 2/28/2011



THIS COMMUNICATION IS FROM A DEBT COLLECTOR



Atlantic Credit & Finance, Inc.
Account Statement

Report Date
11/27/2007 09:32:31

Our Account ID: 3098948
Account Number: 5433390002485374

Status: LGJ

Received: 05/18/2007

Charge Off Date: 04/30/2007

Purchase Balance: \$ 3,078.87

Original Creditor Last Pay Date: 12/22/2006

Amount Paid: \$ 0.00

Remaining Balance: \$ 3,078.87

Name: LOOMIS, MELISSA A

SSN-Last 4 Digits: 9828

Other Name:

HomePhone: 8143711073

Street1: 109 THUNDERBIRD RD

WorkPhone:

Street2:

City, State Zip: DU BOIS, PA 15801-5185

Date	Type	Matched	Check No	Invoiced	Amount	Comment
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No
Payments
Received

Payment Type 'PU', 'PA', 'PC' - Payment
Payment Type 'PUR', 'PAR', 'PCR' - Returned Payment NSF

Page No: 1

FILED

APR 07 2008

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 104007
NO: 08-629-CD
SERVICE # 1 OF 1
COMPLAINT

PLAINTIFF: ATLANTIC CREDIT & FINANCE, INC.
vs.
DEFENDANT: MELISSA A. LOOMIS

SHERIFF RETURN

NOW, April 15, 2008 AT 1:47 PM SERVED THE WITHIN COMPLAINT ON MELISSA A. LOOMIS DEFENDANT AT 109 THUNDERBIRD RD., DUBOIS, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO TIM LOOMIS, HUSBAND A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: NEVLING / COUDRIET

FILED
0/3:00Lm
JUL 18 2008
(157)

William A. Shaw
Prothonotary/Clerk of Courts

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	GORDON	050258	10.00
SHERIFF HAWKINS	GORDON	050258	56.38

Sworn to Before Me This

_____ Day of _____ 2008

So Answers,

Chester A. Hawkins
by Marilyn Harris

Chester A. Hawkins
Sheriff

FILED

JUL 18 2008

William A. Shaw
Prothonotary/Clerk of Courts

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

Atlantic Credit & Finance Inc.
Assignee from Household Bank

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

vs.

DOCKET NO. : 08-629-CD

MELISSA A LOOMIS

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.

☒ Judgment by Default \$3,273.87
☐ 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



PROTHONOTARY

FILED

AUG 28 2008

W/1:25/4

William A. Shaw
Prothonotary/Clerk of Courts

CLERK TO ATTORNEY
DEPT.
W/1:25/4

2045376

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

Atlantic Credit & Finance Inc.
Assignee from Household Bank

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

vs.

DOCKET NO. : 08-629-CD

MELISSA A LOOMIS

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	\$3,078.87
Costs (Complaint & Service)	\$195.00
Total:	\$3,273.87

Understanding the false statements made herein are subject to penalty under 18 Pa.C.S.A. §4904, Unsworn Falsification to Authorities, I verify that:

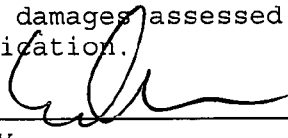
1. The last known addresses of the parties are: Atlantic Credit & Finance Inc. Assignee from Household Bank and that the last known address of defendant, MELISSA A LOOMIS, 109 THUNDERBIRD RD, DU BOIS PA 15801-5185.

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.

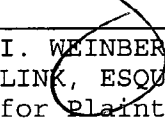
AND NOW, this 28 day of Aug., 2008 Judgment is entered in favor of the plaintiff(s) and against defendant(s) by

default for want of an answer and damages assessed at the sum of ,
\$3,273.87 as per the above certification.



Prothonotary

GORDON & WEINBERG, P.C.

BY: 

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

2045376

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
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Atlantic Credit & Finance Inc.
Assignee from Household Bank

COURT OF COMMON PLEAS
CLEARFIELD COUNTY

vs.

DOCKET NO. : 08-629-CD

MELISSA A LOOMIS

NOTICE OF INTENTION TO TAKE DEFAULT

TO/PARA :
MELISSA A LOOMIS
109 THUNDERBIRD RD
DU BOIS PA 15801-5185

DATE OF NOTICE/FECHA DEL AVISO: July 28, 2008

IMPORTANT NOTICE

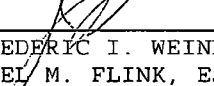
YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY AN ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU 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. Meholick, Court Admin.
Clearfield County Courthouse
Clearfield, PA 16830
(814) 765-2641

GORDON & WEINBERG, P.C.

BY: 
FREDERIC I. WEINBERG, ESQUIRE
JOEL M. FLINK, ESQUIRE

P10D-2

Prothonotary/Clerk of Courts
William A. Shaw

AUG 28 2008

FILED