

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO.:

JILL KEMPLER, individually and
on behalf of others similarly situated,

Plaintiff,

-vs-

SECOND ROUND, LP, a Texas
limited partnership,

Defendant.

CLASS ACTION COMPLAINT
JURY DEMAND

1. Plaintiff, Jill Kempler (hereinafter “Plaintiff”), files the instant class action, individually and on behalf of others similarly situated, for violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 *et seq.* (hereinafter “FDCPA”) against Defendant, Second Round, LP (hereinafter “Defendant”) in order to remedy illegal debt collection practices.

INTRODUCTION

2. Abusive practices arising from the collection of time-barred debts are not uncommon. *See Federal Trade Commission, Collecting Consumer Debt; The Challenge of Change, A Workshop Report* at 27-29 (Feb. 2009). The Federal Trade Commission has determined that most consumers do not know their legal rights with respect to collection of old debts past the statute of limitations and has also concluded that offers of partial payment “may convey or imply to consumers that they have only obligated themselves in the amount of the partial payment.” *See Federal Trade Commission, The Structure and Practice of the Debt Buying Industry* 46-47 (Jan. 2013). Because the profit potential associated with the collection of time-

barred debts is so great, it presents an irresistible temptation to debt collectors and creditors alike. The instant class action is centered on the collection of these types of consumer debts.

JURISDICTION AND VENUE

3. This Court has jurisdiction over this class action pursuant to 28 U.S.C. §§ 1331, 1337, and 15 U.S.C. § 1692k(d).

4. Venue is proper because this is where the cause of action accrued: Defendant transacts and/or conducts business in this venue, Defendant illegally attempted to collect consumer debts within this venue, and Plaintiff resides here.

5. Defendant's communications with Plaintiff and members of the Class in connection with the attempted collection of consumer debts in Florida made it foreseeable that it would be haled into a Florida Court. *See Burger King Corp. v. Rudzewicz*, 471 U.S. 462, 474 (1985).

PARTIES

6. Plaintiff is a natural person, and at all times relevant to this action, was a citizen of the State of Florida, residing in Broward County, Florida.

7. At all times relevant to this action, Plaintiff is and was a "consumer" as defined by 15 U.S.C. § 1692a(3).

8. Defendant is a foreign corporation whose principal place of business is located at 1701 Directors Blvd., Ste. 900, Austin, TX 78744.

9. Defendant's registered agent for service of process in the state of Florida is Cogency Global, Inc., 115 North Calhoun Street, Suite 4, Tallahassee, FL 32301.

10. Defendant regularly uses the mail and telephone in a business the principal purpose of which is the collection of consumer debts.

11. Defendant is registered with the Florida Office of Financial Regulation as a collection agency and is assigned license number CCA9901482.

12. At all times relevant to this action, Defendant is and was a “debt collector” as defined by 15 U.S.C. § 1692a(6).

APPLICABLE LAW

I. Fair Debt Collection Practices Act

13. The purpose of the FDCPA is “to eliminate abusive debt collection practices . . . and to promote consistent State action to protect consumers against debt collection abuses.” 15 U.S.C. § 1692.

14. The FDCPA prevents false, deceptive or misleading representations in connection with the collection of consumer debts. 15 U.S.C. § 1692e.

15. The FDCPA also prevents the use of unfair or unconscionable means to collect or attempt to collect consumer debts. 15 U.S.C. § 1692f.

16. The FDCPA creates a private right of action under 15 U.S.C. § 1692k.

17. The FDCPA defines the term “consumer” as “any natural person obligated or allegedly obligated to pay any debt.” 15 U.S.C. § 1692a(3).

18. The FDCPA defines the term “debt” as “any obligation or alleged obligation of a consumer to pay money arising out of a transaction in which the money, property, insurance, or services which are the subject of the transaction are primarily for personal, family, or household purposes, whether or not such obligation has been reduced to judgment.” 15 U.S.C. § 1692a(5).

19. The FDCPA defines the term “debt collector” as “any person who uses any instrumentality of interstate commerce or the mails in any business the principal purpose of

which is the collection of any debts, or who regularly collects or attempts to collect, directly or indirectly, debts owed or due or asserted to be owed or due another.” 15 U.S.C. § 1692a(6).

