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FILED
U. S. DISTRICT COURT
EASTERN DISTRICT ARKANSAS

JUL 10 2020

JAMES W. McCORMACK, CLERK
By: [Signature] DEP CLERK

8 *Attorneys for Plaintiff,*
9 Jason Fields

10 **UNITED STATES DISTRICT COURT**
11 **EASTERN DISTRICT OF ARKANSAS**

12 JASON FIELDS, individually, and on
13 behalf others similarly situated

14 Plaintiff,

15 vs.

16 JP MORGAN CHASE BANK,
17 NATIONAL ASSOCIATION,

18 Defendant.

Case No.:

CLASS ACTION COMPLAINT FOR VIOLATIONS OF:

**THE TELEPHONE CONSUMER PROTECTION ACT of 1991,
47 U.S.C § 227 et seq.**

DEMAND FOR JURY TRIAL

KAZEROUNI
LAW GROUP, APC

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22 4:20-cv-823-BSM
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25 This case assigned to District Judge Miller
26 and to Magistrate Judge Volpe
27
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INTRODUCTION

1. Jason Fields (“Plaintiff”), individually and on behalf of all others similarly situated (the “Class”), brings this action for damages and injunctive relief against JPMorgan Chase Bank, National Association (“Defendant”) and its present, former, or future direct and indirect parent companies, subsidiaries, affiliates, agents, related entities for entities for negligently or intentionally contacting Plaintiff and Class members on their cellular telephones, in violation of the Telephone Consumer Protection Act, 47 U.S.C. § 227 *et seq.*, (“TCPA”).
2. Plaintiff alleges as follows upon personal knowledge as to himself and his own acts and experiences, and, as to all other matters, upon information and belief, including investigation conducted by his attorneys.
3. The United States congress enacted TCPA in order eliminate the abuse and to prevent unauthorized calls from creditors and telemarketers in order to protect the privacy of consumers. “Voluminous consumer complaints about abuses of telephone technology—for example, computerized calls dispatched to private homes—prompted Congress to pass the TCPA.” *Mims v. Arrow Fin. Servs., LLC*, 132 S. Ct. 740, 744 (2012).
4. The TCPA was designed to prevent calls like the ones described within this complaint, and to protect the privacy of citizens like Plaintiff herein.
5. In enacting the TCPA, Congress intended to give consumers a choice as to how creditors and telemarketers may call them, and made specific findings that “[t]echnologies that might allow consumers to avoid receiving such calls are not universally available, are costly, are unlikely to be enforced, or place an inordinate burden on the consumer.” TCPA, Pub.L. No. 102-243, § 11. To this end, Congress found that:

[b]anning such automated or prerecorded telephone calls to the home, except when the receiving party consents to receiving the call or when such calls are necessary in an emergency situation affecting the health and safety of the

1 consumer, is the only effective means of protecting telephone
2 consumers from this nuisance and privacy invasion.

3 *Id.* at § 12; *see also Martin v. Leading Edge Recovery Solutions, LLC*, 2012 WL
4 3292838, at *4 (N.D. Ill. Aug. 10, 2012) (citing Congressional findings on TCPA’s
5 purpose).

6 6. Congress also specifically found that “the evidence presented to the Congress
7 indicates that automated or prerecorded calls are a nuisance and an invasion of
8 privacy, regardless of the type of call. . . .” *Id.* at §§ 12-13. *See also, Mims*, 132 S.
9 Ct. at 744.

10 7. As Judge Easterbrook of the Seventh Circuit explained in a TCPA case regarding
11 calls similar to this one:

12 The Telephone Consumer Protection Act [...] is well known
13 for its provisions limiting junk-fax transmissions. A less
14 litigated part of the Act curtails the use of automated dialers
15 and prerecorded messages to cell phones, whose subscribers
16 often are billed by the minute as soon as the call is answered
17 – and routing a call to voicemail counts as answering the call.
An automated call to a landline phone can be an annoyance;
an automated call to a cell phone adds expense to annoyance.

18 *Soppet v. Enhanced Recovery Co., LLC*, 679 F.3d 637, 638 (7th Cir. 2012).

