

**BARSHAY SANDERS, PLLC**  
100 Garden City Plaza, Suite 500  
Garden City, New York 11530  
Tel: (516) 203-7600  
Fax: (516) 706-5055  
Email: *ConsumerRights@BarshaySanders.com*  
*Attorneys for Plaintiff*  
Our File No.: 113854

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

Tammy R. Clock, individually and on behalf of all  
others similarly situated,

Plaintiff,

vs.

Michael Harrison Attorney at Law,

Defendant.

Docket No:

**CLASS ACTION COMPLAINT**

**JURY TRIAL DEMANDED**

Tammy R. Clock, individually and on behalf of all others similarly situated (hereinafter referred to as “*Plaintiff*”), by and through the undersigned counsel, complains, states and alleges against Michael Harrison Attorney at Law (hereinafter referred to as “*Defendant*”), as follows:

**INTRODUCTION**

1. This action seeks to recover for violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.* (“FDCPA”).

**JURISDICTION AND VENUE**

2. This Court has federal subject matter jurisdiction pursuant to 28 U.S.C. § 1331 and 15 U.S.C. § 1692k(d).

3. Venue is proper under 28 U.S.C. § 1391(b) because a substantial part of the events or omissions giving rise to the claim occurred in this Judicial District.

4. At all relevant times, Defendant conducted business within the State of New York.

BARSHAY | SANDERS PLLC  
100 GARDEN CITY PLAZA, SUITE 500  
GARDEN CITY, NEW YORK 11530

**PARTIES**

5. Plaintiff Tammy R. Clock is an individual who is a citizen of the State of New York residing in Suffolk County, New York.

6. Plaintiff is a “consumer” as defined by 15 U.S.C. § 1692a(3).

7. On information and belief, Defendant Michael Harrison Attorney at Law, is a New York Sole Proprietorship with a principal place of business in Westchester County, New York.

8. Defendant is regularly engaged, for profit, in the collection of debts allegedly owed by consumers.

9. Defendant is a “debt collector” as defined by 15 U.S.C. § 1692a(6).

**ALLEGATIONS**

10. Defendant alleges Plaintiff owes a debt (“the Debt”).

11. The Debt was incurred in connection with personal medical services.

12. The Debt was primarily for personal, family or household purposes and is therefore a “debt” as defined by 15 U.S.C. § 1692a(5).

13. Sometime after the incurrence of the Debt, Plaintiff fell behind on payments owed.

14. Thereafter, at an exact time known only to Defendant, the Debt was assigned or otherwise transferred to Defendant for collection.

15. In its efforts to collect the debt, Defendant contacted Plaintiff by letter (“the Letter”) dated January 30, 2017. (“**Exhibit 1.**”)

16. The Letter was the initial communication Plaintiff received from Defendant.

17. The Letter is a “communication” as defined by 15 U.S.C. § 1692a(2).

**FIRST COUNT**

**Violation of 15 U.S.C. § 1692g**

**Validation of Debts**

18. Plaintiff repeats and realleges the foregoing paragraphs as if fully restated herein.

19. 15 U.S.C. § 1692g provides that within five days after the initial communication with a consumer in connection with the collection of any debt, a debt collector shall, unless the

information is contained in the initial communication or the consumer has paid the debt, send the consumer a written notice containing certain enumerated information.

20. One such requirement is that the debt collector provide “the name of the creditor to whom the debt is owed.” 15 U.S.C. § 1692g(a)(2).

21. A debt collector has the obligation not just to convey the name of the creditor to whom the debt is owed, but also to convey such clearly.

22. A debt collector has the obligation not just to convey the name of the creditor to whom the debt is owed, but also to state such explicitly.

23. Merely naming the creditor without specifically identifying the entity as the current creditor to whom the debt is owed is not sufficient to comply with 15 U.S.C. § 1692g(a)(2).

24. Even if a debt collector conveys the required information, the debt collector nonetheless violates the FDCPA if it conveys that information in a confusing or contradictory fashion so as to cloud the required message with uncertainty.

25. When determining whether the name of the creditor to whom the debt is owed has been conveyed clearly, an objective standard, measured by how the “least sophisticated consumer” would interpret the notice, is applied.

