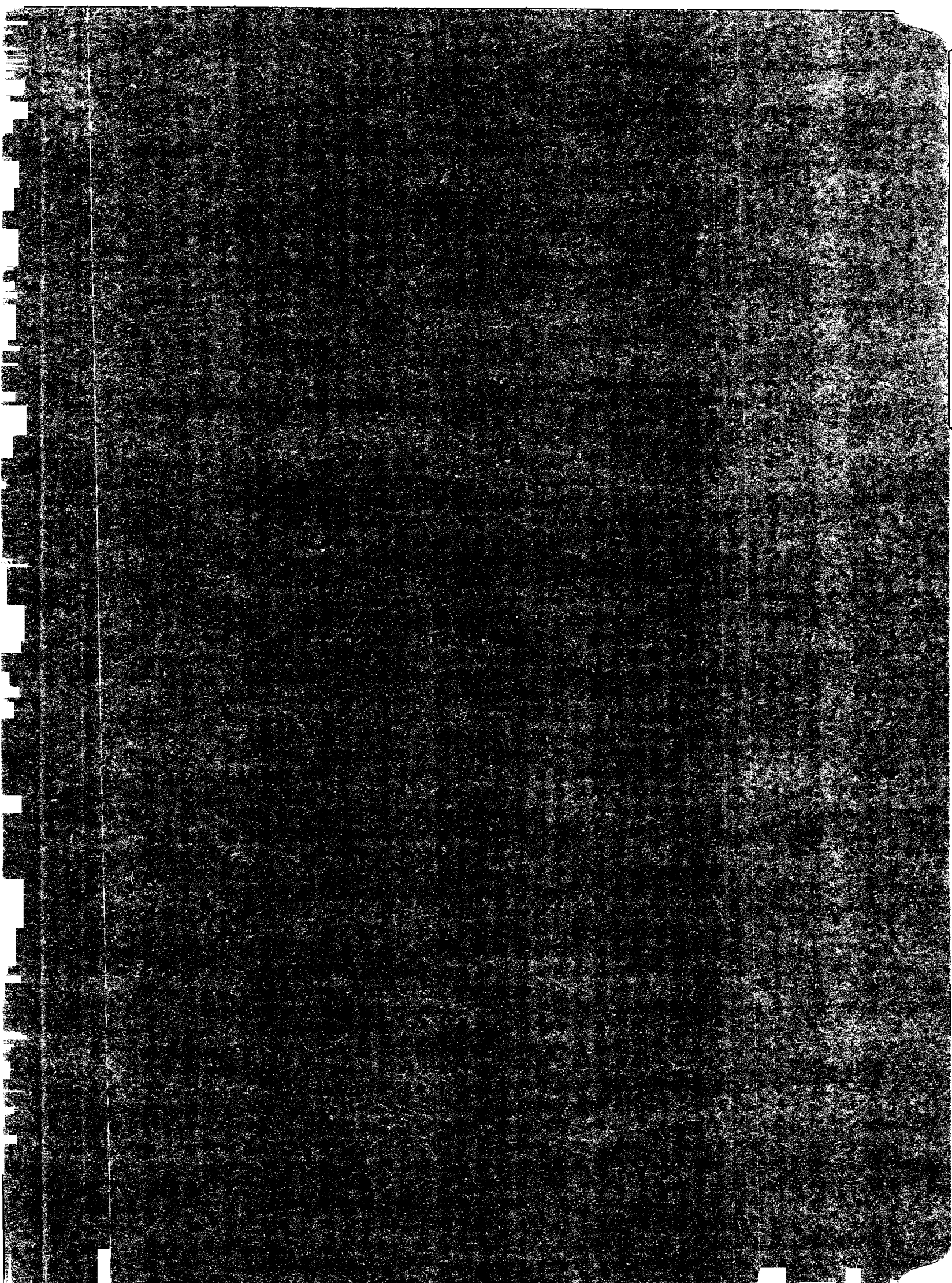


08-1734-CD

Discover Bank vs Richard Calvello



FILED

m/2:10Lm

SEP 15 2008

pd \$95.00 Atty

ICC Shff

William A. Shaw

Prothonotary/Clerk of Courts

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

DISCOVER BANK

Plaintiff

vs.

RICHARD D CALVELLO

Defendant

No: 2008-1734-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  
06919621 C A Pit ABR

June 15, 2009 Document  
Reinstated/Reissued to Sheriff Attorney  
for service  
*William A. Shaw* GK  
Deputy Prothonotary

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

DISCOVER BANK

Plaintiff

vs.

Civil Action No

RICHARD D CALVELLO

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, is a corporation with offices at 6500 New Albany Rd, New Albany, OH 43054.

