

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY  
PENNSYLVANIA

COVER SHEET

Plaintiff:  LVNV FUNDING, LLC	Case No.:
	Type of Pleading: Complaint
	Code & Classification
	Filed on Behalf of : LVNV FUNDING, LLC
Vs.	
Defendant:  JONI K SMITH A/K/A NAMOSHA SMITH	X Counsel of Record Individual, If Pro Se
	Name, Address & Telephone Number:  Apothaker & Associates, P.C. 520 Fellowship Road C306 Mount Laurel, NJ 08054 800-672-0215
	Attorney State ID: 38423

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA  
CIVIL DIVISION-ARBITRATION DOCKET

LVNV FUNDING, LLC  
15 SOUTH MAIN STREET STE 700  
GREENVILLE, SC 29601

Plaintiff,

vs.

JONI K SMITH A/K/A NAMOSHA  
SMITH  
923 ADELAIDE ST  
PITTSBURGH, PA 15219

Defendant.

ARBITRATION DOCKET

NO.:

**HEARING DATE:** \_\_\_\_\_  
Room 523 5th Floor Courthouse  
9:00 a.m.

**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 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. 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.

LAWYER REFERRAL SERVICE, The Allegheny County Bar Association,  
11th Floor Koppers Building, 436 Seventh Ave  
Pittsburgh, Pennsylvania 15219  
Telephone: (412) 261-5555

**HEARING NOTICE**

YOU HAVE BEEN SUED IN COURT. The above Notice to Defend explains what you must do to dispute the claims made against you. If you file the written response referred to in the Notice to Defend, a hearing before a board of arbitrators will take place in Room 523 of the Allegheny County Courthouse, 436 Grant Street, Pittsburgh, Pennsylvania on \_\_\_\_\_ at 9:00 A.M. IF YOU FAIL TO FILE THE RESPONSE DESCRIBED IN THE NOTICE TO DEFEND, A JUDGMENT FOR THE AMOUNT CLAIMED IN THE COMPLAINT MAY BE ENTERED AGAINST YOU BEFORE THE HEARING.

**DUTY TO APPEAR AT ARBITRATION HEARING**

If one or more of the parties is not present at the hearing, THE MATTER MAY BE HEARD AT THE SAME TIME AND DATE BEFORE A JUDGE OF THE COURT WITHOUT THE ABSENT PARTY OR PARTIES. *THERE IS NO RIGHT TO A TRIAL DE NOVO ON APPEAL FROM A DECISION ENTERED BY A JUDGE.*

NOTICE: You must respond to this complaint within twenty (20) days or a judgment for the amount claimed may be entered against you *before the hearing*.

If one or more of the parties is not present at the hearing, the matter may be heard immediately before a judge without the absent party or parties. There is *no right to a trial de novo on appeal from a decision entered by a judge*.

Our File No.: 329784  
APOTHAKE & ASSOCIATES, P.C.  
BY: David J. Apothaker, Esquire  
Attorney I.D.# 38423  
520 Fellowship Road C306  
Mount Laurel, NJ 08054  
(800) 672-0215  
Attorneys for Plaintiff

LVNV FUNDING, LLC	)	COURT OF COMMON PLEAS
15 SOUTH MAIN STREET STE 700	)	ALLEGHENY COUNTY
GREENVILLE, SC 29601	)	
	)	NO.:
Plaintiff,	)	
vs.	)	
	)	
JONI K SMITH A/K/A NAMOSHA	)	
SMITH	)	
923 ADELAIDE ST	)	
PITTSBURGH, PA 15219	)	
Defendant.	)	

CIVIL ACTION COMPLAINT  
**FIRST COUNT**

1. Plaintiff is LVNV FUNDING, LLC, 15 SOUTH MAIN STREET STE 700, GREENVILLE, SC 29601.
2. Defendant(s) is/are JONI K SMITH A/K/A NAMOSHA SMITH, an adult individual residing at 923 ADELAIDE ST PITTSBURGH, PA 15219.
3. Plaintiff, LVNV FUNDING, LLC, is the Assignee and Successor in Interest of Account # ending in 5380; and said account was issued to Defendant(s) by HSBC/ORCHARD BANK, the Original creditor.
4. Defendant received, accepted and used the account to its benefit.
5. This account is in default and Defendant(s) has an unpaid balance of \$746.14. A true and correct copy of the total due and owing is attached hereto, made a part hereof and marked as Exhibit "A".
6. All credits, if any, to which Defendant(s) is entitled, have been applied to the account and are included in Exhibit "A".
7. Although demand has been made, Defendant(s) has failed to make payment of the amount due as above.

