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*Attorneys for Plaintiff and the Proposed Class*

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

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

Plaintiff,

v.

ACCOUNT SERVICES  
COLLECTIONS, INC.,

Defendant.

Case No.: '17CV2259 GPC NLS

CLASS ACTION

**COMPLAINT FOR DAMAGES  
AND INJUNCTIVE RELIEF  
PURSUANT TO THE  
CALIFORNIA PENAL CODE §§  
632.7 ET SEQ.**

DEMAND FOR JURY TRIAL

1 **INTRODUCTION**

2 1. Gregory Collins (“Plaintiff”) brings this Class Action Complaint for  
3 damages, injunctive relief, and any other available legal or equitable remedies,  
4 resulting from the illegal actions of Account Services Collections, Inc.  
5 (“Defendant”) for recording telephone conversations with Plaintiff and putative  
6 Class members without consent, in violation of the California Invasion of Privacy  
7 Act, Cal. Pen. Code § 632.7 (“CIPA”), thereby invading their privacy. Plaintiff  
8 alleges as follows upon personal knowledge as to his own acts and experiences, and,  
9 as to all other matters, upon information and belief, including investigation  
10 conducted by his attorneys.

11 **NATURE OF THE ACTION**

12 2. Defendant is a collection company with many accounts in California.  
13 While attempting to collect debts, Defendant often talks to Californians on their  
14 cellular telephones. Defendant records all of its calls, both inbound and outbound,  
15 without consent.

16 3. The CIPA was enacted to protect consumers from a violation of their  
17 privacy, requiring that a party warn an individual if a call is monitored or recorded.

18 4. Defendant violated Plaintiff’s constitutionally protected privacy rights  
19 by failing to advise, or otherwise provide notice, at the onset of at least one recorded  
20 conversation with Plaintiff that the call would be recorded, and Defendant did not  
21 try to obtain the Plaintiff’s consent before such recording.

22 5. Defendant’s violations caused Plaintiff and the members of the putative  
23 Class to experience actual harm, including the invasion of privacy, as well as a  
24 violation of their statutory rights.

25 6. Plaintiff and members of the Class suffered concrete injuries in fact,  
26 whether tangible or intangible, that are directly traceable to Defendant’s conduct,  
27 and are likely to be redressed by a favorable decision in this action.

28 ///

1 7. In response to Defendant’s unlawful conduct, Plaintiff brings the  
2 instant lawsuit and seeks an injunction requiring Defendant to cease recording  
3 conversations with consent of the parties, and award actual and statutory damages  
4 to the members of the putative Class, together with costs and reasonably attorneys’  
5 fees.

6 **JURISDICTION AND VENUE**

7 8. Jurisdiction is proper under 28 U.S.C. § 1332(d)(2) because Plaintiff  
8 seeks \$5,000 in damages for each violation of the CIPA, which, when aggregated  
9 among a proposed class number in the tens of thousands, exceeds the \$5,000,000  
10 threshold for federal court jurisdiction. Further, Plaintiff and the putative Class  
11 members are residents of California and Defendant’s principal place of business is  
12 in Texas where it is incorporated, providing jurisdiction under 28 U.S.C. §  
13 1332(d)(2)(A). Therefore, both elements of diversity jurisdiction under the Class  
14 Action Fairness Act of 2005 (“CAFA”) are present, and this Court has jurisdiction.

15 9. Venue is proper in the United States District Court for the Southern  
16 District of California pursuant to 28 U.S.C. §§ 1391(b) because Defendant, at all  
17 times herein mentioned, was doing business in the County of San Diego, State of  
18 California. Further, venue is proper in this district because Plaintiff has resided in  
19 this district at all times herein mentioned such that a substantial part of the events  
20 giving rise to the claim occurred in this district.

21 **PARTIES**

22 10. Plaintiff is, and at all times mentioned herein was, a resident of the State  
23 of California, County of San Diego. He is, and at all times mentioned herein was a  
24 “person” as defined by Cal. Pen. Code § 632(b).

