

08-1540-CD

Capital One vs Vicky L. Reams

**COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA**

CAPITAL ONE BANK (USA), N.A.
(Plaintiff)
c/o Apothaker & Associates, P.C.
2417 Welsh Road, Suite 21 #520
(Street Address)
Philadelphia, PA 19114
(City, State, ZIP)

CIVIL ACTION

No. 2008-1540-CD

Type of Case: CIVIL

Type of Pleading: PLEADING

VS.

Filed on Behalf of:

VICKY L REAMS
(Defendant)
1608 MIRIAM ST
(Street Address)
HOUTZDALE, PA 16651-8537
(City, State, ZIP)

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

David J. Apothaker, Esq.
Apothaker & Associates, P.C.
(Filed by)
2417 Welsh Road, Suite 21 #520
Philadelphia, PA 19114
(Address)
215 634-8920
(Phone)

(Signature)

FILED
M 1:53 P.M. GK
AUG 18 2008
William A. Shaw
Prothonotary/Clerk of Courts
1 CC ATTY
1 COMPL. SHFF
ATTY PAID 95.00

Our File No.: 177016
APOTHAKE & ASSOCIATES, P.C.
BY: David J. Apothaker, Esquire, Esq.
Attorney I.D.#38423
2417 Welsh Road, Suite 21 #520
Philadelphia, PA 19114
(215) 634-8920
Attorneys for Plaintiff

CAPITAL ONE BANK (USA), N.A.	)	COURT OF COMMON PLEAS
c/o Apothaker & Associates, P.C.	)	CLEARFIELD COUNTY
2417 Welsh Road, Suite 21 #520)	
Philadelphia, PA 19114	)	NO.:
Plaintiff,)	
vs.)	
)	
VICKY L REAMS)	
1608 MIRIAM ST)	
HOUTZDALE, PA 16651-8537)	
Defendant.)	
)	

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.

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
SECOND & MARKET STREETS
CLEARFIELD, PA 16830
814-765-2641

APOTHAKE & ASSOCIATES, P.C.
BY: David J. Apothaker, Esquire, Esq.
Attorney I.D.# 38423
2417 Welsh Road, Suite 21 #520
Philadelphia, PA 19114
(215) 634-8920
Attorneys for Plaintiff

CAPITAL ONE BANK (USA), N.A.	)	COURT OF COMMON PLEAS
c/o Apothaker & Associates, P.C.	)	CLEARFIELD COUNTY
2417 Welsh Road, Suite 21 #520)	
Philadelphia, PA 19114	)	NO.:
Plaintiff,)	
vs.)	
)	
VICKY L REAMS)	
1608 MIRIAM ST)	
HOUTZDALE, PA 16651-8537)	
Defendant.)	
)	

CIVIL ACTION COMPLAINT
FIRST COUNT

1. Plaintiff is CAPITAL ONE BANK (USA), N.A. c/o Apothaker & Associates, P.C., 2417 Welsh Road, Suite 21 #520, Philadelphia, PA 19114.
2. Defendant(s) is/are VICKY L REAMS, an adult individual residing at 1608 MIRIAM ST HOUTZDALE, PA 16651-8537.
3. At the special instance and request of Defendant, Plaintiff, CAPITAL ONE BANK (USA), N.A., issued to Defendant(s), Account #4862362344011278.
4. Defendant received, accepted and used the account to its benefit.
5. This account is in default and Defendant(s) has an unpaid balance of \$11,386.23. A true and correct copy of the total due and owing is attached hereto, made a part hereof and marked as Exhibit "A".
6. All credits, if any, to which Defendant(s) is entitled, have been applied to the account and are included in Exhibit "A".
7. Although demand has been made, Defendant(s) has failed to make payment of the amount due as above.

WHEREFORE, Plaintiff demands judgment in favor of Plaintiff and against Defendant(s) for the sum of \$11,386.23 and requests this Court award Plaintiff attorney's fees and costs to the extent permitted by applicable law.

APOTHAKER & ASSOCIATES, P.C.
Attorney for Plaintiff
A Law Firm Engaged in Debt Collection

BY: _____
David J. Apothaker, Esquire

Dated: 8/8/2008

Our File No.: 177016

VERIFICATION

Amby Kahig, hereby states that I am Agent for plaintiff in this action, and that I am authorized to take this Verification, and that the statements made in the foregoing Civil Action Complaint are true and correct to the best of my knowledge, information, and belief. The undersigned understands that the statements therein are made subject to the penalties of 18 Pa.C.S.A. 4904 relating to unsworn falsification to authorities.

Amby Kahig

DATE:

CAPITAL ONE BANK (USA), N.A.

VICKY L REAMS
1608 MIRIAM ST
HOUTZDALE, PA 16651-8537

STATEMENT OF ACCOUNT

Debtor's Name:	VICKY L REAMS
Account Number:	4862362344011278
Balance Due:	\$11,386.23

Our File No.: 177016

EXHIBIT "A"

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
NO: 08-1540-CD

CAPITAL ONE BANK (USA) N.A.
vs
VICKY L. REAMS

SERVICE # 1 OF 1

FILED
9/12/08
AUG 25 2008
William A. Shaw
Prothonotary/Clerk of Courts

COMPLAINT

SERVE BY: 09/17/2008 HEARING: PAGE: 104551

DEFENDANT: VICKY L. REAMS
ADDRESS: 1608 MIRIAM ST.
HOUTZDALE, PA 16651
ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT OCCUPIED

ATTEMPTS _____

SHERIFF'S RETURN

NOW, 8-20-08 AT 1:45 AM/PM SERVED THE WITHIN

COMPLAINT ON VICKY L. REAMS, DEFENDANT

BY HANDING TO Vicky L. Reams, Def.

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

ADDRESS SERVED 1608 Miriam St.
Houtzdale, Pa. 16651

NOW _____ AT _____ AM / PM POSTED THE WITHIN

COMPLAINT FOR VICKY L. REAMS

AT (ADDRESS) _____

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

I MAKE RETURN OF NOT FOUND AS TO VICKY L. REAMS

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 # 104551
NO: 08-1540-CD
SERVICES 1
COMPLAINT

PLAINTIFF: CAPITAL ONE BANK (USA) N.A.
VS.
DEFENDANT: VICKY L. REAMS

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	APOTHAKE	101822	10.00
SHERIFF HAWKINS	APOTHAKE	101822	39.06

FILED
9/3/08
JUL 07 2008
William A. Shaw
Prothonotary/Clerk of Courts

Sworn to Before Me This

_____ Day of _____ 2008

So Answers,

Chester A. Hawkins

Chester A. Hawkins
Sheriff

FILED ^{MD} ^{CC}
 MAR 30 2009
 William A. Shaw
 Prothonotary/Clerk of Courts

) COURT OF COMMON PLEAS
) CLEARFIELD COUNTY
)
) NO.: 2008-1540-CD

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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.

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
SECOND & MARKET STREETS
CLEARFIELD, PA 16830
814-765-2641

Our File No.: 177016
APOTHAKE & ASSOCIATES, P.C.
BY: David J. Apothaker, Esquire, Esq.
Attorney I.D.#38423
520 Fellowship Road C306
Mount Laurel, NJ 08054
(800) 672-0215
Attorneys for Plaintiff

CAPITAL ONE BANK (USA), N.A.	)	COURT OF COMMON PLEAS
c/o Apothaker & Associates, P.C.	)	CLEARFIELD COUNTY
520 Fellowship Road C306)	
Mount Laurel, NJ 08054	)	NO.: 2008-1540-CD
Plaintiff,)	
vs.)	
VICKY L REAMS)	
1608 MIRIAM ST)	
HOUTZDALE, PA 16651-8537)	
Defendant.)	
)	

AMENDED COMPLAINT

(As to Amount Due)
FIRST COUNT

1. Plaintiff is CAPITAL ONE BANK (USA), N.A. c/o Apothaker & Associates, P.C., 520 Fellowship Road C306, Mount Laurel, NJ 08054.

