

1 Joshua B. Swigart, Esq. (SBN 225557)
 2 josh@westcoastlitigation.com
 3 Yana A. Hart, Esq. (SBN: 306499)
 yana@westcoastlitigation.com
 4 **Hyde & Swigart, APC**
 2221 Camino Del Rio South, Suite 101
 5 San Diego, CA 92108
 Office Number: (619) 233-7770
 6 Office Fax Number: (619) 297-1022

7 Kevin Lemieux, Esq (SBN: 225886)
 8 kevin@lawyerkevin.com
 9 **The Law Office of Kevin Lemieux, APC**
 1775 Hancock Street, Suite 180
 10 San Diego, CA 92110
 Telephone: (619) 488-6767
 11 Facsimile: (619) 488-6767
 12 *Attorneys for Plaintiff*

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

<p>15 Christopher Melingonis, 16 Individually and on Behalf of All 17 Others Similarly Situated, 18 19 Plaintiff, 20 21 v. 22 Millennial Solutions, LLC., d/b/a 23 Global Business Lending; 24 Zachary A. Knowles, an Individual; and Tiffani J. 25 Knowles, an Individual, 26 27 Defendants. 28</p>	<p>Case No.: <u>'18CV0610 DMS KSC</u> <u>CLASS ACTION</u> CLASS ACTION COMPLAINT FOR DAMAGES AND INJUNCTIVE RELIEF PURSUANT TO THE TELEPHONE CONSUMER PROTECTION ACT, 47 U.S.C. § 227 ET SEQ. Jury Trial Demanded</p>
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INTRODUCTION

1. CHRISTOPHER MELINGONIS (referred to individually as “Mr. Melingonis” or “Plaintiff”), brings this class action for damages, injunctive relief, and any other available legal or equitable remedies, resulting from the illegal actions of MILLENNIAL SOLUTIONS, LLC d/b/a GLOBAL BUSINESS LENDING, ZACHARY A. KNOWLES, and TIFFANI J. KNOWLES (referred to hereafter as “GLOBAL” or “Defendants”), in negligently, knowingly, and/or willfully contacting Plaintiff on Plaintiff’s cellular telephone, in violation of the Telephone Consumer Protection Act, 47 U.S.C. § 227, et seq., (“TCPA”), thereby invading Plaintiff’s privacy. Plaintiff alleges as follows upon personal knowledge as to himself and his own acts and experiences, and, as to all other matters, upon information and belief, including investigation conducted by his attorneys.
2. The TCPA was designed to prevent calls like the ones described within this complaint, and to protect the privacy of citizens like Plaintiff. “Voluminous consumer complaints about abuses of telephone technology – for example, computerized calls dispatched to private homes – prompted Congress to pass the TCPA.” *Mims v. Arrow Fin. Servs., LLC*, 132 S. Ct. 740, 744 (2012).
3. In enacting the TCPA, Congress intended to give consumers a choice as to how creditors and telemarketers may call them, and made specific findings that “[t]echnologies that might allow consumers to avoid receiving such calls are not universally available, are costly, are unlikely to be enforced, or place an inordinate burden on the consumer.” TCPA, Pub.L. No. 102-243, § 11. Toward this end, Congress found that:

Banning such automated or prerecorded telephone calls to the home, except when the receiving party consents to receiving the call or when such calls are necessary in an emergency situation affecting the health and safety of the consumer, is the only effective means of protecting telephone consumers from this nuisance and privacy invasion.

1 *Id.* at § 12; *see also*, *Martin v. Leading Edge Recovery Solutions, LLC*, 2012
2 WL 3292838, at *4 (N.D. Ill. Aug. 10, 2012) (citing Congressional finding
3 on TCPA’s purpose).

4 4. Congress also specifically found that “the evidence presented to the Congress
5 indicates that automated or prerecorded calls are a nuisance and an invasion
6 of privacy, regardless of the type of call [...].” *Id.* At §§ 12-13. *See also*,
7 *Mims*, 132 S. Ct. at 744.

8 5. As Judge Easterbrook of the Seventh Circuit explained in a TCPA case
9 regarding calls to a non-debtor similar to this one:

10 The Telephone Consumer Protection Act [...] is well known for its
11 provisions limiting junk-fax transmissions. A less litigated part of
12 the Act curtails the use of automated dialers and prerecorded
13 messages to cell phones, whose subscribers often are billed by the
14 minute as soon as the call is answered – and routing a call to
15 voicemail counts as answering the call. An automated call to a
16 landline phone can be an annoyance; an automated call to a cell
17 phone adds expense to annoyance.

