

#400

10
UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

SAMUEL WILLIAMS, pleading on his own behalf and on behalf of all other similarly situated consumers,

Plaintiff,

vs.

FRONTLINE ASSET STRATEGIES;
VELOCITY INVESTMENTS, LLC.

Defendant.

) Case No.:

) CLASS ACTION COMPLAINT

17 3119

Plaintiff, SAMUEL WILLIAMS (hereinafter "Plaintiff"), on behalf of himself and all other similarly situated consumers, by and through undersigned counsel, hereby alleges against FRONTLINE ASSET STRATEGIES (hereinafter "FAS") and VELOCITY INVESTMENTS, LLC. (hereinafter "Velocity") (collectively referred to as "Defendants"), as follows:

PRELIMINARY STATEMENT

1. This is an action for damages arising from Defendant's violations of the Fair Debt Collections Practices Act, 15 U.S.C. §1692 *et seq.* (hereinafter "FDCPA").

JURISDICTION AND VENUE

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

3. Venue is proper in this district under 28 U.S.C §1391(b).

PARTIES

HL
Lester
07-13-17

4. Plaintiff is a resident of Downingtown, Pennsylvania and is a “consumer” as the phrase is defined and applied under 15 U.S.C. §1692(a) of the FDCPA.

5. Defendant FAS is a corporation doing business in the State of Pennsylvania, with its corporate address as 2700 Snelling Ave N., Suite 250, Roseville, MN 55113, and is a “debt collector” as the phrase is defined and applied under 15 U.S.C. §1692(a) of the FDCPA in that they regularly attempt to collect on debts primarily incurred for personal, family or household purposes.

6. Defendant Velocity is a corporation doing business in the State of Pennsylvania, with its corporate address as 1800 State Route 34, Suite 404A, Wall Township, New Jersey 07719, and is a “debt collector” as the phrase is defined and applied under 15 U.S.C. §1692(a) of the FDCPA in that they regularly attempt to collect on debts primarily incurred for personal, family or household purposes.

FACTUAL STATEMENT

7. On a date better known by Defendant, Plaintiff incurred credit card debt in the amount of \$1,384.80.

8. Credit Card debt is considered a “debt” as that term is used and defined under the FDCPA.

9. In attempt to collect said debt, Defendant FAS sent Plaintiff a dunning letter on August 5, 2016 offering three payment plans for settling his debt. Exhibit A. Two of these options included partial payments for six and twelve months respectively.

10. Exhibit A sought to collect a purported credit card debt incurred for personal, family or household purposes and not for business purposes. The underlying debt is beyond the statute of limitations.

11. The dunning letter clearly stated that the law limits how long a consumer be sued. However, it did not indicate or inform Plaintiff that a partial payment on the debt would restart the running of the statute of limitations.

12. Additionally, the dunning letter falsely indicated that because the debt is beyond the statute of limitations, Velocity Investments LLC, the current creditor, will *choose* not to sue Plaintiff for the debt. In fact, Velocity Investments LLC *could not* sue Plaintiff for the debt. Furthering this confusion is the fact that the least sophisticated consumer reads this language and believes that although Velocity Investments LLC has chosen not to sue Plaintiff, FAS may still choose to sue him.

13. Notwithstanding the above, the dunning letter contains the language: “The total amount due may change due to interest being added to your account.” Upon information and belief, once the underlying debt is charged off, FAS no longer pursues interest. Accordingly, by threatening that non-payment of the debt may cause the balance to increase, Defendant has made a false threat.

14. Accordingly, Defendant’s letter is false, deceptive, and misleading in violation of the FDCPA.

15. Defendant FAS sent Exhibit A to Plaintiff to collect on behalf of the current creditor Velocity. FAS and Velocity maintain an agent-principle relationship as is evident from the information provided within the letter. Velocity is a debt collector. Accordingly, Velocity is vicariously liable for FAS’s FDCPA violations.

CLASS ACTION ALLEGATIONS

The Class

16. Plaintiff brings this as a class action pursuant to Fed. R. Civ. P. 23.

17. Plaintiff seeks certification of the following classes, initially defined as follows:

Class: All consumers with a Pennsylvania address that have received collection letters from Defendant concerning debts used primarily for personal, household, or family purposes within one year prior to the filing of this complaint that a) fails to provide a partial payment disclosure, b) fails to disclose that the consumer cannot be sued on the debt, or c) falsely threatens the accrual of interest.

18. Excluded from the Class is Defendant herein, and any person, firm, trust, corporation, or other entity related to or affiliated with the defendant, including, without limitation, persons who are officers, directors, employees, associates or partners of Defendant.

Numerosity

19. Upon information and belief, Defendant has filed numerous letters in an attempt to collect a debt to hundreds of consumers throughout the State of Pennsylvania, each of which violates the FDCPA. The members of the Class, therefore, are believed to be so numerous that joinder of all members is impracticable.

