Filing # 73610218 E-Filed 06/15/2018 09:22:06 AM

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
IN AND FOR PINELLAS COUNTY, FLORIDA
CIVIL DIVISION

THOMAS MAY, on behalf
of himself and on behalf of all others
similarly situated,

Plaintiffs,

v. Case No. :

PMP SUCCESSOR, LLC f/k/a
PARAMEDICS PLUS, L.L.C., a foreign
limited liability company,

Defendant.
_____/

CLASS ACTION COMPLAINT AND DEMAND FOR JURY TRIAL

Plaintiff, THOMAS MAY, by and through his attorneys, and on behalf of himself, the putative class set forth below, and in the public interest, brings the following Class Action Complaint as of right against Defendant, PMP SUCCESSOR, LLC f/k/a PARAMEDICS PLUS, L.L.C. including, subsidiaries, divisions and affiliates (hereinafter, "Defendant" or "ParaPlus"), under the Fair Credit Reporting Act of 1970, as amended ("FCRA"), 15 U.S.C. § 1681 et seq.

PRELIMINARY STATEMENT

1. Defendant provides emergency medical services contracting with public service entities to coordinate emergency services.

2. Defendant routinely obtains and uses information in consumer reports to conduct background checks on prospective employees and existing employees.

3. The FCRA, 15 U.S.C. § 1681b, makes it presumptively unlawful to obtain and use a "consumer report" for an employment purpose. Such use becomes lawful if and only if the "user" – in this case Defendant – has complied with the FCRA's strict disclosure and

authorization requirements. 15 U.S.C. § 1681(b)(2).

4. Defendant willfully violated these requirements in multiple ways, in systematic violation of Plaintiff's rights and the rights of other putative class members.

5. Defendant violated 15 U.S.C. § 1681b(b)(2)(A)(i) by procuring consumer reports on Plaintiff and other putative class members for employment purposes, without first making proper disclosures in the format required by the statute. Under this subsection of the FCRA, Defendant is required to disclose to its applicants and employees – *in a document that consists solely of the disclosure* – that they may obtain a consumer report on them for employment purposes, prior to obtaining a copy of their consumer report. *Id.* Defendant willfully violated this requirement by failing to provide Plaintiff with a document that consists solely of the disclosure that it may obtain a consumer report on him for employment purposes, prior to obtaining a copy of his consumer report.

6. Defendant also violated 15 U.S.C. § 1681b(b)(2)(A)(ii) by obtaining consumer reports on Plaintiff and other putative class members without proper authorization, due to the fact that its FCRA disclosures fail to comply with the requirements of the FCRA.

7. Based on the foregoing violations, Plaintiff asserts FCRA claims against Defendant on behalf of himself and the class consisting of Defendant's employees and prospective employees.

8. In Counts I and II, Plaintiff asserts a FCRA claim under 15 U.S.C. §§ 1681b(b)(2)(A)(i)-(ii) on behalf of a "Background Check Class" consisting of:

> **All PARAMEDICS PLUS, L.L.C. employees and job applicants in the United States who were the subject of a consumer report that was procured by ParaPlus within two years of the filing of this complaint through the date of final judgment in this action as required by 15 U.S.C. § 1681b(b)(2)(A).**

9. On behalf of himself and the putative class, Plaintiff seeks statutory damages, costs and attorneys' fees, equitable relief, and other appropriate relief under the FCRA.

PARTIES

10. Individual and representative Plaintiff, Thomas May ("Plaintiff") lives in Florida, was formerly employed by Defendant and is a member of the putative class defined below.

11. Defendant is a corporation and user of consumer reports as contemplated by the FCRA, at 15 U.S.C. § 1681b.

JURISDICTION AND VENUE

12. This is an action for damages in excess of $15,000, exclusive of interest, fees, and costs, for violations of the Fair Credit Reporting Act, 15 U.S.C. § 1681 et seq.

13. This Court has federal question jurisdiction over Plaintiff's FCRA claims pursuant to 28 U.S.C. § 1331. The Court also has jurisdiction under the FCRA, 15 U.S.C. § 1681n and 1681p.

14. Venue is proper in Pinellas County, Florida.

ALLEGATIONS REGARDING DEFENDANT'S BUSINESS PRACTICES

Background Checks

15. Defendant conducts background checks on many of its job applicants as part of a standard screening process. In addition, Defendant also conducts background checks on existing employees from time-to-time during the course of their employment.

