

08-1431-CD

Discover Bank vs Cris M. Kurtz

Our File No. 336886

ATTORNEYS FOR PLAINTIFF

ERIC M. BERMAN, P.C.

BY: Eric M. Berman, Esquire, I.D. 83698

BY: Robert M. Kline, Esquire, I.D. 56479

500 North Gulph Road, Suite 350

King of Prussia, PA 19406

(484) 690-3900

COURT OF COMMON PLEAS

COUNTY OF CLEARFIELD

DISCOVER BANK

c/o ERIC M. BERMAN, P.C.

500 North Gulph Road, Suite 350

King of Prussia, PA 19406

TRIAL DIVISION

CIVIL ACTION

vs.

Term

CRIS M KURTZ

5453 S MAIN ST

WESTOVER, PA 16692 8403

No. 2008-1431-CD

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 this complaint or for any other claim or relief required 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 OR FIND OUT WHERE YOU CAN GET LEGAL HELP.

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 plaza al partir de la fecha de la demanda y la notificacion. Hace falta asentar una comparencia escrita o en persona o con un abagado y entregar a la corte en forma escrita sus defensas o 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. A demas la 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 INMEDIATEMENTE. SI NO TIENE ABOGA O SO NO TIENE EL DINERO SUFICIENTE 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.

LAWYER REFERRAL SERVICE, COUNTY OF CLEARFIELD BAR ASSOCIATION

Add.: P.O. BOX 186, HARRISBURG, PA 17108 Tel.: 800-692-7375

FILED

m 1:33 p.m. GK

AUG 04 2008

William A. Shaw
Prothonotary/Clerk of Courts

2 CLATY

1 Comp. To

SHFF

VERIFICATION

Eric M. Berman, Esquire, being duly sworn according to law, deposes and says that he is the Principal attorney of Eric M. Berman, P.C., attorneys for the Plaintiff; and/or Robert M. Kline, Esquire, being duly sworn according to law, deposes and says that he is an associate attorney with said firm, and as said attorney, is authorized to take this verification on its behalf, and that the facts in the Complaint as set forth therein are true and correct to the best of his knowledge, information and belief.

I verify that the statements made in the within instrument are true and correct. I understand that false statements are subject to the penalties of 18 Pa C.S.A. Section 4904 relating to unsworn falsifications to authorities.



ERIC M. BERMAN, ESQUIRE



ROBERT M. KLINE, ESQUIRE

Dated: JULY 11, 2008

SPACEBNW-ZN

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

NO: 08-1431-CD

DISCOVER BANK
vs
CRIS M. KURTZ

SERVICE # 1 OF 1

COMPLAINT

SERVE BY: 09/03/2008 HEARING: PAGE: 104502

DEFENDANT: CRIS M. KURTZ
ADDRESS: 5453 S. MAIN ST.
WESTOVER, PA 16692

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT OCCUPIED

ATTEMPTS 8-13-08-10:45^{AM}-N/H 8-28-08-10:30^{AM}-N/H
8-19-08-10:26^{AM}-N/H

SHERIFF'S RETURN

NOW, 8-28-08 AT 10:19 AM/PM SERVED THE WITHIN

COMPLAINT ON CRIS M. KURTZ, DEFENDANT

BY HANDING TO Toni Kurtz, Wife

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

ADDRESS SERVED 5453 S. MAIN ST.
Westover, Pa.

