

08-2267-CD

Discover Bank vs Tina Marie Serafini

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FILED (E)

NOV 24 2008

m/12:20/w
William A. Shaw
Prothonotary/Clerk of Courts
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IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL DIVISION

DISCOVER BANK

Plaintiff

vs.

TINA MARIE SERAFINI

Defendant

No: 2008-2267-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
07032014 C A Pit ABR

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

DISCOVER BANK

Plaintiff

vs.

Civil Action No

TINA MARIE SERAFINI

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:

TINA MARIE SERAFINI
530 S 3RD ST
CLEARFIELD, PA 16830

3. Defendant applied for and received a credit card issued by Plaintiff bearing the account number XXXXXXXXXXXX4350 . 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 November 03, 2008 , in the amount of \$9405.74 .


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 \$1500.00

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 , TINA MARIE SERAFINI , INDIVIDUALLY , in the amount of \$9405.74 with interest at the legal rate of 6.000% per annum from date of judgment plus attorneys' fees of \$1500.00 , 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
07032014 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.

Payment Due Date
September 14, 2008

\$ 7032014

Please make check payable to Discover Card.
Minimum payment due includes a past due
amount of \$1,763.00.

15 SDSN6A01 0015416

TINA SERAFINI
530 S 3RD ST
CLEARFIELD PA 16830-2004Will 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
Discover.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. Print your e-mail address to
receive important Account information and special offers.

000001986458682197781094057400000000940574

EXHIBIT

Discover More Card Account Summary

Closing Date: August 15, 2008

page 1 of 1

Account number ending in 4350
Payment Due Date September 14, 2008
Minimum Payment Due \$9,405.74
Credit Limit \$7,700.00
Credit Available \$0.00
Cash Credit Limit \$0.00
Cash Credit Available \$0.00

Previous Balance	\$9,405.74
Payments And Credits	- 0.00
Purchases	+ 0.00
Cash Advances	+ 0.00
Balance Transfers	+ 0.00
Finance Charges	+ 0.00
New Balance	= \$9,405.74

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: December 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** 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: 15 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.

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.

Robert Adkins
(Signature)

WWR# 7032014
Tina M. Serafini
'6011002550774350

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
NO: 08-2267-CD

DISCOVER BANK
vs
TINA MARIE SERAFINI

SERVICE # 1 OF 1

COMPLAINT

SERVE BY: 12/24/2008 HEARING: PAGE: 104977

DEFENDANT: TINA MARIE SERAFINI
ADDRESS: 530 S. 3RD 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, This 2nd day of Dec 2008 AT 2:10 AM / PM SERVED THE WITHIN

COMPLAINT ON TINA MARIE SERAFINI, DEFENDANT

BY HANDING TO TINA MARIE SERAFINI, Def

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

ADDRESS SERVED 530 S 3RD ST CLFD

NOW _____ AT _____ AM / PM POSTED THE WITHIN

COMPLAINT FOR TINA MARIE SERAFINI

AT (ADDRESS) _____

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

I MAKE RETURN OF **NOT FOUND** AS TO TINA MARIE SERAFINI

REASON UNABLE TO LOCATE _____

SWORN TO BEFORE ME THIS

_____ DAY OF _____ 2008

So Answered: 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 # 104977
NO: 08-2267-CD
SERVICES 1
COMPLAINT

PLAINTIFF: DISCOVER BANK
VS.
DEFENDANT: TINA MARIE SERAFINI

SHERIFF RETURN

RETURN COSTS

Description	Paid By	CHECK #	AMOUNT
SURCHARGE	WELTMAN	8794673	10.00
SHERIFF HAWKINS	WELTMAN	8794673	20.00

S FILED
012:45cm
MAR 24 2009
William A. Shaw
Prothonotary/Clerk of Courts

Sworn to Before Me This

_____ Day of _____ 2008

So Answers,

Chester A. Hawkins

Chester A. Hawkins
Sheriff

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

DISCOVER BANK

Plaintiff

No: 2008-2267-CD

vs.

PRAECIPE FOR DEFAULT JUDGMENT

TINA MARIE SERAFINI

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
07032014 C A Pit JLI
Judgment Amount \$10905.74

FILED *Att. pd.*
mt 08/01 *20.00*
MAY 14 2009 *1000 Notice*
William A. Shaw *to Def.*
Prothonotary/Clerk of Courts
(64)

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

DISCOVER BANK

Plaintiff

vs.

Civil Action No. 2008-2267-CD

TINA MARIE SERAFINI

PRAECIPE FOR DEFAULT JUDGMENT

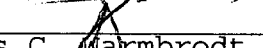
TO THE PROTHONTARY:

Kindly enter Judgment against the Defendant TINA MARIE SERAFINI
above named, in the default of an Answer, in the amount of \$10905.74
computed as follows:

Amount claimed in Complaint	\$9405.74
Less payments / adjustments made	\$0.00
Attorney's fees	\$1500.00
TOTAL	\$10905.74

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

07032014 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:
530 S 3RD ST CLEARFIELD, PA 16830

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

COPY

DISCOVER BANK

Plaintiff

vs.

Civil Action No. 2008-2267-CD

TINA MARIE SERAFINI

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 May 14, 2009.

(xx) Assumpsit Judgment in the amount of \$10905.74 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: Will. L. Hargis
PROTHONOTARY (OR DEPUTY)

TINA MARIE SERAFINI
530 S 3RD 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. 2008-2267-CD

TINA MARIE SERAFINI

NON-MILITARY AFFIDAVIT

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, TINA MARIE SERAFINI 530 S 3RD ST CLEARFIELD, PA 16830 is not in military service.

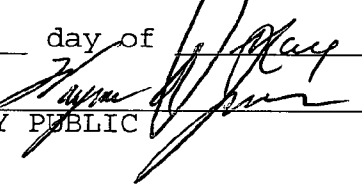
Affiant further states that this belief is supported by the attached certificate from the Defense Manpower Data Center (DMSC), which states that the Defendant, TINA MARIE SERAFINI 530 S 3RD ST CLEARFIELD, PA 16830 is not in the military service.

Further Affiant sayeth naught.


AFFIANT

SWORN TO AND SUBSCRIBED in my presence this

11 day of May, 2009.


NOTARY PUBLIC

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Wayne A. Jones, Notary Public
City of Pittsburgh, Allegheny County
My Commission Expires June 28, 2010
Member, Pennsylvania Association of Notaries

Department of Defense Manpower Data Center

APR-22-2009 16:28:23



Military Status Report
Pursuant to the Servicemembers Civil Relief Act

◀ Last Name	First/Middle	Begin Date	Active Duty Status	Service/Agency
SERAFINI	TINA	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. 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 by the requester. Providing an erroneous name or SSN will cause an erroneous certificate to be provided.

Report ID: IYNQMAJJUS

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

DISCOVER BANK

Plaintiff

Case No. 2008-2267-CD

vs.

TINA MARIE SERAFINI

Defendant

IMPORTANT NOTICE

TO:
TINA MARIE SERAFINI
530 S 3RD ST
CLEARFIELD, PA 16830

Date of Notice: 4/9/09

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
CLEARFILED 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
7032014 A PIT J4C