

Approved, SCAO

Original - Court
1st copy - Defendant

2nd copy - Plaintiff
3rd copy - Return

STATE OF MICHIGAN 67-5 District Court JUDICIAL DISTRICT JUDICIAL CIRCUIT COUNTY PROBATE	SUMMONS	CASE NO. GC
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Court address: 630 S Saginaw St, Flint MI 48502
 Court telephone no. 810/766-8968

Plaintiff's name(s), address(es), and telephone no(s).
 BANK OF AMERICA, N.A.
 c/o Weber & Olcese, P.L.C.
 Our File No. 20-14425 #7203

Defendant's name(s), address(es), and telephone no(s).
 110 W BAKER ST
 4137

v



Plaintiff's attorney, bar no., address, and telephone no.
 WEBER & OLCESE, P.L.C.
 Michael J. Olcese P46247
 Michael Kirschenheiter P75722
 P.O. Box 3006
 Birmingham, MI 48012
 800/594-5748

Instructions: Check the items below that apply to you and provide any required information. Submit this form to the court clerk along with your complaint and, if necessary, a case inventory addendum (form MC 21). The summons section will be completed by the court clerk.

Domestic Relations Case

- There are no pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint.
- There is one or more pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint. I have separately filed a completed confidential case inventory (form MC 21) listing those cases.
- It is unknown if there are pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint.

Civil Case

- This is a business case in which all or part of the action includes a business or commercial dispute under MCL 600.8035.
- MDHHS and a contracted health plan may have a right to recover expenses in this case. I certify that notice and a copy of the complaint will be provided to MDHHS and (if applicable) the contracted health plan in accordance with MCL 400.106(4).
- There is no other pending or resolved civil action arising out of the same transaction or occurrence as alleged in the complaint.
- A civil action between these parties or other parties arising out of the transaction or occurrence alleged in the complaint has

been previously filed in this court, _____ Court, where

it was given case number _____ and assigned to Judge _____

The action remains is no longer pending.

Summons section completed by court clerk.

SUMMONS

NOTICE TO THE DEFENDANT: In the name of the people of the State of Michigan you are notified:

1. You are being sued.
2. **YOU HAVE 21 DAYS** after receiving this summons and a copy of the complaint to file a written answer with the court and serve a copy on the other party or take other lawful action with the court (28 days if you were served by mail or you were served outside this state).
3. If you do not answer or take other action within the time allowed, judgment may be entered against you for the relief demanded in the complaint.
4. If you require special accommodations to use the court because of a disability or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements.

Issue date JUL 19 2020	Expiration date* AUG 8 2020	Court clerk A. K. [Signature]
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*This summons is invalid unless served on or before its expiration date. This document must be sealed by the seal of the court.

STATE OF MICHIGAN
IN THE 67-5 DISTRICT COURT

Bank of America, N.A.,

Plaintiff,

vs.

Case No.

Hon.

Defendant.

WEBER & OLCESE, P.L.C.
Michael Kirschenheiter (P75722)
Sazan Bardha (P65425)
Attorneys for Plaintiff
P.O. Box 3006
Birmingham, Michigan 48012
800/594-5748

COMPLAINT

There is no other pending or resolved civil action arising out the same transaction or occurrence as alleged in this complaint.

NOW COMES Plaintiff, Bank of America, N.A. ("Plaintiff"), by and through its attorneys, Weber & Olcese, P.L.C., and for its Complaint against Defendant(s), :

("Defendant"), states as follows:

1. This is an action for damages that are within the jurisdictional limits of this Court, exclusive of costs.
2. Venue for this action is proper in this Court because the Defendant is a resident of the City/Township of FLINT MI 48505-4137.
3. Plaintiff is a national banking association organized and existing under the laws of the United States of America and having its principal place of business in Charlotte, North Carolina.
4. Plaintiff is a wholly-owned subsidiary of Bank of America Corporation and the successor-in-interest to FIA Card Services, N.A. ("FIA"), formerly known as MBNA America Bank, N.A. FIA was merged into and under the charter and title of Plaintiff effective October 1, 2014.
5. Defendant is an adult individual residing in this county.

COUNT I

ACCOUNT STATED

6. Plaintiff incorporates herein by reference, the allegations contained in Paragraphs 1 through 5 above.

7. Defendant applied for and received a credit account, Account Number *****9895, which is owned and administered by Plaintiff (the "Account").

8. Defendant used or authorized the use of the Account for the acquisition of goods, services, balance transfers or cash advances.

9. In accordance with federal regulations, monthly periodic statements for the Account have been provided to the Defendant. Based on Plaintiff's records, there are no unresolved billing disputes related to the Account.

10. Defendant failed to make periodic payments as required and the Account was subsequently charged-off.

11. Attached hereto and incorporated herein is an affidavit verifying the account and a copy of the last periodic statement provided to Defendant prior to charge-off.

WHEREFORE, Plaintiff prays that Judgment be entered in its favor and against Defendant in the amount of \$5,942.31.

Respectfully submitted,
WEBER & OLCESE, P.L.C.

By: 

- Michael Olcese (P46247)
 - Rose Abu-Farha (P82489)
 - Sazan Bardha (P65425)
 - Michael Kirschenheiter (P75722)
 - Geoffrey Werber (P67124)
- Attorneys for Plaintiff

Dated: February 8, 2021