

Ashley M. Brettingen (SBN 315703)
abrettingen@hinshawlaw.com
HINSHAW & CULBERTSON LLP
11601 Wilshire Blvd., Suite 800
Los Angeles, CA 90025
Telephone: 310-909-8000
Facsimile: 310-909-8001

Attorneys for Defendant
TARGET CORPORATION

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

CHRISTOPHER BOEGEMAN,
Individually and on behalf of himself and
all others similarly situated individuals,

Plaintiffs,

vs.

TARGET CORPORATION, and DOES
1-10, inclusive,

Defendant.

Case No. **'18CV2606 BEN NLS**

(Honorable _____, Courtroom “
_____”)

NOTICE OF REMOVAL

Removal Filed:
Motion Cut-Off:
Discovery Cut-Off:

TBA
TBA

NOTICE OF REMOVAL

Case No.

302673482v1 1013357

TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD
HEREIN:

Under 28 U.S.C. § 1446, defendant Target Corporation ("Target") hereby gives notice of the removal of the above-entitled action to the United States District Court for the Southern District of California, and in support of the Notice of Removal states as follows:

1. On or about September 13, 2018, Plaintiff commenced an action against Target in San Diego County Superior Court, entitled *Christopher Boegeman v. Target Corporation, et al.*, Case No. 37-2018-00046303-CU-MC-CTL (the "State Action"). A copy of the Amended Complaint was served on Target on October 24, 2018. Copies of all process, pleadings, and orders served on Target in the State Action are attached as Exhibit A to this Notice of Removal.

2. The United States District Court for the Southern District of California is the District Court embracing San Diego County, where the State Action is currently pending. Venue is therefore proper in this District under 28 U.S.C. § 1441(a).

3. In accordance with 28 U.S.C. § 1446(d), a copy of this Notice is being filed concurrently with the San Diego County Superior Court Clerk and on Plaintiff.

4. The United States District Court for the Southern District of California has original diversity jurisdiction over this action under 28 U.S.C. § 1332(d)(2), and the State Action may be removed to this Court under 28 U.S.C. § 1453(b).

a. Plaintiff is a California resident and appears to be a citizen of California. (Am. Cmpl. at ¶ 10.)

b. Target Corporation is a Minnesota corporation with its principal place of business in Minnesota. (Am. Cmpl. at ¶ 12.)

c. The amount in controversy, which includes damages and fees sought by Plaintiff on behalf of all proposed class members,

exceeds the sum or value of \$5,000,000, exclusive of interest and costs. (*See* Am. Cmpl. at ¶ 50, Prayer for Relief.)

- i. Upon receiving the Amended Complaint and learning the definition of the proposed class, (Am. Cmpl. at ¶ 33), Target searched its records in an effort to estimate the size of the proposed class. Based on its preliminary investigation (and subject to revision as additional information becomes available), Target estimates that the proposed class consists of approximately 25,000 members.
- ii. The Amended Complaint seeks statutory damages of between \$100 and \$5,000 on behalf of each class member under Cal. Civ. Code § 1785.31(a)(2)(B). Assuming a class member is awarded \$250 for each alleged statutory violation, which totals \$6.25 million in statutory damages.

5. This Notice of Removal is filed within thirty days after the Complaint in the State Action was served on Target.

6. Target makes no admission of liability by this Notice and expressly reserves its right to raise all defenses and objections to Plaintiff's claims and any class claims after the action is removed to the above Court, including, without limitation, any objections to the merits and sufficiency of the Plaintiff's pleadings and class claims, including, without limitation, the sufficiency of service of process.

DATED: November 14, 2018

HINSHAW & CULBERTSON LLP

By: /s/ Ashley M. Brettingen
 ASHLEY M. BRETTINGEN
 Attorneys for Defendant
 TARGET CORPORATION

CIVIL COVER SHEET

JS 44 (Rev. 08/18)

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

CHRISTOPHER BOEGEMAN, Individually and on behalf of himself and all others similarly situated individuals

(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
2221 Camino Del Rio South, Suite 101, San Diego, CA 92108
Tel: 619-233-7770; Fax: 619-297-1022

DEFENDANTS

Target Corporation, et al.

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.

'18CV2606 BEN NLS

Attorneys (If Known)

Ashley M. Brettingen, Esq., Hinshaw & Culbertson LLP
11601 Wilshire Blvd., Suite 800, Los Angeles, CA 90025
Tel: 310-909-8000; Fax: 310-909-8001

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)

(For Diversity Cases Only)

- | | | | | | |
|-----------------------------------------|---------------------------------------|----------------------------|---------------------------------------------------------------|----------------------------|---------------------------------------|
| | PTF | DEF | | PTF | DEF |
| Citizen of This State | <input checked="" 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 checked="" 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	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other	<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
REAL PROPERTY <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	CIVIL RIGHTS <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	PRISONER PETITIONS 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	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act	<input type="checkbox"/> 424 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 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))
			IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609
				<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input checked="" type="checkbox"/> 480 Consumer Credit <input 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

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

- ☐ 1 Original Proceeding
- ☒ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (Specify)
- ☐ 6 Multidistrict Litigation-Transfer
- ☐ 8 Multidistrict Litigation - Direct File

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

28 U.S.C. §§ 1332(d)(2), 1453(d), 1446.

Brief description of cause:

Class action claim for violations of Cal. Civ. Code § 1785.25(a)

VI. CAUSE OF ACTION**VII. REQUESTED IN COMPLAINT:**

☒ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$
5,000,000.00

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

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE _____

DOCKET NUMBER _____

DATE 11/14/2018

SIGNATURE OF ATTORNEY OF RECORD s/ Ashley M. Brettingen

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____



1 Joshua B. Swigart, Esq. (SBN: 225557)

2 josh@westcoastlitigation.com

3 Yana A. Hart, Esq. (SBN: 306499)

4 yana@westcoastlitigation.com

5 **Hyde & Swigart**

6 2221 Camino Del Rio South, Suite 101

7 San Diego, CA 92108

8 Office Number: (619) 233-7770

9 Office Fax Number: (619) 297-1022

10 [Additional Attorneys on Signature Page]

11 Attorneys for Plaintiff

12 *Christopher Boegeman*

ELECTRONICALLY FILED

Superior Court of California,
County of San Diego

09/13/2018 at 10:43:36 AM

Clerk of the Superior Court
By Gen Dieu, Deputy Clerk

13 **SUPERIOR COURT FOR THE STATE OF CALIFORNIA**
14 **COUNTY OF SAN DIEGO**

15 **CHRISTOPHER BOEGEMAN,**

16 Plaintiff,

17 v.

