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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

GREGORY AKSELROD, on behalf of himself
and all others similarly situated,

Plaintiff,

vs.

CASTLE STRATEGIC PROPERTIES, LLC and
ZACHARY ALEXANDRE,

Defendants.

NO.

COMPLAINT—CLASS ACTION

DEMAND FOR JURY TRIAL

Greg Akselrod, individually and on behalf of others similarly situated, alleges the following against Castle Strategic Properties, LLC (“Castle Strategic”) and Zachary Alexandre (“Mr. Alexandre” and collectively “Defendants”).

I. NATURE OF ACTION

1. As the Supreme Court has explained, “Americans passionately disagree about many things. But they are largely united in their disdain for robocalls. The Federal Government receives a staggering number of complaints about robocalls—3.7 million complaints in 2019 alone. The States likewise field a constant barrage of complaints. For nearly 30 years, the people’s representatives in Congress have been fighting back. As relevant here, the Telephone

1 Consumer Protection Act of 1991, known as the TCPA, generally prohibits robocalls to cell
2 phones and home phones.” *Barr v. Am. Ass'n of Political Consultants*, 140 S. Ct. 2335, 2343
3 (2020).

4 2. Castle Strategic specializes in real estate investment services.

5 3. Mr. Alexandre is the co-founder and president of Castle Strategic.

6 4. Castle Strategic and Mr. Alexandre engaged in sending prerecorded message
7 telemarketing to attempt to acquire new real estate as part of its business, including contacting
8 the Plaintiff.

9 5. Plaintiff now files this lawsuit seeking injunctive relief, requiring Castle
10 Strategic and Mr. Alexandre to cease placing unsolicited calls to cellular telephone numbers
11 and residential numbers on the National Do Not Call Registry, as well as an award of statutory
12 damages and costs to Class members.

13 II. JURISDICTION AND VENUE

14 6. This Court has federal question subject matter jurisdiction over this action under
15 28 U.S.C. § 1331, as the action arises under the Telephone Consumer Protection Act,
16 47 U.S.C. §227 (“TCPA”).

17 7. This Court has personal jurisdiction over Castle Strategic and venue is proper in
18 this District under 28 U.S.C. § 1391(b) because Defendants made the calls to Plaintiff in this
19 District.

20 III. PARTIES

21 8. Plaintiff Greg Akselrod is a citizen of Washington, residing in King County,
22 Washington.

23 9. Defendant Castle Strategic Properties, LLC is a Maryland limited liability
24 company.

25 10. Defendant Zachary Alexandre is a citizen of Virginia, residing in Fairfax
26 County, Virginia.

IV. TCPA BACKGROUND

A. The TCPA Prohibits Automated Telemarketing Calls

11. The TCPA makes it unlawful to make any call (other than a call made for emergency purposes or made with the prior express consent of the called party) using an automatic telephone dialing system or an artificial or prerecorded voice to any telephone number assigned to a cellular telephone service or that is charged per the call. *See* 47 U.S.C. § 227(b)(1)(A)(iii).

12. The TCPA provides a private cause of action to persons who receive calls in violation of 47 U.S.C. § 227(b)(1)(A) or 47 U.S.C. § 227(b)(1)(B). *See* 47 U.S.C. § 227(b)(3).

13. According to findings by the Federal Communication Commission (“FCC”), the agency Congress vested with authority to issue regulations implementing the TCPA, such calls are prohibited because, as Congress found, automated or prerecorded telephone calls are a greater nuisance and invasion of privacy than live solicitation calls, and such calls can be costly and inconvenient.

14. The FCC also recognized that “wireless customers are charged for incoming calls whether they pay in advance or after the minutes are used.” *In re Rules and Regulations Implementing the Tel. Consumer Prot. Act of 1991*, CG Docket No. 02-278, Report and Order, 18 F.C.C. Rcd. 14014, 14115 ¶ 165 (2003).

15. In 2013, the FCC required prior express written consent for all autodialed or prerecorded telemarketing calls (“robocalls”) to wireless numbers and residential lines.

Specifically, it ordered that:

[A] consumer’s written consent to receive telemarketing robocalls must be signed and be sufficient to show that the consumer: (1) received “clear and conspicuous disclosure” of the consequences of providing the requested consent, i.e., that the consumer will receive future calls that deliver prerecorded messages by or on behalf of a specific seller; and (2) having received this information, agrees unambiguously to receive such calls at a telephone number the consumer designates.[] In addition, the written agreement must be obtained “without requiring, directly or

1 indirectly, that the agreement be executed as a condition of
2 purchasing any good or service.[]”

3 *In the Matter of Rules & Regulations Implementing the Tel. Consumer Prot. Act of 1991*,
4 27 F.C.C. Rcd. 1830, 1844 (2012) (footnotes omitted).

