

08-1420-CD

Capital One vs Cathy Cosner

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

CAPITAL ONE BANK (USA), NA

Plaintiff

vs.

CATHY COSNER

Defendant

No: 08-1420-CD

COMPLAINT IN CIVIL ACTION

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

James C. Warmbrodt, 42524
WELTMAN, WEINBERG & REIS CO., L.P.A.
436 Seventh Avenue, Suite 1400
Pittsburgh, PA 15219
(412) 434-7955
FAX: 412-338-7130
06712131 C N Pit IAS

FILED Any pd. 95.00
m/11:05/62
AUG 01 2008
William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

CAPITAL ONE BANK (USA), NA

Plaintiff

vs.

Civil Action No

CATHY COSNER

Defendant

COMPLAINT AND NOTICE TO DEFEND

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 an 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.

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.

COURT ADMINISTRATOR
CLEARFIELD COUNTY COURTHOUSE
230 EAST MARKET ST., SUITE 228
CLEARFIELD, PA 16830
(814) 765-2641, ext 1300-1301

COMPLAINT

1. Plaintiff, CAPITAL ONE BANK (USA), N~~A~~ is a corporation with offices at 15000 CAPITAL ONE DRIVE RICHMOND , VA 23238 .

2. Defendant is adult individual(s) residing at the address listed below:

CATHY COSNER
RR 1 BOX 14
HOUTZDALE, PA 16651

3. Defendant applied for and received a credit card bearing the account number XXXXXXXXXXXXXXXX6740 .

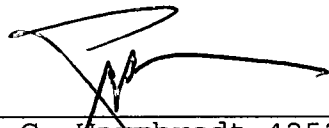
4. Defendant made use of said credit card and has a current balance due of \$1222.06 , as of June 18, 2008 .

5. Defendant is in default by failing to make monthly payments when due. As such, the entire balance is immediately due and payable to Plaintiff.

6. Plaintiff is entitled to the addition of interest at the rate of 17.200% per annum on the unpaid balance from June 18, 2008 . A copy of Plaintiff's STATEMENT is attached hereto, marked as Exhibit "1" and made a part hereof.

7. Although repeatedly requested to do so by Plaintiff, Defendant has willfully failed and/or refused to pay the balance due to Plaintiff.

Wherefore, the Plaintiff prays for judgment in its favor and against Defendant , CATHY COSNER , INDIVIDUALLY , in the amount of \$1222.06 with continuing interest thereon at the rate of 17.200% per annum from June 18, 2008 plus costs.



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06712131 C N Pit IAS

This law firm is a debt collector attempting to collect this debt for our client and any information obtained will be used for that purpose.

EXHIBIT

Previous Balance	Payments & Credits	FINANCE CHARGE	Transactions	New Balance	Minimum Payment	Due Date
\$905 49	\$0 00	\$13 95	\$29 00	\$948 44	\$248 44	Feb 11, 2007

Dec 12, 2006 — Jan 11, 2007

Page 1 of 1

PLEASE PAY AT LEAST THIS AMOUNT

Visa Platinum Account
4121-7424-1843-6740

Your Account Information

TOTAL CREDIT LINE	\$700 00
TOTAL AVAILABLE CREDIT	\$0 00
CREDIT LINE FOR CASH	\$700 00
AVAILABLE CREDIT FOR CASH	\$0 00

Finance Charges (Please see reverse for important information)

	Balance rate applied to	Periodic rate	Corresponding APR	FINANCE CHARGE
Purchases	\$776.57	0.04723% P	17.24%	\$11.37
Cash	\$136.57	0.06093% P	22.24%	\$2.58

ANNUAL PERCENTAGE RATE applied this period. 18.33%

Your account is six payments behind. If we charge off your account due to late payments, we will report the charged-off status to several national credit bureaus, and the Purchase APR as reflected on this statement will be applied to all your outstanding balances. Act now to prevent this from happening. Please pay the amount due on your statement or give us a call at 1 800 955.6600. We'll work with you so you can take control of your account and start rebuilding your credit with Capital One.