WHEREFORE, Plaintiff demands judgment in favor of Plaintiff and against Defendant(s) for the sum of \$746.14 and requests this Court award costs to the extent permitted by applicable law.

APOTHAKE & ASSOCIATES, P.C.  
Attorney for Plaintiff  
A Law Firm Engaged in Debt Collection

BY: /s/ David J. Apothaker  
David J. Apothaker

Dated: 1/19/2012

**VERIFICATION**

I, David J. Apothaker, Esquire, hereby verify subject to the penalties of 18 Pa.C.S. §4904 relating to unsworn falsification to authorities that I am counsel for Plaintiff in this action, that I make this Verification based upon the facts as supplied to me by the Plaintiff and/or its agents and because the Plaintiff is outside the jurisdiction of the court, and that the facts set forth in the foregoing Civil Action Complaint are true and correct to the best of my knowledge, information, and belief.

APOTHAKER & ASSOCIATES, P.C.  
Attorney for Plaintiff  
A Law Firm Engaged in Debt Collection

A handwritten signature in black ink, appearing to be 'D. Apothaker', written over a horizontal line.

BY: \_\_\_\_\_  
David J. Apothaker, Esquire

DATE: 1/19/2012

HOUSEHOLD BANK PLATINUM



JONI K SMITH

ACCOUNT SUMMARY		PAYMENT SUMMARY		BALANCE SUMMARY	
ACCOUNT NUMBER	5380	MINIMUM PAYMENT*	\$32.00	PREVIOUS BALANCE	\$728.28
CASH CREDIT LIMIT †	\$75	PAYMENT DUE DATE	02/28/09	PAYMENTS/CREDITS	- \$0.00
CASH LIMIT AVAILABLE	\$0	OVERLIMIT AMOUNT	\$446.14	PURCHASES/DEBITS	+ \$0.00
TOTAL CREDIT LIMIT	\$300	PAST DUE AMOUNT	\$201.00	LATE PAYMENT CHARGE	+ \$0.00
TOTAL CREDIT LIMIT AVAILABLE	\$0	CURRENT PAYMENT DUE*	\$478.14	MISC. FINANCE CHARGE	+ \$0.00
STATEMENT DATE	02/03/09	To avoid additional late and/or overlimit fees, you must pay the Current Payment Due (which includes the Minimum Payment and any Past Due and/or Overlimit Amounts). *See About Your Payment on reverse for an explanation of these amounts.		FINANCE CHARGE	+ \$17.86
				NEW BALANCE	= \$746.14

† Cash Credit Limit is a portion of the Total Credit Limit

PERIODIC FINANCE CHARGE SUMMARY					
This is a grace account. Grace period information on back.					
	Balance Subject To Finance Charge Average Daily Balance	Daily Periodic Rate	Days in Billing Cycle	Finance Charges At Periodic Rate	NOMINAL ANNUAL PERCENTAGE RATE
PURCHASES	\$547.75	0.08080%(v)	30	\$13.28	29.49%(v)
CASH ADVANCES	\$189.13	0.08080%(v)	30	\$4.58	29.49%(v)
ANNUAL PERCENTAGE RATE**	29.490%				
**May be higher then Nominal Percentage Rate if statement includes misc. finance charges. (V) indicates variable rate					

IMPORTANT INFORMATION

Your account has been placed with a collection agency. Please contact them directly, or call us at 1-800-388-5333.

✓ MAIL PAYMENTS TO:

HSBC CARD SERVICES  
PO BOX 17051  
BALTIMORE MD 21297-1051

☎ QUESTIONS?

24-HOUR AUTOMATED ACCOUNT INFORMATION  
ENGLISH 1-800-477-1024  
ESPAÑOL 1-503-293-4834

💻 Manage your account online at:  
www.householdbank.com

✉ MAIL INQUIRIES TO:

HSBC CARD SERVICES  
PO BOX 80084  
SALINAS CA 93912-0084

EXCPT

PLEASE DETACH AND RETURN BOTTOM PORTION WITH YOUR PAYMENT: To Assure Proper Credit Please Write Your Account Number On Your Check

Account Number	5380		
New Balance	\$746.14	Minimum Payment	\$32.00
Payment Due Date	02/28/09	Current Payment Due	\$478.14

Include account number on check to HSBC CARD SERVICES. Do not send cash. Send payment 7 to 10 days prior to Payment Due Date to ensure timely delivery. To avoid additional late and/or overlimit fees, pay the Current Payment Due.

Amount Enclosed

JONI K SMITH  
117 ASHTON ST  
PITTSBURGH PA 15207-1701

HSBC CARD SERVICES  
PO BOX 17051  
BALTIMORE MD 21297-1051