

08-1461-CD  
Capital One vs Kristen E. Pritchard

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY  
PENNSYLVANIA

CIVIL ACTION -- (LAW) (EQUITY)

No. 2008-1461-CD

Type of Case: Civil

Type of Pleading: Complaint in Civil Action

CAPITAL ONE BANK (USA), N.A.  
Plaintiff(s)

Filed on Behalf of: Plaintiff

v.

KRISTEN E PRITCHARD  
Defendant(s)

Counsel of Record for this Party:

Paul J. Klemm, Esquire  
Nudelman, Nudelman, & Ziering, P.C.  
425 Eagle Rock Avenue  
Roseland, NJ 07068  
973-618-0000 tel  
973-618-0647 fax  
Attorney ID # 92125

Dated: August 5, 2008

**FILED** *Atty Paid 95.00*  
*M 12:19 P.M. GK ICC ATTY*  
**AUG 08 2008** *1 Compl.*  
William A. Shaw  
Prothonotary/Clerk of Courts

**PAUL J. KLEMM, ESQUIRE  
NUDELMAN, NUDELMAN, & ZIERING, P.C.  
425 EAGLE ROCK AVENUE  
ROSELAND, NJ 07068  
973-618-0000  
ID # 92125**

**ATTORNEY FOR PLAINTIFF**

CAPITAL ONE BANK (USA), N.A.

Plaintiff(s)

v.

KRISTEN E PRITCHARD

Defendant(s)

CLEARFIELD COUNTY

**COMPLAINT IN CIVIL ACTION**

**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.**

DANIEL J. NELSON, COURT ADMINISTRATOR  
CLEARFIELD COUNTY COURTHOUSE  
CLEARFIELD, PA 16830

**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 en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. See avisado que si usted no se defiende, la corte tomara medidas y puede continuar le demanda en contra suya sin previo aviso o notificacion. Ademas, la corte puede decidir a favor del demandante y requiere que usted cumpla 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 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**

DANIEL J. NELSON, COURT ADMINISTRATOR  
CLEARFIELD COUNTY COURTHOUSE  
CLEARFIELD, PA 16830

PAUL J. KLEMM, ESQUIRE  
NUDELMAN, NUDELMAN, & ZIERING, P.C.  
425 EAGLE ROCK AVENUE  
ROSELAND, NJ 07068  
973-618-0000  
ID #92125

ATTORNEY FOR PLAINTIFF

---

CAPITAL ONE BANK (USA), N.A.,	:	CLEARFIELD COUNTY
	:	
	:	
Plaintiff(s)	:	
	:	
v.	:	
	:	
	:	
KRISTEN E PRITCHARD	:	
Defendant(s)	:	

### COMPLAINT IN CIVIL ACTION

AND NOW, comes Plaintiff, CAPITAL ONE BANK (USA), N.A., by and through its attorney, Paul J. Klemm and the law offices of Nudelman, Nudelman & Ziering, P.C., and files the following **Complaint in Civil Action** and in support thereof aver as follows:

1. Plaintiff, CAPITAL ONE BANK (USA), N.A., is a corporation licensed to do business in the State of Pennsylvania.

2. Defendant, KRISTEN E PRITCHARD, is an individual and citizen of the Commonwealth of Pennsylvania, who is believed to currently reside at , 611 BIGLER AVE, CLEARFIELD PA 16830-2628.

3. At the special insistence and request of the Defendant, Defendant was issued a credit card by CAPITAL ONE BANK (USA), N.A., account number 4862362587982045.

4. The Defendant is responsible for an unpaid balance in the amount of \$4,041.47 and interest in the amount of \$1,374.80.

5. Plaintiff has made demand to Defendant for \$5,416.27, but Defendant has willfully failed and/or refused to reimburse Plaintiff for the aforesaid sum due.

Wherefore, Plaintiff demands Judgment in its favor and against the Defendant in the amount of \$5,416.27, plus attorney fees of \$889.12 and interest from the date of breach, with continuing interest thereon at the legal rate from the date of Judgment plus anticipated court costs. The damages requested are less than the maximum amount for compulsory arbitration as set by the Court.

Respectfully Submitted:

NUDELMAN, NUDELMAN & ZIERING, P.C.

A handwritten signature in black ink, appearing to read 'Paul J. Klemm', is written above a horizontal line.

