

08-2097-CD
Kay Jewelwes vs Amy Bortot

FILED
m 1:52 P.M. -08
NOV 03 2008
William A. Shaw
Prothonotary/Clerk of Courts
ATTY FEE \$100.00
No CC
1 COMPL. SHFF

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

KAY JEWELERS

Plaintiff No. 2008-2097-CD

vs. COMPLAINT IN CIVIL ACTION

AMY BORTOT

Defendant FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

James C. Warmbrodt,
P.A.I.D.# 42524
Weltman, Weinberg & Reis Co., L.P.A.
436 Seventh Avenue, Suite 1400
Pittsburgh, PA 15219
(412)434-7955
Fax: 412-338-7130

WWR#7066257

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

KAY JEWELERS

Plaintiff

vs.

Civil Action No.

AMY BORTOT

Defendant

COMPLAINT IN CIVIL ACTION 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

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

COMPLAINT

1. Plaintiff is a corporation with offices in 375 GHENT ROAD AKRON, OH 44333-0000.
2. Defendant is an adult individual residing at 2717 MONTGOMERY RUN ROAD CLEARFIELD, PA 16830
3. Defendant applied for and received a credit card issued by Plaintiff bearing the account number 0827.
4. Defendant made use of said credit card and has currently a balance due and owing to Plaintiff, as of OCTOBER 10 2008, in the amount of \$1,287.23. A true and correct copy of Plaintiff's Statement of Account is attached hereto, marked as Exhibit "1" and made a part hereof.
5. Defendant is in default of the terms of the cardholder Agreement having not made monthly payments to Plaintiff thereby rendering the entire balance immediately due and payable.
6. Plaintiff avers that the Cardholder Agreement between the parties provides that Plaintiff is entitled to the addition of finance charges at the rate of 0.00% per annum on the unpaid balance.
7. Although repeatedly requested to do so by Plaintiff, Defendant has willfully failed and/or refused to pay the principal balance, finance charges or any part thereof to Plaintiff.

WHEREFORE, Plaintiff demands Judgment in its favor and against Defendant, AMY BORTOT individually, in the amount of \$1,287.23 with continuing finance charges thereon at the rate of 0.00% per annum from OCTOBER 10 2008 plus costs.

**THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED
SHALL BE USED FOR THAT PURPOSE.**

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

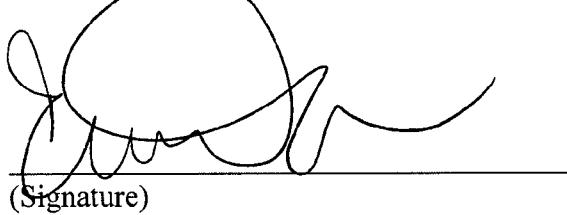
James C. Warmbrodt,
P.A.I.D.# 42524
Weltman, Weinberg & Reis Co., L.P.A.
436 Seventh Avenue, Suite 1400
Pittsburgh, PA 15219
(412)434-7955
Fax: 412-338-7130

WWR#:7066257

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/she is Erica Mumau
Legal Analyst (Name)
(Title) of Sterling Fullers (Company)

he/she 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/her knowledge, information and belief.



(Signature)

Eric E. Smith - Notary Public

WWR#7066257

Enid E. Smith
Resident Summit County
Notary Public, State of Ohio
My Commission Expires: 07/12/11

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
NO: 08-2097-CD

KAY JEWELERS
vs
AMY BORTOT

SERVICE # 1 OF 1

COMPLAINT

SERVE BY: 12/03/2008 HEARING: PAGE: 104860

DEFENDANT: AMY BORTOT
ADDRESS: 2717 MONTGOMERY RUN RD.
CLEARFIELD, PA 16830

ALTERNATE ADDRESS

SERVE AND LEAVE WITH: DEFENDANT/AAR

CIRCLE IF THIS HIGHLIGHTED ADDRESS IS: VACANT

FILED
03-30-08
DEC 12 2008
William A. Shaw
Prothonotary/Clerk of Courts

ATTEMPTS 1-20-08 N/H _____

SHERIFF'S RETURN

NOW, This 1st day of Dec 2008 AT 3:05 AM / PM SERVED THE WITHIN

COMPLAINT ON AMY BORTOT, DEFENDANT

BY HANDING TO AMY BORTOT, REF

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

ADDRESS SERVED 2717 MONTGOMERY RUN RD

NOW _____ AT _____ AM / PM POSTED THE WITHIN

COMPLAINT FOR AMY BORTOT

AT (ADDRESS) _____

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

I MAKE RETURN OF **NOT FOUND** AS TO AMY BORTOT

REASON UNABLE TO LOCATE _____

SWORN TO BEFORE ME THIS

DAY OF _____ 2008

So Answers: CHESTER A. HAWKINS, SHERIFF

BY: George F. DeHaven

Deputy Signature

George F. DeHaven

Print Deputy Name

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 104860
NO: 08-2097-CD
SERVICES 1
COMPLAINT

PLAINTIFF: KAY JEWELERS

VS.