2. Defendant(s) is/are VICKY L REAMS, an adult individual residing at 1608 MIRIAM ST HOUTZDALE, PA 16651-8537.

3. At the special instance and request of Defendant, Plaintiff, CAPITAL ONE BANK (USA), N.A., issued to Defendant(s), Account #4862362344611278.

4. Defendant received, accepted and used the account to its benefit.

5. This account is in default and Defendant(s) has an unpaid balance of \$11,386.23. A true and correct copy of the total due and owing is attached hereto, made a part hereof and marked as Exhibit "A".

6. All credits, if any, to which Defendant(s) is entitled, have been applied to the account and are included in Exhibit "A".

7. Although demand has been made, Defendant(s) has failed to make payment of the amount due as above.

WHEREFORE, Plaintiff demands judgment in favor of Plaintiff and against Defendant(s) for the sum of \$11,386.23 and requests this Court award Plaintiff attorney's fees and costs to the extent permitted by applicable law.

APOTHAKE & ASSOCIATES, P.C.
Attorney for Plaintiff
A Law Firm Engaged in Debt Collection

EY: _____
David J. Apothaker, Esquire

Dated: March 24, 2009

VERIFICATION

Shirley Kelly, hereby states that I am Agent for plaintiff in this action, and that I am authorized to take this Verification, and that the statements made in the foregoing Civil Action Complaint are true and correct to the best of my knowledge, information, and belief. The undersigned understands that the statements therein are made subject to the penalties of 18 Pa.C.S.A. 4904 relating to unsworn falsification to authorities.

Shirley Kelly

DATE:

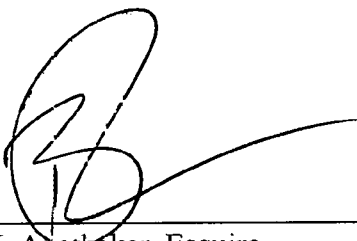
Our File No.: 177016
APOTHAKE & ASSOCIATES, P.C.
BY: David J. Apothaker
Attorney I.D.# 38423
520 Fellowship Road C306
Mount Laurel, NJ 08054
(800) 672-0215
Attorney for Plaintiff

CAPITAL ONE BANK (USA), N.A.	)	COURT OF COMMON PLEAS
	)	CLEARFIELD COUNTY
)	
Plaintiff)	
vs.)	
VICKY L REAMS	)	NO.: 2008-1540-CD
)	
)	
Defendant)	
)	

CERTIFICATION OF SERVICE

I, David J. Apothaker, Esquire, Esquire, attorney for Plaintiff, certify that on March 24, 2009, I mailed a copy of the Amended Complaint by Regular mail to

VICKY L REAMS
1608 MIRIAM ST
HOUTZDALE, PA 16651-8537



David J. Apothaker, Esquire
Attorney for Plaintiff

Date: March 24, 2009

Special Capital One Offer!

First 3 months half-price

\$4.97*
a month; \$9.95/mo. thereafter

Now with FREE Accelerator!
when you sign up for 12 months

SIGN UP TODAY!
1-877-778-1207
Mention Offer Code: OPAL
Or visit www.peoplepc.com/go/opal

peoplepc™ online
A better way to Internet.

PeoplePC Online offers the features you would expect from higher-priced Internet Service Providers at half price for the first 3 months!

- Email Virus Protection
- Pop-Up Blocker™
- Spam Controls
- Smart Dialer
- More Email Addresses
- Internet Call Waiting

UNLIMITED INTERNET ACCESS



PLATINUM VISA ACCOUNT
4862-3623-4401-1278

MAY 24 - JUN 23, 2005
Page 1 of 1

Account Summary

Previous Balance	\$3,327.24
Payments, Credits and Adjustments	\$0.00
Transactions	\$35.00
Finance Charges	\$76.40

New Balance	\$3,438.64
Minimum Amount Due	\$3,438.64
Payment Due Date	July 23, 2005

Total Credit Line	\$3,000
Total Available Credit	\$0.00
Credit Line for Cash	\$990
Available Credit for Cash	\$0.00

At your service

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

For free online account service and special customer offers, log on to:
www.capitalone.com

Send payments to:
Attn: Remittance Processing
Capital One Bank
P.O. Box 790216
St. Louis, MO 63179-0216

Send inquiries to:
Capital One Services
P.O. Box 85015
Richmond, VA 23285-5015

Payments, Credits and Adjustments

Transactions

1	23 JUN	PAST DUE FEE	\$35.00
---	--------	--------------	---------

You were assessed a past due fee of \$35.00 on 06/23/2005 because your minimum payment was not received by the due date of 06/23/2005. To avoid this fee in the future, we recommend that you allow at least 7 business days for your payment to reach Capital One.

Finance Charges

Please see reverse side for important information

	Balance rate applied to	Periodic rate	Corresponding APR	FINANCE CHARGE
PURCHASES:	\$3,364.06	.07326% P	25.74%	\$76.40
CASH	\$0.00	.07326% P	25.74%	\$0.00

ANNUAL PERCENTAGE RATE applied this period

25.74%

▼ PLEASE RETURN PORTION BELOW WITH PAYMENT ▼



0000000 0 4862362344011278 23 3438640082003438649

New Balance	\$3,438.64
Minimum Amount Due	\$3,438.64
Payment Due Date	July 23, 2005

Total enclosed \$
Account Number: 4862-3623-4401-1278

Please print mailing address and/or e-mail changes below using blue or black ink.

Street	Apt. #
City	State ZIP
Home Phone	Alternate Phone
Email Address	

Capital One Bank
P.O. Box 790216
St. Louis, MO 63179-0216

#9017574993632732# MAIL ID NUMBER
VICKY L REAMS
1608 MIRIAM ST
HOUSTON, TX 77058-1234

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

peoplepc[™] online
VICKY L REAMS
1308 MIRIAM ST
HOUTZDALE PA 16651-8537

A better way to Internet

UNLIMITED
INTERNET ACCESS

SIGN UP TODAY!

1-877-778-1207

Mention Offer Code: OPAL

Or visit www.peoplepc.com/go/opal

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With PeoplePC Online Accelerated, certain Web page text and graphics will load faster when compared to static and dial-up Internet service. Actual results may vary. Service not available in all areas. Access fees, taxes and other fees and restrictions may apply. Phone technical support available for \$1.95 per minute. For questions, call toll-free at 1-888-8-PEOPLE. ©2006 PeoplePC Inc. PeoplePC Online and the PeoplePC Logo are registered trademarks of PeoplePC, Inc. Trademarks are properties of their respective owners. All Rights Reserved.

