

KAZEROUNI LAW GROUP, APC  
245 FISCHER AVENUE, UNIT D1  
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*Attorneys for Plaintiff,*  
Adrian Chavez

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA**

**ADRIAN CHAVEZ, Individually  
and On Behalf of All Others  
Similarly Situated,**

Plaintiff,

v.

**SYSTEMS & SERVICES  
TECHNOLOGIES, INC.,**

Defendant.

Case No.: '18CV0446 BAS AGS

**CLASS ACTION**

**COMPLAINT FOR DAMAGES  
PURSUANT TO THE FAIR DEBT  
COLLECTION PRACTICES ACT,  
15 U.S.C. §§ 1692, ET SEQ.**

**JURY TRIAL DEMANDED**

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**INTRODUCTION**

1. The United States Congress has found abundant evidence of the use of abusive, deceptive, and unfair debt collection practices by many debt collectors, and has determined that abusive debt collection practices contribute to the number of personal bankruptcies, to marital instability, to the loss of jobs, and to invasions of individual privacy. Congress wrote the Fair Debt Collection Practices Act, 15 U.S.C. §§ 1692 et seq. (“FDCPA”), to eliminate abusive debt collection practices by debt collectors, to ensure that those debt collectors who refrain from using abusive debt collection practices are not competitively disadvantaged, and to promote consistent State action to protect consumers against debt collection abuses.
2. Plaintiff ADRIAN CHAVEZ (“Plaintiff”), through Plaintiff’s attorneys, brings this lawsuit to challenge the actions of Defendant SYSTEMS & SERVICES TECHNOLOGIES, INC. (“Defendant”) with regard to attempts by Defendant, a debt collector, to unlawfully and abusively collect a debt allegedly owed by Plaintiff, causing Plaintiff damages.
3. Plaintiff makes these allegations on information and belief, with the exception of those allegations that pertain to Plaintiff, or to Plaintiff’s counsel, which Plaintiff alleges on personal knowledge.
4. While many violations are described below with specificity, this Complaint alleges violations of the statute cited in its entirety.
5. Unless otherwise stated, Plaintiff alleges that any violations by Defendant were knowing, willful, and intentional, and Defendant did not maintain procedures reasonably adapted to avoid any such violation.
6. Unless otherwise indicated, the use of Defendant’s name in this Complaint includes all agents, employees, officers, members, directors, heirs, successors, assigns, principals, trustees, sureties, subrogees, representatives, and insurers of Defendant.

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1 7. Plaintiff brings this case as a class action lawsuit seeking damages for himself  
2 and all others similarly situated.

3 **JURISDICTION AND VENUE**

4 8. This Court has federal question jurisdiction pursuant to 28 U.S.C. § 1331 and  
5 15 U.S.C. § 1692k,

6 9. This action arises out of Defendant’s violations of the Fair Debt Collection  
7 Practices Act, 15 U.S.C. §§ 1692, et seq. (“FDCPA”)

8 10. Defendant regularly and continuously conducts business within this district.  
9 Thus, personal jurisdiction is established.

10 11. Venue is proper in this district pursuant to 28 U.S.C. § 1391 for the following  
11 reasons: (i) Plaintiff resides in this district; and (ii) Defendant transacts  
12 business within this district; and (iii) many of the acts and transactions giving  
13 rise to this action occurred in this district because Defendant:

- 14 (a) is authorized to conduct business in this district and has intentionally
- 15 availed itself of the laws and markets within this district;
- 16 (b) does substantial business within this district;
- 17 (c) is subject to personal jurisdiction in this district because it has availed
- 18 itself of the laws and markets within this district; and
- 19 (d) the harm to Plaintiff occurred within this district.

