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*Attorneys for Plaintiff,*  
Michael Mendell

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

**MICHAEL MENDELL,  
individually and on behalf of  
others similarly situated,**

**Plaintiff,**

**vs.**

**AMERICAN MEDICAL  
RESPONSE, INC.,**

**Defendant.**

**Case No: '19CV1227 BAS KSC**

**CLASS ACTION**

**COMPLAINT FOR DAMAGES AND  
INJUNCTIVE RELIEF:**

- 1. UNLAWFUL RECORDING OF  
CELLULAR  
COMMUNICATIONS UNDER  
CALIFORNIA PENAL CODE  
SECTION 632.7**
- 2. NEGLIGENCE**
- 3. INVASION OF PRIVACY  
INTRUSION INTO PRIVATE  
AFFAIRS**

**JURY TRIAL DEMANDED**

## INTRODUCTION

1. Michael Mendell (“Plaintiff”), individually and on behalf of all other similarly situated California residents (“Class Members”), brings this action for damages and injunctive relief against American Medical Response, Inc. (“Defendant”), and its present, former, or future direct and indirect parent companies, subsidiaries, affiliates, agents, related entities for unauthorized recordings of conversations with Plaintiff and Class Members without any notification nor warning to Plaintiff or Class Members in violation of the California Invasion of Privacy Act, Cal. Pen. Code § 630, et seq. (“CIPA”).
2. The California State Legislature passed CIPA in 1967 to protect the right of privacy of the people of California, replacing prior laws, which permitted the recording of telephone conversations with the consent of one party to the conversation. California Penal Code § 632.7 was added to CIPA in 1992 due to specific privacy concerns over the increased use of cellular and cordless telephones. Section 632.7 prohibits intentionally recording all communications involving cellular and cordless telephones, not just confidential communications.
3. Plaintiff makes these allegations on information and belief, with the exception of those allegations that pertain to Plaintiff, or to Plaintiff’s counsel, which Plaintiff alleges on his personal knowledge.
4. Unless otherwise stated, all the conduct engaged in by Defendant took place in California.
5. All violations by Defendant were knowing, willful, and intentional, and Defendant did not maintain procedures reasonably adapted to avoid any such violation.
6. Unless otherwise indicated, the use of Defendant’s names in this Complaint includes all agents, employees, officers, members, directors, heirs, successors,

1 assigns, principals, trustees, sureties, subrogees, representatives, and insurers of  
2 the named Defendant.

3 **JURISDICTION & VENUE**

4 7. Jurisdiction is proper under the Class Action Fairness Act (“CAFA”), 28 U.S.C.  
5 § 1332(d)(2), because Plaintiff, a resident of the State of California, seeks relief  
6 on behalf of a California class, which will result in at least one class member  
7 belonging to a different state than that of Defendant, a Delaware Corporation.

8 8. Plaintiff also seeks the greater of statutory punitive damages of \$5,000 per  
9 violation per violation pursuant to Cal. Civ. Code § 1785.31, which, when  
10 aggregated among a proposed class number in the tens of thousands, exceeds the  
11 \$5,000,000 threshold for federal court jurisdiction.

12 9. Therefore, both diversity jurisdiction and the damages threshold under CAFA  
13 are present, and this Court has jurisdiction.

14 10. Because Defendant conducts business within the State of California, personal  
15 jurisdiction is established.

16 11. Venue is proper pursuant to 28 U.S.C. § 1391 for the following reasons:  
17 (i) Plaintiff resides in the County of San Diego, State of California which is  
18 within this judicial district; (ii) the conduct complained of herein occurred  
19 within this judicial district; and (iii) Defendant conducted business within this  
20 judicial district at all times relevant.

21 **PARTIES & DEFINITIONS**

22 12. Plaintiff is, and at all times mentioned herein was, a natural person and residents  
23 of the State of California, County of San Diego, in this judicial district.

24 13. Defendant is, and at all times mentioned herein, was a Delaware corporation  
25 with its headquarters located in Greenwood Village, Colorado. Plaintiff alleges  
26 that at all times relevant herein Defendant conducted business in the State of  
27 California, in the County of San Diego, within this judicial district.  
28

1 14. Defendant is, and at all times mentioned herein was, a “person”, as defined by  
2 Cal. Pen. Code § 632(b).

3 **FACTUAL ALLEGATIONS**

4 15. Defendant records all of its outbound and inbound telephonic conversations.

