

CONSUMER CREDIT TRANSACTION

Date Purchased:

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF MONTGOMERY X
Credit Acceptance Corporation

Index No

SUMMONS

Plaintiff's Address:
25505 West Twelve Mile Rd., Suite
3000
Southfield MI 48034

Plaintiff,

-against-

Shelby D Dillenbeck and Lewis S Franklin
Defendant(s).

The Basis of Venue is:
CPLR SEC. 503(a)

X

Defendant(s) Address:

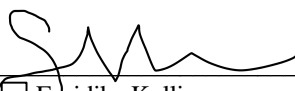
DEF.#1 - 5 Kellogg St, Fort Plain NY 13339-1401
DEF.#2 - 43 Covington Ave, Schenectady NY 12304-4362

TO THE ABOVE NAMED DEFENDANT(S):

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer on the Plaintiff's Attorney(s) within 20 days after the service of this summons, exclusive of the day of service, or within 30 days after service is complete if this summons is not personally delivered to you within the State of New York; and in the case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

We are attorneys attempting to collect a debt. Any information obtained will be used for that purpose.

Dated: December 8, 2021
Matter # 443309

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- | | |
|---|--|
| <input type="checkbox"/> Eyridike Kollis | <input checked="" type="checkbox"/> Stephanie R. Vetch |
| <input type="checkbox"/> Aksana Bondartseva | <input type="checkbox"/> Joseph J. Cassotta |
| <input type="checkbox"/> Scott Morris | <input type="checkbox"/> Anthony Poulin |
| <input type="checkbox"/> Stephen Einstein | <input type="checkbox"/> Joseph G. Devine |
| <input type="checkbox"/> | <input type="checkbox"/> |

Tromberg, Morris & Poulin, PLLC
Attorneys for the Plaintiff
39 Broadway, Suite 1250
New York, N.Y. 10006
(212) 267-3550



SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF MONTGOMERY
Credit Acceptance Corporation

INDEX №:

Plaintiff,

-against-

COMPLAINT

Shelby D Dillenbeck and Lewis S Franklin
Defendant(s).

Plaintiff, by its undersigned attorneys, complaining of the Defendant(s), respectfully alleges that:

1. Plaintiff is a corporation licensed to transact business in the State of New York, with its principal place of business within the State of MI, and as an original creditor is (i) exempt from the definition of a “debt collection agency”; and (ii) the licensing provisions under New York City Administrative Code §§ 20-490, respectively, as interpreted by the New York City Department of Consumer Affairs
2. That all times hereafter the Defendant(s) reside(s) in or has principal place of business in the County of MONTGOMERY; or transacted business within MONTGOMERY in person or through an agent with the Plaintiff.
3. That the Defendant(s) entered into a Retail Installment Contract for purchase of an automobile on 07/16/2020.
4. Defendant(s) defaulted in payment thereunder and in accordance with the terms of the Contract.
5. That on 03/31/2021 Plaintiff repossessed the collateral of the Contract.
6. That on 06/03/2021 Plaintiff sold the collateral at a commercial sale/auction to the highest bidder, following notice to the Defendant(s)
7. That all applicable adjustments, including payments, charges, costs, setoffs and fees have been applied to the suit balance and demand for payment from Defendant(s) has been made but Defendant(s) have failed to pay the amount due despite due demand.

WHEREFORE, Plaintiff demands judgment against the Defendant(s) in the sum of \$11,154.45 with interest from 10/18/2021 together with the costs and disbursements of this action.

CERTIFICATION: Deponent is an attorney associated with Tromberg, Morris & Poulin, PLLC Deponent certifies that, to the best of their knowledge, information and belief, formed after an inquiry reasonable under the circumstances, the presentation of the paper or the contentions therein are not frivolous as defined in section 130-1.1(c) of the Chief Administrative Judge, and an initiating pleading, the matter was not obtained through illegal conduct, and the matter was not obtained in violation of Part 1200. Rule 4.5 of this Title. Affirmed this 8th day of December, 2021



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| <input type="checkbox"/> Evridike Kollis | <input checked="" type="checkbox"/> Stephanie R. Vetch |
| <input type="checkbox"/> Aksana Bondartseva | <input type="checkbox"/> Joseph J. Cassotta |
| <input type="checkbox"/> Scott Morris | <input type="checkbox"/> Anthony Poulin |
| <input type="checkbox"/> Stephen Einstein | <input type="checkbox"/> Joseph G. Devine |
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Matter # 443309

