

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN**

Lance Ewert, individually and on)	
behalf of all others similarly situated,)	
)	
Plaintiff,)	
)	
v.)	No. 3:17-cv-891
)	
Northland Group, LLC, f/k/a Northland)	
Group, Inc., a Minnesota corporation,)	
)	
Defendant.)	<u>Jury Demanded</u>

CLASS ACTION COMPLAINT

Plaintiff, Lance Ewert, individually, and on behalf of all others similarly situated, brings this action under the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, et seq. ("FDCPA"), for a finding that Defendant's form debt collection letter violated the FDCPA, and to recover damages for Defendant's violations of the FDCPA, and alleges:

JURISDICTION AND VENUE

1. This Court has jurisdiction pursuant to § 1692k(d) of the FDCPA, and 28 U.S.C. § 1331.
2. Venue is proper in this District because: a) the acts and transactions occurred here; and b) Plaintiff and Defendant reside here.

PARTIES

3. Plaintiff, Lance Ewert ("Ewert"), is a citizen of the State of Wisconsin, residing in the Western District of Wisconsin, from whom Defendant attempted to collect a delinquent consumer debt, which was allegedly for a credit card.
4. Defendant, Northland Group, LLC, f/k/a Northland Group, Inc. ("Northland"), is a Minnesota corporation that acts as a debt collector, as defined by §

1692a of the FDCPA, because it regularly uses the mails and/or the telephone to collect, or attempt to collect, delinquent consumer debts. Defendant Northland operates a nationwide debt collection business and attempts to collect debts from consumers in several states, including consumers in the State of Wisconsin. In fact, Defendant Northland was acting as a debt collector as to the delinquent consumer debt it attempted to collect from Plaintiff.

5. Defendant Northland is authorized to conduct business in the State of Wisconsin and maintains a registered agent within the State of Wisconsin, see, record from the Wisconsin Department of Financial Institutions (WDFI), attached as Exhibit A. In fact, Defendant Northland conducts business in Wisconsin.

FACTUAL ALLEGATIONS

6. Defendant Northland sent Mr. Ewert an initial form collection letter, dated January 24, 2017, which stated:

Creditor: Kohl's Department Store, Inc.

Original Creditor: Capital One, N.A.

The letter then stated that "On 01/20/17 Kohl's Department Stores, Inc. authorized Northland Group, Inc. to collect this debt on their behalf". A copy of Defendant's letter is attached as Exhibit B.

7. Defendant's letter failed to explain what, if any, the difference was between the "creditor" and the "original creditor" and which "creditor" it was representing, or whether it was representing both. Thus, Defendant's letter failed to state effectively the name of the creditor to whom the debt is owed. In fact, Kohl's was never the creditor on the account at issue.

8. Thereafter, Defendant sent Mr. Ewert letters dated February 23, 2017, March 25, 2017 and April 24, 2017. These letters then claimed that the creditor and original creditor were:

Creditor: Capital One, N.A.

Original Creditor: CitiCorp

RE: Kohl's Credit Card Account

Copies of these letters are attached as Group Exhibit C. In fact, CitiCorp was never the creditor on the account.

9. The identity of a consumer's current creditor is a critical piece of information, and the false identification of the creditor in a dunning letter would be likely to mislead a consumer in a material way and would cause the consumer to suffer a disadvantage in charting the course of action in response to the collection effort, see, Janetos v. Fulton, Friedman & Gullace, 825 F.3d 317 (7th Cir. 2016); and, Tourgeman v. Collins Financial Services, 755 F.3d 1109, 1121 (9th Cir. 2014).

10. Defendant's collection actions complained of herein occurred within one year of the date of this Complaint.

11. Defendant's collection communications are to be interpreted under the "unsophisticated consumer" standard, see, Gammon v. GC Services, 27 F.3d 1254, 1257 (7th Cir. 1994).

COUNT I
Violation Of § 1692g(a)(2)
Failure To Identify Effectively The Current Creditor

12. Plaintiff adopts and realleges ¶¶ 1-11.

13. Section 1692g of the FDCPA requires that, within 5 days of Defendant's

first communication to a consumer, Northland had to provide Mr. Ewert with an effective validation notice, containing, among other disclosures, “(2) the name of the creditor to whom the debt is owed;” see, 15 U.S.C. § 1692g(a)(2).

