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Our File No.: 111726

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

Melanie Muhlstock, individually and on behalf of all
others similarly situated,

Plaintiff,

vs.

Professional Claims Bureau, Inc., ARStrat, LLC,
Ingram & Associates and OPTUM360, LLC,

Defendants.

Docket No:

COMPLAINT

JURY TRIAL DEMANDED

BARSHAY | SANDERS^{PLLC}
100 GARDEN CITY PLAZA, SUITE 500
GARDEN CITY, NEW YORK 11530

Melanie Muhlstock, individually and on behalf of all others similarly situated (hereinafter referred to as “*Plaintiff*”), by and through the undersigned counsel, complains, states and alleges against Professional Claims Bureau, Inc. (“PCB”), ARStrat, LLC (“ARS”), Ingram & Associates (“Ingram”) and OPTUM360, LLC (“OPTUM”)(hereinafter referred to collectively as “*Defendants*”), as follows:

INTRODUCTION

1. This action seeks to recover for violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.*, (“FDCPA”).

JURISDICTION AND VENUE

2. This Court has federal subject matter jurisdiction pursuant to 28 U.S.C. §1331 and 15 U.S.C. § 1692k(d).

3. Venue is proper under 28 U.S.C. §1391(b) because a substantial part of the events or omissions giving rise to the claim occurred in this Judicial District.

4. At all relevant times, Defendants conducted business within the State of New York.

PARTIES

5. Plaintiff Melanie Muhlstock is an individual who is a citizen of the State of New York residing in Nassau County, New York.

6. Plaintiff is a “consumer” as defined by 15 U.S.C. § 1692a(3).

7. On information and belief, PCB is a New York with a principal place of business in Nassau County, New York.

8. On information and belief, ARS is a Texas Limited Liability Company with a principal place of business in Harris County, Texas.

9. On information and belief, Ingram is a Tennessee Limited Liability Company with a principal place of business in Williamson County, Tennessee.

10. On information and belief, OPTUM is a Tennessee Limited Liability Company with a principal place of business in Williamson County, Tennessee.

11. On information and belief, Ingram is a wholly owned subsidiary of OPTUM.

12. On information and belief, OPTUM and Ingram share common offices at 1009 and 1023 Windcross Ct., Franklin, Tennessee 37067.

13. On information and belief, OPTUM and Ingram share a common telephone number.

14. On information and belief, OPTUM and Ingram share common officers and directors.

15. On information and belief, Ingram routinely uses OPTUM’s mailing address in collection letters it sends to consumers.

16. On information and belief, OPTUM and Ingram advertise positions of employment under the same address.

17. On information and belief, OPTUM and Ingram advertise positions of employment holding themselves out as the same company.

18. On information and belief, Ingram is controlled by OPTUM.

19. Ingram is a mere instrumentality of OPTUM.

20. Ingram is a mere instrumentality of OPTUM, used to shield OPTUM from liability under the FDCPA.

21. Defendants are regularly engaged, for profit, in the collection of debts allegedly owed by consumers.

22. Defendants are “debt collectors” as defined by 15 U.S.C. § 1692a(6).

ALLEGATIONS

23. Defendants allege Plaintiff owes a debt (“the debt”).

24. The debt was primarily for medical services and is therefore a “debt” as defined by 15 U.S.C. § 1692a(5).

25. At an exact time known only to Defendants, the debt was assigned or otherwise transferred to ARS for collection.

26. In its effort to collect the debt, ARS contacted Plaintiff by letter dated December 16, 2016. (“**Exhibit 1.**”) (“The ARS letter”)

27. The ARS letter was the initial communication Plaintiff received from ARS.

28. The ARS letter is a “communication” as defined by 15 U.S.C. § 1692a(2).

29. On or about December 22, 2016, Plaintiff disputed the debt by letter set to ARS.

30. ARS never responded to the letter, and never provided verification of the debt.

31. Thereafter, Plaintiff received a letter from PCB dated February 17, 2017 (“**Exhibit 2.**”) for the debt. (“The PCB letter”)

32. The PCB letter was the initial communication Plaintiff received from PCB.

33. The PCB letter is a “communication” as defined by 15 U.S.C. § 1692a(2).

34. On or about March 3, 2017, Plaintiff disputed the debt by letter set to PCB.

35. PCB never responded to the letter, and never provided verification of the debt.

FIRST COUNT **Violation of 15 U.S.C. § 1692e** **AGAINST ARS**

36. Plaintiff repeats and realleges the foregoing paragraphs as if fully restated herein.

37. 15 U.S.C. § 1692e prohibits a debt collector from using any false, deceptive, or misleading.