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

RICHARD D CALVELLO  
419 W FRONT ST  
CLEARFIELD, PA 16830

3. Defendant applied for and received a credit card issued by Plaintiff bearing the account number XXXXXXXXXXXX8236 . A copy of Plaintiff's Statement of Account s attached hereto, marked as Exhibit "A" and made a part hereof.

4. Defendant made use of said credit card and currently has a balance due and owing to Plaintiff, as of September 03, 2008 , in the amount of \$4693.99 .


5. Defendant is in default by failing to make payments when due.

6. Plaintiff avers that the Agreement between the parties provides that Defendant will pay Plaintiff's attorneys' fees.

7. Plaintiff avers that such attorneys' fees will amount to \$500.00 .

8. 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 , RICHARD D CALVELLO , INDIVIDUALLY , in the amount of \$4693.99 with interest at the legal rate of 6.000% per annum from date of judgment plus attorneys' fees of \$500.00 , and costs.



---

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  
06919621 C A Pit ABR

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.

CARD

04,093.99

\$4,693.99

Account number ending in 8236  
Enter Amount Enclosed BelowPayment Due Date  
July 14, 2008

\$ 10919621 35EM

Please make check payable to Discover Card.  
Minimum payment due includes a past due  
amount of \$930.00.15 SDSN6A01 0002785  
RICHARD CALVELLO  
419 W FRONT ST  
CLEARFIELD PA 16830-1422Will your payment get to us on time? Pay  
your bill online and your payment can be  
made to your account on the same day. Visit  
[Discovercard.com/payments](http://Discovercard.com/payments) today.PO BOX 15251  
WILMINGTON DE 19886-5251Address, e-mail or telephone change? Print change in space  
above, or go to [Discovercard.com](http://Discovercard.com). Print your e-mail address to  
receive important Account information and special offers.

000001986458565684657046939900000000469399

## Discover More Card Account Summary

Account number ending in	8236	Closing Date:	June 15, 2008	page 1 of 1
Payment Due Date	July 14, 2008	Previous Balance		
Minimum Payment Due	\$4,693.99	Payments And Credits		\$4,693.99
Credit Limit	\$3,000.00	Purchases	+	0.00
Credit Available	\$0.00	Cash Advances	+	0.00
Cash Credit Limit	\$0.00	Balance Transfers	+	0.00
Cash Credit Available	\$0.00	Finance Charges	+	0.00
		New Balance	=	\$4,693.99

## Cashback Bonus®

Opening Cashback Bonus Balance	\$	0.00
New Cashback Bonus Earned	+	0.00
Cashback Bonus Balance Available to Redeem	\$	0.00
		0.00

Cashback Bonus® Anniversary  
Date: August 15How Can We Help You?  
It's your choice - 3 ways to helpPlease have your Discover Card available.  
For TDD (assistance for hearing impaired) see reverse side

1. Visit [Discover.com](http://Discover.com) to pay your bill for no cost, view your latest Account information, earn and redeem rewards and more
2. Call 1-800-DISCOVER (347-2683) for fast, easy self-service options or to speak with a Customer Service Account Manager
3. Write us at Discover Card, PO Box 30943, Salt Lake City, UT 84130

## Transactions

\$0 Fraud Liability Guarantee Use your Discover Card with confidence.

## Information For You

While we are permitted under the Cardmember Agreement to increase the APRs on your Account because your payment was late, we have chosen not to do so at this time. We have terminated, however, any introductory or promotional rate on purchases and any special balance transfer rate, and applied the standard APR for purchases to your outstanding balance of purchases and balance transfers. However, we reserve the right to increase the APRs on your Account if you fail to pay the minimum payment due by the payment due date. See the Default Rate Plan section of the Cardmember Agreement for details.

## Finance Charge Summary

	Average Daily Balances	Daily Periodic Rates	Nominal ANNUAL PERCENTAGE RATES	ANNUAL PERCENTAGE RATES	Periodic FINANCE CHARGES	Transaction Fee FINANCE CHARGES
current billing period: 15 days						
Purchases	\$0	0.07942%	28.99% F	28.99%	\$0	none
Cash Advances	\$0	0.07942%	28.99% F	28.99%	\$0	\$0
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The rates that apply to your Account are either fixed (F) or they may vary (V) as noted above.

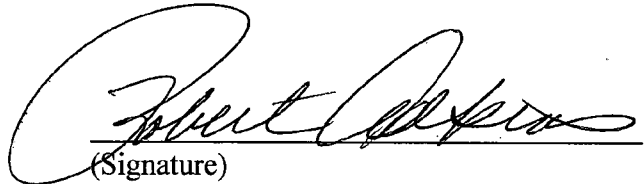
EXHIBIT

A

VERIFICATION

The undersigned does hereby verify subject to the penalties of 18 PA.C.S. §4904 relating to  
unsworn falsifications to authorities, that he is Robert Adkins,  
(Name)  
Accounts Manager of DFS Services LLC, plaintiff herein, that  
(Title) (Company)

he is duly authorized to make this Verification, and that the facts set forth in the foregoing Complaint  
in Civil Action are true and correct to the best of his knowledge, information and belief.