18 *Soppet v. Enhanced Recovery Co., LLC*, 679 F.3d 637, 638 (7th Cir. 2012).

19 **JURISDICTION AND VENUE**

20 6. Jurisdiction is proper under 47 U.S.C §227(b); *Mims v. Arrow Fin. Servs.,*
21 *LLC*, 132 S.Ct. 740 (2012), because Plaintiff alleges violations of federal
22 law.

23 7. Venue is proper in the United States District Court for the Southern District
24 of California pursuant to 18 U.S.C. § 1391(b) and 1441(a) because the
25 events giving rise to Plaintiff’s causes of action against Defendants occurred
26 in the State of California within the Southern District of California and
27 Defendants conducts business in the area of San Diego, California.
28



PARTIES

1
2 8. Plaintiff is, and at all times mentioned herein was, an individual citizen and
3 resident of the State of California.

4 9. Plaintiff is informed and believes, and thereon alleges, that GLOBAL is, and
5 at all times mentioned herein was, a limited liability company licensed in the
6 state of Florida and headquartered in Ft. Lauderdale, Florida, and at all times
7 mentioned herein was, a corporation and a “person,” as defined by 47
8 U.S.C. § 153(39).

9 10. Defendants MILLENNIAL SOLUTIONS, LLC. Is doing business as
10 “GLOBAL BUSINESS LENDING.” Both entities are located in the same
11 address and Global’s website and publications states that Global is “Powered
12 by Millennial Solutions.”

13 11. Plaintiff is informed and believes, and thereon alleges, that at all relevant
14 times, Defendants conducted business in the State of California and in the
15 County of San Diego, and within this judicial district.

16 12. Plaintiff is informed and believes that ZACHARY A. KNOWLES is the
17 Principal Owner and Alter Ego of Millennial Solutions, LLC and Global
18 Business Lending.

19 13. Plaintiff is informed and believes that TIFFANI J. KNOWLES is the
20 Principal Owner and Alter Ego of Millennial Solutions, LLC and Global
21 Business Lending.

FACTUAL ALLEGATIONS

22
23 14. At all times relevant, Plaintiff was a citizen of the State of California.
24 Plaintiff is, and at all times mentioned herein was, “persons” as defined by
25 47 U.S.C § 153 (10).

26 15. Defendants is, and at all times mentioned herein was, “persons” as defined
27 by 47 U.S.C. §153 (10).
28



1 16. Sometime prior to January 1, 2010, Mr. Melingonis was assigned, and
2 became the owner of, a cellular telephone number from his wireless
3 provider.

4 17. Plaintiff's cellular telephone number (ending in 9812) is listed on the
5 Federal Do Not Call Registry, and has been registered since 2005.

6 18. On or about October 18, 2017, at approximately 1:22 pm, Mr. Melingonis
7 received a telephone call on his cellular telephone from Defendant, in which
8 Defendants utilized an automatic telephone dialing system ("ATDS") as
9 defined by 47 U.S.C. § 227(a)(1), using an "artificial or prerecorded voice"
10 as prohibited by 47 U.S.C. § 227(b)(1)(A).

11 19. The call to Mr. Melingonis' cellular telephone number (ending in 9812)
12 from Defendants came from phone number: (407) 392-0262.

13 20. When Plaintiff answered the call it was a pre-recorded message informing
14 him that he could get business capital if he applied and was approved. The
15 recording instructed him to press 1 to speak to a representative.

16 21. Mr. Melingonis pressed 1 and was connected to someone who identified
17 herself as June Brown. Ms. Brown "pre-qualified" Mr. Melingonis and told
18 him that he was eligible to receive loans. Ms. Brown stated that the name of
19 her company was Global Business Lending.

20 22. Mr. Melingonis terminated the call.

21 23. Defendants called him back immediately from (954) 239-9787. He did not
22 answer, but Defendants left a message.

23 24. Defendants then emailed him a "Funding Application" along with an email
24 that provided his "Pre Approval Number." The email was from June Brown,
25 "Funding Specialist" at Global Business Lending.

26 25. The ATDS used by Defendants has the capacity to store or produce
27 telephone numbers to be called, using a random or sequential number
28 generator.

1 26. The ATDS used by Defendants also has the capacity to, and does, call
2 telephone numbers from a list of databases of telephone numbers
3 automatically and without human intervention.

4 27. The telephone number Defendants called was assigned to a cellular
5 telephone service for which Plaintiff incurred a charge for incoming calls
6 pursuant to 47 U.S.C. § 227 (b)(1).