38. 15 U.S.C. § 1692e(10) prohibits the use of any false representation or deceptive means to collect or attempt to collect any debt or to obtain information concerning a consumer.

39. The ARS letter states, in bold type “**Second Notice.**”

40. The ARS letter was not the second letter Plaintiff received from ARS.

41. The ARS letter was the initial communication Plaintiff received from ARS.

42. The letters statement that it is the “Second Notice” is false.

43. Defendant violated 15 U.S.C. § 1692e by using a false, deceptive and misleading representation in its attempt to collect a debt.

SECOND COUNT
Violation of 15 U.S.C. §§ 1692g and 1692e
AGAINST ARS and PCB

44. Plaintiff repeats and realleges the foregoing paragraphs as if fully restated herein.

45. 15 U.S.C. § 1692g provides that within five days after the initial communication with a consumer in connection with the collection of any debt, a debt collector shall, unless the information is contained in the initial communication or the consumer has paid the debt, send the consumer a written notice containing certain enumerated information.

46. One such requirement is that the debt collector provide “the name of the creditor to whom the debt is owed.” 15 U.S.C. § 1692g(a)(2).

47. A debt collector has the obligation not just to convey the name of the creditor to whom the debt is owed, but also to convey such clearly.

48. A debt collector has the obligation not just to convey the name of the creditor to whom the debt is owed, but also to state such explicitly.

49. Merely naming the creditor without specifically identifying the entity as the current creditor to whom the debt is owed is not sufficient to comply with 15 U.S.C. § 1692g(a)(2).

50. Even if a debt collector conveys the required information, the debt collector nonetheless violates the FDCPA if it conveys that information in a confusing or contradictory fashion so as to cloud the required message with uncertainty.

51. When determining whether the name of the creditor to whom the debt is owed has been conveyed clearly, an objective standard, measured by how the “least sophisticated

consumer” would interpret the notice, is applied.

52. ARS’s letter states that ARS is collecting the debt on behalf of “North Shore-LIJ Medical Group.”

53. PCB’s letter states that PCB is collecting the debt on behalf of “Northwell Health Physicians.”

54. The least sophisticated consumer would likely be confused as to whether the creditor to whom the debt is owed is “North Shore-LIJ Medical Group.,” or “Northwell Health Physicians.”

55. The least sophisticated consumer would likely be uncertain as to whether the creditor to whom the debt is owed is “North Shore-LIJ Medical Group.,” or “Northwell Health Physicians.”

56. The least sophisticated consumer would likely be confused as to the name of the creditor to whom the debt is owed.

57. The least sophisticated consumer would likely be uncertain as to the name of the creditor to whom the debt is owed.

58. Defendants violated § 1692g as they failed to clearly and explicitly convey the name of the creditor to whom the debt is owed.

59. 15 U.S.C. § 1692e prohibits a debt collector from using any false, deceptive, or misleading representation or means in connection with the collection of any debt.

60. While § 1692e specifically prohibits certain practices, the list is non-exhaustive, and does not preclude a claim of falsity or deception based on any non-enumerated practice.

61. The question of whether a collection letter is deceptive is determined from the perspective of the “least sophisticated consumer.”

62. A collection letter is deceptive under 15 U.S.C. § 1692e if it can reasonably be read by the least sophisticated consumer to have two or more meanings, one of which is inaccurate.

63. A collection letter is also deceptive under 15 U.S.C. § 1692e if it is reasonably susceptible to an inaccurate reading by the least sophisticated consumer.

64. For purposes of 15 U.S.C. § 1692e, the failure to clearly and accurately identify the creditor to whom the debt is owed is unfair and deceptive to the least sophisticated consumer.

65. If ARS’s letter is correct, then PCB’s letter is false.

66. If PCB's letter is correct, then ARS's letter is false.
67. The least sophisticated consumer would likely be deceived by the letters.
68. The least sophisticated consumer would likely be deceived in a material way by the letters.
69. Defendants violated § 1692e by using a false, deceptive and misleading representation in their attempt to collect a debt.

