

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

DAVID MATTHEWS and)	
BRENDA MATTHEWS, on behalf of)	NO.
themselves and all others similarly)	
situated,)	CLASS ACTION
)	
Plaintiffs,)	JURY TRIAL DEMANDED
)	
v.)	
)	
TRANS UNION, LLC)	
)	
Defendant.)	

CLASS ACTION COMPLAINT

On behalf of themselves and all others similarly situated, Plaintiffs David Matthews and Brenda Matthews (collectively referred to as “Plaintiffs”), by and through their attorneys Francis & Mailman, P.C. respectfully allege as follows:

NATURE OF THE ACTION

1. This is a consumer class action brought for violations of the Fair Credit Reporting Act, 15 U.S.C. §§ 1681-1681x (“FCRA”) against Trans Union, LLC (“Defendant” or “Trans Union”), a national consumer reporting agency. Trans Union violates the FCRA by preparing and furnishing consumer reports that include tax liens that have been withdrawn and by failing to report that withdrawn tax liens have been withdrawn. Trans Union also violates the FCRA by failing to remove a withdrawn tax lien from a consumer’s credit report, and failing to report a withdrawn tax lien as withdrawn, after receiving notice of a dispute from a consumer regarding Trans Union’s reporting of the withdrawn tax lien.

PARTIES

2. Plaintiff David Matthews is an adult individual residing in Lawrenceville, GA and is a “consumer” as that term is defined by 15 U.S.C. § 1681a(c).

3. Plaintiff Brenda Matthews is an adult individual residing in Lawrenceville, GA and is a “consumer” as that term is defined by 15 U.S.C. § 1681a(c).

4. Defendant Trans Union is a “consumer reporting agency” as defined by 15 U.S.C. § 1681a(b). Trans Union’s consumer relations office and national file disclosure office where it directs consumers to send requests for files and disputes, and processes such communications, including those pertaining to the Plaintiffs herein, resides within this district.

JURISDICTION AND VENUE

5. This Court has jurisdiction over this matter based upon 15 U.S.C. § 1681p.

6. Venue is proper in this District pursuant to 28 U.S.C. § 1391(b).

STATEMENT OF FACTS

7. Trans Union is one of the “big three” consumer reporting agencies (singular “CRA”) in the United States.

8. Trans Union sells consumer reports (commonly called “credit reports”) about millions of consumers annually.

9. Trans Union is regulated by the FCRA.

10. Upon information and belief, for several years Trans Union has obtained its information about bankruptcies, civil judgments and tax liens (*i.e.*, “public records” information) from private businesses that it calls “vendors,” which furnish such information to national CRAs.

11. Trans Union has not retrieved actual public records from courthouses or actual government offices for several years, and instead purchases them from another company.

12. The public record information that Trans Union receives from its other company is not the actual court or taxing authority record. Rather, it receives a distilled version of those records which does not include all of the information available at the actual courthouses or government offices where the true records are housed.

13. Trans Union knows that both it, and its hired public records vendors make mistakes in the distilled public records information that is acquired for purposes of credit reporting.

14. On November 22, 2010, a Notice of Federal Tax Lien for Plaintiff David Matthews was recorded in the Pulaski County Records by the Pulaski County Circuit Clerk and Recorder in Little Rock, Arkansas, Serial Number 2010073216 (the “individual tax lien”).

15. On November 22, 2010, a Notice of Federal Tax Lien for Plaintiffs David and Brenda Matthews was recorded in the Pulaski County Records by the Pulaski County Circuit Clerk and Recorder in Little Rock, Arkansas, Serial Number 2010073215 (the “joint tax lien”).

16. On March 13, 2013, a Certificate of Release of Federal Tax Lien for the joint tax lien was recorded in the Pulaski County Records.

17. In March 2015 and April 2015, respectively, the Internal Revenue Service (“IRS”) withdrew both the joint tax lien and the individual tax lien and filed withdrawals of those tax liens in the Pulaski County Records.

