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

KIM LESZCZYNSKI,
individually and on behalf of all others
similarly situated,

Plaintiff,

vs.

GOGO TECHNOLOGIES, INC.,
d/b/a GOGO GRANDPARENT
and GOGO GOURMET, a Delaware
corporation,

Defendant.

Case No. '21CV1552 MMAMSB

CLASS ACTION

**COMPLAINT FOR VIOLATIONS
OF THE TELEPHONE
CONSUMER PROTECTION
ACT, 47 U.S.C. §§ 227, ET SEQ.
(TCPA)**

JURY TRIAL DEMANDED

1 **CLASS ACTION COMPLAINT**

2 1. Plaintiff, Kim Leszczynski, brings this action against Defendant, GoGo
3 Technologies, Inc. d/b/a GoGo Grandparent and GoGo Gourmet, to secure redress
4 for violations of the Telephone Consumer Protection Act (“TCPA”), 47 U.S.C. § 227.

5 **NATURE OF THE ACTION**

6 2. This is a putative class action pursuant to the Telephone Consumer
7 Protection Act, 47 U.S.C. §§ 227, *et seq.* (the “TCPA”), arising from Defendant’s
8 knowing and willful violations

9 3. To gain an advantage over its competitors and increase its revenue,
10 Defendant engages in unsolicited telemarketing, with no regard for consumers’ privacy
11 rights.

12 4. This case arises from Defendant’s transmission of prerecorded messages
13 to the cellular telephones of Plaintiff and others, promoting Defendant’s services and
14 goods.

15 5. Defendant is a grocery and food delivery service. To promote its services,
16 Defendant engages in aggressive unsolicited marketing, harming thousands of
17 consumers in the process.

18 6. Through this action, Plaintiff seeks injunctive relief to halt Defendant’s
19 illegal conduct, which has resulted in the invasion of privacy, harassment, aggravation,
20 and disruption of the daily life of thousands of individuals. Plaintiff also seeks statutory
21 damages on behalf of herself and members of the Class, and any other available legal
22 or equitable remedies.

23 **JURISDICTION AND VENUE**

24 7. This Court has federal question subject matter jurisdiction over this action
25 pursuant to 28 U.S.C. § 1331, as the action arises under the Telephone Consumer
26 Protection Act, 47 U.S.C. §§ 227, *et seq.* (“TCPA”).
27

1 technology—for example, computerized calls dispatched to private homes—prompted
2 Congress to pass the TCPA.” *Mims v. Arrow Fin. Servs., LLC*, 132 S. Ct. 740, 744 (2012).

3 15. In an action under the TCPA, a plaintiff must only show that the
4 defendant “called a number assigned to a cellular telephone service using an automatic
5 dialing system or prerecorded voice.” *Breslow v. Wells Fargo Bank, N.A.*, 857 F. Supp. 2d
6 1316, 1319 (S.D. Fla. 2012), *aff’d*, 755 F.3d 1265 (11th Cir. 2014).

7 16. The Federal Communications Commission (“FCC”) is empowered to
8 issue rules and regulations implementing the TCPA. According to the FCC’s findings,
9 calls in violation of the TCPA are prohibited because, as Congress found, automated
10 or prerecorded telephone calls are a greater nuisance and invasion of privacy than live
11 solicitation calls, and such calls can be costly and inconvenient. The FCC also
12 recognized that wireless customers are charged for incoming calls whether they pay in
13 advance or after the minutes are used. *Rules and Regulations Implementing the Telephone*
14 *Consumer Protection Act of 1991*, CG Docket No. 02-278, Report and Order, 18 FCC Rcd
15 14014 (2003).

16 17. In 2012, the FCC issued an order tightening the restrictions for automated
17 telemarketing calls, requiring “prior express **written** consent” for such calls to wireless
18 numbers. *See In the Matter of Rules & Regulations Implementing the Tel. Consumer Prot. Act of*
19 *1991*, 27 F.C.C.R. 1830, 1838 ¶ 20 (Feb. 15, 2012) (emphasis supplied).

20 18. To obtain express written consent for telemarketing calls, a defendant
21 must establish that it secured the plaintiff’s signature in a form that gives the plaintiff a
22 “‘clear and conspicuous disclosure’ of the consequences of providing the requested
23 consent....and having received this information, agrees unambiguously to receive such
24 calls at a telephone number the [plaintiff] designates.” *In re Rules & Regulations*
25 *Implementing the Tel. Consumer Prot. Act of 1991*, 27 F.C.C.R. 1830, 1837 ¶ 18, 1838 ¶ 20,
26 1844 ¶ 33, 1857 ¶ 66, 1858 ¶ 71 (F.C.C. Feb. 15, 2012).

