

08-1397-CD  
Citibank vs Marian Connolly

**FILED**

JUL 30 2008

m/12-15/2

William A. Shaw  
Prothonotary/Clerk of Courts

1 URGENT TO SHAF.

Burton Neil & Associates, P.C.  
By: Derek C. Blasker, Esquire ID. NO. 202150  
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.

MARIAN E CONNOLLY : NO. 2008-1397-CV  
1036 Maple Avenue Apt 1, Du Bois PA 15801  
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-16218

Burton Neil & Associates, P.C.  
By: Derek C. Blasker, Esquire ID. NO. 202150  
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.

MARIAN E CONNOLLY  
1036 Maple Avenue Apt 1, Du Bois PA 15801

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 Marian E Connolly, who resides at 1036 Maple Avenue Apt 1, Du Bois, 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(n) AT&T Universal credit card with account number ending in 3270 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.

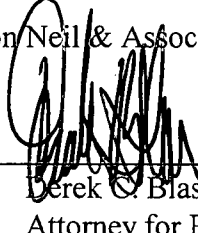
7. Before plaintiff mailed Exhibit A, defendant had for many months made payments on

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 \$21,618.59 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 \$21,618.59, and the costs of this action.

Burton Neil & Associates, P.C.

By:   
Derek C. Blasker, Esquire  
Attorney for Plaintiff

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



# AT&T Universal Card

Page 1 of 3

## AT&T Universal Platinum Card

Charter Member  
MARIAN E CONNOLLY  
Account [REDACTED] 3270  
Calling Card + PIN  
November 8 - December 10, 2007

### How To Reach Us

Visit: [www.universalcard.com](http://www.universalcard.com)  
Customer Service: 1-800-423-4343 or write  
Cardmember Services, PO Box 44167  
Jacksonville, FL 32231-4167

### Quick Reference

Minimum Payment Due..... \$5,618.81  
Due Date..... January 4, 2008  
\*Payment must be received by 5:00 pm local time on the payment due date.

Amount Past Due..... \$1,753.45  
Amount Over Limit..... \$3,018.59

Credit Line..... \$18,600.00  
Available Credit..... \$0.00  
Cash Advance Limit..... \$10,100.00  
Available Cash Advance Limit..... \$0.00

### Account Summary

Previous Balance	20,987.82
Payments and Adjustments	0.00
MasterCard® Activity	630.77
Total AT&T Services	0.00
<b>New Balance</b>	<b>\$21,618.59</b>

Note: Detailed activity starts on page 3.

Your late fee was based on your account balance as of the payment due date (12/03/07), which was \$20,987.82.

Your account is now 3 MONTHS PAST DUE and currently closed. Please call the toll-free number shown above to learn about our special payment options.

C-16218



Please follow payment instructions outlined in the "Important Instructions for Making Payments" section of the statement.

date paid      amount paid      check #

AT&T and the AT&T globe design are trademarks of AT&T Knowledge Ventures, licensed to Citigroup Inc.



Your Account Number

3270

Payment Due Date

JAN 04 2008

Your Total Balance

\$21618.59

Minimum Amount Due

\$5618.81

Please Enter Amount of Payment Enclosed

\$

21S PM 32 A 1 AR7052083



MARIAN E CONNOLLY  
621 MAPLE AVE  
DU BOIS PA 15801-2383



AT&T UNIVERSAL CARD  
P.O. BOX 18256  
COLUMBUS, OH 43218-2564



EXHIBIT

A

MARIAN E CONNOLLY  
Account 3270  
November 8 - December 10, 2007

## AT&T Universal Card

Page 2 of 3

**In the return envelope, please:**

- 1 Make your check payable to AT&T Universal Card.**
- 2 Enclose your check or money order.** Include your account number and name on the front of your check or money order. Please, no cash or foreign currency.
- 3 Enclose your payment coupon.** Do not staple or tape it to your payment. Insert the payment coupon so that the entire AT&T Universal Card address appears through the window of your remittance envelope.

