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Attorneys for Plaintiff and the Proposed Class

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

D'ANTHONY EARLY-RILEY, on
behalf of himself, and all others
similarly situated,

Plaintiff,

v.

ALLIANCEONE RECEIVABLES
MANAGEMENT, INC.,

Defendants.

Case No.: '18CV0345 DMS AGS

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

11 2. California Penal Code § 632.7 prohibits one party to a telephone call
12 from intentionally recording the conversation without the knowledge or consent of
13 the other while the person being recorded is on a cellular telephone. Plaintiff alleges
14 that Defendant continues to violate California Penal Code § 632.7 by impermissibly
15 recording its telephone conversations with California residents while on their
16 cellular telephones.

17 **NATURE OF THE ACTION**

18 3. Defendant is a collection company with many accounts in California.
19 While attempting to collect debts, Defendant often talks to Californians on their
20 cellular telephones. Defendant records all of its calls, both inbound and outbound,
21 without consent.

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

24 5. Defendant violated Plaintiff’s constitutionally protected privacy rights
25 by failing to advise, or otherwise provide notice, at the onset of the recorded
26 conversations with Plaintiff that the call would be recorded, and Defendant did not
27 try to obtain the Plaintiff’s consent before such recording.

28 6. Defendant’s violations caused Plaintiff and the members of the putative

1 Class to experience actual harm, including the invasion of privacy, as well as a
2 violation of their statutory rights.

3 7. Plaintiff and members of the Class suffered concrete injuries in fact,
4 whether tangible or intangible, that are directly traceable to Defendant's conduct,
5 and are likely to be redressed by a favorable decision in this action.

6 8. In response to Defendant's unlawful conduct, Plaintiff brings the
7 instant lawsuit and seeks an injunction requiring Defendant to cease recording
8 conversations without consent of the parties, and award actual and statutory damages
9 to the members of the putative Class, together with costs and reasonably attorneys'
10 fees.

11 **JURISDICTION AND VENUE**

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

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

1 **PARTIES**

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

5 12. Defendant is a collection company incorporated in Delaware that
6 maintains its principal place of business at 4850 East Street Road, Suite 300, Trevoise
7 PA 19053 and is a “person” as defined by Cal. Pen. Code § 632(b). Defendant also
8 maintains an office location in San Diego County at 6160 Mission Gorge Road #300,
9 San Diego, CA 92120.

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

13 **FACTUAL ALLEGATIONS**

14 14. On or around December 27, 2017, Defendant called Plaintiff on his
15 cellular telephone ending 2147 in an attempt to collect a debt. Defendant called from
16 the telephone number 877-541-8420 and the call lasted about six minutes.
17 Defendant did not warn Plaintiff the call was recorded.

18 15. On or around January 12, 2018, Defendant called Plaintiff on his
19 cellular telephone ending 2147 in an attempt to collect a debt. Defendant called from
20 the telephone number 877-541-8420 and the call lasted about one minute. Defendant
21 did not warn Plaintiff the call was recorded.

22 16. On or around January 18, 2018, Defendant called Plaintiff on his
23 cellular telephone ending 2147 in an attempt to collect a debt. Defendant called from
24 the telephone number 877-541-8420. The parties spoke for about three minutes
25 about sensitive financial and legal matters.

26 17. Near the end of the call, Plaintiff asked Defendant if the call was
27 recorded and Defendant’s agent answered affirmatively.
28

1 18. Plaintiff was not advised at the outset of the call that the conversation
2 was being recorded by Defendant, nor did Plaintiff consent to the call being
3 recorded.

4 19. Upon information and belief, Defendant records all of its telephone
5 calls, inbound and outbound, without consent.

6 20. Plaintiff was personally affected by Defendant's aforementioned
7 conduct because Plaintiff was shocked, upset and angry that Defendant recorded a
8 cellular telephone conversation with Plaintiff without Plaintiff's knowledge or
9 consent.

10 21. The call was a communication that Plaintiff did not desire to be
11 recorded by Defendant. The telephone call between Plaintiff and Defendant's
12 representative concerned personal information that Plaintiff had not openly
13 discussed with others. These conversations with Defendant pertained to the
14 collection of a debt allergy owed by Plaintiff, and thus at its very core, were private
15 in nature.