19 8. To state a claim for a violation of the TCPA, a plaintiff must only show that he or
20 she received a call made using an ATDS or featuring a prerecorded voice;
21 “[c]onsent is an affirmative defense to liability under the TCPA.” *Cartrett v. Time*
22 *Warner Cable, Inc.*, 157 F. Supp. 3d 448 (E.D. N.C. January 14, 2016); *See also*
23 *Meyer v. Portfolio Recovery Assocs., LLC*, 707 F.3d 1036, 1042 (finding
24 Defendant “did not show a single instance where express consent was given before
25 the call was placed.”)

26 9. While many violations are described below with specificity, this Complaint alleges
27 violations of the statute cited in its entirety.
28

1 10. Unless otherwise stated, all the conduct engaged in by Defendant took place in
2 Arkansas.

3 11. All violations by Defendant were knowing, willful, and intentional, and Defendant
4 did not maintain procedures reasonably adapted to avoid any such violation.

5 12. Unless otherwise indicated, the use of Defendant's name in this Complaint includes
6 all agents, employees, officers, members, directors, heirs, successors, assigns,
7 principals, trustees, sureties, subrogees, representatives, and insurers of Defendant.

8 13. Plaintiff brings this case as a class action seeking damages for himself and all others
9 similarly situated.

10 **JURISDICTION AND VENUE**

11 14. The Court has federal question jurisdiction under 28 U.S.C. § 1331 because this
12 case arises out of violation of federal law: the TCPA.

13 15. Because Defendant's principal place of business is in the City of New York, State
14 of New York and Defendant conducts business within the State of New York,
15 personal jurisdiction is established.

16 16. Venue is proper in the United States District Court for the Eastern District of
17 Arkansas pursuant to 28 U.S.C. § 1391 because the conduct complained of herein
18 occurred within this judicial district; and Defendant conducted business within this
19 judicial district at all times relevant to this action.

20 **PARTIES**

21 17. Plaintiff is, and at all times mentioned herein was, a natural person and resident of
22 the County of Saline, State of Arkansas.

23 18. Defendant is, and all times mentioned herein was, a national bank incorporated in
24 Delaware, and holds its principal place of business in the City of New York, State
25 of New York.

26 19. Defendant is, and at all times mentioned was, a "person" as defined by 47 U.S.C.
27 § 153(39).

28 //



FACTUAL ALLEGATIONS

1
2 20. Upon information and belief, Defendant regularly makes autodialed telephone calls
3 to consumers in order to solicit business.

4 21. Plaintiff is, and has been at all times relevant to this action, the regular and sole
5 user of his cellular telephone number—(501) 655-XXXX.

6 22. At no point did Plaintiff inquire Defendant about its services or provide
7 authorization to receive autodialed calls on his cellular telephone from Defendant.

8 23. Nonetheless on December 26, 2019, Defendant initiated a marketing telephone call
9 to Plaintiff’s cellular telephone using an automatic telephone dialing system
10 (“ATDS”) as defined by 47 U.S.C. § 227(a)(1).

11 24. On December 26, 2019 at approximately 10:31 a.m., Defendant made an outbound
12 call to Plaintiff’s cellular telephone from the phone number 1 (800) 945-2000.

13 25. Shortly thereafter, Plaintiff called the 1 (800) 945-2000 number and was directed
14 through an automated system where a pre-recorded voice stated, “Welcome to
15 Chase card services...”

16 26. Upon information and belief, Defendant places these calls to solicit consumers to
17 open accounts with Defendant.

18 27. Upon information and belief, Defendant has a policy and regular practice of placing
19 calls, or knowingly sanctioning such calls, to consumers using a pre-recorded or
20 automated voice and an ATDS.

21 28. The TCPA clearly prohibits making non-emergency calls “using any [ATDS] or
22 an artificial or prerecorded voice . . . to any telephone number assigned to a . . .
23 cellular telephone service . . .” 47 U.S.C. § 227(b)(1)(A). The statute provides for
24 \$500.00 in statutory damages for each negligent violation, *id.* § 227(b)(3)(B).
25 However, if the court finds that the Defendant “willfully or knowingly” violated
26 the TCPA, it can award up to \$1,500 in statutory damages. *Id.*

27 29. Plaintiff was personally affected by Defendant’s actions because Defendant’s use
28 of an ATDS and pre-recorded voice forced Plaintiff to live without the utility of



1 Plaintiff's cell phone by forcing him to silence his cell phone and/or block
2 incoming numbers.

3 30. Plaintiff was further personally affected because he was frustrated and distressed
4 that despite never having any contact with Defendant, Defendant harassed Plaintiff
5 with a call using an ATDS and/or pre-recorded voice.