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1. How To Avoid A Finance Charge.

a. **Grace Period.** You will have a minimum grace period of 25 days with no new purchases, new balance transfers, new special purchases and new other charges if you pay your total "New Balance", in accordance with the Important Notice for payments below, and in time for it to be credited by your next statement closing date. There is no grace period on cash advances and special transfers. In addition, there is no grace period on any transaction if you do not pay the total "New Balance".

b. **Assessing Finance Charge.** Transactions which are not subject to a grace period are assessed finance charge 1) from the date of the transaction or 2) from the date the transaction is processed to your account or 3) from the first calendar day of the current billing period. Additionally, if you did not pay the "New Balance" from the previous billing period in full, finance charges continue to accrue to your unpaid balance until the unpaid balance is paid in full. This means that you may still owe finance charges, even if you pay the entire New Balance indicated on the front of your statement by the next statement closing date, but did not do so for the previous month. Unpaid finance charges are added to the applicable segment of your account.

c. **Minimum Finance Charge.** For each billing period that your account is subject to a finance charge, a minimum total FINANCE CHARGE of \$0.50 will be imposed. If the total finance charge resulting from the application of your periodic rate(s) is less than \$0.50, we will subtract that amount from the \$0.50 minimum and the difference will be billed to the purchase segment of your account.

d. **Temporary Reduction in Finance Charge.** We reserve the right to assess any or all finance charges for any given billing period.

2. Average Daily Balance (Including New Purchases).

a. Finance charge is calculated by multiplying the daily balance of each segment of your account (e.g., cash advance, purchase, special transfer, and special purchase) by the corresponding daily periodic rate(s) that has been previously disclosed to you. At the end of each day during the billing period, we apply the daily periodic rate for each segment of your account to the daily balance of each segment. Then at the end of the billing period, we add up the results of these daily calculations to arrive at your periodic finance charge for each segment. We add up the results from each segment to arrive at the total periodic finance charge for your account. To get the daily balance for each segment of your account, we take the beginning balance for each segment and add any new transactions and any periodic finance charge calculated on the previous day's balance for that segment. We then subtract any payments or credits posted as of that day that are allocated to that segment. This gives us the separate daily balance for each segment of your account. However, if you paid the New Balance shown on your previous statement in full (or if your new balance was zero or a credit amount), new transactions which post to your purchase or special purchase segments are not added to the daily balances. We calculate the average daily balance by adding all the daily balances together and dividing the sum by the number of days in the current billing cycle. To calculate your total finance charge, multiply your average daily balance by the daily periodic rate and by the number of days in the billing period. Due to rounding on a daily basis, there may be a slight variance between this calculation and the amount of finance charge actually assessed.

b. If the code Z or N appears on the front of this statement next to "Balance Rate Applied To," we multiply the average daily balance of each segment by your monthly

periodic rate. To obtain the average daily balance for the billing period covered by this statement, we take the beginning balance of each segment each day, add any new transactions to each segment, and subtract any payments or credits. (If the code N appears on the front of this statement next to "Balance Rate Applied To," we also subtract any finance charge included in the balance of each segment.) This gives us the daily balance of each segment. Then, we add up all the daily balances for each segment for the billing period and divide by the total number of days in the billing period. This gives us the average daily balance of each segment.

3. Annual Percentage Rates (APR).

a. The term "Annual Percentage Rate" may appear as "APR" on the front of this statement.

b. If the code P (Prime), L (3-mo. LIBOR), C (Certificate of Deposit), or S (Bankcard Prime) appears on the front of this statement next to the periodic rate(s), the periodic rates and corresponding ANNUAL PERCENTAGE RATES may vary quarterly and may increase or decrease based on the stated indices, as found in *The Wall Street Journal*, plus the margin previously disclosed to you. These changes will be effective on the first day of your billing period covered by your periodic statement ending in the months January, April, July and October.

c. If the code D (Prime), F (1-mo. LIBOR) or G (3-mo. LIBOR) appears on the front of your statement next to the periodic rate(s), the periodic rates and corresponding ANNUAL PERCENTAGE RATES may vary monthly and may increase or decrease based on the stated indices, as found in *The Wall Street Journal*, plus the margin previously disclosed to you. These changes will be effective on the first day of your billing period each month.

4. **Assessment of Late, Overlimit and Returned Payment Fees.** Your account will be assessed no more than two of the fees listed here that occur during any billing period. Under the terms of your customer agreement, we reserve the right to waive or not to assess any fees without prior notification to you without waiving our right to assess the same or similar fees at a later time.

5. **Renewing Your Account.** If a membership fee appears on the front of this statement, you have 30 days from the date this statement was mailed to you to avoid paying the fee or to have such fee credited to you if you cancel your account. During this period, you may continue to use your account without having to pay the membership fee. To cancel your account, you must notify us by calling our Customer Relations Department and pay your "New Balance" in full (excluding the membership fee) prior to the end of the thirty-day period.

6. **If You Close Your Account.** You can request to close your account by calling our Customer Relations Department. You must destroy your credit card(s) and account access checks, cancel all preauthorized billing, and cease using your account. If you do not cancel preauthorized billing arrangements, we will consider receipt of a charge your authorization to reopen your account. Additionally, your account will not be closed until you pay all amounts you owe us including: any transactions you have authorized, finance charges, past due fees, overlimit fees, returned payment fees, cash advance fees and any other fees assessed to your account. You are responsible for these amounts whether they appear on your account at the time you request to close the account or they are incurred subsequent to your request to close the account. This may result in charges appearing on your account after you have requested the account to be closed or the reopening of

your account if it has already been closed. For example, if you authorized a purchase from a merchant and we receive the transaction from the merchant after your account has been closed, your account will be reopened, the amount of the charge will be added to your account, and you will be responsible for payment. If there is a membership fee for your account, the fee will continue to be charged, to the extent permitted by law, until the account balance has been paid in full as defined above.

7. **Using Your Account.** Your card or account cannot be used in connection with any internet gambling transactions.

8. **Notice About Electronic Check Conversion.** 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 bank 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 bank account as soon as the same day we receive your payment, and you will not receive your check back from your financial institution.

BILLING RIGHTS SUMMARY

(In Case Of Errors Or Questions About Your Bill)
If you think your bill is wrong, or if you need more information on a transaction or bill, write to us on a separate sheet as soon as possible at the address for inquiries shown on the front of this statement. We must hear from you no later than 60 days after we sent you the first bill on which the error or problem appeared. You can call our Customer Relations number, our doing so will not preserve your rights. In your letter, give us the following information: your name and account number; the dollar amount of the suspected error, a description of the error and an explanation, if possible, of why you believe there is an error; or if you need more information, a description of the item you are unsure about. You do not have to pay any amount in question while we are investigating it, but you are still obligated to pay the parts of your bill that are not in question. While we investigate your question, we cannot report you as delinquent or take any action to collect the amount you question.

1. Special Rule For Credit Card Purchases

If you have a problem with the quality of property or services that you purchased with a credit card and you have tried in good faith to correct the problem with the merchant, you may have the right not to pay the remaining amount due on the property or services. You have this protection only when the purchase price was more than \$50.00 and the purchase was made in your home state or within 100 miles of your mailing address. If we own or operate the merchant, or if we mailed you the advertisement for the property or services, all purchases are covered regardless of amount or location of purchase. Please remember to sign all correspondence.

† Does not apply to consumer non credit card accounts

† Does not apply to business non credit card accounts

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011GLBAK

Important Notice: Payments you mail to us will be credited to your account as of the business day we receive it, provided (1) you send the bottom portion of this statement and your check in the enclosed remittance envelope and (2) your payment is received in our processing center by 3 p.m. ET (12 noon PT). Please allow at least five (5) business days for postal delivery. Payments received by us at any other location or in any other form may not be credited as of the day we receive them. Our business days are Monday through Saturday, excluding holidays. Please do not use staples, paper clips, etc. when preparing your payment. When you send us a check(s), you authorize us to make a one-time electronic transfer debit from your bank account for the amount of the check. This authorization applies to all checks received during the billing cycle even if sent by someone else. If we cannot process the transfer, you authorize us to make a charge against your bank account using the check, a paper draft or other item.

