

**FILED**  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS

MAR 11 2022

TAMMY H. DOWNS, CLERK

By:  DEP. CLERK

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF ARKANSAS  
CENTRAL DIVISION**

STAN HASTINGS, individually and on  
behalf of other similarly situated.

Plaintiff,

v.

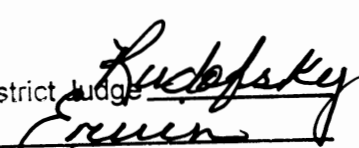
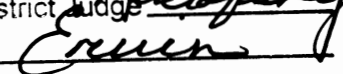
SMARTMATCH INSURANCE AGENCY,  
LLC

Defendant.

No. 4:22cv328-LPR

**COMPLAINT – CLASS ACTION**

**JURY TRIAL DEMANDED**

This case assigned to District Judge   
and to Magistrate Judge 

Plaintiff Stan Hastings, individually and on behalf of all others similarly situated, alleges on personal knowledge, investigation of his counsel, and on information and belief, as follows:

**NATURE OF ACTION**

1. As the Supreme Court has explained, “Americans passionately disagree about many things. But they are largely united in their disdain for robocalls. The Federal Government receives a staggering number of complaints about robocalls—3.7 million complaints in 2019 alone. The States likewise field a constant barrage of complaints. For nearly 30 years, the people’s representatives in Congress have been fighting back. As relevant here, the Telephone Consumer Protection Act of 1991, known as the TCPA, generally prohibits robocalls to cell phones and home phones.” *Barr v. Am. Ass'n of Political Consultants*, 140 S. Ct. 2335, 2343 (2020).

2. This case involves a campaign by SmartMatch Insurance Agency, LLC (“SmartMatch”) to market insurance services through the use of pre-recorded telemarketing

calls, including to numbers on the National Do Not Call Registry, in plain violation of the Telephone Consumer Protection Act, 47 U.S.C. § 227, *et seq.* (hereinafter referred to as the “TCPA”).

3. Because the calls to Plaintiff were transmitted using technology capable of generating thousands of similar calls per day, Plaintiff brings this action on behalf of proposed nationwide classes of other persons who were sent the same illegal telemarketing calls.

4. A class action is the best means of obtaining redress for the Defendant’s illegal telemarketing and is consistent both with the private right of action afforded by the TCPA and the fairness and efficiency goals of Rule 23 of the Federal Rules of Civil Procedure.

**PARTIES**

5. Plaintiff, Stan Hastings, resides in this District.

6. Defendant SmartMatch Insurance Agency, LLC is a Missouri limited liability company.

**JURISDICTION AND VENUE**

7. This Court has federal question jurisdiction pursuant to 28 U.S.C. § 1331 and 47 U.S.C. § 227 *et seq.*

8. This Court has personal jurisdiction over SmartMatch because the company makes telemarketing calls into this District.

9. Venue is proper pursuant to 28 U.S.C. §§ 1391(b) because the telephone calls at issue were sent into this District.

## **TCPA BACKGROUND**

### **The TCPA Prohibits Automated Telemarketing Calls**

10. The TCPA makes it unlawful to make any call (other than a call made for emergency purposes or made with the prior express consent of the called party) using an automatic telephone dialing system or an artificial or prerecorded voice to any telephone number assigned to a cellular telephone service or that is charged per the call. *See* 47 U.S.C. § 227(b)(1)(A)(iii).

11. The TCPA provides a private cause of action to persons who receive calls in violation of 47 U.S.C. § 227(b)(1)(A) or 47 U.S.C. § 227(b)(1)(B). *See* 47 U.S.C. § 227(b)(3).

12. According to findings by the Federal Communication Commission (“FCC”), the agency Congress vested with authority to issue regulations implementing the TCPA, such calls are prohibited because, as Congress found, automated or prerecorded telephone calls are a greater nuisance and invasion of privacy than live solicitation calls, and such calls can be costly and inconvenient.

13. In 2013, the FCC required prior express written consent for all autodialed or prerecorded telemarketing calls (“robocalls”) to wireless numbers and residential lines.

Specifically, it ordered that:

[A] consumer’s written consent to receive telemarketing robocalls must be signed and be sufficient to show that the consumer: (1) received “clear and conspicuous disclosure” of the consequences of providing the requested consent, i.e., that the consumer will receive future calls that deliver prerecorded messages by or on behalf of a specific seller; and (2) having received this information, agrees unambiguously to receive such calls at a telephone number the consumer designates.[] In addition, the written agreement must be obtained “without requiring, directly or indirectly, that the agreement be executed as a condition of purchasing any good or service.[]”

*In the Matter of Rules & Regulations Implementing the Tel. Consumer Prot. Act of 1991*,  
27 F.C.C. Rcd. 1830, 1844 (2012) (footnotes omitted).