  
(Signature)

WWR # 6919621  
RICHARD D CALVELLO  
6011002448338236

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
NO: 08-1734-CD

DISCOVER BANK  
vs  
RICHARD D. CALVELLO

SERVICE # 1 OF 1

COMPLAINT

SERVE BY: 10/15/2008 HEARING: PAGE: 104665

DEFENDANT: RICHARD D. CALVELLO  
ADDRESS: 419 W. FRONT ST.  
CLEARFIELD, PA 16830

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT OCCUPIED

ATTEMPTS

9-25-08 N/H NOTE 9/30/08 ~~N/H~~ N/H

**SHERIFF'S RETURN**

NOW, \_\_\_\_\_ AT \_\_\_\_\_ AM / PM **SERVED** THE WITHIN

COMPLAINT ON RICHARD D. CALVELLO, 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 RICHARD D. CALVELLO

AT (ADDRESS) \_\_\_\_\_

NOW 10/17/08 AT 330 AM / PM AFTER DILIGENT SEARCH IN MY BAILIWICK,

I MAKE RETURN OF **NOT FOUND** AS TO RICHARD D. CALVELLO

REASON UNABLE TO LOCATE expired

SWORN TO BEFORE ME THIS

\_\_\_\_\_ DAY OF \_\_\_\_\_ 2008

So Answers: CHESTER A. HAWKINS, SHERIFF

BY:

Deputy Signature

S. Hunter

Print Deputy Name

**FILED**  
9/3:40pm  
OCT 17 2008  
William A. Shaw  
Prothonotary/Clerk of Courts



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

SEP 15 2008

Attest.

*William L. Brown*  
Prothonotary/  
Clerk of Courts

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

DISCOVER BANK

Plaintiff

vs.

RICHARD D CALVELLO

Defendant

No: 2008-1734-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  
06919621 C A Pit ABR

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

DISCOVER BANK

Plaintiff

vs.

Civil Action No

RICHARD D CALVELLO

Defendant

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

COMPLAINT

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419 W FRONT ST  
CLEARFIELD, PA 16830

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James C. Warmbrodt, 42524  
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(412) 434-7955  
FAX: 412-338-7130  
06919621 C A Pit ABR

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.

CARD

\$4,693.99

\$4,693.99

Account number ending in 8236  
Enter Amount Enclosed BelowPayment Due Date  
July 14, 2008

\$ 16919621 35EM

Please make check payable to Discover Card.  
Minimum payment due includes a past due  
amount of \$930.00.15 SDSN6A01 0002785  
RICHARD CALVELLO  
419 W FRONT ST  
CLEARFIELD PA 16830-1422Will your payment get to us on time? Pay  
your bill online and your payment can be  
made to your account on the same day. Visit  
[Discovercard.com/payments](http://Discovercard.com/payments) today.PO BOX 15251  
WILMINGTON DE 19886-5251Address, e-mail or telephone change? Print change in space  
above, or go to [Discovercard.com](http://Discovercard.com). Print your e-mail address to  
receive important Account information and special offers.

000001986458565684657046939900000000469399

## Discover More Card Account Summary

Account number ending in	8236
Payment Due Date	July 14, 2008
Minimum Payment Due	\$4,693.99
Credit Limit	\$3,000.00
Credit Available	\$0.00
Cash Credit Limit	\$0.00
Cash Credit Available	\$0.00

Closing Date: June 15, 2008

page 1 of 1

Previous Balance	\$4,693.99
Payments And Credits	-
Purchases	+ 0.00
Cash Advances	+ 0.00
Balance Transfers	+ 0.00
Finance Charges	+ 0.00
New Balance	= \$4,693.99

## Cashback Bonus®

Opening Cashback Bonus Balance	\$ 0.00
New Cashback Bonus Earned	+ 0.00

Cashback Bonus® Anniversary  
Date: August 15

Cashback Bonus Balance	\$ 0.00
Available to Redeem	\$ 0.00

## How Can We Help You?

## It's your choice - 3 ways to help

Please have your Discover Card available.  
For TDD (assistance for hearing impaired) see reverse side

1. Visit [Discover.com](http://Discover.com) to pay your bill for no cost, view your latest Account information, earn and redeem rewards and more
2. Call 1-800-DISCOVER (347-2683) for fast, easy self-service options or to speak with a Customer Service Account Manager
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Purchases	\$0	0.07942%	28.99% F	28.99%	\$0	none

