

08-1054-CD
Captial One vs Beth Borda

**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. 2008-1054-C

Type of Case: CIVIL

Type of Pleading: PLEADING

VS.

Filed on Behalf of:

BETH A BORDAS

(Defendant)

335 CLEARFIELD ST

(Street Address)

WALLACETON, PA 16876

(City, State, ZIP)

CAPITAL ONE BANK (USA),

N.A.

(Plaintiff)

FILED Pa \$95.00 Atty
mjl:35cm JUN 09 2008 ICC Shff
ICC Atty

William A. Shaw
Prothonotary/Clerk of Courts

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)

Our File No.: 151250
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.)
BETH A BORDAS)
335 CLEARFIELD ST)
WALLACETON, PA 16876)
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. Apotheker, 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.
c/o Apotheker & Associates, P.C.
2417 Welsh Road, Suite 21 #520
Philadelphia, PA 19114

Plaintiff,
vs.

BETH A BORDAS
335 CLEARFIELD ST
WALLACETON, PA 16876
Defendant

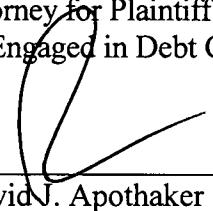
) COURT OF COMMON PLEAS
) CLEARFIELD COUNTY
)
) NO.:
)
)
)
)
)
)
)
)
)
)

**CIVIL ACTION COMPLAINT
FIRST COUNT**

1. Plaintiff is CAPITAL ONE BANK (USA), N.A. c/o Apotheker & Associates, P.C., 2417 Welsh Road, Suite 21 #520, Philadelphia, PA 19114.
2. Defendant(s) is/are BETH A BORDAS, an adult individual residing at 335 CLEARFIELD ST WALLACETON, PA 16876.
3. At the special instance and request of Defendant, Plaintiff, CAPITAL ONE BANK (USA), N.A., issued to Defendant(s), Account #5178052386192088.
4. Defendant received, accepted and used the account to its benefit.
5. This account is in default and Defendant(s) has an unpaid balance of \$1,583.50. A true and correct copy of the total due and owing is attached hereto, made a part hereof and marked as Exhibit "A".
6. All credits, if any, to which Defendant(s) is entitled, have been applied to the account and are included in Exhibit "A".
7. Although demand has been made, Defendant(s) 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 \$1,583.50 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: 6/3/2008

Our File No.: 151250

VERIFICATION

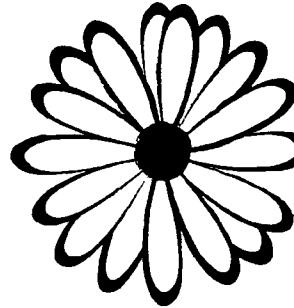
Kathy Fabij, hereby states that I am Att for plaintiff in this action, and that I am authorized to take this Verification, and that the statements made in the foregoing Civil Action Complaint are true and correct to the best of my knowledge, information, and belief. The undersigned understands that the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

Kathy Fabij

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 14th

1-800-flowers.com

Your florist of choice.

Call 1-800-FLOWERS® (1-800-356-9377) or Click www.1800flowers.com today!

003

CapitalOne®

PLATINUM MASTERCARD ACCOUNT

MAR 10 - APR 09, 2005

Page 1 of 1

Account Summary

Previous Balance	\$835.83
Payments, Credits and Adjustments	\$0.00
Transactions	\$29.00
Finance Charges	\$18.59
 New Balance	 \$883.42
Minimum Amount Due	\$883.42
Payment Due Date	May 09, 2005
 Total Credit Line	 \$300
Total Available Credit	\$0.00
Credit Line for Cash	\$300
Available Credit for Cash	\$0.00

Payments, Credits and Adjustments

Transactions

1	09 APR	PAST DUE FEE	\$29.00
---	--------	--------------	---------

You were assessed a past due fee of \$29.00 on 04/09/2005 because your minimum payment was not received by the due date of 04/09/2005. 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:
1-800-903-3637

For free online account service and special customer offers, log on to:
www.capitalone.com

Send payments to:
Attn: Remittance Processing
Capital One Bank
P.O. Box 790216
St. Louis, MO 63179-0216