The National Do Not Call Registry

14. The National Do Not Call Registry allows consumers to register their telephone numbers and thereby indicate their desire not to receive telephone solicitations at those numbers. *See* 47 C.F.R. § 64.1200(c)(2).

15. A listing on the Registry “must be honored indefinitely, or until the registration is cancelled by the consumer or the telephone number is removed by the database administrator.” *Id.*

16. The TCPA and implementing regulations prohibit the initiation of telephone solicitations to residential telephone subscribers to the Registry and provides a private right of action against any entity that makes those calls, or “on whose behalf” such calls are promoted. 47 U.S.C. § 227(c)(5); 47 C.F.R. § 64.1200(c)(2).

**FACTUAL ALLEGATIONS**

17. Defendant SmartMatch is a “person” as the term is defined by 47 U.S.C. § 153(39).

18. Mr. Hastings’ telephone number, (501) 680-XXXX, is registered to a cellular telephone service.

19. Mr. Hastings telephone number has been on the National Do Not Call Registry since 2005.

20. Despite this, Mr. Hastings believes he received approximately a dozen pre-recorded telemarketing calls from the Defendant.

21. The calls all came from the same Caller ID, 501-289-5947.

22. This is a local “spoofed” Caller ID, which is utilized by telemarketing companies that desire to hide their identity.

23. Using such a “spoofed” Caller ID is also evidence of *en masse* calling.

24. The pre-recorded calls stated that the caller was with “Senior Medical Group”.

25. Upon information and belief, this is a false name used by the Defendant as part of its telemarketing to conceal its true identity.

26. Finally, on the March 27, 2021 call, Mr. Hastings responded to the telemarketer in hopes of identifying the caller.

27. The pre-recorded message stated that the purpose of the call was to reduce costs that “seniors experience”.

28. Indeed, the fact that the call was made using pre-recorded messages was confirmed when the Plaintiff asked the recording “are you a real person”?

29. In response, another recorded message was played.

30. Eventually, the Plaintiff spoke with a live person.

31. That individual was Brian Riley of SmartMatch.

32. Mr. Riley informed the Plaintiff that he was a “professional Medicare Advisor”.

33. The call advertised the ability of SmartMatch to reduce the costs of deductibles, copays and prescription drugs.

34. Mr. Riley informed the Plaintiff that his company’s website was SmartMatch.com.

35. Mr. Riley then provided his direct call back number of 844-495-2100.

36. That is SmartMatch's telephone number.

37. Indeed, other individuals have complained of telemarketing calls associated with that number. *See e.g.* <https://directory.youmail.com/directory/phone/8444952100> (Last Visited March 8, 2022).

38. SmartMatch relies on pre-recorded telemarketing to generate new customers.

39. Indeed, SmartMatch has previously been sued in lawsuits alleging violations of the TCPA.

40. The calls were not necessitated by an emergency.

41. Plaintiff and all members of the Class, defined below, have been harmed by the acts of Defendant because their privacy has been violated, they were annoyed and harassed, and, in some instances, they may have been charged for incoming calls. Plaintiff and the Class Members were also harmed by use of their telephone power and network bandwidth and the intrusion on their telephone that occupied it from receiving legitimate communications.

#### **CLASS ACTION ALLEGATIONS**

42. Plaintiff brings this action on behalf of himself and the following class (the "Class") pursuant to Federal Rule of Civil Procedure 23.

43. Plaintiff proposes the following Class definition, subject to amendment as appropriate:

**Robocall Class:** All persons within the United States: (1) to whose cellular telephone number or other number for which they are charged for the call (2) Defendant (or an agent acting on behalf of Defendant) placed a telemarketing call (3) within the four years prior to the filing of the Complaint and through trial (4) using an identical or substantially similar pre-recorded message used to place a telephone call to Plaintiff.

44. Plaintiff is a member of and will fairly and adequately represent and protect the interests of this class as he has no interests that conflict with any of the class members.

45. Excluded from the Class are counsel, the Defendant, and any entities in which the Defendant has a controlling interest, the Defendant's agents and employees, any judge to whom this action is assigned, and any member of such judge's staff and immediate family.