20. The letters sent by Defendant, and received by the Class, are to be evaluated by the objective standard of the hypothetical “least sophisticated consumer.”

21. The exact number and identities of the Class members are unknown at this time and can only be ascertained through discovery. Identification of the Class members is a matter capable of ministerial determination from Defendant’s records.

Common Questions of Law and Fact

22. There are questions of law and fact common to the class that predominates over any questions affecting only individual Class members. These common questions of law and fact include, without limitation: (i) whether Defendant violated various provisions of the FDCPA; (ii)

whether Plaintiff and the Class have been injured by Defendant's conduct; (iii) whether Plaintiff and the Class have sustained damages and are entitled to restitution as a result of Defendant's wrongdoing and, if so, what is the proper measure and appropriate statutory formula to be applied in determining such damages and restitution; and (iv) whether Plaintiff and the Class are entitled to declaratory and/or injunctive relief.

Typicality

23. The Plaintiff's claims are typical of the claims of the class members. Plaintiff and all members of the Plaintiff's Class defined in this complaint have claims arising out of the Defendant's common uniform course of conduct complained of herein. Plaintiff's claims are typical of the claims of the Class, and Plaintiff has no interests adverse or antagonistic to the interests of other members of the Class.

Protecting the Interests of the Class Members

24. Plaintiff will fairly and adequately represent the Class members' interests, in that the Plaintiff's counsel is experienced and, further, anticipates no impediments in the pursuit and maintenance of the class action as sought herein.

25. Neither the Plaintiff nor his counsel have any interests, which might cause them not to vigorously pursue the instant class action lawsuit.

Proceeding Via Class Action is Superior and Advisable

26. A class action is superior to other methods for the fair and efficient adjudication of the claims herein asserted, this being specifically envisioned by Congress as a principal means of enforcing the FDCPA, as codified by 15 U.S.C. § 1692(k).

27. The members of the Class are generally unsophisticated individuals, whose rights will not be vindicated in the absence of a class action.

28. Prosecution of separate actions by individual members of the Class would create the risk of inconsistent or varying adjudications resulting in the establishment of inconsistent or varying standards for the parties.

29. Certification of a class under Rule 23(b)(2) of the Federal Rules of Civil Procedure is also appropriate in that a determination that the said messages violate 15 U.S.C. § 1692e(11) is tantamount to declaratory relief and any monetary relief under the FDCPA would be merely incidental to that determination.

30. Certification of a class under Rule 23(b)(3) of the Federal Rules of Civil Procedure is also appropriate in that the questions of law and fact common to members of the Plaintiff's Class predominate over any questions affecting an individual member, and a class action is superior to other available methods for the fair and efficient adjudication of the controversy.

31. Depending on the outcome of further investigation and discovery, Plaintiff may, at the time of class certification motion, seek to certify one or more classes only as to particular issues pursuant to Fed. R. Civ. P. 23(c)(4).

32. A class action will permit a large number of similarly situated persons to prosecute their common claims in a single forum simultaneously, efficiently, and without the duplication of effort and expense that numerous individual actions would engender. Class treatment also will permit the adjudication of relatively small claims by many Class members who could not otherwise afford to seek legal redress for the wrongs complained of herein.

33. Absent a class action, the Class members will continue to suffer losses borne from Defendant's breaches of Class members' statutorily protected rights as well as monetary damages,

thus allowing and enabling: (a) Defendant's conduct to proceed and; (b) Defendant to further enjoy the benefit of its ill-gotten gains.

34. Defendant has acted, and will act, on grounds generally applicable to the entire Class, thereby making appropriate a final injunctive relief or corresponding declaratory relief with respect to the Class as a whole.

COUNT I
VIOLATIONS OF THE FAIR DEBT COLLECTION PRACTICES ACT
15 U.S.C. §1692 et seq

35. Plaintiff repeats the allegations contained in the above paragraphs and incorporates them as if specifically set forth at length herein.

36. Defendant's collection letter fails to properly inform consumers that their debt was past the statute of limitations and taking advantage of a partial payment option would restart the running of the statute. Accordingly, Defendant has violated the following provisions of the FDCPA:

37. Section 1692e provides:

§ 1692e. False or misleading representations

A debt collector may not use any false, deceptive, or misleading representation or means in connection with the collection of any debt. Without limiting the general application of the foregoing, the following conduct is a violation of this section: . . .

(2) The false representation of—

(A) The character, amount or legal status of any debt

(10) The use of any false representation or deceptive means to collect or attempt to collect any debt or to obtain information concerning a consumer...

38. Defendant's collection letter is confusing and misleading regarding the reasonable interpretation of the balance owed.