Send inquiries to:
Capital One Services
P.O. Box 85015
Richmond, VA 23285-5015

6896

Finance Charges

Please see reverse side for important information

	Balance rate applied to	Periodic rate	Corresponding APR	FINANCE CHARGE
PURCHASES	\$749.42	.07096%	25.90%	\$16.49
CASH	\$95.36	.07096%	25.90%	\$2.10

ANNUAL PERCENTAGE RATE applied this period

25.90%

▼ PLEASE RETURN PORTION BELOW WITH PAYMENT ▼

CapitalOne®

0000000 0 5178052386192088 09 0883420050000883423

New Balance	\$883.42
Minimum Amount Due	\$883.42
Payment Due Date	May 09, 2005
Total enclosed	\$ <input type="text"/>
Account Number:	5178-0523-8619-2088

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		

#9010059134032031# MAIL ID NUMBER
BETH A BORDAS
PO BOX 13
WALLACETON PA 16876-0013



006856

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

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

NO: 08-1054-CD

CAPITAL ONE BANK (USA) N.A.

vs

BETH A. BORDAS

SERVICE # 1 OF 1

COMPLAINT

SERVE BY: 07/09/2008

HEARING:

PAGE: 104258

FILED

07/16/2008
JUN 16 2008



William A. Shaw
Prothonotary/Clerk of Courts

DEFENDANT: BETH A. BORDAS
ADDRESS: 335 CLEARFIELD ST.
WALLACETON, PA 16876

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS:

VACANT

OCCUPIED

ATTEMPTS

SHERIFF'S RETURN

NOW, _____ AT _____ AM / PM SERVED THE WITHIN

COMPLAINT ON BETH A. BORDAS, DEFENDANT

BY HANDING TO _____ / _____

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

ADDRESS SERVED _____

NOW _____ AT _____ AM / PM POSTED THE WITHIN

COMPLAINT FOR BETH A. BORDAS

AT (ADDRESS) _____

NOW 10th JUNE 2008 AT 9:20 AM / PM AFTER DILIGENT SEARCH IN MY BAILIWICK,

I MAKE RETURN OF **NOT FOUND** AS TO BETH A. BORDAS

REASON UNABLE TO LOCATE House Empty

SWORN TO BEFORE ME THIS

_____ DAY OF _____ 2008

So Answers: CHESTER A. HAWKINS, SHERIFF

BY: Dep. George F. DeHaven

Deputy Signature

Dep. George F. DeHaven
Print Deputy Name

SHERIFF'S OFFICE
CLEARFIELD COUNTY
CASE # 104258

DEAR BETH A. BORDAS

Would you please contact the Sheriff's Office EXTENSION 1360 concerning legal papers we have for you

When you call, please give your name and the case # noted above (104258) and someone in the Office will be able to help you.

Thank you for your consideration in this matter.

SHERIFF CHESTER A. HAWKINS

OFFICE HOURS: 8:30 A.M. to 4:00 P.M.
PHONE (814) 765-2641

STATEMENT MADE IN WRITING

JUN 09 2008

Attest.

William C. Apotheker
Prothonotary/
Clerk of Courts

David J. Apotheker, Esq.
Apotheker & Associates, P.C.
(Filed by)
2417 Welsh Road, Suite 21 #520
Philadelphia, PA 19114
(Address)
215 634-8920
(Phone)


(Signature)

Our File No.: 151250
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.)
BETH A BORDAS)
335 CLEARFIELD ST)
WALLACETON, PA 16876)
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

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

Plaintiff,

vs.

BETH A BORDAS
335 CLEARFIELD ST
WALLACETON, PA 16876
Defendant.

) COURT OF COMMON PLEAS
) CLEARFIELD COUNTY
)
) NO.:
)
)
)
)
)
)
)
)

**CIVIL ACTION COMPLAINT
FIRST COUNT**

1. Plaintiff is CAPITAL ONE BANK (USA), N.A. c/o Apothaker & Associates, P.C., 2417 Welsh Road, Suite 21 #520, Philadelphia, PA 19114.

2. Defendant(s) is/are BETH A BORDAS, an adult individual residing at 335 CLEARFIELD ST WALLACETON, PA 16876.

3. At the special instance and request of Defendant, Plaintiff, CAPITAL ONE BANK (USA), N.A., issued to Defendant(s), Account #5178052386192088.

