

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN**

KELLY M. BRENEISEN and DANIEL
BRENEISEN, individually, and on behalf
of all others similarly situated,

Plaintiffs,

v.

COUNTRYSIDE CHEVROLET/BUICK/
GMC, INC.,

Defendant.

Case No. 2:21-cv-00412

CLASS ACTION COMPLAINT

NOW COME Plaintiffs, KELLY M. BRENEISEN and DANIEL BRENEISEN, individually and on behalf of all other similarly situated, by and through their undersigned counsel, complaining of Defendant COUNTRYSIDE CHEVROLET / BUICK / GMC, INC., as follows:

NATURE OF THE ACTION

1. Plaintiffs bring this action seeking redress for violations of the Fair Credit Reporting Act (“FCRA”), 15 U.S.C. § 1681 *et seq.*

2. “Congress made it clear that the FCRA is designed to preserve the consumer’s privacy in the information maintained by consumer reporting agencies.” *Cole v. U.S. Capital, Inc.*, 389 F.3d 719, 725 (7th Cir. 2004) *citing* 15 U.S.C. § 1681(a)(4).

JURISDICTION AND VENUE

3. This Court has subject matter jurisdiction pursuant to 28 U.S.C. § 1331.

4. Venue in the Eastern District of Wisconsin is proper pursuant to 28 U.S.C. §§1391(b)(1) and (2) because Defendant resides in this judicial district and a substantial part of the events or omissions giving rise to the claims occurred in this District.

PARTIES

5. KELLY M. BRENEISEN (“Kelly”) and DANIEL BRENEISEN (“Daniel”) (collectively, “Plaintiffs”) are natural persons, who at all times relevant resided in Johnsburg, Illinois.

6. COUNTRYSIDE CHEVROLET/BUICK/GMC, INC. (“Defendant”) is a Wisconsin car dealership that maintains its principal of business in Beaver Dam, Wisconsin.

FACTUAL ALLEGATIONS

7. In 2018, Plaintiffs were on the market for a vehicle.

8. During their search for a vehicle, Plaintiffs found a 2018 Malibu on Defendant’s website that they were interested in.

9. In June 2018, Plaintiffs visited Defendant’s dealership to inspect and test-drive the 2018 Malibu.

10. Upon arrival at Defendant’s dealership, Plaintiffs were greeted by a salesman employed by Defendant (“Defendant’s salesman”).

11. Plaintiffs advised Defendant’s salesman that they are interested in purchasing the 2018 Malibu.

12. Plaintiffs further advised Defendant’s salesman that they will be paying cash for the vehicle and that they are not interested in any financing.

13. Plaintiffs explicitly instructed Defendant’s salesman to not conduct a credit check as they will be purchasing the vehicle with cash.

14. Plaintiffs test drove the 2018 Malibu and wanted to proceed with the cash purchase of the vehicle.

15. Plaintiffs and Defendant’s salesman reached an agreement on the purchase price.

16. Shortly thereafter, Defendant's salesman asked Plaintiffs for their social security numbers to "complete" the purchase.

17. Plaintiffs reiterated that they are not interested in financing and will be purchasing the vehicle in cash.

18. Defendant's salesman assured Plaintiffs that he would not be running a credit check in light of the fact that it will be cash purchase and that the social security numbers are necessary to "complete" the cash purchase.

19. Based on Defendant's salesman's representation that a credit check will not be conducted, Plaintiffs reluctantly provided their social security numbers to Defendant's salesman.

20. Defendant's salesman stepped away momentarily and returned with a gentleman that held himself out as the owner of the dealership ("owner").

21. Plaintiffs advised the owner that they were ready to complete the purchase and will return to the dealership with a cashier's check.

22. The owner advised Plaintiffs that there will be a fee for a cashier's check.

23. Plaintiffs declined to purchase the vehicle if they will be assessed a fee for a cashier's check.

24. The owner advised Plaintiffs that in order to avoid a fee, they will have to come back with cash to complete the transaction.