18 **TARGET CORPORATION, and**
19 **DOES 1-10, inclusive,**

20 Defendants.

21 **Case No:** 37-2018-00046303-CU-MC-CTL

22 **CLASS COMPLAINT FOR**
23 **DAMAGES FOR VIOLATIONS**
24 **OF THE CALIFORNIA**
25 **CONSUMER CREDIT**
26 **REPORTING AGENCIES ACT,**
27 **CAL. CIV. CODE §§ 1785.1. et**
28 **seq.**

INTRODUCTION

1. Plaintiff Christopher Boegeman (“Plaintiff”), through his attorneys, brings this lawsuit to challenge the actions of Defendant Target Corporation (“Defendant”) with regard to Defendant’s reporting of erroneous negative and derogatory reports on Plaintiff’s credit report, as that term is defined by Cal. Civ. Code § 1785, et seq. Defendant’s willful or negligent failure to accurately report Plaintiff’s credit resulted in an erroneous reporting of an invalid debt. Defendant’s failure to correct its report, which Defendant knew or should have known was erroneous, caused Plaintiff’s damages.
2. Plaintiff makes these allegations on information and belief, with the exception of allegations that pertain to Plaintiff, which Plaintiff alleges on personal knowledge.
3. While many violations are described below with specificity, this Complaint alleges violations of the statute cited in its entirety.
4. Unless otherwise stated, Plaintiff alleges that all violations by Defendant were knowing and intentional, and that Defendant did not maintain procedures reasonably adapted to avoid white such violations.
5. Unless otherwise indicated, the use of Defendant’s name in this Complaint includes all agents, employees, officers, members, directors, heirs, successors, assigns, principals, trustees, sureties, subrogees, representatives, and insurers of Defendant.
6. Unless otherwise stated, all of the conduct engaged in by Defendant occurred in San Diego, California.

JURISDICTION AND VENUE

7. This court has personal jurisdiction over Defendant because it regularly conducts business in the state of California, selling merchandise and extending lines of credit.

1 8. Venue is proper because Defendant conducts business in the County of San
2 Diego. In addition, Plaintiff's damages arose in the County of San Diego.

3 **PARTIES**

4 9. Plaintiff is a natural person who resides in the City of San Diego, State of
5 California.

6 10. As a natural person, Plaintiff is a "consumer," as that term is defined by Cal.
7 Civ. Code § 1785.3(b).

8 11. Plaintiff is informed and believes, and thereon alleges, that Defendant a foreign
9 corporation incorporated under the laws of Minnesota.

10 12. Defendant is a "person," as that term is defined by Cal. Civ. Code § 1785.3(j).

11 13. This cause of action pertains to Plaintiff's "consumer credit report," as that term
12 is defined by Cal. Civ. Code § 1785.3(c), because it alleges that Defendant made
13 inaccurate representations of Plaintiff's credit worthiness, credit standing, and
14 credit capacity via written, oral, or other communication of information by a
15 consumer credit reporting agency, which is used or is expected to be used, or
16 collected in whole or in part, for the purposes establishing Plaintiff's eligibility
17 for, among other things, credit to be used primarily for personal, family,
18 household and employment purposes.

19 14. The true names and capacities of DOES 1 through 10 are currently unknown to
20 Plaintiff, who alleges that DOES 1 through 10 are responsible in some manner
21 for the injuries sustained by Plaintiff as hereinafter alleged. Once Plaintiff
22 discovers the names and capacities of DOES 1 through 10, he will request leave
23 and amend this Complaint to reflect that information.

24 **FACTUAL ALLEGATIONS**

25 15. At some point, Plaintiff allegedly incurred a financial obligation (the "Debt") to
26 Defendant.

27 16. This financial obligation arose from charges that were made to a credit card that
28 Defendant issued to Plaintiff.



1 17. Because this complaint alleges violations of the California Consumer Credit
2 Agencies Reporting Act (“CCCRAA”), the circumstances and validity of the
3 Debt are irrelevant. Therefore, the Debt will be discussed only to provide
4 context.

5 18. On December 18, 2015, Plaintiff filed for bankruptcy.

6 19. On March 30, 2016, the Debt was discharged pursuant to a court order that was
7 mailed to Defendant.

8 20. The order advised Defendant that the Debt had been discharged.

9 21. Following the bankruptcy, the account should have been closed and the balance
10 reduced to \$0.00.

11 22. On September 30, 2016, Plaintiff pulled his TransUnion credit report and
12 discovered that Defendant had reported Plaintiff’s account as “charged off” from
13 January 2016 to August 2016.

14 23. Under Cal. Civ. Code § 1785.25(a), “[a] person shall not furnish information on
15 a specific transaction or experience to any consumer credit reporting agency if
16 the person knows or should know the information is incomplete or inaccurate.”

17 24. As illustrated above, Defendant is a person under Cal. Civ. Code § 1785.3(j)
18 because it is a corporation.

19 25. Defendant reported information to TransUnion, a credit reporting agency, that it
20 had reason to know or should have known was inaccurate, as evidenced by the
21 fact that the bankruptcy court mailed Defendant a discharge notice that explicitly
22 discharged the Debt. Thus, the account was not charged off. Defendant,
23 therefore, knew or should have known that the information that it provided to
24 TransUnion was inaccurate. Consequently, Defendant violated Cal. Civ. Code §
25 1785.25(a).

26 ///

27 ///

28 ///

CLASS ALLEGATIONS

26. Plaintiff brings this action on behalf of himself and all others similarly situated as a members of the proposed class (“Class”).

27. This Class is defined as follows: all California consumers whose accounts with Respondent were discharged in bankruptcy but reported as “charged off.”

28. The time period applicable to this Class is two years prior to the filing of this complaint.

29. Plaintiff represents and is a member of the Class because Plaintiff’s account was reported as “charged off,” despite being discharged in bankruptcy.

30. Defendants, as well as their employees and agents, are excluded from the Class. Plaintiff does not know the number of members in the Class, but believes the Class members number in the hundreds, if not more. Thus, this matter should be certified as a Class Action to assist in the expeditious litigation of the matter.

31. Plaintiff and the Class were harmed by the acts of Defendant because Defendant reported the Class’s-discharged accounts as “charged off.”

32. The Class is so numerous that the individual joinder of all of its members is impractical. While the exact number and identities of the Class members are unknown to Plaintiff at this time and can only be ascertained through appropriate discovery, Plaintiff is informed and believes and thereon alleges that the Class includes hundreds of members. Plaintiff alleges that the Class members may be ascertained by the records maintained by Defendants.

33. The suit seeks damages on behalf of the Class. This suit does not request any recovery for personal injury and claims related thereto. Plaintiff reserves the right to expand the Class definition to seek recovery on behalf of additional persons as facts are learned in through investigation and discovery.

34. Common questions of fact and law exist as to all members of the Class which predominate over any questions affecting only individual members of the Class. These common legal and factual questions, which do not vary between Class

1 members, and which may be determined without reference to the individual
2 circumstances of any Class members, include, but are not limited to, the
3 following: whether Defendant violated the CCCRAA when the reported the
4 Class members debts as “charged off.”

5 35.Plaintiff is asserting claims that are typical of the Class for the following
6 reasons: (1) All members of the Class had debts owed to Defendant that were
7 discharged in Chapter 7 bankruptcy; (2) All members of the Class have been
8 injured by Defendant's refusal to remove the notation “charged of,” despite the
9 fact that their debts have been discharged in bankruptcy; and (3) each of their
10 claims is based on the same legal theory, i.e., that Defendant violated the
11 proscriptions sent fourth in Cal. Civ. Code § 1785.1, *et seq.*

12 36.Plaintiff will fairly and adequately protect the interests of the members of the
13 Class. Plaintiff has retained attorneys experienced in the prosecution of Class
14 actions. A Class action is superior to other available methods of fair and efficient
15 adjudication of this controversy, since individual litigation of the claims of all
16 Class members is impracticable. Even if every Class member could afford
17 individual litigation, the court system could not. It would be unduly burdensome
18 to the courts in which individual litigation of numerous issues would proceed.
19 Individualized litigation would also present the potential for varying,
20 inconsistent, or contradictory judgments and would magnify the delay and
21 expense to all parties and to the court system resulting from multiple trials of the
22 same complex factual issues. By contrast, the conduct of this action as a Class
23 action presents fewer management difficulties, conserves the resources of the
24 parties and of the court system, and protects the rights of each Class member.

