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4 THE LAW OFFICES OF  
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10 Attorney for Plaintiff

11 **UNITED STATES DISTRICT COURT**  
12 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**  
13 **Eastern Division**

14 Randolph Graham, individually and  
15 on behalf of all others similarly  
16 situated,

17 Plaintiff,

18 -against-

19 Coast Professional, Inc. and John  
20 Does 1-25,

21 Defendant.

Case No.:

**CLASS ACTION COMPLAINT** for  
violations of the Fair Debt Collection  
Practices Act, 15 U.S.C. § 1692 *et seq.*  
and the Rosenthal Fair Debt Collections  
Practices Act, Cal. Civ. Code § 1788 *et*  
*seq.*

**DEMAND FOR JURY TRIAL**

22 Plaintiff Randolph Graham ("Plaintiff" or "Graham"), a California resident,  
23 brings this Class Action Complaint by and through his attorneys, The Law Offices  
24 of Jonathan A. Stieglitz, against Defendant Coast Professional, Inc. ("Defendant  
25 CPI"), individually and on behalf of a class of all others similarly situated, pursuant  
26 to Rule 23 of the Federal Rules of Civil Procedure, based upon information and  
27 belief of Plaintiff's counsel, except for allegations specifically pertaining to  
28 Plaintiff, which are based upon Plaintiff's personal knowledge.



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3. The Court has jurisdiction over this class action pursuant to 28 U.S.C. § 1331 and 15 U.S.C. § 1692 *et seq.* The Court has pendent jurisdiction over any state law claims in this action pursuant to 28 U.S.C. § 1367(a).
4. Venue is proper in this judicial district pursuant to 28 U.S.C. § 1391(b)(2), as this is where a substantial part of the events or omissions giving rise to the claim occurred.

### **NATURE OF THE ACTION**

5. Plaintiff brings this class action on behalf of a class of California consumers under 15 U.S.C. § 1692 *et seq.*, commonly known as the Fair Debt Collections Practices Act (“FDCPA”); and
6. Plaintiff is seeking damages and declaratory relief.

### **PARTIES**

7. Plaintiff is a resident of the State of California, County of San Bernardino, residing at 3726 Shasta Ct., San Bernardino, CA 91710.
8. Defendant CPI is a "debt collector" as the phrase is defined in 15 U.S.C. § 1692(a)(6) and used in the FDCPA, with an address at 214 Expo Cr., #7, West Monroe, LA 71292.
9. Upon information and belief, Defendant is a company that uses the mail, telephone, and facsimile and regularly engages in business the principal purpose of which is to attempt to collect debts alleged to be due another.

1 10. John Does 1-25, are fictitious names of individuals and businesses alleged  
2 for the purpose of substituting names of Defendants whose identities will be  
3 disclosed in discovery and should be made parties to this action.  
4

5 **CLASS ALLEGATIONS**

6 11. Plaintiff brings this claim on behalf of the following case, pursuant to Fed.  
7 R. Civ. P. 23(a) and 23(b)(3).  
8

9 12. The class consists of:

- 10 a. all individuals with addresses in the State of California;  
11  
12 b. to whom Defendant Coast Professional, Inc. sent a collection letter  
13 attempting to collect a debt;  
14  
15 c. regarding collection of a debt;  
16  
17 d. that deceptively charged both “interest” and “other interest” fees  
18 without explaining the difference in these charges;  
19  
20 e. which letter was sent on or after a date one (1) year prior to the  
21 filing of this action and on or before a date twenty-one (21) days after  
22 the filing of this action.

23 13. The identities of all class members are readily ascertainable from the  
24 records of Defendants and those companies and entities on whose behalf  
25 they attempt to collect and/or have purchased debts.  
26

27 14. Excluded from the Plaintiff Class are the Defendants and all officer,  
28 members, partners, managers, directors and employees of the Defendants

1 and their respective immediate families, and legal counsel for all parties to  
2 this action, and all members of their immediate families.