THIRD COUNT
Violation of 15 U.S.C. § 1692e
AGAINST ARS, OPTUM and Ingram

70. Plaintiff repeats and realleges the foregoing paragraphs as if fully restated herein.
71. 15 U.S.C. § 1692e prohibits a debt collector from using any false, deceptive, or misleading representation or means in connection with the collection of any debt.
72. 15 U.S.C. § 1692e(10) prohibits the use of any false representation or deceptive means to collect or attempt to collect any debt or to obtain information concerning a consumer.
73. 15 U.S.C. § 1692e(14) prohibits the use of any business, company, or organization name other than the true name of the debt collector's business, company, or organization.
74. ARS's letter references a website to make payments: <https://usapaymentexchange.com/ARS>.
75. Plaintiff attempted to verify the debt by visiting the website.
76. The website is a "communication" as defined by 15 U.S.C. § 1692a(2).
77. The website, purportedly for ARS, has the banner for "Ingram & Associates" at the top.
78. The ARS website has Ingram's logo.
79. Plaintiff entered the debt information from ARS's letter into the website, and was brought to a page for Ingram.
80. Plaintiff never received any letters from Ingram concerning the debt.
81. Either ARS is using Ingram's name, or Ingram is using ARS's name, in violation of 15 U.S.C. § 1692e(14).
82. Defendants' conduct violates § 1692e(10).

CLASS ALLEGATIONS

83. Plaintiff brings this action individually and as a class action on behalf of all persons similarly situated in the state of New York from whom Defendants attempted to collect a consumer debt using the same unlawful means described herein, from one year before the date of this Complaint to the present.

84. This action seeks a finding that Defendants' conduct violates the FDCPA, and asks that the Court award damages as authorized by § 1692k(a)(2) of the FDCPA.

85. Defendants regularly engage in debt collection, using the same unlawful conduct described herein, in its attempts to collect delinquent consumer debts from other persons.

86. The Class consists of more than 35 persons from whom Defendants attempted to collect delinquent consumer debts using the same unlawful conduct described herein.

87. Plaintiff's claims are typical of the claims of the Class. Common questions of law or fact raised by this class action complaint affect all members of the Class and predominate over any individual issues. Common relief is therefore sought on behalf of all members of the Class. This class action is superior to other available methods for the fair and efficient adjudication of this controversy.

88. The prosecution of separate actions by individual members of the Class would create a risk of inconsistent or varying adjudications with respect to the individual members of the Class, and a risk that any adjudications with respect to individual members of the Class would, as a practical matter, either be dispositive of the interests of other members of the Class not party to the adjudication, or substantially impair or impede their ability to protect their interests. Defendants have acted in a manner applicable to the Class as a whole such that declaratory relief is warranted.

89. Plaintiff will fairly and adequately protect and represent the interests of the Class. The management of the class action proposed is not extraordinarily difficult, and the factual and legal issues raised by this class action complaint will not require extended contact with the members of the Class, because Defendants' conduct was perpetrated on all members of the Class and will be established by common proof. Moreover, Plaintiff has retained counsel experienced in actions brought under the FDCPA.

JURY DEMAND

90. Plaintiff hereby demands a trial of this action by jury.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests judgment as follows:

- a. Certify this action as a class action; and
- b. Appoint Plaintiff as Class Representative of the Class, and her attorneys as Class Counsel; and
- c. Find that Defendants' actions violate the FDCPA; and
- d. Grant statutory damages against Defendants pursuant to 15 U.S.C. § 1692k; and
- e. Grant Plaintiff's attorneys' fees pursuant to 15 U.S.C. § 1692k; and
- f. Grant Plaintiff's costs; together with
- g. Such other relief that the Court determines is just and proper.

DATED: April 6, 2017

BARSHAY SANDERS, PLLC

By: /s/ Craig B. Sanders
Craig B. Sanders, Esq.
100 Garden City Plaza, Suite 500
Garden City, New York 11530
Tel: (516) 203-7600
Fax: (516) 706-5055
csanders@barshaysanders.com
Attorneys for Plaintiff
Our File No.: 111726

Arstrat
 9800 Centre Parkway Suite 1100
 Houston, TX 77036



Web: <https://usapaymentexchange.com/ARS>
 Toll Free: (866) 763-2906

CHANGE SERVICE REQUESTED

December 16, 2016

SEND PAYMENTS TO:

