

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

CAROLYN DYKES
INDIVIDUALLY AND ON BEHALF OF
ALL OTHERS SIMILARLY SITUATED,

Plaintiffs,

Trial by Jury
Demanded

v.

Civil Action No. _____

VAN RU CREDIT CORPORATION,

Defendant.

October 4, 2017

Class Action Complaint for Violations of the Fair Debt Collection Practices Act

I. Introduction

1. Carolyn Dykes brings this suit on behalf herself and all those similarly situated against Van Ru Credit Corporation, a debt collector, on account of its misrepresentation of and non-compliance with the Fair Debt Collection Practices Act (“FDCPA”), 15 U.S.C. § 1692, *et seq.*, and federal student loan law.

II. Jurisdiction

2. Jurisdiction in this Court is proper under 15 U.S.C. § 1692k(d) and 28 U.S.C. § 1331.

3. This Court has jurisdiction over the defendant and venue in this Court is proper, because the acts complained of occurred in this state and because the Plaintiff and the Class Members are residents of Virginia.

III. Parties

4. Carolyn Dykes is a natural person, who at the time of the actions alleged in this Complaint, resided in Fairfax, Virginia.

5. The defendant Van Ru Credit Corporation (“Van Ru”) is an Illinois Corporation headquartered in Des Plaines, Illinois and is engaged in the collection of consumer debts. The Defendant uses instrumentalities of interstate commerce in the collection of debts. It regularly collects debts from consumers located across the Commonwealth of Virginia. At all times relevant hereto, Defendant was a “debt collector” as that term is defined by the FDCPA.

IV. Factual Allegations

6. Plaintiff Dykes is a “consumer” as that term is defined by FDCPA § 1692a(3).

7. Plaintiff Dykes was a debtor with federal student loans that were placed into default status.

8. Plaintiff Dykes’ federal student loan was “debts” as that term is defined by the FDCPA.

9. After Dykes’ loans were placed into default status, they were assigned to Van Ru for collection purposes.

10. Van Ru sent letters to Plaintiff Dykes and the class members seeking to have them pay the defaulted loans. A copy of the letter sent to Plaintiff Dykes (the “Letter”) is attached hereto as Exhibit A.

11. The Letter was Van Ru’s initial communication with Plaintiff.

12. Upon information and belief, this form of letter was Van Ru's initial communication with the other members of the Class.

13. The Letter, which bears the notation "1 of 2" on the first page, advises Plaintiff Dykes and the class members, in prominent bold all caps lettering to "**SEE REVERSE SIDE FOR IMPORTANT INFORMATION**".

14. The letter also includes a second page, bearing the notations "2 of 2", which contains additional instructions to Plaintiff Dykes and the class members.

15. On page 2 of 2 of the Letter, Van Ru advises Plaintiff Dykes and the class members that if they wish to dispute the default status of their loans, they should submit a request in writing to inspect and copy the records pertaining to the loan, or request a review regarding the legal enforceability or past status of the loan obligation.

16. The instructions to Plaintiff Dykes and the class members that in order to dispute the debt, they should submit the request in writing overshadows and circumvents the rights given to consumers under the FDCPA to dispute the debt orally or in writing, and the requirement of debt collectors to advise consumers of their right to dispute the debt, as set forth in 15 USC §1692g.

17. Also on page 2 of 2 of the letter, Van Ru further advises Plaintiff Dykes and the class members that they may request a review if they can prove the loan was not past due with the lender, the loan balance is incorrect, or the consumer did not incur the debt. Van Ru specifically tells Plaintiff Dykes and the class members that they may not request a review for any of the following reasons: You failed to

pay your lender; you failed to complete your education and/or were dissatisfied with the school you attended; or you were unable to find employment in the field for which the school prepared you.

18. The least sophisticated consumer would believe, reading these instructions, that they were obligated to repay the loan, even if they were dissatisfied with the school due to fraud in the inducement by the school.

19. Under federal law, fraud in the inducement by the school would be a defense to the consumer's obligation to repay the loan.

20. A consumer whose student loan was entered into as a result of fraud by the school would likely be dissatisfied and unhappy with the school.

21. The Letter instructs Plaintiff Dykes and the class members that even if they are dissatisfied with the school, they do not have a right to have this reviewed.

22. Contrary to the statement in the Letter, Federal Law allows Plaintiff Dykes and Class Members to have an administrative review of the student loan, wherein they can contest the enforceability of the loan due to their dissatisfaction with a school committing fraud against them.