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

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

vs.

VICKY L. REAMS,
Defendant

Docket No.: **2008 - 1540-CD**

Type of Case: **CIVIL ACTION**

___ Medical/ Professional
Liability Action (check
if applicable)

TYPE OF PLEADING

**PRAECIPE FOR ENTRY OF
APPEARANCE**

Filed on behalf of

Defendant

Counsel of Record for this Party:

James N. Bryant, Esq.
Attorney-At-Law
PA I.D. 14084
BRYANT & CANTORNA, P.C.
107 East Main Street
Millheim, PA 16854
(814) 349-5666
(814) 349-2212 (FAX)
jnbryant1@verizon.net

FILED NO CC
APR 23 2009
William A. Shaw
Prothonotary/Clerk of Courts

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

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

vs.

VICKY L. REAMS,
Defendant

: Docket No.: 2008 - 1540-CD
:
: Type of Case: CIVIL ACTION
:
:
:

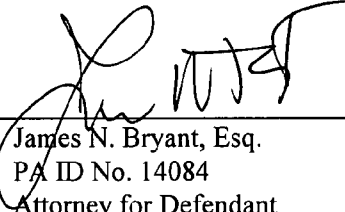
PRAECIPE FOR ENTRY OF APPEARANCE

TO THE PROTHONOTARY OF SAID COURT:

Kindly enter my appearance on behalf of the Defendant, VICKY L. REAMS to the above captioned matter. All papers may be served upon the Plaintiff/Defendant at my law offices located at 107 East Main Street, P.O. Box 551, Millheim, PA 16854.

BRYANT & CANTORNA, P.C.

By: _____


James N. Bryant, Esq.
PA ID No. 14084
Attorney for Defendant
107 East Main Street, P.O. Box 551
Millheim, PA 16854
(814) 349-5666
(814) 349-2212 (fax)
Jnbryant1@verizon.net

DATED: April 22, 2009

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

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

vs.

VICKY L. REAMS,
Defendant


: Docket No.: **2008 - 1540-CD**
:
: Type of Case: **CIVIL ACTION**
:
:
:
:

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the within **Praecipe for Entry of Appearance** was served by depositing the same with the United States Postal Service, postage prepaid, addressed to the following:

David J. Apothaker, Esq.
Apothaker & Associates, P.C.
520 Fellowship Road
C306
Mount Laurel, NJ 08054

By: _____


James N. Bryant, Esq.
Attorney for Defendant

DATED: April 22, 2009

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

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

vs.

VICKY L. REAMS,
Defendant

Docket No.: **2008 - 1540-CD**

Type of Case: **CIVIL ACTION**

___ Medical/ Professional
___ Liability Action (check
if applicable)

TYPE OF PLEADING

ANSWER WITH NEW MATTER

Filed on behalf of

Defendant

Counsel of Record for this Party:

James N. Bryant, Esq.
Attorney-At-Law
PA I.D. 14084
BRYANT & CANTORNA, P.C.
107 East Main Street
Millheim, PA 16854
(814) 349-5666
(814) 349-2212 (FAX)
jnbryant1@verizon.net

Legal Documents April 2009
cd:Reams Vicky L
Answer With New Matter

FILED NO
MTIO 28321 cc
APR 23 2009
William A. Shaw
Prothonotary/Clerk of Courts

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

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

vs.

VICKY L. REAMS,
Defendant

Docket No.: 2008 - 1540-CD

Type of Case: CIVIL ACTION

NOTICE

TO: CAPITAL ONE BANK (USA), N.A., Plaintiff
c/o David J. Apothaker, Esq.
Apothaker & Associates, P.C.
520 Fellowship Road
C306
Mount Laurel, NJ 08054

IN ACCORDANCE WITH RULES 1026 AND 1361 OF THE PENNSYLVANIA RULES OF CIVIL PROCEDURE, YOU ARE HEREBY NOTIFIED TO FILE A WRITTEN RESPONSE TO THE ENCLOSED **Defendant's Answer With New Matter to Plaintiff's Complaint** WITHIN TWENTY (20) DAYS FROM SERVICE HEREOF OR A JUDGMENT MAY BE ENTERED AGAINST YOU.

BRYANT & CANTORNA, P.C.

By: 

James N. Bryant, Esq.
PA ID No. 14084
Attorney for Defendant
107 East Main Street, P.O. Box 551
Millheim, PA 16854
(814) 349-5666
(814) 349-2212 (fax)
Jnbryant1@verizon.net

DATED: April 22, 2009

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

CAPITAL ONE BANK (USA), N.A.	:	Docket No.: 2008 - 1540-CD
Plaintiff	:	
	:	Type of Case: CIVIL ACTION
vs.	:	
	:	
VICKY L. REAMS,	:	
Defendant	:	

ANSWER WITH NEW MATTER

AND NOW, comes the Defendant, VICKY L. REAMS, by and through her attorney, James N. Bryant, Esq., of Bryant & Cantorna, P.C., and files this Answer, and avers as follows:

ANSWER

FIRST COUNT

1. Admitted.
2. Admitted.
3. Denied as stated. On the contrary, Defendant does not believe she got this account number.
4. Denied as stated. On the contrary, the Defendant has not used a credit card for more than five (5) years.
5. After a reasonable investigation, the Defendant is without knowledge or information sufficient to form a belief as to the allegations contained in this paragraph and therefore denies same and demands strict proof at the time of trial. By way of further answer and defense it is averred Exhibit "A" indicates that only \$3,438.64 is due and owing.
6. After a reasonable investigation, the Defendant is without knowledge or information sufficient to form a belief as to the allegations contained in this paragraph and therefore denies same and demands strict proof at the time of trial. By way of further answer and defense it is averred Exhibit "A" indicates that only \$3,438.64 is due and owing.

7. Admitted.

WHEREFORE, Defendant requests the complaint be dismissed.

NEW MATTER

8. The Complaint is barred by the Statute of Limitations.

Respectfully submitted,

BRYANT & CANTORNA, P.C.

By: 

James N. Bryant, Esq.

PA ID No. 14084

Attorney for Defendant

107 East Main Street

P. O. Box 551

Millheim, PA 16854

814-349-5666

814-349-2212 (fax)

Jnbryant1@verizon.net

VERIFICATION

I verify that the statements made in the foregoing are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. 4904, relating to unsworn falsification to authorities.

_____

Special Capital One Cardholder Offer!

First 3 months half-price

\$4.97* a month; \$9.95/mo. thereafter

Now with FREE Accelerator! when you sign up for 12 months

SIGN UP TODAY!
1-877-778-1207
Mention Offer Code: OPAL
Or visit www.peoplepc.com/go/opal

peoplepc online
A better way to Internet.

PeoplePC Online offers the features you would expect from higher-priced Internet Service Providers at half price for the first 3 months!