25. After a lengthy discussion on the logistics of completing the purchase, Plaintiffs decided to hold off on the vehicle purchase and left the dealership.

26. Plaintiffs never returned to Defendant's dealership or otherwise purchased a vehicle from Defendant.

27. On July 18, 2018, Plaintiffs each received a letter from Defendant indicating that Defendant accessed Plaintiffs' Experian and Trans Union credit reports on June 30, 2018 because Plaintiffs "inquired about doing business with Countryside Auto Group."

28. Shortly thereafter, Defendant's salesman called Kelly to follow up on her interest in the 2018 Malibu.

29. During this call, Kelly asked Defendant's salesman why Defendant pulled Kelly and Daniel's Experian and Trans Union credit reports.

30. In response, Defendant's salesman stated that it was "standard procedure" to pull the credit reports of potential buyers.

31. Infuriated with the unauthorized access of her credit reports, Kelly terminated the call.

32. Years have passed and Defendant's "hard inquiry" on Plaintiffs' credit reports remains.

33. At no point in time did Plaintiffs authorize Defendant to access their Experian and Trans Union credit reports.

34. Upon information and belief, Defendant misrepresented to Experian and Trans Union that Plaintiffs were applying for financing from Defendant.

35. Defendant obtained sensitive personal information concerning Plaintiffs without Plaintiffs' authorization under false pretenses.

DAMAGES

36. Defendant's unauthorized conduct resulted in significant harm to Plaintiffs.

37. Specifically, Defendant's credit inquiries are considered a "hard inquiry," which adversely impacts a consumer's credit score.

38. Lenders have questioned Plaintiffs about Defendant's "hard inquiry" and have assumed that Plaintiffs were denied financing by Defendant, thus rendering Plaintiffs as high-risk consumers.

39. Due to Defendant's unauthorized "hard inquiry," Plaintiffs' credit scores decreased.

40. Defendant's conduct caused Plaintiffs anxiety, distress, mental anguish, and a reduced credit score.

41. Moreover, Defendant's unauthorized access of Plaintiffs' credit information was highly intrusive and invaded Plaintiffs' privacies.

42. Concerned with the long-term impact of the "hard inquiries," Plaintiffs retained counsel to enforce their privacy rights and compel Defendant to take action to remove the "hard inquiries" from their respective credit reports.

CLASS ALLEGATIONS

43. All paragraphs of this Complaint are expressly adopted and incorporated herein as though fully set forth herein.

44. Upon information and belief, Defendant systematically accesses consumers' credit reports by falsely representing to the credit reporting agencies that consumers are applying for financing from Defendant.

45. Upon information and belief, Defendant utilizes the credit scores it obtains under false pretenses to negotiate a more favorable purchase price.

46. Defendant's systematic practice of accessing consumers' credit reports without a permissible purpose prescribed by the FCRA constitutes a willful and malicious violation(s) of 15 U.S.C. § 1681b(f).

47. Plaintiffs bring this action pursuant to Fed. R. Civ. P. 23(b)(2) and 23(b)(3) individually, and on behalf of all others similarly situated (the “Putative Class”) defined as follows:

All persons within the United States (1) who have had their consumer credit report(s) obtained by Defendant; (2) within the five (5) years preceding the date of the original complaint through the date of class certification; (3) from Equifax, Experian, and/or Trans Union; and (4) in which Defendant did not have a permissible purpose enumerated in the Fair Credit Reporting Act to access such person’s consumer credit report(s), including any persons who purchased or intended to purchase a car from Defendant without financing.

48. The following individuals are excluded from the Putative Class: (1) any Judge or Magistrate Judge presiding over this action and members of their families; (2) Defendant, Defendant’s subsidiaries, parents, successors, predecessors, and any entity in which Defendant or their parents have a controlling interest and their current or former employees, officers, and directors; (3) Plaintiffs’ attorneys; (4) persons who properly execute and file a timely request for exclusion from the Putative Class; (5) the legal representatives, successors or assigns of any such excluded persons; and (6) persons whose claims against Defendant have been fully and finally adjudicated and/or released.