ARSTRAT
 PO BOX 860102
 MINNEAPOLIS, MN 55486-0102

1401 297041426



MELANIE MUHLSTOCK
 9 Evelyn Rd
 Port Washington NY 11050-2805



Account #: [REDACTED] 4996
 Reference #: [REDACTED] 0784
 Balance Due: \$25.00

Client Name	Account Number	Balance Due	Date of Service
North Shore-LIJ Medical Group	[REDACTED] 4996	\$25.00	06/01/16

Second Notice

Dear MELANIE MUHLSTOCK,

We sent you a first notice which included your rights under the Fair Debt Collection Practices Act. You still have time to exercise your rights. This is an attempt to collect a debt and any information obtained will be used for that purpose. This notice has been sent by a debt collector. Your payment, or any questions you may have, should be directed to this office to ensure proper credit to your account.

To pay by phone, please call 866-763-2906 and follow the automated prompts. To pay via the internet, please log onto <https://usapaymentexchange.com/ARS> or scan the barcode below and follow the website's payment instructions.

The above creditor has referred the above account to us for collection. This account had previously been placed with Ingram & Associates. The creditor has now engaged ARSTRAT to collect this account.

Unless you notify this office within thirty (30) days after receiving this notice that you dispute the validity of the debt or any portion thereof, this office will assume the debt to be valid. If you notify this office in writing within the thirty (30) day period that the debt or any portion thereof is disputed, this office will obtain verification of the debt or a copy of a judgment and mail you a copy of such verification or judgment. If you request this office in writing within the thirty (30) day period, this office will provide you with the name and address of the original creditor, if different from the current creditor. This is an attempt to collect a debt and any information we obtain will be used for that purpose

Sincerely,
Brunella Eaglin
 1-866-763-2906
 Recovery Analyst

Debt Collectors, in accordance with the FDCPA, are prohibited from engaging in abusive, deceptive, and unfair debt collection efforts, including but not limited to:

- The use of threat of violence
- The use of obscene or profane language
- Repeated phone calls made with the intent to annoy, abuse, or harass.

If a creditor or debt collector recives a money judgment against you in court, state and federal laws may prevent the following types of income from being taken to pay the debt:

1. Supplemental security income, (SSI);
2. Social security;
3. Public assistance (welfare);
4. Spousal support, maintenance (alimony) or child support;
5. Unemployment benefits;
6. Disability benefits;
7. Workers' compensation benefits;
8. Public or private pensions;
9. Veterans' benefits;
10. Federal student loans, federal student grants, and federal work study funds; and
11. Ninety percent of your wages or salary earned in the last sixty days.

20NREGC011401

SCAN FOR
 MOBILE
 PAYMENT



Guarantor's Name			Phone # ()		
Guarantor's Address		City	State	Zip Code	
IF YOU HAVE NOT SUPPLIED INSURANCE INFORMATION, PLEASE DO SO HERE:					
PRIMARY INSURANCE COVERAGE		Patient's Relationship to Insured <input type="checkbox"/> SELF <input type="checkbox"/> SPOUSE <input type="checkbox"/> CHILD <input type="checkbox"/> OTHER		SECONDARY INSURANCE COVERAGE	
Insurance Company Name		Phone # ()		Insurance Company Name	
Insurance Company Address		Insurance Company Address			
Policyholders Name		Birthdate / /		Policyholders Name	
Policy & Group #		Policy Effective Date / /		Policy & Group #	
Employer's Name		Phone # ()		Employer's Name	
Employer's Address		Employer's Address			

CALIFORNIA

As required by law, you are hereby notified that a negative credit report reflecting on your credit record may be submitted to a credit reporting agency if you fail to fulfill the terms of your credit obligations. But we will not submit a negative credit report to a credit reporting agency about this credit obligation until the expiration of the time period described on the front of this letter.

The state Rosenthal Fair Debt Collection Practices Act and the federal Fair Debt Collection Practices Act require that, except under unusual circumstances, collectors may not contact you before 8 a.m. or after 9 p.m. They may not harass you by using threats of violence or arrest or by using obscene language. Collectors may not use false or misleading statements or call you at work if they know or have reason to know that you may not receive personal calls at work. For the most part, collectors may not tell another person, other than your attorney or spouse, about your debt. Collectors may contact another person to confirm your location or enforce a judgment. For more information about debt collection activities, you may contact the Federal Trade Commission at 1-877-FTC-HELP or www.ftc.gov.

