

08-1750-CD
Discover Bank vs Gary E. Curry

FILED

M 12.10 e..11. 08
SEP 17 2008

NO CC

1 COMPL. SHFF

William A. Shaw
Prothonotary/Clerk of Courts

Atty Paid 95.00

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

DISCOVER BANK

Plaintiff

No: 2008-1750-CD

vs.

COMPLAINT IN CIVIL ACTION

GARY E CURRY

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
06919605 C A Pit ABR

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

DISCOVER BANK

Plaintiff
vs. Civil Action No

GARY E CURRY

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:

GARY E CURRY
1440 VALLEY RD
WEST DECATUR, PA 16878

3. Defendant applied for and received a credit card issued by Plaintiff bearing the account number XXXXXXXXXXXXXXX1726 . A copy of Plaintiff's Statement of Account is 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 04, 2008 , in the amount of \$2566.14 .

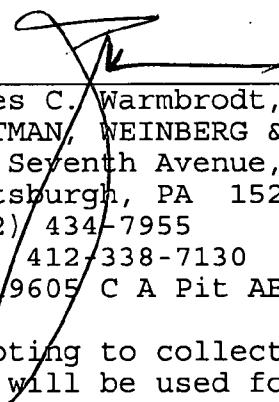
5. Defendant is in default by failing to make payments when due.

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 , GARY E CURRY , INDIVIDUALLY , in the amount of \$2566.14 with interest at the legal rate of 6.000% per annum from date of judgment plus attorneys' fees of \$500.00 , and costs.


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06919605 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

\$0.00

\$446.00

Account Number ending in 1726
Enter Amount Enclosed BelowPayment Due Date
July 29, 2008

\$ 6919.00

351KM

30 SDSN6A01 0002769
GARY CURRY
1440 VALLEY RD
WEST DECATUR PA 16878-9017Will 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.Address, e-mail or telephone change? Print change in space
above, or go to Discovercard.com. Print your e-mail address to
receive important Account information and special offers.PO BOX 15251
WILMINGTON DE 19886-5251

0000019864584890582770000000000000000000044600

Discover More Card Account Summary

Account number ending in	1726
Payment Due Date	July 29, 2008
Minimum Payment Due	\$446.00
Credit Limit	\$2,700.00
Credit Available	\$0.00
Cash Credit Limit	\$1,400.00
Cash Credit Available	\$0.00

Closing Date: June 30, 2008

page 1 of 1

Previous Balance	\$ 2,566.14
Payments And Credits	2,566.14
Purchases	+ 0.00
Cash Advances	+ 0.00
Balance Transfers	+ 0.00
Finance Charges	+ 0.00
New Balance	= \$ 0.00

EXHIBIT

1A

Cashback Bonus®

Cashback Bonus® Anniversary
Date: June 9

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

How 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 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.

Trans. Date	Post Date
Payments and Credits	Jun 30 Jun 30 INTERNAL CHARGE-OFF

\$ -2,566.14

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: 21 days						
Purchases	\$0	0.05449%	19.89% V	19.89%	\$0	none
Cash Advances	\$0	0.05751%	20.99% V	20.99%	\$0	\$0

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

VERIFICATION

The undersigned does hereby verify subject to the penalties of 18 P.A.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.



Robert Adkins
(Signature)

WWR # 6919605
GARY E CURRY
6011002364501726

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
NO: 08-1750-CD

DISCOVER BANK

vs

GARY E. CURRY

SERVICE # 1 OF 1

COMPLAINT

SERVE BY: 10/17/2008

HEARING:

PAGE: 104673

S

FILED

013 31/01
NOV 04 2008

DEFENDANT: GARY E. CURRY
ADDRESS: 1440 VALLEY RD.
WEST DECATUR, PA 1678

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT OCCUPIED

ATTEMPTS

Lp 9/29/08 1042am

William A. Shaw
Prothonotary/Clerk of Courts

SHERIFF'S RETURN

NOW, _____ AT _____ AM / PM SERVED THE WITHIN

COMPLAINT ON GARY E. CURRY, 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 GARY E. CURRY

AT (ADDRESS) _____

Now this 4th day Nov 2008 AT 3:21 AM / PM AFTER DILIGENT SEARCH IN MY BAILIWICK,

I MAKE RETURN OF **NOT FOUND** AS TO GARY E. CURRY

REASON UNABLE TO LOCATE _____

TIME Expired

So Answers: CHESTER A. HAWKINS, SHERIFF

BY: George F. DeHaen Deputy Signature

George F. DeHaen
Print Deputy Name

SWORN TO BEFORE ME THIS

DAY OF 2008

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

SEP 17 2008

Attest.