NOW _____ AT _____ AM / PM POSTED THE WITHIN

COMPLAINT FOR CRIS M. KURTZ

AT (ADDRESS) _____

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

I MAKE RETURN OF NOT FOUND AS TO CRIS M. KURTZ

REASON UNABLE TO LOCATE _____

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

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 104502
NO: 08-1431-CD
SERVICES 1
COMPLAINT

PLAINTIFF: DISCOVER BANK
vs.
DEFENDANT: CRIS M. KURTZ

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	BERMAN	11211	10.00
SHERIFF HAWKINS	BERMAN	11211	90.00

5
FILED
0/9:00am
JAN 06 2009
William A. Shaw
Prothonotary/Clerk of Courts

Sworn to Before Me This

_____ Day of _____ 2008

So Answers,



Chester A. Hawkins
Sheriff

Our File No. 336886
ATTORNEYS FOR PLAINTIFF
ERIC M. BERMAN, P.C.
BY: Eric M. Berman, Esquire, I.D. 83698
BY: Robert M. Kline, Esquire. I.D. 56479
500 North Gulph Road, Suite 350
King of Prussia, PA 19406
(484) 690-3900

-----X
: COURT OF COMMON PLEAS
: COUNTY OF CLEARFIELD

DISCOVER BANK

c/o ERIC M. BERMAN, P.C. : TRIAL DIVISION
500 North Gulph Road, Suite 350 : CIVIL ACTION
King of Prussia, PA 19406 :
vs. : No. 2008-1431
:

CRIS M KURTZ
-----X

PRAECIPE TO ENTER DEFAULT JUDGMENT

TO THE PROTHONOTARY:


Please enter a default judgment in favor of Plaintiff,
DISCOVER BANK,
and against Defendant, CRIS M KURTZ,
for failure to answer or otherwise respond to the Complaint - Civil
Action.


The Complaint was served upon Defendant on 08/28/2008,
by the Sheriff's Office of COUNTY OF CLEARFIELD County.

A copy of the Notice of Intention to Take Default served upon
the Defendant by regular mail on *December 23, 2008*
is attached hereto as Exhibit B.

I certify that written notice of the intention to file this Praecipe
was mailed or delivered to the party against whom judgment is to be
entered after the default occurred and at least ten days prior to
the date of the filing of this Praecipe. Copies are attached. R.C.P.237.1.

Assess damages in the principal amount of \$5,906.16, being
the amount demanded in the Complaint, together with attorneys fees
and court costs.


ERIC M. BERMAN, P.C.
Attorneys for Plaintiff
By: Eric M. Berman, Esquire


ERIC M. BERMAN, P.C.
Attorneys for Plaintiff
By: Robert M. Kline, Esquire

SPACEJUB-ZH

FILED

JAN 12 2009

5 M 11:30 AM
William A. Shaw
Prothonotary/Clerk of Courts

CRIT w/ NOTICE
TO ATTY &
DEPT

Our File No. 336886
ATTORNEYS FOR PLAINTIFF
ERIC M. BERMAN, P.C.
BY: Eric M. Berman, Esquire, I.D. 83698
BY: Robert M. Kline, Esquire, I.D. 56479
500 North Gulph Road, Suite 350
King of Prussia, PA 19406
(484) 690-3900

COURT OF COMMON PLEAS
COUNTY OF CLEARFIELD

-----X
DISCOVER BANK
:

c/o ERIC M. BERMAN, P.C.
500 North Gulph Road, Suite 350
King of Prussia, PA 19406
:

TRIAL DIVISION
:

CIVIL ACTION
:

vs.
:

No. 2008-1431
:

CRIS M KURTZ
:
-----X

NOTICE OF INTENTION TO TAKE DEFAULT JUDGMENT

TO: CRIS M KURTZ
5453 S MAIN ST
WESTOVER, PA 16692-8403

DATE OF NOTICE: December 23, 2008

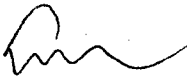
IMPORTANT NOTICE

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 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, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. 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.

COUNTY OF CLEARFIELD BAR ASSOCIATION
P.O. BOX 186
HARRISBURG, PA 17108
800-692-7375



ERIC M. BERMAN, P.C.
Attorneys for Plaintiff
By: Eric M. Berman, Esquire



ERIC M. BERMAN, P.C.
Attorneys for Plaintiff
By: Robert M. Kline, Esquire

SPACEJUD-ZH

Our File No. 336886

ATTORNEYS FOR PLAINTIFF

ERIC M. BERMAN, P.C.