5 16. Mr. Alexandre is the owner and operator of Castle Strategic and is liable for its
6 conduct.

7 17. Under the TCPA, an individual such as Mr. Alexandre, may be personally liable
8 for the acts alleged in this Complaint pursuant to 47 U.S.C. § 217 of the TCPA, which reads,
9 *inter alia*:

10 [T]he act, omission, or failure of any officer, agent, or other person
11 acting for or employed by any common carrier or user, acting
12 within the scope of his employment, shall in every case be also
13 deemed to be the act, omission, or failure of such carrier or user
14 *as well as of that person*.

15 *See* 47 U.S.C. § 217 (emphasis added).

16 18. When considering individual officer liability under the TCPA, other Courts
17 have agreed that a corporate officer involved in the telemarketing at issue may be personally
18 liable under the TCPA. *See, e.g., Maryland v. Universal Elections*, 787 F. Supp. 2d 408, 415-
19 16 (D. Md. 2011) (“If an individual acting on behalf of a corporation could avoid individual
20 liability, the TCPA would lose much of its force.”).

21 19. Mr. Alexandre personally participated in the actions complained of by:
22 (a) participating in the selection of the phone numbers that would be called; (b) working on the
23 scripting that would be used on the calls; (c) selecting the dialing equipment used to make the
24 prerecorded calls; and (d) recording the prerecorded message.

25 **B. The TCPA Prohibits Calls to Numbers on the National Do Not Call Registry.**

26 20. The TCPA also prohibits making multiple telemarketing calls to a residential
27 telephone number that has previously been registered on the National Do Not Call Registry.
28 *See* 47 U.S.C. § 227(c)(5).

1 30. The call consisted of a prerecorded message identifying “Zach” as the caller and
2 requesting a return call.

3 31. On or around August 25, 2021, Plaintiff received another prerecorded call on
4 his cellular telephone number, (XXX) XXX-3579, from, or on behalf of, Defendants.

5 32. The caller ID showed the telephone call was from (240) 996-5344.

6 33. The call consisted of a prerecorded message identical to the prerecorded
7 message he received on July 14, 2021, which identified “Zach” as the caller and requesting a
8 call back.

9 34. After receiving several calls from the Defendants, Plaintiff began to call the
10 incoming numbers back, to determine the identity of the callers.

11 35. On one such occasion, Plaintiff was connected to a person who identified
12 themselves as a “virtual assistant” and informed Plaintiff that an “acquisition manager” would
13 return his call.

14 36. Later that day, on approximately 14, 2021, Plaintiff received a call back from a
15 person who identified himself as an acquisition manager and further identified the company on
16 whose behalf he was calling as Castle Strategic Properties in northern Virginia.

17 37. The acquisition manager also informed Plaintiff that Castle Strategic is calling
18 “lots of people” and not just Plaintiff. He further explained that the owner of the company is
19 “Zach.”

20
21 38. The owner and primary operator of Castle Strategic Properties is Zachary
22 Alexandre.

23 39. Plaintiff was not interested and had not requested information regarding those
24 products.

25 40. The conduct of Castle Strategic and Mr. Alexandre is widespread.
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1 41. Indeed, NoMoRobo, who won the FTC’s competition for tracking robocalls, has
2 reported that each of the caller IDs that contacted the Plaintiff with prerecorded messages,
3 (410) 609-6568 and (240) 996-5344, are a “robocaller”. *See*
4 <https://www.nomorobo.com/lookup/240-996-5344>; [https://www.nomorobo.com/lookup/410-](https://www.nomorobo.com/lookup/410-609-6568)
5 [609-6568](https://www.nomorobo.com/lookup/410-609-6568) (last visited September 17, 2021).

6 42. Plaintiff and other individuals who received these prerecorded calls suffered an
7 invasion of privacy and were harassed by the conduct of Defendant.

8 **VI. CLASS ACTION ALLEGATIONS**

9 43. Plaintiff incorporates by reference all other paragraphs of this Complaint as if
10 fully stated herein.

11 44. Plaintiff brings this action on behalf of himself and the following class (the
12 “Class”) pursuant to Federal Rule of Civil Procedure 23.