3  
4 15. There are questions of law and fact common to the Plaintiff Class, which  
5 common issues predominate over any issues involving only individual class  
6 members. The principal issue is whether the Defendants' written  
7 communications to consumers, in the forms attached as Exhibit "A", violate  
8 15 U.S.C. §§ 1692e and 1692f.

9  
10 16. The Plaintiff's claims are typical of the class members, as all are based  
11 upon the same facts and legal theories. The Plaintiff will fairly and  
12 adequately protect the interests of the Plaintiff Class defined in this  
13 Complaint. The Plaintiff has retained counsel with experience in handling  
14 consumer lawsuits, complex legal issues and class actions, and neither the  
15 Plaintiff nor his attorneys have any interests, which might cause them not to  
16 vigorously pursue this action.

17  
18 17. This action has been brought, and may properly be maintained, as a class  
19 action pursuant to the provisions of Rule 23 of the Federal Rules of Civil  
20 Procedure because there is a well-defined community interest in the  
21 litigation:  
22

23  
24 a. **Numerosity**: The Plaintiff is informed and believes, and on that  
25 basis alleges, that the Plaintiff Class defined above is so numerous that  
26 joinder of all members would be impractical.  
27  
28

1           b. **Common Questions Predominate:** Common questions of law and  
2 fact exist as to all members of the Plaintiff Class and those questions  
3 predominate over any questions or issues involving only individual class  
4 members. The principal issue is whether the Defendants’ written  
5 communications to consumers, in the forms attached as Exhibit “A” violate  
6 15 U.S.C. §1692e and §1692f.  
7

8           c. **Typicality:** The Plaintiff’s claims are typical of the claims of the  
9 class members. The Plaintiff and all members of the Plaintiff Class have  
10 claims arising out of the Defendants’ common uniform course of conduct  
11 complained of herein.  
12

13           d. **Adequacy:** The Plaintiff will fairly and adequately protect the  
14 interests of the class members insofar as Plaintiff has no interests that are  
15 adverse to the absent class members. The Plaintiff is committed to  
16 vigorously litigating this matter. Plaintiff has also retained counsel  
17 experienced in handling consumer lawsuits, complex legal issues and class  
18 actions. Neither the Plaintiff nor his counsel have any interests which might  
19 cause them not to vigorously pursue the instant class action lawsuit.  
20

21           e. **Superiority:** A class action is superior to the other available means  
22 for the fair and efficient adjudication of this controversy because individual  
23 joinder of all members would be impracticable. Class action treatment will  
24 permit a large number of similarly situated persons to prosecute their  
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1 common claims in a single forum efficiently and without unnecessary  
2 duplication of effort and expense that individual actions would engender.

3  
4 18. Certification of a class under Rule 23(b)(3) of the Federal Rules of Civil  
5 Procedure is also appropriate in that the questions of law and fact common  
6 to members of the Plaintiff Class predominate over any questions affecting  
7 an individual member, and a class action is superior to other available  
8 methods for the fair and efficient adjudication of the controversy.

9  
10 19. Depending on the outcome of further investigation and discovery, Plaintiff  
11 may, at the time of class certification motion, seek to certify a class(es) only  
12 as to particular issues pursuant to Fed. R. Civ. P. 23(c)(4).

13  
14 **FACTUAL ALLEGATIONS**

15  
16 20. Plaintiff incorporates by reference all of the above paragraphs of this  
17 Complaint as though fully stated herein with the same force and effect as if  
18 the same were set forth at length herein.

19  
20 21. Some time prior to February 14, 2018, an obligation was allegedly incurred  
21 to University of La Verne (hereinafter “La Verne”).

22  
23 22. The La Verne obligation arose out of a transaction involving educational  
24 services which Plaintiff obtained primarily for personal, family or  
25 household purposes.

26  
27 23. The alleged La Verne obligation is a “debt” as defined by 15 U.S.C.  
28 1692a(5).

