

IN THE GARLAND COUNTY DISTRICT COURT  
CIVIL DIVISION

ELECTRONICALLY FILED  
Garland County District Court  
Dackery Fernandez, Garland Co. District Court Clerk  
2023-Feb-24 03:55:11  
HTCV-23-126  
PLAINTIFF: 18 Pages

MIDLAND CREDIT  
MANAGEMENT, INC.

v.

No.

AMANDA JOHNSON  
351 BLAKEHILL LOOP  
HOT SPRINGS NATIONAL  
PARK AR 719139170

DEFENDANT

**COMPLAINT**

Plaintiff, MIDLAND CREDIT MANAGEMENT, INC., by counsel, sues Defendant, AMANDA JOHNSON, under Account Stated and in support thereof states:

1. Plaintiff is authorized to file this Complaint in this Court. Plaintiff owns portfolios of consumer receivables, which it attempts to collect. Plaintiff strives to treat its consumers, such as Defendant, with respect, compassion and integrity, hoping to provide mutually-beneficial opportunities for consumers to repay their debts and attain financial recovery.
2. Defendant is subject to this Court's jurisdiction.
3. Defendant established an account with COMENITY BANK, under redacted account number XXXXXXXXXXXXXXX-3146.
4. Defendant was provided statements delineating Defendants use of the account and stating the current balance due.
5. Defendant defaulted on the account.
6. A statement of account balance was sent to Defendant and not paid.
7. Plaintiff has acquired all right, title and interest to Defendant's account, and has attempted to contact Defendant through several means in an effort to resolve the account with Defendant, but has been unsuccessful. Defendant has not repaid the balance owed on the account. Plaintiff remains willing to discuss various options to resolve the outstanding obligation, although the options may be different than they were prior to the initiation of litigation.
8. Defendant owes Plaintiff \$1,103.53.
9. In support of the allegations, Plaintiff incorporates herein by reference the attached Exhibits.

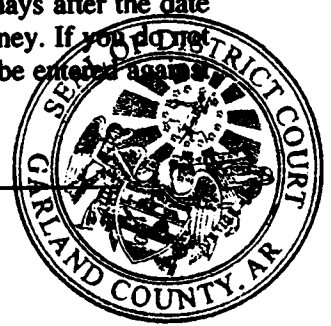
WHEREFORE, Plaintiff requests judgment against the Defendant for \$1,103.53 and costs of the action and post judgment interest at the statutory rate.

By: *Keith A. Aiken*  
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**SUMMONS AND NOTICE TO DEFENDANT**

You are hereby warned to file a written answer with the clerk of the court within 30 days after the date that you receive this complaint and to send a copy to the plaintiff or to his or her attorney. If you do not file an answer within 30 days, or if you fail to file an answer, a default judgment may be entered against you.

*A. Burks*  
District Court Clerk



**PROOF OF SERVICE**

STATE OF ARKANSAS

COUNTY OF \_\_\_\_\_

I, \_\_\_\_\_, hereby certify that I served the within complaint on the defendant, \_\_\_\_\_ at o'clock \_\_\_\_\_m. on \_\_\_\_\_ 2023, by \_\_\_\_\_.

\_\_\_\_\_  
Signature/Office

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 2023,  
[To be completed if service is by someone other than sheriff or constable.]

\_\_\_\_\_  
Notary Public or Court Clerk

My Commission Expires: \_\_\_\_\_

**PLEASE UNDERSTAND THIS COMMUNICATION IS FROM A DEBT COLLECTOR.  
THIS IS AN ATTEMPT TO COLLECT A DEBT.  
ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.**

EXHIBIT A

**BILL OF SALE**

Comenity Bank ("Seller"), for value received and pursuant to the terms and conditions of that certain Credit Card Account Purchase Agreement dated January 4, 2021 between Seller and Midland Credit Management, Inc. ("Purchaser"), its successors and assigns ("Credit Card Account Purchase Agreement"), hereby assigns effective as of the Closing Date of November 19, 2021 all rights, title and interest of Seller in and to those certain Accounts described in the Credit Card Account Purchase Agreement and Schedule 1 (the "Asset Schedule") attached hereto and made part hereof for all purposes, to Purchaser.