13 45. Plaintiff proposes the following Class definitions, subject to amendment as
14 appropriate:

15 **Pre-Recorded Calls Class:** All persons within the United States:
16 (1) to whose cellular telephone number or other number for which
17 they are charged for the call (2) Defendants (or an agent acting on
18 behalf of Defendants) placed a telemarketing call (3) within the
19 four years prior to the filing of the Complaint (4) using an identical
or substantially similar prerecorded message used to place
telephone calls to Plaintiff.

20 **National Do Not Call Registry Class:** All persons within the
21 United States: (1) whose telephone numbers were on the National
22 Do Not Call Registry for at least 31 days; (2) but who received
23 more than one telephone solicitation call from Defendants or a
third party acting on Defendants’ behalf; (3) within a 12-month
period; (4) within the four years prior to the filing of the
Complaint.

24 46. Plaintiff is a member of and will fairly and adequately represent and protect the
25 interests of the Classes as he has no interests that conflict with any of the Class members.

1 47. Excluded from the Classes are counsel, Defendants, and any entities in which
2 Defendants have a controlling interest, the Defendants' agents and employees, any judge to
3 whom this action is assigned, and any member of such judge's staff and immediate family.

4 48. Plaintiff and all members of the Classes have been harmed by the acts of
5 Defendant, including, but not limited to, the invasion of their privacy, annoyance, waste of
6 time, the use of their telephone power and network bandwidth, and the intrusion on their
7 telephone that occupied it from receiving legitimate communications.

8 49. This Class Action Complaint seeks injunctive relief and money damages.

9 50. The Classes, as defined above, are identifiable through Defendants' dialer
10 records, other phone records, and phone number databases.

11 51. Plaintiff does not know the exact number of members in the Classes, but
12 Plaintiff reasonably believes Class members number, at minimum, in the hundreds.

13 52. The joinder of all Class members is impracticable due to the size and relatively
14 modest value of each individual claim.

15 53. Additionally, the disposition of the claims in a class action will provide
16 substantial benefit to the parties and the Court in avoiding a multiplicity of identical suits.

17 54. There are well defined, nearly identical, questions of law and fact affecting all
18 parties. The questions of law and fact, referred to above, involving the class claims
19 predominate over questions that may affect individual Class members.

20 55. There are numerous questions of law and fact common to Plaintiff and to the
21 proposed Classes, including but not limited to the following:

- 22 a. Whether the Defendants used prerecorded messages to send calls;
23 b. Whether Defendants made calls to Plaintiff and members of the Classes
24 without first obtaining prior express written consent to make the calls;
25 c. Whether Defendants' conduct constitutes a violation of the TCPA; and
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1 d. Whether members of the Classes are entitled to treble damages based on
2 the willfulness of Defendants' conduct.

3 56. Further, Plaintiff will fairly and adequately represent and protect the interests of
4 the Classes. Plaintiff has no interests which are antagonistic to any member of the Classes.

5 57. Plaintiff has retained counsel with substantial experience in prosecuting
6 complex litigation and class actions, and especially TCPA class actions. Plaintiff and his
7 counsel are committed to vigorously prosecuting this action on behalf of the other members of
8 the Classes, and have the financial resources to do so.

9 58. Common questions of law and fact predominate over questions affecting only
10 individual class members, and a class action is the superior method for fair and efficient
11 adjudication of the controversy. The only individual question concerns identification of class
12 members, which will be ascertainable from records maintained by Defendants and/or their
13 agents.

14 59. The likelihood that individual members of the Classes will prosecute separate
15 actions is remote due to the time and expense necessary to prosecute an individual case.

16 60. Plaintiff is not aware of any litigation concerning this controversy already
17 commenced by others who meet the criteria for class membership described above.

18 **FIRST CAUSE OF ACTION**

19 **Violation of the Telephone Consumer Protection Act
20 (47 U.S.C. 227(b) on behalf of Plaintiff and the Prerecord Class)**

21 61. Plaintiff incorporates the allegations from all previous paragraphs as if fully set
22 forth herein.

23 62. The foregoing acts and omissions of Defendants and/or their affiliates, agents,
24 and/or other persons or entities acting on Defendants' behalf constitute numerous and multiple
25 violations of the TCPA, 47 U.S.C. § 227, by making calls, except for emergency purposes, to
26 the cellular telephone numbers of Plaintiff and members of the Class delivering prerecorded
27 messages.

1 in damages for each and every call made and up to \$1,500 in damages if the calls are found to
2 be willful.