18. A Withdrawal of Filed Notice of Federal Tax Lien after Release for the joint tax lien was recorded in the Pulaski County Records on March 23, 2015.

19. A Withdrawal of Filed Notice of Federal Tax Lien for the individual tax lien was recorded in the Pulaski County Records on April 10, 2015.

20. Despite the fact that both the joint tax lien and the individual tax lien had been withdrawn and the withdrawals were recorded in the Pulaski County Records, Trans Union continued to report the tax liens as if they had not been withdrawn.

21. The Internal Revenue Code provides that the IRS may withdraw a notice of federal tax lien under certain circumstances, and that when a notice of tax lien is withdrawn, the provisions of the Internal Revenue Code “shall be applied as if the withdrawn notice had not been filed.” 26 U.S.C. Section 6323(j)(1). Thus, if the IRS files a withdrawal of a notice of a tax lien, from a credit rating standpoint it is as if the notice of tax lien was never filed. *See* Memorandum of the Office of Chief Counsel Internal Revenue Service dated October 9, 2009, p. 3.

22. Trans Union’s failure to remove a withdrawn tax lien from a consumer’s credit file is not only a violation of the FCRA, but also undermines the purpose of a withdrawal which is to treat the notice of tax lien as having never been filed. This harms not only the consumer, but all persons and businesses that rely on the report containing the withdrawn lien in making a decision whether to extend credit, employment or housing to the consumer.

23. On or about May 16, 2015, Plaintiff David Matthews sent an online notice to Trans Union that he disputed the reporting of the individual and joint tax liens on his Trans Union credit report because both tax liens had been withdrawn.

24. Trans Union sent the results of its handling of the dispute to Plaintiff David Matthews dated May 25, 2015, indicating that it had not removed the individual and joint tax liens. Trans Union included a consumer report that showed that Trans Union was still reporting both tax liens and was not reporting that those liens had been withdrawn.

25. On or about January 6, 2016, Plaintiff David Matthews mailed Trans Union a dispute letter concerning the tax liens. Plaintiff referenced his dispute of May 2015 and that Trans Union did not remove the individual and joint tax liens from his reports. Plaintiff enclosed copies of the Withdrawals of the individual and joint tax liens, and requested that Trans Union remove these tax liens from his credit report as soon as possible.

26. Trans Union sent the results of its handling of the dispute to Plaintiff David Matthews dated January 14, 2016, indicating that it had not removed the individual and joint tax liens. Trans Union included a consumer report that showed that Trans Union was still reporting both tax liens and was not reporting that those liens had been withdrawn.

27. Plaintiff David Matthews obtained his Trans Union credit report dated March 16, 2016. Trans Union continued to report both the individual and joint tax liens, and was not reporting that the tax liens had been withdrawn, although the Withdrawals for both tax liens had been recorded in the Pulaski County Records, and Plaintiff David Matthews had notified Trans Union the liens were withdrawn and had provided the Withdrawals.

28. On or about May 16, 2016, Plaintiff Brenda Matthews sent an online notice to Trans Union that she disputed the reporting of the joint tax lien on her Trans Union credit report because this tax lien had been withdrawn.

29. Trans Union sent the results of its handling of the dispute to Plaintiff Brenda Matthews on or about April 19, 2016 indicating that it had not removed the joint tax lien. Trans Union provided Plaintiff Brenda Matthews with a consumer report that showed Trans Union was still reporting the joint tax lien and was not reporting that the joint tax lien had been withdrawn.

30. The FCRA provides: “Whenever a consumer reporting agency prepares a consumer report it shall follow reasonable procedures to assure maximum possible accuracy of the information concerning the individual about whom the report relates.” 15 U.S.C. § 1681e(b).

31. Trans Union violated the FCRA, 15 U.S.C. § 1681e(b), as to Plaintiff David Matthews by reporting the individual and joint tax liens on his credit reports after those tax liens had been withdrawn, and by reporting the individual and joint tax liens without indicating those tax liens had been withdrawn.

