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14 Nicholas Wright

15 **UNITED STATES DISTRICT COURT**  
16 **SOUTHERN DISTRICT OF CALIFORNIA**

17 **NICHOLAS WRIGHT,**  
18 **Individually and On**  
19 **Behalf of All Others**  
20 **Similarly Situated,**

21 **Plaintiff,**

22 v.

23 **GENESIS FS CARD**  
24 **SERVICES, INC. d/b/a**  
25 **BANKCARD**  
26 **SERVICES,**

27 **Defendant.**  
28

**Case No: '18CV2375 BAS JLB**

**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**



1 INTRODUCTION

2 1. Plaintiff Nicholas Wright (“Plaintiff”) brings this Class Action Complaint for  
3 damages, injunctive relief, and any other available legal or equitable remedies,  
4 resulting from the illegal actions of defendant Genesis FS Card Services, Inc. d/  
5 b/a Bankcard Services, (“Defendant”) in negligently and/or willfully or  
6 knowingly contacting Plaintiff on Plaintiff’s cellular telephone, in violation of  
7 the Telephone Consumer Protection Act, 47 U.S.C. § 227, *et seq.*, (“TCPA”),  
8 thereby invading Plaintiff’s privacy. Plaintiff alleges as follows upon personal  
9 knowledge as to himself and his own acts and experiences, and, as to all other  
10 matters, upon information and belief, including investigation conducted by his  
11 attorneys.

12 2. The TCPA was designed to prevent calls like the ones described within this  
13 complaint, and to protect the privacy of citizens like Plaintiff. “Voluminous  
14 consumer complaints about abuses of telephone technology – for example,  
15 computerized calls dispatched to private homes – prompted Congress to pass  
16 the TCPA.” *Mims v. Arrow Fin. Servs., LLC*, 132 S. Ct. 740, 744 (2012).

17 3. In enacting the TCPA, Congress intended to give consumers a choice as to how  
18 creditors and telemarketers may call them, and made specific findings that  
19 “[t]echnologies that might allow consumers to avoid receiving such calls are not  
20 universally available, are costly, are unlikely to be enforced, or place an  
21 inordinate burden on the consumer. TCPA, Pub.L. No. 102–243, § 11. Toward  
22 this end, Congress found that:

23 [b]anning such automated or prerecorded telephone calls to  
24 the home, except when the receiving party consents to  
25 receiving the call or when such calls are necessary in an  
26 emergency situation affecting the health and safety of the  
27 consumer, is the only effective means of protecting  
28 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 findings  
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 of  
6 privacy, regardless of the type of call....” *Id.* at §§ 12-13. *See also, Mims*, 132 S.  
7 Ct. at 744.

8 **JURISDICTION AND VENUE**

9 5. This Court has federal question jurisdiction pursuant to 28 U.S.C. § 1331  
10 because this case arises out of violation of federal law. *See* 47 U.S.C. §227(b).

11 6. Upon information and belief, Defendant continuously and regularly conducts  
12 business in the state of California, therefore, personal jurisdiction is established.

13 7. Venue is proper in the United States District Court for the Southern District of  
14 California pursuant to 28 U.S.C. § 1391 for the following reasons: (i) at all  
15 material times hereto, Plaintiff resided in the city of Santee, county of San  
16 Diego, state of California which is within this judicial district and (ii) the  
17 conduct complained of herein occurred within this judicial district.

18 8. Plaintiff is and was, at all times mentioned herein, a natural person that resided  
19 in the county of San Diego, state of California. Plaintiff is, and at all times  
20 mentioned herein was, a “person” as defined by 47 U.S.C. § 153 (39).

21 9. Plaintiff is informed and believes, and thereon allege, that Defendant, and at all  
22 times mentioned herein was, a corporation organized under the laws of Oregon  
23 and is a “person” as defined by 47 U.S.C. § 153 (39).

24 10. Plaintiff alleges that at all times relevant herein Defendant conducted business  
25 in the State of California and in the County of San Diego, and within this  
26 judicial district.