25 37.The prosecution of separate actions by individual Class members would create a
26 risk of adjudications with respect to them that would, as a practical matter, be
27 dispositive of the interests of the other Class members not parties to such
28

1 adjudications or that would substantially impair or impede the ability of such
2 non-party Class members to protect their interests.

3 **FIRST CAUSES OF ACTION**

4 **CALIFORNIA CONSUMER CREDIT REPORTING AGENCIES ACT, CAL. CIV. CODE** 5 **§§ 1785.1, ET SEQ.**

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

8 39.The foregoing acts and omissions constitute numerous and multiple violations of
9 the California Consumer Credit Reporting Agencies Act.

10 40.As a result of each and every violation of the CCCRAA, Plaintiff is entitled to
11 any actual damages pursuant to Cal. Civ. Code § 1785.31(a)(2)(A); punitive
12 damages of \$100-\$5,000 per willful violation of Cal. Civ. Code § 1785.25(a),
13 pursuant to Cal. Civ. Code § 1785.31(a)(2)(B); injunctive relief pursuant to
14 Calif. Civ. Code § 1785.31(b); and costs of litigation and reasonable attorney's
15 fees, pursuant to Cal. Civ. Code § 1785.31(d).

16 **PRAYER FOR RELIEF**

17 **WHEREFORE**, Plaintiff and the Class pray that judgment be entered against
18 Defendant for:

- 19 • An award of actual damages, in an amount to be determined at trial, pursuant
- 20 to Cal. Civ. Code § 1785.31(a)(2)(A), against Defendant;
- 21 • An award of punitive damages of \$100-\$5,000 per willful violation of Cal.
- 22 Civ. Code § 1785.25(a), pursuant to Cal. Civ. Code § 1785.31(a)(2)(B);
- 23 • Injunctive relief to correct Defendant's erroneous reporting and to prohibit
- 24 Defendant from engaging in future violations pursuant to Cal. Civ. Code §
- 25 1785.31(b);
- 26 • An award of costs of litigation and reasonable attorneys' fees, pursuant to
- 27 Cal. Civ. Code § 1785.31(d) against Defendant; and
- 28 • Any and all other relief that the court deems just and proper.



1 Respectfully submitted,

3 **Hyde & Swigart, APC**

5 Date: 9/11/18

By: 
Yana A. Hart
Attorney for Plaintiff

8 **Additional Attorneys**

10 **Kazerouni Law Group, APC**

10 Abbas Kazerounian, Esq. (SBN 249203)

11 ak@kazlg.com

12 245 Fischer Avenue, Suite D1

12 Costa Mesa, CA 92626

13 Telephone: (800) 400-6808

14 Facsimile: (800) 520-5523

15 **Law Office of Daniel G. Shay**

15 Daniel G. Shay (State Bar No. 250548)

16 DanielShay@SanDiegoBankruptcyNow.com

17 409 Camino Del Rio South, Suite 101B

17 San Diego, CA 92108

18 Telephone: (619) 222-7429

19 Facsimile: (866) 431-3292



Joshua B. Swigart, Esq. (SBN: 225557)
 josh@westcoastlitigation.com
 Yana A. Hart, Esq. (SBN: 306499)
 yana@westcoastlitigation.com
Hyde & Swigart APC
 2221 Camino Del Rio South, Suite 101
 San Diego, CA 92108
 Office Number: (619) 233-7770
 Office Fax Number: (619) 297-1022

ELECTRONICALLY FILED
 Superior Court of California,
 County of San Diego
09/19/2018 at 01:58:00 PM
 Clerk of the Superior Court
 By Gen Dieu, Deputy Clerk

[Additional Attorneys on Signature Page]

Attorneys for Plaintiff
Christopher Boegeman

SUPERIOR COURT OF CALIFORNIA
 FOR COUNTY OF SAN DIEGO (HALL OF JUSTICE)

CHRISTOPHER BOEGEMAN, Individually and on behalf of himself and all others similarly situated individuals, Plaintiff, v. TARGET CORPORATION, and DOES 1-10, inclusive, Defendants.	Case No: 37-2018-00046303-CU- MC-CTL FIRST AMENDED CLASS ACTION COMPLAINT FOR DAMAGES FOR VIOLATIONS OF THE CALIFORNIA CONSUMER CREDIT REPORTING AGENCIES ACT, CAL. CIV. CODE §§ 1785.1. et seq. [UNLIMITED] COMPLEX CASE
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

INTRODUCTION

1. Plaintiff Christopher Boegeman (“Plaintiff”), through his attorneys, brings this class action lawsuit to challenge the actions of Defendant Target Corporation (“Defendant”) with regard to Defendant’s reporting of erroneous negative and derogatory reports on Plaintiff’s credit report, as that term is defined by Cal. Civ. Code § 1785, et seq. Defendant’s willful or negligent failure to accurately report Plaintiff’s credit resulted in an erroneous reporting of an invalid debt. Defendant’s failure to correct its report, which Defendant knew or should have known was erroneous, caused Plaintiff’s and all other similarly situated consumers’ (“Class Members”) damages.
2. Here, Defendant incorrectly reported the information regarding discharged debts, deciding consumers and creditors, in violation of the California Consumer Credit Reporting Agencies Act (“CCCRAA”).
3. Defendant is a furnisher under the FCRA and the CCCRAA that reports information regarding consumers to credit reporting agencies.
2. Plaintiff makes these allegations on information and belief, with the exception of allegations that pertain to Plaintiff, which Plaintiff alleges on personal knowledge.
3. While many violations are described below with specificity, this Complaint alleges violations of the statute cited in its entirety.
4. Unless otherwise stated, Plaintiff alleges that all violations by Defendant were knowing and intentional, and that Defendant did not maintain procedures reasonably adapted to avoid white such violations.
5. Unless otherwise indicated, the use of Defendant’s name in this Complaint includes all agents, employees, officers, members, directors, heirs, successors, assigns, principals, trustees, sureties, subrogees, representatives, and insurers of Defendant.



1 6. Unless otherwise stated, all of the conduct engaged in by Defendant occurred in
2 San Diego, California.

3 **JURISDICTION AND VENUE**

4 7. This Court has jurisdiction under the general principals since the matter arises
5 under the state laws.

6 8. This Court has personal jurisdiction over Defendant because it regularly
7 conducts business in the state of California, selling merchandise and extending
8 lines of credit.

9 9. Venue is proper in this district because, upon information and belief, Defendant
10 transacts business in this district and the acts and omissions alleged, specifically,
11 Defendant caused injury to Plaintiff incorrectly reporting information onto
12 Plaintiff's credit report while Plaintiff was physically located in the City and
13 County of San Diego, State of California.

14 **PARTIES**

15 10. Plaintiff is a natural person who resides in the City of San Diego, State of
16 California.

17 11. As a natural person, Plaintiff is a "consumer," as that term is defined by Cal.
18 Civ. Code § 1785.3(b).

19 12. Plaintiff is informed and believes, and thereon alleges, that Defendant a foreign
20 corporation incorporated under the laws of Minnesota.

21 13. Defendant is a "person," as that term is defined by Cal. Civ. Code § 1785.3(j).