23. Van Ru sent the Letter to Dykes on or about July 27, 2017.

24. Dykes received the Letter shortly thereafter.

25. Dykes read the Letter shortly after receiving it.

26. The notices provided in 15 U.S.C. §1692g are required as they help consumers determine whether a debt is legitimate, whether the debt is the

consumer's, and whether the debt is for the correct amount. In addition, although the instructions for initiating administrative review of the loan, while not required, must be accurate if they are given. When the instructions regarding eligibility for an administrative review are given inaccurately or misleadingly, the student loan borrower may be misled into believing they have no right to an administrative review which they might otherwise have. Such an administrative hearing can determine the validity and amount of any claim.

27. Instead of accurately providing these important and necessary notices of the safeguards the student loan borrower has against improper claims, the dunning letters sent by defendant lead the student loan borrower to believe that 1) they must submit a dispute of the debt in writing; and 2) they could not initiate an administrative review hearing of a student loan debt which was accrued through the fraudulent actions of the school attended.

28. By failing effectively to convey to Plaintiff and the class members their rights under the FDCPA, Defendant has harmed Plaintiffs and the class members.

29. The acts and omissions of Defendant described above injured Plaintiff and the class members in a concrete way. As a result of these acts and omissions, Plaintiff and the class members were subjected to threats and collection attempts from Defendant, which contained material misrepresentations that deceptively and misleadingly advised from Plaintiff and the class members that they had no right to an administrative review of the student loan based on fraud, and further lead Plaintiff and the class members to believe that any dispute of the debt must be in

writing, overshadowing specific notices which Congress put in place to protect and safeguard debtors, as set forth in 15 U.S.C. §1692g. Plaintiff and the class members were thus deprived of statutory verification rights which they would otherwise have under 15 U.S.C. §1692g. In other words, Plaintiff and the class members suffered an informational injury as a result of being deprived of information to which they were legally entitled, and as a result of being supplied misleading information. This injury also created a material risk of financial harm that Congress intended to prevent by enacting the FDCPA – to wit, that Plaintiff, influenced by misleading information, might make payment decisions that he might not have made had he been given only truthful information.

30. The acts and omissions of Defendant described above injured Plaintiff Dykes and the class members in a particularized way, in that Van Ru was obligated by the FDCPA to supply non-misleading information to Plaintiffs specifically, by virtue of the fact that Van Ru was attempting to collect a debt from Plaintiff. Moreover, Van Ru was obligated by 15 USC §1692g to supply accurate disclosures of the right to dispute a debt, not to the public at large, but to Plaintiffs specifically.

31. The debts that Defendant sought to collect from Plaintiff Dykes and the class members were originally incurred for personal, family, or household purposes.

V. Class Allegations

32. Plaintiff restates, realleges and incorporates herein by reference all

foregoing paragraphs as if set forth fully in this Count.

33. Under Rule 23 of the Federal Rules of Civil Procedure, Plaintiff Dykes brings this action for herself and on behalf of a class initially defined as follows:

All natural persons who are residents of Virginia who are similarly situated to Plaintiff in that, within one year of the commencement of this action and continuing to the date that an order is entered certifying this class, Van Ru sent them a letter in a form substantially similar or materially identical to Exhibit A.

34. The proposed Class is so numerous that joinder of all members would be impracticable. Plaintiff does not know the size of the class, although this information is known by the defendant and is readily ascertainable in discovery. Based upon information readily available concerning the defendant, the size of its operation, and its specialization in the collection of student loans, Plaintiff estimates and accordingly alleges that there are hundreds and, in all probability, thousands of individuals in the class.

35. There is a community of interest among the members of the proposed Class in that there are questions of law and fact common to the proposed Class that predominate over questions affecting only individual members.

36. Plaintiff's claims are typical of those of the Class that she seeks to represent. In addition, Plaintiff is entitled to relief under the same causes of action as the other members of the putative class.

37. Plaintiff is represented by counsel competent and experienced in both consumer protection specific to student loans, and class action litigation, and she has no conflicts with the members of the Class.

38. The common questions of law and fact predominate over any

individual questions, in that the letters are form letters, and any individual questions are subordinate to the common questions of whether Van Ru violated the FDCPA by misrepresenting the class members' rights under 20 U.S.C. § 1095a and 34 C.F.R. §§ 34:1-30.