20 **PARTIES AND DEFINITIONS**

21 12. Plaintiff, at all times herein, is and was a resident of the County of San Diego  
22 and the State of California, from whom a debt collector sought to collect a  
23 consumer debt which was due and owing or alleged to be due and owing from  
24 Plaintiff. In addition, Plaintiff is a “debtor” as that term is defined by  
25 California Civil Code § 1788.2(h) and a “consumer” as that term is defined by  
26 15 U.S.C. §1692a(3).

27 13. Defendant is, and at all times mentioned herein was, a Delaware corporation.  
28

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1 14. At all times relevant herein Defendant conducted business in the State of  
2 California and in the County of San Diego.

3 15. Defendant uses an instrumentality of interstate commerce or the mails in a  
4 business the principal purpose of which is the collection of debts, or who  
5 regularly collects or attempts to collect, directly or indirectly, debts owed or  
6 due or asserted to be owed or due another and is therefore a “debt collector”  
7 as that phrase is defined by 15 U.S.C. § 1692a(6).

8 16. This case involves money, property or their equivalent, due or owing or  
9 alleged to be due or owing from a natural person by reason of a consumer  
10 credit transaction. As such, this action arises out of a “consumer debt” and  
11 “consumer credit” as those terms are defined by California Civil Code §  
12 1788.2(f) and a “debt” as those terms are defined by 15 U.S.C. §1692a(5).

13 **FACTUAL ALLEGATIONS**

14 17. At all times relevant, Plaintiff is and was an individual residing in the County  
15 of San Diego, within the State of California.

16 18. Upon information and belief, at all times relevant, Defendant conducted  
17 business in the State of California.

18 19. Sometime prior to April of 2017, Plaintiff allegedly incurred a debt to an  
19 original creditor, BorrowersFirst, Inc. (“BorrowersFirst”). Afterwards, the  
20 alleged debt was assigned, placed, or otherwise transferred to Defendant for  
21 collection.

22 20. These alleged financial obligations were money, property, or their equivalent,  
23 for personal, family, or household purposes, which is due or owing, or alleged  
24 to be due or owing, from a natural person to another person and were therefore  
25 “debt[s]” as that term is defined by 15 U.S.C. §1692a(5).

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- 1 21. Around May of 2017, Plaintiff allegedly fell behind on the payments owed on  
2 the alleged debt. Plaintiff currently takes no position as to whether this alleged  
3 debt was actually owed as it is irrelevant to this action.
- 4 22. On October 2, 2017, Defendant sent Plaintiff letter informing Plaintiff that  
5 Plaintiff’s alleged debt had been transferred from BorrowersFirst to  
6 Defendant. This was the first communication from Defendant to Plaintiff.
- 7 23. On October 7, 2017, Defendant sent Plaintiff a letter demanding payment of  
8 the alleged debt.
- 9 24. These letters regarding the alleged debt were “communications” as defined by  
10 15 U.S.C. § 1692a(2).
- 11 25. On October 6, 2017, Defendant called Plaintiff from (866) 826-8679 and left  
12 a voicemail that did not include the required disclaimers.
- 13 26. Defendant’s initial written communication and the subsequent  
14 communications failed to inform Plaintiff that unless Plaintiff, within thirty  
15 (30) days after receipt of the notice of the debt, disputes the validity of the  
16 debt, or any portion thereof, the debt will be assumed to be valid by Defendant.
- 17 27. Defendant also failed to inform Plaintiff that Plaintiff had thirty (30) days to  
18 dispute the validity of the debt, at which point Defendant would have to obtain  
19 verification of the debt.
- 20 28. Consequently, Defendant violated 15 U.S.C. § 1692g(a)(3), by failing to  
21 include a statement that unless the consumer disputes the validity of the debt,  
22 or any portion thereof, within thirty (30) days after receipt of the notice, the  
23 debt will be assumed to be valid by the debt collector.
- 24 29. Through the same initial written communication, Defendant violated 15  
25 U.S.C. § 1692g(a)(4) by failing inform Plaintiff – within 5 days after the initial  
26 communication or within the initial communication – of Plaintiff’s right to  
27 dispute the debt in writing within thirty (30) days of receipt of the initial letter,  
28 and Plaintiff’s right to obtain a verification of the debt.

