

**UNITED STATES DISTRICT COURT  
FOR THE  
WESTERN DISTRICT OF PENNSYLVANIA**

JOSEPH BROUGHER, on behalf of himself and all others similarly situated,  <p style="text-align: center;">Plaintiff</p> <p style="text-align: center;">v.</p> DENOVOUS CORPORATION, LTD. Defendant	) ) ) ) ) ) ) ) ) ) )	Case No.  COMPLAINT – CLASS ACTION and JURY DEMAND
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**COMPLAINT – CLASS ACTION**

Plaintiff, Joseph Brougher (“Plaintiff”), on behalf of himself, and all others similarly situated, by way of Complaint against Denovus Corporation, Ltd. (“Defendant” or “Denovus”), avers the following:

**INTRODUCTION**

1. This is a consumer class action brought on behalf of consumers against a debt collector for violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 et seq. (“FDCPA”).
2. Congress passed the FDCPA to eliminate abusive debt collection practices by debt collectors. *Douglass v. Convergent Outsourcing*, 765 F.3d 299 (3d Cir. 2014). The FDCPA is remedial legislation and is to be broadly construed in order to give full effect to Congress’ purposes. *Caprio v. Healthcare Revenue Recovery Grp., LLC*, 709 F.3d 142 (3d Cir. 2013). Communications subject to the FDCPA are reviewed from the perspective of the least sophisticated debtor. *Rosenau v. Unifund Corp.*, 539 F.3d 218 (3d Cir. 2008). This low standard effectuates the basic purpose of the FDPCA: to protect all consumers,

the gullible as well as the shrewd. *McLaughlin v. Phelan Hallinan & Schmiege, LLP*, 756 F.3d 240 (3d Cir. 2014).

3. Except where the Act expressly requires knowledge or intent, the FDCPA is a strict liability statute to the extent it imposes liability without proof of an intentional violation. *Allen ex rel. Martin v. LaSalle Bank, N.A.*, 629 F.3d 364 (3d Cir. 2011). The intent or knowledge of the debt collector is irrelevant when determining whether an amount listed in a demand letter is accurate. *McLaughlin v. Phelan Hallinan & Schmiege, LLP*, 756 F.3d 240 (3d Cir. 2014).
4. A consumer's right to verification or validation of the debt under Section 1692g of the Act is a key provision that Congress passed in order to eliminate the recurring problems of attempting to collect a debt from the wrong person, and collecting a debt that was already paid. The verification and dispute provisions contained in section 1692g were included in order to provide consumers with adequate information concerning their legal rights. S.Rep. No. 382, 95<sup>th</sup> Cong.2d Sess. 4, reprinted in 1977 U.S. Code Cong. & Admin.News 1695, 1699-1702; *see also Swanson v. Southern Or. Credit Serv., Inc.* 869 F.2d 1222, 1225 (9<sup>th</sup> Cir. 1988); *Wilson v. Quadramed Corp.*, 225 F.3d 350, 354 (3d Cir. 2000) ("the debt validation provisions of section 1692g were included by Congress to guarantee that consumers would receive adequate notice of their rights under the law").

#### **JURISDICTION AND VENUE**

5. Jurisdiction of this Court arises under 15 U.S.C. §1692k(d) and 28 U.S.C. §1331.
6. Venue is proper pursuant to 28 U.S.C. §1391(b)(2).

**PARTIES**

7. Plaintiff is a natural person residing in Murrysville, West Moreland County, Pennsylvania.
8. At all times relevant to this Complaint, Plaintiff was a citizen of, and resided within the boundaries of the Western District of Pennsylvania.
9. Plaintiff is a “consumer” as that term is defined by 15 U.S.C. § 1692a(3).
10. At all times relevant to this Complaint, Denovus was a collector of consumer debt within the meaning of Section 1692a(6) of the FDCPA.
11. Defendant, Denovus, is a debt collection company with its headquarters and principle place of business located at 480 Johnson Road, Suite 110, Washington, PA 15301.