16. Defendant does not perform these background checks in-house. Rather, Defendant relies on an outside consumer reporting firm to obtain this information and report it to the Defendant. These reports constitute "consumer reports" for purposes of the FCRA.

FCRA Violations Relating to Background Check Class

17. Defendant procured a consumer report on Plaintiff in violation of the FCRA.

18. Under the FCRA, it is unlawful to procure a consumer report or cause a consumer report to be procured for employment purposes, unless:

> (i) a clear and conspicuous disclosure has been made in writing to the consumer at any time before the report is procured or caused to be procured, *in a document that consists solely of the disclosure*, that a consumer report may be obtained for employment purposes; and
>
> (ii) the consumer has authorized in writing (which authorization may be made on the document referred to in clause (i)) the procurement of the report.

15 U.S.C. §§ 1681b(b)(2)(A)(i)-(ii) (emphasis added).

19. Defendant failed to satisfy these disclosure and authorization requirements.

20. Defendant did not have a stand alone FCRA disclosure or authorization form. The FCRA requires that a disclosure not contain extraneous information. This is commonly referred to as the "stand alone disclosure" requirement.

21. The FCRA also contains several other notice provisions, such as 15 U.S.C. § 1681b(b)(3)(a) (pre-adverse action); § 1681b(4)(B) (notice of national security investigation); § 1681c(h) (notification of address discrepancy); § 1681(g) (full file disclosure to consumers); § 1681k(a)(1) (disclosure regarding use of public record information); § 1681h (form and conditions of disclosure; and §1681(m)(a) (notice of adverse action).

22. The purpose of FCRA notice provisions, including § 1681b(b)(2)(A)(i), is to put consumers on notice that a consumer report may be prepared. This gives consumers the opportunity to exercise substantive rights conferred by the FCRA or other statutes, allowing

consumers the opportunity to ensure accuracy, confidentiality and fairness.

23. Without clear notice that a consumer report is going to be procured, applicants and employees are deprived of the opportunity to make informed decisions or otherwise assert protected rights.

24. Using a FCRA disclosure that is not "stand alone" violates the plain language of the statute, and flies in the face of unambiguous case law and regulatory guidance from the Federal Trade Commission ("FTC"). *Jones v Halstead Mgmt. Co.*, LLC, 81 F. Supp. 3d 324, 333 (S.D.N.Y 2015)(disclosure not "stand alone" when it contains extraneous information such as state specific disclosures); *Moore v. Rite Aid Hdqtrs. Corp.*, 2015 U.S. Dist. LEXIS, at *35 (E.D. Pa. May 29, 2015) ("The text of the statute and available agency guidance demonstrate that the inclusion of information on the form apart from the disclosure and related authorization violates § 1681b(b)(2)(a).")

25. Defendant's FCRA disclosure required applicants and employees to waive federal and state privacy rights. For example, information from an educational institution cannot be disclosed unless consent is received from the student. *See Family Educational Rights & Privacy Act*, 20 U.S.C. § 1232(g); 34 CFR Part 99. Similarly, covered financial institutions are required to maintain the security of banking and financial information. *See Gramm-Leach Bliley Act*, 15 U.S.C. §§ 6801-6809.

26. Along similar lines, many states have data privacy laws that restrict the disclosure of the information in their possession. *See, e.g.* Russom, Mirian B., Robert H. Sloan and Richard Warner, Legal Concepts Meet Technology, A 50 State Survey of Data Privacy Laws (2011) (available at https://acsac.org/2011/workshops/gtip/p-Russo.pdf).

27. Defendant knowingly and recklessly disregarded case law and regulatory

guidance and willfully violated 15 U.S.C. § 1681b(b)(2)(A) by procuring consumer reports on employees without complying with the FCRA's disclosure and authorization requirements. Defendant's violations were willful because Defendant knew they were required to provide a stand alone disclosure prior to obtaining and using consumer reports on the putative class members.

28. Defendant's conduct is also willful because:

a. Defendant is a large and sophisticated employer with access to legal advice through its own attorneys and there is no evidence it determined its own conduct was lawful;

b. Defendant knew or had reason to know that its conduct was inconsistent with published FCRA guidance interpreting the FCRA, case law and the plain language of the statute; and

c. Defendant voluntarily ran a risk of violating the law substantially greater than the risk associated with a reading that was merely careless.