6 31. Defendant, upon information and belief, used an ATDS as defined by 47 U.S.C. §
7 227(a)(1), as prohibited by 47 U.S.C. § 227(b)(1)(A).

8 32. Upon information and belief, Defendant's ATDS has the capacity to store or
9 produce telephone numbers to be called, using a random or sequential number
10 generator.

11 33. Upon information and belief, Defendant's ATDS also has the capacity to and does,
12 dial telephone numbers stored as a list or in a database without human intervention.

13 34. Plaintiff's cellular telephone, which Defendant called, was assigned to a cellular
14 telephone service for which Plaintiff incurs a charge for incoming calls pursuant to
15 47 U.S.C. § 227(b)(1).

16 35. Receiving Defendant's unauthorized call drained Plaintiff's phone battery and
17 caused Plaintiff wear and tear on his phone and battery.

18 36. The unwanted telephone call constitutes a call that was not for emergency purposes
19 as defined by 47 U.S.C. § 227(b)(1)(A)(i).

20 37. Plaintiff did not provide express consent to Defendant to receive calls on Plaintiff's
21 cellular telephone, pursuant to 47 U.S.C. § 227 (b)(1)(A).

22 38. Through Defendant's aforementioned conduct, Plaintiff suffered an invasion of a
23 legally protected interest in privacy, which is specifically addressed and protected
24 by the TCPA.

25 39. Moreover, Plaintiff is informed and believes and here upon alleges, that Defendant
26 or Defendant's agent, with Defendant's permission, knowledge, control and for the
27 Defendant's benefit, "willfully or knowingly" utilized a pre-recorded voice in
28

1 conjunction with its ATDS in violation of well-established federal law prohibiting
2 such conduct.

3 40. As a result thereof, Plaintiff has been damaged as set forth in the Prayer for Relief
4 herein.

5 41. Plaintiff seeks statutory damages and injunctive relief under 47 U.S.C § 227(b)(3).

6 **STANDING**

7 42. Standing is proper under Article III of the Constitution of the United States of
8 America because Plaintiff's claims state:

- 9 a. a valid injury in fact;
10 b. which is traceable to the conduct of Defendant;
11 c. and is likely to be redressed by a favorable judicial decision.

12 *See Spokeo, Inc. v. Robins*, 136 S. Ct. 1540, 1549 (2016); *Lujan v. Defenders of*
13 *Wildlife*, 504 U.S. 555, 560 (1992).

14 **A. The "Injury in Fact" Prong**

15 43. In order to meet the standard laid out in *Spokeo* and *Lujan*, Plaintiff must clearly
16 allege facts demonstrating all three prongs above.

17 44. Plaintiff's injury in fact must be both "concrete" and "particularized" in order to
18 satisfy the requirements of Article III of the Constitution, as laid out in *Spokeo. Id.*

19 45. For an injury to be "concrete" it must be a *de facto* injury, meaning that it actually
20 exists. *Soppet v. Enhanced Recovery Co., LLC*, 679 F.3d 637, 638 (7th Cir. 2012).

21 In this case, Plaintiff was called on his cellular telephone by Defendant, who
22 utilized an ATDS, without Plaintiff's authorized consent. Such calls are a nuisance,
23 an invasion of privacy, and an expense to Plaintiff. Furthermore, Plaintiff was
24 distracted and annoyed by having to take time to call back the missed number. All
25 these injuries are concrete and *de facto*.

26 46. For an injury to be "particularized" means that the injury must "affect the Plaintiff
27 in a personal and individual way." *Spokeo*, 578 U.S. at 1548. In this case,
28 Defendant invaded Plaintiff's privacy and peace by calling his cellular phone using

1 an ATDS and/or pre-recorded voice, without Plaintiff's consent. All of these
2 injuries are particularized and specific to Plaintiff, and will be the same injuries
3 suffered by each member of the putative class.

4 **B. The "Traceable to the Conduct of Defendant" Prong**

5 47. The second prong required to establish standing at the pleadings phase is Plaintiff
6 must allege facts to show that his injuries are traceable to the conduct of the
7 Defendant.

8 48. Here, the unwarranted phone call described above is explicitly linked to Defendant.
9 When calling the 1 (800) 945-2000 telephone number used by Defendant, a pre-
10 recorded message expressly identifies itself as Chase Bank. Therefore, Plaintiff has
11 alleged facts that show his injuries are traceable to the conduct of Defendant.