**FACTUAL ALLEGATIONS CONCERNING PLAINTIFF**

12. At all relevant times, Denovus was attempting to collect a consumer debt from Mr. Brougher.
13. The debt at issue, a medical bill, arose out of transactions, which were primarily for personal, family, or household purposes.
14. On or around September 27, 2016, Denovus sent Mr. Brougher two (2) letters demanding payment of alleged debts. *See* Exhibit A, First September 27, 2016 Letter and Exhibit B, Second September 27, 2016 Letter.
15. The front side of Exhibit A demands payment of \$2,180.44.
16. The front side of Exhibit A does not list the origin of the alleged debt, and does not list a “creditor” as that term is defined by 15 U.S.C. § 1692a(4), and used in 15 U.S.C. § 1692g(2).

17. The front side of Exhibit A states “Your past due accounts for healthcare services, which are listed on the reverse side of this notice...”
18. The front side of Exhibit A includes the following statement:

Unless you notify this office within 30 (thirty) days after receiving this notice that you dispute the validity of the debt or any portion thereof, this office will assume this debt is valid. If you notify this office within 30 (thirty) days from receiving this notice that you dispute the validity of this debt or any portion thereof, this office will obtain verification of the debt or obtain a copy of a judgment and mail you a copy of such judgment or verification.
19. Exhibit A does not include a statement that “if the consumer notifies the debt collector *in writing* within the thirty-day period that the debt, or any portion thereof, is disputed, the debt collector will obtain verification of the debt or a copy of a judgment against the consumer and a copy of such verification or judgment will be mailed to the consumer by the debt collector,” as required by 15 U.S.C. § 1692g(a)(4). (emphasis added).
20. The reverse side of Exhibit A lists an account number ending with 3814, with a balance of \$2,180.44.
21. The reverse side of Exhibit A has a column for a service date, but no service date is listed.
22. The reverse side of Exhibit A does not list the origin of the alleged debt, and does not list a “creditor” as that term is defined by 15 U.S.C. § 1692a(4), and used in 15 U.S.C. § 1692g(2).
23. Exhibit A includes no indication whatsoever as to the origin, creditor, or service date for the alleged debt.
24. The front side of Exhibit B demands payment of \$2,180.44.

25. The front side of Exhibit B does not list the origin of the alleged debt, and does not list a “creditor” as that term is defined by 15 U.S.C. § 1692a(4), and used in 15 U.S.C. § 1692g(2).
26. The front side of Exhibit B states “Your past due accounts for healthcare services, which are listed on the reverse side of this notice...”
27. The front side of Exhibit B includes the following statement:

Unless you notify this office within 30 (thirty) days after receiving this notice that you dispute the validity of the debt or any portion thereof, this office will assume this debt is valid. If you notify this office within 30 (thirty) days from receiving this notice that you dispute the validity of this debt or any portion thereof, this office will obtain verification of the debt or obtain a copy of a judgment and mail you a copy of such judgment or verification.
28. Exhibit B does not include a statement that “if the consumer notifies the debt collector *in writing* within the thirty-day period that the debt, or any portion thereof, is disputed, the debt collector will obtain verification of the debt or a copy of a judgment against the consumer and a copy of such verification or judgment will be mailed to the consumer by the debt collector,” as required by 15 U.S.C. § 1692g(a)(4). (emphasis added).
29. The reverse side of Exhibit B lists twelve (12) separate account numbers, none of which match the account number from the reverse side of Exhibit B.
30. The reverse side of Exhibit B has a column for a service date, but no service date is listed.
31. As a result of the multiple letters with the same date, one of which includes no information regarding the “creditor” or origin of the debt, it is entirely unclear what amount Plaintiff allegedly owes, or where and how the debt arose.
32. Exhibit A and/or Exhibit B are Denovus’ “initial communication” with Plaintiff as that term is used in 15 U.S.C. § 1692g.