FACTUAL ALLEGATIONS

20. At all times relevant to this action, Defendant sought to collect from Plaintiff an alleged consumer debt arising from transactions incurred primarily for personal, family or household purposes.

21. On or about September 15, 2017, Defendant sent a form collection letter to Plaintiff regarding a consumer credit account previously owned by Synchrony Bank. (Exhibit ‘A’).

22. When Plaintiff received the aforementioned form collection letter, she bore no legal responsibility to pay the debt and could face no legal exposure by not paying the debt.

23. The form collection letter stated that Plaintiff is indebted to Second Round Sub, LLC in the amount of \$1,595.00.

24. The form collection letter also sets forth the following statements:

“Second Round, LP is excited to offer you 2 money saving options to take care of this account.”

“Monthly Payments – Payment Amount \$75.00 – Number of Payments 14 – 1st Payment Due Date 09/28/2017 – Savings Amount \$545.00”

“One Payment – Payment Amount \$797.50 – Number of Payments 1 – Due Date 09/28/2017 – Savings Amount \$797.50”

““We believe most people prefer to satisfy their past financial obligations.”

“Keep in mind, we are not obligated to renew or extend this offer in the future.”

“How can you take advantage of this offer?”

“1. You can mail a check or money order for the first payment of \$75.00. We will then send out a payment coupon book for the remaining payments; or”

“2. You can call us at 866-950-6357 during normal business hours; our friendly representatives can set up your payments over the phone using a variety of payment methods. You can also call to discuss alternate payment arrangements.”

“The law limits how long you can be sued on a debt. Because of the age of your debt, we will not sue you for it.”

“If you do not pay the debt, Second Round Sub, LLC may report or continue to report it to the credit reporting agencies as unpaid.”

“This is a communication from a debt collector and is an attempt to collect a debt. Any information obtained will be used for that purpose.”

25. The form collection letter sent by Defendant to Plaintiff is a “communication” as defined by 15 U.S.C. § 1692a(2).

26. The form collection letter couched as an “offer to settle” failed to disclose to Plaintiff that a partial payment or a promise to make a partial payment toward the debt would revive Defendant’s ability to sue on the debt.

CLASS ALLEGATIONS

27. Plaintiff brings this action under Rule 23 of the Federal Rules of Civil Procedure on behalf of the following class of persons, subject to modification after discovery and further case development:

All persons who Defendant sent, or caused to be sent, debt collection letters in the form of Exhibit ‘A’ to a mailing address located in the State of Florida, during the one-year period prior to the filing of this action.

28. The members of the Class are all identifiable through Defendant’s records.

29. Excluded from the Class are Defendant; any entities in which it has a controlling interest; its agents and employees; and any Judge to whom this action is assigned and any member of such Judge’s staff and immediate family.

30. Plaintiff proposes that she serve as class representative for the class as she and the members of the Class have all been harmed by Defendant’s actions.

31. The members of the Class are so numerous and geographically diverse that joinder of all of them is impracticable.

32. Plaintiff believes and therefore avers, that Defendant has improperly sent collection letters to over forty (40) consumers throughout the State of Florida during the relevant time period.

33. There are questions of law and fact common to Plaintiff and to the members of the Class, including but not limited to:

- a. Whether Defendant's conduct constitutes violations of 15 U.S.C. § 1692e;
- b. Whether Defendant's conduct constitutes violations of 15 U.S.C. § 1692e(10);
- c. Whether Defendant's conduct constitutes violations of 15 U.S.C. § 1692f;
- d. Whether Plaintiff and members of the Class are entitled to statutory damages pursuant to the FDCPA as a result of Defendant's actions;
- e. Whether Plaintiff and members of the Class are entitled to actual damages pursuant to the FDCPA as a result of Defendant's actions;
- f. Whether Plaintiff and members of the Class are entitled to attorney's fees and costs pursuant to the FDCPA; and
- g. Whether Defendant should be enjoined from engaging in such conduct in the future.