25 11. Defendant is a collection company incorporated in Texas that maintains  
26 its principal place of business at 1802 N. E. Loop 410, Suite 400, San Antonio, Texas  
27 78217 and is a “person” as defined by Cal. Pen. Code § 632(b).

28 ///

1 12. Plaintiff alleges that at all times relevant herein Defendant conducted  
2 business in the state of California and in the County of San Diego, and within this  
3 judicial district.

4 **FACTUAL ALLEGATIONS**

5 13. On or around September 6, 2017, Defendant called Plaintiff on his  
6 landline telephone ending 2045 in an attempt to collect a debt. Defendant called  
7 from the telephone number 800-551-0646.

8 14. On or around October 20, 2017, Plaintiff returned Defendant's call  
9 using his cell phone ending 8165 to call Defendant at 800-551-0646 to inform  
10 Defendant that he was filing bankruptcy.

11 15. When Defendant answered the call, it went straight to a live  
12 representative. There was no pre-recorded warning that the call would be recorded,  
13 and the representative did not verbally provide any warning that the call would be  
14 recorded.

15 16. During the call, Defendant asked for the last four digits of Plaintiff's  
16 social security number which Plaintiff provided. Defendant indicated there was an  
17 outstanding balance and they discussed Plaintiff's pending bankruptcy.

18 17. At the end of the call, Plaintiff asked if the call was recorded and  
19 Defendant answered affirmatively.

20 18. Plaintiff was upset the call was recorded without his consent and ended  
21 the call. The call lasted about a minute and a half.

22 19. At no point during the conversation with Defendant was Plaintiff  
23 advised that the conversation was being recorded by Defendant, nor did Plaintiff  
24 consent to the call being recorded.

25 20. Upon information and belief, Defendant records all of its telephone  
26 calls, inbound and outbound, without consent.  
27  
28

1 21. Plaintiff was personally affected by Defendant's aforementioned  
2 conduct because Plaintiff was shocked, upset and angry that Defendant recorded a  
3 cellular telephone conversation with Plaintiff without Plaintiff's knowledge or  
4 consent.

5 22. The call was a communication that Plaintiff did not desire to be  
6 recorded by Defendant. The telephone call between Plaintiff and Defendant's  
7 representative concerned personal information that Plaintiff had not openly  
8 discussed with others.

9 23. Plaintiff was completely unaware that Defendant was recording the  
10 call.

11 24. Due to the lack of a recording advisement at the outset of the telephone  
12 call, Plaintiff reasonably believed and expected that Defendant was not secretly  
13 recording the telephone conversation with Plaintiff, which concerned a debt.

14 25. California Penal Code § 632.7(a) is very clear in its prohibition against  
15 such unauthorized tape recording without the consent of the other party to the  
16 conversation:

17 "Every person who, without the consent of all parties to a  
18 communication, intercepts or receives and intentionally  
19 records, or assists in the interception or reception and  
20 intentional recordation of, a communication transmitted  
21 between two cellular radio telephones, a cellular radio  
22 telephone and a landline telephone, two cordless  
23 telephones, a cordless telephone and a landline telephone,  
or a cordless telephone and a cellular radio telephone  
[violates this section]."

24 26. California Penal Code § 637.2 permits Plaintiff to bring this action for  
25 any violation of California Penal Code § 632.7(a) and provides for statutory damages  
26 of \$5,000.00 for each violation and injunctive relief.

27 27. This suit seeks only damages and injunctive relief for recovery of  
28 economic injury and it expressly is not intended to request any recovery for personal

1 injury and claims related thereto.

2 28. Plaintiff is informed and believes, and thereon alleges, that Defendant  
3 intentionally recorded communications transmitted between a cellular radio  
4 telephone and a landline telephone without Plaintiff's consent as prohibited by  
5 California Penal Code § 632.7(a).

6 29. Defendant violated Plaintiff's constitutionally protected privacy rights  
7 by failing to advise or otherwise provide notice at the beginning of the recorded  
8 conversation with Plaintiff that the call would be recorded, and Defendant did not  
9 try to obtain the Plaintiff's consent before such recording.

