

08-774-CD  
Capital One vs Debora Conklin

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA

CAPITAL ONE BANK (USA), N.A.

(Plaintiff)

c/o Apothaker & Associates, P.C.

2417 Welsh Road, Suite 21 #520

(Street Address)

Philadelphia, PA 19114

(City, State, ZIP)

CIVIL ACTION

No. 2008-774-CD

Type of Case: CIVIL

Type of Pleading: PLEADING

VS.

Filed on Behalf of:

DEBORA CONKLIN

(Defendant)

1241 CONDDON RD

(Street Address)

NEW MILLPORT, PA 16861-9249

(City, State, ZIP)

CAPITAL ONE BANK (USA),

N.A.

(Plaintiff)

David J. Apothaker, Esq.

Apothaker & Associates, P.C.

(Filed by)

2417 Welsh Road, Suite 21 #520

Philadelphia, PA 19114

(Address)

215 634-8920

(Phone)

(Signature)

FILED *atty paid 95.00*  
O 1:47 P.M. &  
APR 28 2008 *1cc Atty*  
*1cc Sheriff*  
William A. Shaw  
Prothonotary/Clerk of Courts

Our File No.: 151984  
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 (USA), N.A.	) COURT OF COMMON PLEAS
c/o Apothaker & Associates, P.C.	) CLEARFIELD COUNTY
2417 Welsh Road, Suite 21 #520	)
Philadelphia, PA 19114	) NO.:
Plaintiff,	)
vs.	)
DEBORA CONKLIN	)
1241 CONDDON RD	)
NEW MILLPORT, PA 16861-9249	)
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 defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha de la demanda y la notificacion. Hace falta asentar una comparencia 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 tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademas, 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  
Lawyer Referral and Information Service  
814-765-2641

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

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CAPITAL ONE BANK (USA), N.A. ) COURT OF COMMON PLEAS  
c/o Apothaker & Associates, P.C. ) CLEARFIELD COUNTY  
2417 Welsh Road, Suite 21 #520 )  
Philadelphia, PA 19114 ) NO.:  
Plaintiff, )  
vs. )  
DEBORA CONKLIN )  
1241 CONDDON RD )  
NEW MILLPORT, PA 16861-9249 )  
Defendant. )  
)

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**CIVIL ACTION COMPLAINT  
FIRST COUNT**

1. Plaintiff, CAPITAL ONE BANK (USA), N.A., 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 DEBORA CONKLIN, an adult individual residing at 1241 CONDDON RD NEW MILLPORT, PA 16861-9249.

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.

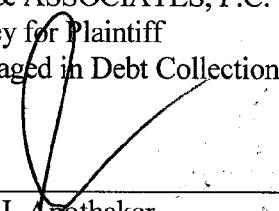
6. All credits, if any, to which Defendant is entitled, are set forth in Exhibit "A".

7. In addition, Plaintiff avers that Defendant has failed and continues to fail to make any payments, leaving a balance due and owing of \$1,580.72.

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 \$1,580.72 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: 4/10/2008

Our File No.: 151984

**VERIFICATION**

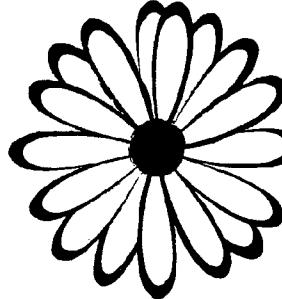
Kathy Ralby, hereby states that I am Agent for plaintiff in this action, and that I am authorized to take this Verification, and that the statements made in the foregoing Civil Action Complaint are true and correct to the best of my knowledge, information, and belief. The undersigned understands that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

Kathy Ralby

DATE:

# Show Mom your love!

Special savings for Capital One® Cardholders!



Save 15%\*

on your next purchase when  
you use Promotion Code **CAP66**  
(See reverse for details)

Save this code! Offer good all year long!

Remember: Mother's Day is Sunday, May 14<sup>th</sup>

Call 1-800-FLOWERS® (1-800-356-9377) or Click [www.1800flowers.com](http://www.1800flowers.com) today!