7 28. Plaintiff at no time provided “prior express consent” for Defendants to place
8 telephone calls to Plaintiff’s cellular telephone with an artificial or
9 prerecorded voice utilizing an ATDS as proscribed under 47 U.S.C. § 227(b)
10 (1)(A).

11 29. Plaintiff had not provided his cellular telephone number to Defendants.
12 Plaintiff was not a customer of Defendants. Plaintiff had no “established
13 business relationship” with defendants, as defined by 47 U.S.C. § 227 (a)(2).

14 30. These telephone calls made by Defendants or their agents were in violation
15 of 47 U.S.C. § 227(b)(1).

16 **STANDING**

17 31. Standing is proper under Article III of the Constitution of the United States
18 of America because Plaintiff’s claims state:

- 19 a. a valid injury in fact;
- 20 b. which is traceable to the conduct of Defendant;
- 21 c. and is likely to be redressed by a favorable judicial decision.

22 32. See, *Spokeo, Inc. v. Robins*, 578 U.S. ____ (2016) at 6, and *Lujan v.*
23 *Defenders of Wildlife*, 504 U.S. 555 at 560.

24 33. In order to meet the standard laid out in *Spokeo* and *Lujan*, Plaintiff must
25 clearly allege facts demonstrating all three prongs above.



1 **a. The “Injury in Fact” Prong**

2 34. Plaintiff’s injury in fact must be both “concrete” and “particularized” in
3 order to satisfy the requirements of Article III of the Constitution, as laid out
4 in *Spokeo (Id.)*.

5 35. For an injury to be “concrete” it must be a *de facto* injury, meaning that it
6 actually exists. In the present case, Plaintiff was called on his cellular phone
7 at least ten times by Defendants. Such calls are a nuisance, an invasion of
8 privacy, and an expense to Plaintiff. *Soppet v. Enhanced Recovery Co.,*
9 *LLC, 679 F.3d 637, 638 (7th Cir. 2012)*. All three of these injuries are
10 concrete and *de facto*.

11 36. For an injury to be “particularized” means that the injury must “affect the
12 plaintiff in a personal and individual way.” *Spokeo, Inc. v. Robins, 578 U.S.*
13 *___ (2016) at 7*. In the instant case, it was plaintiff’s phone that was called
14 and it was plaintiff himself who answered the calls. It was plaintiff’s
15 personal privacy and peace that was invaded by Defendants’ persistent
16 phone calls using an ATDS. Finally, plaintiff alone is responsible to pay the
17 bill on his cellular phone. All of these injuries are particularized and
18 specific to plaintiff, and will be the same injuries suffered by each member
19 of the putative class.

20 **b. The “Traceable to the Conduct of Defendant” Prong**

21 37. The second prong required to establish standing at the pleadings phase is
22 that Plaintiff must allege facts to show that his injury is traceable to the
23 conduct of Defendant(s).

24 38. In the instant case, this prong is met simply by the fact that the calls to
25 plaintiff’s cellular phone were placed either, by Defendants directly, or by
26 Defendants’ agent at the direction of Defendants.



1 c. **The “Injury is Likely to be Redressed by a Favorable Judicial**
2 **Opinion” Prong**

3 39. The third prong to establish standing at the pleadings phase requires Plaintiff
4 to allege facts to show that the injury is likely to be redressed by a favorable
5 judicial opinion.

6 40. In the present case, Plaintiff’s Prayer for Relief includes a request for
7 damages for each call made by Defendants, as authorized by statute in 47
8 U.S.C. § 227. The statutory damages were set by Congress and specifically
9 redress the financial damages suffered by Plaintiff and the members of the
10 putative class.

11 41. Furthermore, Plaintiff’s Prayer for Relief requests injunctive relief to
12 restrain Defendants from the alleged abusive practices in the future. The
13 award of monetary damages and the order for injunctive relief redress the
14 injuries of the past, and prevent further injury in the future.

15 42. Because all standing requirements of Article III of the U.S. Constitution
16 have been met, as laid out in *Spokeo, Inc. v. Robins*, 578 U.S. ____ (2016),
17 Plaintiff has standing to sue Defendants on the stated claims.

18 **CLASS ACTION ALLEGATIONS**

19 43. Plaintiff brings this action on behalf of himself and on behalf of all others
20 similarly situated (“the Class”).