1 19. The TCPA regulations promulgated by the FCC define “telemarketing”
2 as “the initiation of a telephone call or message for the purpose of encouraging the
3 purchase or rental of, or investment in, property, goods, or services.” 47 C.F.R. §
4 64.1200(f)(12). In determining whether a communication constitutes telemarketing, a
5 court must evaluate the ultimate purpose of the communication. *See Golan v. Veritas*
6 *Entm't, LLC*, 788 F.3d 814, 820 (8th Cir. 2015).

7 20. “Neither the TCPA nor its implementing regulations ‘require an explicit
8 mention of a good, product, or service’ where the implication of an improper purpose
9 is ‘clear from the context.’” *Id.* (citing *Chesbro v. Best Buy Stores, L.P.*, 705 F.3d 913, 918
10 (9th Cir. 2012)).

11 21. “‘Telemarketing’ occurs when the context of a call indicates that it was
12 initiated and transmitted to a person for the purpose of promoting property, goods, or
13 services.” *Golan*, 788 F.3d at 820 (citing 47 C.F.R. § 64.1200(a)(2)(iii); 47 C.F.R. §
14 64.1200(f)(12); *In re Rules and Regulations Implementing the Telephone Consumer Protection Act*
15 *of 1991*, 18 F.C.C. Rcd at 14098 ¶ 141, 2003 WL 21517853, at *49).

16 22. The FCC has explained that calls motivated in part by the intent to sell
17 property, goods, or services are considered telemarketing under the TCPA. *See In re*
18 *Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991*, 18 FCC Rcd.
19 14014, ¶¶ 139-142 (2003). This is true whether call recipients are encouraged to
20 purchase, rent, or invest in property, goods, or services during the call *or in the future*. *Id.*

21 23. In other words, offers “that are part of an overall marketing campaign to
22 sell property, goods, or services constitute” telemarketing under the TCPA. *See In re*
23 *Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991*, 18 FCC Rcd.
24 14014, ¶ 136 (2003).

25 24. If a call is not deemed telemarketing, a defendant must nevertheless
26 demonstrate that it obtained the plaintiff’s prior express consent. *See In the Matter of*
27 *Rules and Regulaions Implementing the Tel. Consumer Prot. Act of 1991*, 30 FCC Rcd. 7961,
28

1 7991-92 (2015) (requiring express consent “for non-telemarketing and non-advertising
2 calls”).

3 25. As recently held by the United States Court of Appeals for the Ninth
4 Circuit: “Unsolicited telemarketing phone calls or text messages, by their nature, invade
5 the privacy and disturb the solitude of their recipients. A plaintiff alleging a violation
6 under the TCPA ‘need not allege any *additional* harm beyond the one Congress has
7 identified.” *Van Patten v. Vertical Fitness Grp.*, No. 14-55980, 2017 U.S. App. LEXIS
8 1591, at *12 (9th Cir. May 4, 2016) (quoting *Spokeo, Inc. v. Robins*, 136 S. Ct. 1540, 1549
9 (2016) (emphasis original)).

10 **FACTUAL ALLEGATIONS**

11 26. Throughout the 2020 calendar year, Defendant caused numerous calls
12 with a prerecorded message to be transmitted to Plaintiff’s cellular telephone number
13 ending in 3719 (the “3719 Number”).

14 27. Because Plaintiff did not answer her telephone after it rang, a voicemail
15 containing a prerecorded message was left of Plaintiff’s phone each time.

16 28. The Following is a transcript of the voicemail that was left in Plaintiff’s
17 voicemail box:

18
19 ...front door, if this sounds interesting to you and something that can
20 help, please press any number now to be connected to a GoGo Gourmet
21 team member. If I reached your voicemail, no problem. I’m going to read
22 off the number that you can call now, and I’ll read it twice. The number
23 to call to get meals from local restaurants delivered to your front door is
24 1-855-754-5328. Again, that’s 1-855-754-5328. This has been a call from
25 GoGo Grandparent, and we hope to hear from you soon. Thank you so
26 much. Bye bye.

27 29. Defendant caused multiple voicemails with the exact or substantially
28 identical message to be transmitted to Plaintiff’s cellular phone throughout the 2020
calendar year.

1 30. The prerecorded calls at issue, which were left as a voicemail, were
2 transmitted to Plaintiff's cellular telephone, and within the time frame relevant to this
3 action.

4 31. When Plaintiff listened to the voicemails she was easily able to determine
5 that it was a prerecorded message. *Rahn v. Bank of Am.*, No. 1:15-CV-4485-ODE-JSA,
6 2016 U.S. Dist. LEXIS 186171, at *10-11 (N.D. Ga. June 23, 2016) (“When one receives
7 a call, it is a clear-cut fact, easily discernible to any lay person, whether or not the
8 recipient is speaking to a live human being, or is instead being subjected to a
9 prerecorded message.”).

