

IN THE CIRCUIT COURT OF THE CITY OF ST. LOUIS  
STATE OF MISSOURI

CACH LLC, )  
Assignee of bank of America, N.A. )  
Plaintiff/Counterclaim Defendant, )  
v. )  
TONY TREVISANO, )  
Defendant/Counterclaimant. )

Cause Number: 0822-AC03806  
Division: 28

**FILED**  
MAR 16 2010

MARIANO V. FAVAZZA  
CLERK, CIRCUIT COURT  
BY \_\_\_\_\_ DEPUTY

**ENTERED**  
MAR 18 2010

**DLM**

**ORDER AND JUDGMENT**

Cause called for trial this 19<sup>th</sup> day of February 2010. Parties appeared by and through counsel. Plaintiff, CACH LLC (hereinafter "CACH") appeared through the firm of Evans & Dixon, LLC, and attorneys Ron Robinson and Karen Jones. Defendant, Tony Trevisano (hereinafter "Trevisano") appeared through the firm of James J. Daher, LLC, and attorneys James J. Daher and Sylvia Pociask. Trevisano made a timely motion, prior to the taking of evidence, for findings of fact and conclusions of law pursuant to Rule 73.01. Evidence was adduced and the matter was taken under submission, including the evidentiary objections taken with the case. The Court, having considered the testimony of the witnesses, the evidence received and the arguments of counsel, now makes the following findings of fact and conclusions of law:

This matter arises as a result of the March 3<sup>rd</sup>, 2008, filing of a petition by CACH, against Trevisano, to collect on an alleged credit card debt. CACH alleged that it was assigned Trevisano's account from Bank of America. CACH's Petition was in three counts: (I) Breach of Contract; (II) Account Stated; and (III) Suit on Account. CACH alleged a balance due of \$14,664.00 plus interest of \$10,748.00, calculated at 32.24% on the entire \$14,664.00 balance, for a total amount of \$25,412.62.