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1 30. In addition, Defendant violated 1692g(a)(5) by failing to notify the consumer  
2 that, upon the consumer’s written request within the thirty (30) day period, the  
3 debt collector will provide the consumer with the name and address of the  
4 original creditor, if different from the current creditor.

5 31. The § 1692g requirement is one of the most important requirements under the  
6 FDCPA, and the debtor’s right to dispute the debt must not be overshadowed  
7 or inconsistent with other debt collection activities within the statutory thirty  
8 (30) day period to avoid confusing the least sophisticated debtors as to the  
9 debtor’s validation rights.

10 32. The 1692g notice must be large and prominent enough to be noticed and easily  
11 read. *See Riveria v. MAB Collections, Inc.* 682 F.Supp. 174, 177 (W.D.N.Y.  
12 1988).

13 33. A debt collector’s activities may not contradict the rights under the 1692g  
14 notice in any way. *See Swanson v. Southern Oregon Credit Service, Inc.*, 869  
15 F. 2d 1222 (9th Cir. 1988).

16 34. In addition, when Defendant called Plaintiff on October 6, 2017 attempting to  
17 collect an alleged debt and failed to provide Plaintiff with the required “mini-  
18 Miranda” warning, it was a violation of 15 U.S.C. § 1692e(11).

19 35. Under 15 U.S.C. § 1692e(11), a debt collector is required to inform a  
20 consumer in the initial communication with the consumer that “this  
21 communication is from a debt collector. This is an attempt to collect a debt  
22 and any information obtained will be used for that purpose.” This disclosure  
23 is commonly known as the “Mini-Miranda.”

24 36. Through the above conduct, Defendant also violated 15 U.S.C. § 1692d by  
25 engaging in conduct the natural consequence of which is to harass, oppress,  
26 or abuse any person in connection with the collection of an alleged debt.  
27  
28

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1 37. Through the above conduct, Defendant also violated 15 U.S.C. § 1692e by  
2 using false, deceptive, or misleading representations or means in connection  
3 with the collection of any alleged debt.

4 38. Through the above conduct, Defendant violated 15 U.S.C. § 1692e(10) by  
5 using false representations or deceptive means to collect or attempt to collect  
6 any debt or to obtain information concerning a consumer.

7 39. Through the above conduct, Defendant violated 15 U.S.C. § 1692e(11) by  
8 failing to provide the “Mini-Miranda.”

9 40. Through the above conduct, Defendant violated 15 U.S.C. § 1692f by using  
10 unfair and unconscionable means to collect Plaintiff’s alleged debt.

11 41. As a result of Defendant’s unfair, oppressive, and abusive conduct in  
12 connection with Defendant’s debt collection activities, Plaintiff has suffered  
13 mental anguish by way of embarrassment, shame, anxiety, fear, and feelings  
14 of despair.

15 **CLASS ACTION ALLEGATIONS**

16 42. Plaintiff brings this action on behalf of himself and all others similarly situated,  
17 as a member of the following proposed classes (the “Classes”).

18 43. Plaintiff represents, and is a member of **Class A**, consisting of:

19 All persons within the United States who received an  
20 initial correspondence from Defendant or its agent/s and  
21 or employee/s, that is identical or substantially similar to  
22 the October 2, 2017 correspondence Plaintiff received  
23 from Defendant, within the one year prior to the filing of  
24 this Complaint.

25 44. Plaintiff represents, and is a member of **Class B**, consisting of:

26 All persons within the United States who received any  
27 telephonic communication from Defendant or its agent/s  
28 and/or employee/s, during which Defendant failed to  
disclose that Defendant was attempting to collect a debt  
and that any information obtained will be used for that  
purpose.