Nonprofit credit counseling services may be available in the area.

UTAH

As required by Utah law, you are hereby notified that a negative credit report reflecting on your credit record may be submitted to a credit reporting agency if you fail to fulfill the terms of your credit obligations. We will not submit a negative credit report to a credit reporting agency about this credit obligation until the expiration of the time period described on the front of this letter.

NEVADA

If the consumer pays or agrees to pay the debt or any portion of the debt, the payment or agreement to pay may be construed as: (1) an acknowledgment of the debt by the consumer; and (2) a waiver by the consumer of any applicable statute of limitations set forth in NRS 11.190 that otherwise precludes the collection of the debt; and (3) if the consumer does not understand or has questions concerning his/her legal rights or obligations relating to the debt, the debtor should seek legal advice.

COLORADO

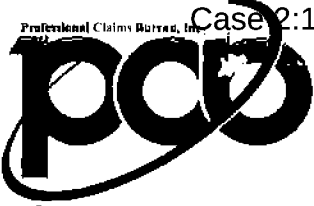
For more information about the Colorado Fair Debt Collection Practices Act, See WWW.COAG.GOV/CAR

A consumer has the right to request in that a debt collector or agency cease further with the consumer. A written request to cease communication will not prohibit the debt collector or collection agency from taking any other action authorized by law to collect the debt.

3052 South Parker Rd Ste 705 Aurora CO 80014 702-323-1993.

NEW YORK CITY

New York City Department of Consumer Affairs License Number 2032300-DCA.



Balance Due \$50.00
PCB # [REDACTED] 6301
Client Acct # 42009837

Re: NSLIJ PHYSICIANS - DEPT OF PEDIATRICS
Patient Name: ABIGAIL MUHLSTOCK
Service Date: 09/06/14

PROFESSIONAL CLAIMS BUREAU, INC.
NYC Dept of Consumer Affairs License #0811196
"Se Habla Espanol"

Phone: 516-681-1122 or 914-668-1222
Fax: 516-681-1265
Office Hours: Mon - Fri 8:30am - 5pm

E-Mail: info@pcbinc.org

Pay Online 24/7/365
www.paypcb.com

AUDIT ACCOUNT - STILL AN OPEN BALANCE

According to our most recent audit of your account, this balance remains open at both our offices and at that of our client.

The most important thing is that you do not ignore this notice. If this account has recently been paid directly to our client, it is extremely important that you forward proof of payment to our offices in a timely manner.

We are willing to help you resolve this balance in a manner that is acceptable to you, however we are unable to help you without your cooperation.

Kindly call one of our account representatives immediately or visit our website:

www.paypcb.com

Together we can finally resolve this long overdue balance and assure all collection activity is halted.

This is an attempt to collect a debt. Any information obtained will be used for that purpose. This communication is from a debt collection agency.



Professional Claims Bureau, Inc.
"Debt Collectors Since 1964"

000008373-A

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: MELANIE MUHLSTOCK
(b) County of Residence of First Listed Plaintiff: NASSAU
(c) Attorneys: BARSHAY SANDERS, PLLC
DEFENDANTS: PROFESSIONAL CLAIMS BUREAU, INC.
County of Residence of First Listed Defendant: NASSAU
NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)
III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)
O 1 U.S. Government Plaintiff
O 2 U.S. Government Defendant
O 3 Federal Question (U.S. Government Not a Party)
O 4 Diversity (Indicate Citizenship of Parties in Item III)
Citizen of This State
Citizen of Another State
Citizen or Subject of a Foreign Country