4. Defendant received, accepted and used the account to its benefit.

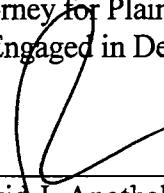
5. This account is in default and Defendant(s) has an unpaid balance of \$1,583.50. A true and correct copy of the total due and owing is attached hereto, made a part hereof and marked as Exhibit "A".

6. All credits, if any, to which Defendant(s) is entitled, have been applied to the account and are included in Exhibit "A".

7. Although demand has been made, Defendant(s) 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 \$1,583.50 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: 6/3/2008

Our File No.: 151250

VERIFICATION

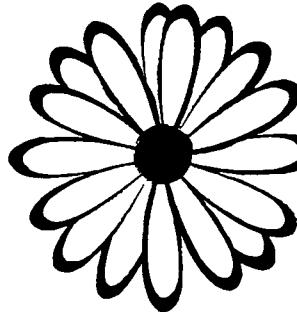
Kathy Fabij, hereby states that I am Att, for plaintiff in this action, and that I am authorized to take this Verification, and that the statements made in the foregoing Civil Action Complaint are true and correct to the best of my knowledge, information, and belief. The undersigned understands that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

Kathy Fabij

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 14th

1-800-flowers.com

Your florist of choice.

CapitalOne®

PLATINUM MASTERCARD ACCOUNT
5178-0523-8619-2088

MAR 10 - APR 09, 2005

Page 1 of 1

Account Summary

Previous Balance	\$835.83
Payments, Credits and Adjustments	\$0.00
Transactions	\$29.00
Finance Charges	\$18.59
 New Balance	 \$883.42
Minimum Amount Due	\$883.42
Payment Due Date	May 09, 2005
 Total Credit Line	 \$300
Total Available Credit	\$0.00
Credit Line for Cash	\$300
Available Credit for Cash	\$0.00

Payments, Credits and Adjustments

Transactions

1	09 APR	PAST DUE FEE	\$29.00
---	--------	--------------	---------

You were assessed a past due fee of \$29.00 on 04/09/2005 because your minimum payment was not received by the due date of 04/09/2005. 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:
1-800-903-3637

For free online account service and special customer offers, log on to:
www.capitalone.com

Send payments to:
Attn: Remittance Processing
Capital One Bank
P.O. Box 790216
St. Louis, MO 63179-0216

Send inquiries to:
Capital One Services
P.O. Box 85015
Richmond, VA 23285-5015

Finance Charges

Please see reverse side for important information

	Balance rate applied to	Periodic rate	Corresponding APR	FINANCE CHARGE
PURCHASES	\$749.42	.07096%	25.90%	\$16.49
CASH	\$95.36	.07096%	25.90%	\$2.10

ANNUAL PERCENTAGE RATE applied this period

25.90%

▼ PLEASE RETURN PORTION BELOW WITH PAYMENT ▼

CapitalOne®

0000000 0 5178052386192088 09 0883420050000883423

New Balance	\$883.42
Minimum Amount Due	\$883.42
Payment Due Date	May 09, 2005
Total enclosed	\$ <input type="text"/>
Account Number:	5178-0523-8619-2088

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"/>		

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

006856

#9010059134032031# MAIL ID NUMBER
BETH A BORDAS
PO BOX 13
WALLACETON PA 16876-0013

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 104258
NO: 08-1054-CD
SERVICES 1
COMPLAINT

PLAINTIFF: CAPITAL ONE BANK (USA) N.A.

vs.

DEFENDANT: BETH A. BORDAS

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	APOTHAKER	92854	10.00
SHERIFF HAWKINS	APOTHAKER	92854	24.10

FILED
03:03:521
SEP 29 2008
William A. Shaw
Prothonotary/Clerk of Courts
WAM

Sworn to Before Me This

So Answers,

____ Day of _____ 2008



Chester A. Hawkins
Sheriff

Our File No.: 151250
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 *RE*

FEB 19 2009

14:00/1
William A. Shaw
Prothonotary/Clerk of Courts

1 CUST &

Attw

CAPITAL ONE BANK (USA), N.A.) COURT OF COMMON PLEAS
Plaintiff,) CLEARFIELD COUNTY
vs.)
BETH A BORDAS) NO. 2008-1054-CD
Defendant.)

)

PRAECIPE 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: February 13, 2009