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24.La Verne is a “creditor” as defined by 15 U.S.C. § 1692a(4).

25.La Verne contracted with the Defendant to collect the alleged debt.

26. Defendant collects and attempts to collect debts incurred or alleged to have been incurred for personal, family or household purposes on behalf of creditors using the United States Postal Services, telephone and internet.

Violation – February 14, 2018 Collection Letter

27.On or about February 14, 2018, Defendant sent Plaintiff an initial collection letter (the “Letter”) regarding the alleged debt owed to Southern California Gas. See a true and correct copy of the Letter attached as Exhibit A.

28. The top portion of the Letter reads:

RE: UNIVERSITY OF LAW VERNE/TUI 2ND  
Principal: \$1,948.00  
Interest: \$864.06  
Other Interest: \$37.93  
Other Fee: \$0.00  
\*Collection Fee: \$0.00  
Misc. Fees: \$0.00  
Balance Due: \$2,849.99

29. The Letter is charging Plaintiff for both “interest” and “other interest”.

30. This language is misleading and deceptive because there is no explanation for what the “other interest” is that is being collected.

31.Defendant can not possibly have two different interest charges since no contract allows for that.



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32.Plaintiff was easily confused by the imposition of two types of interest which were not explained to him.

33.Plaintiff sustained an informational injury as he was not advised as to the difference between the two types of interest being charged on his debt and fearful that this was a mistake that would keep occurring.

34.Plaintiff sustained an injury from the Defendant charging multiple interest charges for which he never agreed to.

35.As a result of Defendant's deceptive, misleading and unfair debt collection practices, Plaintiff has been damaged.

**COUNT I**  
**VIOLATIONS OF THE FAIR DEBT COLLECTION PRACTICES ACT**  
**15 U.S.C. § 1692e et seq.**

36.Plaintiffs incorporate by reference all of the above paragraphs of this Complaint as though fully state herein with the same force and effect as if the same were set forth at length herein.

37.Defendant's debt collection efforts attempted and/or directed towards the Plaintiff violated various provisions of the FDCPA, including but not limited to 15 U.S.C. § 1692e.

38. Pursuant to 15 U.S.C. § 1692e, a debt collector may not use any false, deceptive or misleading representation or means in connection with the collection of any debt.

1 39. Defendant violated said section by:

2 a. Making a false and misleading representation in violation of  
3 §1692e(10).  
4

5 40. By reason thereof, Defendant is liable to Plaintiff for judgment that  
6 Defendant's conduct violated Section 1692e *et seq.* of the FDCPA, actual  
7 damages, statutory damages, costs and attorneys' fees.  
8

9 **COUNT II**  
10 **VIOLATIONS OF THE FAIR DEBT COLLECTION PRACTICES**  
11 **ACT**  
12 **15 U.S.C. § 1692f *et seq.***

13 41. Plaintiffs incorporate by reference all of the above paragraphs of this  
14 Complaint as though fully state herein with the same force and effect as if  
15 the same were set forth at length herein.  
16

17 42. Defendant's debt collection efforts attempted and/or directed towards the  
18 Plaintiff violated various provisions of the FDCPA, including but not  
19 limited to 15 U.S.C. § 1692f.  
20

21 43. Pursuant to 15 U.S.C. §1692f, a debt collector may not use any unfair or  
22 unconscionable means in connection with the collection of any debt.

23 44. Defendant violated this section by unfairly and falsely charging Plaintiff  
24 two interest charges, without further explanation for how this was  
25 allowable.  
26

1 45. By reason thereof, Defendant is liable to Plaintiff for judgment that  
2 Defendant's conduct violated Section 1692f *et seq.* of the FDCP, actual  
3 damages, statutory damages, costs and attorneys' fees.  
4

5 **DEMAND FOR TRIAL BY JURY**

6 46. Pursuant to Rule 38 of the Federal Rules of Civil Procedure, Plaintiff  
7  
8 hereby requests a trial by jury on all issues so triable.