A. Numerosity

49. Upon information and belief, the members of the Putative Class are so numerous that joinder of them is impracticable.

50. The exact number of the members of the Putative Class is unknown to Plaintiffs at this time and can only be determined through targeted discovery.

51. The members of the Putative Class are ascertainable because the class is defined by reference to objective criteria.

52. The members of the Putative Class are identifiable in that their names, addresses, and telephone numbers can be identified in business records maintained by Defendant.

B. Commonality and Predominance

53. There are many questions of law and fact common to the claims of Plaintiffs and the Putative Class.

54. Those questions predominate over any questions that may affect individual members of the Putative Class.

C. Typicality

55. Plaintiffs' claims are typical of members of the Putative Class because Plaintiffs and members of the Putative Class are entitled to damages as result of Defendant's conduct.

D. Superiority and Manageability

56. This case is also appropriate for class certification as class proceedings are superior to all other available methods for the efficient and fair adjudication of this controversy.

57. The damages suffered by the individual members of the Putative Class will likely be relatively small, especially given the burden and expense required for individual prosecution.

58. By contrast, a class action provides the benefits of single adjudication, economies of scale, and comprehensive supervision by a single court.

59. Economies of effort, expense, and time will be fostered and uniformity of decisions ensured.

E. Adequate Representation

60. Plaintiffs will adequately and fairly represent and protect the interests of the Putative Class.

61. Plaintiffs have no interests antagonistic to those of the Putative Class, and Defendant has no defenses unique to Plaintiffs.

62. Plaintiffs have retained competent and experienced counsel in consumer class action litigation.

CLAIMS FOR RELIEF

Count I:

Defendant's violations of 15 U.S.C. § 1681b(f) (On behalf of Plaintiffs and the Members of the Putative Class)

63. All paragraphs of this Complaint are expressly adopted and incorporated herein as though fully set forth herein.

64. Plaintiffs are each a “consumer” as defined by 15 U.S.C. §§1681a(c) and (b).

65. Defendant is a “person” as defined by 15 U.S.C. §1681a(b).

66. Plaintiffs’ Experian and Trans Union credit reports that Defendant accessed without authorization are “consumer reports” as defined by §1681a(d)(1).

67. Defendant violated 15 U.S.C. §1681b(f) by obtaining Plaintiffs’ Experian and Trans Union credit reports without Plaintiffs’ authorization and without a permissible purpose enumerated in the FCRA.

68. As stated above, Plaintiffs explicitly advised Defendant that they were not interested in financing and thus Defendant had no legitimate business need for Plaintiffs’ credit reports.

69. Defendant willfully and maliciously violated §1681b(f) when it accessed Plaintiffs’ credit reports without a permissible purpose under the FCRA.

70. In the alternative, Defendant negligently violated §1681b(f) by accessing Plaintiffs’ credit reports without a permissible purpose under the FCRA.

71. As described above, Plaintiffs were harmed by Defendants' conduct.

72. Upon information and belief, Defendant knowingly and systematically obtains consumer credit reports without a permissible purpose prescribed by the FCRA.

73. Upon information and belief, Defendant does not maintain policies and procedures to protect consumers' privacy interests and prevent the unlawful access of consumer credit reports.

74. Due to Defendant's unlawful conduct, Plaintiffs are entitled to actual damages, statutory damages, and punitive damages.