5 16. On or around November 12, 2018, at approximately 10:49 am, Defendant called  
6 Plaintiff on his cellular telephone from the number (800) 913-9106.

7 17. During the telephonic conversation, Defendant’s representative, agent, or  
8 employee and Plaintiff discussed Plaintiff’s personal information including  
9 financial obligations allegedly owed to Defendant, Plaintiff’s medical insurance  
10 and Plaintiff’s legal representation. Defendant’s agent was insistent, threatening,  
11 and spoke aggressively towards Plaintiff.

12 18. At the inception of the call, Defendant did not advise Plaintiff that the call was  
13 being recorded, and Plaintiff did not consent to the call being recorded. Indeed,  
14 at no point did Defendant inform Plaintiff that the call was being recorded.  
15 Nonetheless, Defendant was in fact surreptitiously recording the entirety of the  
16 approximately one-minute long phone conversation between Plaintiff and  
17 Defendant.

18 19. Plaintiff was completely unaware that the November 12, 2018 call was recorded.

19 20. On or around November 15, 2018, at approximately 4:04 pm, Defendant again  
20 called Plaintiff on his cellular telephone from the number (800) 913-9106.

21 21. There was no warning that call was recorded either. During the call, Plaintiff  
22 informed the agent that he had an attorney and was filing bankruptcy.  
23 Defendant’s agent then threatened Plaintiff saying she would contact his  
24 employer. At no point did the agent inform Plaintiff that the call was recorded.

25 22. Plaintiff’s attorney called Defendant and confirmed “all calls are recorded”.

26 23. Defendant surreptitiously recorded a telephone calls with Plaintiff, in which  
27 Plaintiff proffered personal information, all the while Defendant did not provide  
28 any disclosure to Plaintiff regarding its unauthorized recording.

1 24. Plaintiff was personally affected by Defendant's aforementioned conduct  
2 because Plaintiff was shocked, upset and angry that Defendant audio recorded  
3 telephone conversations with Plaintiff without Plaintiff's knowledge or consent.

4 25. California Penal Code § 632.7(a) is very clear in its prohibition against such  
5 unauthorized tape recording without the consent of the other party to the  
6 conversation: "Every person who, without the consent of all parties to a  
7 communication, intercepts or receives and intentionally records, or assists in the  
8 interception or reception and intentional recordation of, a communication  
9 transmitted between two cellular radio telephones, a cellular radio telephone and  
10 a landline telephone, two cordless telephones, a cordless telephone and a  
11 landline telephone, or a cordless telephone and a cellular radio telephone  
12 [violates this section]." California Penal Code § 637.2 permits Plaintiff to bring  
13 this action for any violation of California Penal Code § 632.7(a) and provides  
14 for statutory damages of \$5,000.00 for each violation.

15 26. Defendant recorded or otherwise made unauthorized connections to the  
16 Plaintiff's conversations with Defendant and its employees in violation of  
17 California's statutory and common law against such unlawful intrusions into a  
18 person's private affairs, including the California Constitution's prohibition in  
19 Article 1, Section 1.

20 27. This suit seeks only damages and injunctive relief for recovery of economic  
21 injury and it expressly is not intended to request any recovery for personal injury  
22 and claims related thereto.

23 28. Plaintiff is informed and believes, and thereon alleges, that Defendant  
24 intentionally recorded communications transmitted between a cellular radio  
25 telephone and a landline telephone without Plaintiff's consent as prohibited by  
26 California Penal Code § 632.7(a).

27 29. Defendant violated Plaintiff's constitutionally protected privacy rights by failing  
28 to advise or otherwise provide notice at the beginning of the recorded

1 conversations with Plaintiff that the call would be recorded and Defendant did  
2 not try to obtain the Plaintiff's consent before such recording.

3 30. The recording or other unauthorized connection was done over the telephone,  
4 without Plaintiff's prior knowledge or consent. Plaintiff was damaged thereby,  
5 as detailed herein, in at least an amount permitted by the statutory damages  
6 mandated by California Penal Code § 637.2(a).

7 31. Defendant, and its employees and agents, surreptitiously recorded calls made  
8 involving Defendant and Plaintiffs. At no time before, during, or after any of  
9 the calls were Plaintiffs warned, told, advised or otherwise given any indication  
10 by Defendant, its employees or agents, that the calls were recorded.

11 32. As a result thereof, Plaintiff has been damaged as set forth in the Prayer for  
12 Relief herein.

13 33. Plaintiff seeks statutory damages and injunctive relief under California Penal  
14 Code § 637.2.

