

KAZEROUNI LAW GROUP, APC  
245 FISCHER AVENUE, UNIT D1  
COSTA MESA, CA 92626

1 **KAZEROUNI LAW GROUP, APC**

2 Abbas Kazerounian, Esq. (249203)  
ak@kazlg.com

3 Matthew M. Loker, Esq. (279939)  
ml@kazlg.com

4 Elizabeth Wagner, Esq. (317098)  
elizabeth@kazlg.com

5 245 Fischer Avenue, Unit D1  
6 Costa Mesa, CA 92626

7 Telephone: (800) 400-6808

8 Facsimile: (800) 520-5523

9 **HYDE & SWIGART**

10 Joshua B. Swigart, Esq. (SBN: 225557)  
josh@westcoastlitigation.com

11 2221 Camino Del Rio South, Suite 101  
12 San Diego, CA 92108

13 Telephone: (619) 233-7770

14 Facsimile: (619) 297-1022

15 *Attorneys for Plaintiff,*

16 Florence Morris

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

19 **FLORENCE MORRIS,**  
20 **INDIVIDUALLY AND ON**  
21 **BEHALF OF ALL OTHERS**  
22 **SIMILARLY SITUATED,**

23 Plaintiff,

24 v.

25 **CREDENCE RESOURCE**  
26 **MANAGEMENT, LLC,**

27 Defendant.  
28

Case No.: '18CV0128 AJB WVG

**CLASS ACTION**

**COMPLAINT FOR DAMAGES  
AND INJUNCTIVE RELIEF  
PURSUANT TO CALIFORNIA  
PENAL CODE § 632.7**

**JURY TRIAL DEMANDED**

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**INTRODUCTION**

1. FLORENCE MORRIS (“Plaintiff”) bring this class action for damages, injunctive relief, and any other available legal or equitable remedies, resulting from the illegal actions of Defendant CREDENCE RESOURCE MANAGEMENT, LLC and its related entities, subsidiaries and agents (“Defendant”) in willfully employing and/or causing to be employed certain recording equipment in order to record the telephone conversations of Plaintiff without the knowledge or consent of Plaintiff, in violation of California Penal Code § 632.7 thereby invading Plaintiff’s privacy. Plaintiff alleges as follows upon personal knowledge as to their own acts and experiences, and, as to all other matters, upon information and belief, including the investigation conducted by Plaintiff’s attorneys.
2. California Penal Code § 632.7 prohibits one party to a telephone call from intentionally recording the same conversation without the knowledge or consent of the other while the person being recorded is on a cellular telephone. Unlike California Penal Code § 632, there is no requirement under California Penal Code § 632.7 that the communication be confidential. Plaintiff alleges that Defendant continues to violate Penal Code § 632.7 by impermissibly recording its telephone conversations with California residents while said residents are on cellular telephones.

**JURISDICTION AND VENUE**

3. Jurisdiction is proper under 28 U.S.C. § 1332(d)(2) because Plaintiff, a resident of the State of California, seeks relief on behalf of a national class, which will result in at least one class member belonging to a different state than that of Defendant, a company with its principal place of business in and State of Incorporation in the State of Nevada. Plaintiff also seeks the greater of statutory damages of \$5,000 per violation or three times actual damages per violation pursuant to Penal Code § 637.2(a), which, when aggregated

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1 among a proposed class number in the tens of thousands, exceeds the  
2 \$5,000,000 threshold for federal court jurisdiction. Therefore, both diversity  
3 jurisdiction and the damages threshold under the Class Action Fairness Act  
4 of 2005 (“CAFA”) are present, and this Court has jurisdiction.

5 4. Venue is proper pursuant to 28 U.S.C. § 1391 for the following reasons: (i)  
6 Plaintiff resides in the County of San Diego, State of California which is  
7 within this judicial district; (ii) the conduct complained of herein occurred  
8 within this judicial district; and, (iii) Defendants conducted business within  
9 this judicial district at all times relevant.

10 **PARTIES**

11 5. Plaintiff is, and at all times mentioned herein was, an individual citizen and  
12 resident of the State of California.

13 6. Plaintiff is informed and believes, and thereon alleges, that Defendant is, and  
14 at all times mentioned herein was, a limited liability company headquartered  
15 in the State of Texas and incorporated in the State of Nevada. Defendant is  
16 in the business of debt collection and regularly collects debts. Defendant has  
17 a policy and practice of recording telephone conversations with the public,  
18 including California residents. Defendant’s employees and agents are  
19 directed, trained and instructed to, and do, record cellular telephone  
20 conversations with the public, including California residents.