The information contained in the Sale File (collectively, "Seller's Accounts Information") is true and complete as of the File Creation Date. Further, all of the information contained in Seller's Accounts Information (a) constitutes Seller's own business records regarding the Accounts and (b) accurately reflects in all material respects the information about the Accounts in Seller's possession. All of Seller's Accounts Information has been kept in the regular course of Seller's business, and was made or compiled at or near the time of the event and recorded by (or from information transmitted by) a person (i) with knowledge of the data entered into and maintained in Seller's business records, or (ii) who caused the data to be entered into and maintained in Seller's business records. All capitalized terms used, but not defined, in this Bill of Sale shall have the meanings assigned to such term in the Credit Card Account Purchase Agreement.



This Bill of Sale is executed without recourse except as stated in the Credit Card Account Purchase Agreement to which this is an Exhibit. No other representation of or warranty of title or enforceability is expressed or implied.

**COMENITY BANK**

By: *[Signature]*

Date: 12/6/21

Title: Chief Credit Officer

**Midland Credit Management, Inc.**

By: *[Signature]*

Date: 12/22/2021

Title: MVP of Business Development

**SCHEDULE I TO BILL OF SALE  
ASSET SCHEDULE**

The individual Accounts transferred pursuant to the Credit Card Account Purchase Agreement and Bill of Sale are described in the electronic file named MCMG\_MF\_NOV\_2021\_DPL\_CB.TXT;MCMG\_MF\_NOV\_2021\_LCS\_CB.TXT delivered by Comenity Bank to Midland Credit Management, Inc. on November 12, 2021 and summarized in the table immediately below (the "Sale File").

# of Charged-off Accounts	Aggregate Unpaid Balance	Percent	File Creation Date
			11/10/2021

**EXHIBIT B**

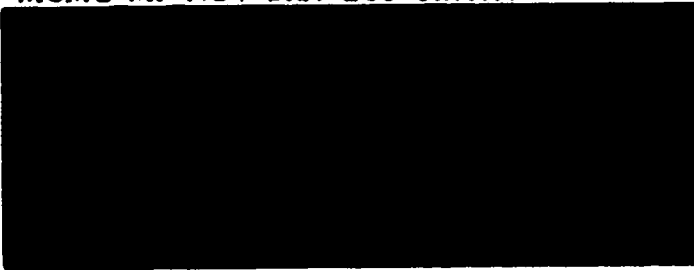
**CLOSING STATEMENT**

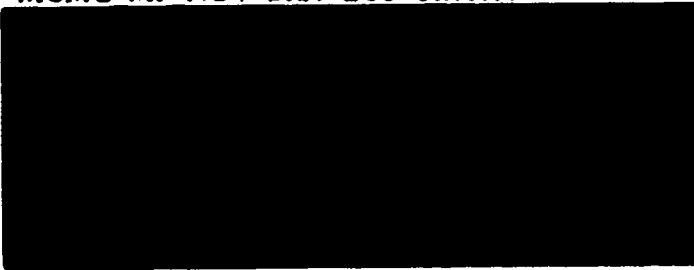
AGREEMENT DATE: January 4, 2021

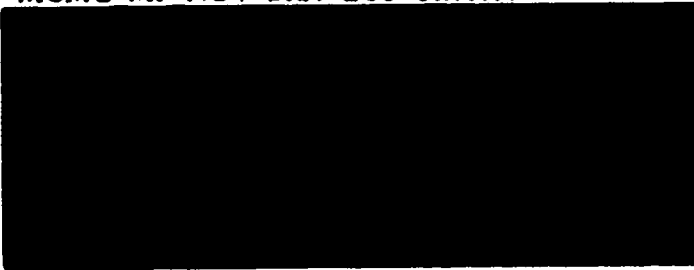
SELLER: COMENITY BANK

PURCHASER: Midland Credit Management, Inc.

FILE NUMBER: MCMG\_MF\_NOV\_2021\_DPL\_CB.TXT  
MCMG MF NOV 2021 LCS CB.TXT

NUMBER OF ACCOUNTS: 

TOTAL UNPAID BALANCE:  
PURCHASE PRICE  
PERCENTAGE: 

PURCHASE PRICE: 

FILE CREATION DATE: November 10, 2021

CLOSING DATE: November 19, 2021

WIRING INSTRUCTION 

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