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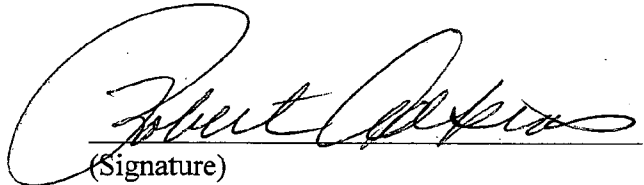
EXHIBIT

A

VERIFICATION

The undersigned does hereby verify subject to the penalties of 18 PA.C.S. §4904 relating to  
unsworn falsifications to authorities, that he is Robert Adkins,  
(Name)  
Accounts Manager of DFS Services LLC, plaintiff herein, that  
(Title) (Company)

he is duly authorized to make this Verification, and that the facts set forth in the foregoing Complaint  
in Civil Action are true and correct to the best of his knowledge, information and belief.

  
(Signature)

WWR # 6919621  
RICHARD D CALVELLO  
6011002448338236

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 104665  
NO: 08-1734-CD  
SERVICES 1  
COMPLAINT

PLAINTIFF: DISCOVER BANK  
vs.  
DEFENDANT: RICHARD D. CALVELLO

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	WELTMAN	8732122	10.00
SHERIFF HAWKINS	WELTMAN	8732122	18.00

FILED  
01/31/30Lm  
JAN 14 2008

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

DISCOVER BANK

Plaintiff

vs.

RICHARD D CALVELLO

Defendant(s)

No. 2008-1734-CD

PRAECIPE TO REINSTATE COMPLAINT

FILED ON BEHALF OF  
Plaintiff

COUNSEL OF RECORD OF  
THIS PARTY:

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

WWR#6919621 DIS

FILED *Atty pd. 7.00*  
*3/12/09*  
JUN 15 2009  
*2cc & 2 compl.*  
William A. Shaw  
Prothonotary/Clerk of Courts *Reinstated to Sheriff*  
*(61)*



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

DISCOVER BANK

Plaintiff

vs.

Civil Action No. 2008-1734-CD

RICHARD D CALVELLO

Defendant(s)

**PRAECIPE TO REINSTATE COMPLAINT**

Kindly reinstate the Complaint in the above captioned matter.

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

By: 

James C. Warmbrodt, Esquire

PA ID #42524

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

1400 Koppers Buidling

436 Seventh Avenue

Pittsburgh, PA 15219

(412) 434-7955

WWR #6919621

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

DISCOVER BANK

Plaintiff

No:

vs.

COMPLAINT IN CIVIL ACTION

RICHARD D CALVELLO

Defendant

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  
06919621 C A Pit ABR

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

---

DISCOVER BANK

Plaintiff

vs.

Civil Action No

RICHARD D CALVELLO

Defendant

COMPLAINT AND NOTICE TO DEFEND

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

COMPLAINT

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~~willfully failed and/or refused to pay the balance due to Plaintiff.~~

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against Defendant , RICHARD D CALVELLO , INDIVIDUALLY , in the amount  
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FAX: 412-338-7130  
06919621 C A Pit ABR

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.

CARD

94,073.99

\$4,693.99

Account Number ending in 8236

Enter Amount Enclosed Below

Payment Due Date  
July 14, 2008

\$ 10919621 352M

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RICHARD CALVELLO  
419 W FRONT ST  
CLEARFIELD PA 16830-1422Will your payment get to us on time? Pay  
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[Discovercard.com/payments-today](http://Discovercard.com/payments-today).Address, e-mail or telephone change? Print change in space  
above, or go to [Discovercard.com](http://Discovercard.com). Print your e-mail address to  
receive important Account information and special offers.PO BOX 15251  
WILMINGTON DE 19886-5251

000001986458565684657046939900000000469399

## Discover More Card Account Summary

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Opening Cashback Bonus Balance	\$	0.00
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Cashback Bonus Balance	\$	0.00
Available to Redeem	\$	0.00

Cashback Bonus® Anniversary  
Date: August 15How Can We Help You?  
It's your choice - 3 ways to helpPlease have your Discover Card available.  
For TDD (assistance for hearing impaired) see reverse side

1. Visit [Discover.com](http://Discover.com) to pay your bill for no cost, view your latest Account information, earn and redeem rewards and more
2. Call 1-800-DISCOVER (347-2683) for fast, easy self-service options or to speak with a Customer Service Account Manager
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Purchases	\$0	0.07942%	28.99% F	28.99%	\$0	none

The rates that apply to your Account are either fixed (F) or they may vary (V) as noted above.

