

08-1279-CD
Citibank vs Polly A. McQuillen

pd \$95.00 Atty
FILED M 11:25 AM 1CC Shft
JUL 14 2008

William A. Shaw
Prothonotary/Clerk of Courts

Burton Neil & Associates, P.C.
By: Edward J. O'Brien, Esquire ID. NO. 32985
1060 Andrew Drive, Suite 170
West Chester, PA 19380
(610) 696-2120

Attorney for Plaintiff

CITIBANK (SOUTH DAKOTA), N.A.
701 East 60th Street N
Sioux Falls, SD 57117

: IN THE COURT OF COMMON PLEAS

Plaintiff : CLEARFIELD COUNTY, PENNSYLVANIA

v.

POLLY A MCQUILLEN
404 Coulter Lane, Morrisdale PA 168587905

: NO. 2008-1279-C0

Defendant : CIVIL ACTION - LAW

Complaint - 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 (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 claim 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. 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.

LAWYER REFERENCE AND INFORMATION SERVICE

David S. Meholic

Court Administrator

Clearfield County Courthouse

Clearfield, PA 16830

Telephone No. 814-765-2641 Ext. 5982

C-16239

Burton Neil & Associates, P.C.
By: Edward J. O'Brien, Esquire ID. NO. 32985
1060 Andrew Drive, Suite 170
West Chester, PA 19380
(610) 696-2120

Attorney for Plaintiff

CITIBANK (SOUTH DAKOTA), N.A. : IN THE COURT OF COMMON PLEAS
701 East 60th Street N
Sioux Falls, SD 57117

Plaintiff : CLEARFIELD COUNTY, PENNSYLVANIA

v.

: NO.

POLLY A MCQUILLEN
404 Coulter Lane, Morrisdale PA 168587905

Defendant : CIVIL ACTION - LAW

Complaint

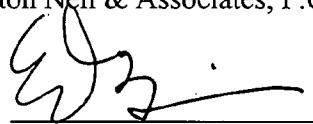
1. Plaintiff is Citibank (South Dakota), N.A., with place of business located at 701 East 60th Street North, Sioux Falls, South Dakota.
2. Defendant is Polly A McQuillen, who resides at 404 Coulter Lane, Morrisdale, Clearfield County, Pennsylvania.
3. Plaintiff is a national banking association, engaged in various types of banking business including consumer lending through the issuance of credit cards.
4. Plaintiff furnished consumer credit to the defendant by means of a credit card with account number ending in 6432 hereinafter referred to as the credit card account.
5. Plaintiff kept accurate running records of all debits and credits to the account.
6. Plaintiff mailed to defendant monthly statements for the account including the billing statement attached hereto as Exhibit A. The monthly statements accurately stated the previous balance, the debits and credits to the account for the prior billing period.
7. Before plaintiff mailed Exhibit A, defendant had for many months made payments on account of the billing statement or retained the statement without payment.

8. Defendant's actions as set forth above constituted an account stated between parties for the sum of \$7,404.29 which sum reflects the Exhibit A statement balance less credits, if any, which were applied subsequent to the date of Exhibit A.

Wherefore, plaintiff demands judgment against defendant for the sum of \$7,404.29, and the costs of this action.

Burton Neil & Associates, P.C.

By:



Edward J. O'Brien, Esquire
Attorney for Plaintiff

The law firm of Burton Neil & Associates, P.C. is a debt collector.

SITE:KC-CI TM:ICO-5000 ACID:KCB0197
06/03/08 21:58:42

Account Activity
Mar 19-Apr 17, 2008

Payment Due Date:
05/12/2008 Payment must be received by 5:00 PM
local time on the payment due date.
Minimum Amount Due:
\$7,404.29

Total New Balance:
\$7,404.29

Total Credit Line	\$ 5,900
Available Credit Line	\$ 0
Cash Advance Limit	\$ 3,500
Available Cash Limit	\$ 0

Important Account Information
Your late fee was based on your account balance as of the payment due date (04/11/08), which was \$7,190.46.