DEFENDANT: AMY BORTOT

SHERIFF RETURN

RETURN COSTS

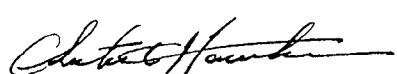
Description	Paid By	CHECK #	AMOUNT
SURCHARGE	WELTMAN	8794260	10.00
SHERIFF HAWKINS	WELTMAN	8794260	22.00

S FILED
O 13:45 pm
FEB 17 2009
William A. Shaw
Prothonotary/Clerk of Courts

Sworn to Before Me This

So Answers,

____ Day of _____ 2008



Chester A. Hawkins
Sheriff

PAK 30 2008
S 01/12:35 (C)
William A. Shaw
Prothonotary/Clerk of Courts
1 URGENT w/ Notice

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

KAY JEWELERS

Plaintiff No. 2008-2097-CD

vs. PRAECIPE FOR DEFAULT JUDGMENT

AMY BORTOT

Defendant

FILED ON BEHALF OF
Plaintiff

COUNSEL OF RECORD OF
THIS PARTY:

JAMES C WARMBRODT, ESQUIRE
P.A.I.D. # 42524
Weltman, Weinberg & Reis Co., L.P.A.
436 Seventh Avenue, Suite 1400
Pittsburgh, PA 15219
(412)434-7955
Fax: 412-338-7130

WWR#7066257
Judgment Amount \$ 1287.23

**THIS LAW FIRM IS ATTEMPTING TO COLLECT THIS DEBT FOR ITS CLIENT AND ANY
INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.**

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

KAY JEWELERS

Plaintiff

vs.

Civil Action No. 2008-2097-CD

AMY BORTOT

Defendant

PRAECIPE FOR DEFAULT JUDGMENT

TO THE PROTHONOTARY:

Kindly enter Judgment against the Defendant, AMY BORTOT above named, in the default of an Answer, in the amount of \$1287.23 computed as follows:

Amount claimed in Complaint	\$1287.23
Interest from DATE OF JUDGMENT at the legal interest rate of 6.00% per annum	\$
TOTAL	\$1287.23

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 WARM BRODT, ESQUIRE
P.A.I.D. # 42524
Weltman, Weinberg & Reis Co., L.P.A.
436 Seventh Avenue, Suite 1400
Pittsburgh, PA 15219
(412)434-7955
Fax: 412-338-7130

WWR#7066257

Plaintiff's address is:

c/o Weltman, Weinberg & Reis Co., L.P.A., 2718 Koppers Building, 436 7th Avenue, Pittsburgh, PA 15219
And that the last known address of the Defendant is: 2717 MONTGOMERY RUN ROAD
CLEARFIELD, PA 16830

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

KAY JEWELERS

Plaintiff

vs.

Civil Action No. 2008-2097-CD

AMY BORTOT

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 May 26, 2009

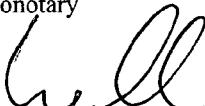
Assumpsit Judgment in the amount
of \$1287.23 plus costs.

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

Prothonotary

By: 
PROTHONOTARY (OR DEPUTY)

KENNETH SITES, ESQUIRE
432 BOULEVARD OF THE ALLIES
PITTSBURGH PA 15219

Plaintiff's address is:

c/o Weltman, Weinberg & Reis Co., L.P.A., 2718 Koppers Building, 436 7th Avenue, Pittsburgh, PA 15219
1-888-434-0085

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

KAY JEWELERS

Plaintiff

Case No. 2008-2097-CD

vs.

AMY BORTOT

Defendant

IMPORTANT NOTICE

TO:

AMY BORTOT
2717 MONTGOMERY RUN ROAD
CLEARFIELD, PA 16830

Date of Notice: 3/3/09

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
7066257 E PIT SMI

Department of Defense Manpower Data Center

MAR-17-2009 05:27:01



Military Status Report
 Pursuant to the Servicemembers Civil Relief Act

Last Name	First/Middle	Begin Date	Active Duty Status	Service/Agency
BORTOT	AMY		Based on the information you have furnished, the DMDC does not possess any information indicating that the individual is currently on active duty.	

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 Military.

Mary M. Snavely-Dixon

Mary M. Snavely-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 Department of Defense strongly supports the enforcement of the Servicemembers Civil Relief Act [50 USCS Appx. §§ 501 et seq] (SCRA) (formerly 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 active duty status by contacting that person's Military Service via the "defenselink.mil" URL provided below. If you have evidence the person is on active-duty and you fail to obtain this additional Military Service verification, provisions of the SCRA may be invoked against you.

If you obtain further 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 current active duty status only. For historical information, please contact the Military Service SCRA points-of-contact.

See: <http://www.defenselink.mil/faq/pis/PC09SLDR.html>

WARNING: This certificate was provided based on a name and Social Security number (SSN) provided

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

KAY JEWELERS

Case no: 2008-2097-CD

Plaintiff
vs.
NON-MILITARY AFFIDAVIT

AMY BORTOT

Defendant

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

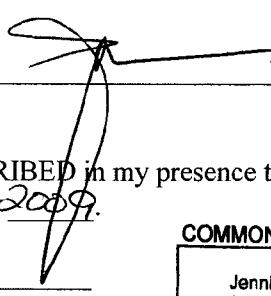
That he/she is the duly authorized agent of the Plaintiff in the within matter.

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.

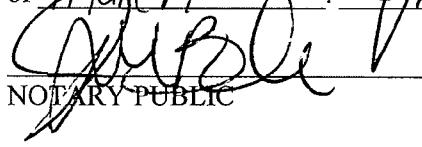
Affiant further states that based upon investigation it is the affiant's belief that the Defendant, AMY BORTOT is not in the military service.

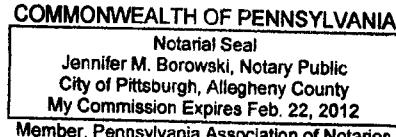
Affiant further states that this belief is supported by the attached certificate from the Defense Manpower Data Center (DMDC), which states that the Defendant, AMY BORTOT is not in the military service.

Further Affiant sayeth naught.


AFFIANT

SWORN TO AND SUBSCRIBED in my presence this 25 day
of MARCH 2009.


NOTARY PUBLIC



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.