22 14. This cause of action pertains to Plaintiff's "consumer credit report," as that term
23 is defined by Cal. Civ. Code § 1785.3(c), because it alleges that Defendant made
24 inaccurate representations of Plaintiff's credit worthiness, credit standing, and
25 credit capacity via written, oral, or other communication of information by a
26 consumer credit reporting agency, which is used or is expected to be used, or
27 collected in whole or in part, for the purposes establishing Plaintiff's eligibility
28



for, among other things, credit to be used primarily for personal, family, household and employment purposes.

FACTUAL ALLEGATIONS

15. Target is one of the largest companies in the United States, with stores in more than 1,800 communities. See <https://corporate.target.com/corporate-responsibility/goals-reporting>.

16. Target offers credit card services to its consumers in California and Nationwide.

17. At some point, Plaintiff allegedly incurred a financial obligation (the “Debt”) to Defendant.

18. This financial obligation arose from charges that were made to a credit card that Defendant issued to Plaintiff.

19. Because this complaint alleges violations of the California Consumer Credit Agencies Reporting Act (“CCCRAA”), the circumstances and validity of the Debt are irrelevant. Therefore, the Debt will be discussed only to provide context.

20. On December 18, 2015, Plaintiff, like thousands of persons in California, filed for bankruptcy.

21. On March 30, 2016, the Debt was discharged pursuant to a bankruptcy court order that was mailed to Defendant by the bankruptcy court clerk.

22. The order advised Defendant that the Debt had been discharged.

23. Under federal bankruptcy laws, such an order fully and completely discharges all statutorily dischargeable debts incurred prior to the filing of bankruptcies, except those that have been: (1) reaffirmed by the debtor in a reaffirmation agreement; or (2) successfully challenged as non-dischargeable by one of the creditors in a related adversary proceeding. Plaintiff and the Class Members are persons for whom the debts at issue herein have been discharged through bankruptcy.



1 24.Following the bankruptcy, the account should have been closed and the balance
2 reduced to \$0.00.

3 25.On September 30, 2016, Plaintiff pulled his TransUnion credit report and
4 discovered that Defendant had reported Plaintiff's account as "charged off" from
5 January 2016 to August 2016.

6 26.Under Cal. Civ. Code § 1785.25(a), "[a] person shall not furnish information on
7 a specific transaction or experience to any consumer credit reporting agency if
8 the person knows or should know the information is incomplete or inaccurate."

9 27.As illustrated above, Defendant is a person under Cal. Civ. Code § 1785.3(j)
10 because it is a corporation.

11 28.Defendant had knowledge of when its past due debts are discharged because it is
12 mailed a discharge notice from the bankruptcy court. Defendant therefore has a
13 duty to promptly notify credit reporting agencies of any corrections to the
14 information previously provided to such agencies and/or any provide additional
15 information that is necessary to make the agencies' information complete and
16 accurate.

17 29.Defendant reported information to TransUnion, a credit reporting agency, that it
18 had reason to know or should have known was inaccurate. Thus, the account
19 was not charged off. Consequently, Defendant violated Cal. Civ. Code §
20 1785.25(a).

21 30.Plaintiff alleges that Defendant has adopted a pattern and practice of failing to
22 update credit information with regard to debts discharged in bankruptcy.

23 31.By deliberately failing to correct erroneous credit information, Plaintiff and
24 Class Members' incurred damages to their credit ratings and their ability to
25 obtain new credit, a lease, a mortgage or employment, all of which may be
26 essential to reestablishing there life after going through bankruptcy.



CLASS ACTION ALLEGATIONS

32. Plaintiff brings this lawsuit as a class action on behalf of himself and all others similarly situated as members of the proposed Class. This action satisfies the numerosity, commonality, typicality, adequacy, predominance, and superiority requirements of those provisions.

33. Plaintiff's proposed class consist of and are defined as follow:

All individuals with California addresses, who have had a consumer credit report relating to them prepared by any of the credit reporting agencies in which one or more of their Target accounts or debts was not reported discharged despite the fact that such debts had been discharged as a result of their bankruptcy.

34. Excluded from the Class are: (1) Defendant, any entity or division in which Defendant has a controlling interest, and their legal representatives, officers, directors, assigns, and successors; (2) the Judge to whom this case is assigned and the Judge's staff; and (3) those persons who have suffered personal injuries as a result of the facts alleged herein.

35. Plaintiff reserves the right to redefine the Class and to add subclasses as appropriate based on discovery and specific theories of liability.

36. Members of the Class will be referred to hereinafter as "Class Members."

37. Numerosity: The Class Members are so numerous that joinder of all members would be unfeasible and impractical. The membership of the entire Class is unknown to Plaintiff at this time; however, given that, on information and belief, Defendant reports information regarding discharged debts to credit reporting agencies relating to thousands or more of class members during the Class Period, it is reasonable to presume that the members of the Classes are so numerous that joinder of all members is impracticable. The disposition of



1 their claims in a class action will provide substantial benefits to the parties
2 and the Court.

3 38. Commonality: There are common questions of law and fact as to Class
4 Members that predominate over questions affecting only individual members,
5 including, but not limited to:

6 a.whether Defendant misrepresented the discharged debts and
7 published such information to consumer credit reporting agencies;

8 b.whether this failure was a result of the Defendant's standard
9 operating procedure;

10 c.whether Defendant was notified regarding the discharge(s);

11 d.whether the Defendant's conduct constituted a violation of the
12 CCRAA;

13 e.whether the Defendant's conduct was willful; and

14 f.the appropriate amount of statutory and/or punitive damages that
15 are appropriate for such a violation.

16 39. Typicality: Plaintiff is qualified to, and will, fairly and adequately protect the
17 interests of each Class Member with whom he is similarly situated, and
18 Plaintiff's claims (or defenses, if any) are typical of all Class Members' as
19 demonstrated herein.

20 40. Plaintiff's claims are representative of the Class Members because they all
21 had debts discharged, and yet, despite being on notice of such bankruptcy
22 discharge of the debts, Defendant continued to report the debt incorrectly,
23 causing Plaintiff and the Class Members' damages.

24 41. Plaintiff and Class Members were harmed by the acts of Defendant in at least
25 the following ways:

- 26 • Defendant illegally reported the discharged debt onto Plaintiff's and
- 27 Class Members' credit reports despite knowing that the debts were
- 28 discharged. Plaintiff and Class Members were damaged thereby.



42. Adequacy: Plaintiff is qualified to, and will, fairly and adequately protect the interests of each Class Member with whom he is similarly situated, as demonstrated herein. Plaintiff acknowledges that he has an obligation to make known to the Court any relationship, conflicts, or differences with any Class Member. Plaintiff's attorneys, the proposed class counsel, are versed in the rules governing class action discovery, certification, and settlement. In addition, the proposed class counsel is experienced in handling claims involving consumer actions and violations of CCCRAA. Plaintiff has incurred, and throughout the duration of this action, will continue to incur costs and attorneys' fees that have been, are, and will be, necessarily expended for the prosecution of this action for the substantial benefit of each Class Member.

43. Predominance: Questions of law or fact common to the Class Members predominate over any questions affecting only individual members of the class. The elements of the legal claims brought by Plaintiff and Class Members are capable of proof at trial through evidence that is common to the class rather than individual to its members.