William L. Brown
Prothonotary/
Clerk of Courts

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

DISCOVER BANK

Plaintiff No: 2008 - 1750 - CD

vs.

COMPLAINT IN CIVIL ACTION

GARY E CURRY

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
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(412) 434-7955
FAX: 412-338-7130
06919605 C A Pit ABR

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

DISCOVER BANK

Plaintiff
vs. Civil Action No

GARY E CURRY

Defendant

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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.

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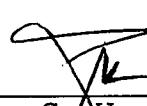
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7. Plaintiff avers that such attorneys' fees will amount to \$500.00 .

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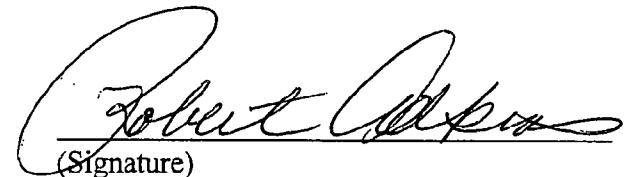

James C. Warmbrodt, 42524
WELTMAN, WEINBERG & REIS CO., L.P.A.
436 Seventh Avenue, Suite 1400
Pittsburgh, PA 15219
(412) 434-7955
FAX: 412-338-7130
06919605 C A Pit ABR

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.

VERIFICATION

The undersigned does hereby verify subject to the penalties of 18 P.A.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.



Robert Adkins
(Signature)

WWR # 6919605
GARY E CURRY
6011002364501726

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

DISCOVER BANK

Plaintiff No. 2008-1750-CD

vs. ACCEPTANCE OF SERVICE

GARY E CURRY

Defendant FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

Matthew D. Urban, ESQUIRE
PA I.D. #90963
Weltman, Weinberg & Reis Co., L.P.A.
1400 Koppers Building
436 7th Avenue
Pittsburgh, PA 15219
(412) 434-7955

WWR#06919605

FILED NO cc
M 12 35 PM
NOV 25 2008 (G)

William A. Shaw
Prothonotary/Clerk of Courts

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

DISCOVER BANK

Plaintiff

vs.

Civil Action No. 2008-1750-CD

GARY E CURRY

Defendant

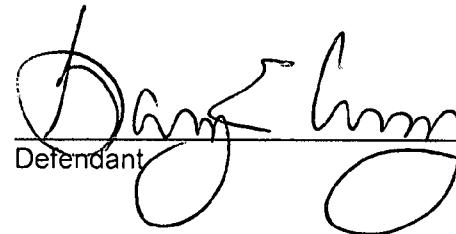
ACCEPTANCE OF SERVICE

I, GARY E CURRY, do hereby accept service of the Complaint in Civil Action.

DATE

11-7-08

Defendant



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

DISCOVER BANK

Plaintiff No.2008-1750-CD

vs.

**PRAECIPE FOR ENTRY OF
JUDGMENT BY CONSENT**

GARY E CURRY

Defendant FILED ON BEHALF OF
Plaintiff
COUNSEL OF RECORD OF
THIS PARTY:

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

WWR#06919605
Judgment Amount \$2,916.14

FILED Atty pd.
11/25/08 20.00
NOV 25 2008 ICC Notice to Def.

William A. Shaw
Prothonotary/Clerk of Courts
Statement to Atty
(60)

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

DISCOVER BANK

Plaintiff

vs.

Civil Action No. 2008-1750-CD

GARY E CURRY

Defendant

PRAECIPE FOR JUDGMENT BY CONSENT

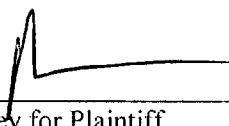
TO THE PROTHONOTARY:

Kindly enter Judgment against Defendant, GARY E CURRY, in the amount of \$2,916.14 plus costs, based upon the consent of the parties.

