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7 UNITED STATES DISTRICT COURT
8 FOR THE SOUTHERN DISTRICT OF CALIFORNIA

9 RICHARD LIPP JR., individually and
10 on behalf of all others similarly situated,

11 *Plaintiff,*

12 v.

13 CREST MORTGAGE, INC., an
14 Arizona corporation,

15 *Defendant.*

Case No. '22CV582 L AHG

CLASS ACTION COMPLAINT

DEMAND FOR JURY TRIAL

16 Plaintiff Richard Lipp Jr. (“Plaintiff” or “Lipp Jr.”) brings this Class Action
17 Complaint and Demand for Jury Trial against Defendant, Crest Mortgage, Inc.,
18 (“Defendant” or “Crest Mortgage”) to stop the Defendant from violating the
19 Telephone Consumer Protection Act by sending telemarketing text messages to
20 telephone numbers registered on the Do Not Call Registry without consent. Plaintiff
21 also seeks injunctive and monetary relief for all persons injured by Defendant’s
22 conduct. Plaintiff Lipp Jr., for this Complaint, alleges as follows upon personal
23 knowledge as to himself and his own acts and experiences, and, as to all other
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1 matters, upon information and belief, including investigation conducted by his
2 attorneys.

3 **PARTIES**

4
5 1. Plaintiff Richard Lipp Jr. is a resident of Chula Vista, California.

6 2. Defendant Crest Mortgage, Inc., is an Arizona corporation
7 headquartered in Scottsdale, Arizona. Defendant Crest Mortgage conducts business
8 throughout this District, California, and the U.S.
9

10 **JURISDICTION AND VENUE**

11 3. This Court has federal question subject matter jurisdiction over this
12 action under 28 U.S.C. § 1331, as the action arises under the Telephone Consumer
13 Protection Act, 47 U.S.C. §227 (“TCPA”).
14

15 4. This Court has personal jurisdiction over the Defendant and the venue
16 is proper because the Defendant conducts business in this District and the wrongful
17 conduct giving rise to this case was directed by the Defendant and received by the
18 Plaintiff in this District.
19
20

21 **INTRODUCTION**

22 5. As the Supreme Court recently explained, “Americans passionately
23 disagree about many things. But they are largely united in their disdain for robocalls.
24 The Federal Government receives a staggering number of complaints about
25 robocalls—3.7 million complaints in 2019 alone. The States likewise field a constant
26
27

1 barrage of complaints. For nearly 30 years, the people’s representatives in Congress
2 have been fighting back.” *Barr v. Am. Ass’n of Political Consultants*, No. 19-631,
3 2020 U.S. LEXIS 3544, at *5 (U.S. July 6, 2020).

4
5 6. When Congress enacted the TCPA in 1991, it found that Americans
6 were receiving more than 18 million robocalls every day. 105 Stat. 2394 at § 2(3).

7
8 7. By 2003, due to more powerful autodialing technology, Americans
9 were receiving more than 100 million robocalls every day. In re Rules and
10 Regulations Implementing the TCPA of 1991, 18 FCC Rcd. 14014, ¶¶ 2, 8 (2003).

11
12 8. The problems Congress identified when it enacted the TCPA have only
13 grown exponentially in recent years.

14
15 9. Industry data shows that the number of robocalls made each month
16 increased from 831 million in September 2015 to 4.7 billion in December 2018—a
17 466% increase in three years.

18
19 10. According to online robocall tracking service “YouMail,” 4.4 billion
20 robocalls were placed in March 2022 alone, at a rate of 140.8 million calls per day.
21 www.robocallindex.com (last visited April 6, 2022).

22
23 11. The FCC also has received an increasing number of complaints about
24 unwanted calls. FCC, Consumer Complaint Data Center, [www.fcc.gov/consumer-](http://www.fcc.gov/consumer-help-center-data)
25 [help-center-data](http://www.fcc.gov/consumer-help-center-data).