12 **C. The "Injury is Likely to be Redressed by a Favorable Judicial Opinion"**

13 49. The third prong to establish standing at the pleading phase requires Plaintiff to
14 allege facts to show that the injury is likely to be redressed by a favorable judicial
15 opinion.

16 50. In the present case, Plaintiff's Prayers for Relief includes a request for damages for
17 each call made by Defendant, as authorized by statute in 47 U.S.C. § 227 *et seq.*
18 The statutory damages were set by Congress and specifically redress the financial
19 and emotional damages suffered by Plaintiff.

20 51. Furthermore, Plaintiff's Prayers for Relief requests for injunctive relief to restrain
21 Defendant from the alleged practices in the future. The award of monetary damages
22 and the order for injunctive relief redress the injuries of the past and prevent further
23 injury in the future.

24 52. Because all standing requirements of Article III of the U.S. Constitution have been
25 met, as laid out in *Spokeo*, Plaintiff has standing to sue Defendant on the stated
26 claims.

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CLASS ACTION ALLEGATIONS

1
2 53. Plaintiff brings this lawsuit as a class action on behalf of himself and on behalf of
3 all others similarly situated in the United States.

4 54. Plaintiff represents, and is a member of the Class, consisting of:

5
6 All persons within the United States who received any call
7 from Defendant or its agent/s and/or employee/s, to said
8 person's cellular telephone made through the use of any
9 automatic telephone system and/or with an artificial or
prerecorded voice within the four years prior to the filing of
this Complaint.

10 55. Excluded from the Class are: (1) Defendant, any entity or division in which
11 Defendant has a controlling interest, and its legal representatives, officers,
12 directors, assigns, and successors; (2) the Judge to this case is assigned and the
13 Judge's staff; and (3) those persons who have suffered personal injuries as a result
14 of the facts alleged herein.

15 56. Plaintiff reserves the right to redefine the Class as appropriate based on discovery
16 and specific theories of liability.

17 57. This suit seeks only damages and injunctive relief for recovery of economic injury
18 on behalf of the Class members, and it expressly is not intended to request any
19 recovery for personal injury claims related thereto. Plaintiff reserves the right to
20 expand the Class definition to seek recovery on behalf of additional persons as
21 warranted from facts learned in further investigation and discovery.

22 58. **Numerosity**: The membership of the Class is currently unknown to Plaintiff at this
23 time; however, given that, on information and belief, Defendant called thousands
24 of the proposed Class members nationwide, it is reasonable to presume that the
25 proposed Class members are so numerous that joinder of all members is
26 impracticable. The disposition of their claims in a class action will provide
27 substantial benefits to the parties and the Court. Class members can be identified
28 through Defendant's records or Defendant's agents' records.

1 59. **Commonality:** There are common questions of law and fact as to Class members
2 that predominate over questions affecting only individual members, including, but
3 not limited to:

- 4 • Whether, within four years prior to the filing of this Complaint, Defendant or
5 its agents initiated any telephonic communications to Class members (other
6 than a message made for emergency purposes or made with the prior express
7 consent of the called party) using any ATDS or prerecorded voice to any
8 telephone number assigned to a cellular phone service;
- 9 • Whether Defendant has, and continues to have, a policy during the relevant
10 period, of making unsolicited telephone calls to the Class members;
- 11 • Whether Defendant's policy or practice of utilizing an ATDS and/or
12 prerecorded message to initiate telephone communications with Class
13 members caused any damages to Class members thereby, and the extent of
14 damages for such violations;
- 15 • Whether Defendant should be enjoined from engaging in such conduct in the
16 future;
- 17 • Whether Defendant can meet its burden of showing Defendant obtained prior
18 express written consent; and
- 19 • Whether Defendant's conduct was knowing and/or willful.

20 60. **Typicality:** Plaintiff's claims are typical of the claims of the members of the Class.
21 Plaintiff has had to suffer the burden of receiving at least one phone call to his
22 cellular telephone from an ATDS and/or pre-recorded voice. Thus, his injuries are
23 typical to Class Members. As it did for all members of the Class, Defendant used
24 an ATDS and/or pre-recorded message to call Plaintiff's cellular telephone.