44. Superiority: Plaintiff and the Class Members have all suffered and will continue to suffer harm and damages as a result of Defendants' unlawful and wrongful conduct. A class action is superior to other available methods for the fair and efficient adjudication of the controversy. Absent a class action, most Class Members would likely find the cost of litigating their claims prohibitively high and would therefore have no effective remedy at law. Because of the relatively small size of the individual Class Members' claims, it is likely that only a few Class Members could afford to seek legal redress for Defendants' misconduct. Absent a class action, Class Members will continue to incur damages, and Defendant's misconduct will continue without remedy. Class treatment of common questions of law and fact would also be a

superior method to multiple individual actions or piecemeal litigation in that class treatment will conserve the resources of the courts and the litigants and will promote consistency and efficiency of adjudication.

45. The Class may also be certified because:

(a) the prosecution of separate actions by individual Class Members would create a risk of inconsistent or varying adjudication with respect to individual Class Members, which would establish incompatible standards of conduct for Defendant;

(b) the prosecution of separate actions by individual Class Members would create a risk of adjudications with respect to them that would, as a practical matter, be dispositive of the interests of other Class Members not parties to the adjudications, or substantially impair or impede their ability to protect their interests; and

(c) Defendant has acted or refused to act on grounds generally applicable to the Class, thereby making appropriate final and injunctive relief with respect to the members of the Class as a whole.

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

47. The joinder of Class Members is impractical and the disposition of their claims in the Class action will provide substantial benefits both to the parties and to the court. The Class Members can be identified through Defendant's records.



FIRST CAUSES OF ACTION

**CALIFORNIA CONSUMER CREDIT REPORTING AGENCIES ACT, CAL. CIV. CODE
§§ 1785.1, ET SEQ.**

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

49. The foregoing acts and omissions constitute numerous and multiple violations of the California Consumer Credit Reporting Agencies Act.

50. As a result of each and every violation of the CCCRAA, Plaintiff and Class Members are entitled to any punitive damages of \$100-\$5,000 per willful violation of Cal. Civ. Code § 1785.25(a), pursuant to Cal. Civ. Code § 1785.31(a)(2)(B); injunctive relief pursuant to Calif. Civ. Code § 1785.31(b); and costs of litigation and reasonable attorney's fees, pursuant to Cal. Civ. Code § 1785.31(d).

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays that judgment be entered against Defendant for:

- 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;
- An award of punitive damages of \$100-\$5,000 per willful violation of Cal. Civ. Code § 1785.25(a), pursuant to Cal. Civ. Code § 1785.31(a)(2)(B) to Plaintiff and each Class Member;
- Injunctive relief to correct Defendant's erroneous reporting and to prohibit Defendant from engaging in future violations pursuant to Cal. Civ. Code § 1785.31(b);
- An award of costs of litigation and reasonable attorneys' fees, pursuant to Cal. Civ. Code § 1785.31(d) against Defendant; and
- Any and all other relief that the court deems just and proper.


Trial By Jury

51. Plaintiff is entitled to, and demand, a trial by jury.

Respectfully submitted,

Hyde & Swigart, APC

Date: 9/18/18

By: 
Yana A. Hart
Attorney for Plaintiff

Additional Attorneys

Kazerouni Law Group, APC

Abbas Kazerounian, Esq. (SBN 249203)

ak@kazlg.com

245 Fischer Avenue, Suite D1

Costa Mesa, CA 92626

Telephone: (800) 400-6808

Facsimile: (800) 520-5523

Law Office of Daniel G. Shay

Daniel G. Shay (State Bar No. 250548)

DanielShay@SanDiegoBankruptcyNow.com

409 Camino Del Rio South, Suite 101B

San Diego, CA 92108

Telephone: (619) 222-7429

Facsimile: (866) 431-3292



SUM-100

SUMMONS
(CITACION JUDICIAL)

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

NOTICE TO DEFENDANT:
(AVISO AL DEMANDADO):

Target Corporation, and DOES 1-10, inclusive

YOU ARE BEING SUED BY PLAINTIFF:
(LO ESTÁ DEMANDANDO EL DEMANDANTE):

Christopher Boegeman

NOTICE! You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case.

¡AVISO! Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California, (www.sucorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. **AVISO:** Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

The name and address of the court is:

(El nombre y dirección de la corte es): Superior Ct. of CA, County of San Diego

330 West Broadway
San Diego, CA 92101

CASE NUMBER:
(Número del Caso):

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:

(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

Yana Hart, Hyde & Swigart, 2221 Camino Del Rio South, Suite 101, San Diego; 619-233-7770

DATE:
(Fecha)

Clerk, by
(Secretario)

, Deputy
(Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)

(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).

[SEAL]

NOTICE TO THE PERSON SERVED: You are served

1. ☐ as an individual defendant.
2. ☐ as the person sued under the fictitious name of (specify):

3. ☐ on behalf of (specify):

under: ☐ CCP 416.10 (corporation) ☐ CCP 416.60 (minor)
☐ CCP 416.20 (defunct corporation) ☐ CCP 416.70 (conservatee)
☐ CCP 416.40 (association or partnership) ☐ CCP 416.90 (authorized person)
☐ other (specify):

4. ☐ by personal delivery on (date):

Page 1 of 1

CM-010

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Yana Hart, Esq. (SBN: 306499); Joshua Swigart, Esq. (SBN: 225557) Hyde & Swigart 2221 Camino Del Rio South, Suite 101, San Diego, CA 92108 TELEPHONE NO.: 619-233-7770 FAX NO.: 619-297-1022 ATTORNEY FOR (Name): Plaintiff Christopher Boegeman	FOR COURT USE ONLY <div style="writing-mode: vertical-rl; transform: rotate(180deg);"> ELECTRONICALLY FILED Superior Court of California, County of San Diego 09/14/2018 at 01:49:00 PM Clerk of the Superior Court By E. Filing Deputy Clerk </div>
SUPERIOR COURT OF CALIFORNIA, COUNTY OF San Diego STREET ADDRESS: 330 West Broadway MAILING ADDRESS: CITY AND ZIP CODE: San Diego, CA 92101 BRANCH NAME: Central	
CASE NAME: Christopher Boegeman v. Target Corporation, and DOES 1-10, inclusive	
CIVIL CASE COVER SHEET <input checked="" type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000) <input type="checkbox"/> Limited (Amount demanded is \$25,000 or less)	Complex Case Designation <input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)
CASE: JUDGE: DEPT:	

Items 1–6 below must be completed (see instructions on page 2).