**FACTUAL ALLEGATIONS**

11. Defendant provides merchant services, better known as credit card processing, which is the handling of electronic payment transactions for merchants.

12. Defendant regularly makes autodialed telephone calls to consumers, seeking potential merchants, in order to market its line of payment services and other related products.

13. Plaintiff is not and has never been a merchant, nor did he at any point shop for credit card processing services.

14. Plaintiff never provided authorization to receive autodialed marketing calls on his cellular telephone from Defendant.

15. In November of 2016, Defendant initiated repeated marketing telephone calls from the phone number, 559-282-2648, to Plaintiff’s cellular phone ending with “1125,” using an automatic telephone dialing system (“ATDS”) as defined by 47 U.S.C. § 227(a)(1).

16. Defendants incessantly called Plaintiff, oftentimes, multiple times per day, to market and solicit Plaintiff’s business. On at least two occasions, Plaintiff would answer the calls only to hear a pause, clicking, and dead air before the system disconnected his call.

17. Returning the call to 559-282-2648 revealed a recorded message stating, “Thank you for calling Bankcard Services.”<sup>1</sup> The message was robotic, and no live representative was on the line.

18. A live representative confirmed the number dialed 559-282-2648 was in fact Bankcard Services.

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<sup>1</sup>Currently, the message presented when calling this phone number states, “thank you for calling, you have reached Genesis FS Card Services. . . .” Plaintiff alleges, on information and belief, that in November of 2016, Defendant placed calls using its assumed business name, “Bankcard Services.”





1 19. Within a five day span, Defendant called Plaintiff approximately eight (8) times  
2 and there were many other harassing calls in addition to that.

3 20. Defendant encouraged, directed, and authorized its agents and/or employees to  
4 place marketing calls to individuals including Plaintiff, in order to solicit  
5 consumers, acquire business and economic benefits from such increased  
6 business.

7 21. On information and belief, an ATDS was used to call Plaintiff because as ATDS  
8 systems often result in abandoned calls. Plaintiff would answer calls from  
9 Defendant only to hear pause, dead air, and be disconnected. Returning the  
10 calls, lead to a robotic message with no human representative on the line, after  
11 holding for nearly half a minute, a live representative eventually gets connected  
12 to the call. Plaintiff did not provide Defendant or its agents with “prior express  
13 consent” nor written consent to receive calls to his cellular telephone, including  
14 those calls by means of an ATDS as prohibited by 47 U.S.C. § 227(b)(1)(A).

15 22. Plaintiff did not consent to be called on Plaintiff’s cellular telephone by  
16 Defendants for marketing or any other purpose.

17 23. Upon information and belief, Defendant’s telephone equipment has the capacity  
18 to store or produce telephone numbers to be called, using a random or  
19 sequential number generator.

20 24. Upon information and belief, the telephone equipment used by Defendant to  
21 place the calls at issue has the capacity to dial telephone numbers automatically  
22 from a stored list or database without human intervention, using a random or  
23 sequential number generator.

24 25. Defendant did not have written consent to place telemarketing calls to  
25 Plaintiff’s cellular telephone.

26 26. Defendant’s telemarketing calls were not made for emergency purposes, as  
27 defined by 47 U.S.C. § 227(b)(1)(A).  
28

1 27. Defendant's telemarketing call was placed to a telephone number assigned to a  
2 cellular telephone service for which Plaintiff incurs a charge for incoming calls  
3 pursuant to 47 U.S.C. § 227(b)(1).

4 28. Plaintiff was personally affected by Defendant's aforementioned conduct  
5 because Plaintiff was frustrated and distressed that Defendant interrupted  
6 Plaintiff with unwanted telemarketing calls using an ATDS for marketing  
7 purposes.

8 29. Through Defendant's aforementioned conduct, Plaintiff suffered an invasion of  
9 a legally protected interest in privacy, which is specifically addressed and  
10 protected by the TCPA.