21 44. Plaintiff represents, and is a member of, the Class, consisting of: All persons
22 within the United States who had or have a number assigned to a cellular
23 telephone service, who received at least one call using an ATDS and/or an
24 artificial prerecorded voice from Millennial Solutions, LLC d/b/a Global
25 Business Lending, Zachary Knowles, and/or Tiffani Knowles, or their
26 agents, calling on behalf of Millennial Solutions, LLC d/b/a Global Business
27 Lending, Zachary Knowles, and/or Tiffani Knowles, between the date of
28 filing this action and the four years preceding, where such calls were placed



1 for marketing purposes, to non-customers of Millennial Solutions, LLC d/b/
2 a Global Business Lending, Zachary Knowles, and/or Tiffani Knowles, at
3 the time of the calls.

4 45. GLOBAL and their employees or agents are excluded from the Class.
5 Plaintiff does not know the number of members in the Class, but believes
6 the Class members number in the thousands, if not more. Thus, this matter
7 should be certified as a Class action to assist in the expeditious litigation of
8 this matter.

9 46. Plaintiff and members of the Class were harmed by the acts of Defendants in
10 at least the following ways: Defendants illegally contacted Plaintiff and the
11 Class members via their cellular telephones thereby causing Plaintiff and the
12 Class members to incur certain cellular telephone charges or reduce cellular
13 telephone time for which Plaintiff and the Class members previously paid,
14 by having to retrieve or administer messages left by Defendants or their
15 agents, during those illegal calls, and invading the privacy of said Plaintiff
16 and the Class members. Plaintiff and the Class members were damaged
17 thereby.

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

24 48. The joinder of the Class members is impractical and the disposition of their
25 claims in the Class action will provide substantial benefits both to the parties
26 and to the Court. The Class can be identified through Defendants' records
27 and/or Defendants' agent's records.

28 49. There is a well-defined community of interest in the questions of law and
fact involved affecting the parties to be represented. The questions of law



1 and fact to the Class predominate over questions which may affect
2 individual Class members, including the following:

- 3 i. Whether, within the four years prior to the filing of the
4 Complaint, Defendants made any call(s) (other than a call made
5 for emergency purposes or made with the prior express consent
6 of the called party) to the Class members using any ATDS or an
7 artificial or prerecorded voice to any telephone number
8 assigned to a cellular telephone service;
- 9 ii. Whether Defendants called non-customers of Defendants for
10 marketing purposes;
- 11 iii. Whether Plaintiff and the Class members were damaged
12 thereby, and the extent of damages for such violation(s); and
- 13 iv. Whether Defendants should be enjoined from engaging in such
14 conduct in the future.

15 50. As a person who received calls from Defendants in which Defendants used
16 an ATDS or an artificial or prerecorded voice, without Plaintiff's prior
17 express consent, Plaintiff is asserting claims that are typical of the Class.
18 Plaintiff will fairly and adequately represent and protect the interests of the
19 Class in that Plaintiff has no interests antagonistic to any member of the
20 Class.

21 51. Plaintiff and the members of the Class have all suffered irreparable harm as
22 a result of the Defendants' unlawful and wrongful conduct. Absent a class
23 action, the Class will continue to face the potential for irreparable harm. In
24 addition, these violations of law will be allowed to proceed without remedy
25 and Defendants will likely continue such illegal conduct. The size of Class
26 member's individual claims causes, few, if any, Class members to be able to
27 afford to seek legal redress for the wrongs complained of herein.

28 52. Plaintiff has retained counsel experienced in handling class action claims
and claims involving violations of the Telephone Consumer Protection Act.

- 1 53. A class action is a superior method for the fair and efficient adjudication of
2 this controversy. Class-wide damages are essential to induce Defendants to
3 comply with federal and California law. The interest of Class members in
4 individually controlling the prosecution of separate claims against
5 Defendants is small because the maximum statutory damages in an
6 individual action for violation of privacy are minimal. Management of these
7 claims is likely to present significantly fewer difficulties than those that
8 would be presented in numerous individual claims.
- 9 54. Defendants have acted on grounds generally applicable to the Class, thereby
10 making appropriate final injunctive relief and corresponding declaratory
11 relief with respect to the Class as a whole.

12 **FIRST CAUSE OF ACTION:**
13 **NEGLIGENT VIOLATIONS OF THE TELEPHONE CONSUMER**
14 **PROTECTION ACT 47 U.S.C. § 227 ET SEQ.**

- 15 55. Plaintiff incorporates by reference all of the above paragraphs of this
16 Complaint as though fully stated herein.
- 17 56. The foregoing acts and omissions of Defendants constitute numerous and
18 multiple negligent violations of the TCPA, including but not limited to each
19 and every one of the above-cited provisions of 47 U.S.C. § 227 et seq.
- 20 57. As a result of Defendants' negligent violations of 47 U.S.C. § 227 et seq.,
21 Plaintiff and the Class are entitled to an award of \$500.00 in statutory
22 damages, for each and every violation, pursuant to 47 U.S.C. § 227(b)(3)
23 (B).
- 24 58. Plaintiff and the Class are also entitled to and seek injunctive relief
25 prohibiting such conduct in the future.
- 26
27
28