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF MONTGOMERY


Credit Acceptance Corporation
Plaintiff

-against-

Shelby D Dillenbeck and Lewis S Franklin
Defendant(s)

SUMMONS AND VERIFIED COMPLAINT

Signature (Rule 130-1. 1-a)



- | | |
|---|--|
| <input type="checkbox"/> Evidike Kollis | <input checked="" type="checkbox"/> Stephanie R. Vetch |
| <input type="checkbox"/> Aksana Bondartseva | <input type="checkbox"/> Joseph J. Cassotta |
| <input type="checkbox"/> Scott Morris | <input type="checkbox"/> Anthony Poulin |
| <input type="checkbox"/> Stephen Einstein | <input type="checkbox"/> Joseph G. Devine |
| <input type="checkbox"/> | <input type="checkbox"/> |

LAW OFFICE OF
TROMBERG, MORRIS & POULIN, PLLC
Attorney(s) for Plaintiff
Office and Post Office Address
39 Broadway, Suite 1250
New York, New York 10006
(212) 267-3550
Fax (212) 227-9656

Service of a copy of the within _____ is hereby admitted.
Dated,

Attorney(s) for Plaintiff(s)

Sir: Please take notice

NOTICE OF ENTRY:

That within is a (certified) true copy of a duly entered in the office of the clerk of the within named court on

NOTICE OF SETTLEMENT

That an order _____ of which the within is a true copy of a Settlement to the HON. _____ Presented for one of the judges

Of the within named court, at
On the ___ day of _____ 2021 at ___ A.M
Dated,

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF MONTGOMERY
Credit Acceptance Corporation

INDEX №:

Plaintiff,

-against-

Shelby D Dillenbeck and Lewis S Franklin
Defendant(s).

**NOTICE OF COMMENCEMENT OF ACTION
SUBJECT TO MANDATORY ELECTRONIC FILING**

PLEASE TAKE NOTICE that the matter captioned above has been commenced as an electronically filed case in the New York State Courts Electronic Filing System (“NYSCEF”) as required by CPLR § 2111 and Uniform Rule § 202.5-bb (MANDATORY ELECTRONIC FILING). This notice is being served as required by that rule.

NYSCEF is designed for the electronic filing of documents with the County Clerk and the court and for the electronic service of those documents, court documents, and court notices upon counsel and unrepresented litigants who have consented to electronic filing.

Electronic filing offers significant benefits for attorneys and litigants, permitting papers to be filed with the County Clerk and the court and served on other parties simply, conveniently, and quickly. NYSCEF case documents are filed with the County Clerk and the court by filing on the NYSCEF Website, which can be done at any time of the day or night on any day of the week. The documents are served automatically on all consenting e-filers as soon as the document is uploaded to the website, which sends out an immediate email notification of the filing.

The NYSCEF System charges no fees for filing, serving, or viewing the electronic case record, nor does it charge any fees to print any filed documents. Normal filing fees must be paid, but this can be done on-line.

Parties represented by an attorney: An attorney representing a party who is served with this notice must either: 1) immediately record his or her representation within the e-filed matter on the NYSCEF site; or 2) file the Notice of Opt-Out form with the clerk of the court where this action is pending. Exemptions from mandatory e-filing are limited to attorneys who certify in good faith that they lack the computer hardware and/or scanner and/or internet connection or that they lack (along with all employees subject to their direction) the operational knowledge to comply with e-filing requirements. [Section 202.5-bb(e)]

Parties not represented by an attorney: Unrepresented litigants are exempt from e-filing. They can serve and file documents in paper form and must be served with documents in paper form. However, an unrepresented litigant may participate in e-filing. For information on how to participate in e-filing, unrepresented litigants should contact the appropriate clerk in the court where the action was filed or visit www.nycourts.gov/efileunrepresented. Unrepresented litigants also are encouraged to visit www.nycourthelp.gov or contact the Help Center in the court where the action was filed. An unrepresented litigant who consents to e-filing may cease participation at any time. However, the other parties may continue to e-file their court documents in the case

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