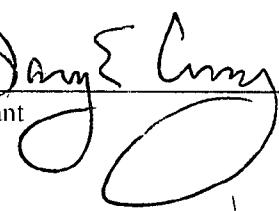
CONSENTED TO:

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

GARY E CURRY,

By: 
Attorney for Plaintiff

WWR#06919605

By: 
Defendant

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

DISCOVER BANK

Plaintiff

vs.

Civil Action No. 2008-1750-CD

GARY E CURRY

Defendant

**STIPULATION OF THE PARTIES FOR PAYMENT
AND FOR THE ENTRY OF JUDGMENT BY CONSENT**

TO THE PROTHONOTARY:

Kindly enter Judgment in favor of Plaintiff and against the Defendant, GARY E CURRY, above-named, in the amount of \$2,916.14 pursuant to the Stipulation of the Parties for Payment and for the Entry of Judgment by Consent, as follows:

1. Defendant admits indebtedness to Plaintiff in the amount of \$2,416.14 with continuing interest thereon at a rate of 6.00% per annum from the date of judgment, plus attorneys' fees in the amount of \$500.00 and costs.

2. To secure the repayment of said indebtedness, Defendant agrees that Judgment by Consent will be entered in favor of the Plaintiff and against the Defendant, GARY E CURRY, in the amount of \$2,416.14 plus continuing interest thereon at the rate of 6.00% per annum from the date of judgment, plus attorneys' fees in the amount of \$500.00 and costs.

3. Plaintiff agrees not to Execute on its Judgment so long as Defendant causes to be delivered to Plaintiff the following payments in full by 12:00 NOON on the following dates:

- (a) \$150.00 due by November 17, 2008;
- (b) no less than \$150.00 per month due at the end of each consecutive month thereafter until the Judgment amount plus accrued interest and costs are paid in full.

4. All payments are to be made payable to the order of "DISCOVER BANK"

5. The first payment due under this agreement is to be received at the offices of Weltman, Weinberg & Reis, Co., L.P.A., 436 Seventh Avenue, Suite 1400, Pittsburgh, PA 15219. All future payments are to be mailed to the offices of Weltman, Weinberg & Reis, Co., P.O. Box 5430, Cleveland, OH 44101-0430.

6. In the event of default, each payment received shall be first attributed to costs, interest and then to principal.

7. Time is of the essence of this agreement and should the Defendant fail to have in the hands of Plaintiff or Plaintiff's counsel any payment in full within five (5) calendar days of the stated due date, then Plaintiff shall be immediately free to issue Execution as well as pursue all other remedies, in law or in equity, to collect the full balance of the Judgment entered hereunder plus appropriate additional interest and costs.

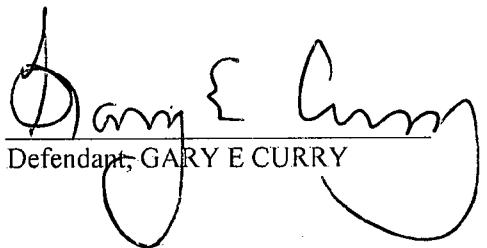
8. No act or omission of the Plaintiff, nor of anyone alleged to be acting on its behalf, shall constitute a waiver, estoppel, or any other excuse for non-performance of any duty undertaken by the Defendant in this Stipulation which the parties agree is final and complete.

9. Intending to be legally bound, the parties set their hands and seals this 19th day of November,
20 84.

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

By:


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

By: 
Defendant, GARY E CURRY

WWR#06919605



MAILED/FILED - NOV 25 2008 - 10:00 AM
CLERK OF COURTS

RECEIVED NOV 25 2008

FILED
NOV 25 2008
William A. Shaw
Prothonotary/Clerk of Courts

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

DISCOVER BANK

Plaintiff

vs.

Civil Action No. 2008-1750-CD

GARY E CURRY

Defendant

NOTICE OF JUDGMENT OR ORDER

TO: Plaintiff
 Defendant
 Garnishee

You are hereby notified that the following
Order or Judgment was entered against you
on 11/25/08

Assumpsit Judgment in the amount
of \$2,916.14 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.

