

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF INDIANA  
FORT WAYNE DIVISION**

CRYSTAL WILLIS, individually and on  
behalf of all others similarly situated,

Plaintiffs,

-against-

NATIONAL COLLECTION SYSTEMS,  
INC., d/b/a NATIONAL CREDIT  
MANAGEMENT,

Defendants.

Civil Case Number:  
1:17-cv-401

**CIVIL ACTION  
CLASS ACTION COMPLAINT  
AND  
DEMAND FOR JURY TRIAL**

Plaintiff CRYSTAL WILLIS (hereinafter, “Plaintiff”), an Indiana resident, brings this class action complaint by and through her attorneys, Marcus & Zelman, LLC, against Defendant NATIONAL COLLECTION SYSTEMS, INC., d/b/a NATIONAL CREDIT MANAGEMENT (hereinafter “Defendant”), individually and on behalf of a class of all others similarly situated, pursuant to Rule 23 of the Federal Rules of Civil Procedure, based upon information and belief of Plaintiff’s counsel, except for allegations specifically pertaining to Plaintiff, which are based upon Plaintiff’s personal knowledge.

**INTRODUCTION/PRELIMINARY STATEMENT**

1. Plaintiff brings this class action seeking damages, and declaratory and injunctive relief as a result of Defendant’s actions in using an unfair and unconscionable means to collect a debt. Defendant’s actions violated § 1692 et seq. of Title 15 of the United States Code, commonly referred to as the Fair Debt Collections Practices Act (“FDCPA”) which prohibits debt collectors from engaging in abusive, deceptive and unfair practices.
2. Congress enacted the FDCPA in 1977 in response to the “abundant evidence of the use of abusive, deceptive, and unfair debt collection practices by many debt collectors.” 15 U.S.C.

§ 1692(a). At that time, Congress was concerned that “abusive debt collection practices contribute to the number of personal bankruptcies, to material instability, to the loss of jobs, and to invasions of individual privacy.” *Id.* Congress concluded that “existing laws . . . [we]re inadequate to protect consumers,” and that “the effective collection of debts” does not require “misrepresentation or other abusive debt collection practices.” 15 U.S.C. §§ 1692(b) & (c).

3. Congress explained that the purpose of the Act was not only to eliminate abusive debt collection practices, but also to “insure that those debt collectors who refrain from using abusive debt collection practices are not competitively disadvantaged.” *Id.* § 1692(e). After determining that the existing consumer protection laws were inadequate, *id.* § 1692(b), Congress gave consumers a private cause of action against debt collectors who fail to comply with the Act. *Id.* § 1692k.

#### **JURISDICTION AND VENUE**

4. The Court has jurisdiction over this class action under 28 U.S.C. § 1331, 15 U.S.C. § 1692 *et seq.* and 28 U.S.C. § 2201. If applicable, the Court also has pendent jurisdiction over the state law claims in this action pursuant to 28 U.S.C. § 1367(a).
5. Venue is proper in this judicial district pursuant to 28 U.S.C. § 1391(b)(2).

#### **PARTIES**

6. Plaintiff is a natural person and a resident of Fort Wayne, Indiana, and is a “Consumer” as defined by 15 U.S.C. §1692(a)(3).
7. Defendant National Collection Systems, Inc., is a corporation incorporated in Missouri, which does business under the registered d/b/a National Credit Management.
8. Defendant is a collection agency with its principal office located at 10845 Olive Blvd., Ste.

210, St. Louis, MO 63141.

9. Upon information and belief, Defendant is a company that uses the mail, telephone, and facsimile and regularly engages in business the principal purpose of which is to attempt to collect debts alleged to be due another.
10. Defendant is a “debt collector,” as defined under the FDCPA under 15 U.S.C. § 1692a(6).
11. John Does 1-25, are fictitious names of individuals and businesses alleged for the purpose of substituting names of Defendants whose identities will be disclosed in discovery and should be made parties to this action.