39. A class action is superior to other methods for the fair and efficient adjudication of the controversy. Because the damages suffered by individual class members are relatively small compared to the expense and burden of litigation, it would be impractical and economically unfeasible for class members to seek redress individually. The prosecution of separate actions by the individual class members, even if possible or likely, would create a risk of inconsistent or varying adjudications with respect to the claims asserted by individual class members and could create incompatible standards of conduct for the defendants. Moreover, because most class members are unaware of their rights under 15 U.S.C. §1692g to dispute a debt orally, or to seek a review and discharge of a student loan obligation based on fraud by the school they attended, they are unlikely to bring an independent action, and a class action is the only way that these violations can be rectified.

40. Injunctive relief is appropriate for the Class, under Fed. R. Civ. P. 23(b)(2). Class certification is appropriate because Defendant has acted on grounds generally applicable to the Class, making appropriate equitable injunctive relief with respect to Plaintiff Dykes and the Class members.

VI. Claims for Relief
First Cause of Action
Claims for Violations of 15 U.S.C. § 1692, *et seq.*

41. Plaintiff restates, realleges, and incorporates herein by reference all foregoing paragraphs as if set forth fully in this Count.

42. Collection letters, such as those sent by Defendant, are to be evaluated by the objective standard of the hypothetical “least sophisticated consumer.”

43. Section 1692e of the FDCPA prohibits a debt collector from using any false, deceptive, or misleading representations in connection with the collection of any debt. Specifically, FDCPA § 1692e(2)(A) states that a debt collector cannot make a “false representation of the character, amount, or legal status of any debt.” FDCPA § 1692e(10) prohibits “[t]he use of any false representation or deceptive means to collect or attempt to collect any debt or to obtain information concerning a consumer.”

44. Section 1692f of the FDCPA prohibits the use of “unfair or unconscionable means to collect or attempt to collect any debt.”

45. Section 1692g of the FDCPA requires that a debt collector include a validation notice with the initial communication to the consumer, or send such notice within five days after the initial communication. Under FDCPA § 1692g(a)(1) the validation notice must include a statement of the amount of the debt. Furthermore, FDCPA §§ 1692g(a)(3), g(a)(4), and g(a)(5) require the validation notice to advise the consumer as to certain federal rights in connection with a procedure under which a consumer may dispute a debt, request verification of a debt, or obtain the name and address of the creditor within 30 days of receiving the initial validation notice from a debt collector.

46. Under federal law, the notices required under 15 USC §1692g must be effectively communicated, and may not be overshadowed, confounded or diluted as seen from the perspective of the least sophisticated consumer.

47. Van Ru violated the FDCPA by overshadowing and confounding the required notices under 15 U.S.C. §1692g.

48. Van Ru further violated the FDCPA by providing a false and misleading instruction on the availability of administrative review of the student loan debt, to wit – it falsely told consumers that they could not seek review of a student loan debt based on dissatisfaction with the school they attended, when in fact, if the dissatisfaction was based on a fraudulent inducement to enter into the loan, they could in fact seek such a review.

49. In other words, Van Ru violated the FDCPA as follows:

- A. Van Ru provided information which overshadowed and contradicted the required disclosures of 15 USC §1692g by instructing consumers they needed to submit a request in writing in order to dispute the default status of their loans
- B. Van Ru falsely represented the character or legal status of Plaintiffs' debts; and
- C. Van Ru used a false representation or deceptive means to collect or attempt to collect a debt
- D. Van Ru used unfair and unconscionable means to collect and attempt to collect from Plaintiff and the class members.

50. Van Ru's violations in turn violate specific enumerated sections of the FDCPA, as follows:

- A. It falsely represented that a consumer could not seek a review of

a debt based on dissatisfaction with the school they attended, even when that dissatisfaction was based on fraudulent inducement, in violation of 15 U.S.C. §§ 1692e, 1692e(2), and 1692e(10).

- B. It used unfair and unconscionable means to collect and attempt to collect from Plaintiffs and the class members, in violation of 15 U.S.C. § 1692f.
- C. It violated 15 U.S.C. §1692g, by failing to provide proper notice of the ability to dispute a debt orally and by adding limitations to the circumstances under which a consumer may dispute a debt – even though, under 15 U.S.C. §1692g, a consumer can dispute a debt for any reason or no reason.

51. Plaintiff Dykes and the class members have suffered concrete, particularized harms to legally protected interests because Van Ru's false, deceptive, and misleading representations, as set forth above, could detrimentally affect Plaintiffs' decision-making with respect to their alleged debts.