21 **FACTUAL ALLEGATIONS**

22 7. Defendant is, and at all times mentioned herein was, a limited liability  
23 company. Plaintiff is informed and believes, and on the basis of that  
24 information and belief alleges, that at all times mentioned in this Complaint,  
25 Defendants were the agents and employees of their co-defendants, and in  
26 doing the things alleged in this Complaint, were acting within the course and  
27 scope of that agency and employment.  
28

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- 1 8. At all times relevant, Plaintiff is an individual residing within the State of
- 2 California.
- 3 9. On or about September 19, 2017, at approximately 11:10 a.m. Plaintiff
- 4 received a call on Plaintiff's cellular telephone from Defendant.
- 5 10. Defendant called Plaintiff's cellular telephone on September 19, 2017, and
- 6 Plaintiff answered said phone call.
- 7 11. Once connected, Plaintiff spoke with Defendant's representative, in order to
- 8 determine the purpose of the phone call.
- 9 12. During the course of this conversation, at no time did Defendant inform
- 10 Plaintiff that the call was being recorded.
- 11 13. On or about September 19, 2017, at approximately 11:18 a.m., Plaintiff
- 12 again received a phone call from Defendant.
- 13 14. Defendant again did not inform Plaintiff that the call was being recorded.
- 14 15. These conversations with Defendant pertained to the collection of a debt
- 15 allegedly owed by Plaintiff.
- 16 16. Said conversation, at its very core, is private.
- 17 17. Defendant, a debt collection agency, is in the practice of having
- 18 conversations which are highly personal and involve private financial
- 19 information.
- 20 18. Information of this nature is not regularly discussed with others.
- 21 19. Plaintiff had no reasonable expectation that any of Plaintiff's cellular
- 22 telephone conversations with Defendant would be recorded to the subject
- 23 matter of the phone call. Had Plaintiff known that the conversations were
- 24 recorded, Plaintiff would have conducted herself different.
- 25 20. Plaintiff was shocked to discover that such a confidential communication
- 26 was being recorded by Defendant without Plaintiff's knowledge or consent.
- 27 21. Plaintiff found Defendant's clandestine recording to be highly offensive due
- 28 to the delicacy of the topics discussed during said conversations.

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1 22. Had Plaintiff received a recording disclosure at the outset of the call, as  
2 Plaintiff is accustomed to hearing, Plaintiff would have not discussed such  
3 private information with Defendant.

4 23. The conversations with Plaintiff, were without Plaintiff’s knowledge or  
5 consent, recorded by Defendant, causing harm and damage to Plaintiff.  
6 Prior to Plaintiff’s query on the matter, Plaintiff was never informed that  
7 Plaintiff’s cellular telephone calls were being recorded. At no time during  
8 the call did Plaintiff give consent for the cellular telephone call to be  
9 monitored, recorded and/or eavesdropped upon.

10 24. Plaintiff is informed and believes, and thereon alleges, that during the  
11 relevant time period, Defendant has had a policy and a practice of recording  
12 telephone conversations with consumers. Defendant’s employees and agents  
13 are directed, trained and instructed to, and do, record cellular telephone  
14 conversations with the public, including Plaintiff and other California  
15 residents.

16 25. Plaintiff is informed and believes, and thereon alleges, that during the  
17 relevant time period, Defendant has had all of its calls to the public,  
18 including those made to California residents, recorded without the  
19 knowledge or consent of the public, including Plaintiff and other California  
20 residents.

21 26. Through this conduct Defendant violated Plaintiff’s right to privacy in  
22 violation of California Penal Code § 630 *et seq.*

23 27. Through this conduct Defendant violated the public’s right to privacy in  
24 violation of California Penal Code § 630 *et seq.*

25 **CLASS ACTION ALLEGATIONS**

26 28. Plaintiff brings this action on behalf of herself and on behalf of all others  
27 similarly situated (“The Class”).  
28

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1 29. Plaintiff represents, and is a member of, “The Class” defined as follows:  
2 “All persons in California whose inbound and/or outbound cellular  
3 telephone conversations were recorded without their consent by Defendant  
4 within one year prior to the filing of the original Complaint in this action.”

5 30. Defendant, and its employees and agents are excluded from The Class.  
6 Plaintiff does not know the number of members in The Class, but believe  
7 this number to be in the tens of thousands, if not more. Thus, this matter  
8 should be certified as a Class action to assist in the expeditious litigation of  
9 this matter.