#### 15 CLASS ACTION ALLEGATIONS

16 34. Plaintiff brings this lawsuit as a class action on behalf of himself and Class  
17 Members of the proposed Class. This action satisfies the numerosity,  
18 commonality, typicality, adequacy, predominance, and superiority requirements  
19 of those provisions.

20 35. Plaintiff proposes the following Class consisting of and defined as follows:

21 All persons in California whose cellular telephone  
22 conversations were recorded without their consent by  
23 Defendant and/or its agent/s within the one year prior to the  
filing of the Complaint.

24 36. Excluded from the Class are: (1) Defendant, any entity or division in which  
25 Defendant has a controlling interest, and its legal representatives, officers,  
26 directors, assigns, and successors; (2) the Judge to whom this case is assigned  
27 and the Judge's staff; and (3) those persons who have suffered personal injuries  
28 as a result of the facts alleged herein.

1 37. Plaintiff reserves the right to redefine the Class and to add subclasses as  
2 appropriate based on discovery and specific theories of liability

3 38. Numerosity: The Class Members are so numerous that joinder of all members  
4 would be unfeasible and impractical. The membership of the entire Class is  
5 currently unknown to Plaintiff at this time; however, given that, on information  
6 and belief, Defendant called thousands of class members statewide and recorded  
7 those calls during the class period, it is reasonable to presume that the members  
8 of the Class are so numerous that joinder of all members is impracticable. The  
9 disposition of their claims in a class action will provide substantial benefits to  
10 the parties and the Court.

11 39. Commonality: There are common questions of law and fact as to Class Members  
12 that predominate over questions affecting only individual members, including,  
13 but not limited to:

- 14 • Whether, within the statutory period Defendant recorded any call with the  
15 Class Members;
- 16 • Whether Defendant had, and continues to have, a policy during the  
17 relevant period of recording telephone calls made to the Class Members;
- 18 • Whether Defendant's policy or practice of recording telephone  
19 communications with Class Members constitutes an invasion of privacy  
20 and a violation of Cal. Penal Code § 632.7;
- 21 • Whether Plaintiff and the Class Members were damaged thereby, and the  
22 extent of damages for such violation; and
- 23 • Whether Defendant should be enjoined from engaging in such conduct in  
24 the future.

25 40. Typicality Plaintiff's conversations were unlawfully recorded without a warning  
26 of such recording, and thus, his injuries are also typical to Class Members.

27 41. Plaintiff and Class Members were harmed by the acts of Defendant in at least  
28 the following ways: Defendant, either directly or through its agents, illegally

1 recorded the Plaintiff and Class Members' conversations with Defendant, and  
2 Defendant invading the privacy of said Plaintiff and Class. Plaintiff and Class  
3 Members were damaged thereby.

4 42. Adequacy: Plaintiff is qualified to, and will, fairly and adequately protect the  
5 interests of each Class Member with whom he is similarly situated, as  
6 demonstrated herein. Plaintiff acknowledges that he has an obligation to make  
7 known to the Court any relationships, conflicts, or differences with any Class  
8 Member. Plaintiff's attorneys, the proposed class counsel, are versed in the  
9 rules governing class action discovery, certification, and settlement. In addition,  
10 the proposed class counsel is experienced in handling claims involving  
11 consumer actions and violations of the California Penal Code section 632.7.  
12 Plaintiff has incurred, and throughout the duration of this action, will continue to  
13 incur costs and attorneys' fees that have been, are, and will be, necessarily  
14 expended for the prosecution of this action for the substantial benefit of each  
15 Class Member.

16 43. Predominance: Questions of law or fact common to the Class Members  
17 predominate over any questions affecting only individual members of the Class.  
18 The elements of the legal claims brought by Plaintiff and Class Members are  
19 capable of proof at trial through evidence that is common to the Class rather  
20 than individual to its members.

21 44. Superiority: A class action is a superior method for the fair and efficient  
22 adjudication of this controversy because:

- 23 a. Class-wide damages are essential to induce Defendant to comply with  
24 California law.
- 25 b. Because of the relatively small size of the individual Class Members'  
26 claims, it is likely that only a few Class Members could afford to seek legal  
27 redress for Defendant's misconduct.
- 28 c. Management of these claims is likely to present significantly fewer



difficulties than those presented in many class claims.

d. Absent a class action, most Class Members would likely find the cost of litigating their claims prohibitively high and would therefore have no effective remedy at law.

e. Class action treatment is manageable because it will permit a large number of similarly situated persons to prosecute their common claims in a single forum simultaneously, efficiently, and without the unnecessary duplication of effort and expense that numerous individual actions would endanger.

f. Absent a class action, Class Members will continue to incur damages, and Defendant's misconduct will continue without remedy.