33. Because Exhibit A and/or Exhibit B was Denovus' initial communication with Plaintiff,

15 U.S.C. § 1692(a) requires that Denovus' letters contain the following language:

- (1) the amount of the debt;
- (2) the name of the creditor to whom the debt is owed;
- (3) a statement that unless the consumer, within thirty days after receipt of the notice, disputes the validity of the debt, or any portion thereof, the debt will be assumed to be valid by the debt collector;
- (4) a statement that if the consumer notifies the debt collector **in writing** within the thirty-day period that the debt, or any portion thereof, is disputed, the debt collector will obtain verification of the debt or a copy of a judgment against the consumer and a copy of such verification or judgment will be mailed to the consumer by the debt collector; and
- (5) a statement that, upon the consumer's written request within the thirty-day period, the debt collector will provide the consumer with the name and address of the original creditor, if different from the current creditor.

34. Under the plain language of the FDCPA, a consumer must dispute the debt **in writing** in order to trigger the protections of 15 U.S.C. §§ 1692g(a)(4) and 1692g(b).

35. Defendant's notice fails to include the language notifying Plaintiff that his dispute must be in writing in order for Defendant to be required to send verification.

36. The FDCPA clearly states that a written dispute, and not merely notification of a dispute, triggers the protections of the statute. *See* 15 U.S.C. § 1692g(b).

37. The result of Defendant's use of the language in Exhibits A and B (the "form letter") is that recipient consumers are misled regarding their rights under the FDCPA.

38. The result of Defendant's use of the form letter is that recipient consumers are misled as to how to trigger the statutory protections detailed in the FDCPA.

39. Defendant's use of the form letter causes a risk of harm to all recipients of the letter, by making it unclear how the recipient can take advantage of their rights under the FDCPA.

40. The recipients of Defendant's form letter have the right to an accurate disclosure of their rights under the FDCPA.
41. Upon information and belief, the form letter was sent to a large number of consumers throughout the country

### **CLASS ACTION ALLEGATIONS**

42. This action is brought as a class action.
43. Plaintiff brings this action on behalf of himself and on behalf of all other person similarly situated pursuant to Rule 23 of the Federal Rules of Civil Procedure.
44. This claim is brought on behalf of a Plaintiff Class, consisting of a class of:
  - a. All consumer in the United States of America to whom, during the one year period prior to the filing of this action and continuing through resolution of this action, Defendant sent a letter containing the language substantially in the form of that detailed in paragraphs 18 and 27 above, and attached hereto as Exhibits A and B in an attempt to collect a consumer debt.
45. The identities of all Class members are readily ascertainable from the records of Defendant.
46. Excluded from the Class are the Defendant and all of its respective officers, members, partners, managers, directors, and employees, and all of their respective immediate families; and legal counsel for all parties to this action and all members of their immediate families.
47. There are questions of law and fact common to the Plaintiff Class, which predominate over any issues involving only individual class members. The principal common

question includes whether the FDCPA was violated by Defendant through its use of a standardized collection form letter that omits the specific language required to be included pursuant to 15 U.S.C. § 1692g(a)(4).

48. This action has been brought, and may properly be maintained, as a class action pursuant to the provisions of Rule 23 of the Federal Rules of Civil Procedure because there is a well-defined community interest in the litigation:

- a. Numerosity: Plaintiff is informed and believes, and on that basis alleges, that the Plaintiff Class defined above is so numerous that joinder of all members would be impractical. Although the precise number of Class members is known only to Defendant, Defendant regularly collects or attempts to collect debt from consumers throughout the country.
- b. Common Questions Predominate: Common questions of law and fact exist as to all members of the Plaintiff Class and those questions predominate over any questions or issues involving only individual class members. The principal issue is whether the FDCPA was violated by Defendant through its use of a standardized form collection letter that omits the specific language required to be included pursuant to 15 U.S.C. § 1692g(a)(4).
- c. Typicality: The Plaintiff's claims are typical of the claims of the class members. Plaintiff and all members of the Plaintiff Class have claims arising out of the same operative facts and are based on the same legal theories.
- d. Adequacy: Plaintiff will fairly and adequately protect the interests of the Class members insofar as Plaintiff has no interests that are adverse to the absent class members. Plaintiff is committed to vigorously litigating this matter. Plaintiff has



retained counsel, Diehl Law LLC, who is experienced in handling consumer lawsuits and complex legal issues. Neither Plaintiff nor his counsel has any interest which might cause them to not vigorously pursue the instant class action lawsuit.