26. The Letter fails to identify by name and label any entity as “creditor,” “original creditor,” “current creditor,” “account owner,” or “creditor to whom the debt is owed.”

27. The Letter sets forth a “Provider” of “East End Anesthesiologists, LLC.”

28. The Letter sets forth a “Place of Service” of “Southampton Hospital.”

29. The Letter states, “The account detailed above has been placed with this office for collection of your past-due balance.”

30. The Letter fails to indicate who referred the account to Defendant.

31. The Letter fails to indicate who Defendant represents.

32. The Letter fails to indicate who is Defendant's client.

33. The Letter fails to indicate the name of any entity to which Plaintiff should make her check payable to.

34. The least sophisticated consumer would likely be confused as to whether the creditor to whom the debt is owed is “East End Anesthesiologists, LLC” or “Southampton Hospital,” if either.

35. The least sophisticated consumer would likely be uncertain as to whether the creditor to whom the debt is owed is “East End Anesthesiologists, LLC” or “Southampton Hospital,” if either.

36.

37. Defendant failed to explicitly state the name of the creditor to whom the debt is owed.

38. Defendant failed to clearly state the name of the creditor to whom the debt is owed.

39. The least sophisticated consumer would likely be confused as to the name of the creditor to whom the debt is owed.

40. The least sophisticated consumer would likely be uncertain as to the name of the creditor to whom the debt is owed.

41. Defendant violated § 1692g as it failed to clearly and explicitly convey the name of the creditor to whom the debt is owed.

## **SECOND COUNT**

### **Violation of 15 U.S.C. § 1692e False or Misleading Representations as to the Name of the Creditor to Whom the Debt is Owed**

42. Plaintiff repeats and realleges the foregoing paragraphs as if fully restated herein.

43. 15 U.S.C. § 1692e prohibits a debt collector from using any false, deceptive, or misleading representation or means in connection with the collection of any debt.

44. While § 1692e specifically prohibits certain practices, the list is non-exhaustive, and does not preclude a claim of falsity or deception based on any non-enumerated practice.

45. The question of whether a collection letter is deceptive is determined from the perspective of the “least sophisticated consumer.”

46. A collection letter is deceptive under 15 U.S.C. § 1692e if it can reasonably be read by the least sophisticated consumer to have two or more meanings, one of which is inaccurate.

47. A collection letter is also deceptive under 15 U.S.C. § 1692e if it is reasonably susceptible to an inaccurate reading by the least sophisticated consumer.

48. For purposes of 15 U.S.C. § 1692e, the failure to clearly and accurately identify

the creditor to whom the debt is owed is unfair and deceptive to the least sophisticated consumer.

49. The identity of creditor to whom the debt is owed is a material piece of information to a consumer.

50. Knowing the identity of creditor to whom the debt is owed affects how a consumer responds to a debt collector's attempts to collect the debt.

51. The Letter can reasonably be read to mean that the creditor to whom the debt is owed is "East End Anesthesiologists, LLC."

52. The Letter can also be reasonably read to mean that the creditor to whom the debt is owed is "Southampton Hospital."

53. Because the Letter can reasonably be read by the least sophisticated consumer to have two or more meanings, one of which is inaccurate, as described, it is deceptive within the meaning of 15 U.S.C. § 1692e.

54. Because the Letter is reasonably susceptible to an inaccurate reading by the least sophisticated consumer, as described, it is deceptive within the meaning of 15 U.S.C. § 1692e.

55. The least sophisticated consumer would likely be deceived by the Letter.

56. The least sophisticated consumer would likely be deceived in a material way by the Letter.

57. Defendant violated § 1692e by using a false, deceptive and misleading representation in its attempt to collect a debt.

**THIRD COUNT**  
**Violation of 15 U.S.C. § 1692g**  
**Validation of Debts**

58. Plaintiff repeats and realleges the foregoing paragraphs as if fully restated herein.

59. 15 U.S.C. § 1692g provides that within five days after the initial communication with a consumer in connection with the collection of any debt, a debt collector shall, unless the information is contained in the initial communication or the consumer has paid the debt, send the consumer a written notice containing certain enumerated information.