14. Defendant’s initial form collection letter (Exhibit B) identifying “Kohl’s” as the creditor and Capital One as the “original creditor”, when in fact, Kohl’s was never the creditor on the account at issue failed to identify effectively the current creditor to whom the debt was owed, in violation of § 1692g(a)(2) of the FDCPA, see, Janetos, 825 F.3rd at 324-325; see also, Long v. Fenton & McGarvey, 2016 U.S. Dist. LEXIS 170421 (S.D. Ind. 2016); Pardo v. Allied Interstate, 2015 U.S. Dist. Lexis 125526 (S.D. Ind. 2015); Deschaine v. National Enterprise Systems, 2013 U.S. Dist. LEXIS 31349 (N.D. Ill. 2013); Walls v. United Collection Bureau, 2012 U.S. Dist. LEXIS 68079 (N.D. Ill. 2012); Braatz v. Leading Edge Recovery Solutions, 2011 U.S. Dist. LEXIS 123118 (N.D. Ill. 2011).

15. Defendant’s violation of § 1692g of the FDCPA renders it liable for statutory damages, costs, and reasonable attorneys’ fees. See, 15 U.S.C. § 1692k.

COUNT II
Violation Of § 1692e Of The FDCPA –
False, Deceptive Or Misleading Collection Actions

16. Plaintiff adopts and realleges ¶¶ 1-11.

16. Section 1692e of the FDCPA prohibits a debt collector from using any false, deceptive or misleading representation or means in connection with the collection of any debt.

17. Making a false statement as to the name of the original creditor is a materially misleading statement, which violates of § 1692e of the FDCPA, see,

Tourgeman, 755 F.3d at 1122. By stating that the creditor was Kohl's in its January 24, 2017 initial form collection letter, and by also stating that CitiCorp was the original creditor in the February 23, 2017, March 25, 2017 and April 24, 2017 letters, Defendant made materially false, deceptive or misleading statement, in violation of § 1692e of the FDCPA.

18. Defendant's violations of § 1692e of the FDCPA render it liable for statutory damages, costs, and reasonable attorneys' fees, see, 15 U.S.C. § 1692k.

COUNT III
Violation Of § 1692f Of The FDCPA --
Unfair Or Unconscionable Collection Actions

19. Plaintiff adopts and realleges ¶¶ 1-11.

20. Section 1692f of the FDCPA prohibits a debt collector from using any unfair or unconscionable means to collect or attempt to collect a debt, see, 15 U.S.C. § 1692f.

21. Defendant, by falsely stating that the original creditor was Kohl's in its January 24, 2017, and thereafter stating that CitiCorp was the original creditor in the February 23, 2017, March 25, 2017 and April 24, 2017, used unfair or unconscionable collection means to collect a debt, in violation of § 1692f of the FDCPA.

22. Defendant's violations of § 1692f of the FDCPA render it liable for statutory damages, costs, and reasonable attorneys' fees. See, 15 U.S.C. § 1692k.

CLASS ALLEGATIONS

23. Plaintiff, Lance Ewert, brings this action individually and as a class action on behalf of all persons similarly situated in the State of Wisconsin from whom Defendant attempted to collect a delinquent consumer debt allegedly owed for a Capital

One/Kohl's/CitiCorp account, via the same form collection letters (Exhibit B and any letter similar to the letters in Group Exhibit C), that Defendant sent to Plaintiff, from one year before the date of this Complaint to the present. This action seeks a finding that Defendant's form letters violates the FDCPA, and asks that the Court award damages as authorized by § 1692k(a)(2) of the FDCPA.

24. Defendant Northland regularly engages in debt collection, using the same form collection letters it sent Plaintiff Ewert, in its attempts to collect delinquent consumer debts from other consumers.

25. The Class consists of more than 35 persons from whom Defendant Northland attempted to collect delinquent consumer debts by sending other consumers the same form collection letters it sent Plaintiff Ewert.

26. Plaintiff Ewert's claims are typical of the claims of the Class. Common questions of law or fact raised by this class action complaint affect all members of the Class and predominate over any individual issues. Common relief is therefore sought on behalf of all members of the Class. This class action is superior to other available methods for the fair and efficient adjudication of this controversy.