16 22. Plaintiff was completely unaware that Defendant was recording any of
17 the calls.

18 23. Due to the lack of a recording advisement at the outset of the telephone
19 calls, Plaintiff reasonably believed and expected that Defendant was not secretly
20 recording the telephone conversation with Plaintiff, which concerned a debt.

21 24. California Penal Code § 632.7(a) is very clear in its prohibition against
22 such unauthorized tape recording without the consent of the other party to the
23 conversation:

24 "Every person who, without the consent of all parties to a
25 communication, intercepts or receives and intentionally
26 records, or assists in the interception or reception and
27 intentional recordation of, a communication transmitted
28 between two cellular radio telephones, a cellular radio
telephone and a landline telephone, two cordless
telephones, a cordless telephone and a landline telephone,

1 or a cordless telephone and a cellular radio telephone
2 [violates this section].”

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

6 26. This suit seeks only damages and injunctive relief for recovery of
7 economic injury and it expressly is not intended to request any recovery for personal
8 injury and claims related thereto.

9 27. Plaintiff is informed and believes, and thereon alleges, that Defendant
10 intentionally recorded communications transmitted between a cellular radio
11 telephone and a landline telephone without Plaintiff’s consent as prohibited by
12 California Penal Code § 632.7(a).

13 28. Defendant violated Plaintiff’s constitutionally protected privacy rights
14 by failing to advise or otherwise provide notice at the beginning of the recorded
15 conversation with Plaintiff that the call would be recorded, and Defendant did not
16 try to obtain the Plaintiff’s consent before such recording.

17 29. Plaintiff is informed and believes, and thereon alleges, that during the
18 relevant time period, Defendant had a policy and a practice of recording California
19 consumers.

20 30. Plaintiff is informed and believes, and thereon alleges, that during the
21 relevant time period, Defendant had installed and/or caused to be installed certain
22 recording equipment in its employees’ or agents’ telephone lines. Defendant uses
23 these devices to record each and every telephone conversation on said telephone
24 lines.

25 31. Defendant’s conduct alleged herein constitutes violations of the right to
26 privacy of the public, including Plaintiff and other California residents, and
27 California Penal Code § 630 *et seq.*

28 32. Defendant concealed from Plaintiff, and similarly situated California
residents, that Defendant was recording the outbound calls between itself on the one

1 hand and Plaintiff and other similarly situated California residents on the other.

2 33. Defendant concealed the fact that it was recording the aforementioned
3 phone calls to create the false impression in the minds of Plaintiff and similarly
4 situated California residents that they were not being recorded. At the outset of
5 many of the calls there was no warning that the calls were, or even may be, recorded.

6 34. As a result thereof, Plaintiff and the class have been damaged as set
7 forth in the Prayer for Relief herein.

8 35. Plaintiff seeks statutory damages for himself and the class and
9 injunctive relief under California Penal Code § 637.2.

10 **CLASS ALLEGATIONS**

11 36. Plaintiff brings this action on behalf of himself and on behalf of all other
12 similar situated. Because Plaintiff's cellular phone calls were recorded, the
13 representative Plaintiff represents, and is a member of the Class he seeks to
14 represent, persons whose cellular telephone calls were recorded by Defendant in the
15 Class Period from one year prior to the filing of this Complaint through the date of
16 trial, with the Class defined as follows:

17 **Class:** All persons in California whose inbound and/or outbound
18 cellular telephone conversations were recorded without their consent by
19 Defendant, its employees, its agents or other persons working on
20 Defendant's behalf, within one year prior to the filing of the original
21 Complaint through the date of trial.

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

26 38. This suit seeks only damages and injunctive relief for recovery of
27 economic injury on behalf of the Class and it expressly is not intended to request
28 any recovery for personal injury and claims related thereto. Plaintiff reserves the

1 right to modify or expand the definition of the Class to seek recovery on behalf of
2 additional persons as warranted as facts are learned in further investigation and
3 discovery.

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

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

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

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

28 42. Plaintiff will fairly and adequately represent and protect the interests of

1 the Class in that Plaintiff has no interests antagonistic to any member of the Class.
2 Plaintiff has retained counsel experienced in handling class actions and claims under
3 California's Invasion of Privacy Act to further ensure such protection.