52. Under 15 U.S.C. § 1692k, Van Ru is liable to Plaintiff and the Class Members to whom it sent the letter.

Demand for Jury Trial

53. Plaintiff demands trial by jury on all claims and all issues.

Prayer for Relief

WHEREFORE, Plaintiff Carolyn Dykes prays that this Court grant the following relief in her favor, and on behalf of the class, and that judgment be entered against Defendant for the following:

- (A) Actual damages as provided by § 1692k(a)(1) of the FDCPA;

- (B) Statutory damages as provided by § 1692k(a)(2) of the FDCPA;
- (C) Attorneys' fees, litigation expenses and costs;
- (D) A declaration that Defendants' form letters, represented by the form sent to the Plaintiff, a copy of which is attached to this Complaint, violate the FDCPA; and
- (E) Any other relief that this Court deems appropriate under the circumstances.

PLAINTIFF,
CAROLYN DYKES

,
Individually And On Behalf Of The Class,

/s/ Thomas R. Breeden
Thomas R. Breeden, Virginia Bar No. 33410
Thomas R. Breeden, P.C.
10326 Lomond Drive
Manassas, VA 20109
Tel: (703) 361-9277
Fax: (703) 257-2259
Email: trb@tbreedenlaw.com

Brian L. Bromberg
Bromberg Law Office, P.C.
26 Broadway, 21st Floor
New York, NY 10004
Tel: (212) 248-7906
Fax: (212) 248-7908
Email: brian@bromberglawoffice.com
(Pro Hac Vice to be filed)

Dept. 96307
PO Box 1517
Oaks, PA 19456



Van Ru Credit Corporation
4839 N Elston Ave
Chicago IL 60630
877-630-9017

July 27, 2017

VR File #: 51412579
Balance: \$14810.57



012377

CAROLYN DYKES
C/O ATTY THOMAS BREEDEN 10326 LOMOND
MANASSAS VA 20109

Van Ru
PO Box 300446
Chicago IL 60630



Detach Upper Portion And Return With Payment

Creditor: United Student Aid Funds Inc.

Account #	Principal	Interest	Costs	Balance
9008024793-0705	5765.24	437.14	1241.13	7443.51
original creditor CITIBANK STUDENT LOANS				
9008024793-0706	5706.08	432.60	1228.38	7367.06
original creditor CITIBANK STUDENT LOANS				

The above account(s) has been placed with us for collection. This is an important matter and deserves your attention.

The above balance is the amount you owe as of the date of this letter. Your payment, made payable to Van Ru Credit Corporation, may be mailed in the enclosed envelope. Because of interest, which continues to accrue, and collection costs, the amount due on the day you pay may be different, so if you pay the amount shown above, an adjustment may be necessary after we receive your payment, in which event we will inform you.

If you have any questions, or wish to discuss your account or payment options, you may contact us at 877-630-9017. You may also visit us online at www.vanruezipay.com. To access your account online, your user id is 651412579 and your PIN number is 7848414.

Unless you notify this office within 30 days after receiving this notice that you dispute the validity of this debt or any portion thereof, this office will assume this debt is valid. If you notify this office in writing within 30 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 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.

This communication is from a debt collector. This is an attempt to collect a debt. Any information obtained will be used for that purpose.

Van Ru Credit Corporation

NOTICE: SEE REVERSE SIDE FOR IMPORTANT INFORMATION.

Van Ru Credit Corporation • 4839 N Elston Ave • Chicago IL 60630 • 877-630-9017
Mon-Thur 8am to 9pm Fri 8am to 5pm CT



We are required under state law to notify consumers of the following rights. This list does not contain a complete list of the rights consumers have under state and federal law.

Notice to California Residents:

The following is required by California law: It is not a complete list of the rights consumers have under state and federal law. The state Rosenthal Fair Debt Collection Practices Act and the federal Fair Debt Collection Practices Act require that, except under unusual circumstances, collectors may not contact you before 8 a.m. or after 9 p.m.. They may not harass you by using threats of violence or arrest or by using obscene language. Collectors may not use false or misleading statements or call you at work if they know or have reason to know that you may not receive personal calls at work. For the most part, collectors may not tell another person, other than your attorney or spouse, about your debt. Collectors may contact another person to confirm your location or enforce judgment. For more information about debt collection activities, you may contact the Federal Trade Commission at 1-877-FTC HELP or www.ftc.gov.

Notice to Colorado Residents:

The following is required by Colorado law; it does not contain a complete list of consumer rights under state and federal law. A consumer has the right to request in writing that a debt collector or collection agency cease further communication with the consumer. A written request to cease communication will not prohibit the debt collector or collection agency from taking any other action authorized by law to collect the debt.