IV. NATURE OF SUIT (Place an "X" in One Box Only)
CONTRACT: O 110 Insurance, O 120 Marine, O 130 Miller Act, O 140 Negotiable Instrument, O 150 Recovery of Overpayment & Enforcement of Judgment, O 151 Medicare Act, O 152 Recovery of Defaulted Student Loans (Excludes Veterans), O 153 Recovery of Overpayment of Veteran's Benefits, O 160 Stockholders' Suits, O 190 Other Contract, O 195 Contract Product Liability, O 196 Franchise
REAL PROPERTY: O 210 Land Condemnation, O 220 Foreclosure, O 230 Rent Lease & Ejectment, O 240 Torts to Land, O 245 Tort Product Liability, O 290 All Other Real Property
TORTS: PERSONAL INJURY: O 310 Airplane, O 315 Airplane Product Liability, O 320 Assault, Libel & Slander, O 330 Federal Employers' Liability, O 340 Marine, O 345 Marine Product Liability, O 350 Motor Vehicle, O 355 Motor Vehicle Product Liability, O 360 Other Personal Injury, O 362 Personal Injury - Medical Malpractice
PRISONER PETITIONS: Habeas Corpus: O 463 Alien Detainee, O 510 Motions to Vacate Sentence, O 530 General, O 535 Death Penalty
Other: O 540 Mandamus & Other, O 550 Civil Rights, O 555 Prison Condition, O 560 Civil Detainee Conditions of Confinement
FORFEITURE/PENALTY: O 625 Drug Related Seizure of Property 21 USC 881, O 690 Other
LABOR: O 710 Fair Labor Standards Act, O 720 Labor/Management Relations, O 740 Railway Labor Act, O 751 Family and Medical Leave Act, O 790 Other Labor Litigation, O 791 Employee Retirement Income Security Act
IMMIGRATION: O 462 Naturalization Application, O 465 Other Immigration Actions
BANKRUPTCY: O 422 Appeal 28 USC 158, O 423 Withdrawal 28 USC 157
PROPERTY RIGHTS: O 820 Copyrights, O 830 Patent, O 840 Trademark
SOCIAL SECURITY: O 861 HIA (1395ff), O 862 Black Lung (923), O 863 DIWC/DIWW (405(g)), O 864 SSID Title XVI, O 865 RSI (405(g))
FEDERAL TAX SUITS: O 870 Taxes (U.S. Plaintiff or Defendant), O 871 IRS—Third Party 26 USC 7609
OTHER STATUTES: O 375 False Claims Act, O 400 State Reapportionment, O 410 Antitrust, O 430 Banks and Banking, O 450 Commerce, O 460 Deportation, O 470 Racketeer Influenced and Corrupt Organizations, O 480 Consumer Credit, O 490 Cable/Sat TV, O 850 Securities/Commodities/Exchange, O 890 Other Statutory Actions, O 891 Agricultural Acts, O 893 Environmental Matters, O 895 Freedom of Information Act, O 896 Arbitration, O 899 Administrative Procedure Act/Review or Appeal of Agency Decision, O 950 Constitutionality of State Statutes

V. ORIGIN (Place an "X" in One Box Only)
O 1 Original Proceeding
O 2 Removed from State Court
O 3 Remanded from Appellate Court
O 4 Reinstated or Reopened
O 5 Transferred from Another District (specify)
O 6 Multidistrict Litigation - Transfer
O 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): 15 USC §1692
Brief description of cause: 15 USC §1692 Fair Debt Collection Practices Act Violation

VII. REQUESTED IN COMPLAINT:
CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$
CHECK YES only if demanded in complaint: JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY
(See Instructions)
JUDGE
DOCKET NUMBER

DATE: May 8, 2017
SIGNATURE OF ATTORNEY OF RECORD: /s Craig B. Sanders

FOR OFFICE USE ONLY
RECEIPT # AMOUNT APPLYING IFF JUDGE MAG. JUDGE

CERTIFICATION OF ARBITRATION ELIGIBILITY

Local Arbitration Rule 83.10 provides that with certain exceptions, actions seeking money damages only in an amount not in excess of \$150,000, exclusive of interest and costs, are eligible for compulsory arbitration. The amount of damages is presumed to be below the threshold amount unless a certification to the contrary is filed.

I, Craig B. Sanders, counsel for Plaintiff, do hereby certify that the above captioned civil action is ineligible for compulsory arbitration for the following reason(s):

- monetary damages sought are in excess of \$150,000, exclusive of interest and costs,
- the complaint seeks injunctive relief,
- the matter is otherwise ineligible for the following reason

DISCLOSURE STATEMENT - FEDERAL RULES CIVIL PROCEDURE 7.1

Identify any parent corporation and any publicly held corporation that owns 10% or more of its stocks:

RELATED CASE STATEMENT (Section VIII on the Front of this Form)

Please list all cases that are arguably related pursuant to Division of Business Rule 50.3.1 in Section VIII on the front of this form. Rule 50.3.1 (a) provides that "A civil case is "related" to another civil case for purposes of this guideline when, because of the similarity of facts and legal issues or because the cases arise from the same transactions or events, a substantial saving of judicial resources is likely to result from assigning both cases to the same judge and magistrate judge." Rule 50.3.1 (b) provides that " A civil case shall not be deemed "related" to another civil case merely because the civil case: (A) involves identical legal issues, or (B) involves the same parties." Rule 50.3.1 (c) further provides that "Presumptively, and subject to the power of a judge to determine otherwise pursuant to paragraph (d), civil cases shall not be deemed to be "related" unless both cases are still pending before the court."