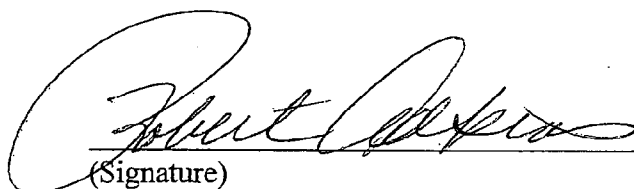
EXHIBIT

A

VERIFICATION

The undersigned does hereby verify subject to the penalties of 18 PA.C.S. §4904 relating to  
unsworn falsifications to authorities, that he is Robert Adkins,  
(Name)  
Accounts Manager of DFS Services LLC, plaintiff herein, that  
(Title) (Company)

he is duly authorized to make this Verification, and that the facts set forth in the foregoing Complaint  
in Civil Action are true and correct to the best of his knowledge, information and belief.

  
(Signature)

WWR # 6919621  
RICHARD D CALVELLO  
6011002448338236

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
NO: 08-1734-CD

DISCOVER BANK  
VS  
RICHARD D. CALVELLO

SERVICE # 1 OF 1

COMPLAINT & PRAECIPE

SERVE BY: 07/15/2009 HEARING: PAGE: 105788

DEFENDANT: RICHARD D. CALVELLO  
ADDRESS: 419 W. FRONT ST.  
CLEARFIELD, PA 16830

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT OCCUPIED

ATTEMPTS

SHERIFF'S RETURN

NOW, 6-19-09 AT 9:13 AM/PM SERVED THE WITHIN

COMPLAINT & PRAECIPE ON RICHARD D. CALVELLO, DEFENDANT

BY HANDING TO Richard D. Calvello Det.

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

ADDRESS SERVED 419 W. FRONT ST.  
Ctld., PA 16830

NOW AT AM / PM POSTED THE WITHIN

COMPLAINT & PRAECIPE FOR RICHARD D. CALVELLO

AT (ADDRESS)

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

I MAKE RETURN OF NOT FOUND AS TO RICHARD D. CALVELLO

REASON UNABLE TO LOCATE

SWORN TO BEFORE ME THIS

DAY OF 2009

So Answers: CHESTER A. HAWKINS, SHERIFF

BY:

James E. Davis  
Deputy Signature

JAMES E. DAVIS  
Print Deputy Name

FILED  
01312364  
JUN 19 2009  
William A. Shaw  
Prothonotary/Clerk of Courts



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 105788  
NO: 08-1734-CD  
SERVICES 1  
COMPLAINT & PRAECIPE

PLAINTIFF: DISCOVER BANK  
vs.  
DEFENDANT: RICHARD D. CALVELLO

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	WELTMAN	8871712	10.00
SHERIFF HAWKINS	WELTMAN	8871712	11.00

**FILED**  
07:42:01  
OCT 08 2009  
William A. Shaw  
Prothonotary/Clerk of Courts

Sworn to Before Me This

\_\_\_\_\_ Day of \_\_\_\_\_ 2009

So Answers,



Chester A. Hawkins  
Sheriff

COPY

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

DISCOVER BANK

Plaintiff

No. 2008-1734-CD

vs.

PRAECIPE TO REINSTATE COMPLAINT

RICHARD D CALVELLO

Defendant(s)

FILED ON BEHALF OF  
Plaintiff

COUNSEL OF RECORD OF  
THIS PARTY:

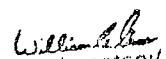
James C. Warmbrodt, Esquire  
PA ID #42524  
WELTMAN, WEINBERG & REIS CO., L.P.A.  
1400 Koppers Buidling  
436 Seventh Avenue  
Pittsburgh, PA 15219  
(412) 434-7955

WWR#6919621 DIS

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

JUN 15 2009

Attest.

  
Prothonotary/  
Clerk of Courts

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

DISCOVER BANK

Plaintiff

vs.

Civil Action No. 2008-1734-CD

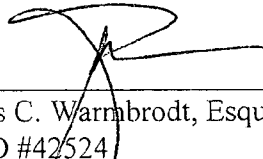
RICHARD D CALVELLO

Defendant(s)

**PRAECIPE TO REINSTATE COMPLAINT**

Kindly reinstate the Complaint in the above captioned matter.

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

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

WWR #6919621

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

DISCOVER BANK

Plaintiff

vs.

RICHARD D CALVELLO

Defendant

No: 08-1734-CD

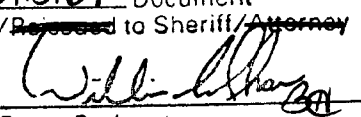
COMPLAINT IN CIVIL ACTION

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  
06919621 C A Pit ABR

6/15/09 Document  
Reinstated/~~Reinstated~~ to Sheriff/~~Attorney~~  
for service.