Help is available! Please call the toll-free number shown above to learn about our special payment options. Call Monday - Friday, 7 am to 9 pm or Saturday, 8 am to 5 pm, Central Time. Please give us the opportunity to assist you.

How to Reach Us
1-800-756-4000
Customer Service
BOX 6500
SIOUX FALLS, SD
57117
www.citicards.com
Account Member
POLLY A MCQUILLEN
Account Number
[REDACTED] 6432

At a Glance		Amount Over	Past Due	Finance Charges	Total New Balance
	Previous Balance	Credit Line	\$1,622.73	\$74.83	\$7,404.29
<u>Standard Purchases</u>					
Sale	Post	Description			Amount
04/17		LATE FEE - MAR PAYMENT PAST DUE			39.00
00000000	66	0000	0000000000		
00000000	04/17	PURCHASES-FINANCE CHARGE-PERIODIC RATE	84.06		
00000000	84	0000	0000000000		
<u>Balance Transfer - Charged To Offer 5</u>					
Sale	Post	Description			Amount
04/17		PURCHASES-FINANCE CHARGE-PERIODIC RATE	90.77		
00000000	84	0000	0000000000		

Detach and follow payment instructions on reverse
Make check payable to: Citi Cards

Account Number:
[REDACTED] 6432
Amount Enclosed:

Payment must be received by 5:00 PM
local time on the payment due date.

Total New Balance:
\$7,404.29
Minimum Amount Due:
\$7,404.29
Payment Due Date:
05/12/2008

000000 MC 32 A 0
POLLY A MCQUILLEN
404 CULTER LN
MORRISDALE PA 16858-7905

CITI CARDS
P.O. BOX 182564
COLUMBUS, OH 43218-2564

EXHIBIT

1-16239

POLLY A MCCOUILLEN
6432

How to Reach Us
1-800-756-4000
Customer Service
BOX 6500
SIOUX FALLS, SD 57117

Access your account online www.citicards.com

Rate Summary Days This Billing Period: 30

	Balance Subject to Finance Charge	Periodic Rate	Nominal APR	ANNUAL PERCENTAGE RATE
PURCHASES				
Standard Purch	3,497.75	0.08011% (D)	29.240%	29.240%
Offer 5	3,776.86	0.08011% (D)	29.240%	29.240%
ADVANCES				
Standard Adv	0.00	0.08011% (D)	29.240%	29.240%

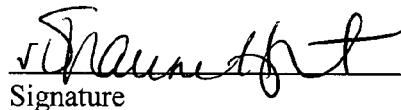
Our records show home phone 814-345-6498 and business phone 000-000-0000.
Please update coupon if incorrect.

We will lower APRs from the default APR on all balances if you meet the terms of
all Card Agreements you have with us for 12 billing periods in a row. We may lower
these APRs sooner based on your record with us.

Verification

Shauna Houghton

I, _____ am an employee of Citicorp Credit Services, Inc., (USA) which is by contract the service provider for plaintiff CITIBANK (SOUTH DAKOTA), N.A. retained to perform services on its behalf. I am authorized to make this verification as attorney-in-fact for plaintiff under powers of attorney from plaintiff to Citicorp Credit Services, Inc. (USA) and to me. The foregoing averments of fact in the within pleading are true and correct to the best of my knowledge, information and belief. I understand that the statements made herein are subject to the penalties of 18 Pa. C.S. Section 4904, relating to unsworn falsification to the authorities.


Signature

C-16239

Polly A McQuillen
Account number ending in 6432

notary public seal

FILED

JUL 14 2008

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
NO: 08-1279-CD

CITIBANK (SOUTH DAKOTA) N.A.