NY-E DIVISION OF BUSINESS RULE 50.1(d)(2)

1. Is the civil action being filed in the Eastern District removed from a New York State Court located in Nassau or Suffolk County: NO
2. If you answered "no" above:
 - a) Did the events or omissions giving rise to the claim or claims, or a substantial part thereof, occur in Nassau or Suffolk County? YES
 - b) Did the events or omissions giving rise to the claim or claims, or a substantial part thereof, occur in the Eastern District? YES

If your answer to question 2 (b) is "No," does the defendant (or a majority of the defendants, if there is more than one) reside in Nassau or Suffolk County, or, in an interpleader action, does the claimant (or a majority of the claimants, if there is more than one) reside in Nassau or Suffolk County? _____

(Note: A corporation shall be considered a resident of the County in which it has the most significant contacts).

BAR ADMISSION

I am currently admitted in the Eastern District of New York and currently a member in good standing of the bar of this court.
 Yes No

Are you currently the subject of any disciplinary action (s) in this or any other state or federal court?
 Yes (If yes, please explain) No

I certify the accuracy of all information provided above.

Signature: /s Craig B. Sanders

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Eastern District of New York

Melanie Muhlstock, individually and on behalf of all others similarly situated

Plaintiff(s)

v.

Professional Claims Bureau, Inc., ARStrat, LLC, Ingram & Associates and OPTUM360, LLC

Defendant(s)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) ARStrat, LLC CORPORATION SERVICE COMPANY 80 STATE STREET ALBANY, NEW YORK, 12207-2543

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: Craig B. Sanders, Esq. 100 Garden City Plaza Suite 500 Garden City, New York 11530

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____ .

I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____ , and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____ , who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____ ; or

I returned the summons unexecuted because _____ ; or

Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

Print

Save As...

Reset

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Eastern District of New York

Melanie Muhlstock, individually and on behalf of all others similarly situated

Plaintiff(s)

v.

Professional Claims Bureau, Inc., ARStrat, LLC, Ingram & Associates and OPTUM360, LLC

Defendant(s)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Ingram & Associates
1009 Windcross Ct
FRANKLIN, Tennessee 37067

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: Craig B. Sanders, Esq. 100 Garden City Plaza Suite 500 Garden City, New York 11530

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date:

Signature of Clerk or Deputy Clerk

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____ .

I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____ , and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____ , who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____ ; or

I returned the summons unexecuted because _____ ; or

Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

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AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Eastern District of New York

Melanie Muhlstock, individually and on behalf of all others similarly situated

Plaintiff(s)

v.

Professional Claims Bureau, Inc., ARStrat, LLC, Ingram & Associates and OPTUM360, LLC

Defendant(s)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) OPTUM360, LLC
C/O CT CORPORATION SYSTEM
111 EIGHTH AVENUE
NEW YORK, NEW YORK, 10011

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: Craig B. Sanders, Esq. 100 Garden City Plaza Suite 500 Garden City, New York 11530

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date:

Signature of Clerk or Deputy Clerk

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
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I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____ , and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____ , who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____ ; or

I returned the summons unexecuted because _____ ; or

Other *(specify)*:

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I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

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AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Eastern District of New York

Melanie Muhlstock, individually and on behalf of all others similarly situated

Plaintiff(s)

v.

Professional Claims Bureau, Inc., ARStrat, LLC, Ingram & Associates and OPTUM360, LLC

Defendant(s)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Professional Claims Bureau, Inc. 439 OAK STREET GARDEN CITY, NEW YORK, 11530

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Craig B. Sanders, Esq. 100 Garden City Plaza Suite 500 Garden City, New York 11530

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

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_____ on *(date)* _____ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____ , and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____ , who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____ ; or

I returned the summons unexecuted because _____ ; or

Other *(specify)*:

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I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

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ClassAction.org

This complaint is part of ClassAction.org's searchable class action lawsuit database and can be found in this post: [Lawsuit: Debt Collectors Evade Verification, Send False Information](#)