Payments, Credits & Adjustments

Transactions

1	11 JAN	PAST DUE FEE	\$29 00
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When you provide a check as payment, you authorize us either to use information from your check to make a one-time electronic fund transfer from your account or to process the payment as a check transaction. When we use information from your check to make an electronic fund transfer, funds may be withdrawn from your account as soon as the same day we receive your payment, and you will not receive your check back from your financial institution.

You were assessed a past due fee because your minimum payment was not received by the due date. To avoid this fee in the future, we recommend that you allow at least 7 business days for your minimum payment to reach Capital One.



At Your Service 1-800-903-3637
To call Customer Relations or to report a lost or stolen card



Send payments to:
Capital One Bank P.O. Box 70884 Charlotte, NC 28272-0884



Send inquiries to:
Capital One P.O. Box 30285 Salt Lake City, UT 84130-0285

6056

506

1 7 11 070111

PAGE 1 of 1

01BC6056

PLEASE RETURN PORTION BELOW WITH PAYMENT

0 4121742418436740 11 0948440050000248442

Capital One

what's in your wallet?

New Balance Minimum Payment Due Date

\$948 44	\$248 44	Feb 11, 2007
----------	----------	--------------

PLEASE PAY AT LEAST THIS AMOUNT

Amount Enclosed

Capital One Bank
P.O. Box 70884
Charlotte, NC 28272-0884



Account Number: 4121-7424-1843-6740

Please print address or phone number changes below using blue or black ink

Address

Home Phone

Alternate Phone

E-mail address

@

900122935638179 MAIL ID NUMBER

CATHY COSNER

RR 1 BOX 14

HOUTZDALE, PA 16651-9602



6712131

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

VERIFICATION

CAPITAL ONE BANK (USA), N.A.

vs

COSNER, CATHY

The undersigned does hereby verify subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn falsification to authorities, that he/she is, TRACY TAYLOR, Authorized Agent, of CAPITAL ONE BANK (USA), N.A., Plaintiff Herein, that he/she is duly authorized to make this Declaration, and that the facts set forth in the foregoing Complaint in Civil Action are true and correct to the best of his/her knowledge, information and belief.



TRACY TAYLOR



Notary Public

4121742418436740

A049

WELTMAN, WEINBERG & REIS CO., L.P.A.

NOTARY PUBLIC
STATE OF PENNSYLVANIA
COMMISSION EXPIRES 12/31/2011
TRACY TAYLOR
12/31/2011

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

NO: 08-1420-CD

CAPITAL ONE BANK (USA) N.

vs

CATHY COSNER

SERVICE # 1 OF 1

COMPLAINT

SERVE BY: 08/31/2008

HEARING:

PAGE: 104499

DEFENDANT:

CATHY COSNER

ADDRESS:

RR#1 BOX 14

HOUTZDALE, PA 16651

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 CATHY COSNER, 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 CATHY COSNER

AT (ADDRESS) _____

NOW 8-14-08 AT 8:05 (AM) / PM AFTER DILIGENT SEARCH IN MY BAILIWICK,

I MAKE RETURN OF **NOT FOUND** AS TO CATHY COSNER

REASON UNABLE TO LOCATE NOT Living AT Above Address

SWORN TO BEFORE ME THIS

_____ DAY OF _____ 2008

So Answers: CHESTER A. HAWKINS, SHERIFF

BY:

James E. Davis
Deputy Signature

JAMES E. DAVIS
Print Deputy Name

FILED

08:30 AM
AUG 14 2008

William A. Shaw
Prothonotary/Clerk of Courts

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CIVIL DIVISION

CAPITAL ONE BANK (USA), N.

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(412) 434-7955
FAX: 412-338-7130
06712131 C N Pit IAS

I hereby certify this to be a true
and correct copy of the original
statement filed in this case.

AUG 01 2008

Attest.