29. Defendant acted in a deliberate or reckless disregard of its obligations and the rights of Plaintiff and other putative class members. Defendant knew or should have known about their legal obligations under the FCRA. These obligations are well established in the plain language of the FCRA, in promulgations of the FTC and in established case law. Defendant had access to materials and resources advising them of their duties under the FCRA. Any reasonable employer of Defendant's size and sophistication knows or should know about FCRA compliance requirements.

ALLEGATIONS SPECIFIC TO PLAINTIFF

30. Plaintiff applied for employment with Defendant on or around May, 2017.

31. As part of the hiring process, Plaintiff was provided and executed a background check disclosure on or around May 15, 2017.

32. Defendant procured a consumer report on Plaintiff. The consumer report contained private, confidential information about Plaintiff.

33. It was unlawful for Defendant to procure a consumer report on Plaintiff without making the disclosures required by the FCRA. Defendant violated 15 U.S.C. § 1681b(b)(2)(A)(i) by procuring consumer reports on Plaintiff and other putative class members for employment purposes, without first making proper disclosures in the format required by the statute.

34. Plaintiff was distracted from the disclosure by the presence of additional information in the purported FCRA Disclosure. Specifically, Defendant unlawfully inserted extraneous provisions into forms purporting to grant Defendant authority to obtain and use consumer report information for employment purposes. The FCRA forbids this practice, since it mandates that all disclosures granting the authority to access and use consumer report information for employment purposes be "stand alone disclosures" that do not include any extraneous information or additional agreements.

35. Plaintiff was confused about the nature and scope of Defendant's investigation into his background.

36. Plaintiff was confused about his rights due to the presence of the additional language contained in Defendant's forms.

37. Plaintiff values his privacy rights. If Plaintiff was aware Defendant had presented him with an unlawful FCRA disclosure, Plaintiff would not have authorized Defendant to procure a consumer report and dig deep into his personal, private and confidential information.

38. Defendant failed to satisfy the FCRA requirements pertaining to the disclosure when it procured Plaintiff's consumer report without the making the proper disclosures.

39. Defendant failed to abide by these long-established FCRA requirements.

CLASS ACTION ALLEGATIONS

40. Pursuant to Rule 1.220(b)(1), and (2) and (3) of the Florida Rules of Civil Procedure and 15 U.S.C. § 1681b, Plaintiff brings this action for himself and on behalf of a class (the "Class"), defined as:

> **All PARAMEDICS PLUS L.L.C. employees and job applicants in the United States who were the subject of a consumer report for employment purposes that was procured by ParaPlus within two years of the filing of this complaint through the date of final judgment in this action as required by the FCRA.**

41. Numerosity: The members of the putative class are so numerous that joinder of all Class members is impracticable. Defendant regularly obtains and uses information in consumer reports to conduct background checks on prospective employees and existing employees, and frequently relies on such information, in whole or in part, in the hiring process. Plaintiff is informed and believes that during the relevant time period, thousands of Defendant's employees and prospective employees satisfy the definition of the putative class. Based on the number of putative class members, joinder is impracticable. The names and addresses of the Class members are identifiable through Defendant's records and published Class members may be notified of this action by mailed notice.

42. Typicality: Plaintiff's claims are typical of those of the members of the putative class. Defendant typically uses consumer reports to conduct background checks on employees and prospective employees. The FCRA violations suffered by Plaintiff are typical of those suffered by other putative class members, and Defendant treated Plaintiff consistent

with other putative class members in accordance with its standard policies and practices.

43. Adequacy: Plaintiff will fairly and adequately protect the interests of the putative class, and has retained counsel experienced in complex class action litigation.

44. Commonality: Common questions of law and fact exist as to all members of the putative class, and predominate over any questions solely affecting individual members of the putative class. These common questions include, but are not limited to:

a. whether Defendant uses consumer report information to conduct background checks on employees and prospective employees;

b. whether Defendant violated the FCRA by procuring consumer report information without making proper disclosures in the format required by the statute;

c. whether Defendant violated the FCRA by procuring consumer report information based on invalid authorizations;

d. whether Defendant's violation of the FCRA was willful;

e. the proper measure of statutory damages; and

f. the proper form of injunctive and declaratory relief.

45. This case is maintainable as a class action because prosecution of actions by or against individual members of the putative class would result in inconsistent or varying adjudications and create the risk of incompatible standards of conduct for the Defendant. Further, adjudication of each individual Class member's claim as a separate action would potentially be dispositive of the interest of other individuals not a party to such action, thereby impeding their ability to protect their interests.