34. Plaintiff's claims are typical of the claims of the other members of the Class, and Plaintiff has no interests that are adverse or antagonistic to the interests of the other members of the Class.

35. Plaintiff is an adequate representative of the Class because she will fairly and adequately protect the interests of the Class, and counsel who is experienced in litigation of this nature represent her.

36. Common questions of law and fact predominate over questions affecting only individual class members, and a class action is the superior method for fair and efficient adjudication of this controversy.

37. The likelihood that individual members of the Class will prosecute separate actions is remote due to the time and expense necessary to conduct such litigation.

COUNT I
VIOLATIONS OF 15 U.S.C. § 1692e

38. Plaintiff incorporates paragraphs 1 through 37 as if fully set forth herein.

39. Defendant violated 15 U.S.C. § 1692e by making false, deceptive or misleading representations to Plaintiff and members of the Class.

40. Defendant made false, deceptive or misleading representations to Plaintiff when it sent a form collection letter couched as “offers to settle” by not disclosing that a partial payment or a promise to make a partial payment toward the debt would effectively reset the applicable statute of limitations.

41. As a result of Defendant’s aforementioned violations of the FDCPA, Plaintiff suffered damages, including but not limited to, time spent addressing Defendant’s illegal debt collection practices.

COUNT II
VIOLATIONS OF 15 U.S.C. § 1692e(10)

42. Plaintiff incorporates paragraphs 1 through 37 as if fully set forth herein.

43. Defendant violated 15 U.S.C. § 1692e(10) by the use of false representations or deceptive means to collect or attempt to collect consumer debts from Plaintiff and members of the Class.

44. Defendant used false representations or deceptive means to collect or attempt to collect a debt from Plaintiff when it sent a form collection letter couched as “offers to settle” by not disclosing that a partial payment or a promise to make a partial payment toward the debt would effectively reset the applicable statute of limitations.

45. As a result of Defendant’s aforementioned violations of the FDCPA, Plaintiff suffered damages, including but not limited to, time spent addressing Defendant’s illegal debt collection practices.

COUNT III
VIOLATIONS OF 15 U.S.C. § 1692f

46. Plaintiff incorporates paragraphs 1 through 37 as if fully set forth herein.

47. Defendant violated 15 U.S.C. § 1692f by using unfair or unconscionable means to collect or attempt to collect consumer debts from Plaintiff and members of the Class.

48. Defendant used unfair or unconscionable means to collect or attempt to collect a debt from Plaintiff when it sent a form collection letter couched as “offers to settle” by not disclosing that a partial payment or a promise to make a partial payment toward the debt would effectively reset the applicable statute of limitations.

49. As a result of Defendant’s aforementioned violations of the FDCPA, Plaintiff suffered damages, including but not limited to, time spent addressing Defendant’s illegal debt collection practices.

JURY DEMAND

50. Plaintiff and members of the Class are entitled to and respectfully demand a trial by jury on all issues so triable.

RELIEF REQUESTED

WHEREFORE, Plaintiff, individually and on behalf of all members of the Class, respectfully requests this Court enter judgment against Defendant for all of the following:

- a. That the Court certify Plaintiff's claims and all other persons similarly situated as class action claims under Rule 23 of the Federal Rules of Civil Procedure;
- b. That Plaintiff and all members of the Class be awarded statutory damages pursuant to the FDCPA;
- c. That Plaintiff and all members of the Class be awarded actual damages pursuant to the FDCPA;
- d. That Plaintiff and all members of the Class be awarded costs and attorney's fees pursuant to the FDCPA;
- e. That the Court enter a judgment permanently enjoining Defendant from violating the FDCPA;
- f. That the Court enter a judgment awarding any other injunctive relief necessary to ensure Defendant's compliance with the FDCPA;
- g. That the Court enter an order that Defendant and its agents, or anyone acting on their behalf, be immediately restrained from altering, deleting or destroying any documents or records that could be used to identify members of the Class; and
- h. Such other and further relief as the Court may deem just and proper.