45. Plaintiff and the Class Members have all suffered and will continue to suffer harm and damages as a result of Defendant's unlawful and wrongful conduct. A class action is also superior to other available methods because as individual Class Members have no way of discovering that Defendant recorded their telephone conversations without Class Members' knowledge or consent.

46. The Class may also be certified because:

- the prosecution of separate actions by individual Class Members would create a risk of inconsistent or varying adjudication with respect to individual Class Members, which would establish incompatible standards of conduct for Defendant;
- the prosecution of separate actions by individual Class Members would create a risk of adjudications with respect to them that would, as a practical matter, be dispositive of the interests of other Class Members not parties to the adjudications, or substantially impair or impede their ability to protect their interests; and
- Defendant has acted or refused to act on grounds generally applicable to the Class, thereby making appropriate final and injunctive relief with

respect to the members of the Class as a whole.

47. This suit seeks only damages and injunctive relief for recovery of economic injury on behalf of Class Members and it expressly is not intended to request any recovery for personal injury and claims related thereto.

48. The joinder of Class Members is impractical and the disposition of their claims in the Class action will provide substantial benefits both to the parties and to the court. The Class Members can be identified through Defendant's records.

### **FIRST CAUSE OF ACTION**

#### **KNOWING AND/OR WILLFUL ILLEGAL RECORDING OF CELLULAR PHONE**

#### **CONVERSATIONS**

#### **UNDER CALIFORNIA PENAL CODE § 632.7**

49. Plaintiff repeats, re-alleges, and incorporates by reference, all other paragraphs.

50. At all relevant times hereto, Defendant had and followed a policy and practice of using a telecommunications system that enabled it to surreptitiously record cellular telephone communications between Defendant and Plaintiff and Class Members.

51. At all relevant times hereto, Defendant intentionally and surreptitiously recorded cellular telephone calls concerning confidential matters between Defendant and Plaintiff and Class Members.

52. At all relevant times hereto, Defendant had and followed a policy and practice of not advising or warning Plaintiff and Class Members at the beginning of a conversation that their cellular telephone communications with Defendant would be recorded.

53. Defendant failed to obtain consent of Plaintiff and Class Members prior to recording any of their cellular telephone conversations.

54. This conduct by Defendant violated section 632.7(a) of the California Penal Code.

1 55. Plaintiff and Class Members are entitled to recovery of statutory damages in the  
2 amount of \$5,000.00 per violation of Cal. Pen. Code § 632.7.

3 56. Plaintiff's counsel is also entitled to attorneys' fees and costs pursuant to Cal.  
4 Code of Civ. Proc. § 1021.5.

5 **SECOND CAUSE OF ACTION**

6 **NEGLIGENCE**

7 57. Plaintiff repeats, re-alleges, and incorporates by reference, all other paragraphs.

8 58. Defendant owed a duty to Plaintiff and the Class to exercise reasonable care in  
9 recording as well as in engaging in confidential conversations with Plaintiffs and  
10 the Class members.

11 59. Defendant breached its duties by failing to obtain consent from Plaintiff and the  
12 Class or in any way warning them that their calls were being recorded. Instead,  
13 Defendant covertly recorded cellular telephone calls concerning confidential  
14 matters between Defendant and Plaintiff and Class Members without their  
15 knowledge and or authorization.

16 60. But for Defendant's wrongful and negligent breach of its duties owed to Plaintiff  
17 and the Class, their privacy would not have been improperly invaded.  
18 Defendant's negligence was a direct and legal cause of the intrusion of into  
19 Plaintiff and Class' privacy resulting in damages.

20 61. The injury and harm suffered by Plaintiff and the Class members was the  
21 reasonably foreseeable result of Defendant's failure to exercise reasonable care  
22 with its disclosures, and which the Cal. Pen. Code § 632.7 was designed to  
23 prevent.

24 62. These damages include, but are not limited to, invasion of Plaintiff and the  
25 Class' constitutionally protected right to privacy, emotional distress, shock, and  
26 effort and money in responding to Defendant's negligence.