  
~~Prothonotary~~ Prothonotary

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

DISCOVER BANK

Plaintiff

vs.

Civil Action No

RICHARD D CALVELLO

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, is a corporation with offices at 6500 New Albany Rd,  
New Albany, OH 43054.

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

RICHARD D CALVELLO  
419 W FRONT ST  
CLEARFIELD, PA 16830

3. Defendant applied for and received a credit card issued by  
Plaintiff bearing the account number XXXXXXXXXXXX8236 . A copy of  
Plaintiff's Statement of Account s attached hereto, marked as Exhibit  
"A" and made a part hereof.

4. Defendant made use of said credit card and currently has a balance  
due and owing to Plaintiff, as of September 03, 2008 , in the amount  
of \$4693.99 .

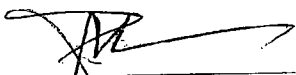
5. Defendant is in default by failing to make payments when due.

6. Plaintiff avers that the Agreement between the parties provides  
that Defendant will pay Plaintiff's attorneys' fees.

7. Plaintiff avers that such attorneys' fees will amount to \$500.00 .

8. 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 , RICHARD D CALVELLO , INDIVIDUALLY , in the amount of \$4693.99 with interest at the legal rate of 6.000% per annum from date of judgment plus attorneys' fees of \$500.00 , and costs.



---

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  
06919621 C A Pit ABR

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.

CARD

34,093.99

\$4,693.99

Account number ending in 8236  
Enter Amount Enclosed BelowPayment Due Date  
July 14, 2008

\$ 10919621 35EM

Please make check payable to Discover Card.  
Minimum payment due includes a past due  
amount of \$930.00.15 SDSN6A01 0002785  
RICHARD CALVELLO  
419 W FRONT ST  
CLEARFIELD PA 16830-1422Will your payment get to us on time? Pay  
your bill online and your payment can be  
made to your account on the same day. Visit  
[Discovercard.com/payments-today](http://Discovercard.com/payments-today).Address, e-mail or telephone change? Print change in space  
above, or go to [Discovercard.com](http://Discovercard.com). Print your e-mail address to  
receive important Account information and special offers.PD BOX 15251  
WILMINGTON DE 19886-5251

000001986458565684657046939900000000469399

## Discover More Card Account Summary

Account number ending in	8236	Closing Date:	June 15, 2008	page 1 of 1
Payment Due Date	July 14, 2008	Previous Balance		\$4,693.99
Minimum Payment Due	\$4,693.99	Payments And Credits	-	0.00
Credit Limit	\$3,000.00	Purchases	+	0.00
Credit Available	\$0.00	Cash Advances	+	0.00
Cash Credit Limit	\$0.00	Balance Transfers	+	0.00
Cash Credit Available	\$0.00	Finance Charges	+	0.00
		New Balance	=	\$4,693.99

## Cashback Bonus®

Opening Cashback Bonus Balance	\$	0.00
New Cashback Bonus Earned	+	0.00
Cashback Bonus Balance	\$	0.00
Available to Redeem	\$	0.00

Cashback Bonus® Anniversary  
Date: August 15How Can We Help You?  
It's your choice - 3 ways to helpPlease have your Discover Card available.  
For TDD (assistance for hearing impaired) see reverse side

1. Visit [Discover.com](http://Discover.com) to pay your bill for no cost, view your latest Account information, earn and redeem rewards and more
2. Call 1-800-DISCOVER (347-2683) for fast, easy self-service options or to speak with a Customer Service Account Manager
3. Write us at Discover Card, PO Box 30943, Salt Lake City, UT 84130

## Transactions

\$0 Fraud Liability Guarantee Use your Discover Card with confidence.

## Information For You

While we are permitted under the Cardmember Agreement to increase the APRs on your Account because your payment was late, we have chosen not to do so at this time. We have terminated, however, any introductory or promotional rate on purchases and any special balance transfer rate, and applied the standard APR for purchases to your outstanding balance of purchases and balance transfers. However, we reserve the right to increase the APRs on your Account if you fail to pay the minimum payment due by the payment due date. See the Default Rate Plan section of the Cardmember Agreement for details.

## Finance Charge Summary

	Average Daily Balances	Daily Periodic Rates	Nominal ANNUAL PERCENTAGE RATES	ANNUAL PERCENTAGE RATES	Periodic FINANCE CHARGES	Transaction Fee FINANCE CHARGES
current billing period: 15 days						
Purchases	\$0	0.07942%	28.99% F	28.99%	\$0	none
Cash Advances	\$0	0.07942%	28.99% F	28.99%	\$0	\$0
previous billing period: 20 days						
Purchases	\$0	0.07942%	28.99% F	28.99%	\$0	none

The rates that apply to your Account are either fixed (F) or they may vary (V) as noted above.