39. Section 1692f provides:

§ 1692f. Unfair Practices

A debt collector may not use unfair or unconscionable means to collect or attempt to collect any debt. . . .

COUNT II
VICARIOUS LIABILITY OF DEFENDANT VELOCITY

40. Plaintiff repeats the allegations contained in the above paragraphs and incorporates them as if specifically set forth at length herein.

41. Defendant Velocity is a debt collector as the phrase is defined and applied under 15 U.S.C. §1692(a) of the FDCPA in that they regularly attempt to collect on debts primarily incurred for personal, family or household purposes.

42. Under traditional agency principles, vicarious liability does not require specific acts of control, but rather allows for principals to be held liable for the acts of their agents when the agents are acting in the scope of their authority

43. FAS violated the FDCPA while acting as an agent on behalf of Velocity and acting within the scope of its authority.

44. It is a reasonable inference that one debt collector undertaking debt collection activities on behalf of another is acting within the scope of its authority

45. Upon information and belief, Velocity enlisted FAS to engage in unlawful debt collection activities on its behalf in an attempt to shield itself from liability.

46. As such, Velocity is vicariously liable for the acts of its agent FAS in violating the FDCPA.

WHEREFORE, Plaintiff, Samuel Williams, respectfully requests that this Court do the following for the benefit of Plaintiff:

- a. Enter an Order declaring Defendant's actions, as described above, in violation of the FDCPA;
- b. Enter an Order for Injunctive Relief preventing Defendant from using said collection letters to collect debts from consumer debtors;
- c. Appoint Plaintiff as the Class Representative, and appoint Plaintiff's Counsel as Lead Counsel for the Class;
- d. Enter a judgment against Defendants for statutory damages, pursuant to 15 U.S.C. § 1692k;
- e. Award costs and reasonable attorneys' fees, pursuant to 15 U.S.C. § 1692k; and
- f. Grant such other and further relief as may be just and proper.

JURY TRIAL DEMAND

47. Plaintiff demands a jury trial on all issues so triable.

Dated this 11th of July, 2017.

Respectfully Submitted,


/s/ Alexander R. Ferrante, Esq.

Alexander R. Ferrante, Esq.
Gold & Ferrante, P.C.
261 Old York Road
Suite 526
Jenkintown, PA 19046
Tel: (215)- 872-5127
aferrante1@verizon.net

Dept 130764
PO Box 1289
Oaks, PA 17451



TO MAKE AN ONLINE PAYMENT ARRANGEMENT VISIT WWW.FRONTLINEASSET.COM

Account # [REDACTED]

Frontline Asset Strategies
2700 Snelling Ave N
Ste 250
Roseville, MN 55113

Date: 06/05/2016

Current Creditor to whom the debt is owed:	VELOCITY INVESTMENTS, LLC
Original Creditor:	TD RETAIL CARD SERVICES
Original Account#:	XXXXXXXXXXXX055
Charge-off Date:	05/30/2010
FAST #:	104924222
Total Amount Due:	\$2,384.80

Dear SAMUEL WILLIAMS:

Your delinquent account has been turned over to Frontline Asset Strategies, LLC for collection. As of the date of this letter, you owe \$1,384.80. Good news, your current creditor has authorized us to provide the following payment options in order to resolve your debt.

- Option 1 Resolve this debt with a one-time payment of \$415.44
- Option 2 Resolve this debt with six consecutive monthly payments of \$92.12
- Option 3 Resolve this debt with twelve consecutive monthly payments of \$51.93

We request payment on any option to be in our office by 07/04/2016. Contact us at 877-258-1590 to speak to an account representative about these options. We here at Frontline Asset Strategies are here to assist you in resolving this outstanding debt and moving forward. We strive to work with you, not against you.

The law limits how long you can be sued on a debt. Because of the age of your debt, VELOCITY INVESTMENTS, LLC will not sue you for it, and VELOCITY INVESTMENTS, LLC will not report it to any credit reporting agency.

Your rights under federal law to request verification of your obligations to your current creditor within 30 days is not affected by the above referenced payment options. Calls to or from this company may be monitored or recorded. The total amount due may change due to interest being added to your account.

Sincerely,
Tren Troner
877-258-1590
Frontline Asset Strategies, LLC

IMPORTANT NOTICE

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

Please see the reverse side or next page for important consumer notices.

