

ORIGINAL

FILED IN CLERK'S OFFICE
U.S.D.C. Atlanta

NOV 22 2016

JAMES N. HATTEN, CLERK
By: Deputy Clerk



IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

TAMERA SHEARON-MYERS, *on behalf*)
of herself and all others similarly situated,)

Plaintiff,)

v.)

THE DILLON LAW FIRM, P.C.,)

Defendant)

CIVIL ACTION

FILE NO. **1:16-CV-4346**

CLASS ACTION

COMPLAINT AND JURY

TRIAL DEMAND

NATURE OF ACTION

1. Plaintiff Tamera Shearon-Myers ("Plaintiff") brings this putative class action against The Dillon Law Firm, P.C., ("Defendant") under the Fair Debt Collection Practices Act ("FDCPA"), 15 U.S.C. § 1692 *et seq.*, on behalf of herself and all others similarly situated.

JURISDICTION, VENUE, AND STANDING

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

3. Venue is proper before this Court pursuant to 28 U.S.C. §1391(b), where the acts and transactions giving rise to Plaintiff's action occurred in this

district, where Plaintiff resides in this district, and where Defendant transacts business in this district.

4. “In determining whether an intangible harm constitutes injury in fact, both history and the judgment of Congress play important roles.” *Spokeo, Inc. v. Robins*, 136 S. Ct. 1540, 1549, 194 L. Ed. 2d 635 (2016), *as revised* (May 24, 2016). Congress is “well positioned to identify intangible harms that meet minimum Article III requirements,” thus “Congress may ‘elevat[e] to the status of legally cognizable injuries concrete, *de facto* injuries that were previously inadequate in law.’” *Id.* (quoting *Lujan v. Defs of Wildlife*, 504 U.S. 555, 578 (1992)).

5. “Without the protections of the FDCPA, Congress determined, the ‘[e]xisting laws and procedures for redressing these injuries are inadequate to protect consumers.’” *Lane v. Bayview Loan Servicing, LLC*, No. 15 C 10446, 2016 WL 3671467, at *3 (N.D. Ill. July 11, 2016) (quoting 15 U.S.C. § 1692(b)). Thus, a failure to honor a consumer’s right under the FDCPA constitutes an injury in fact for Article III standing. *See id.* at *3 (holding that a consumer “has alleged a sufficiently concrete injury because he alleges that [Defendant] denied him the right to information due to him under the FDCPA.”); *see also Church v. Accretive Health, Inc.*, No. 15-15708, 2016 WL 3611543, at *3 (11th Cir. July 6, 2016) (holding that

consumer's § 1692g claim was sufficiently concrete to satisfy injury-in-fact requirement).

6. “[E]ven though actual monetary harm is a sufficient condition to show concrete harm, it is *not* a necessary condition.” *Lane*, 2016 WL 3671467 at *4 (emphasis in original).

THE FAIR DEBT COLLECTION PRACTICES ACT

7. Congress enacted the FDCPA to “eliminate abusive debt collection practices, to ensure that debt collectors who abstain from such practices are not competitively disadvantaged, and to promote consistent state action to protect consumers.” *Jerman v. Carlisle, McNellie, Rini, Kramer & Ulrich LPA*, 559 U.S. 573, 577 (2010) (citing 15 U.S.C. § 1692(e)).

8. The FDCPA creates a broad prohibition against the use of misleading, deceptive, or false representations in the collection of debts. *See* 15 U.S.C. § 1692e.

9. The FDCPA is a strict liability statute. *LeBlanc v. Unifund CCR Partners*, 601 F.3d 1185, 1190 (11th Cir. 2010). “The FDCPA typically subjects debt collectors to liability even when violations are not knowing or intentional.” *Owen v. I.C. Sys., Inc.*, 629 F.3d 1263, 1270 (11th Cir. 2011).

10. The Eleventh Circuit applies the “least sophisticated consumer” standard to determine whether a debt collector’s communication violates the

FDCPA. *Jeter v. Credit Bureau, Inc.*, 760 F.2d 1168, 1175 (11th Cir. 1985). This objective standard does not consider “whether the particular plaintiff-consumer was deceived or misled; instead, the question is ‘whether the ‘least sophisticated consumer’ would have been deceived’ by the debt collector’s conduct.” *Crawford v. LVNV Funding, LLC*, 758 F.3d 1254, 1258 (11th Cir. 2014) (quoting *Jeter*, 760 F.2d at 1177 n.11).

11. Therefore, a debt collector is liable for engaging in conduct that could mislead the unsophisticated consumer, even if the debt collector did not intend to mislead, and even if the plaintiff is not actually misled.