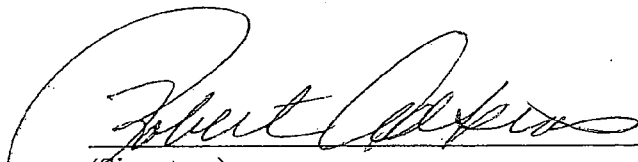
EXHIBIT

A



VERIFICATION

The undersigned does hereby verify subject to the penalties of 18 PA.C.S. §4904 relating to  
unsworn falsifications to authorities, that he is Robert Adkins,  
(Name)  
Accounts Manager of DFS Services LLC, plaintiff herein, that  
(Title) (Company)  
he is duly authorized to make this Verification, and that the facts set forth in the foregoing Complaint  
in Civil Action are true and correct to the best of his knowledge, information and belief.

  
(Signature)

WWR # 6919621  
RICHARD D CALVELLO  
6011002448338236

FILED (E)

NOV 12 2009

11:00 AM  
William A. Shaw  
Prothonotary/Clerk of Courts

Grant of Notice to  
DEFT.

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

DISCOVER BANK

Plaintiff

No: 2008-1734-CD

vs.

PRAECIPE FOR DEFAULT JUDGMENT

RICHARD D CALVELLO

Defendant

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  
06919621 C A Pit JLI  
Judgment Amount \$5193.99

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

DISCOVER BANK

Plaintiff

vs.

Civil Action No. 2008-1734-CD

RICHARD D CALVELLO

PRAECIPE FOR DEFAULT JUDGMENT


TO THE PROTHONTARY:

Kindly enter Judgment against the Defendant RICHARD D CALVELLO  
named, in the default of an Answer, in the amount of \$5193.99 computed as  
follows: <sup>above</sup>

Amount claimed in Complaint	\$4693.99
Less payments / adjustments made	\$0.00
Attorney's fees	\$500.00
TOTAL	\$5193.99

I hereby certify that appropriate Notices of Default, as attached have  
been mailed in accordance with PA R.C.P. 237.1 on the dates indicated on the  
Notices.

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

By:   
James C. Warmbrodt, 42524

06919621 C A Pit JLI

Plaintiff's address is:  
c/o WELTMAN, WEINBERG & REIS CO., L.P.A.,  
436 Seventh Avenue, Suite 1400 Pittsburgh, PA 15219

And that the last known address of the Defendant is :  
RICHARD D CALVELLO  
419 W FRONT ST  
CLEARFIELD, PA 16830

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

DISCOVER BANK

Plaintiff

vs.

Civil Action No. 2008-1734-CD

RICHARD D CALVELLO

NOTICE OF JUDGMENT OR ORDER

TO:     (    ) Plaintiff  
          (xx) Defendant  
          (    ) Garnishee

You are hereby notified that the following Order of Judgment was entered against you on Nov. 12, 2009.

(xx) Assumpsit Judgment in the amount of \$5193.99 plus costs.

(    ) Trespass Judgment in the amount of \$\_\_\_\_\_ plus costs.

(    ) If not satisfied within sixty (60) days, your motor vehicle operator's license and/or registration will be suspended by the Department of Transportation, Bureau of Traffic Safety, Harrisburg, PA.

(xx) Entry of Judgment of  
      (    ) Court Order  
      (    ) Non-Pros  
      (    ) Confession  
      (xx) Default  
      (    ) Verdict  
      (    ) Arbitration Award

Prothonotary

By:   
PROTHONOTARY ~~(OR DEPUTY)~~

RICHARD D CALVELLO  
419 W FRONT ST  
CLEARFIELD, PA 16830

Plaintiff's address is:

c/o WELTMAN, WEINBERG & REIS CO., L.P.A.,  
436 Seventh Avenue, Suite 1400  
Pittsburgh, PA 15219  
(412) 434-7955

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

DISCOVER BANK

Plaintiff

vs.

Civil Action No. 2008-1734-CD

NON-MILITARY AFFIDAVIT

RICHARD D CALVELLO

The undersigned, who first duly sworn, according to law, deposes and states as follows:

That he/she is the duly authorized agent of the Plaintiff in the within matter.

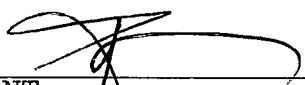
Affiant further states that the within Affidavit is made pursuant to and in accordance with the Servicemembers' Civil Relief Act (SCRA), 50 U.S.C. App. 521.

Affiant further states that based upon investigation it is the affiant's belief that the Defendant, RICHARD D CALVELLO is not in military service.