**1-800-flowers.com**  
Your florist of choice.

003

**Capital One®**

VISA ACCOUNT

4121-7417-3681-8118

MAR 06 - APR 05, 2005

Page 1 of 1

**Account Summary**

Previous Balance	\$829.90
Payments, Credits and Adjustments	\$0.00
Transactions	\$29.00
Finance Charges	\$19.06
 New Balance	 \$877.96
Minimum Amount Due	\$877.96
Payment Due Date	May 05, 2005
 Total Credit Line	 \$500
Total Available Credit	\$1.00
Credit Line for Cash	\$500
Available Credit for Cash	\$0.00

**Payments, Credits and Adjustments**

**Transactions**

1 05 APR PAST DUE FEE

\$29.00

You were assessed a past due fee of \$29.00 on 04/05/2005 because your minimum payment was not received by the due date of 04/05/2005. 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:  
**1-800-262-1493**

For free online account service and special customer offers, log on to:  
[www.capitalone.com](http://www.capitalone.com)

Send payments to:	Send inquiries to:
Attn: Remittance Processing	Capital One Services
Capital One Bank	P.O. Box 85015
P.O. Box 790216	Richmond, VA 23285-5015
St. Louis, MO 63179-0216	

**Finance Charges**

*Please see reverse side for important information*

	Balance rate applied to	Periodic rate	Corresponding APR	FINANCE CHARGE
PURCHASES	\$839.08	.07326% P	26.74%	\$19.06
CASH	\$0.00	.07326% P	26.74%	\$0.00

ANNUAL PERCENTAGE RATE applied this period

26.74%

▼ PLEASE RETURN PORTION BELOW WITH PAYMENT ▼

**Capital One®**

0000000 0 4121741736818118 05 0877960015000877963

New Balance	\$877.96
Minimum Amount Due	\$877.96
Payment Due Date	May 05, 2005
Total enclosed	\$ <input type="text"/>
Account Number:	4121-7417-3681-8118

*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"/>		

#9009650909996237# MAIL ID NUMBER  
DEBORA CONKLIN  
1241 CONDON RD  
NEW MILLPORT PA 16861-9249

007526  
[Barcode]

Capital One Bank  
P.O. Box 790216  
St. Louis, MO 63179-0216  
[Barcode]

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

**FILED**  
APR 28 2008

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 104098  
NO: 08-774-CD  
SERVICE # 1 OF 1  
COMPLAINT

PLAINTIFF: CAPITAL ONE BANK (USA) NA  
vs.  
DEFENDANT: DEBORA CONKLIN

**SHERIFF RETURN**

NOW, May 06, 2008 AT 5:53 PM SERVED THE WITHIN COMPLAINT ON DEBORA CONKLIN DEFENDANT AT 1241 CONDDON RD., NEW MILLPORT, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO DEBORA CONKLIN, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: MORGILLO /

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	APOTHAKER	85449	10.00
SHERIFF HAWKINS	APOTHAKER	85449	31.13

**FILED**

03:30 pm  
AUG 13 2008

William A. Shaw  
Prothonotary/Clerk of Courts

Sworn to Before Me This

\_\_\_\_ Day of \_\_\_\_\_ 2008

So Answers,

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

Our File No.: 151984  
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

FILED NO  
M 11/20/2011  
JAN 18 2011  
William A. Shaw  
Prothonotary/Clerk of Courts

CAPITAL ONE BANK (USA), N.A. ) COURT OF COMMON PLEAS  
Plaintiff, ) CLEARFIELD COUNTY  
vs. )  
DEBORA CONKLIN ) NO. 2008-774-CD  
Defendant. )  
\_\_\_\_\_  
)

**PRAECLPTE TO DISMISS WITHOUT PREJUDICE**

TO THE PROTHONOTARY:

Kindly dismiss this action without prejudice.

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

By: \_\_\_\_\_  
David J. Apothaker, Esquire

Dated: 1/6/2011



\* Q 1 5 1 9 8 4 D I S N 1 - \*

**FILED**

JAN 18 2011

William A. Strain  
Prothonotary/Clerk of Courts