

THIS IS A CONSUMER CREDIT TRANSACTIONSTATE OF NEW YORK
SUPREME COURT

COUNTY OF GREENE

Cavalry SPV I, LLC

Plaintiff,

SUMMONS

-against-

Index No.:

Date Filed:

Anna Martin
209 Main St Apt 2
Catskill NY 12414-1839

Defendant(s).

TO THE ABOVE-NAMED DEFENDANT(S):

YOU ARE HEREBY SUMMONED to appear and answer the Verified Complaint annexed hereto by serving a copy of your Answer on Plaintiff's attorneys within twenty (20) days after service of this Summons, exclusive of the date of service (or within thirty (30) days after service is complete if this Summons is not personally delivered to you in New York State) and in case of your failure to appear or answer, Judgment will be taken against you by default for the amount of money demanded in the annexed Verified Complaint.

Dated: January 3, 2022

GIRVIN & FERLAZZO, P.C.

By: Christopher P. Langlois, Esq.
Attorneys for Plaintiff
Office and P.O. Address
P. O. Box 11623
Albany, New York 12211
(877) 814-6976

The basis of venue designated above is that Defendant(s) reside(s) in the County of Greene.

STATE OF NEW YORK
SUPREME COURT

COUNTY OF GREENE

Cavalry SPV I, LLC

Plaintiff

**VERIFIED
COMPLAINT**

-against-

Index No.:
Dated Filed:

Anna Martin
209 Main St Apt 2
Catskill NY 12414-1839

Defendant.

Plaintiff Cavalry SPV I, LLC by and through its attorneys, Girvin & Ferlazzo, P.C., sets for the following as and for its Verified Complaint against the Defendant:

FIRST CAUSE OF ACTION (BREACH OF CONTRACT)

1. Plaintiff Cavalry SPV I, LLC is a foreign limited liability company duly organized and existing under the laws of the State of Delaware, and is duly registered to do business in the State of New York.

2. At all times relevant herein, Plaintiff Cavalry SPV I, LLC was duly licensed by the New York State Department of Consumer Affairs (License No, 1327348), and has been continuously so licensed since 2009.

3. Defendant applied for and was granted a credit account by Plaintiff's predecessor-in interest, Comenity Capital Bank/GameStop, designated and assigned Account No. *****6891.

4. Defendant made charges, and/or took cash advances, and/or otherwise borrowed against the credit account, resulting in an outstanding account balance of \$1,307.19 as of January 3, 2022.

5. Defendant failed to timely make one or more monthly payments toward the outstanding balance, as required under the terms and conditions governing said credit account, and is in default of said credit agreement.

6. Despite written demand, Defendant has failed, refused, or neglected to make full payment of the balance due and owing in connection with the credit account.

7. Plaintiff is the owner of all right, title, and interest in the subject credit account pursuant to an Assignment and/or Bill of Sale entered into with the original creditor, or a successor to the original creditor, dated March 30, 2018.

8. By reason of the foregoing, Defendant is indebted to the Plaintiff in the amount of \$1,307.19.

SECOND CAUSE OF ACTION (ACCOUNT STATED)

9. The allegations contained in Paragraphs "1" through "8" of the First Count are incorporated by reference.

10. Periodic account statements setting forth charges and amounts due on the credit account were transmitted to Defendant.

11. Defendant received and retained said periodic account statements for an unreasonable period of time without protest or objection.

12. Defendant has failed, refused, or neglected to make full payment of the balance due and owing in connection with the credit account as represented on the account statements.

13. Pursuant to the account statements sent to Defendant, Defendant is indebted to the Plaintiff in the amount of \$1,307.19.

WHEREFORE, Plaintiff Cavalry SPV I, LLC demands that Judgment be entered herein against the named Defendant in the amount of \$1,307.19, together with the costs and disbursements of the action.

Dated: January 3, 2022

GIRVIN & FERLAZZO, P.C.
Attorneys for Plaintiff

By:



Christopher P. Langlois
Office and P.O. Address
20 Corporate Woods Boulevard
Albany, New York 12211
T: 518-462-0300
F: 518-462-5037

VERIFICATION

STATE OF NEW YORK)
) S.S.:
COUNTY OF ALBANY)

Christopher P. Langlois, being duly sworn, deposes and states that he is an attorney duly admitted to practice in the State of New York, and is an associate of Girvin & Ferlazzo, P.C., attorneys for Plaintiff in the above captioned action; that he has read the foregoing Verified Complaint and is familiar with the contents thereof; and that the matters set forth therein are true to his knowledge, except as to matters therein stated to be alleged upon information and belief, and as to those matters he believes them to be true.

The grounds of deponent's belief are his review of documents and other information pertaining to the matters raised herein. The reason why this Verification is not made by the parties represented by the undersigned is that such parties do not reside in the county where the undersigned has his office.

[Handwritten signature of Christopher P. Langlois]
Christopher P. Langlois

Sworn to before me this January 3, 2022

[Handwritten signature of Judith A. Moak]
Notary Public, State of New York

JUDITH A. MOAK
NOTARY PUBLIC, State of New York
No. 01M06080559
Qualified in Albany County
Commission Expires 9/16/2022

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