### **CLASS ALLEGATIONS**

12. Plaintiff brings claims, pursuant to the Federal Rules of Civil Procedure (hereinafter “FRCP”) Rule 23, individually and on behalf of the following consumer classes (the “Class”):

Class A: All (1) consumers in the United States who received a collection letter from the Defendant (2) attempting to collect a debt owed or allegedly owed to Ivy Tech Community College, (3) which set forth an amount owed, (4) and which failed to disclose that a percentage of that amount included collection costs added by Defendant rather than the actual balance of the debtor’s account.

Class B: All (1) consumers in the United States who received a collection letter from the Defendant (2) attempting to collect a debt or alleged debt owed to Ivy Tech Community College, (3) which debt included a twenty-five percent (25%) collection fee (4) which collection fee was not authorized by the agreement underlying the debt.

13. The Class period begins one year to the filing of this Action.
14. The Class satisfies all the requirements of Rule 23 of the FRCP for maintaining a class action:
  - Upon information and belief, the Class is so numerous that joinder of all members is impracticable because there are hundreds and/or thousands of

persons who have received debt collection notices similar to Exhibit A from the Defendant that violate specific provisions of the FDCPA. Plaintiff is complaining of a standard form collection notice;

- There are questions of law and fact which are common to the Class and which predominate over questions affecting any individual Class member. These common questions of law and fact include, without limitation:
  - a. Whether Defendant violated various provisions of the FDCPA;
  - b. Whether Plaintiff and the Class have been injured by Defendant's conduct;
  - c. 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
  - d. Whether Plaintiff and the Class are entitled to declaratory and/or injunctive relief.
- Plaintiff's claims are typical of the Class, which all arise from the same operative facts and are based on the same legal theories.
- Plaintiff has no interest adverse or antagonistic to the interest of the other members of the Class.
- Plaintiff will fairly and adequately protect the interest of the Class and has retained experienced and competent attorneys to represent the Class.
- A Class Action is superior to other methods for the fair and efficient adjudication of the claims herein asserted. Plaintiff anticipates that no unusual

difficulties are likely to be encountered in the management of this class action.

- A Class Action will permit large numbers of similarly situated persons to prosecute their common claims in a single forum simultaneously and without the duplication of effort and expense that numerous individual actions would engender. Class treatment will also 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. Absent a Class Action, class members will continue to suffer losses of statutory protected rights as well as monetary damages. If Defendant's conduct is allowed to proceed without remedy they will continue to reap and retain the proceeds of their ill-gotten gains.
- Defendant has acted on grounds generally applicable to the entire Class, thereby making appropriate final injunctive relief or corresponding declaratory relief with respect to the Class as a whole.

### **ALLEGATIONS OF FACT**

15. Plaintiff repeats, reiterates and incorporates the allegations contained in paragraphs above herein with the same force and effect as if the same were set forth at length herein.
16. Some time prior to April 24, 2017, an obligation was allegedly incurred by Plaintiff to Ivy Tech Community College (ITCC).
17. The ITCC debt is a transaction in which money, property, insurance or services, which are the subject of the transaction, are primarily for personal, family or household purposes.
18. The alleged ITCC obligation is a "debt" as defined by 15 U.S.C. § 1692a(5).
19. ITCC is a "creditor" as defined by 15 U.S.C. § 1692a(4).

20. Defendant contends that the ITCC debt is past due.
21. Defendant collects and attempts to collect debts incurred or alleged to have been incurred for personal, family or household purposes on behalf of creditors using the United States Postal Services, telephone and internet.
22. ITCC hired the Defendant to collect on the alleged debt.
23. On a date prior to April 24, 2017, the Defendant caused to be delivered to the Plaintiff a collection letter in an attempt to collect the alleged ITCC debt (“the First Collection Letter”).
24. The First Collection Letter was sent or caused to be sent by persons employed by Defendant as a “debt collector” as defined by 15 U.S.C. §1692a(6).
25. The First Collection Letter is a “communication” as defined by 15 U.S.C. §1692a(2).
26. The First Collection Letter stated in part:
- “Total Current Balance: 20.63”
27. Upon reading the letter from the Defendant, the Plaintiff mailed a dispute letter to the Defendant with regards to the alleged debt and requested verification.
28. On or about April 24, 2017, the Defendant sent a second collection letter to the Plaintiff. (the “Second Collection Letter”). *See Exhibit A.*
29. The Second Collection Letter stated in part:

Principal	Interest	Collection Cost	Late Fees	Total Balance
\$16.50	\$0.00	\$4.13	\$0.00	\$20.63

30. The First Collection Letter was sent or caused to be sent by persons employed by Defendant as a “debt collector” as defined by 15 U.S.C. §1692a(6).
31. The First Collection Letter is a “communication” as defined by 15 U.S.C. §1692a(2).

32. Upon information and belief, the Second Collection Letter letter was the Defendant's attempt at verifying the alleged debt.
33. Based on the April 24, 2017 letter, the Defendant is attempting to collect an amount that is \$4.13 more than the principal balance owed, which apparently represents a 25% collection fee.
34. Upon information and belief, the Defendant has no legal or contractual right to charge a collection fee of \$4.13.
35. By charging the Plaintiff a collection fee that they were not entitled to, Defendant harmed the Plaintiff.
36. Upon information and belief, Plaintiff never authorized the collection of such a 25% collection fee on her ITCC debt.
37. Upon information and belief, the collection of an undisclosed and unauthorized 25% collection fee is not expressly authorized by law.
38. Upon information and belief, the collection fee was a 25% contingent fee agreed to by Defendant and ITCC, i.e. the collection fee was a predetermined percentage of the total amount recovered for ITCC.
39. Upon information and belief, the collection fee bears no relation to and are greater than the collection costs actually incurred by Defendant or ITCC in their attempts to collect the account.
40. Upon information and belief, Defendant transmits hundreds of letters to consumers, similar to the said letter, which fails to initially disclose that any payments includes a 25% collection fee. In each instance, payments unwittingly made by consumers are only partially attributed towards their balance actually owed, with the remainder of the money

being pocketed by the Defendant as an undisclosed collection fee.

41. In each instance, Defendant charges the consumer with an undisclosed, unfair, illegal and unauthorized collection fee.
42. This practice misleads consumers by creating the false impression that they are paying amounts actually owed on their accounts, when in fact, a large portion of the amounts paid are never credited towards the amount actually owed on the debt.
43. Upon information and belief, there is no legal or contractual right for Defendant to charge contingent collection costs, untied to actual collection costs, on ITCC accounts.
44. Defendant's violations of the FDCPA caused the Plaintiff actual harm, in seeking and collecting an amount from the Plaintiff in excess of what she actually owed, in depriving the Plaintiff of information that he was statutorily entitled to, in subjecting the Plaintiff to improper and deceptive collection activity in violation of the Plaintiff's statutorily created rights to be free from such a debt collector's inappropriate attempts to collect a debt, and in subjecting the Plaintiff to false, deceptive, unfair and unconscionable means to collect a debt.
45. Defendant's violations of the FDCPA also carried the real risk of harm that the Plaintiff would pay an amount in excess of what she actually owed and in excess of what Defendant could legally collect or attempt to collect.

### **COUNT I**

#### **VIOLATIONS OF THE FAIR DEBT COLLECTION PRACTICES ACT 15 U.S.C. §1692e et seq.**

46. Plaintiff repeats, reiterates and incorporates the allegations contained in paragraphs above herein with the same force and effect as if the same were set forth at length herein.
47. Defendants' debt collection efforts attempted and/or directed towards the Plaintiff violated



various provisions of the FDCPA, including but not limited to 15 U.S.C. § 1692e(2).

