

08-857-CD

Atlantic Credit vs Donald K. Clark

2041627

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. : 2008-857-CD

DONALD K CLARK  
1138 HARMONY RD  
WESTOVER PA 16692-9024

**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**

M 10:37a.m. GK

**MAY 08 2008**

William A. Shaw  
Prothonotary/Clerk of Courts

Atty Paid 95.00

1 CC ATTY

1 CC 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 \$3,857.55.

6. Plaintiff has made demand upon the defendant(s) for payment of the balance due of \$3,857.55 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 3/10/06.

WHEREFORE, plaintiff claims of the defendant(s) the sum of \$3,857.55 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

Stath Chav  
Name

2041627

ATLANTIC CREDIT & FINANCE, INC.

v.

DONALD K CLARK

**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. [REDACTED] Said Account was charged off on December 31, 2005 and subsequently sold to Atlantic Credit & Finance, Inc with a balance of \$3,887.55.
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 March 15, 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 \$3,857.55.
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.

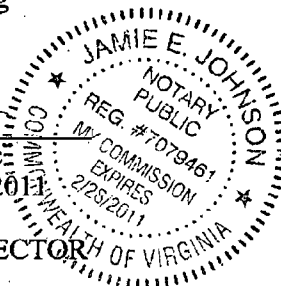
The foregoing is true and correct to the best of my knowledge and belief.

By:

Heather Clary  
Heather Clary  
Assistant Director of Forwarding

Subscribed and sworn before me September 25, 2007.

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



THIS COMMUNICATION IS FROM A DEBT COLLECTOR

**FILED**

**MAY 08 2008**

William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

NO: 08-857-CD

ATLANTIC CREDIT & FINANCE INC. Assignee

vs

DONALD K. CLARK

SERVICE # 1 OF 1

COMPLAINT

SERVE BY: 06/07/2008

HEARING:

PAGE: 104146

DEFENDANT: DONALD K. CLARK  
ADDRESS: 1138 HARMONY RD  
WESTOVER, PA 16692

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS:

VACANT

OCCUPIED

ATTEMPTS

SHERIFF'S RETURN

NOW, May 14, 2008 AT 4:57 AM / PM SERVED THE WITHIN

COMPLAINT ON DONALD K. CLARK, DEFENDANT

BY HANDING TO Donald K. Clark, Def.

A TRUE AND ATTESTED COPY OF THE ORIGINAL DOCUMENT AND MADE KNOW TO HIM HER THE CONTENTS THEREOF.

ADDRESS SERVED 1138 Harmony Rd., Westover Pa.  
16692

NOW \_\_\_\_\_ AT \_\_\_\_\_ AM / PM **POSTED** THE WITHIN

COMPLAINT FOR DONALD K. CLARK

AT (ADDRESS) \_\_\_\_\_

NOW \_\_\_\_\_ AT \_\_\_\_\_ AM / PM AFTER DILIGENT SEARCH IN MY BAILIWICK,

I MAKE RETURN OF **NOT FOUND** AS TO DONALD K. CLARK

REASON UNABLE TO LOCATE \_\_\_\_\_

SWORN TO BEFORE ME THIS

\_\_\_\_\_ DAY OF \_\_\_\_\_ 2008

So Answers: CHESTER A. HAWKINS, SHERIFF

BY:

James Davis  
Deputy Signature

James Davis

Print Deputy Name

**FILED**  
018:5131  
MAY 15 2008  
William A. Shaw  
Prothonotary/Clerk of Courts



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 104146  
NO: 08-857-CD  
SERVICES 1  
COMPLAINT

PLAINTIFF: ATLANTIC CREDIT & FINANCE INC. Assignee  
vs.  
DEFENDANT: DONALD K. CLARK

**FILED**  
0/313841  
AUG 20 2008

William A. Shaw  
Prothonotary/Clerk of Courts

**SHERIFF RETURN**

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	GORDON	052813	10.00
SHERIFF HAWKINS	GORDON	052813	51.33

Sworn to Before Me This

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

So Answers,



Chester A. Hawkins  
Sheriff

2041627

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

FILED  
SEP 17 2008

William A. Shaw  
Prothonotary/Clerk of Courts

Any pd. 20.00  
10:00 AM  
1CC Notice to Def.  
1CC Statement to Atty Weinberg

Atlantic Credit & Finance Inc.  
Assignee from Household Bank

COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

Notice only to  
Atty J. Mack  
(Atty Weinberg  
submitted envelope)

vs.

DOCKET NO. : 2008-857

DONALD K CLARK

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	\$3,857.55
Costs (Complaint & Service)	\$156.33
<b>Total:</b>	<b>\$4,013.88</b>

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, DONALD K CLARK, 1138 HARMONY RD, WESTOVER  
PA 16692-9024.

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 \_\_\_\_\_ day of \_\_\_\_\_, 2018 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 , \$4,013.88 as per the above certification.

\_\_\_\_\_  
Prothonotary

GORDON & WEINBERG, P.C.

BY: \_\_\_\_\_  
FREDERIC I. WEINBERG, ESQUIRE  
JOEL M. FLINK, ESQUIRE  
Attorney for Plaintiff

COPY

2041627

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. : 2008-857

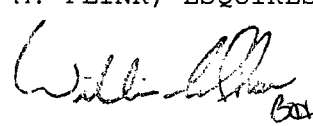
DONALD K CLARK

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 \$4,013.88  
☐ 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

  
ba 9/17/08

PROTHONOTARY

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA  
STATEMENT OF JUDGMENT

COPY

Atlantic Credit & Finance Inc.  
Household Bank  
Plaintiff(s)

No.: 2008-00857-CD

Real Debt: \$4,013.88

Atty's Comm: \$

Vs.

Costs: \$

Int. From: \$

Donald K. Clark  
Defendant(s)


Entry: \$20.00

Instrument: Default Judgment

Date of Entry: September 17, 2008

Expires: September 17, 2013

Certified from the record this 17th day of September, 2008.



William A. Shaw, Prothonotary

\*\*\*\*\*

SIGN BELOW FOR SATISFACTION

Received on \_\_\_\_\_, \_\_\_\_\_, of defendant full satisfaction of this Judgment,  
Debt, Interest and Costs and Prothonotary is authorized to enter Satisfaction on the same.

\_\_\_\_\_  
Plaintiff/Attorney