10 31. This suit seeks only damages and injunctive relief for recovery of economic  
11 injury on behalf of The Class and it expressly is not intended to request any  
12 recovery for personal injury and claims related thereto. Plaintiff reserves the  
13 right to expand The Class definition to seek recovery on behalf of additional  
14 persons as warranted as facts are learned in further investigation and  
15 discovery.

16 32. The joinder of The Class members is impractical and the disposition of their  
17 claims in the Class action will provide substantial benefits both to the parties  
18 and to the Court. The Class can be identified through Defendant’s records.

19 33. There is a well-defined community of interest in the questions of law and  
20 fact involved affecting the parties to be represented. The questions of law  
21 and fact to The Class predominate over questions which may affect  
22 individual Class members, including the following:

- 23 a. Whether Defendant has a policy of recording incoming and/or outgoing  
24 calls made to cellular telephones;
- 25 b. Whether Defendant discloses to callers and/or obtains their consent that  
26 their incoming and/or outgoing cellular telephone conversations were  
27 being recorded;
- 28

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- c. Whether Defendant’s policy of recording incoming and/or outgoing calls constituted a violation of California Penal Code §§ 632.7 and/or 637;
- d. Whether Defendant’s policy of recording incoming and/or outgoing calls constitutes an invasion of privacy;
- e. Whether Plaintiff and The Class were damaged thereby, and the extent of damages for such violations; and
- f. Whether Defendants should be enjoined from engaging in such conduct in the future.

34. Plaintiff is asserting claims that are typical of The Class because every other member of The Class, like Plaintiff, was exposed to virtually identical conduct and are entitled to the greater of statutory damages of \$5,000 per violation or three times actual damages per violation pursuant to Penal Code § 637.2(a).

35. Plaintiff will fairly and adequately represent and protect the interests of The Class in that Plaintiff has no interest antagonistic to any member of The Class. Plaintiff has retained counsel experienced in handling class action claims to further ensure such protection.

36. Plaintiff and the members of The Class have all suffered irreparable harm as a result of the Defendant’s unlawful and wrongful conduct. Absent a class action, The Class will continue to face the potential for irreparable harm. In addition, these violations of law will be allowed to proceed without remedy and Defendant will likely continue such illegal conduct. Because of the size of the individual Class member’s claims, few, if any, Class members could afford to seek legal redress for the wrongs complained of herein.

37. A class action is a superior method for the fair and efficient adjudication of this controversy. Class-wide damages are essential to induce Defendant to comply with federal and California law. The interest of The Class members in individually controlling the prosecution of separate claims against



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1 Defendant is small because the maximum statutory damages in an individual  
2 action for violation of privacy are minimal. Management of these claims is  
3 likely to present significantly fewer difficulties than those presented in many  
4 class claims.

5 38. Defendant has acted on grounds generally applicable to The Class, thereby  
6 making appropriate final injunctive relief and corresponding declaratory  
7 relief with respect to The Class as a whole.

8 **FIRST CAUSE OF ACTION**

9 **INVASION OF PRIVACY: VIOLATION OF PENAL CODE § 632.7**

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

12 40. Californians have a constitutional right to privacy. Moreover, the California  
13 Supreme Court has definitively linked the constitutionally protected right to  
14 privacy within the purpose, intent and specific protections of the Privacy  
15 Act, including specifically, Penal Code § 632. “In addition, California’s  
16 explicit constitutional privacy provision (Cal. Const., 1 § 1) was enacted in  
17 part specifically to protect California from overly intrusive business  
18 practices that were seen to pose a significant and increasing threat to  
19 personal privacy. (Citations omitted).

20 41. Plaintiff believes that California must be viewed as having a strong and  
21 continuing interest in the full and vigorous application of the provisions of  
22 section 632 prohibiting the recording of telephone conversations without the  
23 knowledge or consent of all parties to the conversation.

24 42. California Penal Code § 632.7 prohibits in pertinent part “[e]very person  
25 who, without the consent of all parties to a communication . . . intentionally  
26 records, or assists in the . . . intentional recordation of, a communication  
27 transmitted between . . . a cellular radio telephone and a landline telephone.”  
28



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1 43. As such, on its face, California Penal Code § 632.7 precludes the recording  
2 of all communications involving a cellular telephone.

3 44. Though similar, California Penal Code § 632 and 632.7 are not duplicative  
4 and protect separate rights. California Penal Code § 632.7 grants a wider  
5 range of protection to conversations where one participant uses a cellular  
6 phone or cordless phone. For example, the “confidential communication”  
7 requirement of California Penal Code § 632 is absent from California Penal  
8 Code § 632.7

9 45. Plaintiff is informed and believes, and thereupon alleges, that Defendant  
10 employed and/or caused to be employed certain recording equipment on the  
11 telephone lines of all employees, officers, directors, and managers of  
12 Defendant.