- Email Virus Protection
- Pop-Up Blocker™
- Spam Controls
- Smart Dialer
- More Email Addresses
- Internet Call Waiting

UNLIMITED INTERNET ACCESS



PLATINUM VISA ACCOUNT
4862-3623-4401-1278

MAY 21 - JUN 23, 2005

Page 1 of 1

Account Summary

Previous Balance	\$3,327.24
Payments, Credits and Adjustments	\$0.00
Transactions	\$35.00
Finance Charges	\$76.40
New Balance	\$3,438.64
Minimum Amount Due	\$1,438.64
Payment Due Date	July 23, 2005
Total Credit Line	\$3,000
Total Available Credit	\$0.00
Credit Line for Cash	\$990
Available Credit for Cash	\$0.00

Payments, Credits and Adjustments**Transactions**

1	23 JUN	PAST DUE FEE	\$35.00
---	--------	--------------	---------

You were assessed a past due fee of \$35.00 on 06/23/2005 because your minimum payment was not received by the due date of 06/23/2005. To avoid this fee in the future, we recommend that you allow at least 7 business days for your payment to reach Capital One.

At your service

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

For free online account service and special customer offers, log on to:
www.capitalone.com

Send payments to:
Attn: Remittance Processing
Capital One Bank
P.O. Box 790216
St. Louis, MO 63179-0216

Send inquiries to:
Capital One Services
P.O. Box 85015
Richmond, VA 23285-5015

Finance Charges

Please see reverse side for important information

	Balance rate applied to	Periodic rate	Compounding APR	FINANCE CHARGE
PURCHASES	\$3,344.06	.07726% P	26.74%	\$76.40
CASH	\$0.00	.07726% P	26.74%	\$0.00

ANNUAL PERCENTAGE RATE applied this period

26.74%

▼ PLEASE RETURN PORTION BELOW WITH PAYMENT ▼



0000000 0 4862362344011278 23 3438640082003438649

New Balance \$3,438.64
Minimum Amount Due \$1,438.64
Payment Due Date July 23, 2005

Total enclosed \$
Account Number: 4862-3623-4401-1278

Please print mailing address and/or e-mail changes below using blue or black ink.

Street Apt #
City State ZIP
Home Phone Alternate Phone
E-mail Address

Capital One Bank
P.O. Box 790216
St. Louis, MO 63179-0216

190175749936327321 MAIL ID NUMBER
VICKY L REAMS
1608 MIRIAM ST
HOUTZDALE PA 16651-0537

EXHIBIT**"A"**

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

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

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

vs.

VICKY L. REAMS,
Defendant

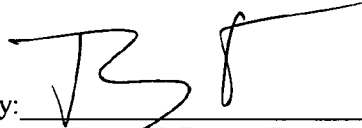
: Docket No.: **2008 - 1540-CD**
:
: Type of Case: **CIVIL ACTION**
:
:
:

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the within **ANSWER WITH NEW MATTER** was
served by depositing the same with the United States Postal Service, postage prepaid, addressed to the
following:

David J. Apothaker, Esq.
Apothaker & Associates, P.C.
520 Fellowship Road
C306
Mount Laurel, NJ 08054

By: _____


James N. Bryant, Esq.
Attorney for Defendant

DATED: April 22, 2009

Our file No.: 177016
APOTHAKER & ASSOCIATES, P.C.
BY: Jordan W. Felzer, Esquire
Attorney I.D.# 38670
520 Fellowship Road C306
Mount Laurel, NJ 08054
(800) 672-0215
Attorneys for Plaintiff

CAPITAL ONE BANK (USA), N.A.	)	COURT OF COMMON PLEAS OF
	)	CLEARFIELD COUNTY
)	
Plaintiff,	)	DOCKET NO.: 2003-1540-CD
vs.)	
VICKY L REAMS	)	Civil Action
)	
)	
Defendant.)	
)	

ANSWER TO NEW MATTER

Plaintiff, CAPITAL ONE BANK (USA), N.A., by and through their attorney, answers the following New Matter:

8. Denied. Plaintiff's claims are not barred by the applicable Statute of Limitations.

WHEREFORE, Plaintiff demands that Defendant's New Matter be dismissed.

APOTHAKER & ASSOCIATES, P.C.
Attorneys for Plaintiff
A Law Firm Engaged in Debt Collection

BY: _____

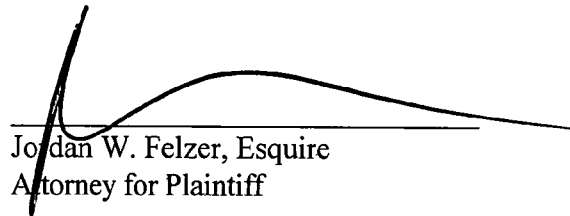
Jordan W. Felzer, Esquire

DATED: May 5, 2009

FILED *no cc*
MAY 08 2009
William A. Shaw
Prothonotary/Clerk of Courts

VERIFICATION

Jordan W. Felzer, Esquire hereby states that I am counsel for plaintiff in this action, and that I am authorized to take this Verification, and that the statements made in the foregoing Answer to New Matter are true and correct to the best of my knowledge, information, and belief. The undersigned understands that the statements therein are made subject to the penalties of 18 Pa.C.S.A. 4904 relating to unsworn falsification to authorities.



Jordan W. Felzer, Esquire
Attorney for Plaintiff

DATE: 5/5/2009

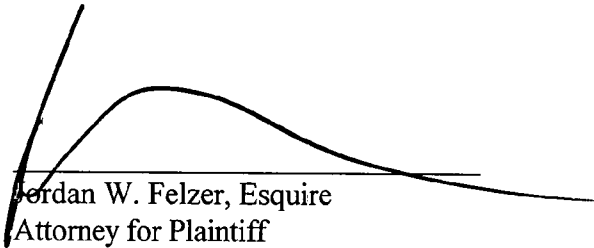
Our file No.: 177016
APOTHAKE & ASSOCIATES, P.C.
BY: Jordan W. Felzer, Esquire
Attorney I.D.# 38670
520 Fellowship Road C306
Mount Laurel, NJ 08054
(800) 672-0215
Attorneys for Plaintiff

<hr/>		)	COURT OF COMMON PLEAS OF
CAPITAL ONE BANK (USA), N.A.		)	CLEARFIELD COUNTY
)	
	Plaintiff,	)	DOCKET NO.: 2008-1540-CD
vs.)	
VICKY L REAMS		)	Civil Action
)	
	Defendant.)	
<hr/>)	

CERTIFICATION OF SERVICE

I, Jordan W. Felzer, Esquire, attorney for Plaintiff, certify that on 5/5/2009, I mailed a copy of the Answer to New Matter by Regular mail to

JAMES N BRYANT, ESQUIRE
PO BOX 551
MILLHEIM, PA 16854


Jordan W. Felzer, Esquire
Attorney for Plaintiff

Date: 5/5/2009

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY PENNSYLVANIA

CAPITAL ONE BANK (USA), N.A.

Plaintiff

vs.

VICKY L REAMS
1608 MIRIAM ST
HOUTZDALE, PA 16651-8537

Defendant

) CIVIL ACTION
)
) No. 2008-1540-CD
)
) Type of Case Breach of Contract
)
) Type of Pleading: Certificate of Readiness
)
) Filed on Behalf of: Plaintiff
)
)
)
)

Filed by: APOTHAKE & ASSOCIATES, P.C.
Attorneys for Plaintiff

Address: 520 Fellowship Road C306
Mount Laurel, NJ 08054

Phone: 800-672-0215

Signature: _____

Benjamin J. Cavallaro, Esquire

FILED
M1154301
NOV 27 2008
William A. Shero
Prothonotary/Clerk of Court
2cc
Atty
Atty pd.
\$30.00
/cu

Our File No.: 177016

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

Civil Trial Listing / Certificate of Readiness

Plaintiff(s): CAPITAL ONE BANK (USA), Case Number: 2008-1540-CD
N.A.