1 12. “Robocalls and telemarketing calls are currently the number one source
2 of consumer complaints at the FCC.” Tom Wheeler, *Cutting off Robocalls* (July 22,
3 2016), statement of FCC chairman.¹
4

5 13. “The FTC receives more complains about unwanted calls than all other
6 complaints combined.” Staff of the Federal Trade Commission’s Bureau of
7 Consumer Protection, *In re Rules and Regulations Implementing the Telephone*
8 *Consumer Protection Act of 1991*, Notice of Proposed Rulemaking, CG Docket No.
9 02-278, at 2 (2016).²
10

11 COMMON ALLEGATIONS

12

13 14. Defendant Crest Mortgage is a mortgage brokerage company that
14 provides home loans to consumers across the U.S.

15 15. Defendant Crest Mortgage sends telemarketing text messages to solicit
16 their services to consumers across the U.S.
17

18 16. Defendant Crest Mortgage hires employees, loan officers and others,
19 and supplies them consumer leads to send telemarketing text messages and call:
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25 ¹ <https://www.fcc.gov/news-events/blog/2016/07/22/cutting-robocalls>

26 ² [https://www.ftc.gov/system/files/documents/advocacy_documents/comment-staff-ftc-bureau-
27 consumer-protection-federal-communications-commission-rules-
28 regulations/160616robocallscomment.pdf](https://www.ftc.gov/system/files/documents/advocacy_documents/comment-staff-ftc-bureau-consumer-protection-federal-communications-commission-rules-regulations/160616robocallscomment.pdf)

Loan Officer- Minimum 2 Years Of Sales Experience Required

Crest Mortgage is seeking a motivated individual who is looking to start a financially rewarding career in Mortgage Lending. We will train you on all aspects of the business and sponsor your licensing.

The Professional And Financial Opportunity That We Can Offer To The Right Candidate Is Unmatched In Our Industry And Here Is Why

- Base + Commission + Bonuses
- Company Provided Leads (Inbound and Outbound)
- Unparalleled training in Sales, Finance, Networking, Business Management, and all aspects of Lending.
- Sponsored licensing program
- Fully integrated daily lead program
- Top notch processors
- Industry leading pricing and products (home of the 40 year mortgage)
- Custom marketing and contact management
- Six figure income potential your first year

3

17. Several employees of Defendant Crest Mortgage have posted reviews online about Defendant’s cold calling practices, for instance:

Sep 28, 2021 - Mortgage Loan Officer

Recommend CEO Approval Business Outlook

Pros

- Flexible schedule, freedom as long as you’re producing, leads provided 4

Former Employee, less than 1 year

Loan officer assistant

Aug 8, 2018 - Loan Officer Assistant in Scottsdale, AZ

Recommend CEO Approval Business Outlook

Pros

They make you contact 500 people a week and let you go after a month and keep the money for themselves without paying you minimum wage.

Cons

- The owners are arrogant and flaunt their preceived wealth while no one makes money . Over 30 people have come and gone in 6 months

5

³ <https://www.linkedin.com/jobs/view/loan-officer-amazing-financial-and-professional-opportunity%21-at-crest-mortgage-2886165646/>

⁴ <https://www.glassdoor.com/Reviews/Crest-Mortgage-Reviews-E1626122.htm>

⁵ *Id.*

1 18. Several consumers have posted complaints online regarding unsolicited
2 telemarketing calls and text messages they received from or on behalf of Defendant
3 Crest Mortgage, for instance:

- 4 • “Has anyone else reported this number to the FCC? Odd that it would still
5 be receiving complaints here. My CID said CREST MORTGAGE. Of
6 course, no idea who it really is.”⁶
- 7 • “I got a call today I answered the guy said hi rebecca it's chris like we know
8 each other I hung up and blocked it. He ws trying to make it sound like we
9 knew each other so I would talk to him.”⁷
- 10 • “Unknown number, name shown as crest mortgage, no message left”⁸
- 11 • “Received a text message to someone named Louis from a Sandra at Crest
12 Mortgage offering lower rates with an apology for bothering said
13 person.but wanted to make sure they weren't losing out on the most current
14 low rates and requested an email address to give further information.”⁹
- 15 • “Unsolicited call”¹⁰
- 16 • “Home refinance”¹¹
- 17 • “Annoying repeated calls”¹²

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23 _____
24 ⁶ <https://800notes.com/Phone.aspx/1-530-448-8770>

25 ⁷ *Id.*

26 ⁸ *Id.*

27 ⁹ <https://www.reportedcalls.com/7602805706>

28 ¹⁰ <https://www.shouldianswer.com/phone-number/5304488770>

¹¹ *Id.*

¹² *Id.*



Frog8
28 Sep 2021

Mortgage scam text by 'Crest Mortgage' Steven Thomas . No valid directory entry.