46. This case is also maintainable as a class action because Defendant acted or

refused to act on grounds that apply generally to the putative class, so that final injunctive relief or corresponding declaratory relief is appropriate with respect to the Class as a whole.

47. Class certification is also appropriate because questions of law and fact common to the putative class predominate over any questions affecting only individual members of the putative class, and also because a class action is superior to other available methods for the fair and efficient adjudication of this litigation. Defendant's conduct, which is described in this Complaint, stems from common and uniform policies and practices, resulting in common violations of the FCRA. Members of the putative class do not have an interest in pursuing separate actions against the Defendant, as the amount of each Class member's individual claim for damages is small in comparison to the expense and burden of individual prosecution. Class certification will also obviate the need for unduly duplicative litigation that might result in inconsistent judgments concerning Defendant's practices. Moreover, management of this action as a class action will not present any foreseeable difficulties. In the interests of justice and judicial efficiency, it would be desirable to concentrate the litigation of all putative class members' claims in a single action, brought in a single forum.

WHEREFORE, Plaintiff prays for relief as follows:

a. an order be entered certifying the proposed Class Rule 1.220(b)(1), and (2) and (3) of the Florida Rules of Civil Procedure and appointing Plaintiff and his counsel to represent the Class;

b. a judgment be entered for the proposed Class against Defendant for statutory damages and punitive damages for violation of 15 U.S.C. § 1681b, pursuant to 15 U.S.C. § 1681n;

c. the Court award costs and reasonable attorneys' fees, pursuant to 15

U.S.C. §§ 1681n and 1681o, against Defendant; and

d. the Court grant such other and further relief as may be just and proper, including but not limited to any equitable relief that may be permitted.

COUNT I
Failure to Make Proper Disclosure in Violation of FCRA
15 U.S.C. § 1681b(b)(2)(A)(i)

48. Plaintiff alleges and incorporates by reference the allegations in the preceding paragraphs 1-47.

49. In violation of the FCRA, the FCRA disclosure Defendant required the Background Check Class to complete as a condition of its employment with Defendant, does not satisfy the disclosure requirements of 15 U.S.C. § 1681b(b)(2)(A)(i) because Defendant failed to provide a stand alone document as to the consumer report information being obtained and utilized.

Plaintiff's First Concrete Injury under § 1681b(b)(2)(A)(i): Informational Injury

50. Plaintiff suffered a concrete informational injury because Defendant failed to provide Plaintiff with information to which he was entitled to by statute, namely a stand alone FCRA disclosure before procuring his consumer report. Through the FCRA, Congress created a new right – the right to receive the required disclosure as set out in the FCRA – and a new injury – not receiving a stand alone disclosure.

51. Pursuant to § 1681b(b)(2), Plaintiff was entitled to receive certain information at a specific time, namely a disclosure that a consumer report may be procured for employment purposes in a document consisting solely of the disclosure. Such a disclosure was required to be provided to Plaintiff *before* the consumer report was to be procured. By depriving Plaintiff of this information, in the form and at the time he was entitled to receive it, Defendant injured

Plaintiff and the putative class members he seeks to represent.

52. Defendant violated the FCRA by procuring consumer reports on Plaintiff and other Background Check Class members without first making proper disclosures in the format required by 15 U.S.C. § 1681b(b)(2)(A)(i). Namely, these disclosures had to be made: (1) before Defendant actually procured consumer reports, and (2) in a stand alone document, clearly informing the Plaintiff and other Background Check Class members that Defendant might procure a consumer report on each of them for purposes of employment. The required disclosures were not made, causing Plaintiff an informational injury.

53. Defendant's failure to provide Plaintiff and the putative class with a lawful disclosure created a risk of harm that Plaintiff and members of the putative class would be confused and distracted by the extraneous language present in Defendant's unlawful FCRA disclosure.

Plaintiff's Second Concrete Injury under § 1681b(b)(2)(A)(i): Invasion of Privacy

54. Defendant invaded Plaintiff's right to privacy. Under the FCRA, "a person may not procure a consumer report, or cause a consumer report to be procured, for employment purposes with respect to any consumer, unless" it complies with the statutory requirements (*i.e.*, disclosure and authorization) set forth in 15 U.S.C. §§ 1681b(b)(2)(A)(i)-(ii).