Defendant(s): VICKY L REAMS

To the Prothonotary:

Arbitration Limit:

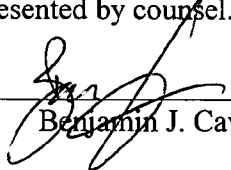
Type Trial Requested: _____ Jury _____ Non-Jury _____ X Arbitration

Estimated Trial Time: 15 minutes.

Jury Demand Filed By: N/A

Date Jury Demand Filed: N/A

Please place the above-captioned case on the trial list. I certify that all discovery in the case has been completed; all necessary parties and witnesses are available; serious settlement negotiations have been conducted; the case is ready in all respects for trial, and a copy of this Certificate has been served upon all counsel of record and upon all parties of record who are not represented by counsel.



Benjamin J. Cavallaro, Esquire

Dated: November 19, 2010

For the Plaintiff: Benjamin J. Cavallaro, Esquire

800-672-0215

For the Defendant: JAMES BRYANT, Esquire

Certification of Current Address for all parties or counsel of record:

Name: CAPITAL ONE BANK (USA), N.A.

Address: c/o Apothaker & Associates, P.C.

Name: JAMES BRYANT, Esquire

Address: PO BOX 551 MILLHEIM, PA 16854

520 Fellowship Rd. C306
Mt Laurel, NJ 08054

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

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

vs.

VICKY L. REAMS,
Defendant,

NO. 2008-1540-C.D.

ORDER

NOW, this 20th day of January, 2011, it is the ORDER of the Court that the above-captioned matter is scheduled for Arbitration on **Tuesday, February 22, 2011 at 9:00 A.M.** in the Conference/Hearing Room No. 3, 2nd Floor, Clearfield County Courthouse, Clearfield, PA. The following have been appointed as Arbitrators:

Michael P. Yeager, Esquire, Chairman

Christopher E. Mohny, Esquire

Courtney L. Kubista, Esquire

Pursuant to Local Rule 1306A, you must submit your Pre-Trial Statement seven (7) days prior to the scheduled Arbitration. **The original should be forwarded to the Court Administrator's Office and copies to opposing counsel and each member of the Board of Arbitrators.** For your convenience, a Pre-Trial (Arbitration) Memorandum Instruction Form is enclosed as well as a copy of said Local Rule of Court.

FILED

500
9:38 AM
JAN 20 2011
CIA

William A. Shaw
Prothonotary/Clerk of Courts (19)

BY THE COURT:

Fredric J. Ammerman
FREDRIC J. AMMERMAN
President Judge

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

FILED

Capital One Bank (USA), N.A.

vs.

Jicky L. Reams

No. 2008-01540-CD 4

FEB 22 2011

William A. Shaw
Prothonotary/Clerk of Courts

Notice to



Atty's:
Cavallaro
Bryant

OATH OR AFFIRMATION OF ARBITRATORS

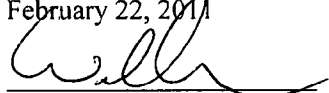
Now, this 22nd day of February, 2011, we the undersigned, having been appointed arbitrators in the above case do hereby swear, or affirm, that we will hear the evidence and allegations of the parties and justly and equitably try all matters in variance submitted to us, determine the matters in controversy, make an award, and transmit the same to the Prothonotary within twenty (20) days of the date of hearing of the same.

Michael P. Yeager, Esq.

Christopher E. Mohney, Esq.
Courtney L. Kubista, Esq.


Chairman


Sworn to and subscribed before me this
February 22, 2011

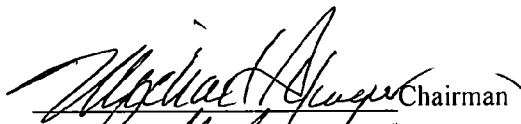



Prothonotary

AWARD OF ARBITRATORS

Now, this 22nd day of February, 2011, we the undersigned arbitrators appointed in this case, after being duly sworn, and having heard the evidence and allegations of the parties, do award and find as follows:

Judgment in favor of Defendant.

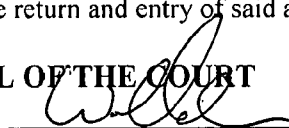

Chairman


(Continue if needed on reverse.)

ENTRY OF AWARD

Now, this 22nd day of February, 2011, I hereby certify that the above award was entered of record this date in the proper dockets and notice by mail of the return and entry of said award duly given to the parties or their attorneys.

WITNESS MY HAND AND THE SEAL OF THE COURT


Prothonotary
By _____

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

Capital One Bank (USA), N.A.

:

Vs.

: No. 2008-01540-CD

:

Vicky L. Reams

NOTICE OF AWARD

TO: James N. Bryant, Esq.

You are herewith notified that the Arbitrators appointed in the above case have filed their award in this office on February 22, 2011 and have awarded:

Judgment in favor of Defendant

William A. Shaw, Prothonotary

February 22, 2011

Date

This notice of award was placed on the docket and given by mail to the parties or their attorneys on February 22, 2011 at 10:30 AM.

An Appeal from Award of Arbitration must be filed within thirty (30) days of date of award. Filing fee is fifty percent (50%) of the total award or the amount of compensation paid to the arbitrators, whichever is the least. Arbitrators' compensation to be paid upon appeal: \$\$450.00.

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

Capital One Bank (USA), N.A.

:

Vs.

: No. 2008-01540-CD

:

Vicky L. Reams

NOTICE OF AWARD

TO: Benjamin J. Cavallaro, Esq.

You are herewith notified that the Arbitrators appointed in the above case have filed their award in this office on February 22, 2011 and have awarded:

Judgment in favor of Defendant

William A. Shaw, Prothonotary

February 22, 2011

Date

This notice of award was placed on the docket and given by mail to the parties or their attorneys on February 22, 2011 at 10:30 AM.

An Appeal from Award of Arbitration must be filed within thirty (30) days of date of award. Filing fee is fifty percent (50%) of the total award or the amount of compensation paid to the arbitrators, whichever is the least. Arbitrators' compensation to be paid upon appeal: \$\$450.00.

F. CORTEZ BELL III, ESQUIRE
DISTRICT COURT ADMINISTRATOR

SHARON S. WHIPPLE
DEPUTY COURT ADMINISTRATOR

PHONE: 814-765-2641 x 5982
FAX: 814-765-7649
EMAIL: courtadmin@clearfieldco.org



OFFICE OF THE COURT ADMINISTRATOR
FORTY-SIXTH JUDICIAL DISTRICT OF PENNSYLVANIA
CLEARFIELD COUNTY COURTHOUSE
230 EAST MARKET STREET, SUITE 228
CLEARFIELD, PENNSYLVANIA 16830-2448

HON. FREDRIC J. AMMERMAN
PRESIDENT JUDGE

HON. PAUL E. CHERRY
JUDGE

HON. JOHN K. REILLY, JR.
SENIOR JUDGE

December 22, 2010

Dear Counsel,

Attached is a Court Order appointing you to serve on a Board of Arbitrators for an arbitration scheduled on **Tuesday, February 22, 2011**. This is a preliminary list of attorneys that will be narrowed down to a final list of three, after any conflicts have been taken into consideration. Following are the docket captions of the cases to be heard that day:

CAPITAL ONE BANK (USA), N.A.

vs.

VICKY L. REAMS
NO. 2008-1540-CD

Benjamin J. Cavallaro, Esquire

James N. Bryant, Esquire

2/22/2011, 9:00 AM

PORTFOLIO RECOVERY ASSOCIATES LLC

vs.