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1 45. Defendant and its employees or agents are excluded from the Classes. Plaintiff  
2 does not know the number of members in each class, but believes the class  
3 members number in the thousands, if not more. Accordingly, this matter  
4 should be certified as a class action to assist in the expeditious litigation of this  
5 matter.

6 46. Plaintiff and members of the Classes were harmed by the acts of Defendant in  
7 at least the following ways: (a) Defendant, either directly or through its agents,  
8 violated the FDCPA by not including a statement – within the initial  
9 communication or within 5 days of the initial communication – that, if within  
10 thirty (30) days of receiving the notice of the debt, the consumer disputes the  
11 debt in writing, the collector will obtain verification of the debt; (b) Defendant,  
12 either directly or through its agents, failed to include a statement within the  
13 initial communication or within 5 days of the initial communication that if the  
14 consumer notifies the Defendant in writing within the thirty (30) day period  
15 that the debt, or any portion thereof, is disputed, the Defendant will obtain  
16 verification of the debt; and (c) Defendant, either directly or through its agents,  
17 failed to provide Plaintiff and the class members the required “mini-Miranda”  
18 during telephonic communications. Plaintiff and the class members were  
19 damaged thereby.

20 47. This suit seeks damages and injunctive relief for recovery of economic injury  
21 on behalf of the Classes, and it expressly is not intended to request any  
22 recovery for personal injury and claims related thereto. Plaintiff reserves the  
23 right to expand the Classes definition to seek recovery on behalf of additional  
24 persons as warranted as facts are learned in further investigation and discovery.

25 48. **Numerosity.** The joinder of the class members is impractical and the  
26 disposition of their claims in the class action will provide substantial benefits  
27 both to the parties and to the court. The Classes can be identified through  
28 Defendant’s records or Defendant’s agents’ records.



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1 49. **Existence and Predominance of Common Questions of Law and Fact.**

2 There is a well-defined community of interest in the questions of law and fact  
3 involved affecting the parties to be represented. The questions of law and fact  
4 to the Classes predominate over questions which may affect individual class  
5 members, including the following:

- 6 a. Whether Defendant violated the FDCPA by not including a statement  
7 – within the initial communication or within 5 days of the initial  
8 communication – that if the consumer notifies the debt collector in  
9 writing within the thirty (30) day period that the debt, or any portion  
10 thereof, is disputed, the debt collector will obtain verification of the  
11 debt;
- 12 b. Whether Defendant violated the FDCPA by failing to provide  
13 Plaintiff the required “mini-Miranda” warning during telephonic  
14 communications;
- 15 c. Whether members of the Classes are entitled to the remedies under  
16 the FDCPA;
- 17 d. Whether members of the Classes are entitled to declaratory relief;
- 18 e. Whether members of the Classes are entitled to injunctive relief; and
- 19 f. Whether members of the Classes are entitled to an award of  
20 reasonable attorneys’ fees and costs of suit pursuant to the FDCPA.

21 50. **Typicality.** Plaintiff is asserting claims that are typical of the Classes. Plaintiff  
22 and the members of the Classes have all suffered irreparable harm as a result  
23 of Defendant’s unlawful and wrongful conduct. Absent a class action, the  
24 Classes will continue to face the potential for irreparable harm. In addition,  
25 these violations of law will be allowed to proceed without remedy and  
26 Defendant will likely continue such illegal conduct. Because of the size of the  
27 individual class member’s claims, few, if any, class members could afford to  
28 seek legal redress for the wrongs complained of herein

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1 51. **Adequacy of Representation.** Plaintiff will fairly and adequately represent  
2 and protect the interests of other members of the Classes in that Plaintiff has  
3 no interests antagonistic to any member of the class. Further, Plaintiff has  
4 retained counsel experienced in handling class action lawsuits involving  
5 violations of the Fair Debt Collections Practices Act.