27. The prosecution of separate actions by individual members of the Class would create a risk of inconsistent or varying adjudications with respect to the individual members of the Class, and a risk that any adjudications with respect to individual members of the Class would, as a practical matter, either be dispositive of the interests of other members of the Class not party to the adjudication, or substantially impair or impede their ability to protect their interests. Defendant has acted in a manner applicable to the Class as a whole such that declaratory relief is warranted.

28. Plaintiff Ewert will fairly and adequately protect and represent the interests of the Class. The management of the class action proposed is not extraordinarily difficult, and the factual and legal issues raised by this class action complaint will not require extended contact with the members of the Class, because Defendant's conduct was perpetrated on all members of the Class and will be established by common proof. Moreover, Plaintiff Ewert has retained counsel experienced in class action litigation, including class actions brought under the FDCPA.

PRAYER FOR RELIEF

Plaintiff, Lance Ewert, individually and on behalf of all others similarly situated, prays that this Court:

1. Certify this action as a class action;
2. Appoint Plaintiff Ewert as Class Representative of the Class, and his attorneys as Class Counsel;
3. Find that Defendant's form collection letters violates the FDCPA;
4. Enter judgment in favor of Plaintiff Ewert and the Class, and against Defendant Northland, for statutory damages, costs, and reasonable attorneys' fees as provided by § 1692k(a) of the FDCPA; and,
5. Grant such further relief as deemed just.

JURY DEMAND

Plaintiff, Lance Ewert, individually and on behalf of all others similarly situated, demands trial by jury.

Lance Ewert, individually and on
behalf of all others similarly situated,

By: /s/ David J. Philipps
One of Plaintiff's Attorneys

Dated: November 21, 2017

David J. Philipps (Ill. Bar No. 06196285)
Mary E. Philipps (Ill. Bar No. 06197113)
Philipps & Philipps, Ltd.
9760 S. Roberts Road
Suite One
Palos Hills, Illinois 60465
(708) 974-2900
(708) 974-2907 (FAX)
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Matthew C. Lein (Wis. Bar No. 1084028)
Lein Law Offices
P.O. Box 761
15692 Highway 63 North
Hayward, Wisconsin 54843
(715) 634-4273
(715) 634-5051 (FAX)
mlein@leinlawoffices.com

Wisconsin Department of Financial Institutions

Strengthening Wisconsin's Financial Future

Search for:

Northland Group, LLC

Search Records

[Search](#)
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[Name Availability](#)

Corporate Records

Result of lookup for N047796 (at 11/13/2017 11:31 AM)

NORTHLAND GROUP LLC

You can: [File an Annual Report](#) - [Request a Certificate of Status](#) - [File a Registered Agent/Office Update Form](#)

Vital Statistics

Entity ID	N047796
Registered Effective Date	10/10/2017
Period of Existence	PER
Status	Registered Request a Certificate of Status
Status Date	10/10/2017
Entity Type	Foreign LLC
Annual Report Requirements	Foreign Limited Liability Companies are required to file an Annual Report under s. 183.0120, WI Statutes.
Foreign Organization Date	03/01/1982
Paid Capital Represented	
Foreign State	MN

Addresses

Registered Agent Office
C T CORPORATION SYSTEM
301 S. BEDFORD ST. SUITE 1
MADISON , WI 53703
[File a Registered Agent/Office Update Form](#)

Principal Office
7831 GLENROY RD STE 250
EDINA , MN 55439
UNITED STATES OF AMERICA

Historical Information

Annual Reports None



Certificates of Newly-elected Officers/Directors None

Old Names None

Chronology

Effective Date	Transaction	Filed Date	Description
10/10/2017	Registered	10/10/2017	OnlineForm 521

[Order a Document Copy](#)



Northland Group Inc.