Affiant further states that this belief is supported by the attached certificate from the Defense Manpower Data Center (DMSC), which states that the Defendant,


RICHARD D CALVELLO  
419 W FRONT ST  
CLEARFIELD, PA 16830

is not in the military service. Further Affiant sayeth naught.

  
AFFIANT

SWORN TO AND SUBSCRIBED in my presence this

6 day of November, 2009.

  
NOTARY PUBLIC

COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Wayne A. Jones, Notary Public  
City of Pittsburgh, Allegheny County  
My Commission Expires June 29, 2010  
Member, Pennsylvania Association of Notaries

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

DISCOVER BANK

Plaintiff

Case No. 2008-1734-CD

vs.

RICHARD D CALVELLO

Defendant

**IMPORTANT NOTICE**

TO:  
RICHARD D CALVELLO  
419 W FRONT ST  
CLEARFIELD, PA 16830

Date of Notice: 10/14/09

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 PAPER 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.

COURT ADMINISTRATOR  
CLEARFIELD COUNTY COURTHOUSE  
SECOND & MARKET STREETS  
CLEARFIELD, PA. 16830  
(814) 765-2641, EXT 50-51

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

By: 

Matthew Urban  
P.A.I.D.# 90963  
WELTMAN, WEINBERG & REIS CO., L.P.A.  
436 Seventh Avenue, 1400 Koppers Building  
Pittsburgh, PA 15219  
Phone: (412) 434-7955  
6919621 A PIT B4S

Department of Defense Manpower Data Center

Oct-29-2009 18:24:06



Military Status Report  
Pursuant to the Service Members Civil Relief Act

Last Name	First/Middle	Begin Date	Active Duty Status	Active Duty End Date	Service Agency
CALVELLO	RICHARD	Based on the information you have furnished, the DMDC does not possess any information indicating the individual status.			

Upon searching the information data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the current status of the individual as to all branches of the Uniformed Services (Army, Navy, Marine Corps, Air Force, NOAA, Public Health, and Coast Guard).

Mary M. Snavelly-Dixon, Director  
Department of Defense - Manpower Data Center  
1600 Wilson Blvd., Suite 400  
Arlington, VA 22209-2593

The Defense Manpower Data Center (DMDC) is an organization of the Department of Defense that maintains the Defense Enrollment and Eligibility Reporting System (DEERS) database which is the official source of data on eligibility for military medical care and other eligibility systems.

The DoD strongly supports the enforcement of the Service Members Civil Relief Act (50 USC App. §§ 501 et seq, as amended) (SCRA) (formerly known as the Soldiers' and Sailors' Civil Relief Act of 1940). DMDC has issued hundreds of thousands of "does not possess any information indicating that the individual is currently on active duty" responses, and has experienced a small error rate. In the event the individual referenced above, or any family member, friend, or representative asserts in any manner that the individual is on active duty, or is otherwise entitled to the protections of the SCRA, you are strongly encouraged to obtain further verification of the person's status by contacting that person's Service via the "defenselink.mil" URL <http://www.defenselink.mil/faq/pis/PC09SLDR.html>. If you have evidence the person is on active duty and you fail to obtain this additional Service verification, punitive provisions of the SCRA may be invoked against you. See 50 USC App. §521(c).

If you obtain additional information about the person (e.g., an SSN, improved accuracy of DOB, a middle name), you can submit your request again at this Web site and we will provide a new certificate for that query.

This response reflects **active duty status** including date the individual was last on active duty, if it was within the preceding 367 days. For historical information, please contact the Service SCRA points-of-contact.

#### ***More information on "Active Duty Status"***

Active duty status as reported in this certificate is defined in accordance with 10 USC § 101(d)(1) for a period of more than 30 consecutive days. In the case of a member of the National Guard, includes service under a call to active service authorized by the President or the Secretary of Defense for a period of more than 30 consecutive days under 32 USC § 502(f) for purposes of responding to a national emergency declared by the President and supported by Federal funds. All Active Guard Reserve (AGR) members must be assigned against an authorized mobilization position in the unit they support. This includes Navy TARs, Marine Corps ARs and Coast Guard RPAs. Active Duty status also applies to a Uniformed Service member who is an active duty commissioned officer of the U.S. Public Health Service or the National Oceanic and Atmospheric Administration (NOAA Commissioned Corps) for a period of more than 30 consecutive days.

#### ***Coverage Under the SCRA is Broader in Some Cases***

Coverage under the SCRA is broader in some cases and includes some categories of persons on active duty for purposes of the SCRA who would not be reported as on Active Duty under this certificate.

Many times orders are amended to extend the period of active duty, which would extend SCRA protections. Persons seeking to rely on this website certification should check to make sure the orders on which SCRA protections are based have not been amended to extend the inclusive dates of service. Furthermore, some protections of the SCRA may extend to persons who have received orders to report for active