By: Eric M. Berman, Esquire, I.D. 8369

By: Robert M. Kline, Esquire, I.D. 5647

500 North Gulph Road, Suite 350

King of Prussia, PA 19406

(610) 265-7720

-----X	COURT OF COMMON PLEAS
:	COUNTY OF CLEARFIELD
DISCOVER BANK	:
c/o ERIC M. BERMAN, P.C.	: TRIAL DIVISION
500 North Gulph Road, Suite 350	: CIVIL ACTION
King of Prussia, PA 19406	:
	:
vs.	: No. 2008-1431
	:
CRIS M KURTZ	:
-----X	

CERTIFICATION OF NON-MILITARY SERVICE

I am one of Plaintiff's attorneys and am authorized to make this certification on Plaintiff's behalf.

The above named Defendant(s) is (are) over 18 years of age and reside at 5453 S MAIN ST , WESTOVER, PA 16692 8403.

The occupation of the Defendant(s) is (are) unknown.

The Defendant(s) is (are) not in the Military Service of the United States, nor any State or Territory thereof or its allies as defined in the Soldiers' and Sailors' Civil Relief Act of 1940 and the amendments thereto.

I verify that the statements made in the foregoing certification are true and correct to the best of my knowledge, information and belief, and I understand that the statements in said certification are made subject to the penalties of Pa.C.S. 4904 relating to unsworn falsification to authorities.



ERIC M. BERMAN, ESQUIRE
ATTORNEY FOR PLAINTIFF
SPACEJUB-ZK



ROBERT M. KLINE, ESQUIRE
ATTORNEY FOR PLAINTIFF

Our File No. 336886
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COURT OF COMMON PLEAS
COUNTY OF CLEARFIELD

-----X
DISCOVER BANK

c/o ERIC M. BERMAN, P.C.
500 North Gulph Road, Suite 350
King of Prussia, PA 19406

vs.

CRIS M KURTZ
-----X

:
:
: TRIAL DIVISION
: CIVIL ACTION
:
: No. 2008-1431
:

CERTIFICATION OF ADDRESSES

TO THE PROTHONOTARY:

The address of the Plaintiff, Judgment Creditor, is c/o
Eric M. Berman, P.C., 500 North Gulph Road, Suite 350, King of
Prussia, PA 19406.

The last known address of the Defendant, Judgment Debtor, is
5453 S MAIN ST , WESTOVER, PA 16692 8403.



Eric M. Berman, P.C.
Attorneys for Plaintiff
By: Eric M. Berman, Esquire
SPACEJUB-ZH



Eric M. Berman, P.C.
Attorneys for Plaintiff
By: Robert M. Kline, Esquire

Our File No. 336886
ATTORNEYS FOR PLAINTIFF
ERIC M. BERMAN, P.C.

By: Eric M. Berman, Esquire, I.D. 83698
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-----X	COURT OF COMMON PLEAS
:	COUNTY OF CLEARFIELD
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500 North Gulph Road, Suite 350	: CIVIL ACTION
King of Prussia, PA 19406	:
	:
vs.	: No. 2008-1431
	:
CRIS M KURTZ	:
-----X	

TO: CRIS M KURTZ
5453 S MAIN ST
WESTOVER, PA 16692-8403

NOTICE

Pursuant to Rule 236 of the Supreme Court of Pennsylvania, you are hereby notified that a JUDGMENT BY DEFAULT has been entered against you in the above proceeding and that enclosed herewith is a copy of ~~the~~ the (record) documents filed in support of the said JUDGMENT.

IF YOU HAVE ANY QUESTIONS CONCERNING THIS NOTICE, PLEASE CALL:
ERIC M. BERMAN, P.C., Attorneys at Law.
Attention: Eric M. Berman, Esquire, or Robert M. Kline, Esquire,
at this telephone number. 1-610-265-7720.

PROTHONOTARY



1-12-09