10 32. Defendant's prerecorded calls constitute telemarketing because they
11 encourage the future purchase or investment in property, goods, and/or services, i.e.,
12 requesting that Plaintiff contact Defendant regarding signing up for their food delivery
13 service.

14 33. The prerecorded calls Plaintiff received originated from telephone
15 number 855-754-5328, a telephone number owned and/or operated by or on behalf of
16 Defendant.

17 34. Defendant sent the subject calls with a prerecorded voice from within this
18 judicial district and, therefore, Defendant's violation of the TCPA occurred within this
19 district. Upon information and belief, Defendant caused other prerecorded messages
20 to be sent to individuals residing within this judicial district.

21 35. At no point in time did Plaintiff provide Defendant with her express
22 consent to be contacted with a prerecorded call.

23 36. Plaintiff is the subscriber and sole user of the 3719 Number and is
24 financially responsible for phone service to the 3719 Number.

25 37. Plaintiff has been registered with the national do-not-call registry since
26 August 13, 2015.

1 38. Defendant’s unsolicited voice messages caused Plaintiff actual harm.
2 Specifically, Plaintiff estimates that she has wasted fifteen minutes reviewing all of
3 Defendant’s unwanted messages. Each time, Plaintiff had to stop what she was doing
4 to either retrieve his phone and/or look down at the phone to review the message.

5 39. Furthermore, Defendant’s voice messages took up memory on Plaintiff’s
6 cellular phone. The cumulative effect of unsolicited voice messages like Defendant’s
7 poses a real risk of ultimately rendering the phone unusable for voice messaging
8 purposes as a result of the phone’s memory being taken up. *See*
9 <https://www.consumer.ftc.gov/articles/0350-text-message-spam#text> (finding that
10 text message solicitations, much like the voice messages sent by Defendant present a
11 “triple threat” of identity theft, unwanted cell phone charges, and slower cell phone
12 performance).

13 40. Defendant’s voice messages also can slow cell phone performance by
14 taking up space on the recipient phone’s memory. *See*
15 <https://www.consumer.ftc.gov/articles/0350-text-message-spam#text> (finding that
16 spam text messages can slow cell phone performance by taking up phone memory
17 space).

18 **CLASS ALLEGATIONS**

19 **PROPOSED CLASS**

20 41. Plaintiff brings this case as a class action pursuant to Fed. R. Civ. P. 23,
21 on behalf of herself and all others similarly situated.

22 42. Plaintiff brings this case on behalf of the Class defined as follows:

23 **No Consent Class: All persons within the United**
24 **States who, within the four years prior to the filing**
25 **of this Complaint, were sent a call using an artificial**
26 **or prerecorded voice, from Defendant or anyone on**
27 **Defendant’s behalf, to said person’s cellular**
28 **telephone number, without emergency purpose and**
without the recipient’s prior express written
consent.

Do Not Call Registry Class: All persons in the United States who from four years prior to the filing of this action (1) were sent a call by or on behalf of Defendant; (2) more than one time within any 12-month period; (3) where the person's telephone number had been listed on the National Do Not Call Registry for at least thirty days; (4) for the purpose of selling Defendant's products and services; and (5) for whom Defendant claims (a) it did not obtain prior express written consent, or (b) it obtained prior express written consent in the same manner as Defendant claims it supposedly obtained prior express written consent to call the Plaintiff.

43. Defendant and its employees or agents are excluded from the Class. Plaintiff does not know the number of members in the Class but believes the Class members number in the several thousands, if not more.

NUMEROSITY

44. Upon information and belief, Defendant has placed automated and/or prerecorded calls to cellular telephone numbers belonging to thousands of consumers throughout the United States without their prior express consent. The members of the Class, therefore, are believed to be so numerous that joinder of all members is impracticable.

45. The exact number and identities of the members of the Class are unknown at this time and can only be ascertained through discovery. Identification of the Class members is a matter capable of ministerial determination from Defendant's call records.

COMMON QUESTIONS OF LAW AND FACT

46. There are numerous questions of law and fact common to members of the Class which predominate over any questions affecting only individual members of the Class. Among the questions of law and fact common to the members of the Class are:

- a) Whether Defendant made non-emergency prerecorded telemarketing calls to Plaintiff's and Class members' cellular telephones;
- b) Whether Defendant can meet its burden of showing that it obtained

1 prior express written consent to make such calls;

2 c) Whether Defendant's conduct was knowing and willful;

3 d) Whether Defendant is liable for damages, and the amount of such
4 damages; and

5 e) Whether Defendant should be enjoined from such conduct in the
6 future

7 47. The common questions in this case are capable of having common
8 answers. If Plaintiff's claim that Defendant routinely transmits prerecorded messages
9 to telephone numbers assigned to cellular telephone services is accurate, Plaintiff and
10 the Class members will have identical claims capable of being efficiently adjudicated
11 and administered in this case.