FOR INFORMATION ABOUT THE COLORADO FAIR DEBT COLLECTION PRACTICES ACT, SEE WWW.COAG.GOV/CAR.

Our local office address is: 1776 S. Jackson Street, #900, Denver, CO 80210.

The local office telephone number is: 720-287-8686.

Notice to Massachusetts Residents:

NOTICE OF IMPORTANT RIGHTS

YOU HAVE THE RIGHT TO MAKE A WRITTEN OR ORAL REQUEST THAT TELEPHONE CALLS REGARDING YOUR DEBT NOT BE MADE TO YOU AT YOUR PLACE OF EMPLOYMENT. ANY SUCH ORAL REQUEST WILL BE VALID FOR ONLY TEN DAYS UNLESS YOU PROVIDE WRITTEN CONFIRMATION OF THE REQUEST POSTMARKED OR DELIVERED WITHIN SEVEN DAYS OF SUCH REQUEST. YOU MAY TERMINATE THIS REQUEST BY WRITING TO THE DEBT COLLECTOR.

Notice to Minnesota Residents:

This collection agency is licensed by the Minnesota Department of Commerce.

Notice to North Carolina Residents: North Carolina Permit Numbers 3543, 109752.

Notice to New York City Residents: New York City Department of Consumer Affairs License numbers 1270471, 1416007.

Notice to Tennessee Residents:

This collection agency is licensed by the Collection Service Board of the Department of Commerce and Insurance.

Notice to Wisconsin Residents:

This collection agency is licensed by the Division of Banking in the Wisconsin Department of Financial Institutions, www.wdfi.org.

Name: CAROLYN DYKES

VR Account #: 51412579

Please be advised, if you are unable to pay in full the outstanding balance on your defaulted loan(s), you may have additional options for resolving your loan default, including but not limited to the following:

1) Repayment Arrangements with the Collection Contractor

You may contact us to arrange for acceptable repayment terms. Please ensure that you understand all of the agreed-upon terms, as you will be required to fulfill these commitments. A portion of each payment received from you will be allocated to pay collection costs. Those costs are assessed on your account 60 days after the default claim purchase.

2) Loan Rehabilitation

Loan rehabilitation offers you the opportunity to resolve your loan default and may improve your credit record by removing your guarantors' report of your loan default. When you complete your rehabilitation commitment, your defaulted student loan(s) will be eligible for purchase by a lender, and the loan(s) will no longer be considered in default. If your guarantor is currently reporting the applicable loan(s) to the national consumer reporting agencies and you successfully rehabilitate those loan(s), then your guarantor will request the reporting agencies to delete all credit entries related to your loan(s) previous default. Your guarantor will also notify the default claim lender of your rehabilitation and notify the lender to delete its reporting of the default, as applicable. To participate in the loan rehabilitation program, you must advise Van Ru Credit Corporation that you wish to rehabilitate your defaulted loan(s) and establish acceptable repayment terms. You will be notified of all the loan rehabilitation requirements, which include making at least nine, on-time, qualifying payments during a 10-month period. As part of your eligibility for loan rehabilitation, you will be assessed collection costs at a reduced rate of 16% of the outstanding balance at the time your loan is purchased by an eligible lender, and the purchasing lender may add these costs to your outstanding loan principal. Your guarantor will make every effort to secure a lender for you, but note that purchasing rehabilitated loan(s) is at the discretion of the lender.

3) William D. Ford (Direct) Loan Consolidation

You may consolidate all your FFELP loans, including any defaulted loan(s), into a new, single loan. Direct loan consolidation may simplify your loan repayment by requiring only one monthly payment, and may reduce your monthly loan payment amount by extending the repayment term. To be eligible for loan consolidation, you must advise Van Ru Credit Corporation that you wish to consolidate your loan(s). To consolidate your defaulted loans, you should establish repayment arrangements and may be required to make three, on-time, consecutive, monthly payments. Once you have made these payments and/or met other Direct Loan Program requirements, you may apply for a consolidation loan. Note that if you consolidate your loans, your guarantor will not remove the report of your loans' default from your credit report if those loan(s) are currently being reported; however, the credit entry will be updated to reflect a paid-in-full status for the original defaulted loan(s). Additionally, you will be assessed collection charges at the rate of 16% of the outstanding balance of your defaulted loan(s) at the time your loan(s) are consolidated, and these charges may be added to your outstanding loan principal amount.