VS
POLLY A. MCQUILLEN

SERVICE # 1 OF 1

COMPLAINT

SERVE BY: 08/13/2008

HEARING:

PAGE: 104411

FILED

08/13/2008
JUL 18 2008



William A. Shaw
Prothonotary/Clerk of Courts

DEFENDANT: POLLY A. MCQUILLEN
ADDRESS: 404 COULTER LANE
MORRISDALE, PA 16858

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT OCCUPIED

ATTEMPTS

SHERIFF'S RETURN

NOW, THIS 18th day of July 2008 AT 11:30 AM PM SERVED THE WITHIN

COMPLAINT ON POLLY A. MCQUILLEN, DEFENDANT

BY HANDING TO Polly McQuillen DoF.

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

ADDRESS SERVED 404 Coulter Lane Morrisdale

NOW _____ AT _____ AM / PM POSTED THE WITHIN

COMPLAINT FOR POLLY A. MCQUILLEN

AT (ADDRESS) _____

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

I MAKE RETURN OF **NOT FOUND** AS TO POLLY A. MCQUILLEN

REASON UNABLE TO LOCATE _____

SWORN TO BEFORE ME THIS

DAY OF _____ 2008

So Answers: CHESTER A. HAWKINS, SHERIFF

BY: Dip. George T. Dehaven
Deputy Signature

Dip. George T. Dehaven
Print Deputy Name

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 104411
NO. 08-1279-CD
SERVICES 1
COMPLAINT

PLAINTIFF: CITIBANK (SOUTH DAKOTA) N.A.
VS.
DEFENDANT: POLLY A. MCQUILLEN

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	NEIL	043508	10.00
SHERIFF HAWKINS	NEIL	043508	33.21

FILED
03/16/09
OCT 15 2008
William A. Shaw
Prothonotary/Clerk of Courts

Sworn to Before Me This

So Answers,

Day of _____ 2008



Chester A. Hawkins
Sheriff

FILED

OCT 15 2008

William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CITIBANK (SOUTH DAKOTA), N.A.
701 East 60th Street N
Sioux Falls, SD 57117

Plaintiff(s)

v.

POLLY A MCQUILLEN
404 Coulter Lane
Morrisdale PA 16858-7905

Defendant(s)

CIVIL DIVISION, ARBITRATION
AND STATUTORY APPEALS ONLY

CASE NO. 2008-1279-CD

TYPE OF PLEADING: _____

Praecipe for Default Judgment

CODE AND CLASSIFICATION: _____

FILED ON BEHALF OF: Plaintiff

CITIBANK (SOUTH DAKOTA), N.A.

(Name of Party, indicate plaintiff or defendant)

NAME, ADDRESS AND TELEPHONE OF:

X Counsel of Record

 Individual, if pro se

Edward J. O'Brien, Esquire
Burton Neil & Associates, P.C.
1060 Andrew Drive, Suite 170
West Chester, PA 19380
Telephone: 610-696-2120

email: litigation@burt-law.com

Attorney's State ID# 32985

Attorney's Firm ID# _____

(Signature)

*S FILED pd \$20.00 Atty
m/12/2008 ICC & notice
NOV 07 2008 to deft
William A. Shaw
Prothonotary/Clerk of Courts
Statement to Atty.*

CITIBANK (SOUTH DAKOTA), N.A. : IN THE COURT OF COMMON PLEAS
701 East 60th Street N, Sioux Falls, SD 57117
Plaintiff : CLEARFIELD COUNTY, PENNSYLVANIA

v.