- e. Superiority: A class action is superior to the other available means for the fair and efficient adjudication of this controversy because individual joinder of all members would be impracticable. Class action treatment will permit a large number of similarly situated persons to prosecute their common claims in a single forum efficiently and without unnecessary duplication of effort and expense that individual actions would engender.

49. Certification of a class under Rule 23(b)(1)(A) of the Federal Rules of Civil Procedure is appropriate because adjudications with respect to individual members create a risk of inconsistent or varying adjudications which could establish incompatible standards of conduct for Defendant, who, on information and belief, collect debts throughout the United States of America.

50. Certification of a class under Rule 23(b)(3) of the Federal Rules of Civil Procedure is also appropriate in that the questions of law and fact common to members of the class predominate over any questions affecting an individual member, and a class action is superior to other available methods for the fair and efficient adjudication of the controversy.

**COUNT I**  
**DEFENDANT VIOLATED THE**  
**FAIR DEBT COLLECTION PRACTICES ACT**  
**AS TO PLAINTIFF AND THE CLASS**

51. Denovus violated § 1692e of the FDCPA by using false, deceptive, and misleading representations in its debt collection communications.
52. Denovus violated § 1692g(a)(4) by failing to indicate in its initial communication that notification of dispute under the FDCPA must be in writing in order to take advantage of the protections of the FDCPA.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff, Joseph Brougher, individually and on behalf of all others similarly situated requests the Court enter judgment against Defendant, Denovus Corporation Ltd. as follows:

- a. An order certifying that the Cause of Action may be maintained as a class action pursuant to F.R.C.P. 23 including defining the class, defining the class claims, and appointing Plaintiff as the class representative and the undersigned attorneys as class counsel;
- b. An award of statutory damages for Mr. Brougher and the Class pursuant to 15 U.S.C. § 1692k(a)(2);
- c. Attorneys' fees, litigation expenses, and costs pursuant to 15 U.S.C. § 1692k(a)(3); and
- d. For such further relief as may be just and proper.

**TRIAL BY JURY**

Plaintiff demands a trial by jury as to all issues so triable.

Respectfully submitted,

DIEHL LAW LLC

*/s/ Joseph L. Gentilcore PA 311703*

Joseph L. Gentilcore, Esq.

DIEHL LAW LLC

PO Box 43098

Philadelphia, PA 19129

P: (267) 614-6515

F: (908) 450-1594

[jgentilcore@diehltrials.com](mailto:jgentilcore@diehltrials.com)

Attorney for Plaintiff

CIVIL COVER SHEET

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

I. (a) PLAINTIFFS

Joseph Brouger, on behalf of himself and all others similarly situated,

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

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

Joseph L. Gentilcore Diehl Law LLC PO Box 43098, Phila., PA 19129 (267) 614-6515

DEFENDANTS

Denovus Corporation Ltd.

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

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

Attorneys (If Known)

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

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

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

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

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

Table with 5 columns: CONTRACT, REAL PROPERTY, TORTS, CIVIL RIGHTS, PRISONER PETITIONS, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER STATUTES. Includes various legal categories like Insurance, Personal Injury, Labor Standards, etc.

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

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

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): 15 U.S.C. 1692g(a)(4) Brief description of cause: Defendant failed to comply with disclosure requirements of 15 USC 1692g(a)(4)

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 04/04/2017 SIGNATURE OF ATTORNEY OF RECORD /s/ Joseph L. Gentilcore

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

JS 44A REVISED June, 2009  
IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA  
THIS CASE DESIGNATION SHEET MUST BE COMPLETED

**PART A**

This case belongs on the (  Erie  Johnstown  Pittsburgh) calendar.