Paul J. Klemm, Esquire  
425 Eagle Rock Avenue  
Roseland, NJ 07068  
(973) 618-0000

**VERIFICATION**

The undersigned, Paul J. Klemm, Esquire, hereby states that he is the attorney for Plaintiff in this action and verifies that the statements made in the foregoing pleading are true and correct to the best of his knowledge, information and belief. Counsel has signed this verification at the request of Plaintiff as a matter of time and convenience. Plaintiff has represented to counsel that there is a debt due and owing from Defendant to Plaintiff in the amount as set forth within the foregoing pleading. Plaintiff has provided counsel with all relevant information in order to allow counsel to sign this verification. Plaintiff agrees to provide a verification signed by Plaintiff upon request by Defendant. The undersigned understands that the statements herein are made subject to the penalties of 19 Pa.C.S.A Section 4904 relating to unsworn falsification to authorities.

Date: July 22, 2008



---

Paul J. Klemm, Esquire  
Nudleman, Nudelman & Ziering, P.C.  
425 Eagle Rock Avenue  
Roseland, NJ 07068  
(973) 618-0000

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
NO: 08-1461-CD

CAPITAL ONE BANK (USA) N.A.  
vs  
KRISTEN E. PRITCHARD

SERVICE # 1 OF 1

COMPLAINT

SERVE BY: 09/07/2008 HEARING: PAGE: 104518

DEFENDANT: KRISTEN E. PRITCHARD  
ADDRESS: 611 BIGLER AVE.  
CLEARFIELD, PA 16830

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT OCCUPIED

ATTEMPTS

**SHERIFF'S RETURN**

NOW, 8/13/08 AT 1109 AM / PM SERVED THE WITHIN

COMPLAINT ON KRISTEN E. PRITCHARD, DEFENDANT

BY HANDING TO Kristen Pritchard, self

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

ADDRESS SERVED 611 Bigler Ave Clearfield Pa

NOW AT AM / PM POSTED THE WITHIN

COMPLAINT FOR KRISTEN E. PRITCHARD

AT (ADDRESS)

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

I MAKE RETURN OF NOT FOUND AS TO KRISTEN E. PRITCHARD

REASON UNABLE TO LOCATE

SWORN TO BEFORE ME THIS

DAY OF 2008

So Answers: CHESTER A. HAWKINS, SHERIFF

BY:

Deputy Signature

Print Deputy Name

**FILED**

AUG 13 2008  
6/31/08  
William A. Shaw  
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 104518  
NO: 08-1461-CD  
SERVICES 1  
COMPLAINT

PLAINTIFF: CAPITAL ONE BANK (USA) N.A.  
vs.  
DEFENDANT: KRISTEN E. PRITCHARD

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	NUDELMAN	024072	10.00
SHERIFF HAWKINS	NUDELMAN	024072	20.00

9  
FILED  
019-5001  
JAN 07 2008  
William A. Shaw  
Prothonotary/Clerk of Courts

Sworn to Before Me This

\_\_\_\_\_ Day of \_\_\_\_\_ 2008

\_\_\_\_\_

So Answers,



Chester A. Hawkins  
Sheriff



PAUL J. KLEMM, ESQUIRE  
NUDELMAN, NUDELMAN, & ZIERING, P.C.  
425 EAGLE ROCK AVENUE  
ROSELAND, NJ 07068  
973-618-0000  
ID #92125

ATTORNEY FOR PLAINTIFF

---

CAPITAL ONE BANK (USA), N.A.	:	CLEARFIELD COUNTY
	:	COURT OF COMMON PLEAS
	:	
v.	:	
	:	
KRISTEN E PRITCHARD	:	NO. 2008-01461-CD

**PRAECIPE TO ENTER JUDGMENT**

TO THE PROTHONOTARY:


Kindly enter Judgment in favor of Plaintiff(s), CAPITAL ONE BANK (USA), N.A. and against Defendant(s), KRISTEN E PRITCHARD, in the above- captioned matter, in the amount of \$6,430.39, for failure to answer the Complaint in twenty (20) days as required by Pennsylvania Rules of Civil Procedure.