POLLY A MCQUILLEN : NO. 2008-1279-CD
404 Coulter Lane
Morrisdale PA 16858-7905
Defendant : CIVIL ACTION - LAW

Praecipe for Default Judgment

To the Prothonotary:

Please enter judgment by default for want of an answer in the above case in favor of the plaintiff and against the defendant, and assess damages as follows:

Principal:	\$7,404.29
TOTAL	\$7,404.29

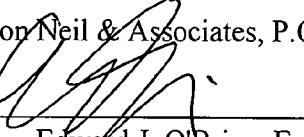
Understanding that false statements herein made are subject to penalty under 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities, I verify that:

1. The above are the precise last-known addresses of the judgment debtor and creditor.
2. The annexed notice of intention to file this praecipe was mailed to all parties against whom judgment is to be entered and to their record attorneys, if any, after the default occurred, and at least ten days prior to the date of the filing of this praecipe.
3. Pursuant to Section 201(b)(1)(A) of the Servicemembers Civil Relief Act of 2003 (SCRA), the defendant is not in the military service of the United States based on information received from the defendant and/or the Department of Defense website.

**JUDGMENT BY DEFAULT ENTERED
AND DAMAGES ASSESSED AS ABOVE.
NOTICE GIVEN UNDER P.A.R.CIV.P. 236**

Willie L. Shan lm
Pro Prothonotary

Burton Neil & Associates, P.C.

By: 
Edward J. O'Brien, Esquire
Attorney for Plaintiff
I.D. NO. 32985
1060 Andrew Drive, Suite 170
West Chester, PA 19380

The law firm of Burton Neil & Associates is a debt collector.

C-16239

CITIBANK (SOUTH DAKOTA), N.A.

C-16239

: IN THE COURT OF COMMON PLEAS

Plaintiff
v.

: CLEARFIELD COUNTY, PENNSYLVANIA

POLLY A MCQUILLEN
Defendant

: NO. 2008-1279-CD

: CIVIL ACTION - LAW

Notice of Intention to File Praecipe for Default Judgment

TO: Polly A McQuillen
404 Coulter Lane
Morrisdale PA 16858-7905

IMPORTANT NOTICE

You are in default because you have failed to enter a written appearance personally or by attorney and file in writing with the court your defenses or objections to the claims set forth against you. Unless you act within ten (10) 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 notice to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the following office to find out where you can get legal help. 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.

**LAWYER REFERENCE AND
INFORMATION SERVICE**

David S. Meholic
Court Administrator
Clearfield County Courthouse
Clearfield, PA 16830
Telephone No. 814-765-2641 Ext. 5982

DATE OF NOTICE: October 22, 2008

In making this communication, we advise our office is a debt collector.

Burton Neil & Associates, P.C.

By _____
Edward J. O'Brien, Esquire
Attorney for Plaintiff
Identification No. 32985
1060 Andrew Drive, Suite 170
West Chester, PA 19380
(610) 696-2120

Burton Neil & Associates, P.C.
By: Edward J. O'Brien, Esquire ID. NO. 32985
1060 Andrew Drive, Suite 170
West Chester, PA 19380
610-696-2120

Attorney for Plaintiff

CITIBANK (SOUTH DAKOTA), N.A.

Plaintiff

: IN THE COURT OF COMMON PLEAS

v. : CLEARFIELD COUNTY, PENNSYLVANIA

: NO. 2008-1279-CD

POLLY A MCQUILLEN

Defendant

: CIVIL ACTION - LAW

Rule of Civil Procedure NO. 236 (Revised)

Notice is given that a JUDGMENT in the above captioned matter has been entered
against you on November 7, 2008.

Prothonotary

By: W. J. O'Brien LM
Deputy

If you have any questions concerning the above, please contact:

Edward J. O'Brien, Esquire
Attorney for Party Filing
1060 Andrew Drive, Suite 170
West Chester, PA 19380
Phone: 610-696-2120

The law firm of Burton Neil & Associates is a debt collector.

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

Citibank (South Dakota) N.A.
Plaintiff(s)

No.: 2008-01279-CD

Real Debt: \$7,404.29

Atty's Comm: \$

Vs.

Costs: \$

Polly A. McQuillen
Defendant(s)

Entry: \$20.00

Instrument: Default Judgment

Date of Entry: November 7, 2008

Expires: November 7, 2013

Certified from the record this November 7, 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