1. **ERIE CALENDAR** - If cause of action arose in the counties of Crawford, Elk, Erie, Forest, McKean, Venang or Warren, OR any plaintiff or defendant resides in one of said counties.
2. **JOHNSTOWN CALENDAR** - If cause of action arose in the counties of Bedford, Blair, Cambria, Clearfield or Somerset OR any plaintiff or defendant resides in one of said counties.
3. Complete if on **ERIE CALENDAR**: I certify that the cause of action arose in \_\_\_\_\_ County and that the \_\_\_\_\_ resides in \_\_\_\_\_ County.
4. Complete if on **JOHNSTOWN CALENDAR**: I certify that the cause of action arose in \_\_\_\_\_ County and that the \_\_\_\_\_ resides in \_\_\_\_\_ County.

**PART B** (You are to check ONE of the following)

1.  This case is related to Number \_\_\_\_\_ . Short Caption \_\_\_\_\_
2.  This case is not related to a pending or terminated case.

DEFINITIONS OF RELATED CASES:

CIVIL: Civil cases are deemed related when a case filed relates to property included in another suit or involves the same issues of fact or it grows out of the same transactions as another suit or involves the validity or infringement of a patent involved in another suit  
EMINENT DOMAIN: Cases in contiguous closely located groups and in common ownership groups which will lend themselves to consolidation for trial shall be deemed related.

HABEAS CORPUS & CIVIL RIGHTS: All habeas corpus petitions filed by the same individual shall be deemed related. All pro se Civil Rights actions by the same individual shall be deemed related.

**PART C**

I. CIVIL CATEGORY (Select the applicable category).

1.  Antitrust and Securities Act Cases
2.  Labor-Management Relations
3.  Habeas corpus
4.  Civil Rights
5.  Patent, Copyright, and Trademark
6.  Eminent Domain
7.  All other federal question cases
8.  All personal and property damage tort cases, including maritime, FELA, Jones Act, Motor vehicle, products liability, assault, defamation, malicious prosecution, and false arrest
9.  Insurance indemnity, contract and other diversity cases.
10.  Government Collection Cases (shall include HEW Student Loans (Education), V A Overpayment, Overpayment of Social Security, Enlistment Overpayment (Army, Navy, etc.), HUD Loans, GAO Loans (Misc. Types), Mortgage Foreclosures, SBA Loans, Civil Penalties and Coal Mine Penalty and Reclamation Fees.)

I certify that to the best of my knowledge the entries on this Case Designation Sheet are true and correct

/s/ Joseph L. Gentilcore (PA 311703)

Date: 4/4/17

\_\_\_\_\_

ATTORNEY AT LAW

NOTE: ALL SECTIONS OF BOTH FORMS MUST BE COMPLETED BEFORE CASE CAN BE PROCESSED.

## INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

### Authority For Civil Cover Sheet

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

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.  
 United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.  
 United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.  
 Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.  
 Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If the nature of suit cannot be determined, be sure the cause of action, in Section VI below, is sufficient to enable the deputy clerk or the statistical clerk(s) in the Administrative Office to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive.
- V. Origin.** Place an "X" in one of the seven boxes.  
 Original Proceedings. (1) Cases which originate in the United States district courts.  
 Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.  
 Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.  
 Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.  
 Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.  
 Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.  
 Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.  
**PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7.** Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.  
 Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.  
 Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

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

# Exhibit A



**OFFICE LOCATION & HOURS**

480 Johnson Rd., Suite 110 Monday – Saturday  
 Washington, PA 15301 8:00AM – 8:00PM EST  
 Email: AccountManager@DenovusLtd.com

**Denovus Account Number 8863908**  
**Total Balance Due \$2,180.44**

**Toll Free Phone 1-800-355-8479**  
**Toll Free Fax 1-877-619-4177**

**COLLECTION NOTICE FOR PAST DUE ACCOUNT  
 PLEASE GIVE THIS MATTER YOUR ATTENTION**

Your past due accounts for healthcare services, which are listed on the reverse side of this notice, were placed with Denovus Corporation for collection. Denovus is a debt collection company retained by our clients to help you satisfy these unpaid obligations.