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PAUL J. KLEMM, ESQUIRE  
Attorney for Plaintiff

NN24030

FILED *per \$20.00 Atty*  
*m/11:02am* *ICC & notice to*  
JAN 15 2010 *deft +*  
*Atty,*  
William A. Shaw   
Prothonotary/Clerk of Courts

PAUL J. KLEMM, ESQUIRE  
NUDELMAN, NUDELMAN, & ZIERING, P.C.  
425 EAGLE ROCK AVENUE  
ROSELAND, NJ 07068  
973-618-0000  
ID #92125

ATTORNEY FOR PLAINTIFF

---

CAPITAL ONE BANK (USA), N.A.	:	CLEARFIELD COUNTY
	:	COURT OF COMMON PLEAS
	:	
v.	:	
	:	
KRISTEN E PRITCHARD	:	NO. 2008-01461-CD

**ASSESSMENT OF DAMAGES**

TO THE CLERK:

Please assess damages against Defendant(s) as follows:

Real Debt	\$4,041.47
Interest	\$1,374.80
Attorney Fees	\$889.12
Costs	\$125.00
TOTAL	\$6,430.39

Damages are assessed as above in the sum of \$6,430.39.



lm  
PRO CLERK

PAUL J. KLEMM, ESQUIRE  
NUDELMAN, NUDELMAN, & ZIERING, P.C.  
425 EAGLE ROCK AVENUE  
ROSELAND, NJ 07068  
973-618-0000  
ID #92125

ATTORNEY FOR PLAINTIFF

---

CAPITAL ONE BANK (USA), N.A.	:	CLEARFIELD COUNTY
	:	COURT OF COMMON PLEAS
	:	
v.	:	
	:	
KRISTEN E PRITCHARD	:	NO. 2008-01461-CD

**AFFIDAVIT OF NON-MILITARY SERVICE**

COMMONWEALTH OF PENNSYLVANIA :

COUNTY OF CLEARFIELD :

The undersigned, being duly sworn according to law, deposes and says that the Defendant is not in the Military or Naval Service of the United States or its Allies, or otherwise within the provisions of the Soldiers' and Sailors' Civil Relief Act of Congress of 1940 as amended;

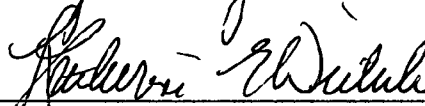
That Defendant, KRISTEN E PRITCHARD, is over eighteen (18) years of age and resides at 611 BIGLER AVE, CLEARFIELD PA 16830-2628.

  
\_\_\_\_\_  
PAUL J. KLEMM, ESQUIRE  
Attorney for Plaintiff

SWORN TO AND SUBSCRIBED

BEFORE ME THIS 12th DAY

OF January 2010.

  
\_\_\_\_\_  
NOTARY

NN24030

KATHERINE E. DIETERLE  
Notary Public, State of New Jersey  
My Commission Expires  
July 27, 2010

PAUL J. KLEMM, ESQUIRE  
NUDELMAN, NUDELMAN, & ZIERING, P.C.  
425 EAGLE ROCK AVENUE  
ROSELAND, NJ 07068  
973-618-0000  
ID #92125

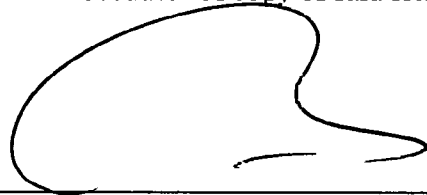
ATTORNEY FOR PLAINTIFF

---

CAPITAL ONE BANK (USA), N.A.	:	CLEARFIELD COUNTY
	:	COURT OF COMMON PLEAS
	:	
v.	:	
	:	
KRISTEN E PRITCHARD	:	NO. 2008-01461-CD

**CERTIFICATION**

I, Paul J. Klemm, Esquire, Attorney for Plaintiff, being duly sworn according to law, deposes and says that he deposited in the United States mail a letter notifying the Defendant(s) that Judgment would be entered against them after ten (10) days from the date of said letter in accordance with Rule 237.1 of Pennsylvania Rules of Civil Procedure. A copy of said letter is attached hereto and marked Exhibit "A".



PAUL J. KLEMM, ESQUIRE  
Attorney for Plaintiff

SWORN TO AND SUBSCRIBED

BEFORE ME THIS 12th DAY

OF January 2010.