9 **PRAYER FOR RELIEF**

10 **WHEREFORE**, Plaintiff Randolph Graham, individually and on behalf of all  
11 others similarly situated demands judgment from Defendant Coast Professional,  
12 Inc. as follows:  
13

14 1. Declaring that this action is properly maintainable as a Class Action  
15 and certifying Plaintiff as Class representative, and Jonathan A. Stieglitz, Esq. as  
16 Class Counsel;  
17

18 2. Awarding Plaintiff and the Class statutory damages;  
19

20 3. Awarding Plaintiff and the Class actual damages;  
21

22 4. Awarding Plaintiff costs of this Action, including reasonable  
23 attorneys' fees and expenses;

24 5. Awarding pre-judgment interest and post-judgment interest; and  
25

26 6. Awarding Plaintiff and the Class such other and further relief as this  
27 Court may deem just and proper.  
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1 Dated: September 17, 2018

Respectfully Submitted,

2  
3 THE LAW OFFICES OF  
JONATHAN A. STIEGLITZ

4 By:           /s/ Jonathan A Stieglitz            
5 Jonathan A Stieglitz

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# EXHIBIT A



PO BOX 2876  
WEST MONROE, LA 71294-9945

Office Hours:  
Monday - Thursday 9:00am to 9:00pm (CST)  
Friday 9:00am to 5:30pm (CST)  
1 (888) 815-2843

Account Number: [REDACTED] 9755  
RE: UNIVERSITY OF LA VERNE/TUI 2ND  
Principal: \$1,948.00  
Interest: \$864.06  
Other Interest: \$37.93  
Other Fee: \$0.00  
\*Collection Fee: \$0.00  
Misc Fees: \$0.00  
Balance Due: \$2,849.99

5  
RANDOLPH GRAHAM



Collection Agency Notice

February 14, 2018

Dear RANDOLPH GRAHAM:

This notice is from Coast Professional, Inc. (Coast) on behalf of UNIVERSITY OF LA VERNE/TUI 2ND, the current holder of your defaulted student debt, who has placed your account with this agency for collection.

As of the date of this letter you owe the balance indicated above. Because of interest or other fees that may vary from day to day, the amount due on the day you pay may be greater. Coast Professional, Inc. is committed to providing assistance to you in determining the best resolution to your obligation. Our consumer care staff is trained to discuss all available options for the repayment of your debt.

Unless you notify this office within 30 days after receiving this notice that you dispute the validity of this debt or any portion thereof, this office will assume this debt is valid. If you notify this office in writing within 30 days from receiving this notice that you dispute the validity of this debt or any portion thereof, this office will obtain verification of the debt or obtain a copy of a judgment and mail you a copy of such judgment or verification. If you request 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.

**Correspondence and Payment Address:**

Coast Professional, Inc.  
PO Box 2876  
West Monroe, LA 71294  
1-888-815-2843

**Email:**

CAMPUSMAIL@coastprofessional.com

**Fax:**

1-866-413-0904



Our office hours are: Monday - Thursday 9:00am to 9:00pm (CST)  
Friday 9:00am to 5:30pm (CST)

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

If you have a concern about the way Coast is collecting this debt, you may contact Coast in writing at the above address, or call Coast toll-free at 1-800-963-1291.

\*\*\* Detach Lower Portion and Return with Payment \*\*\*

Balance Due: \$2,849.99  
Account Number: [REDACTED] 9755

RANDOLPH GRAHAM



COAST PROFESSIONAL, INC.  
PO BOX 2876  
WEST MONROE, LA 71294-9945

(888) 815-2843

\*\*\*IMPORTANT INFORMATION CAN BE FOUND ON THE NEXT PAGE\*\*\*

LRD 08/11/17

CPS5-0209-988918618-00065-55

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\* This collection agency fee is not due until the time of payment and the amount of the fee may decrease at the time of payment depending on the amount that is ultimately paid.