27 //

28 //

**THIRD CAUSE OF ACTION**

**INVASION OF PRIVACY INTRUSION INTO PRIVATE AFFAIRS**

63. Plaintiff repeats, re-alleges, and incorporates by reference, all other paragraphs.

64. Plaintiff and Class Members had a reasonable expectation of privacy while some of the above conduct took place.

65. Defendants intentionally intruded into Plaintiff and Class Members' expectation of Privacy.

66. Defendant's intrusion would be highly offensive to a reasonable person.

67. Plaintiff and Class Members were harmed as a direct and proximate result of these unauthorized and unwarned recorded communications.

68. The conduct of Defendant was a substantial factor in causing Plaintiff and Class Members this harm.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff and the Class Members pray that judgment be entered against Defendant, and Plaintiff and the Class be awarded damages from Defendant, as follows:

- Certify the Class as requested herein;
- Appoint Plaintiff to serve as the Class Representative for the Class; and
- Appoint Plaintiff's Counsel as Class Counsel in this matter for the Class.

In addition, Plaintiff and the Class Members pray for further judgment as follows against Defendant:

**ILLEGAL TELEPHONE RECORDING OF CELLULAR PHONE CONVERSATIONS**

**UNDER CALIFORNIA PENAL CODE § 632.7**

- Special, general, compensatory and punitive damages;
- As a result of Defendant's violation of California Penal Code Sections 630 *et seq.*, Plaintiff seeks statutory damages of \$5,000.00 pursuant to California Penal Code § 637.2(a);
- Reasonable attorneys' fees pursuant to Cal. Code of Civ. Proc. § 1021.5;

- Injunctive relief to prevent the further occurrence of such illegal acts pursuant to California Penal Code § 637.2(b);
- An award of costs to Plaintiff; and
- Any other relief the Court may deem just and proper including interest.

**NEGLIGENCE**

- Special, general, compensatory and punitive damages;
- Injunctive relief, prohibiting such conduct in the future; and
- Any other relief the Court may deem just and proper.

**INVASION OF PRIVACY**

**INTRUSION INTO PRIVATE AFFAIRS**

- Special, general, compensatory and punitive damages;
- Injunctive relief, prohibiting such conduct in the future; and
- Any other relief the Court may deem just and proper.

**TRIAL BY JURY**

61. Pursuant to the Seventh Amendment to the Constitution of the United States of America, Plaintiff and Class Members are entitled to, and demand, a trial by jury.

Respectfully submitted,

**HYDE & SWIGART, APC**

Date: July 1, 2019

By: s/Yana A. Hart  
Yana A. Hart, Esq.  
yana@westcoastlitigation.com  
*Attorneys for Plaintiff*

## 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**

Michael Mendell

(b) County of Residence of First Listed Plaintiff San Diego

(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Yana A. Hart, Hyde & Swigart, APC, 2221 Camino Del Rio S, Suite 101, San Diego, CA 92108, (619) 233-7770  
Daniel G. Shay, Law Office of Daniel G. Shay, 2221 Camino Del Rio S, Suite 308, San Diego, CA 92108, (619) 222-7429

**DEFENDANTS**

American Medical Response, Inc.

County of Residence of First Listed Defendant

(IN U.S. PLAINTIFF CASES ONLY)

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

Attorneys (If Known)

**'19CV1227 BAS KSC****II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☐ 2 U.S. Government Defendant
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☒ 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 checked="" type="checkbox"/> 1 | <input type="checkbox"/> 1            | Incorporated or Principal Place of Business In This State     | <input type="checkbox"/> 4 | <input checked="" type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2            | <input checked="" 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)Click here for: [Nature of Suit Code Descriptions.](#)

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	<b>PERSONAL INJURY</b> <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"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <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"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <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 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
<b>REAL PROPERTY</b> <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	<b>CIVIL RIGHTS</b> <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	<b>PRISONER PETITIONS</b> <b>Habeas Corpus:</b> <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 <b>Other:</b> <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	<b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input checked="" type="checkbox"/> 950 Constitutionality of State Statutes

**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):

Cal. Pen. Code § 632.7

Brief description of cause:

Violations of the Unlawful Recording of Cellular Communications

**VII. REQUESTED IN COMPLAINT:**
☒ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

**DEMAND \$**  
 5,000,000.00

CHECK YES only if demanded in complaint:

**JURY DEMAND:** ☒ Yes ☐ No
**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE

DOCKET NUMBER

DATE

07/01/2019

SIGNATURE OF ATTORNEY OF RECORD

s/ Yana A. Hart

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: [Class Action Claims American Medical Response Secretly Records Calls](#)

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