To resolve this matter, you may pay your balance due of \$2,180.44 by selecting one of the following payment options:

1. Use a debit, credit or pre-paid card by completing the information on the Payment Coupon and mailing it to Denovus.
2. Enclose a check or money order and mail with the Payment Coupon to Denovus.
3. Set up a Pay By Phone payment arrangement by calling Denovus toll-free at 1-800-355-8479.

**When you provide a check as payment you authorize us to either use information from your check to make a one-time electronic fund transfer from your account, or to process the payment as a check transaction. The funds may be withdrawn from your account as soon as the same day we receive your payment. Any returned check may be assessed a \$20.00 fee pursuant to Pennsylvania law, and you authorize us to collect such fee through an electronic fund transfer.**

This is an attempt to collect a debt. Any information obtained will be used for that purpose. This is a communication from a debt collector. Unless you notify this office within 30 (thirty) days after receiving this notice that you dispute the validity of the debt or any portion thereof, this office will assume this debt is valid. If you notify this office within 30 (thirty) days from receiving this notice that you dispute the validity of this debt or any portion thereof, this office will obtain verification of the debt or obtain a copy of a judgment and mail you a copy of such judgment or verification. If you request of this office in writing within 30 (thirty) days after receiving this notice, this office will provide you with the name and address of the original creditor, if different from the current creditor.

Sincerely,  
 Your Denovus Account Representative

**REVERSE SIDE CONTAINS IMPORTANT INFORMATION**

60CU079114PKTNTC1\_233621648

\*\*\* Please Detach and Return Payment Coupon with Payment or Card Information. Please Make Check or Money Order Payable to "Denovus"



CU079114  
 PO Box 1022  
 Wixom MI 48393-1022  
 ADDRESS SERVICE REQUESTED

\*\*\*  
 CIRCLE CARD  
 USING FOR  
 PAYMENT



If paying by card, fill out below.	
CARDHOLDER NAME	EXP. DATE /
CARD NUMBER	AMOUNT \$
SIGNATURE	

*Thank you for your payment.*

**▼ SEND CORRESPONDENCE AND PAYMENTS TO:**

**DENOVUS CORPORATION, LTD.**  
 TOLL FREE: 1-800-355-8479  
 480 JOHNSON RD., SUITE 110  
 WASHINGTON, PA 15301-8936

Statement Date	Account #	Total Bal Due	Payment Amt
September 27, 2016	8863908	\$2180.44	\$



Joseph Brougher  
 1118 Spring Hill Rd  
 Murrysville PA 15668-2303

Check here if your address or phone number has changed and provide the new information below:

---



---



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Creditor/Account Number	Amt/Svc Dt	Interest	Fees	Total
3520133814				
Total	2180.44	0.00	0.00	2180.44

# Exhibit B



**OFFICE LOCATION & HOURS**  
 480 Johnson Rd., Suite 110 Monday – Saturday  
 Washington, PA 15301 8:00AM – 8:00PM EST  
 Email: AccountManager@DenovusLtd.com

**Denovus Account Number** 8863908  
**Total Balance Due** \$2,180.44

**Toll Free Phone** 1-800-355-8479  
**Toll Free Fax** 1-877-619-4177

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To resolve this matter, you may pay your balance due of \$2,180.44 by selecting one of the following payment options:

1. Use a debit, credit or pre-paid card by completing the information on the Payment Coupon and mailing it to Denovus.
2. Enclose a check or money order and mail with the Payment Coupon to Denovus.
3. Set up a Pay By Phone payment arrangement by calling Denovus toll-free at 1-800-355-8479.