46. Plaintiff and all members of the Class have been harmed by the acts of the Defendant, including, but not limited to, the invasion of their privacy, annoyance, waste of time, the use of their telephone power and network bandwidth, and the intrusion on their telephone that occupied it from receiving legitimate communications.

47. This Class Action Complaint seeks injunctive relief and money damages.

48. The Class as defined above are identifiable through the Defendant's dialer records, other phone records, and phone number databases.

49. Plaintiff does not know the exact number of members in the Class, but Plaintiff reasonably believes Class members number, at minimum, in the hundreds in each class.

50. The joinder of all Class members is impracticable due to the size and relatively modest value of each individual claim.

51. Additionally, the disposition of the claims in a class action will provide substantial benefit to the parties and the Court in avoiding a multiplicity of identical suits.

52. There are well defined, nearly identical, questions of law and fact affecting all parties. The questions of law and fact, referred to above, involving the class claims predominate over questions which may affect individual Class members.

53. There are numerous questions of law and fact common to Plaintiff and to the proposed Class, including but not limited to the following:

- (a) Whether the Defendant used pre-recorded message to send telemarketing calls;
- (b) whether Defendant made calls to Plaintiff and members of the Class without first obtaining prior express written consent to make the calls;
- (c) whether Defendant' conduct constitutes a violation of the TCPA; and
- (d) whether members of the Class are entitled to treble damages based on the willfulness of Defendant' conduct.

54. Further, Plaintiff will fairly and adequately represent and protect the interests of the Class. Plaintiff has no interests which are antagonistic to any member of the Class.

55. Plaintiff has retained counsel with substantial experience in prosecuting complex litigation and class actions, and especially TCPA class actions. Plaintiff and his counsel are committed to vigorously prosecuting this action on behalf of the other members of the Class, and have the financial resources to do so.

56. Common questions of law and fact predominate over questions affecting only individual class members, and a class action is the superior method for fair and efficient adjudication of the controversy. The only individual question concerns identification of class members, which will be ascertainable from records maintained by Defendant and/or its agents.

57. The likelihood that individual members of the Class will prosecute separate actions is remote due to the time and expense necessary to prosecute an individual case.

58. Plaintiff is not aware of any litigation concerning this controversy already commenced by others who meet the criteria for class membership described above.



**FIRST CAUSE OF ACTION**  
**Violation of the Telephone Consumer Protection Act**  
**(47 U.S.C. 227(b)) on behalf of the Robocall Class**

59. Plaintiff incorporates the allegations from the foregoing paragraphs as if fully set forth herein.

60. The foregoing acts and omissions of Defendant and/or their affiliates, agents, and/or other persons or entities acting on Defendant's behalf constitute numerous and multiple violations of the TCPA, 47 U.S.C. § 227, by making calls, except for emergency purposes, to the cellular telephone numbers of Plaintiff and members of the Class delivering pre-recorded messages.

61. As a result of Defendant's and/or its affiliates, agents, and/or other persons or entities acting on Defendant's behalf's violations of the TCPA, 47 U.S.C. § 227, Plaintiff and members of the Class presumptively are entitled to an award of \$500 in damages for each and every call made to their residential or cellular telephone numbers using an artificial or prerecorded voice in violation of the statute, pursuant to 47 U.S.C. § 227(b)(3)(B).

62. If the Defendant's conduct is found to be knowing or willful, the Plaintiff and members of the Class are entitled to an award of up to treble damages.

63. Plaintiff and members of the Class are also entitled to and do seek injunctive relief prohibiting Defendant and/or its affiliates, agents, and/or other persons or entities acting on Defendant's behalf from violating the TCPA, 47 U.S.C. § 227, by making calls, except for emergency purposes, to any cellular telephone numbers using an artificial or prerecorded voice in the future.

**PRAYER FOR RELIEF**

**WHEREFORE**, Plaintiff, individually and on behalf of the Class, prays for the following relief:

A. Injunctive relief prohibiting Defendant from calling telephone numbers advertising their goods or services, except for emergency purposes, using a pre-record message in the future;

B. That the Court enter a judgment awarding Plaintiff and all class members statutory damages of \$500 for each violation of the TCPA and \$1,500 for each knowing or willful violation; and

C. An order certifying this action to be a proper class action pursuant to Federal Rule of Civil Procedure 23, establishing an appropriate Classes the Court deems appropriate, finding that Plaintiff is a proper representative of the Class, and appointing the lawyers and law firms representing Plaintiff as counsel for the Class;

D. Such other relief as the Court deems just and proper.

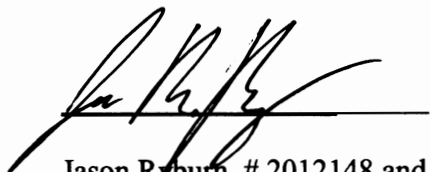
**JURY DEMAND**

Plaintiff requests a jury trial as to all claims of the complaint so triable.