Respectfully submitted,

By: /s/ Christopher Legg
Christopher Legg, Esq.
Florida Bar No.: 44460

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North Palm Beach, Florida 33408
Office: (561) 692-6013
Facsimile: (305) 574-0132

*Attorneys for Plaintiff
and the putative class*

Exhibit 'A'

PO Box 1259
Dept 137267
Oaks, PA 19456



JILL KEMPLER
29 SE 15TH ST APT 41
DANIA FL 33004-4334

001420

| | |
|----------------|------------|
| Date | 9/15/2017 |
| Balance | \$1,595.00 |
| Payment Amount | |

Pay Online: <http://payments.second-round.com>
Pay By Phone: (866) 950-6357
Hours of Operation (CST):
Mon.-Thur. 8:00 AM - 6:00 PM
Fri. 8:00 AM - 5:00 PM



PO Box 41955
Austin, TX 78704



| | | | |
|-----------------------|--------------------------------------|--------------|-------------------------|
| Balance | Principal | | Original Account Number |
| \$1,595.00 | \$1,595.00 | | XXXXXXXXXXXX1167 |
| Current Creditor | Original Creditor | Account Name | |
| Second Round Sub, LLC | Synchrony Bank fka GE Capital Retail | Rooms To Go | |

Dear JILL KEMPLER,

Second Round LP is excited to offer you 2 money saving options to take care of this account.

Monthly Payments

Payment Amount \$75.00
 Number of Payments 14
 1st Payment Due Date 09/28/2017
 Savings Amount \$545.00

One Payment

Payment Amount \$797.50
 Number of Payments 1
 Due Date 09/28/2017
 Savings Amount \$797.50

We believe most people prefer to satisfy their past financial obligations. We also understand that times are tough and it can be difficult to pay the full amount owed. Because of this, we work directly with our clients and creditors to negotiate the best possible deal for you and to help you satisfy your account in an affordable manner.

Taking care of this account will put an end to the calls and letters attempting to collect this account. Keep in mind, we are not obligated to renew or extend this offer in the future.

How can you take advantage of this offer?

1. You can mail a check or money order for the first payment of \$75.00. We will then send out a payment coupon book for the remaining payments; or
2. You can call us at 866-950-6357 during our normal business hours, our friendly representatives can set up your payments over the phone using a variety of payment methods. You can also call to discuss alternate payment arrangements.

The law limits how long you can be sued on a debt. Because of the age of your debt, Second Round Sub, LLC will not sue you for it. If you do not pay the debt, Second Round Sub, LLC may report or continue to report it to the credit reporting agencies as unpaid.

This is a communication from a debt collector and is an attempt to collect a debt. Any information obtained will be used for that purpose.

NOTICE: SEE REVERSE SIDE FOR IMPORTANT CONSUMER RIGHTS

1701 Directors Blvd. Ste. 900, Austin, TX 78744

129074-54-1420



**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO.:

JILL KEMPLER, individually and
on behalf of others similarly situated,

Plaintiff,

v.

SECOND ROUND, LP, a Texas
Limited partnership,

Defendant.

SUMMONS IN A CIVIL ACTION

To: Second Round, LP
c/o Cogency Global, Inc.
115 North Calhoun St., Ste. 4
Tallahassee, FL 32301

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:

Christopher W. Legg, Esq.
499 E. Palmetto Park Rd., Ste. 228
Boca Raton, FL 33432

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

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____; or

I returned the summons unexecuted because _____; or

Other *(specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing 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. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I(a) PLAINTIFFS

JILL KEMPLER, individually and on behalf of others similarly situated,

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF (EXCEPT IN U.S. PLAINTIFF CASES) **BROWARD**

DEFENDANTS

SECOND ROUND, LP

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT _____ (IN U.S. PLAINTIFF CASES ONLY)

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

(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)
CHRISTOPHER W. LEGG, ESQ., 499 E. PALMETTO PARK RD., STE. 228, BOCA RATON, FL 33021, TELEPHONE (954) 962-2333

ATTORNEYS (IF KNOWN)