3 70. Plaintiff and the members of the National Do Not Call Registry Class are also
4 entitled to and do seek injunctive relief prohibiting Defendants and/or their affiliates, agents,
5 and/or other persons or entities acting on Defendants' behalf from making telemarketing calls
6 to telephone numbers registered on the National Do Not Call Registry, except for emergency
7 purposes, in the future.

8 **VII. PRAYER FOR RELIEF**

9 **WHEREFORE**, Plaintiff, individually and on behalf of the Classes, prays for the
10 following relief:

11 A. Injunctive relief prohibiting Defendants from calling telephone numbers
12 advertising their goods or services, except for emergency purposes, to any number on the using
13 a prerecord message in the future;

14 B. That the Court enter a judgment awarding Plaintiff and all Class members
15 statutory damages of \$500 for each violation of the TCPA and \$1,500 for each knowing or
16 willful violation; and

17 C. An order certifying this action to be a proper class action pursuant to Federal
18 Rule of Civil Procedure 23, establishing Classes the Court deems appropriate, finding that
19 Plaintiff is a proper representative of the Classes, and appointing the lawyers and law firms
20 representing Plaintiff as counsel for the Classes;

21 D. Such other relief as the Court deems just and proper.
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VIII. DEMAND FOR JURY TRIAL

Plaintiff hereby demands a trial by jury.

RESPECTFULLY SUBMITTED AND DATED this 11th day of November, 2021.

TURKE & STRAUSS LLP

By: /s/ Samuel J. Strauss, WSBA #46971

Samuel J. Strauss, WSBA #46971

Email: sam@turkestrauss.com

613 Williamson St., Suite 201

Madison, Wisconsin 53703

Telephone: (608) 237-1775

Facsimile: (608) 509-4423

Attorneys for Plaintiff

CIVIL COVER SHEET

JS 44 (Rev. 02/19)

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

GREGORY AKSELROD, on behalf of himself and all others similarly situated,

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

(c) Attorneys (Firm Name, Address, and Telephone Number)

Samuel J. Strauss, Turke & Strauss, LLP, 613 Williamson St., Suite 201, Madison, WI 53703, (608) 237-1775 (also maintains an office in Seattle, Washington)

DEFENDANTS

CASTLE STRATEGIC PROPERTIES, LLC and ZACHARY ALEXANDRE,

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
- 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)

Click here for: [Nature of Suit Code Descriptions.](#)

| 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"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other | <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)) | <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 checked="" type="checkbox"/> 485 Telephone Consumer Protection Act <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 |
| REAL PROPERTY | CIVIL RIGHTS | PRISONER PETITIONS | LABOR | FEDERAL TAX SUITS |
| <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property | <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education | Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement | <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 | <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609 |
| IMMIGRATION | | | | |
| <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions | | | | |

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):
47 U.S.C. § 227

Brief description of cause:
Violations of the Telephone Consumer Protection Act

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ _____

CHECK YES only if demanded in complaint:
JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE _____ DOCKET NUMBER _____

DATE: 11/11/2021 SIGNATURE OF ATTORNEY OF RECORD: /s/ Samuel J. Strauss, WSBA #46971

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 there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- 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.
 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.

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of Washington

GREGORY AKSELROD, on behalf of himself and all others similarly situated,

Plaintiff(s)

v.

CASTLE STRATEGIC PROPERTIES, LLC and ZACHARY ALEXANDRE,

Defendant(s)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Castle Strategic Properties, LLC
c/o Alicia Hall
Registered Agent
14348 Rosetree Court
Silver Springs, MD 20904

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:

Samuel J. Strauss
Turke & Strauss LLP
613 Williamson St., Suite 201
Madison, WI 53703
Email: sam@turkestrauss.com

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. _____

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:

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of Washington

GREGORY AKSELROD, on behalf of himself and all others similarly situated,

Plaintiff(s)

v.

CASTLE STRATEGIC PROPERTIES, LLC and ZACHARY ALEXANDRE,

Defendant(s)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Zachary Alexandre 5032 Kenerson Dr. Fairfax, VA 22032

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:

Samuel J. Strauss Turke & Strauss LLP 613 Williamson St., Suite 201 Madison, WI 53703 Email: sam@turkestrauss.com

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. _____

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:

ClassAction.org

This complaint is part of ClassAction.org's searchable class action lawsuit database and can be found in this post: [Class Action Alleges Castle Strategic Properties Placed Unlawful Telemarketing Calls](#)