10 30. Plaintiff is informed and believes, and thereon alleges, that during the  
11 relevant time period, Defendant had a policy and a practice of recording California  
12 consumers.

13 31. Plaintiff is informed and believes, and thereon alleges, that during the  
14 relevant time period, Defendant had installed and/or caused to be installed certain  
15 recording equipment in its employees' or agents' telephone lines. Defendant uses  
16 these devices to record each and every telephone conversation on said telephone  
17 lines.

18 32. Defendant's conduct alleged herein constitutes violations of the right to  
19 privacy of the public, including Plaintiff and other California residents, and  
20 California Penal Code § 630 *et seq.*

21 33. Defendant concealed from Plaintiff, and similarly situated California  
22 residents, that Defendant was recording the outbound calls between itself on the one  
23 hand and Plaintiff and other similarly situated California residents on the other.

24 34. Defendant concealed the fact that it was recording the afore-mentioned  
25 phone calls to create the false impression in the minds of Plaintiff and similarly  
26 situated California residents that they were not being recorded. At the outset of  
27 many of the calls there was no warning that the calls were, or even may be, recorded.

28 35. As a result thereof, Plaintiff and the class have been damaged as set

1 forth in the Prayer for Relief herein.

2 36. Plaintiff seeks statutory damages for himself and the class and  
3 injunctive relief under California Penal Code § 637.2.

4 **CLASS ALLEGATIONS**

5 37. Plaintiff brings this action on behalf of himself and on behalf of all other  
6 similar situated (“the CIPA Class”). Because Plaintiff’s cellular phone calls were  
7 recorded, the representative Plaintiff represents, and is a member of the Class he  
8 seeks to represent, persons whose cellular telephone calls were recorded by  
9 Defendant in the Class Period from one year prior to the filing of this Complaint  
10 through the date of trial, with the Class defined as follows:

11 **Class:** All persons from one year prior to the filing of this Complaint  
12 through the date of trial, that engaged in a telephone conversation with  
13 Defendant, their employees, agents or other persons working on  
14 Defendant’s behalf, which was recorded by Defendant, their employees  
15 and agents, while engaging in such communication using a cellular  
16 telephone with a California area code (i.e., 209, 213, 310, 323, 408, 415,  
17 424, 442, 510, 530, 559, 562, 619, 626, 650, 657, 661, 707, 714, 760,  
18 805, 818, 831, 858, 909, 916, 925, 949, or 951).

19 38. Defendant, and its employees and agents are excluded from the Class.  
20 Plaintiff does not know the number of members in the Class, but believes the Class  
21 members number in the several thousands, if not more. Thus, this matter should be  
22 certified as a Class action to assist in the expeditious litigation of this matter.

23 39. This suit seeks only damages and injunctive relief for recovery of  
24 economic injury on behalf of the Class and it expressly is not intended to request  
25 any recovery for personal injury and claims related thereto. Plaintiff reserves the  
26 right to modify or expand the definition of the Class to seek recovery on behalf of  
27 additional persons as warranted as facts are learned in further investigation and  
28 discovery.

1 40. The joinder of the Class members is impractical and the disposition of  
2 their claims in the Class action will provide substantial benefits both to the parties  
3 and to the Court. The Class can be identified through Defendant's records and/or  
4 Defendant's agent's records.

5 41. There is a well-defined community of interest in the questions of law  
6 and fact involved affecting the parties to be represented. The questions of law and  
7 fact to the Class predominate over questions which may affect individual Class  
8 members, including, but not limited to, the following:

- 9 a. Whether Defendant has a policy of recording its calls;  
10 b. Whether Defendant always discloses to Californians at the outset of  
11 the conversations that Defendant's telephone conversations are  
12 recorded;  
13 c. Whether Defendant recorded its telephone conversations with persons  
14 in California while those persons were on a cellular telephone;  
15 d. Whether Defendant's policy of recording all of its calls without the  
16 required call recording disclosures constituted violations of California  
17 Penal Code § 632.7;  
18 e. Whether Defendant should be enjoined from engaging in such  
19 conduct in the future; and,  
20 f. Whether Plaintiff and Class members are entitled to any other relief.