(d) **CIRCLE COUNTY WHERE ACTION AROSE:**
DADE, MONROE, BROWARD, PALM BEACH, MARTIN, ST. LUCIE, INDIAN RIVER, OKEECHOBEE, HIGHLANDS

| II. BASIS OF JURISDICTION (PLACE AN X IN ONE BOX ONLY) | III. CITIZENSHIP OF PRINCIPAL PARTIES (For Diversity Case Only) | PTF DEF (PLACE AN X IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT) |
|--|---|--|
| <input type="checkbox"/> 1. U.S. Government Plaintiff <input type="checkbox"/> 2. U.S. Government Defendant <input checked="" type="checkbox"/> 3. Federal Question (U.S. Government Not a Party) <input type="checkbox"/> 4. Diversity (Indicate Citizenship of Parties in Item III) | 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"/> <input type="checkbox"/> 3 3 | DEF (PLACE AN X IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT) PTF DEF Incorporation and Principal Place of Business in This State <input type="checkbox"/> 1 <input type="checkbox"/> 1 Incorporation and Principal Place of Business in Another State <input type="checkbox"/> 2 <input type="checkbox"/> 2 Foreign Nation <input type="checkbox"/> <input type="checkbox"/> 3 3 |

IV. CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE. DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY.)

IVa. 2-3 days estimated (for both sides) to try entire case Fair Debt Collection Practices Act, 15 U.S.C. §1692, *et seq.* ("FDCPA")

| NATURE OF SUIT (PLACE AN X IN ONE BOX ONLY) | | | | |
|---|--|--|--|---|
| A CONTRACT | A TORTS | B FORFEITURE PENALTY | A BANKRUPTCY | A OTHER STATUS |
| <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 (excl Veterans) B <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits B <input type="checkbox"/> 160 Stockholder's Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability | PERSONAL INJURY <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 PERSONAL PROPERTY <input type="checkbox"/> 362 Pers. Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Prod. Liability <input type="checkbox"/> 368 Asbestos Personnel Injury Product Liability <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending B <input type="checkbox"/> 380 Other Personnel Property Damage <input type="checkbox"/> 385 Property Damage Product Liability B PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus <input type="checkbox"/> 530 General* <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other* <input type="checkbox"/> 550 Civil Rights *A or B | <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other A LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor Management Relations B <input type="checkbox"/> 730 Labor Management Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Ret. Inc. Security Act B | <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 A PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark B SOCIAL SECURITY <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)) A FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26b USC 7609 | <input type="checkbox"/> 400 States Reappointment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. B <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities /Commodities /Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes <input checked="" type="checkbox"/> 890 Other Statutory Actions* *A or B |
| A REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure B <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property | A CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 440 Other Civil Rights | B PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus <input type="checkbox"/> 530 General* <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other* <input type="checkbox"/> 550 Civil Rights *A or B | <input type="checkbox"/> 6 Multidistrict Litigation <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26b USC 7609 | <input type="checkbox"/> 400 States Reappointment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. B <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities /Commodities /Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes <input checked="" type="checkbox"/> 890 Other Statutory Actions* *A or B |

VI. ORIGIN (PLACE AN X IN ONE BOX ONLY)
 1. Original Proceeding
 2. Removed from State Court
 3. Remanded from Appellate Court
 4. Refiled
 5. Transferred from another district (specify)

VII. REQUESTED IN COMPLAINT
 CHECK IF THIS IS A UNDER F.R.C.P.23
CLASS ACTION Yes
DEMANDS N/A
 Check YES only if demanded in complaint
JURY DEMAND: YES NO

VIII. RELATED CASE(S) IF ANY (See Instructions): JUDGE DOCKET NUMBER

DATE: April 17, 2018 SIGNATURE OF ATTORNEY OF RECORD

/s/ Christopher W. Legg

| | | |
|------------------------------|--|---------------|
| UNITED STATES DISTRICT COURT | FOR OFFICE USE ONLY: Receipt No. _____ | Amount: _____ |
| S/F 1-2 REV. 9/94 | Date Paid: _____ | M/iff: _____ |

ClassAction.org

This complaint is part of ClassAction.org's searchable class action lawsuit database and can be found in this post: [Lawsuit: Second Round, LP Failed to Disclose Settlement Payment Would Revive Debt's Statute of Limitations](#)