Caller: Crest mortgage
Call type: Scam suspicion

13



Frog8
30 Sep 2021

Crest mortgage: keeps calling/texting everyday !

Caller: Crest mortgage
Call type: Scam suspicion

14



Not Stacy
2 Dec 2020



Got a mortgage offer from them with attached pdf. Got suspicious when I saw this was for Stacy since I previously got a mortgage offer for a Stacy from Ryan at Crest Mortgage.

Caller: unknown
Call type: Scam suspicion

15

PLAINTIFF LIPP JR.' ALLEGATIONS

19. Plaintiff Lipp Jr. is the subscriber and the sole user of the phone number ending with xxx-xxx-0339.

20. Plaintiff Lipp Jr. registered his phone number on the DNC on November 14, 2021, for the express purpose that he would not receive unsolicited calls or text messages.

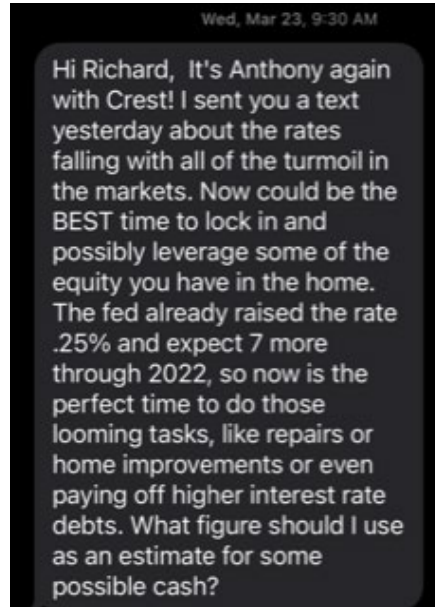
¹³ <https://800notes.com/Phone.aspx/1-858-309-5892>

¹⁴ <https://800notes.com/Phone.aspx/1-858-309-5892>

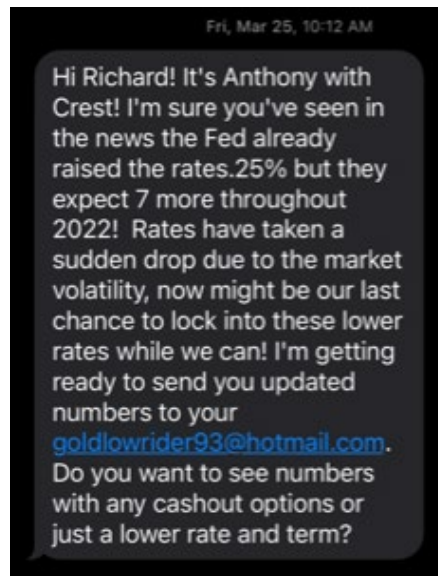
¹⁵ <https://800notes.com/Phone.aspx/1-213-214-1125>

1 information to offer mortgage options to the Plaintiff, including text messages
2 received on:

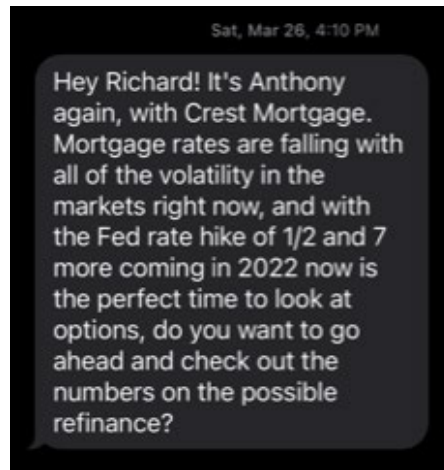
- 3 • Wednesday, March 23, 2022, at 9:30 AM:



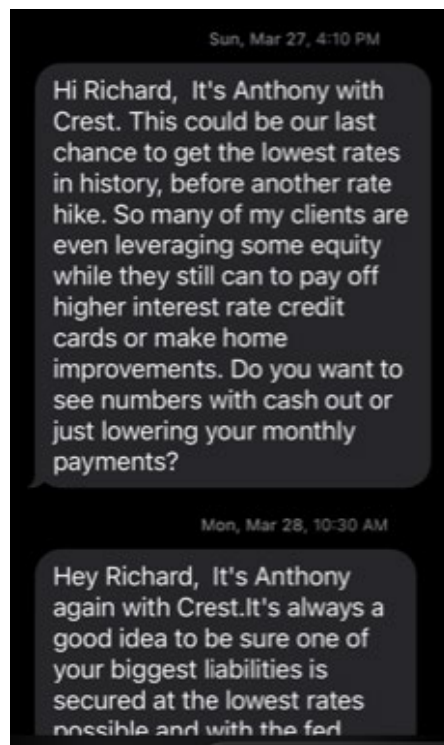
- 16 • Friday, March 25, 2022, at 10:12 AM:



- Saturday, March 26, 2022, at 4:10 AM:

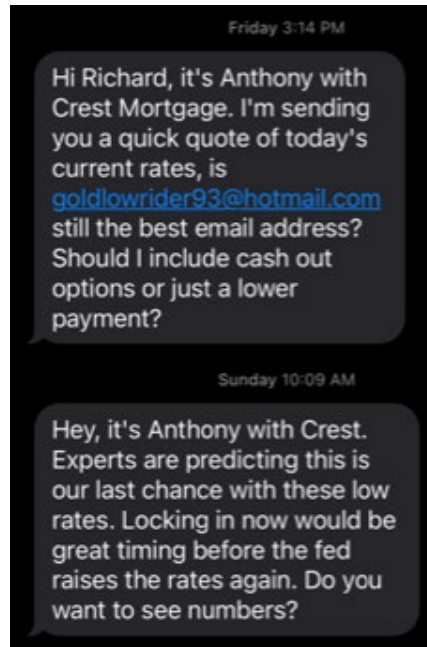


- Sunday, March 27, 2022, at 4:10 AM:

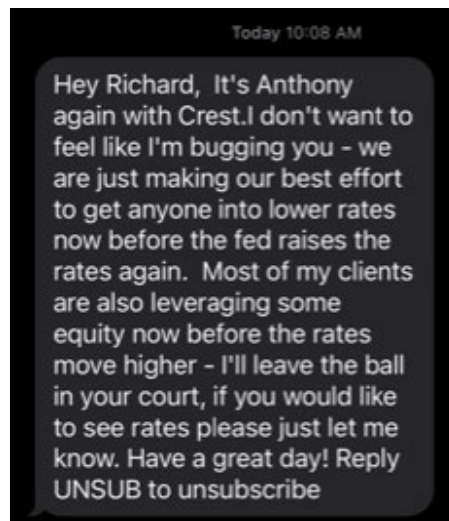


- Monday, March 28, 2022, at 10:30 AM.
- Friday, April 1, 2022, at 3:14 PM, and
- Sunday, April 3, 2022, at 10:09 AM:

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- Wednesday, April 6, 2022, at 10:08 AM:



25. This phone number 858-923-5806, from which Defendant Crest Mortgage sent the telemarketing text messages to Plaintiff Lipp Jr. belongs to Anthony San Felice, an employee of Defendant Crest Mortgage, and is answered by him:



CREST MORTGAGE, INC.

Anthony James San Felice

Strategic Mortgage Planner NMLS# 2008005

★★★★★ (8 Reviews)

Message Anthony

About Anthony

Anthony San Felice was groomed for blue collar America. He's a hard working problem solver with a passion for the virtues found in the Steel Industry of the 50's and 60's. A young man that was never afraid of working three full time, minimum wage jobs to keep his beautiful wife, Kendra, home with their 5 children to ensure that those same American values were instilled each and every moment of their childhood.

Due to his very social nature and his desire to help people and make them happy, he struggled in school at times, despite his excellence in mathematics and logical thinking. As he grew up, both personally and professionally, he found a way to align his talent in logic with his desire to serve, thus beginning his career in mortgage.