WHEREFORE, Plaintiffs respectfully request that this Honorable Court enter judgment in their favor and against Defendant, as follows:

- A. Granting certification of the proposed class, including the designation of Plaintiffs as the named representatives, and the appointment of the undersigned as Class Counsel.
- B. Declaring that the practices complained of herein are unlawful and violate the Fair Credit Reporting Act.
- C. Enjoining Defendant from accessing consumer credit reports without a permissible purpose.
- D. Awarding Plaintiffs and the class members actual damages, in an amount to be determined at trial, for each of the underlying FCRA violations.
- E. Awarding Plaintiffs and the class members statutory damages of \$1,000.00 for each violation of the FCRA pursuant to 15 U.S.C. §1681n.
- F. Awarding Plaintiffs and the class members punitive damages in an amount to be determined at trial for the underlying FCRA violations pursuant to 15 U.S.C. §1681n and 15 U.S.C. §1681o.
- G. Awarding Plaintiffs their costs and reasonable attorney's fees pursuant to 15 U.S.C. §1681n and 15 U.S.C. §1681o.

DEMAND FOR JURY TRIAL

Pursuant to Fed. R. Civ. P. 38(b), Plaintiffs demand a trial by jury.

Date: March 31, 2021

Respectfully Submitted,

KELLY M. BRENEISEN
DANIEL BRENEISEN

By: /s/ Mohammed O. Badwan

Mohammed O. Badwan, Esq.
Victor T. Metroff, Esq.
Counsel for Plaintiffs
Sulaiman Law Group, Ltd
2500 S. Highland Ave, Suite 200
Lombard, IL 60148
Telephone: (630) 575-8180
mbadwan@sulaimanlaw.com
vmetroff@sulaimanlaw.com

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

Place an "X" in the appropriate box (required): ☐ Green Bay Division ☒ Milwaukee Division

I. (a) PLAINTIFFS

KELLY M. BRENEISEN and DANIEL BRENEISEN, individually, and on behalf of all others similarly situated

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

(c) Attorneys (Firm Name, Address, and Telephone Number)
Sulaiman Law Group, Ltd.
2500 S. Highland Avenue, Suite 200, Lombard, IL 60148
630-575-8181

DEFENDANTS

COUNTRYSIDE CHEVROLET/BUICK/ GMC, INC.

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)

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 LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729 (a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input checked="" type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
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			

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):

Fair Credit Reporting Act ("FCRA"), 15 U.S.C. § 1681 et seq.

Brief description of cause:

Unlawful Debt Collection Practices

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

03/31/2021

SIGNATURE OF ATTORNEY OF RECORD

s:/ Mohammed O. Badwan

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I. (a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
 - (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
 - (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
- United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.
- United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
- Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
- Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If the nature of suit cannot be determined, be sure the cause of action, in Section VI below, is sufficient to enable the deputy clerk or the statistical clerk(s) in the Administrative Office to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive.
- V. Origin.** Place an "X" in one of the six boxes.
- Original Proceedings. (1) Cases which originate in the United States district courts.
- Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.
- Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
- Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
- Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
- Multidistrict Litigation. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407. When this box is checked, do not check (5) above.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
- Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
- Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.

UNITED STATES DISTRICT COURT

for the
Eastern District of Wisconsin

KELLY M. BRENEISEN and DANIEL BRENEISEN,
individually, and on behalf of all others similarly situated

Plaintiff(s)

v.

COUNTRYSIDE CHEVROLET/BUICK/ GMC, INC.

Defendant(s)

Civil Action No. 2:21-cv-00412

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* COUNTRYSIDE CHEVROLET/BUICK/ GMC, INC.
c/o NANCY SZOPINSKI
N8167 KELLOM RD
BEAVER DAM , WI 53916

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you receive 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 the plaintiff's attorney, whose name and address are:

Mohammed O. Badwan
Sulaiman Law Group, Ltd
2500 S. Highland Ave, Suite 200
Lombard, IL 60148

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.

GINA M. COLLETTI, CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

Civil Action No. 2:21-cv-00412

PROOF OF SERVICE

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

This summons and the attached complaint for *(name of individual and title, if any)*:

were received by me on *(date)* _____.

☐ I personally served the summons and the attached complaint on the individual at *(place)*:

_____ on *(date)* _____; or

☐ I left the summons and the attached complaint 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 and the attached complaint 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: [Beaver Dam, Wisc. Auto Dealer Accessed Consumers' Credit Reports Without Authorization, Lawsuit Alleges](#)
