

DOCKET No.	:	SUPERIOR COURT
	:	
	:	JUDICIAL DISTRICT OF
CAPITAL ONE, N.A., successor by merger	:	
to DISCOVER BANK,	:	MIDDLESEX AT MIDDLETOWN
Plaintiff	:	
	:	
v.	:	
	:	Return Date: JUN 16 2026
ANDREW SIMONOW,	:	
Defendant(s)	:	
	:	

COMPLAINT

1. Capital One, N.A. is a national bank headquartered in McLean, VA. On May 18th, 2025, Discover Bank ("Discover") merged into and became part of Capital One, N.A. ("CONA"). As a result of this merger, Discover no longer exists and CONA continues to operate as the sole surviving entity. The National Bank Act provides that the surviving entity in a merger of a state into a national bank is "deemed to be the same corporation as each bank or banking association participating in the merger," and that all "rights, franchises, and interests of the individual merging banks or banking associations in and to every type of property (real, personal, and mixed) and choses in action shall be transferred to and vested in" the surviving entity. 12 U.S.C. § 215a(e). Thus, in accordance with the National Bank Act, CONA holds all of the same property rights and interests that Discover Bank had prior to the merger, including but not limited to the rights in existing Discover Bank accounts and receivables, and is Discover Bank's successor-in-interest in any pending litigation and matters before any Federal or state court.
2. The Defendant(s), ANDREW SIMONOW, is/are a natural person(s) presently residing at 125 N MOODUS RD , MOODUS, CT 06469 .

COUNT I – DEFAULT OPEN END CREDIT PLAN
ACCOUNT NO.: 8382

3. Defendant(s) entered into a credit relationship with Plaintiff for a credit account.
4. Plaintiff issued a credit account and extended credit in the name of Defendant(s) pursuant to a written credit agreement ("Agreement"). The credit account is identified with an account ending in 8382.
5. By accepting, using, and/or failing to reject the credit account and extension of credit, Defendant(s) agreed to be bound by the terms and conditions of the Agreement.

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STATEMENT OF AMOUNT IN DEMAND

The amount in demand is TWO THOUSAND EIGHT HUNDRED EIGHT AND 86/100
(\$2,808.86) exclusive of interest and taxable costs.

By its Attorneys,

447535
[] AARON DEACON, ESQ. JURIS # 441489
[x] DILLON T. SHEA, ESQ. JURIS # 447535
ZWICKER & ASSOCIATES, P.C.
A Law Firm Engaged in Debt Collection
1699 KING STREET #207
ENFIELD, CT 06082
(860)623-1122