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

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

18 45. Defendant has acted on grounds generally applicable to the Class,
19 Californians have a protectable right thereby making appropriate final injunctive
20 relief and corresponding declaratory relief with respect to the Class as a whole.

21 **CAUSE OF ACTION**

22 **UNLAWFUL INVASION OF PRIVACY**

23 **CALIFORNIA PENAL CODE SECTION 632.7**

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

26 47. Californians have a constitutional right to privacy. Moreover, the
27 California Supreme Court has definitively linked the constitutionally protected right
28 to privacy within the purpose, intent and specific protections of the Privacy Act,

1 including specifically, Penal Code § 632. In addition, California’s explicit
2 constitutional privacy provision (Cal. Const., 1 § 1) was enacted in part specifically
3 to protect California from overly intrusive business practices that were seen to pose
4 a significant and increasing threat to personal privacy. Thus, we believe that
5 California must be viewed as having a strong and continuing interest in the full and
6 vigorous application of the provisions of section 632 prohibiting the recording of
7 telephone conversations without the knowledge or consent of all parties to the
8 conversation. *See Kearney v. Salmon Smith Barney, Inc.*, (2006) 39 Cal. 4th 95, 125.

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

18 49. Plaintiff is informed and believes and thereupon alleges that Defendant
19 employed and/or caused to be employed certain recording equipment on the
20 telephone lines of all employees, officers, directors, and managers of Defendant.

21 50. Plaintiff is informed and believes and thereupon alleges that all these
22 devices were maintained and utilized to record each and every one of Defendant’s
23 telephone conversations over said telephone lines.

24 51. Said recording equipment was used to record Defendant’s telephone
25 conversations with Plaintiff and the members of the Class, all in violation of
26 California Penal Code § 632.7.

27 52. Defendant or any employees, agents, managers, officers, or directors of
28 Defendant, and any other person, failed to inform Plaintiff or any other member of

1 the Class, at the outset of Defendant's telephone conversations, that the recording of
2 the telephone conversations were taking place, and at no time did Plaintiff or any
3 other member of the Class consent to this activity.

4 53. If any consent and/or disclosure were given, such disclosure/s and/or
5 consent was not at the inception of the call/s.

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

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

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

19 **PRAYER FOR RELIEF**

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

22 **INVASION OF PRIVACY**

23 **CALIFORNIA PENAL CODE SECTION 632.7**

24 57. As a result of Defendant's violations of Cal. Pen Code § 637.2(a),
25 Plaintiff seeks for himself and each Class member the greater of \$5,000 for each and
26 every violation or three times actual damage per violation, pursuant to Cal. Pen Code
27 § 637.2(a).

28 58. Pursuant to California Penal Code § 637.2(a), injunctive relief

1 prohibiting such conduct in the future.

2 59. Any other relief the Court may deem just and proper including attorney
3 fees and costs.

4 **JURY DEMAND**

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

6
7 Dated: February 13, 2018

s/ Ronald A. Marron

Ronald A. Marron, Esq.

8 **LAW OFFICES OF RONALD A.
9 MARRON**

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16 s/ Daniel G. Shay

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23 *Attorneys for Plaintiff and the
24 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
D'ANTHONY EARLY-RILEY, on behalf of himself, and all others similarly situated,

DEFENDANTS
ALLIANCE ONE RECEIVABLES MANAGEMENT, INC.

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

County of Residence of First Listed Defendant Bucks County, PA
(IN U.S. PLAINTIFF CASES ONLY)

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

Attorneys (If Known)

'18CV0345 DMS AGS

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 options for Citizen of This State, Citizen of Another State, Citizen or Subject of a Foreign Country, and Foreign Nation.

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

Click here for: Nature of Suit Code Descriptions.

Large table with categories: CONTRACT, REAL PROPERTY, TORTS, CIVIL RIGHTS, 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):

Class Action Fairness Act

Brief description of cause:

Plaintiff alleges violation of CIPA (Cal. Penal Code section 632.7) on a class action basis

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

02/13/2018

/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: [AllianceOne Accused of Secretly Recording Calls Placed to Consumers' Cell Phones](#)