ADDRESS

8700 E Vista Bonita Dr Suite 260
Scottsdale, AZ 85255

OFFICE

(858) 923-5806

CELL

(928) 514-4800

WEBSITE

<https://www.crestmortgage.com/asanfelice/>

16

26. The unauthorized solicitations that Plaintiff received from Defendant, as alleged herein, have harmed Plaintiff Lipp Jr. in the form of annoyance, nuisance, and invasion of privacy, and disturbed the use and enjoyment of his phone, in addition to the wear and tear on the phone's hardware (including the phone's battery) and the consumption of memory on the phone.

27. Seeking redress for these injuries, Plaintiff Lipp Jr., on behalf of himself and a Class of similarly situated individuals, brings suit under the TCPA.

CLASS ALLEGATIONS

28. Plaintiff Lipp Jr. brings this action pursuant to Federal Rules of Civil Procedure 23(b)(2) and 23(b)(3) and seeks certification of the following Class:

Do Not Call Registry Class: All persons in the United States who from four years prior to the filing of this action through trial (1) Defendant (or an agent acting on behalf of the Defendant) texted and/or called more than one time, (2) within any 12-month period, (3) where the person's residential telephone

¹⁶ <https://www.zillow.com/lender-profile/anthony%20sanfelice/>

1 number had been listed on the National Do Not Call Registry for at least thirty
2 days, (4) for substantially the same reason Defendant texted Plaintiff.

3 29. The following individuals are excluded from the Class: (1) any Judge
4 or Magistrate presiding over this action and members of their families; (2)
5 Defendant, its subsidiaries, parents, successors, predecessors, and any entity in
6 which either Defendant or its parents have a controlling interest and their current or
7 former employees, officers and directors; (3) Plaintiff's attorneys; (4) persons who
8 properly execute and file a timely request for exclusion from the Class; (5) the legal
9 representatives, successors or assigns of any such excluded persons; and (6) persons
10 whose claims against the Defendant have been fully and finally adjudicated and/or
11 released. Plaintiff Lipp Jr. anticipates the need to amend the Class definitions
12 following appropriate discovery.
13

14 30. **Numerosity and Typicality:** On information and belief, there are
15 hundreds, if not thousands of members of the Class such that joinder of all members
16 is impracticable, and Plaintiff is a member of the Class because he received text
17 messages as part of the same telemarketing campaign resulting in text messages sent
18 to other Class members.
19

20 31. **Commonality and Predominance:** There are many questions of law
21 and fact common to the claims of the Plaintiff and the Class, and those questions
22 predominate over any questions that may affect individual members of the Class.
23

1 Common questions for the Class include, but are not necessarily limited to the
2 following:

- 3 (a) whether Defendant systematically sent, or caused to be sent, multiple
4 calls or text messages to Plaintiff and other consumers whose telephone
5 numbers were registered with the DNC without first obtaining consent;
6
7 (b) whether the calls and text messages to Plaintiff and other consumers
8 were sent for telemarketing purposes;
9
10 (c) whether the conduct constitutes a violation of the TCPA; and
11
12 (d) whether members of the Class are entitled to treble damages based on
13 the willfulness of Defendant's conduct.

14 32. **Adequate Representation:** Plaintiff Lipp Jr. will fairly and adequately
15 represent and protect the interests of the Class and has retained counsel competent
16 and experienced in class actions. Plaintiff Lipp Jr. has no interests antagonistic to
17 those of the Class, and Defendant have no defenses unique to Plaintiff. Plaintiff Lipp
18 Jr. and his counsel are committed to vigorously prosecuting this action on behalf of
19 the members of the Class and have the financial resources to do so. Neither Plaintiff
20 Lipp Jr. nor his counsel have any interest adverse to the Class.