32. Trans Union violated the FCRA, 15 U.S.C. § 1681e(b), as to Plaintiff Brenda Matthews by reporting the joint tax lien on her credit reports after that tax lien had been withdrawn, and by reporting the joint tax lien without indicating the tax lien had been withdrawn.

33. The FCRA also requires that Trans Union conduct a reasonable reinvestigation of any information that is disputed by a consumer to determine if the information is accurate. Trans Union must notify the source of the information of the dispute within five days. Trans Union must provide the source with all relevant information received from the consumer. Trans Union must review and consider all relevant information provided by the consumer in conducting the reinvestigation. Trans

Union must delete or modify information that is found to be inaccurate or incomplete, or that cannot be verified. Trans Union must complete the reinvestigation within 30 days. Trans Union must send a consumer written results of the reinvestigation and a credit report that is based on the consumer's file as that file is revised as a result of the reinvestigation. 15 U.S.C. § 1681i(a).

34. Trans Union violated the FCRA, 15 U.S.C. § 1681i(a), as to Plaintiff David Matthews in its handling of his disputes of the individual and joint tax liens that had been withdrawn, including the continued reporting of those tax liens, and failing to report that those tax liens had been withdrawn.

35. Trans Union violated the FCRA, 15 U.S.C. § 1681i(a), as to Plaintiff Brenda Matthews in its handling of her dispute of the joint tax lien that had been withdrawn, including the continued reporting of this joint tax lien, and failing to report that the joint tax lien had been withdrawn.

36. At all times pertinent hereto, Trans Union's conduct was a result of its deliberate policies and practices, was intentionally accomplished through intended procedures, and was carried out in reckless disregard for a consumer's rights as set forth in sections 1681e(b) and 1681i(a) of the FCRA. Specifically, at all times pertinent hereto, Trans Union was aware that it was not receiving regular updated records and was often reporting outdated or obsolete public records. Notwithstanding this fact, Trans Union had no procedure to check the current status of a public record (or at least a look back of 30 days) prior to reporting out the record.

37. The reporting of Plaintiffs' tax liens by Trans Union was inaccurate, and occurred because Trans Union failed to follow reasonable procedures to assure maximum

possible accuracy in the preparation of their consumer reports. Specifically, Trans Union does not follow the same automated and systematically rigorous processes to obtain all withdrawals of tax liens that it follows to obtain the original tax lien information.

38. Indeed, Trans Union follows no procedure which assures that, when a federal tax lien is withdrawn, the withdrawal is promptly obtained from the public records, the tax lien is removed from the consumer's credit report, or that the withdrawn tax lien is reported as withdrawn.

39. Instead, Trans Union continues to inaccurately report withdrawn tax liens. In this case, Trans Union continued to report the individual and joint tax liens on Plaintiff David Matthews' credit reports despite the fact that both tax liens had been withdrawn and the Withdrawals were recorded in the public record. Trans Union also continued to report the joint tax lien on Plaintiff Brenda Matthews' credit reports after it had been withdrawn and the Withdrawal recorded. Moreover, Trans Union refused to remove the tax liens from either Plaintiffs' reports, or report the tax liens as withdrawn, after Plaintiffs notified Trans Union the liens were withdrawn and provided Trans Union with the Withdrawals.

40. Trans Union failed to conduct a reasonable reinvestigation of Plaintiffs' disputes, and failed to review and consider all the relevant information provided by Plaintiffs, including the Withdrawals of the tax liens, in clear violation of the FCRA, 15 U.S.C. § 1681i(a). If it had, Trans Union would have removed the tax liens from Plaintiffs credit reports, or reported that those tax liens had been withdrawn.

41. Trans Union's practices not only violate the FCRA, they exact serious consequences on consumers, including Plaintiffs, and the economy by producing inaccurate credit reports, preventing consumers from obtaining credit, and denying

consumers the opportunity to correct inaccurate tax lien information that Trans Union is reporting about them.

42. At all times pertinent hereto, Trans Union was acting by and through its agents, servants and/or employees who were acting within the course and scope of their agency or employment, and under the direct supervision and control of Trans Union.

