

08-1835-CD

Capital One vs Julie C. Tobias

COURT OF COMMON PLEAS OF CLEARFIELD COUNTY
PENNSYLVANIA

CIVIL ACTION -- (LAW) (EQUITY)

No. 2008-1835-CD

Type of Case: Civil

Type of Pleading: Complaint in Civil Action

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

Filed on Behalf of: Plaintiff

v.

JULIE C TOBIAS
Defendant(s)

Counsel of Record for this Party:

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

Dated: September 20, 2008

FILED
m 2:23 p.m. GK ICC ATTY
SEP 26 2008
William A. Shaw
Prothonotary/Clerk of Courts
1 COMPL. SHFF
ATTY PAID 95.00

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

ATTORNEY FOR PLAINTIFF

CAPITAL ONE BANK (USA), N.A.

CLEARFIELD COUNTY

Plaintiff(s)

v.

JULIE C TOBIAS

Defendant(s)

COMPLAINT IN CIVIL ACTION

NOTICE

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

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

AVISO

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha de la demanda y la notificacion. Hace falta asentar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. See avisado que si usted no se defiende, la corte tomara medidas y puede continuar le demanda en contra suya sin previo aviso o notificacion. Ademas, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u ortros derechos importantes para usted.

LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGADO O SI NO TIENE ELDINERO SUFICIENTE DE PAGAR TAL SERVICIO. VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL

DANIEL J. NELSON, COURT ADMINISTRATOR
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PAUL J. KLEMM, ESQUIRE
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425 EAGLE ROCK AVENUE
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ATTORNEY FOR PLAINTIFF

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

CLEARFIELD COUNTY

Plaintiff(s)

v.

JULIE C TOBIAS

Defendant(s)

COMPLAINT IN CIVIL ACTION

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

1. Plaintiff, CAPITAL ONE BANK (USA), N.A., is a corporation licensed to do business in the State of Pennsylvania.
2. Defendant, JULIE C TOBIAS, is an individual and citizen of the Commonwealth of Pennsylvania, who is believed to currently reside at , 100 4TH AVE APT 109, CURWENSVILLE PA 16833-1074.
3. At the special insistence and request of the Defendant, Defendant was issued a credit card by CAPITAL ONE BANK (USA), N.A., account number 5178052672366016.

4. The Defendant is responsible for an unpaid balance in the amount of \$3,691.50 and interest in the amount of \$1,843.66.

5. Plaintiff has made demand to Defendant for \$5,535.16, but Defendant has willfully failed and/or refused to reimburse Plaintiff for the aforesaid sum due.

Wherefore, Plaintiff demands Judgment in its favor and against the Defendant in the amount of \$5,535.16, plus attorney fees of \$812.13 and interest from the date of breach, with continuing interest thereon at the legal rate from the date of Judgment plus anticipated court costs. The damages requested are less than the maximum amount for compulsory arbitration as set by the Court.

Respectfully Submitted:

NUDELMAN, NUDELMAN & ZIERING, P.C.



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

VERIFICATION

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

Date: September 3, 2008



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

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

NO: 08-1835-CD

CAPITAL ONE BANK (USA) N.A.

vs

JULIE C. TOBIAS

SERVICE # 1 OF 1

COMPLAINT

SERVE BY: 10/26/2008

HEARING:

PAGE: 104711

DEFENDANT: JULIE C. TOBIAS
ADDRESS: 100 4TH AVE., APT. 109
CURWENSVILLE, PA 16833

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT

ATTEMPTS

10-21-08-9:52^{AM} - N/H - Left Note

10-24-08-9:45 - Called no Answer

SHERIFF'S RETURN

FILED
012:25 AM
NOV 05 2008

William A. Shaw
Prothonotary/Clerk of Courts
OCCUPIED

NOW, _____ AT _____ AM / PM **SERVED** THE WITHIN

COMPLAINT ON JULIE C. TOBIAS, 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 JULIE C. TOBIAS

AT (ADDRESS) _____

NOW 11-4-08 AT 2:45 PM AFTER DILIGENT SEARCH IN MY BAILIWICK,

I MAKE RETURN OF **NOT FOUND** AS TO JULIE C. TOBIAS

REASON UNABLE TO LOCATE Left Notes, No Response

SWORN TO BEFORE ME THIS

_____ DAY OF _____ 2008

So Answers: CHESTER A. HAWKINS, SHERIFF

BY:

James E. Davis
Deputy Signature

Print Deputy Name

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

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

SEP 26 2008

Attest.