11 30. Plaintiff is informed and believes and here upon alleges, that the calls were  
12 made by Defendant and/or its agent(s), with Defendant's permission,  
13 knowledge, control and for Defendant's benefit.

14 31. Defendant's calls forced Plaintiff, and other similarly situated class members, to  
15 live without the utility of their cellular phones by occupying their cellular  
16 telephone with one or more unwanted calls, causing a nuisance and lost time.

17 32. Defendant's calls interfered with Plaintiff's work, annoyed and frustrated  
18 Plaintiff, distracted Plaintiff, and invaded Plaintiff's privacy.

19 33. Through the aforementioned conduct, Defendant or its agent(s) has violated 47  
20 U.S.C. § 227(b)(1)(A)(iii).

21 **CLASS ACTION ALLEGATIONS**

22 34. Plaintiff brings this action on behalf of himself and on behalf of all others  
23 similarly situated (the "Class").

24 35. Plaintiff represents, and is a member of the Class, consisting of:

25 All persons within the United States who received any  
26 telephone call from Genesis FS Card Services, Inc., d/b/a  
27 Bankcard Services, or its agent/s and/or employee/s, not  
28 sent for emergency purposes, to said person's cellular  
telephone made through the use of any automatic telephone

1 dialing system and/or with an artificial or prerecorded  
2 voice within four years prior to the filing of this  
3 Complaint.

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

8 37. Plaintiff and members of the Class were harmed by the acts of Defendant in at  
9 least the following ways: Defendant, either directly or through its agents,  
10 illegally contacted Plaintiff and the Class members via their cellular telephones  
11 for marketing purposes by using an ATDS, 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, and  
14 invading the privacy of said Plaintiff and the Class members. Plaintiff and the  
15 Class members were damaged thereby.

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

21 39. **Numerosity.** The joinder of the Class members is impractical and the  
22 disposition of their claims in the Class action will provide substantial benefits  
23 both to the parties and to the Court. The Class can be identified through  
24 Defendant's records or Defendant's agents' records.

25 40. **Existence and Predominance of Common Questions of Law and Fact.** There  
26 is a well-defined community of interest in the questions of law and fact  
27 involved affecting the parties to be represented. The questions of law and fact to  
28 the Class predominate over questions which may affect individual Class  
members, including the following:

- a) Whether, within the four years prior to the filing of this Complaint, Defendant or its agents initiated any telephonic communications to the Class (other than a message made for emergency purposes or made with the prior express consent of the called party) using any automatic dialing system or prerecorded voice to any telephone number assigned to a cellular phone service;
- b) Whether Defendant can meet its burden of showing Defendant obtained prior express written consent;
- c) Whether Defendant's conduct was knowing and/or willful;
- d) Whether Plaintiff and the Class members were damaged thereby, and the extent of damages for such violation; and
- e) Whether Defendant and its agents should be enjoined from engaging in such conduct in the future.

41. **Typicality.** As a person that received at least one telephonic communication from Defendant's ATDS without prior express written consent, Plaintiff is asserting claims that are typical of the Class. Plaintiff will fairly and adequately represent and protect the interests of the Class in that Plaintiff has no interests antagonistic to any Class member.

42. Plaintiff and the members of the Class have all suffered irreparable harm as a result of 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.

43. **Adequacy of Representation.** Plaintiff has retained counsel experienced in handling class action claims and claims involving violations of the Telephone Consumer Protection Act.







1 44. **Superiority.** A class action is a superior method for the fair and efficient  
2 adjudication of this controversy. Class-wide damages are essential to induce  
3 Defendant to comply with federal and California law. The interest of Class  
4 members in individually controlling the prosecution of separate claims against  
5 Defendant is small because the maximum statutory damages in an individual  
6 action for violation of privacy are minimal. Management of these claims is  
7 likely to present significantly fewer difficulties than those presented in many  
8 class claims.

9 45. Defendant has acted on grounds generally applicable to the Class, thereby  
10 making appropriate final injunctive relief and corresponding declaratory relief  
11 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 48. Plaintiff incorporates by reference all of the above paragraphs of this Complaint  
16 as though fully stated herein.