60. The written notice must contain the amount of the debt.

61. The written notice must contain the name of the creditor to whom the debt is owed.

62. The written notice must contain a statement that unless the consumer, within

thirty days after receipt of the notice, disputes the validity of the debt, or any portion thereof, the debt will be assumed to be valid by the debt collector.

63. The written notice must contain a statement that if the consumer notifies the debt collector in writing within the thirty-day period that the debt, or any portion thereof, is disputed, the debt collector will obtain verification of the debt or a copy of a judgment against the consumer and a copy of such verification or judgment will be mailed to the consumer by the debt collector.

64. The written notice must contain a statement that, upon the consumer's written request within the thirty-day period, the debt collector will provide the consumer with the name and address of the original creditor, if different from the current creditor.

65. A debt collector has the obligation, not just to convey the required information, but also to convey such clearly.

66. Even if a debt collector conveys the required information accurately, the debt collector nonetheless violates the FDCPA if that information is overshadowed or contradicted by other language in the communication.

67. Even if a debt collector conveys the required information accurately, the debt collector nonetheless violates the FDCPA if that information is overshadowed by other collection activities during the 30-day validation period following the communication.

68. A collection activity or communication overshadows or contradicts the validation notice if it would make the "least sophisticated consumer" uncertain or confused as to her rights.

69. Demanding immediate payment without explaining that such demand does not override the consumer's right to dispute the debt or demand validation of the debt is a violation of the FDCPA.

70. Demanding immediate payment without providing transitional language explaining that such demand does not override the consumer's right to dispute the debt or demand validation of the debt is a violation of the FDCPA.

71. Defendant has demanded Plaintiff make payment during the validation period.

72. The Letter states, "This account is delinquent and requires your **prompt attention**. In order to clear your account, payment may be made by check, money order, credit card, debit card or payment can be made online at [www.mhesq.com](http://www.mhesq.com). Kindly send payment indicating your account number and patient name in order to insure proper credit" (emphasis

added).

73. Defendant has demanded Plaintiff make payment during the validation period without explaining that such demand does not override the Plaintiff's right to dispute the debt.

74. Defendant has demanded Plaintiff make payment during the validation period without explaining that such demand does not override the Plaintiff's right to demand validation of the debt.

75. Defendant has prefaced its demand for payment by indicating that Plaintiff's account "is delinquent and requires your prompt attention."

76. The least sophisticated consumer, upon reading that her account requires prompt attention, followed immediately by Defendant's demand for payment, would be instilled with a sense of urgency.

77. The least sophisticated consumer, upon reading that her account requires prompt attention, followed immediately by Defendant's demand for payment, would likely be inclined to remit payment in order to avoid negative consequences.

78. The least sophisticated consumer, upon reading that her account requires prompt attention, followed immediately by Defendant's demand for payment, would likely be inclined to remit payment requires of whether she believes the debt is valid.

79. Defendant's demand for payment would likely make the least sophisticated consumer uncertain as to her rights.

80. Defendant's demand for payment would likely make the least sophisticated consumer confused as to her rights.

81. Defendant violated § 1692g as Defendant overshadowed the information required to be provided by that Section.

### **CLASS ALLEGATIONS**

82. Plaintiff brings this action individually and as a class action on behalf of all persons similarly situated in the State of New York from whom Defendant attempted to collect a consumer medical debt by way of a form collection, substantially similar to that at issue herein, that sets forth a "Provider" and a "Place of Service," while failing to explicitly identify the creditor to whom the debt is owed, from one year before the date of this Complaint to the present.

83. This action seeks a finding that Defendant's conduct violates the FDCPA, and

asks that the Court award damages as authorized by 15 U.S.C. § 1692k.

84. Defendant regularly engages in debt collection.

85. The Class consists of more than 35 persons from whom Defendant attempted to collect delinquent consumer debts by way of a form collection, substantially similar to that at issue herein, that sets forth a “Provider” and a “Place of Service,” while failing to explicitly identify the creditor to whom the debt is owed, from one year before the date of this Complaint to the present.

86. Plaintiff’s claims are typical of the claims of the Class. Common questions of law or fact raised by this class action complaint affect all members of the Class and predominate over any individual issues. Common relief is therefore sought on behalf of all members of the Class. This class action is superior to other available methods for the fair and efficient adjudication of this controversy.