CLASS ACTION ALLEGATIONS

43. Plaintiff realleges and incorporates by reference all preceding paragraphs as alleged above.

44. Plaintiff brings this action pursuant to the Federal Rules of Civil Procedure 23(a) and 23(b)(3) on behalf of the following Classes:

a. All persons residing within the United States and its Territories who: (i) had a federal tax lien recorded; (ii) the tax lien appeared on a Trans Union consumer report dated within two years prior to the filing of this Complaint; (iii) the public record indicated that a Withdrawal of the tax lien had been recorded at least 30 days prior to the date of the Trans Union consumer report; and (iv) the Trans Union consumer report did not indicate that the tax lien had been withdrawn (hereafter the “Two-year Withdrawal Class”).

b. All persons residing within the United States and its Territories who: (i) had a federal tax lien recorded; (ii) the tax lien appeared on a Trans Union consumer report dated within five years prior to the filing of this Complaint; (iii) the public record indicated that a Withdrawal of the tax lien had been recorded at least 30 days prior to the date of the Trans Union consumer report; and (iv) the Trans Union consumer report did not indicate that the tax lien had been withdrawn (hereafter the “Five-year Withdrawal Class”).

c. All persons residing within the United States and its Territories who: (i) notified Trans Union within two years prior to the filing of this Complaint of a dispute of a federal tax lien that had been withdrawn; (ii) the public record indicated at the time of the dispute that a Withdrawal of the tax lien had been recorded; and (iii) Trans Union failed remove the tax lien from the consumer's file, or failed to indicate that the lien had been withdrawn, within 30 days of receiving the dispute (hereafter the "Two-year Dispute Class").

d. All persons residing within the United States and its Territories who: (i) notified Trans Union within five years prior to the filing of this Complaint of a dispute of a federal tax lien that had been withdrawn; (ii) the public record indicated at the time of the dispute that a Withdrawal of the tax lien had been recorded; and (iii) Trans Union failed remove the tax lien from the consumer's file, or failed to indicate that the lien had been withdrawn, within 30 days of receiving the dispute (hereafter the "Five-year Dispute Class").

e. All persons residing within the United States and its Territories who: (i) notified Trans Union within two years prior to the filing of this Complaint of a dispute of a federal tax lien that had been withdrawn; (ii) the public record indicated at the time of the dispute that a Withdrawal of the tax lien had been recorded; and (iii) Trans Union removed the tax lien from the consumer's file. (hereafter the "Two-year Admitted Inaccuracy Class").

f. All persons residing within the United States and its Territories who: (i) notified Trans Union within five years prior to the filing of this Complaint of a dispute of a federal tax lien that had been withdrawn; (ii) the public record indicated at the time of the dispute that a Withdrawal of the tax lien had been recorded; and (iii) Trans Union removed the tax lien from the consumer's file. (hereafter the "Five-year Admitted Inaccuracy Class").

45. Plaintiffs reserve the right to amend the definition of the Classes based on discovery or legal developments.

46. **Numerosity. FED. R. CIV. P. 23(a)(1).** The Class members are so numerous that joinder of all is impractical. Although the precise number of Class members is known only to Trans Union, tens of thousands of Withdrawals of federal tax liens are recorded in public records, and the names and addresses of the Class members are identifiable through documents maintained by Trans Union and through publicly available records.

47. **Existence and Predominance of Common Questions of Law and Fact. FED. R. CIV. P. 23(a)(2).** Common questions of law and fact exist as to all members of the Class, and predominate over the questions affecting only individual members. The common legal and factual questions include, among others:

a. Whether Trans Union violated section 1681e(b) of the FCRA by reporting a withdrawn federal tax lien after the date the Withdrawal had been recorded, or reporting the tax lien without reporting it had been withdrawn;

b. Whether the violations of section 1681e(b) were willful;

c. Whether the violations of section 1681e(b) were negligent;

d. Whether Trans Union violated section 1681i(a) of the FCRA by failing to remove a withdrawn federal tax lien from a consumer's file, or failing to indicate that the tax lien had been withdrawn, after receiving notice of a dispute from a consumer regarding a withdrawn tax lien;

e. Whether the violations of section 1681i(a) were willful; and

f. Whether the violations of section 1681i(a) were negligent;