17 49. The foregoing acts and omissions of Defendant constitutes multiple negligent  
18 violations of the TCPA, including but not limited to each and every one of the  
19 above-cited provisions of 47 U.S.C. § 227 et seq.

20 50. As a result of Defendant’s negligent violations of 47 U.S.C. section 227 et seq.,  
21 Plaintiff and the Class are entitled to an award of \$500.00 in statutory damages,  
22 for each and every violation, pursuant to 47 U.S.C. section 227(b)(3)(B).

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

25 //  
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.**

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

53.The foregoing acts and omissions of Defendant constitute 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. section 227 et seq.

54.As a result of Defendant’s knowing and/or willful violations of 47 U.S.C. section 227 et seq., Plaintiff and each member of the Class is entitled to treble damages, as provided by statute, up to \$1,500.00, for each and every violation, pursuant to 47 U.S.C. section 227(b)(3)(B) and 47 U.S.C. section 227(b)(3)(C).

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

**PRAYER FOR RELIEF**

56. Wherefore, Plaintiff respectfully requests the Court grant Plaintiff and each Class member the following relief against Defendant:

- Certify the Class as requested herein;
- Appoint Plaintiff to serve as the Class Representative in this matter;
- Appoint Plaintiff’s Counsel as Class Counsel in this matter; and
- Any such further relief as may be just and proper.

In addition, Plaintiff and the Class pray for further judgment as follows against each Defendant:

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

- As a result of Defendant’s 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)



1 (B).

- 2 • Pursuant to 47 U.S.C. § 227(b)(3)(A), injunctive relief prohibiting such
- 3 conduct in the future.
- 4 • Any other relief the Court may deem just and proper.

5 **SECOND CAUSE OF ACTION**

6 **FOR KNOWING AND/OR WILLFUL VIOLATION**

7 **OF THE TCPA, 47 U.S.C. § 227 ET SEQ.**

- 8 • As a result of Defendant’s willful and/or knowing violations of 47 U.S.C. §
- 9 227(b)(1), Plaintiff seeks for himself and each Class member treble
- 10 damages, as provided by statute, up to \$1,500.00 for each and every
- 11 violation, pursuant to 47 U.S.C. § 227(b)(3)(B) and 47 U.S.C. § 227(b)(3)
- 12 (C).
- 13 • Pursuant to 47 U.S.C. § 227(b)(3)(A), injunctive relief prohibiting such
- 14 conduct in the future.
- 15 • Any other relief the Court may deem just and proper.

16 **TRIAL BY JURY**

17 57. Pursuant to the Seventh Amendment to the Constitution of the United States  
18 of America, Plaintiff is entitled to, and demands, a trial by jury.

19  
20 Respectfully submitted,

21 **Hyde & Swigart, APC**

22 Date: October 17, 2018

23 By: s/ Yana A. Hart

24 Yana A. Hart, Esq.

25 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

Nicholas Wright, Individually and on Behalf of all others Similarly Situated

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

(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

Genesis FS Card Services, Inc. d/b/a Bankcard Services

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) '18CV2375 BAS JLB

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

- 1 U.S. Government Plaintiff, 2 U.S. Government Defendant, 3 Federal Question (U.S. Government Not a Party), 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- Citizen of This State, Citizen of Another State, Citizen or Subject of a Foreign Country, PTF DEF, Incorporated or Principal Place of Business In This State, Incorporated and Principal Place of Business In Another State, Foreign Nation

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

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, Labor, etc.

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding, 2 Removed from State Court, 3 Remanded from Appellate Court, 4 Reinstated or Reopened, 5 Transferred from Another District, 6 Multidistrict Litigation

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: Defendant violated the Telephone Consumer Protection Act

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ 75,000.00 CHECK YES only if demanded in complaint: JURY DEMAND: X Yes [ ] No

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE DOCKET NUMBER

DATE 10/17/2018 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: [Bankcard Services Sued Over Alleged Telemarketing Calls](#)

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