87. The prosecution of separate actions by individual members of the Class would create a risk of inconsistent or varying adjudications with respect to the individual members of the Class, and a risk that any adjudications with respect to individual members of the Class would, as a practical matter, either be dispositive of the interests of other members of the Class not party to the adjudication, or substantially impair or impede their ability to protect their interests. Defendant has acted in a manner applicable to the Class as a whole such that declaratory relief is warranted.

88. Plaintiff will fairly and adequately protect and represent the interests of the Class. The management of the class action proposed is not extraordinarily difficult, and the factual and legal issues raised by this class action complaint will not require extended contact with the members of the Class, because Defendant’s conduct was perpetrated on all members of the Class and will be established by common proof. Moreover, Plaintiff has retained counsel experienced in actions brought under consumer protection laws.

#### **JURY DEMAND**

89. Plaintiff hereby demands a trial of this action by jury.

#### **PRAYER FOR RELIEF**

**WHEREFORE**, Plaintiff respectfully requests judgment as follows:



- a. Certify this action as a class action; and
- b. Appoint Plaintiff as Class Representative of the Class, and Plaintiff's attorneys as Class Counsel; and
- c. Find that Defendant's actions violate the FDCPA; and
- d. Grant damages against Defendant pursuant to 15 U.S.C. § 1692k; and
- e. Grant Plaintiff's attorneys' fees pursuant to 15 U.S.C. § 1692k; and
- f. Grant Plaintiff's costs; together with
- g. Such other relief that the Court determines is just and proper.

DATED: January 30, 2018

BARSHAY | SANDERS PLLC  
100 GARDEN CITY PLAZA, SUITE 500  
GARDEN CITY, NEW YORK 11530

**BARSHAY SANDERS, PLLC**

By: /s/ Craig B. Sanders  
Craig B. Sanders, Esq.  
100 Garden City Plaza, Suite 500  
Garden City, New York 11530  
Tel: (516) 203-7600  
Fax: (516) 706-5055  
csanders@barshaysanders.com  
*Attorneys for Plaintiff*  
Our File No.: 113854

**MH** MICHAEL HARRISON  
ATTORNEY AT LAW

75 S. BROADWAY, 4TH FLOOR  
WHITE PLAINS, NY 10601

(This is a new address.)

01/30/17

Account Number:	4866
Provider:	EAST END ANESTHESIOLOGISTS.LLC
Type of Service:	ANESTHESIOLOGY
Place of Service:	SOUTHAMPTON HOSPITAL
Patient:	Tammy Clock
Balance Due:	\$269.93

Please call Mon.-Fri. 9am-5pm  
(800) 831-3161



NYCDCA License # 2037329-DCA

Tammy Clock:

The account detailed above has been placed with this office for collection of your past-due balance. This account is delinquent and requires your prompt attention. In order to clear your account, payment may be made by check, money order, credit card, debit card or payment can be made online at [www.mhesq.com](http://www.mhesq.com). Kindly send payment indicating your account number and patient name in order to insure proper credit.

If you have any questions or wish to discuss the details of this account, please contact this office. It is our desire to help you resolve this matter as quickly as possible.

At this time, no attorney with this firm has personally reviewed the particular circumstances of your account. This office is relying upon the representation of the creditor that you owe the amount claimed.

Thank you for your anticipated cooperation.

Yours truly,  
Michael Harrison

WE ARE DEBT COLLECTORS. THE FAIR DEBT COLLECTION PRACTICES ACT REQUIRES DEBT COLLECTORS TO ADVISE YOU OF YOUR LEGAL RIGHTS AND TO ENSURE THAT THE STATEMENTS OR REPRESENTATIONS CONTAINED IN THIS LETTER SHALL NOT BE FALSE OR MISLEADING.

SEE REVERSE SIDE FOR INFORMATION REGARDING YOUR LEGAL RIGHTS

NY1/MHAR/709010891915

Please detach and return in the enclosed envelope with your payment

6085/000003703/00000011

**MH** MICHAEL HARRISON  
ATTORNEY AT LAW  
75 S. Broadway, 4th floor  
White Plains, NY 10601

01/30/17

Tammy Clock  
9 Fleet Rd  
Shirley, NY 11967-2823

IF PAYING BY CREDIT CARD, FILL OUT BELOW.