48. **Typicality. FED. R. CIV. P. 23(a)(3).** Plaintiff's claims are typical of the claims of each Class member, which all arise from the same operative facts and are based on the same legal theories. Trans Union reports federal tax liens that have been withdrawn, or reports tax liens that have been withdrawn without indicating those tax liens have been withdrawn. Trans Union fails to remove a withdrawn federal tax lien from a consumer's file, or fails to indicate the tax lien has been withdrawn, after receiving notice of a dispute from a consumer regarding a withdrawn tax lien. Plaintiffs have the same claims for statutory, actual and punitive damages that they seek for absent class members.

49. **Adequacy. FED. R. CIV. P. 23(a)(4).** Plaintiffs are adequate representatives of the Class. Their interests are aligned with, and are not antagonistic to, the interests of the members of the Class they seeks to represent. They have retained counsel with extensive experience handling consumers class actions, and have been certified to serve as counsel on more than 50 occasions, in this district and through the country. *See, e.g., Flores v. Express Personnel*, C.A. 14-3298, 2017 WL 1177098 (E.D. Pa., March 30, 2017). They intend to prosecute this action vigorously. Plaintiffs and their counsel will fairly and adequately protect the interests of members of the Class.

50. **Predominance and Superiority. FED. R. CIV. P. 23(b)(3).** Questions of law and fact common to the Class members predominate over questions affecting only individual Class members, and a class action is superior to other available methods for the fair and efficient adjudication of the controversy. Trans Union's conduct described in this Complaint stems from common and uniform practices, resulting in common violations of the FCRA. Members of the Classes do not have an interest in pursuing separate actions

against Trans Union, as the amount of each Class member's individual claim is small compared to the expense and burden of individual prosecution. Class certification also will obviate the need for unduly duplicative litigation that might result in inconsistent judgments concerning Trans Union's practices. Moreover, management of this action as a class action will not likely present any difficulties. In the interests of justice and judicial efficiency, it would be desirable to concentrate the litigation of all Class members' claims in a single forum.

51. This action should be maintained as a class action because the prosecution of separate actions by individual members of the Classes would create a risk of inconsistent or varying adjudications with respect to individual members which would establish incompatible standards of conduct for the parties opposing the Classes, as well as a risk of adjudications with respect to individual members which would as a practical matter be dispositive of the interests of other members not parties to the adjudications or substantially impair or impede their ability to protect their interests.

CAUSES OF ACTION

COUNT I (Violation of 15 U.S.C. § 1681e(b))

52. Plaintiff realleges and incorporates by reference all preceding paragraphs as alleged above.

53. The above-mentioned reports are "consumer reports" within the meaning of 15 U.S.C. § 1681a(d).

54. Trans Union willfully and/or negligently failed to comply with 15 U.S.C. § 1681e(b) by preparing consumer reports containing withdrawn federal tax liens, or

reporting those tax liens without indicating they had been withdrawn, after the date the Withdrawals were recorded in the public record.

55. Pursuant to 15 U.S.C. §§ 1681n and o, Trans Union is liable to Plaintiff and all Class members for its failure to comply with FCRA Section 1681e(b), in an amount equal to the sum of: (1) damages of not less than \$100 and not more than \$1,000 per violation; (2) actual damages; (3) punitive damages in an amount to be determined by the jury; (4) attorney's fees; and (5) litigation costs, as well as such further relief as may be permitted by law.

COUNT II
(Violation of 15 U.S.C. § 1681i)

56. Plaintiff realleges and incorporates by reference all preceding paragraphs as alleged above.

57. Trans Union willfully and/or negligently failed to comply with 15 U.S.C. § 1681i(a) by failing to remove a withdrawn tax lien from a consumer's file, or failing to indicate that the tax lien had been withdrawn, after being notified of a consumer's dispute regarding a withdrawn tax lien.