55. The FCRA created a statutory cause of action akin to invasions of privacy and intrusions upon seclusion, harms recognized as providing the basis for lawsuits under English and American law. Defendant invaded Plaintiff's privacy and intruded upon Plaintiff's seclusion by procuring a consumer report on him and viewing his private and personal information without lawful authorization.

56. The foregoing violations were willful. At the time Defendant violated 15 U.S.C.

§ 1681b(b)(2)(A)(i) Defendant knew they were required to provide a stand alone disclosure (separate from the employment application) prior to obtaining and then utilizing a consumer report on Plaintiff and the putative class. A plethora of authority, including both case law and FTC opinions, existed at the time of Defendant's violations on this very issue that held waivers cannot be included in the FCRA forms at issue. Defendant's willful conduct is also reflected by, among other things, the following facts:

a. Defendant knew of potential FCRA liability;

b. Defendant is a large corporation with access to legal advice through their own general counsel's office and outside employment counsel, and there is not contemporaneous evidence that it determined that its conduct was lawful;

c. Defendant knew or had reason to know that their conduct was inconsistent with published FTC guidance interpreting the FCRA and the plain language of the statute; and

d. Defendant voluntarily ran a risk of violating the law substantially greater than the risk associated with a reading that was merely careless.

57. The Plaintiff and the Background Check Class are entitled to statutory damages of not less than one hundred dollars ($100) and not more than one thousand dollars ($1,000) for each and every one of these violations under 15 U.S.C. § 1681n(a)(1)(A), in addition to punitive damages under 15 U.S.C. § 1681n(a)(2).

58. The Plaintiff and the Background Check Class are further entitled to recover their costs and attorneys' fees, in accordance with 15 U.S.C. § 1681n(a)(3).

WHEREFORE, Plaintiff, on behalf of himself and the putative class, prays for relief as

follows:

a. determining that this action may proceed as a class action;

b. designating Plaintiff as class representative and designating Plaintiff's counsel as counsel for the putative class;

c. issuing proper notice to the putative class at Defendant's expense;

d. finding that Defendant committed multiple, separate violations of the FCRA;

e. finding that Defendant acted willfully in deliberate or reckless disregard of Plaintiffs' rights and its obligations under the FCRA;

f. awarding statutory damages as provided by the FCRA, including punitive damages, to members of the putative class; and

g. awarding reasonable attorneys' fees and costs as provided by the FCRA.

COUNT II
Failure to Obtain Proper Authorization in Violation of FCRA
15 U.S.C. § 1681b(b)(2)(A)(ii)

59. Plaintiff alleges and incorporates by reference the allegations in the preceding paragraphs 1-47.

60. Defendant violated the FCRA by procuring consumer reports relating to Plaintiff and other Background Check Class members without proper authorization. The authorization requirement under 15 U.S.C. § 1681b(b)(2)(A)(ii) follows the disclosure requirement of § 1681b(b)(2)(A)(i) and presupposes that the authorization is based upon a valid disclosure.

Plaintiff's First Concrete Injury under § 1681b(b)(2)(A)(ii): Informational Injury

61. Plaintiff suffered a concrete informational injury because Defendant failed to provide Plaintiff with information to which he was entitled to by statute, namely a stand alone

FCRA disclosure. Thus, through the FCRA, Congress has created a new right—the right to receive the required disclosure as set out in the FCRA—and a new injury—not receiving a stand-alone disclosure.

62. Pursuant to §1681b(b)(2), Plaintiff was entitled to receive certain information at a specific time, namely a disclosure that a consumer report may be procured for employment purposes in a document consisting solely of the disclosure. Such a disclosure was required to be provided to Plaintiff before the consumer report was to be procured. By depriving Plaintiff of this information, in the form it should have been provided, Defendant injured Plaintiff and the putative class members he seeks to represent. *Public Citizen v. U.S. Department of Justice,* 491 U.S. 440, 449 (1989); *Federal Election Commission v. Akins,* 524 U.S. 11 (1998) Then *15 U.S.C. § 1681b(b)(2)(A)(ii).*

63. Defendant violated the FCRA by procuring consumer reports on Plaintiff and other Background Check Class members without first making proper disclosures in the format required by 15 U.S.C. § 1681b(b)(2)(A)(i). Namely, these disclosures had to be made: (1) before Defendant actually procured consumer reports, and (2) in a stand alone document, clearly informing Plaintiff and other Background Check Class members that Defendant might procure a consumer report on each of them for purposes of employment.