DANIEL BAUM
NO. 2009-1238-CD

Benjamin J. Cavallaro, Esquire

Pro Se

2/22/2011, 1:00 PM

Please review this information and call me upon receipt of this letter if there are any concerns or conflicts of interest with this. If I do not hear from you by **Friday, January 7, 2011**, I will proceed with finalizing the list of three attorneys who will actually be serving on this board.

I can be reached at 814-765-2641, ext. 1300. I appreciate your cooperation with this process.

Sincerely,

A handwritten signature in cursive script that reads "Sharon S. Whipple".

Sharon S. Whipple
Deputy Court Administrator

Enc

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

IN RE: BOARD OF ARBITRATORS
FEBRUARY 22, 2011

No. 2010-0002-MD

ORDER

AND NOW, this 22nd day of December, 2010, it is the
ORDER of the Court that the following shall serve on the Board of Arbitrators for
Tuesday, February 22, 2011, and any adjournments thereof:

Michael P. Yeager, Esquire

Benjamin S. Blakley, III, Esquire

Christopher E. Mohny, Esquire

John R. Ryan, Esquire

Courtney L. Kubista, Esquire

Eric E. Cummings, Esquire

BY THE COURT:

/S/ Fredric J Ammerman

FREDRIC J. AMMERMAN

President Judge
I hereby certify that this is a true and correct copy of the original
as filed in this case.

DEC 22 2010

Attest.

William A. Miller
Promoter
Dated:

Arbitration:
March 22, 2011
9:00 AM

Our File No.: 177016

CAPITAL ONE BANK (USA), N.A.

Plaintiff,

vs.

VICKY L REAMS

Defendant.

) COURT OF COMMON PLEAS OF
) CLEARFIELD COUNTY
)

) NO.: 2008-1540-CD
)

) Civil Action
)
)
)
)
)

PRE-TRIAL MEMORANDUM

1. Brief Statement of the Case

CAPITAL ONE BANK (USA), N.A. and defendant entered into a credit agreement.

Defendant used the account pursuant to the agreement and despite demand, has failed, neglected and/or refused to pay the outstanding balance due and owing.

2. Legal Basis of the Claim

Account Stated.

3. Damages Claimed

\$6,949.45 plus court costs.

4. Witnesses

Defendant
VICKY L REAMS
1608 MIRIAM ST
HOUTZDALE, PA 16651-8537

5. Exhibits

Documents submitted pursuant to Pa.R.C.P. No. 1305(b)(1)

6. Estimated Time Needed

Thirty (30) minutes.




7. Special Comments

None.

8. Certification

I, Kimberly F. Scian, Esquire, hereby certify that I have, on behalf of my client, made a reasonable effort to stipulate or agree to all undisputed issues of fact or law which would expedite the arbitration in this matter.

APOTHAKE & ASSOCIATES, P.C.
Attorney for Plaintiff
A Law Firm Engaged in Debt Collection

BY: 
Kimberly F. Scian, Esquire

Dated: February 11, 2011

RECEIVED FEB 18 2011

APOTHAKER & ASSOCIATES, P.C.

ATTORNEYS AT LAW

February 11, 2011

CCURT ADMINISTRATOR
ATTN: DANIEL J. NELSON, ESQ
230 E. MARKET STREET
CLEARFIELD, PA 16830

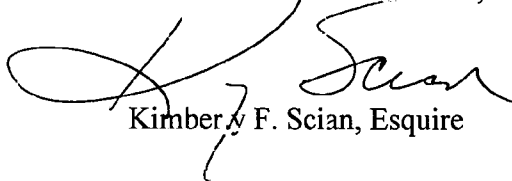
RE: CAPITAL ONE BANK (USA), N.A. VS. VICKY REAMS
DOCKET NO.: 2008-1540-CD
OUR FILE NO: 177016

DEAR CLERK:

Enclosed herein please find a Pre-Trial Memorandum. Kindly file same and return a copy to this office in the enclosed self-addressed stamped envelope provided for your convenience.

Very truly yours,

APOTHAKER & ASSOCIATES, P.C.



Kimberly F. Scian, Esquire

/TJ

cc: Michael P. Yeager, Esquire, Chairman
Christopher E. Mohnney, Esquire
Courtney L. Kubista, Esquire
James N. Bryant, Esquire

Law Offices
BRYANT & CANTORNA, P.C.

RECEIVED FEB 07 2011

PLEASE REPLY TO

MILLHEIM OFFICE

James N. Bryant
Bernard F. Cantorna
www.bryant-associates.com

February 4, 2011

107 East Main Street
Millheim, PA 16854
814-349-5666
814-364-9869
FAX 814-349-2212

IN STATE COLLEGE
1901 East College Avenue
State College, PA 16801
814-238-4370
FAX 814-238-8016

Mr. Daniel J. Nelson
Court Administrator
Clearfield County Courthouse
230 East Market Street
Clearfield, PA 16830

Re: Capital One Bank (USA), N.A.
No. 2008 - 1540-CD

Dear Mr. Nelson:

Enclosed is a Pre-Trial Statement on behalf of the Defendant in connection with the above-captioned matter.

Very truly yours,

BRYANT & CANTORNA, P.C.

By: 

James N. Bryant

JNB:ksr

Enclosure

cc: Jordan W. Felzer, Esq., w/enc.
Michael P. Yeager, Esq., Chairman, w/enc.
Christopher E. Mohny, Esq., w/enc.
Courtney L. Kubista, Esq., w/enc.
Vicky L. Reams, w/enc.

Arbitration:
March 22, 2011
@ 9:00 AM

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

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

vs.

VICKY L. REAMS,
Defendant

: Docket No.: **2008 - 1540-CD**
:
:
: Type of Case: **CIVIL ACTION**
:
:
:
: ☐ Medical/ Professional
: Liability Action (check
: if applicable)
:

TYPE OF PLEADING

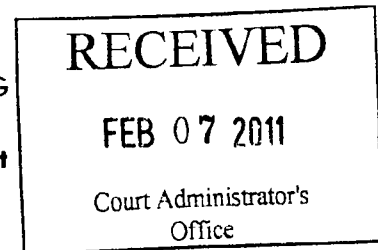
Pre-Trial Statement

Filed on behalf of

Defendant

Counsel of Record for this Party:

James N. Bryant, Esq.
Attorney-At-Law
PA I.D. 14084
BRYANT & CANTORNA, P.C.
107 East Main Street
Millheim, PA 16854
(814) 349-5666
(814) 349-2212 (FAX)
jnbryant1@verizon.net



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

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

vs.

VICKY L. REAMS,
Defendant

: Docket No.: 2008 - 1540-CD
:
: Type of Case: CIVIL ACTION
:
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:

PRE-TRIAL STATEMENT ON BEHALF OF DEFENDANT

Statement of the Case

Defendant is being sued for a credit card which does not believe is hers, and in any event the last credit card the Defendant had was in 2003, therefore the Statute of Limitations has run.

Witnesses

Defendant

Estimated Time of Trial

27 minutes and 37 seconds.

Respectfully submitted,

BRYANT & CANTORNA, P.C.

By: _____

James N. Bryant, Esq.
PA ID No. 14084
Attorney for Defendant
107 East Main Street
P. O. Box 551
Millheim, PA 16854
814-349-5666
814-349-2212 (fax)
Jnbryant1@verizon.net

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

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

vs.

