

CITY COURT OF THE CITY OF BUFFALO
COUNTY OF ERIE

Index No. [REDACTED]

MIDLAND FUNDING LLC

Plaintiff

SUMMONS (COPY)

-against-

Jane Consumer

The basis of venue is:
DEFENDANT'S RESIDENCE

Defendant(s)

Plaintiff's Residence:
8875 AERO DRIVE SUITE 200
SAN DIEGO, CA 92123
County of SAN DIEGO

CONSUMER CREDIT TRANSACTION

To the above named defendant(s):

YOU ARE HEREBY SUMMONED and required to appear in the City Court of the City of Buffalo, located at 50 Delaware Avenue, in the City of Buffalo, County of Erie, State of New York, by serving an answer * to the annexed complaint upon plaintiff's attorney, at the address stated below, or if there is no attorney, upon the plaintiff, at the address stated above, within the time provided by law as noted below; upon your failure to answer, judgment will be taken against you for the relief demanded in the complaint, together with the costs of this action.

Dated: Islandia, New York
JANUARY 24, 2013

RUBIN & ROTHMAN, LLC
Attorneys for Plaintiff
1787 Veterans Highway
Islandia, N.Y. 11749
(631) 234-1500

NOTE: The law provides that:

(1) If this summons is served by its delivery to you personally within the County of Erie, you must appear and answer within 10 days after such service; or

(2) If this summons is served by delivery to any person other than you personally, or is served outside the County of Erie, or by publication, or by any means other than personal delivery to you within the County of Erie, you are allowed 30 days after service is complete within which to answer.

* You need not physically go to the court serve an answer.

DEFENDANT(S) ADDRESS:

[REDACTED]

WE ARE ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. THIS COMMUNICATION IS FROM A DEBT COLLECTOR.

NYC DCA LIC. 1249720

Our File No. [REDACTED]

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MIDLAND FUNDING LLC

Plaintiff

-against-

COMPLAINT (COPY)

Jane Consumer

Defendant(s)

Plaintiff, by its attorneys, complaining of the defendant(s), alleges:

AS AND FOR A FIRST CAUSE OF ACTION

1. Defendant(s) resides in the county in which this action is brought; or transacted business in the county in which this action is brought in person or through an agent, and this cause of action arose out of said transaction. The NYC Department of Consumer Affairs has issued license No. 1312658 to plaintiff.
2. Plaintiff is a foreign limited liability company.
3. Defendant used a credit card under Account No. [REDACTED] issued by CHASE BANK USA, N.A. [REDACTED] agreed to make payments for goods and services charged and/or cash advances made upon such card. Plaintiff purchased the account from the original credit grantor or a subsequent assignee or through their selling agent.
4. Defendant(s) failed to make the payments due pursuant to such agreement and \$ 2,273.55 is now due and owing to plaintiff from defendant(s), together with interest on \$ 2,273.55 from 12/23/12 at the rate of 9.00 % per annum.

AS AND FOR A SECOND CAUSE OF ACTION

5. Defendant(s) accepted statements sent by plaintiff or plaintiff's assignor without objection.
6. By reason thereof, an account was stated by plaintiff or plaintiff's assignor to defendant in the said amount.

WHEREFORE, plaintiff requests judgment against defendant(s) in the sum of \$ 2,273.55, with interest on \$ 2,273.55 from 12/23/12 at the rate of 9.00 % per annum and the costs and disbursements of this action.

Dated: Islandia, New York
JANUARY 24, 2013

RUBIN & ROTHMAN, LLC
Attorneys for Plaintiff
1787 Veterans Highway
Islandia, N.Y. 11749
(631) 234-1500

Deponent is an attorney associated with Rubin & Rothman, LLC. To the best of deponent's knowledge, information and belief, formed after an inquiry reasonable under the circumstances, the summons and complaint or the contentions therein are not frivolous as defined in section 130-1-(c) of the Rules of the Chief Adm. and the matter was not obtained through illegal conduct or in violation of 22 NYCRR 1200.41-a (DR 7-111).

Dated: JANUARY 24, 2013

_____/S/
JOSEPH LATONA

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NYC DCA LIC. 1249720

Our File No. [REDACTED]

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