1. Check **one** box below for the case type that best describes this case:

Auto Tort <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PI/PD/WD (23) Non-PI/PD/WD (Other) Tort <input type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input type="checkbox"/> Other non-PI/PD/WD tort (35) Employment <input type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15)	Contract <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) Real Property <input type="checkbox"/> Eminent domain/Inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) Unlawful Detainer <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) Judicial Review <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39)	Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400–3.403) <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) Enforcement of Judgment <input type="checkbox"/> Enforcement of judgment (20) Miscellaneous Civil Complaint <input type="checkbox"/> RICO (27) <input checked="" type="checkbox"/> Other complaint (not specified above) (42) Miscellaneous Civil Petition <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

2. This case ☒ is ☐ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
- | | |
|--------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------|
| a. <input type="checkbox"/> Large number of separately represented parties | d. <input type="checkbox"/> Large number of witnesses |
| b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve | e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court |
| c. <input type="checkbox"/> Substantial amount of documentary evidence | f. <input type="checkbox"/> Substantial postjudgment judicial supervision |
3. Remedies sought (check all that apply): a. ☒ monetary b. ☒ nonmonetary; declaratory or injunctive relief c. ☒ punitive
4. Number of causes of action (specify): 1; Violations of Cal. Civ. Code §§1785.1 et seq.
5. This case ☐ is ☒ is not a class action suit.
6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: 09/13/2018

Yana A. Hart

(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Page 1 of 2

INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

To Plaintiffs and Others Filing First Papers. If you are filing a first paper (for example, a complaint) in a civil case, you **must** complete and file, along with your first paper, the *Civil Case Cover Sheet* contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check **one** box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the **primary** cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

To Parties in Rule 3.740 Collections Cases. A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

To Parties in Complex Cases. In complex cases only, parties must also use the *Civil Case Cover Sheet* to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

CASE TYPES AND EXAMPLES

Auto Tort

Auto (22)--Personal Injury/Property Damage/Wrongful Death
Uninsured Motorist (46) (*if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto*)

Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort

Asbestos (04)
Asbestos Property Damage
Asbestos Personal Injury/Wrongful Death
Product Liability (*not asbestos or toxic/environmental*) (24)
Medical Malpractice (45)
Medical Malpractice--Physicians & Surgeons
Other Professional Health Care Malpractice
Other PI/PD/WD (23)
Premises Liability (e.g., slip and fall)
Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)
Intentional Infliction of Emotional Distress
Negligent Infliction of Emotional Distress
Other PI/PD/WD

Non-PI/PD/WD (Other) Tort

Business Tort/Unfair Business Practice (07)
Civil Rights (e.g., discrimination, false arrest) (*not civil harassment*) (08)
Defamation (e.g., slander, libel) (13)
Fraud (16)
Intellectual Property (19)
Professional Negligence (25)
Legal Malpractice
Other Professional Malpractice (*not medical or legal*)
Other Non-PI/PD/WD Tort (35)

Employment

Wrongful Termination (36)
Other Employment (15)

Contract

Breach of Contract/Warranty (06)
Breach of Rental/Lease
Contract (*not unlawful detainer or wrongful eviction*)
Contract/Warranty Breach--Seller Plaintiff (*not fraud or negligence*)
Negligent Breach of Contract/Warranty
Other Breach of Contract/Warranty
Collections (e.g., money owed, open book accounts) (09)
Collection Case--Seller Plaintiff
Other Promissory Note/Collections Case
Insurance Coverage (*not provisionally complex*) (18)
Auto Subrogation
Other Coverage
Other Contract (37)
Contractual Fraud
Other Contract Dispute

Real Property

Eminent Domain/Inverse Condemnation (14)
Wrongful Eviction (33)
Other Real Property (e.g., quiet title) (26)
Writ of Possession of Real Property
Mortgage Foreclosure
Quiet Title
Other Real Property (*not eminent domain, landlord/tenant, or foreclosure*)

Unlawful Detainer

Commercial (31)
Residential (32)
Drugs (38) (*if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential*)

Judicial Review

Asset Forfeiture (05)
Petition Re: Arbitration Award (11)
Writ of Mandate (02)
Writ--Administrative Mandamus
Writ--Mandamus on Limited Court Case Matter
Writ--Other Limited Court Case Review
Other Judicial Review (39)
Review of Health Officer Order
Notice of Appeal--Labor Commissioner Appeals

Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400-3.403)

Antitrust/Trade Regulation (03)
Construction Defect (10)
Claims Involving Mass Tort (40)
Securities Litigation (28)
Environmental/Toxic Tort (30)
Insurance Coverage Claims (*arising from provisionally complex case type listed above*) (41)

Enforcement of Judgment

Enforcement of Judgment (20)
Abstract of Judgment (Out of County)
Confession of Judgment (*non-domestic relations*)
Sister State Judgment
Administrative Agency Award (*not unpaid taxes*)
Petition/Certification of Entry of Judgment on Unpaid Taxes
Other Enforcement of Judgment Case

Miscellaneous Civil Complaint

RICO (27)
Other Complaint (*not specified above*) (42)
Declaratory Relief Only
Injunctive Relief Only (*non-harassment*)
Mechanics Lien
Other Commercial Complaint Case (*non-tort/non-complex*)
Other Civil Complaint (*non-tort/non-complex*)

Miscellaneous Civil Petition

Partnership and Corporate Governance (21)
Other Petition (*not specified above*) (43)
Civil Harassment
Workplace Violence
Elder/Dependent Adult Abuse
Election Contest
Petition for Name Change
Petition for Relief From Late Claim
Other Civil Petition

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

STREET ADDRESS: 330 W Broadway
MAILING ADDRESS: 330 W Broadway
CITY AND ZIP CODE: San Diego, CA 92101-3827
BRANCH NAME: Central
TELEPHONE NUMBER: (619) 450-7070

PLAINTIFF(S) / PETITIONER(S): Christopher Boegeman

DEFENDANT(S) / RESPONDENT(S): Target Corporation

BOEGEMAN VS TARGET CORPORATION [IMAGED]

**NOTICE OF CASE ASSIGNMENT
and CASE MANAGEMENT CONFERENCE**

CASE NUMBER:

37-2018-00046303-CU-MC-CTL

CASE ASSIGNMENT

Judge: Randa Trapp

Department: C-70

COMPLAINT/PETITION FILED: 09/13/2018

TYPE OF HEARING SCHEDULED	DATE	TIME	DEPT	JUDGE
Civil Case Management Conference	05/03/2019	10:10 am	C-70	Randa Trapp

A case management statement must be completed by counsel for all parties or self-represented litigants and timely filed with the court at least 15 days prior to the initial case management conference. (San Diego Local Rules, Division II, CRC Rule 3.725).

All counsel of record or parties in pro per shall appear at the Case Management Conference, be familiar with the case, and be fully prepared to participate effectively in the hearing, including discussions of ADR* options.

IT IS THE DUTY OF EACH PLAINTIFF (AND CROSS-COMPLAINANT) TO SERVE A COPY OF THIS NOTICE WITH THE COMPLAINT (AND CROSS-COMPLAINT), THE ALTERNATIVE DISPUTE RESOLUTION (ADR) INFORMATION FORM (SDSC FORM #CIV-730), A STIPULATION TO USE ALTERNATIVE DISPUTE RESOLUTION (ADR) (SDSC FORM #CIV-359), AND OTHER DOCUMENTS AS SET OUT IN SDSC LOCAL RULE 2.1.5.

ALL COUNSEL WILL BE EXPECTED TO BE FAMILIAR WITH SUPERIOR COURT RULES WHICH HAVE BEEN PUBLISHED AS DIVISION II, AND WILL BE STRICTLY ENFORCED.

TIME STANDARDS: The following timeframes apply to general civil cases and must be adhered to unless you have requested and been granted an extension of time. General civil cases consist of all civil cases except: small claims proceedings, civil petitions, unlawful detainer proceedings, probate, guardianship, conservatorship, juvenile, parking citation appeals, and family law proceedings.

COMPLAINTS: Complaints and all other documents listed in SDSC Local Rule 2.1.5 must be served on all named defendants.