25 61. Plaintiff and members of the Class were harmed by the acts of Defendant in at least
26 the following ways: Defendant, either directly or through its agents, illegally
27 contacted Plaintiff and Class members via their cellular telephones for
28 telemarketing purposes by using an ATDS and/or prerecorded message, thereby

1 causing Plaintiff and Class Members to incur certain cellular telephone charges or
2 reduce cellular telephone time for which Plaintiff and Class members previously
3 paid. Plaintiff and Class Members were damaged thereby.

4 62. **Adequacy:** Plaintiff is qualified to, and will, fairly and adequately protect the
5 interests of each Class member with whom he is similarly situated, as demonstrated
6 herein. Plaintiff acknowledges that he has an obligation to make known to the Court
7 any relationships, conflicts, or differences with any Class member.

8 63. Plaintiff's interests in this matter are not directly or irrevocably antagonistic to the
9 interests of the members of the class.

10 64. Plaintiff will vigorously pursue the claims of the members of the class.

11 65. Plaintiff has retained counsel experienced and competent in class action litigation.
12 Plaintiff's attorneys, the proposed class counsel, are versed in the rules governing
13 class action discovery, certification, and settlement. In addition, the proposed class
14 counsel is experienced in handling claims involving consumer actions such as the
15 TCPA.

16 66. Plaintiff's counsel will vigorously pursue this matter.

17 67. Plaintiff's counsel will assert, protect and otherwise represent the members of the
18 class.

19 68. Plaintiff has incurred, and throughout the duration of this action, will continue to
20 incur costs and attorney's fees that have been, are, and will be, necessarily
21 expended for the prosecution of this action for the substantial benefit of each Class
22 member.

23 69. **Superiority:** A class action is the superior method for the fair and efficient
24 adjudication of this controversy because:

- 25 a. Class-wide damages are essential to induce Defendant to comply with federal
26 law.

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- 1 b. The relatively small size of the individual Class members' claims, it is likely
- 2 that only a few Class members could afford to seek legal redress for
- 3 Defendant's misconduct.
- 4 c. Management of these claims is likely to present significantly fewer difficulties
- 5 than those presented in many class claims.
- 6 d. Absent a class action, most Class members would likely find the cost of
- 7 litigating their claims prohibitively high and would therefore have no effective
- 8 remedy at law.
- 9 e. Class action treatment is manageable because it will permit a large number of
- 10 similarly situated persons to prosecute their common claims in a single forum
- 11 simultaneously, efficiently, and without the unnecessary duplication of effort
- 12 and expense that numerous individual actions would endanger.
- 13 f. Absent a class action, Class members will continue to incur damages, and
- 14 Defendant's misconduct will continue without remedy.

15 70. The Class may also be certified because:

- 16 a. The prosecution of separate actions by individual Class members would create
- 17 a risk of inconsistent or varying adjudication with respect to individual Class
- 18 Members, which would establish incompatible standards of conduct for
- 19 Defendant;
- 20 b. The prosecution of separate actions by individual Class members would create
- 21 a risk of adjudications with respect to them that would, as a practical matter,
- 22 be dispositive of the interests of other Class members not parties to the
- 23 adjudication, or substantially impair or impede their ability to protect their
- 24 interests; and
- 25 c. Defendant has acted or refused to act on grounds generally applicable to the
- 26 Class members, thereby making appropriate final and injunctive relief with
- 27 respect to the members of the Class as a whole.

28 //

FIRST CAUSE OF ACTION
NEGLIGENT VIOLATIONS OF THE TCPA

47 U.S.C. § 227, ET SEQ.

- 71. Plaintiff repeats, re-alleges, and incorporates by reference, all other paragraphs.
- 72. The foregoing acts and omissions of Defendant constitute numerous and multiple negligent violations of the TCPA, including but not limited to each and every one of the above-cited provisions of 47 U.S.C. § 227, *et seq.*
- 73. As a result of Defendant’s negligent violations of 47 U.S.C. § 227, *et seq.*, Plaintiff and the Class members are entitled to an award of \$500.00 in statutory damages, for each and every violation, pursuant to 47 U.S.C. § 227(b)(3)(B).
- 74. Plaintiff and the Class members are also entitled to and seek injunctive relief prohibiting such conduct in the future.