William A. Prothony
Prothonotary/
Clerk of Courts

ATTORNEY FOR PLAINTIFF

CAPITAL ONE BANK (USA), N.A.

CLEARFIELD COUNTY

Plaintiff(s)

v.

2008-1835-CD

JULIE C TOBIAS

Defendant(s)

COMPLAINT IN CIVIL ACTION

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

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

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Date: September 3, 2008

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

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 104711
NO: 08-1835-CD
SERVICES 1
COMPLAINT

PLAINTIFF: CAPITAL ONE BANK (USA) N.A.
vs.
DEFENDANT: JULIE C. TOBIAS

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	NUDELMAN	027932	10.00
SHERIFF HAWKINS	NUDELMAN	027932	21.02

FILED

01/13/304m

JAN 15 2009

4

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

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

vs.

JULIE C. TOBIAS
Defendant

*
*
*
*
*

NO. 2008-1835-CD

ORDER

NOW, this 26th day of June, 2013, upon the Court's review of the docket and noting no activity for a period of over four years, it is the ORDER of this Court that the case be moved to inactive status. The Prothonotary shall code the case in Full Court as Z-INACTA.

BY THE COURT,



FREDRIC J. AMMERMAN
President Judge

FILED NOCC

09:17am
JUN 28 2013

2
William A. Shaw
Prothonotary/Clerk of Courts

FILED

JUN 28 2013

William A. Shaw
Prothonotary/Clerk of Courts

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

S
FILED *ICC Alt*
m/2:13cm Klemm
JAN 27 2014

BRIAN K. SPENCER
PROTHONOTARY
ATTORNEY FOR PLAINTIFF *66*

CAPITAL ONE BANK (USA), N.A. : CLEARFIELD COUNTY
: COURT OF COMMON PLEAS
:
v. :
:
: NO. 2008-01835-CD
JULIE C TOBIAS

ORDER TO DISCONTINUE AND END WITHOUT PREJUDICE

TO THE PROTHONOTARY:

Kindly mark the above-captioned matter as discontinued and ended without prejudice
upon payment of your costs only.

JAN 23 2014

Date: _____

Respectfully Submitted:

NUDELMAN, KLEMM & GOLUB, P.C.



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

NN27949

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

ATTORNEY FOR PLAINTIFF

CAPITAL ONE BANK (USA), N.A.	:	CLEARFIELD COUNTY
	:	COURT OF COMMON PLEAS
Plaintiff(s)	:	
v.	:	
JULIE C TOBIAS	:	
Defendant(s)	:	NO. 2008-01835-CD

CERTIFICATE OF SERVICE

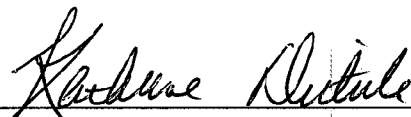
I, Katherine Dieterle, hereby certify that a true and correct copy of the Plaintiff's Order to Discontinue and End Without Prejudice served this date by first class U.S. Mail, postage prepaid, upon the following:

JULIE C TOBIAS
100 4TH AVE APT 109
CURWENSVILLE PA 16833-1074

Date: 4/23/14

Respectfully Submitted:

NUDELMAN, KLEMM & GOLUB, P.C.


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

NN27949

FILED

JAN 27 2014

BRIAN K. SPENCER
PROTHONOTARY & CLERK OF COURTS