Respectfully Submitted,

**Plaintiff Hastings**, individually and on behalf of  
those similarly situated individuals

Dated: March 11, 2022

A handwritten signature in black ink, appearing to read 'Jason Ryburn', is written over a horizontal line.

Jason Ryburn, # 2012148 and,  
Zach Ryburn, # 2015061  
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Anthony I. Paronich (subject to *pro hac vice*)  
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**CIVIL COVER SHEET**

4:22cv228-LPR

JS 44 (Rev. 04/21)

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

<p><b>I. (a) PLAINTIFFS</b></p> <p>STAN HASTINGS, individually and on behalf of other similarly situated.</p> <p><b>(b)</b> County of Residence of First Listed Plaintiff <u>PULASKI</u> <i>(EXCEPT IN U.S. PLAINTIFF CASES)</i></p> <p><b>(c)</b> Attorneys <i>(Firm Name, Address, and Telephone Number)</i> Ryburn Law Firm 650 S. Shackleford Rd., Ste. 231, Little Rock, AR 72211, 501-228-8100</p>	<p><b>DEFENDANTS</b></p> <p>SMARTMATCH INSURANCE AGENCY, LLC</p> <p>County of Residence of First Listed Defendant <u>JACKSON</u> <i>(IN U.S. PLAINTIFF CASES ONLY)</i></p> <p>NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.</p> <p>Attorneys <i>(If Known)</i></p>
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<p><b>II. BASIS OF JURISDICTION</b> <i>(Place an "X" in One Box Only)</i></p> <p><input type="checkbox"/> 1 U.S. Government Plaintiff</p> <p><input type="checkbox"/> 2 U.S. Government Defendant</p> <p><input checked="" type="checkbox"/> 3 Federal Question <i>(U.S. Government Not a Party)</i></p> <p><input type="checkbox"/> 4 Diversity <i>(Indicate Citizenship of Parties in Item III)</i></p>	<p><b>III. CITIZENSHIP OF PRINCIPAL PARTIES</b> <i>(Place an "X" in One Box for Plaintiff and One Box for Defendant)</i></p> <p><i>(For Diversity Cases Only)</i></p> <table style="width:100%;"> <tr> <td>Citizen of This State</td> <td><input checked="" type="checkbox"/> 1</td> <td>PTF</td> <td><input type="checkbox"/> 1</td> <td>DEF</td> <td><input type="checkbox"/> 1</td> <td>Incorporated or Principal Place of Business In This State</td> <td><input type="checkbox"/> 4</td> <td><input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td><input type="checkbox"/> 2</td> <td><input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business In Another State</td> <td><input type="checkbox"/> 5</td> <td><input checked="" type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td><input type="checkbox"/> 3</td> <td><input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td><input type="checkbox"/> 6</td> <td><input type="checkbox"/> 6</td> </tr> </table>	Citizen of This State	<input checked="" type="checkbox"/> 1	PTF	<input type="checkbox"/> 1	DEF	<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 checked="" type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6
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**IV. NATURE OF SUIT** *(Place an "X" in One Box Only)*