SECOND CAUSE OF ACTION
KNOWING AND/OR WILLFUL VIOLATIONS OF THE TCPA

47 U.S.C. § 227 ET SEQ.

- 75. Plaintiff repeats, re-alleges, and incorporates by reference, all other paragraphs.
- 76. The foregoing acts and omissions of Defendant constitutes numerous and multiple knowing and/or willful violations of the TCPA, including but not limited to each and every one of the above-cited provisions of 47 U.S.C. § 227, *et seq.*
- 77. As a result of Defendant’s knowing and/or willful violations of 47 U.S.C. § 227, *et seq.*, Plaintiff and the Class members are entitled to an award of \$1,500.00 in statutory damages, for each and every violation, pursuant to 47 U.S.C. § 227(b)(3)(B) and 47 U.S.C. § 227(b)(3)(C).
- 78. Plaintiff and Class members are also entitled to and seek injunctive relief prohibiting such conduct in the future.

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1 **PRAYER FOR RELIEF**

2 **WHEREFORE**, Plaintiff and the Class members pray judgment be entered
3 against Defendant, and be awarded damages from Defendant, as follows:

- 4
- 5 • Certify the Class as requested herein;
 - 6 • Appoint Plaintiff to serve as the Class Representative in this matter;
 - 7 • Appoint Plaintiff’s Counsel as Class Counsel in this matter; and
 - 8 • Provide such further relief as may be just and proper.

9 In addition, Plaintiff and the Class members pray for further judgment as follows
10 against Defendant:

11 **FIRST CAUSE OF ACTION**

12 **NEGLIGENT VIOLATION OF THE TCPA**

13 **47 U.S.C. § 227, ET SEQ.**

- 14
- 15 • As a result of Defendant’s negligent violations of 47 U.S.C. § 227(b)(1),
16 Plaintiff seeks for himself and each Class member \$500.00 in statutory
17 damages, for each and every violation, pursuant to 47 U.S.C. § 227(b)(3)(B);
 - 18 • Pursuant to 47 U.S.C. § 227(b)(3)(A), injunctive relief prohibiting such
19 conduct in the future; and
 - 20 • Any other relief the Court may deem just and proper.

21 **SECOND CAUSE OF ACTION**

22 **FOR KNOWING AND/OR WILLFUL VIOLATION OF THE TCPA**

23 **47 U.S.C. § 227, ET SEQ.**

- 24
- 25 • As a result of Defendant’s willful and/or knowing violations of 47 U.S.C. §
26 227(b)(1), Plaintiff seeks for himself and each Class member treble damages,
27 as provided by statute, up to \$1,500.00 for each and every violation, pursuant
28 to 47 U.S.C. § 227(b)(3)(B) and 47 U.S.C. § 227(b)(3)(C);
 - Pursuant to 47 U.S.C. § 227(b)(3)(A), injunctive relief prohibiting such
conduct in the future; and
 - Any other relief this Court should deem just and proper.

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TRIAL BY JURY

79. Pursuant to the seventh amendment to the Constitution of the United States of America, Plaintiff and Class members are entitled to, and demands, a trial by jury.

Respectfully submitted,

Dated: July 10, 2020

TAYLOR KING LAW, PA

By: 
Richard Bright, Esq. SBN:2005076
*Attorneys for Plaintiff and the
Putative Class*



JS 44 (Rev. 09/19)

CIVIL COVER SHEET 4:20-cv-823-BSM

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

Jason Fields, individually, and on behalf of other similarly situated

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

(c) Attorneys (Firm Name, Address, and Telephone Number)
Taylor King Law P.A., Richard Bright, attorney of record
820 West 3rd St., Little Rock, AR 72201
870-345-4847

DEFENDANTS

JP Morgan Chase Bank, National Association

County of Residence of First Listed Defendant New York, New York
(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
- 3 Federal Question (U.S. Government Not a Party)
- 2 U.S. Government Defendant
- 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)

	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

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

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	PERSONAL INJURY <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	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <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 IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <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 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<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 type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692) <input checked="" type="checkbox"/> 485 Telephone Consumer Protection Act <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	PRISONER PETITIONS			
<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	Habeas Corpus: <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 Other: <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			

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):
47 U.S.C. 227


Brief description of cause:
Violation of the Telephone Consumer Protection Act

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ 10,000,000.00 CHECK YES only if demanded in complaint: JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE _____ DOCKET NUMBER _____

DATE 07/10/2020 SIGNATURE OF ATTORNEY OF RECORD /s/ Richard Bright 

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: [JPMorgan Chase Bank Hit with Class Action Over Alleged Telemarketing Calls](#)