**SECOND CAUSE OF ACTION:
KNOWING AND/OR WILLFUL VIOLATIONS OF THE TELEPHONE
CONSUMER PROTECTION ACT 47 U.S.C. § 227 ET SEQ.**

59. Plaintiff incorporates by reference all of the above paragraphs of this Complaint as though fully stated herein.

60. The foregoing acts and omissions of Defendants constitute numerous and multiple knowing and/or willful violations of the TCPA, including but not limited to each and every one of the above-cited provisions of 47 U.S.C. § 227 et seq.

61. As a result of Defendants' knowing and/or willful violations of 47 U.S.C. § 227 et seq., Plaintiff and each of the Class are entitled to treble damages, as provided by statute, up to \$1,500.00, for each and every violation, pursuant to 47 U.S.C. § 227(b)(3)(B) and 47 U.S.C. § 227(b)(3)(C).

62. Plaintiff and the Class are also entitled to and seek injunctive relief prohibiting such conduct in the future.

PRAYER FOR RELIEF

63. Wherefore, Plaintiff respectfully requests the Court grant Plaintiff and the Class members the following relief against GLOBAL:

**FIRST CAUSE OF ACTION FOR NEGLIGENT VIOLATION OF
THE TCPA, 47 U.S.C. § 227 ET SEQ.**

64. As a result of Defendants' negligent violations of 47 U.S.C. § 227(b)(1), Plaintiff seeks for himself and each Class member \$500.00 in statutory damages, for each and every violation, pursuant to 47 U.S.C. § 227(b)(3) (B).

65. Pursuant to 47 U.S.C. § 227(b)(3)(A), injunctive relief prohibiting such conduct in the future.

66. Any other relief the Court may deem just and proper.



SECOND CAUSE OF ACTION FOR KNOWING AND/OR WILLFUL VIOLATION OF THE TCPA, 47 U.S.C. § 227 ET SEQ.

67. As a result of Defendants' willful and/or knowing violations of 47 U.S.C. § 227(b)(1), Plaintiff seeks for himself and each Class member treble damages, as provided by statute, up to \$1,500.00 for each and every violation, pursuant to 47 U.S.C. § 227(b)(3)(B) and 47 U.S.C. § 227(b)(3) (C).

68. Pursuant to 47 U.S.C. § 227(b)(3)(A), injunctive relief prohibiting such conduct in the future.

69. Any other relief the Court may deem just and proper.

TRIAL BY JURY

70. Pursuant to the seventh amendment to the Constitution of the United States of America, Plaintiff is entitled to, and demands, a trial by jury.

Date: March 26, 2018

HYDE & SWIGART, APC

By: s/Yana A. Hart, Esq.
Yana A. Hart
Attorneys for Plaintiff



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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
Christopher Melingonis, Individually and on Behalf of All Others Similarly Situated
(b) County of Residence of First Listed Plaintiff San Diego
(c) Attorneys (Firm Name, Address, and Telephone Number)
Yana A. Hart, Esq. Hyde & Swigart 619-233-7770
2221Camino Del Rio S., Ste. 101, San Diego, CA 92108

DEFENDANTS
Millennial Solutions, LLC, d/b/a Global Business Lending; Zachary A. Knowles, an individual; and Tiffany J. Knowles, an individual
County of Residence of First Listed Defendant
NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.
Attorneys (If Known)
'18CV0610 DMS KSC

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
1 1 Incorporated or Principal Place of Business In This State
2 2 Incorporated and Principal Place of Business In Another State
3 3 Foreign Nation
PTF DEF
4 4
5 5
6 6

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

Table with 5 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)
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

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 et seq. ("TCPA")
Brief description of cause:
Negligent and intentional violations 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 \$ 5,000,000.00
CHECK YES only if demanded in complaint: JURY DEMAND: Yes No

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

DATE 03/26/2018 SIGNATURE OF ATTORNEY OF RECORD s/ Yana A. Hart

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 the nature of suit cannot be determined, be sure the cause of action, in Section VI below, is sufficient to enable the deputy clerk or the statistical clerk(s) in the Administrative Office to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive.

- V. **Origin.** Place an "X" in one of the six 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. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407. When this box is checked, do not check (5) above.

- 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: [Global Business Lending, Two Individuals Hit with Class Action Over Suspected Robocalls](#)