DEFENDANT'S APPEARANCE: Defendant must generally appear within 30 days of service of the complaint. (Plaintiff may stipulate to no more than 15 day extension which must be in writing and filed with the Court.) (SDSC Local Rule 2.1.6)

JURY FEES: In order to preserve the right to a jury trial, one party for each side demanding a jury trial shall pay an advance jury fee in the amount of one hundred fifty dollars (\$150) on or before the date scheduled for the initial case management conference in the action.

COURT REPORTERS: Court reporters are not provided by the Court in Civil cases. See policy regarding normal availability and unavailability of official court reporters at www.sdcourt.ca.gov.

*ALTERNATIVE DISPUTE RESOLUTION (ADR): THE COURT ENCOURAGES YOU TO CONSIDER UTILIZING VARIOUS ALTERNATIVES TO TRIAL, INCLUDING MEDIATION AND ARBITRATION, PRIOR TO THE CASE MANAGEMENT CONFERENCE. PARTIES MAY FILE THE ATTACHED STIPULATION TO USE ALTERNATIVE DISPUTE RESOLUTION (SDSC FORM #CIV-359).



Superior Court of California County of San Diego

NOTICE OF ELIGIBILITY TO eFILE AND ASSIGNMENT TO IMAGING DEPARTMENT

This case is eligible for eFiling. Should you prefer to electronically file documents, refer to General Order in re procedures regarding electronically imaged court records, electronic filing, and access to electronic court records in civil and probate cases for rules and procedures or contact the Court's eFiling vendor at www.onelegal.com for information.

This case has been assigned to an Imaging Department and original documents attached to pleadings filed with the court will be imaged and destroyed. Original documents should not be filed with pleadings. If necessary, they should be lodged with the court under California Rules of Court, rule 3.1302(b).

On August 1, 2011 the San Diego Superior Court began the Electronic Filing and Imaging Pilot Program ("Program"). As of August 1, 2011 in all new cases assigned to an Imaging Department all filings will be imaged electronically and the electronic version of the document will be the official court file. The official court file will be electronic and accessible at one of the kiosks located in the Civil Business Office and on the Internet through the court's website.

You should be aware that the electronic copy of the filed document(s) will be the official court record pursuant to Government Code section 68150. The paper filing will be imaged and held for 30 days. After that time it will be destroyed and recycled. **Thus, you should not attach any original documents to pleadings filed with the San Diego Superior Court. Original documents filed with the court will be imaged and destroyed except those documents specified in California Rules of Court, rule 3.1806.** Any original documents necessary for a motion hearing or trial shall be lodged in advance of the hearing pursuant to California Rules of Court, rule 3.1302(b).

It is the duty of each plaintiff, cross-complainant or petitioner to serve a copy of this notice with the complaint, cross-complaint or petition on all parties in the action.

On all pleadings filed after the initial case originating filing, all parties must, to the extent it is feasible to do so, place the words **"IMAGED FILE"** in all caps immediately under the title of the pleading on all subsequent pleadings filed in the action.

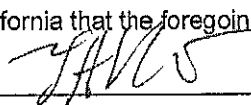
ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Yana A. Hart, Esq. (SBN: 306499) Hyde & Swigart, APC 2221 Camino Del Rio South, Suite 101, San Diego, CA 92108 TELEPHONE NO.: (619) 233-7770 FAX NO. (Optional): (619) 297-1022 E-MAIL ADDRESS (Optional): yana@westcoastlitigation.com		FOR COURT USE ONLY <div style="text-align: center; font-size: 2em; font-weight: bold;">F I L E D</div> Clerk of the Superior Court <div style="text-align: center; font-size: 1.5em; font-weight: bold;">SEP 17 2018</div> By: I. QUIARTE, Deputy	
ATTORNEY FOR (Name): Christopher Boegeman			
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO <input type="checkbox"/> CENTRAL DIVISION, COUNTY COURTHOUSE, 220 W. BROADWAY, SAN DIEGO, CA 92101 <input checked="" type="checkbox"/> CENTRAL DIVISION, HALL OF JUSTICE, 330 W. BROADWAY, SAN DIEGO, CA 92101 <input type="checkbox"/> CENTRAL DIVISION, FAMILY COURT, 1501 6TH AVE., SAN DIEGO, CA 92101 <input type="checkbox"/> CENTRAL DIVISION, MADGE BRADLEY, 1409 4TH AVE., SAN DIEGO, CA 92101 <input type="checkbox"/> CENTRAL DIVISION, KEARNY MESA, 8950 CLAIREMONT MESA BLVD., SAN DIEGO, CA 92123 <input type="checkbox"/> CENTRAL DIVISION, JUVENILE COURT, 2851 MEADOW LARK DR., SAN DIEGO, CA 92123 <input type="checkbox"/> NORTH COUNTY DIVISION, 325 S. MELROSE DR., VISTA, CA 92081 <input type="checkbox"/> EAST COUNTY DIVISION, 250 E. MAIN ST., EL CAJON, CA 92020 <input type="checkbox"/> RAMONA BRANCH, 1428 MONTECITO RD., RAMONA, CA 92065 <input type="checkbox"/> SOUTH COUNTY DIVISION, 500 3RD AVE., CHULA VISTA, CA 91910			
PLAINTIFF(S) Christopher Boegeman		JUDGE Randa Trapp	
DEFENDANT(S) Target Corporation		DEPT C-70	
IN THE MATTER OF <div style="text-align: right;">A MINOR</div>		CASE NUMBER 37-2018-00046303-CU-MC-CTL	
PEREMPTORY CHALLENGE			

Yana A. Hart, is ☐ a party ☒ an attorney for a party in the above-entitled case and declares that Randa Trapp, the judge to whom this case is assigned, is prejudiced against the party or the party's attorney or the interests of the party or the party's attorney such that the said party or parties believe(s) that a fair and impartial trial or hearing cannot be had before such judge.

WHEREFORE, pursuant to the provisions of Code Civ. Proc. §170.6, I respectfully request that this court issue its order reassigning said case to another, and different, judge for further proceedings.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 9/17/2018



Signature

ORDER OF THE COURT

☒ GRANTED - This case is referred to Presiding/Supervising Department for reassignment and a notice will be mailed to counsel.

☐ DENIED

Date: September 26, 2018



Judge/Commissioner/Referee of the Superior Court

FOR OFFICE USE ONLY

This case has been reassigned to Judge Richard E. Strauss per Presiding/Supervising Judge Peter Didduh on September 27, 2018

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO STREET ADDRESS: 330 West Broadway MAILING ADDRESS: 330 West Broadway CITY AND ZIP CODE: San Diego, CA 92101 BRANCH NAME: Central TELEPHONE NUMBER: (619) 450-7075	<i>FOR COURT USE ONLY</i>
PLAINTIFF: Christopher Boegeman	
DEFENDANT: Target Corporation	
Short Title: Boegeman vs Target Corporation [IMAGED]	
NOTICE OF CASE REASSIGNMENT	CASE NUMBER: 37-2018-00046303-CU-MC-CTL

Filed : 09/13/2018

EFFECTIVE IMMEDIATELY, THE ABOVE-ENTITLED CASE HAS BEEN REASSIGNED

to Judge Richard E. L. Strauss, in Department C-75

due to the following reason: 170.6

All subsequent documents filed in this case must include the name of the new judge and the department number on the first page immediately below the number of the case. All counsel and self-represented litigants are advised that Division II of the Superior Court Rules is strictly enforced. It is the duty of each plaintiff (and cross-complainant) to serve a copy of this notice with the complaint (and cross-complaint).