Entry of Judgment of
 Court Order
 Non-Pro
 Confession
 Default
 Verdict
 Arbitration
 Award
 By Consent

Prothonotary

GARY E CURRY
1440 VALLEY RD
WEST DECATUR, PA 16878

By: W. L. Hargan
PROTHONOTARY (OR DEPUTY)

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA
STATEMENT OF JUDGMENT

Open

Discover Bank
Plaintiff(s)

No.: 2008-01750-CD

Real Debt: \$2,916.14

Atty's Comm: \$

Vs. Costs: \$

Int. From: \$

Gary E. Curry Entry: \$20.00
Defendant(s)

Instrument: Consent Judgment

Date of Entry: November 25, 2008

Expires: November 25, 2013

Certified from the record this 25th day of November, 2008.



William A. Shaw, Prothonotary

SIGN BELOW FOR SATISFACTION

Received on _____, _____, of defendant full satisfaction of this Judgment,
Debt, Interest and Costs and Prothonotary is authorized to enter Satisfaction on the same.

Plaintiff/Attorney

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 104673
NO: 08-1750-CD
SERVICES 1
COMPLAINT

PLAINTIFF: DISCOVER BANK
VS.
DEFENDANT: GARY E. CURRY

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	WELTMAN	8732528	10.00
SHERIFF HAWKINS	WELTMAN	8732528	26.87

5
FILED
01/13/2009
JAN 14 2009

William A. Shaw
Prothonotary/Clerk of Courts

Sworn to Before Me This

So Answers,

____ Day of _____ 2008



Chester A. Hawkins
Sheriff

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

DISCOVER BANK

Plaintiff No. 2008-1750-CD

vs. PRAEICE FOR SATISFACTION OF
JUDGMENT

GARY E CURRY

Defendant(s) FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

James C. Warmbrodt, Esquire
PA I.D. # 42524
WELTMAN, WEINBERG & REIS CO., L.P.A.
1400 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7999

WWR#6919605 DIS

5 **FILED** pd \$7.00 AAY
my 1:41 pm ICC + 1 cert
JUL 13 2009 of Sat issued
W.A. Shaw to AAY
Prothonotary/Clerk of Courts Warmbrodt

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

DISCOVER BANK

Plaintiff

vs.

Civil Action No. 2008-1750-CD

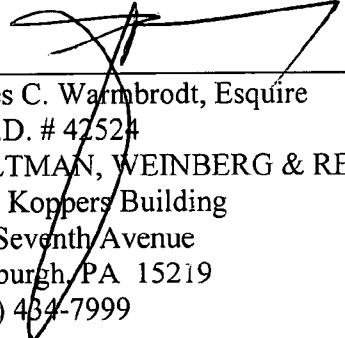
GARY E CURRY

Defendant(s)

PRAECIPE FOR SATISFACTION OF JUDGMENT

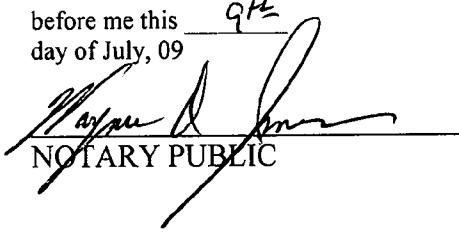
At the request of the undersigned attorneys for the Plaintiff, you are directed to satisfy the above-captioned Judgment.

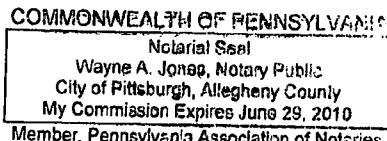
WELTMAN, WEINBERG & REIS CO., L.P.A.

By: 
James C. Warmbrodt, Esquire
PA I.D. # 42524
WELTMAN, WEINBERG & REIS CO., L.P.A.
1400 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7999

WWR #6919605

Sworn to and subscribed
before me this 9th
day of July, 09


NOTARY PUBLIC



IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION



CERTIFICATE OF SATISFACTION OF JUDGMENT

No.: 2008-01750-CD

Discover Bank

Debt: \$2916.14

Vs.

Atty's Comm.:

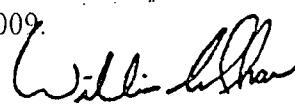
Gary E. Curry

Interest From:

Cost: \$7.00

NOW, Monday, July 13, 2009 , directions for satisfaction having been received, and all costs having been paid, SATISFACTION was entered of record.

Certified from the record this 13th day of July, A.D. 2009.



Prothonotary