<input type="checkbox"/> VISA	<input type="checkbox"/> MasterCard	<input type="checkbox"/> DISCOVER	<input type="checkbox"/> American Express®
CARD NUMBER		SECURITY/CVV2 CODE	
SIGNATURE		EXP DATE	
PRINTED NAME		ACCOUNT NUMBER 4866	
PATIENT NAME Tammy Clock			
BALANCE DUE \$269.93		SHOW AMOUNT PAID HERE	

MICHAEL HARRISON ATTORNEY AT LAW  
75 S. Broadway, 4th Floor  
White Plains, NY 10601

## **YOUR LEGAL RIGHTS**

THIS OFFICE IS THE DEBT COLLECTOR HANDLING YOUR ACCOUNT. UNLESS WITHIN THIRTY (30) DAYS AFTER YOUR RECEIPT OF THIS NOTICE YOU DISPUTE THE VALIDITY OF THE DEBT, OR ANY PORTION THEREOF, IT WILL BE ASSUMED VALID BY THE DEBT COLLECTOR. IF YOU NOTIFY THIS OFFICE, IN WRITING, WITHIN THIRTY (30) DAYS AFTER YOUR RECEIPT OF THIS NOTICE THAT YOU DISPUTE THE DEBT, OR ANY PORTION THEREOF, THIS OFFICE WILL OBTAIN VERIFICATION OF THE DEBT OR A COPY OF A JUDGMENT AGAINST YOU AND A COPY OF SUCH VERIFICATION OR JUDGMENT, WILL BE MAILED TO YOU BY THIS OFFICE. IF YOU REQUEST, IN WRITING, WITHIN THIRTY (30) DAYS AFTER RECEIPT OF THIS NOTICE, THE NAME AND ADDRESS OF THE ORIGINAL CREDITOR, THIS OFFICE WILL PROVIDE YOU WITH THE NAME AND ADDRESS OF THE ORIGINAL CREDITOR.

THIS OFFICE IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THE PURPOSE OF COLLECTING THE DEBT.

AT THIS TIME, NO ATTORNEY WITH THIS OFFICE HAS PERSONALLY REVIEWED THE PARTICULAR CIRCUMSTANCES OF YOUR ACCOUNT. THIS OFFICE IS RELYING UPON THE REPRESENTATION OF THE CREDITOR THAT YOU OWE THE AMOUNT CLAIMED.

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.)

I. (a) PLAINTIFFS

TAMMY R. CLOCK

(b) County of Residence of First Listed Plaintiff SUFFOLK (EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

BARSHAY SANDERS, PLLC
100 Garden City Plaza, Ste 500, Garden City, NY 11530
(516) 203-7600

DEFENDANTS

MICHAEL HARRISON ATTORNEY AT LAW

County of Residence of First Listed Defendant WESTCHESTER (IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 0 1 U.S. Government Plaintiff
0 2 U.S. Government Defendant
0 3 Federal Question (U.S. Government Not a Party)
0 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- Citizen of This State
Citizen of Another State
Citizen or Subject of a Foreign Country
PTF DEF
0 1 0 1
0 2 0 2
0 3 0 3
Incorporated or Principal Place of Business In This State
Incorporated and Principal Place of Business In Another State
Foreign Nation
PIF DEF
0 4 0 4
0 5 0 5
0 6 0 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Table with columns: CONTRACT, REAL PROPERTY, TORTS, CIVIL RIGHTS, PRISONER PETITIONS, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER STATUTES. Includes various legal categories like Insurance, Personal Injury, Real Estate, etc.

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

- 0 1 Original Proceeding
0 2 Removed from State Court
0 3 Remanded from Appellate Court
0 4 Reinstated or Reopened
0 5 Transferred from Another District (specify)
0 6 Multidistrict Litigation - Transfer
0 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): 15 USC §1692

Brief description of cause: 15 USC §1692 Fair Debt Collection Practices Act Violation

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$1000.00 CHECK YES only if demanded in complaint: JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See Instructions) JUDGE DOCKET NUMBER

DATE January 31, 2018 SIGNATURE OF ATTORNEY OF RECORD /s/ Craig Sanders

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

CERTIFICATION OF ARBITRATION ELIGIBILITY

Local Arbitration Rule 83.10 provides that with certain exceptions, actions seeking money damages only in an amount not in excess of \$150,000, exclusive of interest and costs, are eligible for compulsory arbitration. The amount of damages is presumed to be below the threshold amount unless a certification to the contrary is filed.