P.O. Box 390846
Minneapolis, MN 55439
Mail Code KHL1

866-751-7033 ext 1201
For General Business Hours, please visit us at:
www.payments2northland.com
January 24, 2017

ACCOUNT INFORMATION

Creditor: Kohl's Department Stores, Inc.
Original Creditor: Capital One, N.A.
Re: Kohl's Credit Card Account *****0463

Lance Ewert

NORTHLAND REFERENCE NUMBER



New Information on Your Account
Account balance: \$473.50

Dear Lance Ewert,

On 01/20/17 Kohl's Department Stores, Inc. authorized Northland Group, Inc. to collect this debt on their behalf. We are aware of today's economic climate and the challenges you may be facing. We pride ourselves on being a problem solving leader in this industry and we are confident we can find a resolution to this matter that is mutually agreeable for all parties involved. This may even include a possible settlement for less than the balance owed. Many times, settlement opportunities can carry a multi-payment option as well. Please contact us to resolve the above referenced account and know that we are always interested in hearing any repayment suggestions that you feel are fair and affordable. This offer does not affect your rights set forth below.

As of the date of this letter, the balance due on the account is \$473.50. Because of interest that may vary from day to day, the amount due on this account may be greater after the date of this letter. For further information please call us at 866-751-7033 ext 1201 or write us at the address provided above. 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 after 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.

Should you have any questions regarding this account, please feel free to call us at 866-751-7033 ext 1201. We look forward to hearing from you.

Thank you,

Northland Group, Inc.



Pay Online: To view the account balance, set up payments, and communicate with us via e-mail, please visit www.payments2northland.com



Pay by Phone: Please call Northland Group, Inc. at 866-751-7033 ext 1201. We offer check by phone, Western Union, and debit card.



Pay by Mail: Send payments to PO Box 390846, Minneapolis, MN 55439.

This is an attempt to collect a debt by a debt collector and any information obtained will be used for that purpose. This communication is sent to you by Northland Group, Inc., a debt collector and a member of ACA International.

RECEIVED
FEB 9 2017





Northland Group Inc.



P.O. Box 390846
Minneapolis, MN 55439
Mail Code KHL1

866-751-7033 ext 1201
For General Business Hours, please visit us at
www.payments2northland.com

RECEIVED
APR 17 2017

February 23, 2017

ACCOUNT INFORMATION
Creditor: Capital One, N.A.
Original Creditor: CitiCorp
Re: Kohl's Credit Card Account *****0463
PAYMENT ADDRESS:
P.O. Box 390846, Minneapolis, MN 55439
NORTHLAND REFERENCE NUMBER

Account Balance: \$473.50
Settlement Offer: \$236.76

Lance Ewert

WI



IT'S A NEW YEAR WITH NEW OPPORTUNITIES!

Dear Lance Ewert,

Expecting a tax refund this year? We would like to help you resolve this account by offering you the option of settling your account for \$236.76 in 3 payments starting on 03/16/17. If you need additional time to respond to this offer, please contact us. Please note, we are not obligated to renew this offer. The payments can be no more than 30 days apart. Once all three payments have been paid to our office on time, a letter will be sent confirming that the above referenced account has been resolved. Please send in the payments along with a payment stub to the address below.

Should you have any questions regarding this account, please feel free to call us at 866-751-7033 ext 1201. We look forward to hearing from you.

Thank you,

Northland Group, Inc.

This is an attempt to collect a debt by a debt collector and any information obtained will be used for that purpose. This communication is sent to you by Northland Group, Inc., a debt collector and a member of ACA International.

	Pay Online: www.payments2northland.com
	Pay by Phone: Please call Northland Group, Inc. toll-free at 866-751-7033 ext 1201. We offer check by phone, Western Union, and debit card.
	Pay by Mail: Send payments to PO Box 390846, Minneapolis, MN 55439.

1 of 3
Northland Reference # [redacted]
Client Code: KOHL
Re: Kohl's Credit Card Account *****0463
Mail Payment to:
Northland Group, Inc.
P.O. Box 390846
Minneapolis, MN 55439
Or pay online at:
payments2northland.com
PAYMENT AMOUNT: \$78.92
Due Date: 03/16/17

Detach coupon and mail with payment

2 of 3
Northland Reference # [redacted]
Client Code: KOHL
Re: Kohl's Credit Card Account *****0463
Mail Payment to:
Northland Group, Inc.
P.O. Box 390846
Minneapolis, MN 55439
Or pay online at:
payments2northland.com
PAYMENT AMOUNT: \$78.92
Due Date: 30 days from 1st payment

Detach coupon and mail with payment

3 of 3
Northland Reference # [redacted]
Client Code: KOHL
Re: Kohl's Credit Card Account *****0463
Mail Payment to:
Northland Group, Inc.
P.O. Box 390846
Minneapolis, MN 55439
Or pay online at:
payments2northland.com
PAYMENT AMOUNT: \$78.92
Due Date: 30 days from 2nd payment

Detach coupon and mail with payment



RECEIVED
APR 7 2017



PAYMENT ADDRESS: P.O. Box 390846
Minneapolis, MN 55439
Mail Code KHL1



Northland Group Inc.