[Click here for: Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FOREIGN JURISDICTION	LABOR	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<p><b>PERSONAL INJURY</b></p> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<p><b>PERSONAL INJURY</b></p> <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	<p><b>LABOR</b></p> <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other <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	<p><b>BANKRUPTCY</b></p> <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <p><b>INTELLECTUAL PROPERTY RIGHTS</b></p> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <input type="checkbox"/> 880 Defend Trade Secrets Act of 2016 <p><b>CIVIL SECURITY</b></p> <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)) <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<p><b>OTHER STATUTES</b></p> <input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input checked="" type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692) <input 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
<p><b>REAL PROPERTY</b></p> <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	<p><b>CIVIL RIGHTS</b></p> <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	<p><b>PRISONER PETITIONS</b></p> <p><b>Habeas Corpus:</b></p> <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <p><b>Other:</b></p> <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement	<input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 876 Intellectual Property Rights <input type="checkbox"/> 877 Intellectual Property Rights <input type="checkbox"/> 878 Intellectual Property Rights <input type="checkbox"/> 879 Intellectual Property Rights <input type="checkbox"/> 880 Intellectual Property Rights <input type="checkbox"/> 881 Intellectual Property Rights <input type="checkbox"/> 882 Intellectual Property Rights <input type="checkbox"/> 883 Intellectual Property Rights <input type="checkbox"/> 884 Intellectual Property Rights <input type="checkbox"/> 885 Intellectual Property Rights <input type="checkbox"/> 886 Intellectual Property Rights <input type="checkbox"/> 887 Intellectual Property Rights <input type="checkbox"/> 888 Intellectual Property Rights <input type="checkbox"/> 889 Intellectual Property Rights <input type="checkbox"/> 890 Intellectual Property Rights <input type="checkbox"/> 891 Intellectual Property Rights <input type="checkbox"/> 892 Intellectual Property Rights <input type="checkbox"/> 893 Intellectual Property Rights <input type="checkbox"/> 894 Intellectual Property Rights <input type="checkbox"/> 895 Intellectual Property Rights <input type="checkbox"/> 896 Intellectual Property Rights <input type="checkbox"/> 897 Intellectual Property Rights <input type="checkbox"/> 898 Intellectual Property Rights <input type="checkbox"/> 899 Intellectual Property Rights <input type="checkbox"/> 900 Intellectual Property Rights <input type="checkbox"/> 901 Intellectual Property Rights <input type="checkbox"/> 902 Intellectual Property Rights <input type="checkbox"/> 903 Intellectual Property Rights <input type="checkbox"/> 904 Intellectual Property Rights <input type="checkbox"/> 905 Intellectual Property Rights <input type="checkbox"/> 906 Intellectual Property Rights <input type="checkbox"/> 907 Intellectual Property Rights <input type="checkbox"/> 908 Intellectual Property Rights <input type="checkbox"/> 909 Intellectual Property Rights <input type="checkbox"/> 910 Intellectual Property Rights <input type="checkbox"/> 911 Intellectual Property Rights <input type="checkbox"/> 912 Intellectual Property Rights <input type="checkbox"/> 913 Intellectual Property Rights <input type="checkbox"/> 914 Intellectual Property Rights <input type="checkbox"/> 915 Intellectual Property Rights <input type="checkbox"/> 916 Intellectual Property Rights <input type="checkbox"/> 917 Intellectual Property Rights <input type="checkbox"/> 918 Intellectual Property Rights <input type="checkbox"/> 919 Intellectual Property Rights <input type="checkbox"/> 920 Intellectual Property Rights <input type="checkbox"/> 921 Intellectual Property Rights <input type="checkbox"/> 922 Intellectual Property Rights <input type="checkbox"/> 923 Intellectual Property Rights <input type="checkbox"/> 924 Intellectual Property Rights <input type="checkbox"/> 925 Intellectual Property Rights <input type="checkbox"/> 926 Intellectual Property Rights <input type="checkbox"/> 927 Intellectual Property Rights <input type="checkbox"/> 928 Intellectual Property Rights <input type="checkbox"/> 929 Intellectual Property Rights <input type="checkbox"/> 930 Intellectual Property Rights <input type="checkbox"/> 931 Intellectual Property Rights <input type="checkbox"/> 932 Intellectual Property Rights <input type="checkbox"/> 933 Intellectual Property Rights <input type="checkbox"/> 934 Intellectual Property Rights <input type="checkbox"/> 935 Intellectual Property Rights <input type="checkbox"/> 936 Intellectual Property Rights <input type="checkbox"/> 937 Intellectual Property Rights <input type="checkbox"/> 938 Intellectual Property Rights <input type="checkbox"/> 939 Intellectual Property Rights <input type="checkbox"/> 940 Intellectual Property Rights <input type="checkbox"/> 941 Intellectual Property Rights <input type="checkbox"/> 942 Intellectual Property Rights <input type="checkbox"/> 943 Intellectual Property Rights <input type="checkbox"/> 944 Intellectual Property Rights <input type="checkbox"/> 945 Intellectual Property Rights <input type="checkbox"/> 946 Intellectual Property Rights <input type="checkbox"/> 947 Intellectual Property Rights <input type="checkbox"/> 948 Intellectual Property Rights <input type="checkbox"/> 949 Intellectual Property Rights <input type="checkbox"/> 950 Intellectual Property Rights	

**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:  
 Violations of the TCPA

**VII. REQUESTED IN COMPLAINT:**

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

**DEMAND \$** 1500

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 \_\_\_\_\_

**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: [SmartMatch Insurance Hit with Class Action Over Alleged 'Senior Medical Group' Robocalls](#)

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