William B. [Signature]
Prothonotary/
Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
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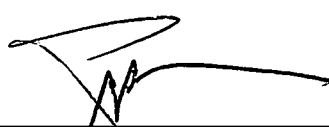
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You were assessed a past due fee because your minimum payment was not received by the due date. To avoid this fee in the future, we recommend that you allow at least 7 business days for your minimum payment to reach Capital One.

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To call Customer Relations or to report a lost or stolen card

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Capital One P.O. Box 30285 Salt Lake City, UT 84130-0285

6056 506

1 7 11 070111

PAGE 1 of 1

01BC6056

PLEASE RETURN PORTION BELOW WITH PAYMENT

0 4121742418436740 11 0948440050000248442

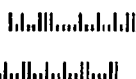
Capital One what's in your wallet?

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Charlotte, NC 28272-0884



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Address

Home Phone

Alternate Phone

E-mail address

@

*9001223935638179# MAIL ID NUMBER

CATHY COSNER

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HOUTZDALE, PA 16653-7602



6712131

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CAPITAL ONE BANK (USA), N.A.

vs

COSNER, CATHY

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TRACY TAYLOR

Notary Public

4121742418436740

A049

WELTMAN, WEINBERG & REIS CO., L.P.A.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 104499
NO: 08-1420-CD
SERVICES 1
COMPLAINT

PLAINTIFF: CAPITAL ONE BANK (USA) N.
vs.
DEFENDANT: CATHY COSNER

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	WELTMAN	3504177	10.00
SHERIFF HAWKINS	WELTMAN	3504177	35.06

5
FILED
0/3:2730
JAN 02 2009
William A. Shaw
Prothonotary/Clerk of Courts

Sworn to Before Me This

_____ Day of _____ 2008

So Answers,



Chester A. Hawkins
Sheriff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

CAPITAL ONE BANK (USA), NA

Plaintiff

vs.

CATHY COSNER

Defendant(s)

No. 08-1420-CD

PRAECIPE TO SETTLE, DISCONTINUE
AND END WITHOUT PREJUDICE TO REFILE

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

James C. Warmbrodt, Esquire
PA I.D. #42524
WELTMAN, WEINBERG & REIS CO., L.P.A.
1400 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR#6712131 REA

5 FILED ICC & ICE of disc
m/12:19cm issued to Atty
OCT 16 2009 Warmbrodt

William A. Shaw (LS)
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

CAPITAL ONE BANK (USA), NA

Plaintiff

vs.

Civil Action No. 08-1420-CD

CATHY COSNER

Defendant(s)

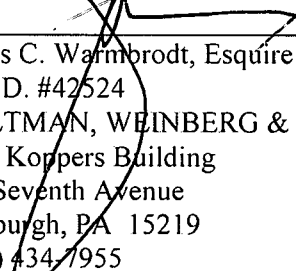
PRAECIPE TO SETTLE, DISCONTINUE
AND END WITHOUT PREJUDICE TO REFILE

TO THE PROTHONOTARY OF Clearfield COUNTY:

SIR:

Kindly settle, discontinue and end without prejudice to refile the above-captioned matter upon the records
of the Court and mark the costs paid.

WELTMAN, WEINBERG & REIS CO., L.P.A.

By: 
James C. Warmbrodt, Esquire
PA I.D. #42524
WELTMAN, WEINBERG & REIS CO., L.P.A.
1400 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

SWORN TO AND SUBSCRIBED

before me this 1 day

of Oct, 2009


NOTARY PUBLIC

Stella G. Bevan, Notary Public
City Of Pittsburgh, Allegheny County
My Commission Expires Nov. 15, 2010

Pennsylvania Association of Notaries

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

CIVIL DIVISION

Capital One Bank (USA), NA

**Vs.
Cathy Cosner**

No. 2008-01420-CD

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 October 16, 2009, marked:

Settled, discontinued and ended without prejudice to refile

Record costs in the sum of \$95.00 have been paid in full by James C. Warmbrodt Esq.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 16th day of October A.D. 2009.



William A. Shaw, Prothonotary

um