13 46. Plaintiff is informed and believes, and thereupon alleges, that all these  
14 devices were maintained and utilized to record each and every incoming and  
15 outgoing telephone conversation over said telephone lines.

16 47. Said recording equipment was used to record the cellular telephone  
17 conversations of Plaintiff and the members of The Class, all in violation of  
18 California Penal Code § 632.7.

19 48. At no time during which these cellular telephone conversations were taking  
20 place between Defendant or any employee, agent, manager, officer, or  
21 director of Defendant, and any other person, did Defendant inform Plaintiff  
22 or any other member of The Class recording of their cellular telephone  
23 conversations were taking place and at no time did Plaintiff or any other  
24 member of The Class consent to this activity.

25 49. Defendant, knowing that this conduct was unlawful and a violation of  
26 Plaintiff and the members of The Class’ right to privacy and a violation of  
27 California Penal Code § 630, *et seq.*, did intrude on Plaintiff and the  
28 members of The Class’ privacy by knowingly and/or negligently and/or

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1 intentionally engaging in the aforementioned intercepting, eavesdropping,  
2 listening, and recording activities relative to the telephone conversations  
3 between Plaintiff and The Class members, on the one hand, and Defendant  
4 on the other hand, as alleged herein above.

5 50. Based on the foregoing, Plaintiff and the members of The Class are entitled  
6 to, and below herein do pray for, their statutory remedies and damages,  
7 including but not limited to, those set forth in California Penal Code § 637.2.

8 51. Because this case is brought for the purposes of enforcing important rights  
9 affecting the public interest, Plaintiff and The Class seek recovery of their  
10 attorney’s fees pursuant to the private attorney general doctrine codified in  
11 Code of Civil Procedure § 1021.5, or any other statutory basis.

12 **PRAYER FOR RELIEF**

13 Wherefore, Plaintiff respectfully requests the Court grant Plaintiff and The  
14 Class members the following relief against Defendant:

- 15 • That this action be certified as a class action on behalf of The Class and  
16 Plaintiff be appointed as the representative of The Class;
- 17 • For \$5,000 per violation of California Penal Code § 632.7 for Plaintiff  
18 and each member of The Class;
- 19 • Injunctive relief in the form of an order requiring Defendant to disgorge  
20 all ill-gotten gains and awarding Plaintiff and The Class full restitution of  
21 all monies wrongfully acquired by Defendant by means of such unfair  
22 and unlawful conduct;
- 23 • That the Court preliminarily and permanently enjoin Defendant from  
24 recording, each and every oncoming and outgoing cellular telephone  
25 conversation with California residents, including Plaintiff and The Class,  
26 without their prior consent, as required by California Penal Code § 630,  
27 *et seq.*, and to maintain the confidentiality of the information of Plaintiff  
28 and The Class;

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- For general damages according to proof;
- For special damages according to proof;
- For exemplary or punitive damages;
- For costs of suit;
- For prejudgment interest at the legal rate; and
- For such further relief as this Court deems necessary, just, and proper.

**TRIAL BY JURY**

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

Dated: January 19, 2018

Respectfully submitted,

**KAZEROUNI LAW GROUP, APC**

By:           /s/ Matthew M. Loker            
MATTHEW M. LOKER, ESQ.  
ATTORNEY FOR PLAINTIFF

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
FLORENCE MORRIS, 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)
Matthew M. Loker, Esq. (SBN: 279939)
KAZEROUNI LAW GROUP, APC
245 Fischer Avenue, Unit D1, Costa Mesa, CA 92626 (800) 400-6808

DEFENDANTS
CRENDENCE RESOURCE MANAGEMENT, LLC,
County of Residence of First Listed Defendant
NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.
Attorneys (If Known)
'18CV0128 AJB WVG

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

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

V. ORIGIN (Place an "X" in One Box Only)
1 Original Proceeding
2 Removed from State Court
3 Remanded from Appellate Court
4 Reinstated or Reopened
5 Transferred from Another District (specify)
6 Multidistrict Litigation

VI. CAUSE OF ACTION
Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
Class Action Fairness Act
Brief description of cause:
Plaintiff alleges violation of CIPA on a class action basis

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 01/19/2018 SIGNATURE OF ATTORNEY OF RECORD /s/ Matthew M. Loker

FOR OFFICE USE ONLY
RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE
Print Save As... Reset

**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: [Suit Claims Credence Resource Management Records Calls Without Consent](#)

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