64. Plaintiff suffered an informational injury. Under the FCRA, "a person may not procure a consumer report, or cause a consumer report to be procured, for employment purposes with respect to any consumer, unless" it complies with the statutory requirements (i.e., disclosure and authorization) set forth in 15 U.S.C. §§ 1681b(b)(2)(A)(i)-(ii).

65. Defendant's Failure to provide Plaintiff and the putative class with a lawful disclosure created a risk of harm that Plaintiff and members of the putative class would be

confused and distracted by the extraneous language.

Plaintiff's Second Concrete Injury under § 1681b(b)(2)(A)(ii): Invasion of Privacy

66. Additionally, Defendant invaded Plaintiff's right to privacy and intruded upon his seclusion. Under the FCRA, "a person may not procure a consumer report, or cause a consumer report to be procured, for employment purposes with respect to any consumer, unless" it complies with the statutory requirements (i.e., disclosure and authorization) set forth in the following subsections: 15 U.S.C. §§ 1681b(b)(2)(A)(i)-(ii). Plaintiff's consumer reports contained a wealth of private information which Defendant had no right to access absent a specific Congressional license to do so. Defendant invaded Plaintiff's privacy and intruded upon Plaintiff's seclusion by procuring a consumer report on him and viewing his private and personal information without lawful authorization. *Perry v. Cable News Network, Inc.*, 854 F.3d 1336 (2017) (Violation of statutory right that has a close relationship to a harm traditionally recognized in English or American law is a concrete harm for purposes of Art. III standing).

67. The foregoing violations were willful. At this time Defendant violated 15 U.S.C. § 1681b(b)(2)(A)(ii). Defendant knew that in order for it to have authorization to obtain consumer reports on Plaintiff and the putative class members it was required to provide a stand alone form (separate from the employment application) prior to obtaining and then utilizing a consumer report on Plaintiff and the putative class. Plaintiff, Thomas May executed Defendant's illegal FCRA Disclosure on or about May 15, 2017. A plethora of authority, including both case law, and FTC opinions, existed at the time of Defendant's violations on this very issue that held waivers cannot be included in the FCRA forms at issue. Defendant's willful conduct is also reflected by, among other things, the following facts:

a. Defendant knew of its potential FCRA liability;

b. Defendant is a large corporation with access to legal advice through its own general counsel's office and outside employment counsel, and there is not contemporaneous evidence that it determined that its conduct was lawful;

c. Defendant knew or had reason to know that its conduct was inconsistent with published FTC guidance interpreting the FCRA and the plain language of the statute; and

d. Defendant voluntarily ran a risk of violating the law substantially greater than the risk associated with a reading that was merely careless.

68. Plaintiff and the Background Check Class are entitled to statutory damages of not less than one hundred dollars ($100) and not more than one thousand dollars ($1,000) for each and every one of these violations under 15 U.S.C. § 1681n(a)(1)(A), in addition to punitive damages under 15 U.S.C. § 1681n(a)(2).

69. Plaintiff and the Background Check Class are further entitled to recover their costs and attorneys' fees, in accordance with 15 U.S.C. § 1681n(a)(3).

WHEREFORE, Plaintiff, on behalf of himself and the putative class, prays for relief as follows:

a. determining that this action may proceed as a class action;

b. designating Plaintiff as class representative and designating Plaintiff's counsel as counsel for the putative class;

c. issuing proper notice to the putative class at Defendant's expense;

d. finding that Defendant committed multiple, separate violations of the FCRA;

e. finding that Defendant acted willfully in deliberate or reckless disregard of Plaintiffs' rights and its obligations under the FCRA;

f. awarding statutory damages as provided by the FCRA, including punitive damages, to members of the putative class; and

g. awarding reasonable attorneys' fees and costs as provided by the FCRA.

DEMAND FOR JURY TRIAL

Plaintiff and the putative class demand a trial by jury.

Dated this 15th day of June, 2018.

MORGAN & MORGAN, P.A.