23 33. **Appropriateness:** This class action is also appropriate for certification
24 because Defendant acted or refused to act on grounds generally applicable to the
25 Class and as a whole, thereby requiring the Court's imposition of uniform relief to
26

1 ensure compatible standards of conduct toward the members of the Class and making
2 final class-wide injunctive relief appropriate. Defendant’s business practices apply
3 to and affect the members of the Class uniformly, and Plaintiff’s challenge of those
4 practices hinges on Defendant’s conduct with respect to the Class as wholes, not on
5 facts or law applicable only to Plaintiff Lipp Jr.. Additionally, the damages suffered
6 by individual members of the Class will likely be small relative to the burden and
7 expense of individual prosecution of the complex litigation necessitated by
8 Defendant’s actions. Thus, it would be virtually impossible for the members of the
9 Class to obtain effective relief from Defendant’s misconduct on an individual basis.
10 A class action provides the benefits of single adjudication, economies of scale, and
11 comprehensive supervision by a single court.
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16 **FIRST CLAIM FOR RELIEF**
17 **Telephone Consumer Protection Act**
18 **(Violation of 47 U.S.C. § 227)**
19 **(On Behalf of Plaintiff Lipp Jr. and the Do Not Call Registry Class)**

20 34. Plaintiff repeats and realleges the prior paragraphs of this Complaint
21 and incorporates them by reference herein.

22 35. The TCPA’s implementing regulation, 47 C.F.R. § 64.1200(c),
23 provides that “[n]o person or entity shall initiate any telephone solicitation” to “[a]
24 residential telephone subscriber who has registered her or her telephone number on
25 the national do-not-call registry of persons who do not wish to receive telephone
26

1 solicitations that is maintained by the federal government.”

2 36. Any “person who has received more than one telephone call within any
3 12-month period by or on behalf of the same entity in violation of the regulations
4 prescribed under this subsection may” may bring a private action based on a
5 violation of said regulations, which were promulgated to protect telephone
6 subscribers’ privacy rights to avoid receiving telephone solicitations to which they
7 object. 47 U.S.C. § 227(c).
8

9
10 37. Defendant violated 47 C.F.R. § 64.1200(c) by causing to be initiated
11 telephone solicitations to telephone subscribers such as Plaintiff and the Do Not Call
12 Registry Class members who registered their respective telephone numbers on the
13 National Do Not Call Registry, a listing of persons who do not wish to receive
14 telephone solicitations that is maintained by the federal government.
15

16
17 38. Defendant violated 47 U.S.C. § 227(c)(5) because Plaintiff and the Do
18 Not Call Registry Class received more than one telephone call and/or text message
19 in a 12-month period made by or on behalf of the Defendant in violation of 47 C.F.R.
20 § 64.1200, as described above.
21

22 39. As a result of Defendant’s conduct as alleged herein, Plaintiff and the
23 Do Not Call Registry Class suffered actual damages and, under section 47 U.S.C. §
24 227(c), are entitled, inter alia, to receive up to \$500 in statutory damages for such
25 violations of 47 C.F.R. § 64.1200.
26

1 DATED this 26th day of April, 2022.

2 By: /s/ Rachel E. Kaufman
3 Rachel E. Kaufman, CA Bar No. 259353
4 rachel@kaufmanpa.com
5 KAUFMAN P.A.
6 237 South Dixie Highway, Floor 4
7 Coral Gables, FL 33133
8 Telephone: (305) 469-5881

9 *Attorney for Plaintiff and the putative Class*

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

RICHARD LIPP JR.

(b) County of Residence of First Listed Plaintiff San Diego County, CA (EXCEPT IN U.S. PLAINTIFF CASES)

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

Rachel E. Kaufman, Kaufman P.A., 237 South Dixie Highway, Coral Gables, FL, (305) 469-5881

DEFENDANTS

CREST MORTGAGE, INC.

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

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

Attorneys (If Known)

'22CV582 L AHG

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

- 1 U.S. Government Plaintiff, 2 U.S. Government Defendant, 3 Federal Question (U.S. Government Not a Party), 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, Incorporated or Principal Place of Business In This State, Incorporated and Principal Place of Business In Another State, Foreign Nation

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

Click here for: Nature of Suit Code Descriptions.

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, Labor, etc.

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, 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): 47 U.S.C. 227

Brief description of cause: Violation of the Telephone Consumer Protection Act

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 Apr 26, 2022 SIGNATURE OF ATTORNEY OF RECORD s/ Rachel E. Kaufman

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.
- 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.

ClassAction.org

This complaint is part of ClassAction.org's searchable class action lawsuit database and can be found in this post: [Crest Mortgage Hit with Class Action Over Alleged Spam Texts to Numbers on Do Not Call Registry](#)