Frontline Asset Strategies, LLC • 2700 Snelling Ave N • Ste 250 • Roseville, MN 55113

Toll Free: 877-258-1590 Fax: 6516212579

Hours of Operation: Monday-Friday 7AM-5PM CST • Saturday 11AM-12PM CST



JS 44 (Rev. 06/17)

CIVIL COVER SHEET

17-cv-3119
17 3119

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

Sahuel Williams, on behalf of himself and all other similarly situated

DEFENDANTS

Frontline Asset Strategies and Velocity Investment LLC
County of Residence of First Listed Defendant Barney

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

(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)

Alexander R. Ferrante Esq. - Golda Ferrante
266 Old Park Rd, Suite 526
York, PA 17406

Attorneys (If Known)

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

- 1 U.S. Government Plaintiff
- 3 Federal Question (U.S. Government Not a Party)
- 2 U.S. Government Defendant
- 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		PTF	DEF
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

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

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<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 (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	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 <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark 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)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 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 - Transfer
- 8 Multidistrict Litigation - Direct File

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

15 USC 1692 et seq
Brief description of cause: unfair debt collector

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 JUL 13 2017

DATE 7/13/2017 SIGNATURE OF ATTORNEY OF RECORD Alexander R. Ferrante

FOR OFFICE USE ONLY: RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____



UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF PENNSYLVANIA — DESIGNATION FORM to be used by counsel to indicate the category of the case for the purpose of assignment to appropriate calendar.

17 3119

Address of Plaintiff: Samuel Williams, 1463 W. Stonington Drive, Downingtown, PA 19335

Address of Defendant: Frontline, 2700 Snelling Ave N., Suite 250, Roseville, MN 55113; Velocity, 1800 State Route 34, Suite 404A,

Place of Accident, Incident or Transaction: Downingtown, PA 1335 // Wall Township, New Jersey 07719 (Use Reverse Side For Additional Space)

Does this civil action involve a nongovernmental corporate party with any parent corporation and any publicly held corporation owning 10% or more of its stock? (Attach two copies of the Disclosure Statement Form in accordance with Fed.R.Civ.P. 7.1(a)) Yes [] No [X]

Does this case involve multidistrict litigation possibilities? Yes [] No [X]

RELATED CASE, IF ANY: None

Case Number: Judge Date Terminated:

Civil cases are deemed related when yes is answered to any of the following questions:

- 1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court? Yes [] No [X]
2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court? Yes [] No [X]
3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action in this court? Yes [] No [X]
4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual? Yes [] No [X]

CIVIL: (Place [X] in ONE CATEGORY ONLY)

A. Federal Question Cases:

- 1. [] Indemnity Contract, Marine Contract, and All Other Contracts
2. [] FELA
3. [] Jones Act-Personal Injury
4. [] Antitrust
5. [] Patent
6. [] Labor-Management Relations
7. [] Civil Rights
8. [] Habeas Corpus
9. [] Securities Act(s) Cases
10. [X] Social Security Review Cases
11. [X] All other Federal Question Cases (Please specify) 15 USC section 1692

B. Diversity Jurisdiction Cases:

- 1. [] Insurance Contract and Other Contracts
2. [] Airplane Personal Injury
3. [] Assault, Defamation
4. [] Marine Personal Injury
5. [] Motor Vehicle Personal Injury
6. [] Other Personal Injury (Please specify)
7. [] Products Liability
8. [] Products Liability — Asbestos
9. [] All other Diversity Cases (Please specify)

ARBITRATION CERTIFICATION

(Check Appropriate Category)

I, Alexander R. Ferrante, counsel of record do hereby certify:

- [] Pursuant to Local Civil Rule 53.2, Section 3(c)(2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs;
[] Relief other than monetary damages is sought.

DATE: 7-11-2017

Signature of Alexander R. Ferrante

Attorney-at-Law

45381

Attorney I.D.#

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

I certify that, to my knowledge, the within case is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: 7-11-2017

Signature of Alexander R. Ferrante

Attorney-at-Law

45381

Attorney I.D.#

JUL 13 2017

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CASE MANAGEMENT TRACK DESIGNATION FORM

SAMUEL WILLIAMS, on behalf of himself and all
other similarly situated consumers :

CIVIL ACTION

v. :

17 3119

FRONTLINE ASSET STRATEGIES and
VELOCITY INVESTMENTS, LLC. :

NO.

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a Case Management Track Designation Form specifying the track to which that defendant believes the case should be assigned.

SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:

- (a) Habeas Corpus – Cases brought under 28 U.S.C. § 2241 through § 2255. ()
- (b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ()
- (c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2. ()
- (d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. ()
- (e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) (x)
- (f) Standard Management – Cases that do not fall into any one of the other tracks. ()

July 11, 2017	<i>Alexander R. Ferrante</i> Alexander R. Ferrante	Samuel Williams
Date	Attorney-at-law	Attorney for
1-215-872-5127	1-215-885-5283	aferrante1@verizon.net
Telephone	FAX Number	E-Mail Address

(Civ. 660) 10/02

JUL 13 2017

ClassAction.org

This complaint is part of ClassAction.org's searchable class action lawsuit database and can be found in this post: [Frontline Asset Strategies, Velocity Investments Sued for 'False Threat'](#)