## AT&T UNIVERSAL MASTERCARD ACTIVITY

Purchases..... 591.77  
 Cash Advances and Checks..... 0.00  
 Fees..... 39.00  
**Total MasterCard Activity..... \$630.77**

### PURCHASES

**Total MasterCard Purchases..... \$591.77**

#### Standard Purch

Trans	Post	Description	Amount
	12/10	PURCHASES*FINANCE CHARGE*PERIOD	577.41
<b>Total Standard Purch</b>			<b>\$577.41</b>

#### Balance Transfer - Charged To Offer 4

Trans	Post	Description	Amount
	12/10	PURCHASES*FINANCE CHARGE*PERIOD	14.36
<b>Total Balance Transfer - Charged To Offer 4</b>			<b>\$14.36</b>

### CASH ADVANCES

Cash Advance Limit..... \$10,100.00\* \*This represents a portion of your total credit line.

### FINANCE CHARGE INFORMATION

	Nominal APR	Periodic Rate	Days In x Billing Period	Balance x Subject to Finance Charge	=	Periodic FINANCE CHARGE	+ Fee/FINANCE CHARGE	Transaction FINANCE CHARGE	ANNUAL PERCENTAGE RATE
<b>PURCHASES</b>									
Standard Purch	31.730%	.08693%(D)	x 32	x \$20,756.98	=	\$577.41	+	\$0.00	31.730%
Offer 4	31.730%	.08693%(D)	x 32	x \$516.11	=	\$14.36	+	\$0.00	31.730%
<b>CASH ADVANCES</b>									
Standard Adv	31.730%	.08693%(D)	x 32	x \$0.00	=	\$0.00	+	\$0.00	31.730%
<b>Total FINANCE CHARGE</b>						=	<b>\$591.77</b>		

### FEES

#### Standard Purch

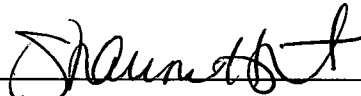
Trans	Post	Description	Amount
	12/10	LATE FEE - NOV PAYMENT PAST DUE	39.00
<b>Total Fees</b>			<b>\$39.00</b>

### AT&T SERVICES SUMMARY

AT&T Universal Calling Card Calls..... \$0.00

### Verification

I, Shauna Houghton 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

**Shauna Houghton**

**C-16218**  
Marian E. Connolly  
Account number ending in 3270



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.

MARIAN E CONNOLLY  
1036 Maple Avenue Apt 1  
Du Bois PA 15801  
Defendant(s)

CIVIL DIVISION, ARBITRATION  
AND STATUTORY APPEALS ONLY

CASE NO. 2008-1397-CD

TYPE OF PLEADING: Praecipe

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

Derek C. Blasker, 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# 202150

Attorney's Firm ID# \_\_\_\_\_

  
(Signature)

**FILED** ICC & 1 Cert  
m/2:15pm of disc issued  
JUL 30 2008 to Atty Blasker  
(m)

William A. Shaw  
Prothonotary/Clerk of Courts

Burton Neil & Associates, P.C.  
By: Derek C. Blasker, Esquire ID. NO. 202150  
1060 Andrew Drive, Suite 170  
West Chester, PA 19380  
610-696-2120  
Attorney for Plaintiff

CITIBANK (SOUTH DAKOTA), N.A.  
Plaintiff

v.

MARIAN E CONNOLLY  
Defendant

: IN THE COURT OF COMMON PLEAS  
: CLEARFIELD COUNTY, PENNSYLVANIA

: NO.

: CIVIL ACTION - LAW

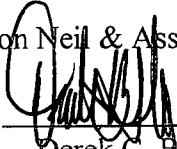
**Praeceptum to Discontinue**

To the Prothonotary:

Kindly discontinue the above-captioned action without prejudice.

Burton Neil & Associates, P.C.

By:

  
Derek C. Blasker, Esquire  
Attorney for Plaintiff

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

C-16218

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

Citibank (South Dakota), N.A.

Vs.

No. 2008-01397-CD

Marian E. Connolly

CERTIFICATE OF DISCONTINUATION

Commonwealth of PA  
County of Clearfield

I, William A. Shaw, Prothonotary of the Court of Common Pleas in and for the County and Commonwealth aforesaid do hereby certify that the above case was on July 30, 2008, marked:

Discontinued without prejudice

Record costs in the sum of \$95.00 have been paid in full by Burton Neil & Associates.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 30th day of July A.D. 2008.



\_\_\_\_\_  
William A. Shaw, Prothonotary

cm