21 42. Plaintiff is asserting claims that are typical of the Class because every  
22 other member of the Class, like Plaintiff, was exposed to virtually identical conduct  
23 and are entitled to the greater of statutory damages of \$5,000 per violation or three  
24 times actual damages per violation pursuant to Penal Code § 637.2(a).

25 43. Plaintiff will fairly and adequately represent and protect the interests of  
26 the Class in that Plaintiff has no interests antagonistic to any member of the Class.  
27 Plaintiff has retained counsel experienced in handling class actions and claims under  
28 California's Invasion of Privacy Act to further ensure such protection.



1 44. Plaintiff and the members of the Class have all suffered irreparable  
2 harm as a result of the Defendant's unlawful and wrongful conduct. Absent a class  
3 action, the Class will continue to face the potential for irreparable harm. In addition,  
4 these violations of law will be allowed to proceed without remedy and Defendants  
5 will likely continue such illegal conduct. Because of the size of the individual Class  
6 members' claims, few Class members could afford to seek legal redress for the  
7 wrongs complained of herein.

8 45. A class action is a superior method for the fair and efficient adjudication  
9 of this controversy. Class-wide damages are essential to induce Defendant to  
10 comply with federal and California law. The interest of the Class members in  
11 individually controlling the prosecution of separate claims against Defendant is  
12 small because the maximum statutory damages in an individual action for violation  
13 of privacy are minimal. Management of these claims is likely to present significantly  
14 fewer difficulties than those presented in many class actions.

15 46. Defendant has acted on grounds generally applicable to the Class,

16 47. Californians have a right to thereby making appropriate final injunctive  
17 relief and corresponding declaratory relief with respect to the Class as a whole.

18 **CAUSE OF ACTION**

19 **UNLAWFUL INVASION OF PRIVACY**

20 **CALIFORNIA PENAL CODE SECTION 632.7**

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

23 49. Californians have a constitutional right to privacy. Moreover, the  
24 California Supreme Court has definitively linked the constitutionally protected right  
25 to privacy within the purpose, intent and specific protections of the Privacy Act,  
26 including specifically, Penal Code § 632. In addition, California's explicit  
27 constitutional privacy provision (Cal. Const., 1 § 1) was enacted in part specifically  
28 to protect California from overly intrusive business practices that were seen to pose

1 a significant and increasing threat to personal privacy. Thus, we believe that  
2 California must be viewed as having a strong and continuing interest in the full and  
3 vigorous application of the provisions of section 632 prohibiting the recording of  
4 telephone conversations without the knowledge or consent of all parties to the  
5 conversation. *See Kearney v. Salmon Smith Barney, Inc.*, (2006) 39 Cal. 4th 95, 125.

6 50. California Penal Code § 632.7 prohibits one party to a telephone call  
7 from intentionally recording any part of the conversation without the knowledge or  
8 consent of the other party, where a cellular telephone is involved. Cal. Pen. Code §  
9 632.7 is violated the moment the recording is made without the consent of all parties  
10 thereto, regardless of whether it is subsequently disclosed that the telephone call was  
11 recorded. The only intent required by Cal. Pen. Code § 632.7 is that the act of  
12 recording itself be done intentionally. There is no requisite intent on behalf of the  
13 party doing the surreptitious recording to break California law or any other law, or  
14 to invade the privacy right of any other person.

15 51. Plaintiff is informed and believes and thereupon alleges that Defendant  
16 employed and/or caused to be employed certain recording equipment on the  
17 telephone lines of all employees, officers, directors, and managers of Defendant.

18 52. Plaintiff is informed and believes and thereupon alleges that all these  
19 devices were maintained and utilized to record each and every one of Defendant's  
20 telephone conversations over said telephone lines.

21 53. Said recording equipment was used to record Defendant's telephone  
22 conversations with Plaintiff and the members of the Class, all in violation of  
23 California Penal Code § 632.7.