866-751-7033 ext 1201
For General Business Hours, please visit us at
www.payments2northland.com
March 25, 2017

Northland Reference # [REDACTED]
Account Balance: \$473.50
Settlement: \$236.76
Creditor: Capital One, N.A.
Original Creditor: CitiCorp
Re: Kohl's Credit Card Account *****0463



Lance Ewert

[REDACTED]
WI

[REDACTED]

IT'S A NEW YEAR WITH NEW OPPORTUNITIES!

Dear Lance Ewert,

Expecting a tax refund this year? We would like to help you resolve this account. We understand that things happen and we have many payment options available on the above referenced account which may better fit your budget. Below are two offers that we would like to extend at this time.

Option 1 (3-pay settlement): This option allows you to settle your account for \$236.76 in 3 payments of \$78.92 in order to clear this debt. Please note, we are not obligated to renew this offer. Your first payment is due on 04/15/2017. If you need additional time to respond to this offer, please contact us. The payments can be no more than 30 days apart. For your convenience, payment coupons are attached at the bottom of this letter. Upon receipt and clearance of all three payments, a letter will be sent confirming that the above referenced account has been resolved.

Option 2 (Monthly payments on Balance): We understand that you may not be in a position to take advantage of a settlement offer at this time. We are also able to break up your balance into smaller monthly payments of \$100 until your account is paid in full. If you wish to take advantage of this option, please send your payments to the above address, and be sure to include your Northland reference number on your payment. Upon receipt of your first payment, we will send you payment coupons for your future monthly payments. Once you are in a position to offer a settlement, please contact us.

If you would like to take advantage of one of the offers listed above, or if you would prefer to make smaller monthly payments over time, please feel free to call us at 866-751-7033 ext 1201.

Thank you,

Northland Group, Inc.

This is an attempt to collect a debt by a debt collector and any information obtained will be used for that purpose.

Payment Methods

Pay by phone: Please call Northland Group Inc at 866-751-7033 ext 1201

Pay by Mail: Send payments to PO BOX 390846, Minneapolis, MN 55439

Pay Online: To view the account balance, set up payments, and communicate with us via e-mail, please visit www.payments2northland.com





Northland Group Inc.



Minneapolis, MN 55439
Mail Code KHLT

866-751-7033 ext 1201
For General Business Hours, please visit us at:
www.payments2northland.com

April 24, 2017

RECEIVED

MAY 17 2017

ACCOUNT INFORMATION
Creditor: Capital One, N.A.
Original Creditor: CitiCorp
Re: Kohl's Credit Card Account *****0463

PAYMENT ADDRESS:
P.O. Box 390846, Minneapolis, MN 55439
NORTHLAND REFERENCE NUMBER

Account Balance: \$473.50

Lance Ewert

WI



Resolve Your Account with Monthly Payments!

Dear Lance Ewert,

We're sorry that we haven't been able to reach you regarding resolution of your outstanding balance. We have many payment options available on the above referenced account which may better fit your budget. For example, we are able to break up your balance into smaller monthly payments of \$47.35. This will allow you to pay down your amount due while keeping open the option of saving money in the future by settling on the balance. Please see suggested due dates below. If you need additional time to respond to this offer, please contact us. Please note, we are not obligated to renew this offer. Coupons are attached for your first three payments and we will send additional coupons if you request them. Upon completion of the payment plan, a letter will be sent confirming that the above referenced account has been resolved.

If you would like to take advantage of the offer listed above, or if you would prefer to discuss other options that may be available to you, please feel free to call us at 866-751-7033 ext 1201. We look forward to hearing from you.

Thank you,

Northland Group, Inc.

This is an attempt to collect a debt by a debt collector and any information obtained will be used for that purpose. This communication is sent to you by Northland Group, Inc., a debt collector and a member of ACA International.



