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**FILED** *Atty Paid 95.00*  
*m 1:52 P.M. - CK*  
**NOV 03 2008** *No CC*  
William A. Shaw  *1 Compl. SHFF*  
Prothonotary/Clerk of Courts

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

KAY JEWELERS

Plaintiff

vs.

AMY BORTOT

Defendant

No. 2008-2097-CD

COMPLAINT IN CIVIL ACTION

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

Welman, Weinberg & Reis Co., L.P.A.

436 Seventh Avenue, Suite 1400

Pittsburgh, PA 15219

(412)434-7955

Fax: 412-338-7130

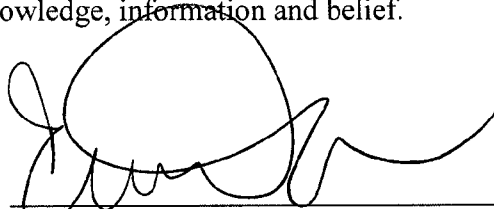
WWR#:7066257

You could win a \$3,000  
Key  
Gift Certificate  
In our Customer Feedback Sweepstakes.  
Go to <http://survey.kay.com>  
Or call 1-800-876-0323  
Within 72 hours of Midnight tonight.  
Your ID Code is  
013-915-380-9  
No purchase necessary. Void where prohibited.  
Open to legal U.S. residents, 18 or older.  
See rules including entry without  
code at this location.  
Or go to <http://survey.kay.com>.  
Sweepstakes ends January 31, 2008.  
Subject to Official Rules.

RECEIPT MUST ACCOMPANY ALL EXCHANGES / REFUNDS.  
SEE BACK FOR REFUND INFORMATION.

VERIFICATION

The undersigned does hereby verify subject to the penalties of 18 PA.C.S. §4904 relating to unsworn falsifications to authorities, that he/she is Erica Mumau  
Legal Analyst of Sterling Jewelers, plaintiff herein, that  
(Title) (Name) (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)

*Enid 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

ATTEMPTS

11-20-08 N/A

OCCUPIED William A. Shaw  
Prothonotary/Clerk of Courts

FILED  
0/3:30pm  
DEC 12 2008

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. DelHaven  
Deputy Signature

GEORGE F. DelHaven  
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

5  
FILED  
013:45  
FEB 17 2009  
William A. Shaw  
Prothonotary/Clerk of Courts

Sworn to Before Me This

\_\_\_\_\_ Day of \_\_\_\_\_ 2008

\_\_\_\_\_

So Answers,



Chester A. Hawkins  
Sheriff

FILED (2)  
MAR 30 2008  
5 0/12:35 (C)  
William A. Shaw  
Prothonotary/Clerk of Courts  
1 CURT W/ NOTION

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:

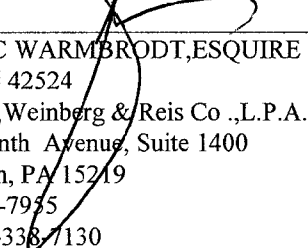
Amount claimed in Complaint \$1287.23

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 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

Plaintiff's address is:

c/o Weltman, Weinberg & Reis Co., L.P.A., 2718 Koppers Building, 436 7<sup>th</sup> 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 MARCH 30, 2009

(xx)    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.

(xx)    Entry of Judgment of  
         ☐ Court Order  
         ☐ Non-Pros  
         ☐ 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 7<sup>th</sup> 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.

A handwritten signature in cursive script that reads "Mary M. Snavelly-Dixon".

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 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

**NON-MILITARY AFFIDAVIT**

vs.

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

COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Jennifer M. Borowski, Notary Public  
City of Pittsburgh, Allegheny County  
My Commission Expires Feb. 22, 2012  
Member, Pennsylvania Association of Notaries

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.