6 52. **Superiority.** A class action is a superior method for the fair and efficient  
7 adjudication of this controversy. Class-wide damages are essential to induce  
8 Defendant to comply with federal law. The interest of class members in  
9 individually controlling the prosecution of separate claims against Defendant  
10 is small because the maximum statutory damages in an individual action for  
11 violation of privacy are minimal. Management of these claims is likely to  
12 present significantly fewer difficulties than those presented in many class  
13 claims.

14 53. Defendant has acted on grounds generally applicable to the Classes, thereby  
15 making appropriate final injunctive relief and corresponding declaratory relief  
16 with respect to the class as a whole.

17 **CAUSE OF ACTION**

18 **FAIR DEBT COLLECTION PRACTICES ACT**

19 **15 U.S.C. §§ 1692, ET SEQ. (FDCPA)**

20 54. Plaintiff repeats, re-alleges, and incorporates by reference, all other paragraphs  
21 of this Complaint as though fully stated herein.

22 55. The foregoing acts and omissions constitute numerous and multiple violations  
23 of the FDCPA, 15 U.S.C. §§ 1692, et seq., including but not limited to each  
24 and every one of the above-cited provisions of the FDCPA.

25 56. Based on the foregoing, Plaintiff is entitled to any actual damages pursuant to  
26 15 U.S.C. § 1692k(a)(1); statutory damages in the amount up to \$1,000.00  
27 pursuant to 15 U.S.C. § 1692k(a)(2)(A); and, reasonable attorneys' fees and  
28 costs pursuant to 15 U.S.C. § 1692k(a)(3) from Defendant.

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**PRAYER FOR RELIEF**

**WHEREFORE**, Plaintiff respectfully prays that judgment be entered against Defendant, and Plaintiff and the Class be awarded damages from Defendant, as follows:

- An award of statutory damages of \$1,000.00, for Plaintiff and each member of the Class, pursuant to 15 U.S.C. § 1692k(a)(2)(A), against Defendant;
- An award of actual damages, in an amount to be determined at trial, pursuant to 15 U.S.C. § 1692k(a)(1), against Defendant;
- An award of costs of litigation and reasonable attorneys’ fees, pursuant to 15 U.S.C. § 1692k(a)(3), against Defendant; and
- Any and all other relief that this Court deems just and proper.

**TRIAL BY JURY**

57. Pursuant to the Seventh Amendment to the Constitution of the United States of America, Plaintiff is entitled to, and demands, a trial by jury.

Dated: February 28, 2018

Respectfully submitted,

**KAZEROUNI LAW GROUP, APC**

By:           s/ Abbas Kazerounian            
ABBAS KAZEROUNIAN, ESQ.  
AK@KAZLG.COM  
ATTORNEYS FOR PLAINTIFF

JS 44 (Rev. 06/17)