Pay Online: To view the account balance, set up payments, and communicate with us via e-mail, please visit www.payments2northland.com

Pay by Phone: Please call Northland Group, Inc. at 866-751-7033 ext 1201. We offer check by phone, Western Union, and debit card.

Pay by Mail: Send payments to PO Box 390846, Minneapolis, MN 55439.

Northland Reference #: [REDACTED]
Client Code: KOHL
Re: Kohl's Credit Card Account *****0463
Mail Payment to:
Northland Group, Inc.
P.O. Box 390846
Minneapolis, MN 55439
Or pay online at:
payments2northland.com
PAYMENT AMOUNT: \$47.35
Due Date: 05/15/17

Northland Reference #: [REDACTED]
Client Code: KOHL
Re: Kohl's Credit Card Account *****0463
Mail Payment to:
Northland Group, Inc.
P.O. Box 390846
Minneapolis, MN 55439
Or pay online at:
payments2northland.com
PAYMENT AMOUNT: \$47.35
Due Date: 06/14/17

Northland Reference #: [REDACTED]
Client Code: KOHL
Re: Kohl's Credit Card Account *****0463
Mail Payment to:
Northland Group, Inc.
P.O. Box 390846
Minneapolis, MN 55439
Or pay online at:
payments2northland.com
PAYMENT AMOUNT: \$47.35
Due Date: 07/14/17

Detach coupon and mail with payment

Detach coupon and mail with payment

Detach coupon and mail with payment

CIVIL COVER SHEET

The JS 44 civil coversheet 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

Lance Ewert, individually and on behalf of all others similarly situated,

(b) County of Residence of First Listed Plaintiff Sawyer, WI (EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number) Philipps & Philipps, Ltd. 9760 S. Roberts Road, Suite One Palos Hills, Illinois 60465 (708) 974-2900

DEFENDANTS

Northland Group, LLC, f/k/a Northland Group, Inc., a Minnesota corporation

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

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

Attorneys (If Known)

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

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

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

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

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

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

V. ORIGIN

- 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

VI. CAUSE OF ACTION

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

Brief description of cause: Fair Debt Collection Practices Act; 15 U.S.C. Section 1692 et seq.

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23, DEMAND \$, CHECK YES only if demanded in complaint: JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE DOCKET NUMBER

DATE 11/21/2017 SIGNATURE OF ATTORNEY OF RECORD /s/ David J. Philipps

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.C.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; federal question actions take precedence over diversity cases.)

III. Residence (citizenship) of Principal Parties. This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.

IV. Nature of Suit. Place an "X" in the appropriate box. If the nature of suit cannot be determined, be sure the cause of action, in Section VI below, is sufficient to enable the deputy clerk or the statistical clerks in the Administrative Office to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive.

V. Origin. Place an "X" in one of the seven boxes.

Original Proceedings. (1) Cases which originate in the United States district courts.

Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.

Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.

Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.

Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.

Multidistrict Litigation. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407. When this box is checked, do not check (5) above.

Appeal to District Judge from Magistrate Judgment. (7) Check this box for an appeal from a magistrate judge's decision.

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 dollar amount (in thousands of dollars) 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.

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of Wisconsin

Lance Ewert, individually and on behalf of all others
similarly situated,

Plaintiff

v.

Northland Group, LLC, f/k/a Northland Group, Inc., a
Minnesota corporation,

Defendant

Civil Action No. 3:17-cv-891

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Northland Group, LLC, f/k/a Northland Group, Inc.
c/o CT Corporation System, as registered agent
301 S. Bedford Street
Suite 1
Madison, Wisconsin 53703

A lawsuit has been filed against you.

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

David J. Philipps
Philipps & Philipps, Ltd.
9760 S. Roberts Road, Suite One
Palos Hills, Illinois 60465
(708) 974-2900

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

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

Civil Action No. 3:17-cv-891

PROOF OF SERVICE

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

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

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

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

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

I returned the summons unexecuted because _____; or

Other *(specify):* _____.

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

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

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

Print

Save As...

Reset

ClassAction.org

This complaint is part of ClassAction.org's searchable class action lawsuit database and can be found in this post: [Wisconsin Man Sues Northland Group Over Alleged Failure to Identify Creditor](#)