48. The Defendants violated said sections by falsely representing the amount of the debt in violation of 15 U.S.C. §1692e(2)(A).
49. Pursuant to 15 U.S.C. § 1692e and § 1692e(10), a debt collector may not use any false, misleading and/or deceptive means to collect or attempt to collect any debt or to obtain information concerning a consumer.
50. The Defendant violated 15 USC § 1692e(10) by failing to disclose in their collection letters that the debt being sought included an undisclosed 25% fee attributed to ‘collection costs.’
51. By reason thereof, Defendant is liable to Plaintiff for judgment that Defendant's conduct violated Section 1692e *et seq.* of the FDCPA, actual damages, statutory damages, costs and attorneys’ fees.

## **COUNT II**

### **VIOLATIONS OF THE FAIR DEBT COLLECTION PRACTICES ACT 15 U.S.C. §1692f *et seq.***

52. Plaintiff repeats, reiterates and incorporates the allegations contained in paragraphs above herein with the same force and effect as if the same were set forth at length herein.
53. Defendant’s debt collection efforts attempted and/or directed towards the Plaintiff violated 15 U.S.C. § 1692(f) of the FDCPA.
54. Pursuant to 15 U.S.C. § 1692(f)1, a debt collector may not use unfair or unconscionable means to collect or attempt to collect any debt. Without limiting the general application of the foregoing, the following conduct is a violation of this section: (1) The collection of any amount (including interest, fee, charge or expense incidental to the principal obligation) unless such amount is expressly authorized by the agreement creating the debt or permitted by law.

55. Defendants violated said section by charging a collection cost not expressly authorized by the agreement creating the debt or permitted by law.

56. By reason thereof, Defendant is liable to Plaintiff for judgment that Defendant's conduct violated Section 1692f *et seq.* of the FDCPA, actual damages, statutory damages, costs and attorneys' fees.

**DEMAND FOR TRIAL BY JURY**

Pursuant to Rule 38 of the Federal Rules of Civil Procedure, Plaintiff hereby requests a trial by jury on all issues so triable.

**PRAYER FOR RELIEF**

**WHEREFORE**, Plaintiff demands judgment against Defendants as follows:

- (a) Declaring that this action is properly maintainable as a Class Action and certifying Plaintiff as Class representative, and Marcus & Zelman, LLC, as Class Counsel;
- (b) Awarding Plaintiff and the Class statutory damages;
- (c) Awarding Plaintiff costs of this Action, including reasonable attorneys' fees and expenses;
- (d) Awarding pre-judgment interest and post-judgment interest; and
- (e) Awarding Plaintiff and the Class such other and further relief as this Court may deem just and proper.

Dated: September 15, 2017

/s/ Yitzchak Zelman  
Yitzchak Zelman, Esq.  
MARCUS ZELMAN, LLC  
1500 Allaire Avenue, Suite 101  
Ocean, New Jersey 07712  
(732) 695-3282 telephone  
(732) 298-6256 facsimile  
*Attorneys for Plaintiff*



**National Credit Management**

Box 32900, St. Louis, MO 63132-8900

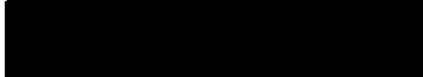
Toll Free: 800-526-3213 EXT 204

Fax: 314-995-3752, E-mail: [jclark@ncmstl.com](mailto:jclark@ncmstl.com)

NCM1318

04/24/17

**CRYSTAL WILLIS**



Reference#:

Total Current Balance: 20.63

Creditor: IVY TECH COMMUNITY COLLEGE

Dear CRYSTAL WILLIS

Our offices are in receipt of your letter of dispute and request for verification. Regarding your demand for verification including original signed contracts, copies of state licenses, our agreement with the original creditor listed on this account, etc., there is no basis in law to substantiate your right to such information. In fact, court cases and the Federal Trade Commission have found there is no duty to comply with such excessive verification demands. \*1

However, in an effort to provide verification, we have listed below a summary of the charges on the account and any applicable fees or interest. Also enclosed are billing statements and any other information provided by our client that confirm the charges. Should you have any questions regarding this account or if you wish to discuss payment arrangements, please feel free to contact us at the number listed below. We look forward to helping you resolve this matter.