**CIVIL COVER SHEET**

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

<p><b>I. (a) PLAINTIFFS</b></p> <p>ADRIAN CHAVEZ</p> <p>(b) County of Residence of First Listed Plaintiff <u>San Diego</u> <i>(EXCEPT IN U.S. PLAINTIFF CASES)</i></p> <p>(c) Attorneys (Firm Name, Address, and Telephone Number) See "attachment"</p>	<p><b>DEFENDANTS</b></p> <p>SYSTEMS &amp; SERVICES TECHNOLOGIES, INC.</p> <p>County of Residence of First Listed Defendant <u>Berrien</u> <i>(IN U.S. PLAINTIFF CASES ONLY)</i></p> <p>NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.</p> <p>Attorneys (If Known) unknown at this time</p> <p style="text-align: right;"><b>'18CV0446 BAS AGS</b></p>
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<p><b>II. BASIS OF JURISDICTION</b> (Place an "X" in One Box Only)</p> <p><input type="checkbox"/> 1 U.S. Government Plaintiff</p> <p><input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)</p> <p><input type="checkbox"/> 2 U.S. Government Defendant</p> <p><input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)</p>	<p><b>III. CITIZENSHIP OF PRINCIPAL PARTIES</b> (Place an "X" in One Box for Plaintiff and One Box for Defendant)</p> <table style="width:100%;"> <tr> <td style="width:33%;"></td> <td style="width:33%; text-align: center;"><b>PTF</b></td> <td style="width:33%; text-align: center;"><b>DEF</b></td> </tr> <tr> <td>Citizen of This State</td> <td style="text-align: center;"><input type="checkbox"/> 1</td> <td style="text-align: center;"><input type="checkbox"/> 1</td> </tr> <tr> <td>Citizen of Another State</td> <td style="text-align: center;"><input type="checkbox"/> 2</td> <td style="text-align: center;"><input type="checkbox"/> 2</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td style="text-align: center;"><input type="checkbox"/> 3</td> <td style="text-align: center;"><input type="checkbox"/> 3</td> </tr> </table> <p>Incorporated or Principal Place of Business In This State <input type="checkbox"/> 4 <input type="checkbox"/> 4</p> <p>Incorporated and Principal Place of Business In Another State <input type="checkbox"/> 5 <input type="checkbox"/> 5</p> <p>Foreign Nation <input type="checkbox"/> 6 <input type="checkbox"/> 6</p>		<b>PTF</b>	<b>DEF</b>	Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3
	<b>PTF</b>	<b>DEF</b>											
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1											
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2											
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3											

Click here for: [Nature of Suit Code Descriptions](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<p><b>PERSONAL INJURY</b></p> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<p><b>PERSONAL INJURY</b></p> <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/ Pharmaceutical Enforcement of Judgment <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <p><b>PERSONAL PROPERTY</b></p> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other <p><b>LABOR</b></p> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act <p><b>IMMIGRATION</b></p> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <p><b>PROPERTY RIGHTS</b></p> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <p><b>SOCIAL SECURITY</b></p> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <p><b>FEDERAL TAX SUITS</b></p> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input checked="" type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes

**V. ORIGIN** (Place an "X" in One Box Only)

1 Original Proceeding   
 2 Removed from State Court   
 3 Remanded from Appellate Court   
 4 Reinstated or Reopened   
 5 Transferred from Another District (specify)   
 6 Multidistrict Litigation - Transfer   
 8 Multidistrict Litigation - Direct File

**VI. CAUSE OF ACTION**

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):  
 Fair Debt Collection Practices Act, 15 U.S.C. § 1692, et seq.

Brief description of cause:  
 Violation of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, et seq.

**VII. REQUESTED IN COMPLAINT:**

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.    **DEMAND \$** \_\_\_\_\_    CHECK YES only if demanded in complaint:  
**JURY DEMAND:**  Yes     No

**VIII. RELATED CASE(S) IF ANY** (See instructions):

JUDGE \_\_\_\_\_ DOCKET NUMBER \_\_\_\_\_

DATE: February 28, 2018    SIGNATURE OF ATTORNEY OF RECORD: s/ Abbas Kazerounian

**FOR OFFICE USE ONLY**

RECEIPT # \_\_\_\_\_ AMOUNT \_\_\_\_\_ APPLYING IFP \_\_\_\_\_ JUDGE \_\_\_\_\_ MAG. JUDGE \_\_\_\_\_

**INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44**

## Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.  
 United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.  
 United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.  
 Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.  
 Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. Origin.** Place an "X" in one of the seven boxes.  
 Original Proceedings. (1) Cases which originate in the United States district courts.  
 Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.  
 Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.  
 Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.  
 Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.  
 Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.  
 Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.  
**PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7.** Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.  
 Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.  
 Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

**Date and Attorney Signature.** Date and sign the civil cover sheet.

**Attachment**

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# ClassAction.org

This complaint is part of ClassAction.org's searchable class action lawsuit database and can be found in this post: [Consumer Claims Systems & Services Technologies Failed to Detail Debt Verification Rights](#)

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