12 **TYPICALITY**

13 48. Plaintiff's claims are typical of the claims of the Class members, as they
14 are all based on the same factual and legal theories.

15 **PROTECTING THE INTERESTS OF THE CLASS MEMBERS**

16 49. Plaintiff is a representative who will fully and adequately assert and protect
17 the interests of the Class, and has retained competent counsel. Accordingly, Plaintiff is
18 an adequate representative and will fairly and adequately protect the interests of the
19 Class.

20 50. In addition, Plaintiff has retained counsel with substantial experience in
21 prosecuting complex litigation and class actions, including those involving violations of
22 the TCPA. Plaintiff and her counsel are committed to vigorously prosecuting this action
23 on behalf of the other respective members of the Class and have the financial resources
24 to do so. Neither Plaintiff nor her counsel have any interests adverse to those of the
25 other members of the Class.

26 **PROCEEDING VIA CLASS ACTION IS SUPERIOR AND ADVISABLE**

- 1 a) An order certifying this case as a class action on behalf of the Class as
- 2 defined above, and appointing Plaintiff as the representative of the Class
- 3 and Plaintiff's counsel as Class Counsel;
- 4 b) An award of actual and statutory damages for Plaintiff and each member
- 5 of the Class;
- 6 c) As a result of Defendant's negligent violations of 47 U.S.C. §§ 227, *et seq.*,
- 7 Plaintiff seeks for herself and each member of the Class \$500.00 in
- 8 statutory damages for each and every violation pursuant to 47 U.S.C. §
- 9 277(b)(3)(B);
- 10 d) As a result of Defendant's knowing and/or willful violations of 47 U.S.C.
- 11 §§ 227, *et seq.*, Plaintiff seeks for herself and each member of the Class
- 12 treble damages, as provided by statute, up to \$1,500.00 for each and every
- 13 violation pursuant to 47 U.S.C. § 277(b)(3)(B) and § 277(b)(3)(C);
- 14 e) An order declaring that Defendant's actions, as set out above, violate the
- 15 TCPA;
- 16 f) An injunction prohibiting Defendant from using an artificial or
- 17 prerecorded voice to contact telephone numbers assigned to cellular
- 18 telephones without the prior express permission of the called party;
- 19 g) An award of reasonable attorneys' fees and costs pursuant to, *inter alia*,
- 20 California Code of Civil Procedure § 1021.5; and
- 21 h) Such further and other relief as the Court deems necessary.

22 **JURY DEMAND**

23 Plaintiff hereby demands a trial by jury.

24 **DOCUMENT PRESERVATION DEMAND**

1 Plaintiff demands that Defendant take affirmative steps to preserve all records,
2 lists, electronic databases or other itemizations associated with the allegations herein,
3 including all records, lists, electronic databases or other itemizations in the possession
4 of any vendors, individuals, and/or companies contracted, hired, or directed by
5 Defendant to assist in sending the alleged communications.

6
7 Dated: September 2, 2021

8
9 Respectfully submitted,

10
11 By: /s/ Scott Edelsberg

12 **EDELSBERG LAW, P.A.**

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15 Los Angeles, CA 90067

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18 *Counsel for Plaintiff and the Proposed Class*

CIVIL COVER SHEET

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

I. (a) PLAINTIFFS

Kim Leszczynski, individually and on behalf of all others similarly situated

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

(c) Attorneys (Firm Name, Address, and Telephone Number)
Edelsberg Law, PA
1925 Century Park E #1700, Los Angeles, CA 90067
305-975-3320

DEFENDANTS

GoGo Technologies, Inc. d/b/a GoGo Grandparent and GoGo Groumet

County of Residence of First Listed Defendant San Diego County, CA
(IN U.S. PLAINTIFF CASES ONLY)

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

Attorneys (If Known)

'21CV1552 MMMSB

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)

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	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <hr/> 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 <hr/> 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))	<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 <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	LABOR	FEDERAL TAX SUITS
<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	<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	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609

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):
Telephone Consumer Protection Act, 47 U.S.C. § 227 et seq.
 Brief description of cause:
This is a putative class action pursuant to the Telephone Consumer Protection Act, 47 U.S.C. § 227 et seq.

VII. REQUESTED IN COMPLAINT:

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

CHECK YES only if demanded in complaint:
JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE _____ DOCKET NUMBER _____

DATE: 09/02/2021 SIGNATURE OF ATTORNEY OF RECORD: /s/ Scott Edelsberg

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: [GoGo Gourmet Hit with Class Action Over Alleged Robocalls](#)