Failure to pay the account in full, agree to a satisfactory repayment arrangement, or utilize another recovery option listed above may result in additional collection efforts. These efforts may include but are not limited to:

- * Contacting your employer to seize a portion of your paycheck through administrative wage garnishment.
- * Intercepting future federal and/or state income tax refunds or other federal payments due to you.
- * Assigning your loan(s) to the U.S. Department of Education for collection.
- * Pursuing other lawful collection procedures.

If you wish to dispute the default status of your loan(s), you may submit a request in writing to:

1. Inspect and copy our records pertaining to your loan obligation.
2. Request a review regarding the legal enforceability or past status of your loan obligation. You may request a review if you can prove your loan was not past-due with your lender, the loan balance is incorrect, or you did not incur this debt. You cannot request a review for any one of the following reasons:

- * You failed to pay your lender.
- * You failed to complete your education and/or were dissatisfied with the school you attended.
- * You were unable to find employment in the field for which the school prepared you.

To request a review with the Guarantor, your request must be submitted in writing to: Navient, PO Box 9460, MC E2142, Wilkes-Barre, PA 18773-9460.



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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.)

<p>I. (a) PLAINTIFFS Carolyn Dykes, Individually & On behalf of All Others Similarly situated,</p> <p>(b) County of Residence of First Listed Plaintiff <i>(EXCEPT IN U.S. PLAINTIFF CASES)</i></p> <p>(c) Attorneys (Firm Name, Address, and Telephone Number) Thomas R. Breeden, P.C. 10326 Lomond Drive Manassas, VA 20109 703-361-9277</p>	<p>DEFENDANTS Van Ru Credit Corporation</p> <p>County of Residence of First Listed Defendant <i>(IN U.S. PLAINTIFF CASES ONLY)</i></p> <p>NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.</p> <p>Attorneys (If Known)</p>
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<p>II. BASIS OF JURISDICTION <i>(Place an "X" in One Box Only)</i></p> <p><input type="checkbox"/> 1 U.S. Government Plaintiff</p> <p><input checked="" type="checkbox"/> 3 Federal Question <i>(U.S. Government Not a Party)</i></p> <p><input type="checkbox"/> 2 U.S. Government Defendant</p> <p><input type="checkbox"/> 4 Diversity <i>(Indicate Citizenship of Parties in Item III)</i></p>	<p>III. CITIZENSHIP OF PRINCIPAL PARTIES <i>(Place an "X" in One Box for Plaintiff and One Box for Defendant)</i></p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td></td> <td style="text-align: center;">PTF</td> <td style="text-align: center;">DEF</td> <td></td> <td style="text-align: center;">PTF</td> <td style="text-align: center;">DEF</td> </tr> <tr> <td>Citizen of This State</td> <td style="text-align: center;"><input type="checkbox"/> 1</td> <td style="text-align: center;"><input type="checkbox"/> 1</td> <td>Incorporated or Principal Place of Business In This State</td> <td style="text-align: center;"><input type="checkbox"/> 4</td> <td style="text-align: center;"><input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td style="text-align: center;"><input type="checkbox"/> 2</td> <td style="text-align: center;"><input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business In Another State</td> <td style="text-align: center;"><input type="checkbox"/> 5</td> <td style="text-align: center;"><input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td style="text-align: center;"><input type="checkbox"/> 3</td> <td style="text-align: center;"><input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td style="text-align: center;"><input type="checkbox"/> 6</td> <td style="text-align: center;"><input type="checkbox"/> 6</td> </tr> </table>		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
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[Click here for: Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<p>PERSONAL INJURY</p> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157	<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	CIVIL RIGHTS	LABOR	PROPERTY RIGHTS	SOCIAL SECURITY
<input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing: Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	<input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act	<input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark	<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 SSJD Title XVI <input type="checkbox"/> 865 RS1 (405(g))
	PRISONER PETITIONS	IMMIGRATION	FEDERAL TAX SUITS	
	<p>Habeas Corpus:</p> <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 <p>Other:</p> <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement	<input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	

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):*
FDCPA 15 USC 1692

Brief description of cause:
violations of the FDCPA

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: 10/4/17

SIGNATURE OF ATTORNEY OF RECORD: _____

FOR OFFICE USE ONLY

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

ClassAction.org

This complaint is part of ClassAction.org's searchable class action lawsuit database and can be found in this post: [Lawsuit: Van Ru Credit Corporation Denies Consumers' FDCPA Rights](#)