Please be advised we have reported this debt to consumer reporting agencies, but in acknowledgement of your dispute, we have requested the account be listed as disputed. Consumer reporting agencies may take up to 30 days or longer to update reports and this is beyond our control.

Listed below is a breakdown of your account balance.

Principal	Interest	Collection Cost	Late Fees	Total Balance
\$16.50	\$0.00	\$4.13	\$0.00	\$20.63

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

If you would prefer to communicate by email, please register your email address at our website [www.ncmpay.com/register.asp](http://www.ncmpay.com/register.asp)

Sincerely,  
JIM CLARK,  
800-526-3213 EXT 204  
[jclark@ncmstl.com](mailto:jclark@ncmstl.com)

**NATIONAL CREDIT MANAGEMENT IS A PRIVATELY OWNED COLLECTION AGENCY**

\*1 Chaudhry v. Gallerizzo, 174 F.3d 394, 406 (4th Cir. 1999), cert. denied, 528 U.S. 891 (1999); See also Stonehart v. Rosenthal, No. 01 Civ. 651(SAS), 2001 WL 910771 at \*7 (S.D. N.Y. Aug. 13, 2001); FTC Statements of General Policy or Interpretation Staff Commentary on the FDCPA, 53 Fed. Reg. 50097, 50108-09 (Dec. 13, 1988).

CIVIL COVER SHEET

USDC IN/ND case 1:17-cv-00401 document 1-2 filed 09/15/17 page 1 of 2

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

CRYSTAL WILLIS, individually and on behalf of all others similarly situated,

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

(c) Attorneys (Firm Name, Address, and Telephone Number) MARCUS & ZELMAN, LLC 1500 Allaire Ave Ste 101 Ocean NJ 07712 Tel 732.695.3282; email yzelman@marcuszelman.com

DEFENDANTS

NATIONAL COLLECTION SYSTEMS, INC. d/b/a NATIONAL CREDIT MANAGEMENT

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

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

Attorneys (If Known)

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)

Table with columns for Plaintiff (PTF) and Defendant (DEF) citizenship: Citizen of This State, Citizen of Another State, Citizen or Subject of a Foreign Country, 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)

Large table with categories: CONTRACT, REAL PROPERTY, TORTS, CIVIL RIGHTS, PRISONER PETITIONS, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER 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

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): 15 U.S.C. 1692

Brief description of cause: Defendant violated the FDCPA

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 09/15/2017 SIGNATURE OF ATTORNEY OF RECORD s/ Yitzchak Zelman

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

Print

Save As...

Reset

USDC IN/ND case 1:17-cv-00401 document 1-2 filed 09/15/17 page 2 of 2  
**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 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. 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 – 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.

UNITED STATES DISTRICT COURT

for the

Northern District of Indiana

CRYSTAL WILLIS, individually and on behalf of all others similarly situated,

Plaintiff(s)

v.

NATIONAL COLLECTION SYSTEMS, INC. d/b/a NATIONAL CREDIT MANAGEMENT,

Defendant(s)

Civil Action No. 1:17-cv-401

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) NATIONAL COLLECTION SYSTEMS, INC. 10845 Olive Blvd, Suite 210 St. Louis, MO 63141

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: Marcus & Zelman, LLC 1500 Allaire Avenue Suite 101 Ocean, NJ 07712

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: \_\_\_\_\_

Signature of Clerk or Deputy Clerk

Civil Action No. 1:17-cv-401

**PROOF OF SERVICE**

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

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

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

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

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

I returned the summons unexecuted because \_\_\_\_\_ ; or

Other *(specify)*:

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_ 0.00 \_\_\_\_\_ .

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

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

**Print**

**Save As...**

**Reset**

# ClassAction.org

This complaint is part of ClassAction.org's searchable class action lawsuit database and can be found in this post: [National Credit Management Charged Illegal Collection Fee, Suit Says](#)

---