

Rule 280.2. Complaint in Credit Card or Debt Buyer Collection Actions.

IN THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT
 _____ COUNTY, ILLINOIS
 (OR, IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS)

_____)	
Plaintiff)	
)	
v.)	CASE NUMBER: _____
)	
_____)	
Defendant)	

**CREDIT CARD OR DEBT BUYER COLLECTION ACTION AFFIDAVIT
 (SUPREME COURT RULE 280.2)**

INSTRUCTIONS: Provide the following information and documents. Supreme Court Rule 280.1 provides the definitions of the terms in this Affidavit.

Comes now affiant, and states:

I _____ am Plaintiff

 (Name of Affiant)

OR

a designated full-time employee of _____ (Plaintiff)

 (Name of Plaintiff or Agent)

I am of adult age and am fully authorized by Plaintiff to make the following representations. I am familiar with the record keeping practices of Plaintiff. The following representations are true according to documents kept in the normal course of Plaintiff's business and/or my personal knowledge:

1. IDENTIFICATION ABOUT THE CONSUMER DEBT OR ACCOUNT

Complete the tables and check all applicable boxes.

a. As of charge-off date:

Full name of the creditor	Full name of the defendant as it appears on the account	Last four digits of the account number	Date the account was opened or the debt originated	Nature of the debt, (credit card debt, payday loan, retail installment loan, etc.)

b. Attach one of the following:

- The written contract giving rise to the debt that is the subject of this court case (the “Consumer Debt”).
- The court case is based on an unwritten contract, and attached is a copy of a document provided to the consumer while the account was active, demonstrating that the consumer debt was incurred by the consumer. For a revolving credit account, a statement reflecting the charge-off balance shall be deemed sufficient to satisfy this requirement. The Plaintiff further certifies that it has in its possession and can produce on request the most recent monthly statement recording a purchase transaction, last payment, or balance transfer. The charge-off statement attached will not reflect any post charge-off payments or credits by or to the charge-off creditor, the debt buyer or their attorneys.

c. The most recent activity on the account prior to or after charge-off, includes:

Amount of Original Debt or Charge-off Balance	Charge-off Date	Date of Last Payment	Amount of Last Payment	Total Amount Paid Since Charge-off Date

2. PROOF OF OWNERSHIP OR RIGHT TO SUE FOR DEBT BUYERS

Complete the table and list the prior owners or creditors since the charge-off date. Start with the first assignment through the current creditor or owner of the consumer debt. List in chronological order, beginning with the first assignment:

From (Name)	To (Name)	Date of Assignment

- Does not apply – Plaintiff is the charge-off creditor.

3. ADDITIONAL ACCOUNT INFORMATION AFTER CHARGE-OFF

Plaintiff is seeking additional amounts after the charge-off date:

- No
- Yes. If yes, as the charge-off date and within the last 30 days:
 - Defendant has made additional payments in the amount of \$_____;
 - Total amount of interest accrued: \$_____;
 - Total amount of non-interest charges or fee accrued \$_____;
 - Plaintiff is seeking attorney’s fees in the amount of \$_____.

Affiants may certify their statements pursuant to section 1-109 of the Code of Civil Procedure or have their signature notarized in the manner required by law.

Under penalties as provided by law under section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that [s]he verily believes the same to be true.

Name of Affiant

Signature of Affiant

Date

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