  
NOTARY

KATHERINE E. DIETERLE  
Notary Public, State of New Jersey  
My Commission Expires  
July 27, 2010

NN24030

## **EXHIBIT “A”**

PAUL J. KLEMM, ESQUIRE  
NUDELMAN, NUDELMAN, & ZIERING, P.C.  
425 EAGLE ROCK AVENUE  
ROSELAND, NJ 07068  
973-618-0000  
ID #92125

ATTORNEY FOR PLAINTIFF

CAPITAL ONE BANK (USA), N.A.	:	CLEARFIELD COUNTY
	:	COURT OF COMMON PLEAS
Plaintiff(s)	:	
v.	:	
KRISTEN E PRITCHARD	:	
Defendant(s)	:	NO. 2008-01461-CD

To:

KRISTEN E PRITCHARD  
611 BIGLER AVE  
CLEARFIELD PA 16830-2628

Date of Notice : NOV 17 2009

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 A 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.

DANIEL J. NELSON, COURT ADMINISTRATOR  
CLEARFIELD COUNTY COURTHOUSE  
CLEARFIELD, PA 16830

DANIEL J. NELSON, COURT ADMINISTRATOR  
CLEARFIELD COUNTY COURTHOUSE  
CLEARFIELD, PA 16830

Paul J. Klemm, Esq.  
Nudelman, Nudelman & Ziering, P.C.  
425 Eagle Rock Avenue  
Roseland, NJ 07068  
(973)618-0000

NN24030

OFFICE OF THE PROTHONOTARY  
COURT OF COMMON PLEAS  
CLEARFIELD COUNTY

PROTHONOTARY

TO: KRISTEN E PRITCHARD  
611 BIGLER AVE  
CLEARFIELD PA 16830-2628

---

CAPITAL ONE BANK (USA), N.A.	:	CLEARFIELD COUNTY
	:	COURT OF COMMON PLEAS
	:	
v.	:	
	:	
KRISTEN E PRITCHARD	:	NO. 2008-01461-CD

**NOTICE**

Pursuant to Rule 236, you are hereby notified that a JUDGMENT has been entered in the above proceeding as indicated below.



*Lm*

PROTHONOTARY

  X   JUDGMENT BY DEFAULT

       MONEY JUDGMENT

       JUDGMENT IN REPLEVIN

       JUDGMENT FOR POSSESSION

If you have any questions concerning this Judgment, please call Paul J. Klemm, Esquire at 973-618-0000.

PAUL J. KLEMM, ESQUIRE  
NUDELMAN, KLEMM & GOLUB, P.C.  
425 EAGLE ROCK AVENUE  
ROSELAND, NJ 07068  
973-618-0000  
ID #92125

ATTORNEY FOR PLAINTIFF

---

CAPITAL ONE BANK (USA), N.A.	:	CLEARFIELD COUNTY
	:	COURT OF COMMON PLEAS
v.	:	
	:	
KRISTEN E PRITCHARD	:	NO. 2008-01461-CD

**PRAECIPE TO SATISFY JUDGMENT**

TO THE PROTHONOTARY:

Kindly mark the Money Judgment in the above matter as satisfied against the above-captioned Defendant upon payment of your costs only.

Date: **JUN 03 2014**

Respectfully Submitted:

NUDELMAN, KLEMM & GOLUB, P.C.

---

Paul J. Klemm, Esquire  
425 Eagle Rock Avenue  
Roseland, NJ 07068  
(973) 618-0000

NN24030

<sup>3</sup>  
**FILED**

**JUN 06 2014**

BRIAN K. SPENCER  
PROTHONOTARY & CLERK OF COURTS

M/854/315 7.00pd  
lcc Atty Klemm



PAUL J. KLEMM, ESQUIRE  
NUDELMAN, KLEMM & GOLUB, P.C.  
425 EAGLE ROCK AVENUE  
ROSELAND, NJ 07068  
973-618-0000  
ID #92125

ATTORNEY FOR PLAINTIFF

CAPITAL ONE BANK (USA), N.A.	:	CLEARFIELD COUNTY
	:	COURT OF COMMON PLEAS
Plaintiff(s)	:	
v.	:	
KRISTEN E PRITCHARD	:	
Defendant(s)	:	NO. 2008-01461-CD

**CERTIFICATE OF SERVICE**


I, Katherine Dieterle, hereby certify that a true and correct copy of the Plaintiff's Praecipe to Satisfy Judgment was served this date by first class U.S. Mail, postage prepaid, upon the following:

KRISTEN E PRITCHARD  
7 Ingle Side Ct  
Rockville MD 20850

Date: 6/3/14

Respectfully Submitted:

NUDELMAN, KLEMM & GOLUB, P.C.

  
Katherine Dieterle, Legal Assistant  
425 Eagle Rock Avenue  
Roseland, NJ 07068  
(973) 618-0000

NN24030