ANY NEW HEARINGS ON THIS CASE WILL BE SCHEDULED BEFORE THE NEW JUDICIAL OFFICER

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

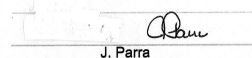
Central
330 West Broadway
San Diego, CA 92101

SHORT TITLE: Boegeman vs Target Corporation [IMAGED]

CLERK'S CERTIFICATE OF SERVICE BY MAIL

CASE NUMBER:
37-2018-00046303-CU-MC-CTL

I certify that I am not a party to this cause. I certify that a true copy of NOTICE OF CASE REASSIGNMENT was mailed following standard court practices in a sealed envelope with postage fully prepaid, addressed as indicated below. The certification occurred at San Diego, California on 09/27/2018. The mailing occurred at Gardena, California on 09/28/2018.

Clerk of the Court, by:  J. Parra, Deputy

YANA HART
2221 CAMINO DEL RIO S # 101
SAN DIEGO, CA 92108

CLERK'S CERTIFICATE OF SERVICE BY MAIL

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

STREET ADDRESS: 330 West Broadway
MAILING ADDRESS: 330 West Broadway
CITY AND ZIP CODE: San Diego, CA 92101
BRANCH NAME: Central
TELEPHONE NUMBER: (619) 450-7075

PLAINTIFF(S)/PETITIONER(S)/APPELLANT(S): Christopher Boegeman

DEFENDANT(S)/RESPONDENT(S): Target Corporation

Short Title: Boegeman vs Target Corporation [IMAGED]

NOTICE OF HEARING

CASE NUMBER:

37-2018-00046303-CU-MC-CTL

Notice is given that the above-entitled case has been set for the reason listed below and at the location shown above. All inquiries regarding this notice should be referred to the court listed above.

TYPE OF HEARING

Civil Case Management Conference

DATE

06/07/2019

TIME

10:00 am

DEPT

C-75

JUDGE

Richard E. L. Strauss

Counsel: Check service list. If you have brought a party into this case who is not included in the service list, San Diego Superior Court Local Rules, Division II, requires you to serve the party with a copy of this notice.

A case management statement must be completed by counsel for all parties or parties in pro per and timely filed with the court at least 15 days prior to the initial case management conference. (San Diego Local Rules, Division II, CRC Rule 3.725).

All counsel of record or parties in pro per shall appear at the Case Management Conference, be familiar with the case, and be fully prepared to participate effectively in the hearing, including discussions of ADR options.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO


Central
330 West Broadway
San Diego, CA 92101

SHORT TITLE: Boegeman vs Target Corporation [IMAGED]

CLERK'S CERTIFICATE OF SERVICE BY MAIL

CASE NUMBER:
37-2018-00046303-CU-MC-CTL

I certify that I am not a party to this cause. I certify that a true copy of NOTICE OF HEARING was mailed following standard court practices in a sealed envelope with postage fully prepaid, addressed as indicated below. The certification occurred at San Diego, California on 09/27/2018. The mailing occurred at Gardena, California on 09/28/2018.

Clerk of the Court, by: 
A. Seamons, Deputy

YANA HART
2221 CAMINO DEL RIO S # 101
SAN DIEGO, CA 92108

CLERK'S CERTIFICATE OF SERVICE BY MAIL

Ashley M. Brettingen (SBN 315703)
abrettingen@hinshawlaw.com
HINSHAW & CULBERTSON LLP
11601 Wilshire Blvd., Suite 800
Los Angeles, CA 90025
Telephone: 310-909-8000
Facsimile: 310-909-8001

Attorneys for Defendant
TARGET CORPORATION

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

CHRISTOPHER BOEGEMAN,
Individually and on behalf of himself and
all others similarly situated individuals,

Plaintiff,

vs.

TARGET CORPORATION, and DOES
1-10, inclusive,

Defendant.

Case No. **'18CV2606 BEN NLS**

(Honorable _____,
Courtroom "____")

CERTIFICATE OF SERVICE

Removal Filed: TBA
Motion Cut-Off: TBA
Discovery Cut-Off: TBA

CERTIFICATE OF SERVICE

Case No.

302680062v1 1013357

CERTIFICATE OF SERVICE

Christopher Boegeman v. Target Corporation, et al
Case No. : _____

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am a citizen of the United States and employed in Los Angeles, California, at the office of a member of the bar of this Court at whose direction this service was made. I am over the age of 18 and not a party to the within actions; my business address is 11601 Wilshire Blvd., Los Angeles, California 90025.

On **November 14, 2018**, I served the document(s) entitled, **NOTICE OF REMOVAL; CIVIL COVER SHEET**, on the interested parties in this action by placing true copies thereof enclosed in a sealed envelope(s) addressed as stated below:

SEE ATTACHED SERVICE LIST

☐ **(BY MAIL)**: I deposited such envelope in the mail at Los Angeles, California with postage fully prepaid. I am readily familiar with this firm's practice of collection and processing correspondence for mailing. Under that practice it would be placed for collection and mailing, and deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Los Angeles, California, in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than 1 day after date of deposit for mailing in affidavit.

☒ **(VIA OVERNIGHT MAIL)**: I am "readily familiar" with the firm's practice of collection and processing correspondence for overnight delivery. Under that practice it would be deposited in a box or other facility regularly maintained by the express service carrier, or delivered to an authorized courier or driver authorized by the express service carrier to receive documents, in an envelope or package designated by the express service carrier with delivery fees paid or provided for, addressed to the person on whom it is to be served, at the office address as last given by that person on any document filed in the cause and served on the party making service; otherwise at that party's place of residence.

☐ **(BY ELECTRONIC MAIL)**: By transmitting a true copy thereof to the electronic mail addresses as indicated below.

☐ **(BY FACSIMILE)**: By transmitting an accurate copy via facsimile to the person and telephone number as stated.

☐ **(BY CM/ECF SERVICE)**: I caused such document(s) to be delivered electronically via CM/ECF as noted herein.

I declare under penalty of perjury under the laws of the United States that the above is true and correct and was executed on **November 14, 2018**, at Los Angeles, California.

/s/ Kristina Hightower
Kristina Hightower

SERVICE LIST

Christopher Boegeman v. Target Corporation, et al
Case No. : _____

Joshua R. Swigart, Esq. Attorneys for Plaintiff
Yana A. Hart, Esq.
Hyde & Swigart
2221 Camino Del Rio South, Suite 101
San Diego, CA 92108
Tel: 619-233-7770
Fax: 619-297-1022
Email: yana@westcoastlitigation.com

Abbas Kazerounian, Esq. Co-Counsel for Plaintiff
Kazerouni Law Group, APC
245 Fischer Avenue, Unit D1
Costa Mesa, CA 92626
Telephone: (800) 400-6808
Facsimile: (800) 520-5523
Email: ak@kazlg.com

Daniel G. Shay, Esq. Co-Counsel for Plaintiff
Law Office of Daniel G. Shay
409 Camino Del Rio South, Suite 101B
San Diego, CA 92108
Tel.: (619) 222-7429
Fax: (866) 431-3292
Email: DanielShay@SanDiegoBankruptcy
Now.com

ClassAction.org

This complaint is part of ClassAction.org's searchable class action lawsuit database and can be found in this post: [Target Hit with Class Action Over Allegedly Inaccurate Reporting of Charged-Off Store Credit Card Debt](#)