**CALIFORNIA RESIDENTS:** The state Rosenthal Fair Debt Collection Practices Act and the federal Fair Debt Collection Practices Act require that, except under unusual circumstances, collectors may not contact you before 8 a.m. or after 9 p.m. They may not harass you by using threats of violence or arrest or by using obscene language. Collectors may not use false or misleading statements or call you at work if they know or have reason to know that you may not receive personal calls at work. For the most part, collectors may not tell another person, other than your attorney or spouse, about your debt. Collectors may contact another person to confirm your location or enforce a judgment.

As required by law, you are hereby notified that a negative credit report affecting your credit record may be submitted to a credit reporting agency if you fail to fulfill the terms of your credit obligations. We will not submit a negative credit report to a credit reporting agency about this credit obligation until the expiration of the time period described on the front of this letter.

For more information about debt collection activities, you may contact the Federal Trade Commission at 1-877-FTC-HELP or [www.ftc.gov](http://www.ftc.gov)

**COLORADO RESIDENTS:** A consumer has the right to request in writing that a debt collector or collection agency cease further communication with the consumer. A written request to cease communication will not prohibit the debt collector or collection agency from taking any other action authorized by law to collect the debt.

Local Colorado Office: 3605 Mead Street, Fort Collins, CO 80526 Tele: (970) 226-1386.

FOR INFORMATION ABOUT THE COLORADO FAIR DEBT COLLECTION PRACTICES ACT SEE:  
[WWW.COAG.GOV/CAR](http://WWW.COAG.GOV/CAR)

**MASSACHUSETTS RESIDENTS: NOTICE OF IMPORTANT RIGHTS -** You have the right to make a written or oral request that telephone calls regarding your debt not be made to you at your place of employment. Any such oral request will be valid for only 10 days unless you provide written confirmation of the request postmarked or delivered within seven days of such request. You may terminate this request by writing to the debt collector at P.O. Box 2876, West Monroe, LA 71294. Office hours: Monday - Thursday 9:00am To 9:00pm (Cst), Friday 9:00am To 5:30pm (Cst).

**MINNESOTA RESIDENTS:** This collection agency is licensed by the Minnesota Department of Commerce.

**NEW YORK RESIDENTS:** New York City Department of Consumer Affairs License Number: Geneseo NY # 1334772, Henrietta NY # 1472229 LA # 1334773. This collection agency is also licensed by the city of Buffalo, LICENSE # 556370.

Consumer call back number is 888-815-2843, and ask for Christopher Brown.

**NORTH CAROLINA RESIDENTS:** This collection agency is licensed in North Carolina, pursuant to permit numbers 103595, 111927, and 111928.

**TENNESSEE RESIDENTS:** This collection agency is licensed by the Collection Service Board of the Tennessee Department of Commerce and Insurance, James Robertson Parkway, Nashville, Tennessee 37243.

**UTAH RESIDENTS:** As required by Utah law, you are hereby notified that a negative credit report reflecting on your credit record may be submitted to a credit reporting agency if you fail to fulfill the terms of your credit obligations. We will not submit a negative credit report to a credit reporting agency about this credit obligation until the expiration of the time period described on the front of this letter.

**WEST VIRGINIA RESIDENTS:** The activities of collection agencies in West Virginia are regulated by the Attorney General's Consumer Protection Division, 812 Quarrier St., Charleston, WV 25301. Federal law prohibits agencies from contacting you about your debt if you send a letter requesting that all contacts stop.

**WISCONSIN RESIDENTS:** This collection agency is licensed by the Division of Banking in the Wisconsin Department of Financial Institutions, [www.wdfi.org](http://www.wdfi.org).

# ClassAction.org

This complaint is part of ClassAction.org's searchable class action lawsuit database and can be found in this post: [Consumer 'Confused' by Two Interest Charges in Coast Professional Collection Letter](#)

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