58. Pursuant to 15 U.S.C. §§ 1681n and o, Trans Union is liable to Plaintiff and all Class members for its failure to comply with FCRA Section 1681i, in an amount equal to the sum of: (1) damages of not less than \$100 and not more than \$1,000 per violation; (2) actual damages; (3) punitive damages in an amount to be determined by the jury; (4) attorney's fees; and (5) litigation costs, as well as such further relief as may be permitted by law.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff and the Classes pray for relief as follows:

On the First Claim for Relief:

- A. An order certifying the case as a class action on behalf of the proposed Classes under Federal Rule of Civil Procedure 23 and appointing Plaintiffs and the undersigned counsel of record to represent same;
- B. An order declaring that Trans Union's actions are in violation of the FCRA;
- C. An award of statutory, actual and punitive damages for Plaintiffs and the Classes;
- D. An award of attorneys' fees and costs; and,
- E. Such other relief as the Court deems just and proper. (Injunctive relief?) here and in each below prayer for the counts?

On the Second Claim for Relief:

- A. An order certifying the case as a class action on behalf of the proposed Classes under Federal Rule of Civil Procedure 23 and appointing Plaintiffs and the undersigned counsel of record to represent same;
- B. An order declaring that Trans Union's actions are in violation of the FCRA;
- C. An award of statutory, actual and punitive damages for Plaintiffs and the Classes;
- D. An award of attorneys' fees and costs; and,
- E. Such other relief as the Court deems just and proper.

On the Third Claim for Relief:

- A. An order certifying the case as a class action on behalf of the proposed Classes under Federal Rule of Civil Procedure 23 and appointing Plaintiffs and the undersigned counsel of record to represent same;

B. An order declaring that Trans Union's actions are in violation of the FCRA;

C. An award of statutory, actual and punitive damages for Plaintiffs and the
Classes;

D. An award of attorneys' fees and costs; and,

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

On the Fourth Claim for Relief:

A. An order certifying the case as a class action on behalf of the proposed
Classes under Federal Rule of Civil Procedure 23 and appointing Plaintiffs
and the undersigned counsel of record to represent same;

B. An order declaring that Trans Union's actions are in violation of the FCRA;

C. An award of statutory, actual and punitive damages for Plaintiffs and the
Classes;

D. An award of attorneys' fees and costs; and,

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

JURY DEMAND

Plaintiff hereby requests and demands a trial by jury.

Respectfully submitted,

Dated: April 21, 2017

BY: /s/ James A. Francis
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JS 44 (Rev 12/07)

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 THE REVERSE OF THE FORM)

I. (a) PLAINTIFFS

David Matthews and Brenda Matthews, on behalf of themselves and all others similarly situated, +

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

(c) Attorney's (Firm Name, Address, and Telephone Number)
Francis & Mailman, P.C. 215-735-8600
100 S. Broad Street, 19th Floor Philadelphia, PA 19110 +

DEFENDANTS

Trans Union, LLC

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

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE 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 <i>or</i> 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 <i>and</i> 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 (Excl. 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 - Med Malpractice <input type="checkbox"/> 365 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"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus - Alien Detainee <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"/> 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"/> 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 type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input checked="" type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <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	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer w/Disabilities - Employment <input type="checkbox"/> 446 Amer w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition			

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
- 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

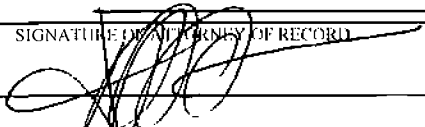
Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
Fair Credit Reporting Act, 15 U.S.C. § 1681, et seq.
 Brief description of cause

VII. REQUESTED IN COMPLAINT:

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

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE _____ DOCKET NUMBER _____

DATE 04/21/2017 SIGNATURE OF ATTORNEY OF RECORD 

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING OFF _____ JUDGE _____ MAG JUDGE _____

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CASE MANAGEMENT TRACK DESIGNATION FORM

David Matthews and Brenda Matthews, on	:	CIVIL ACTION
behalf of themselves and all others	:	
similarly situated,	:	
	:	
	:	
v.	:	NO.
Trans Union, LLC	:	

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a Case Management Track Designation Form specifying the track to which that defendant believes the case should be assigned.

SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:

- (a) Habeas Corpus – Cases brought under 28 U.S.C. § 2241 through § 2255. ()
- (b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ()
- (c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2. ()
- (d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. ()
- (e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) (X)
- (f) Standard Management – Cases that do not fall into any one of the other tracks. ()

04/21/2017

Date



Attorney-at-law

James A. Francis

Attorney for Plaintiffs

215-735-8600

Telephone

215-940-8000

FAX Number

jfrancis@consumerlawfirm.com

E-Mail Address

FOR THE EASTERN DISTRICT OF PENNSYLVANIA — DESIGNATION FORM to be used by counsel to indicate the category of the case for the purpose of assignment to appropriate calendar.

Address of Plaintiff 1751 Bergen Ct. Lawrenceville, GA 30043

Address of Defendant 1510 Chester Pike, Crum Lynne, PA 19022

Place of Accident, Incident or Transaction: _____
(Use Reverse Side For Additional Space)

Does this civil action involve a nongovernmental corporate party with any parent corporation and any publicly held corporation owning 10% or more of its stock?

(Attach two copies of the Disclosure Statement Form in accordance with Fed R Civ P 7 1(a)) Yes No

Does this case involve multidistrict litigation possibilities? Yes No

RELATED CASE, IF ANY:

Case Number: _____ Judge _____ Date Terminated: _____

Civil cases are deemed related when yes is answered to any of the following questions:

- 1 Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court? Yes No
- 2 Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court? Yes No
- 3 Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action in this court? Yes No
- 4 Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual? Yes No

CIVIL: (Place in ONE CATEGORY ONLY)

A. Federal Question Cases:

- 1. Indemnity Contract, Marine Contract, and All Other Contracts
- 2. FELA
- 3. Jones Act-Personal Injury
- 4. Antitrust
- 5. Patent
- 6. Labor-Management Relations
- 7. Civil Rights
- 8. Habeas Corpus
- 9. Securities Act(s) Cases
- 10. Social Security Review Cases
- 11. All other Federal Question Cases

(Please specify) Fair Credit Reporting Act, 15 U.S.C. § 1681 et seq.

B. Diversity Jurisdiction Cases:

- 1. Insurance Contract and Other Contracts
- 2. Airplane Personal Injury
- 3. Assault, Defamation
- 4. Marine Personal Injury
- 5. Motor Vehicle Personal Injury
- 6. Other Personal Injury (Please specify)
- 7. Products Liability
- 8. Products Liability — Asbestos
- 9. All other Diversity Cases

(Please specify)

ARBITRATION CERTIFICATION

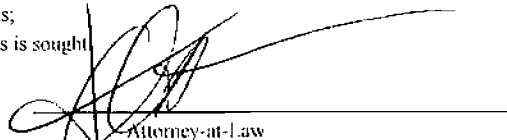
(Check Appropriate Category)

I, James A. Francis, counsel of record do hereby certify:

Pursuant to Local Civil Rule 53 2, Section 3(c)(2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000 00 exclusive of interest and costs;

Relief other than monetary damages is sought

DATE: 4/21/2017

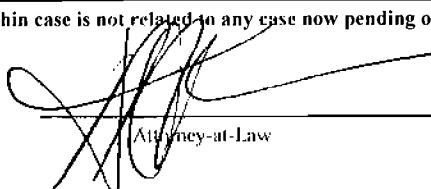

Attorney-at-Law

77474
Attorney I D #

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F R C P 38

I certify that, to my knowledge, the within case is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: 4/21/2017


Attorney-at-Law

77474
Attorney I D #

ClassAction.org

This complaint is part of ClassAction.org's searchable class action lawsuit database and can be found in this post: [Consumers Claim Trans Union Refuses to Update Inaccurate Reports](#)