VICKY L. REAMS,
Defendant

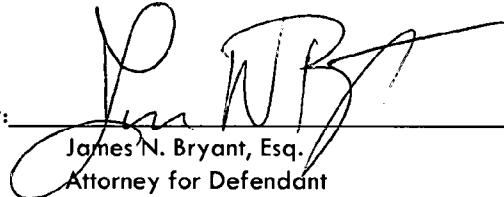
: Docket No.: **2008 - 1540-CD**
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: Type of Case: **CIVIL ACTION**
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the within **Pre-Trial Statement on Behalf of Defendant** was served by depositing the same with the United States Postal Service, postage prepaid, addressed to the following:

Jordan W. Felzer, Esq.
Apothaker & Associates, P.C.
520 Fellowship Road
C306
Mount Laurel, NJ 08054

By: _____


James N. Bryant, Esq.
Attorney for Defendant

DATED: February 4, 2011

Special Capital One Cardholder Offer!

First 3 months half-price

\$4.97 per month

FREE Accelerator when you sign up for 12 months

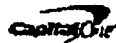
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1-877-778-1207
 Mention Offer Code: CPAL
 Or visit www.peoplepc.com/gotopc

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- More Email Addresses
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UNLIMITED INTERNET ACCESS



PLATINUM VISA ACCOUNT
 4962-7627-1278 1278

MAY 21 JUN 23, 2005
 Page 1 of 1

Account Summary

Previous Balance \$3,307.24
 Payments, Credits and Adjustments \$0.00
 Transactions \$35.00
 Finance Charges \$78.40

New Balance \$3,438.64
 Minimum Amount Due \$3,438.64
 Payment Due Date July 23, 2005

Total Credit Line \$3,000
 Total Available Credit \$0.00
 Credit Limit for Cash \$990
 Available Credit for Cash \$70

Payments, Credits and Adjustments

Transactions

1 23 JUN 2005 FEB

\$78.40

You were issued a post-date fee of \$10.00 on 06/23/2005 because your minimum payment was not received by the due date of 06/23/2005. To avoid this fee in the future, we recommend that you allow at least 7 business days for your payment to reach Capital One.

At your service

To call Customer Relations or to request a line or credit limit:
1-800-905-3637

For more details on our services and special customer offers, log on to www.capitalone.com

Send payments to:
 Visa, MasterCard, American Express
 Capital One Bank
 P.O. Box 48284
 St. Louis, MO 63177-0284

Send inquiries to:
 Capital One Services
 P.O. Box 15415
 Richmond, VA 23203-0515

Finance Charges

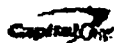
Please see reverse side for a complete explanation

	Balance rate applied to	Period	Compounded	FINANCE CHARGE
PURCHASES	13.99%	05/24/05 - 06/23/05	24.74%	\$78.40
CASH	2.00%	05/24/05 - 06/23/05	24.74%	\$0.00

ANNUAL PERCENTAGE RATE applied this period

24.74%

PLEASE RETURN PORTION BELOW WITH PAYMENT



00000000 0 4862362344011278 23 3438640082003438649

New Balance \$3,438.64
 Minimum Amount Due \$3,438.64
 Payment Due Date July 23, 2005

Total amount \$3,438.64
 Account Number 4962-7627-1278

Please print mailing address under a small change notice using this or check only

Name _____
 City _____
 State _____
 Zip _____
 Home Phone _____
 Card Number _____

Capital One Bank
 P.O. Box 790215
 St. Louis, MO 63175-0215

1-800-905-3637

050523

#90175749936327120 MAIL 20 NUMBER
 VICKI L REAMS
 1608 MILKMAN ST
 HOUTSDALE PA 16451-0537

Please send your account statement your check or money order made payable to Capital One Bank and mail in three-day envelope

ARBITRATION AGREEMENT

IMPORTANT: Your satisfaction guarantee is a part of your customer agreement.

THIS AND ALL OTHERS ARE SUBJECT TO THE TERMS & CONDITIONS OF THE
PUBLISHER'S STANDARD FORM OF CONTRACT WHICH CAN BE OBTAINED FROM THE
PUBLISHER'S OFFICE.

[illegible][illegible][illegible]

- The A-2300 is a portable, rugged, and reliable unit that can be used in a variety of applications.
- It is designed to be used in a variety of applications, including:

[illegible]

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- any other country where the document is used
- any other country where the document is used
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PUBLIC OR OTHER AGENCIES OF THE U.S. GOVERNMENT.

- any other reason making it your duty as your relationship with
- 6. The restriction after industry, without industry, any other
- restriction as to how it is handled for example, as to how
- any other reason making it your duty as your relationship with

- Laid off due to lack of work at company following economic hit, then
found work as a sales representative for a local business

[illegible]

• There is evidence that the CIA is involved in the arms and ammunition trade with the Cuban government in the Caribbean Sea.

[illegible]

11448
 1971 Jan 21 3: 33

6-0000, CA 95711-6
 4444 1st Street
 Sacramento, California 95811-6
 916 444-4444

12/1/92) [REDACTED] FROM
63 [REDACTED]

The first effect of the competition is often observed
when a person enters the market for the first time.

(1) The good reputation of the subject. The subject is a well known and respected member of the community and is a member of the local church.

From a number of sources it has been learned that the following persons are active in the Communist Party, U.S.A., in the New York City area:

1. The first part of the document is a letter from the President of the United States to the Congress, dated January 1, 1861. It is a formal address, and it begins with the words "My Countrymen," which is a traditional way of addressing the people in a formal document. The letter is written in a formal, dignified style, and it is signed by Abraham Lincoln.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 03-08-2001 BY 60322 UCBAW/SJS

SECRET

[illegible]

Grass. For every weed in a landscape where the forest floor has been taken over by the forest there has to be a seed of the dominant species. In a landscape where the forest floor has been taken over by the forest there has to be a seed of the dominant species. In a landscape where the forest floor has been taken over by the forest there has to be a seed of the dominant species.

[illegible]

independent, confidential, friendly and helpful. Our mission is to
 deliver you the best and most reliable information that we can. We
 are proud of the numerous national award-winning articles that we
 have produced. Our commitment to excellence is the key to our
 success. We are proud to be a part of the industry and to be
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 to be a part of the industry and to be recognized as a leader. We are
 proud to be a part of the industry and to be recognized as a leader.

Advertisement: We have been looking for experienced, motivated individuals to join our growing sales and marketing team. If you are a self-starter with a proven track record in sales, we want to hear from you. Please send your resume and references to: [Address] or call [Phone Number].

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2
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4
5

Capital One

0000000 0 4862362344011278 23 2805100083000166001

New Balance \$2,353.10
 Previous Balance \$166.00
 Payment Due Date December 23, 2010
 Total owed \$2,353.10
 Account Number 1278

Capital One Bank
 P.O. Box 85147
 Richmond, VA 23276



990329769936327359 MAIL JO NUMBER
 VICKY L BEAMS
 1608 MIRTHAM ST
 HOUTZDALE PA 16651-8537

Thank you for your payment
 Date
 C7
 Interest
 Total

Please contact your nearest branch for more information or call 1-800-451-2378

PAY TO THE ORDER OF <u>Capital One</u>		DATE <u>12-6-14</u>	
<u>for the</u>		AMOUNT \$ <u>82.00</u>	
MST Bank		DOLLARS 82.00	
1603 MIRIAM ST. HOUTZDALE, PA 16551		1186	
VICKY L. REAMS		312	
10313029551		54521188	
MST Bank		Mick J. Reams	

[illegible]

ENDCRSI 446

DO NOT WRITE, STAMP OR
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016061 341 116155 120604SUE

The security features listed below are not listed except for the following:

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Embossed Portrait	100	100.00
Security Strip	100	100.00

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