I, Craig B. Sanders, counsel for Plaintiff, do hereby certify that the above captioned civil action is ineligible for compulsory arbitration for the following reason(s):

- monetary damages sought are in excess of \$150,000, exclusive of interest and costs,
the complaint seeks injunctive relief,
the matter is otherwise ineligible for the following reason

DISCLOSURE STATEMENT - FEDERAL RULES CIVIL PROCEDURE 7.1

Identify any parent corporation and any publicly held corporation that owns 10% or more of its stocks:

RELATED CASE STATEMENT (Section VIII on the Front of this Form)

Please list all cases that are arguably related pursuant to Division of Business Rule 50.3.1 in Section VIII on the front of this form. Rule 50.3.1 (a) provides that "A civil case is "related" to another civil case for purposes of this guideline when, because of the similarity of facts and legal issues or because the cases arise from the same transactions or events, a substantial saving of judicial resources is likely to result from assigning both cases to the same judge and magistrate judge." Rule 50.3.1 (b) provides that " A civil case shall not be deemed "related" to another civil case merely because the civil case: (A) involves identical legal issues, or (B) involves the same parties." Rule 50.3.1 (c) further provides that "Presumptively, and subject to the power of a judge to determine otherwise pursuant to paragraph (d), civil cases shall not be deemed to be "related" unless both cases are still pending before the court."

NY-E DIVISION OF BUSINESS RULE 50.1(d)(2)

- 1. Is the civil action being filed in the Eastern District removed from a New York State Court located in Nassau or Suffolk County: NO
2. If you answered "no" above:
a) Did the events or omissions giving rise to the claim or claims, or a substantial part thereof, occur in Nassau or Suffolk County? YES
b) Did the events or omissions giving rise to the claim or claims, or a substantial part thereof, occur in the Eastern District? YES
c) If this is a Fair Debt Collection Practice Act case, specific the County in which the offending communication was received: SUFFOLK

If your answer to question 2 (b) is "No," does the defendant (or a majority of the defendants, if there is more than one) reside in Nassau or Suffolk County, or, in an interpleader action, does the claimant (or a majority of the claimants, if there is more than one) reside in Nassau or Suffolk County? Yes No

(Note: A corporation shall be considered a resident of the County in which it has the most significant contacts).

BAR ADMISSION

I am currently admitted in the Eastern District of New York and currently a member in good standing of the bar of this court. Yes No

Are you currently the subject of any disciplinary action (s) in this or any other state or federal court? Yes (If yes, please explain) No

I certify the accuracy of all information provided above.

Signature: /s Craig B. Sanders

AO 440 (Rev. 06/12) Summons in a Civil Action

**UNITED STATES DISTRICT COURT**  
for the  
**EASTERN DISTRICT OF NEW YORK**

Tammy R. Clock, individually and on behalf of all others similarly situated	)	
_____	)	
<i>Plaintiff(s)</i>	)	
	)	Civil Action No.
v.	)	
	)	
Michael Harrison Attorney at Law	)	
_____	)	
<i>Defendant(s)</i>	)	

**SUMMONS IN A CIVIL ACTION**

To: *(Defendant's name and address)*  
Michael Harrison Attorney at Law  
75 S. Broadway , 4th Floor  
White Plains, New York 10601

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) – or 60 days if you are the United States, or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) – you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff’s attorney, whose name and address are:

BARSHAY SANDERS PLLC  
100 GARDEN CITY PLAZA, SUITE 500  
GARDEN CITY, NY 11530

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

*CLERK OF COURT*

Date: \_\_\_\_\_

\_\_\_\_\_  
*Signature of Clerk or Deputy Clerk*

# ClassAction.org

This complaint is part of ClassAction.org's searchable class action lawsuit database and can be found in this post: [Michael Harrison Attorney at Law Faces Lawsuit Alleging Collection Letter Missteps](#)

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