**When you provide a check as payment you authorize us to either use information from your check to make a one-time electronic fund transfer from your account, or to process the payment as a check transaction. The funds may be withdrawn from your account as soon as the same day we receive your payment. Any returned check may be assessed a \$20.00 fee pursuant to Pennsylvania law, and you authorize us to collect such fee through an electronic fund transfer.**

This is an attempt to collect a debt. Any information obtained will be used for that purpose. This is a communication from a debt collector. Unless you notify this office within 30 (thirty) days after receiving this notice that you dispute the validity of the debt or any portion thereof, this office will assume this debt is valid. If you notify this office within 30 (thirty) days from receiving this notice that you dispute the validity of this debt or any portion thereof, this office will obtain verification of the debt or obtain a copy of a judgment and mail you a copy of such judgment or verification. If you request of this office in writing within 30 (thirty) days after receiving this notice, this office will provide you with the name and address of the original creditor, if different from the current creditor.

Sincerely,  
 Your Denovus Account Representative

**REVERSE SIDE CONTAINS IMPORTANT INFORMATION**

60CU079114PKTNTC1\_233621649

\*\*\* Please Detach and Return Payment Coupon with Payment or Card Information. Please Make Check or Money Order Payable to "Denovus"

CIRCLE CARD  
 USING FOR  
 PAYMENT



CU079114  
 PO Box 1022  
 Wixom MI 48393-1022  
 ADDRESS SERVICE REQUESTED

If paying by card, fill out below.	
CARDHOLDER NAME	EXP. DATE /
CARD NUMBER	AMOUNT \$
SIGNATURE	

*Thank you for your payment.*

▼ SEND CORRESPONDENCE AND PAYMENTS TO:

**DENOVUS CORPORATION, LTD.**  
 TOLL FREE: 1-800-355-8479  
 480 JOHNSON RD., SUITE 110  
 WASHINGTON, PA 15301-8936



Statement Date	Account #	Total Bal Due	Payment Amt
September 27, 2016	8863908	\$2180.44	\$

Joseph Brougher  
 1118 Spring Hill Rd  
 Murrysville PA 15668-2303

Check here if your address or phone number has changed and provide the new information below:

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Creditor/Account Number	Amt/Svc Dt	Interest	Fees	Total
Jefferson Regional Medical Cen 3516529934	52.53	0.00	0.00	52.53
Jefferson Regional Medical Cen 3518476274	65.00	0.00	0.00	65.00
Jefferson Regional Medical Cen 3513425136	22.00	0.00	0.00	22.00
Jefferson Regional Medical Cen 3517395012	110.54	0.00	0.00	110.54
Jefferson Regional Medical Cen 3513707723	158.07	0.00	0.00	158.07
Jefferson Regional Medical Cen 3517635003	213.05	0.00	0.00	213.05
Jefferson Regional Medical Cen 3513889349	50.00	0.00	0.00	50.00
Jefferson Regional Medical Cen 3513895023	20.00	0.00	0.00	20.00
Jefferson Regional Medical Cen 3516369505	1142.00	0.00	0.00	1142.00
Jefferson Regional Medical Cen 3517587477	285.25	0.00	0.00	285.25
Jefferson Regional Medical Cen 3513656581	22.00	0.00	0.00	22.00
Jefferson Regional Medical Cen 3520329438	20.00	0.00	0.00	20.00
Jefferson Regional Medical Cen	20.00	0.00	0.00	20.00

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

UNITED STATES DISTRICT COURT

for the

Western District of Pennsylvania

Joseph Brouger, on behalf of himself and all others
similarly situated,

Plaintiff(s)

v.

Denovus Corporation, Ltd.

Defendant(s)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Denovus Corporation, Ltd.
480 Johnson Road, Suite 110
Washington, PA 15301

A lawsuit has been filed against you.

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

Joseph L. Gentilcore, Esq.
DIEHL LAW LLC
PO Box 43098
Philadelphia, PA 19129

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

CLERK OF COURT

Date:

Signature of Clerk or Deputy Clerk

Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE**

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

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

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

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

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

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

Other *(specify)*:

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

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

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

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

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

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

Additional information regarding attempted service, etc:

# ClassAction.org

This complaint is part of ClassAction.org's searchable class action lawsuit database and can be found in this post: [Denovus Corporation Sent Non-FDCPA-Compliant Notice, Lawsuit Claims](#)

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