24 54. Defendant or any employees, agents, managers, officers, or directors of  
25 Defendant, and any other person, failed to inform Plaintiff or any other member of  
26 the Class, at the outset of Defendant's telephone conversations, that the recording of  
27 the telephone conversations were taking place, and at no time did Plaintiff or any  
28 other member of the Class consent to this activity.

1 55. If any consent and/or disclosure were given, such disclosure/s and/or  
2 consent was not at the inception of the call/s.

3 56. Defendant, knowing that it was unlawful and a violation of Plaintiff's  
4 and Class members' right to privacy and a violation of California Penal Code § 630,  
5 et seq., intruded on Plaintiff's and Class members' right to privacy by intentionally  
6 engaging in recording activities relative to the telephone conversations between  
7 Plaintiff and the Class on the one hand, and Defendant on the other hand, as alleged  
8 herein.

9 57. Based on the foregoing, Plaintiff and the members of the Class are  
10 entitled to, and below herein do pray for, their statutory remedies and damages,  
11 including but not limited to, those set forth in California Penal Code § 637.2.

12 58. Because this case is brought for the purposes of enforcing important  
13 rights affecting the public interest, Plaintiff and the Class seek recovery of their  
14 attorneys' fees pursuant to the private attorney general doctrine codified in Code of  
15 Civil Procedure § 1021.5, or any other statutory basis.

16 **PRAYER FOR RELIEF**

17 Wherefore, Plaintiff respectfully requests the Court to grant Plaintiff and the  
18 Class members the following relief against Defendant:

19 **INVASION OF PRIVACY**

20 **CALIFORNIA PENAL CODE SECTION 632.7**

21 59. As a result of Defendant's violations of Cal. Pen Code § 637.2(a),  
22 Plaintiff seeks for himself and each Class member the greater of \$5,000 for each and  
23 every violation or three times actual damage per violation, pursuant to Cal. Pen Code  
24 § 637.2(a).

25 60. Pursuant to California Penal Code § 637.2(a), injunctive relief  
26 prohibiting such conduct in the future.

27 61. Any other relief the Court may deem just and proper including attorney  
28 fees and costs.

**JURY DEMAND**

Plaintiff hereby demands a trial by jury on all issues so triable.

Dated: November 6, 2017

s/ Ronald A. Marron

Ronald A. Marron, Esq.

**LAW OFFICES OF RONALD A.  
MARRON**

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s/ Daniel G. Shay

Daniel G. Shay, Esq.

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*Attorneys for Plaintiff and the  
Proposed Class*

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

Gregory Collins, on behalf of himself and all others similarly situated

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

(c) Attorneys (Firm Name, Address, and Telephone Number) Law Offices of Ronald A. Marron, 651 Arroyo Dr, San Diego, CA 92103 619-696-9006 & Law Offices of Daniel G. Shay, 409 Camino Del Rio South, Ste 101B San Diego, CA 92108 - 619-222-7429

DEFENDANTS

Account Services Collections, 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)

'17CV2259 GPC-NLS

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)

Table with columns for Plaintiff (PTF) and Defendant (DEF) citizenship and business location. Includes categories like Citizen of This State, Citizen of Another State, and Foreign Nation.

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

Large table with categories: CONTRACT, REAL PROPERTY, CIVIL RIGHTS, TORTS, PRISONER PETITIONS, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER 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

VI. CAUSE OF ACTION

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

Diversity - 28 U.S.C. 1332 (CAFA)

Brief description of cause:

Invasion of privacy re recording telephone calls without consent.

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

SIGNATURE OF ATTORNEY OF RECORD

11/06/2017

s/ Ronald A. Marron

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

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

### Authority For Civil Cover Sheet

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

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.  
 United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.  
 United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.  
 Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.  
 Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. Origin.** Place an "X" in one of the seven boxes.  
 Original Proceedings. (1) Cases which originate in the United States district courts.  
 Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. 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.

# ClassAction.org

This complaint is part of ClassAction.org's searchable class action lawsuit database and can be found in this post: [Account Services Collections Accused of Secretly Recording Phone Calls](#)

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