/s/ Marc R. Edelman
Marc R. Edelman, Esq.
Fla. Bar No. 0096342
201 N. Franklin Street, #700
Tampa, FL 33602
Telephone 813-223-5505
Fax: 813-257-0572
MEdelman@forthepeople.com

C. Ryan Morgan, Esq.
Fla. Bar No.0015527
P.O. Box 4979
Orlando, FL 33802
Telephone 407.420.1414
Fax: 407.245.3401
RMorgan@forthepeople.com

Andrew Frisch, Esq.
Fla. Bar No. 27777
600 North Pine Island Road, Suite 400
Plantation, Florida 33324
Telephone: (954) WORKERS
Facsimile: (954) 327-3013
AFrisch@forthepeople.com
Attorneys for Plaintiff

Filing # 73610218 E-Filed 06/15/2018 09:22:06 AM

FORM 1.997. CIVIL COVER SHEET

The civil cover sheet and the information contained in it neither replace nor supplement the filing and service of pleadings or other documents as required by law. This form must be filed by the plaintiff or petitioner for the use of the Clerk of Court for the purpose of reporting judicial workload data pursuant to section 25.075, Florida Statutes. (See instructions for completion.)

I. CASE STYLE

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT,
IN AND FOR PINELLAS COUNTY, FLORIDA

Case No.:_____
Judge: _____

Thomas May
Plaintiff

vs.

PMP Successor, LLC f/k/a Paramedics Plus, L.L.C.
Defendant

II. TYPE OF CASE

- ☐ Condominium
- ☐ Contracts and indebtedness
- ☐ Eminent domain
- ☐ Auto negligence
- ☐ Negligence – other
  - ☐ Business governance
  - ☐ Business torts
  - ☐ Environmental/Toxic tort
  - ☐ Third party indemnification
  - ☐ Construction defect
  - ☐ Mass tort
  - ☐ Negligent security
  - ☐ Nursing home negligence
  - ☐ Premises liability – commercial
  - ☐ Premises liability – residential
- ☐ Products liability
- ☐ Real Property/Mortgage foreclosure
  - ☐ Commercial foreclosure $0 - $50,000
  - ☐ Commercial foreclosure $50,001 - $249,999
  - ☐ Commercial foreclosure $250,000 or more
  - ☐ Homestead residential foreclosure $0 – 50,000
  - ☐ Homestead residential foreclosure $50,001 - $249,999
  - ☐ Homestead residential foreclosure $250,000 or more
  - ☐ Non-homestead residential foreclosure $0 - $50,000
  - ☐ Non-homestead residential foreclosure $50,001 - $249,999
  - ☐ Non-homestead residential foreclosure $250,00 or more
  - ☐ Other real property actions $0 - $50,000
  - ☐ Other real property actions $50,001 - $249,999
  - ☐ Other real property actions $250,000 or more
- ☐ Professional malpractice
  - ☐ Malpractice – business
  - ☐ Malpractice – medical
  - ☐ Malpractice – other professional
- ☒ Other
  - ☐ Antitrust/Trade Regulation
  - ☐ Business Transaction
  - ☐ Circuit Civil - Not Applicable
  - ☐ Constitutional challenge-statute or ordinance
  - ☐ Constitutional challenge-proposed amendment
  - ☐ Corporate Trusts
  - ☒ Discrimination-employment or other
  - ☐ Insurance claims
  - ☐ Intellectual property
  - ☐ Libel/Slander
  - ☐ Shareholder derivative action
  - ☐ Securities litigation
  - ☐ Trade secrets
  - ☐ Trust litigation

COMPLEX BUSINESS COURT

This action is appropriate for assignment to Complex Business Court as delineated and mandated by the Administrative Order. Yes ☐ No ☒

III. REMEDIES SOUGHT (check all that apply):

- ☒ Monetary;
- ☐ Non-monetary declaratory or injunctive relief;
- ☐ Punitive

IV. NUMBER OF CAUSES OF ACTION: ( )
(Specify)

2

V. IS THIS CASE A CLASS ACTION LAWSUIT?

- ☒ Yes
- ☐ No

VI. HAS NOTICE OF ANY KNOWN RELATED CASE BEEN FILED?

- ☒ No
- ☐ Yes – If "yes" list all related cases by name, case number and court:

VII. IS JURY TRIAL DEMANDED IN COMPLAINT?

- ☒ Yes
- ☐ No

I CERTIFY that the information I have provided in this cover sheet is accurate to the best of my knowledge and belief, and that I have read and will comply with the requirements of Florida Rule of Judicial Administration 2.425.

Signature s/ Marc R Edelman FL Bar No.: 0096342
Attorney or party (Bar number, if attorney)

Marc R Edelman 06/15/2018
(Type or print name) Date