12. A key provision of the FDCPA is § 1692g, which requires a debt collector to send, within five days of its initial communication with a consumer, a written notice which provides information regarding the debt and informs the consumer of his or her right to dispute the validity of the debt, and/or request the name and address of the original creditor, within 30 days of receipt of the notice. *See* 15 U.S.C. § 1692g(a).

13. This validation requirement is a “significant feature” of the law that aimed to “eliminate the recurring problem of debt collectors dunning the wrong person or attempting to collect debts which the consumer has already paid.”

Hernandez v. Williams, Zinman & Parham PC, 829 F.3d 1068, 1070 (9th Cir. 2016) (citing S. Rep. No. 95-382, at 4 (1977)).

14. “To satisfy section 1692g’s requirements, the notice Congress required must be conveyed effectively to the debtor.” *Terran v. Kaplan*, 109 F.3d 1428, 1432 (9th Cir. 1997) (quoting *Swanson v. Southern Oregon Credit Serv., Inc.*, 869 F.2d 1222, 1227 (9th Cir. 1988)) (internal citations omitted); *see also Janetos v. Fulton Friedman & Gullace, LLP*, 825 F.3d 317, 321 (7th Cir. 2016) (“When § 1692g(a) requires that a communication include certain information, compliance demands more than simply including that information in some unintelligible form.”).

15. If a consumer requests validation, “the debt collector shall cease collection of the debt . . . until the debt collector obtains verification” and mails such verification to the consumer. 15 U.S.C. § 1692g(b).

16. To ensure debt collectors’ notices meaningfully convey consumers’ rights under § 1692g, Congress has further declared that “[a]ny collection activities and communication during the 30-day period may not overshadow or be inconsistent with the disclosure of the consumer’s right to dispute the debt or request the name and address of the original creditor.” *Id.*

17. One way in which a debt collection letter can overshadow the notice of rights under § 1692g is by threatening suit within the 30-day period.

18. While a debt collector may legally initiate suit before the expiration of the 30-day period, a debt collection notice violates § 1692g where such threats would cause an unsophisticated consumer to overlook or ignore, or otherwise be confused about, his or her rights.

19. To assist debt collectors who wish to threaten suit in collection notices, Judge Posner has drafted “safe harbor” language—adopted by courts around the nation—that explains the apparent contradiction between the consumer’s right to dispute within 30 days and the debt collector’s right to bring suit before the expiration of that period, which reads, in relevant part, as follows:

The law does not require me to wait until the end of the thirty-day period before suing you to collect this debt. If, however, you request proof of the debt or the name and address of the original creditor within the thirty-day period that begins with your receipt of this letter, the law requires me to suspend my efforts (through litigation or otherwise) to collect the debt until I mail the requested information to you.

Bartlett v. Heibl, 128 F.3d 497, 502 (7th Cir. 1997).

20. Where a collection letter makes no effort to explain that the consumer may take advantage of his or her rights under § 1692g, notwithstanding the threat to file a lawsuit within the 30-day dispute period, the debt collector runs the risk of violating § 1692g(b).

PARTIES

21. Plaintiff is a natural person who at all relevant times resided in the State of Georgia, County of Fulton, and City of Atlanta.

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

23. Defendant is an entity who at all relevant times was engaged, by use of the mails and telephone, in the business of attempting to collect a “debt” from Plaintiff, as defined by 15 U.S.C. §1692a(5).

24. Defendant is a “debt collector” as defined by 15 U.S.C. § 1692a(6).

FACTUAL ALLEGATIONS

25. Plaintiff is a natural person allegedly obligated to pay a debt asserted to be owed or due a creditor other than Defendant.

26. Plaintiff’s alleged obligation arises from a transaction in which the money, property, insurance, or services that are the subject of the transaction were incurred primarily for personal, family, or household purposes—namely a subscription to a dating service (the “Debt”).

27. Defendant uses instrumentalities of interstate commerce or the mails in a business the principal purpose of which is the collection of any debts, and/or regularly collects or attempts to collect, directly or indirectly, debts owed or due, or asserted to be owed or due another.

28. The Debt arises from a transaction from August 31, 2009, when Plaintiff signed up for a membership with a dating service known as Great Expectations.

29. However, that same day, Plaintiff changed her mind and attempted to cancel her membership over the phone.

30. Plaintiff also sent two letters to Great Expectations, on September 1, 2009 and November 1, 2009, which attempted to cancel her membership, but Plaintiff received no response.

31. On June 25, 2016, Defendant sent Plaintiff a letter in connection with the collection of the Debt.

32. The June 25, 2016 letter was Defendant's initial written communication with Plaintiff.

33. A true and correct copy of Defendant's June 25, 2016 letter is attached to this complaint as Exhibit A.

34. Defendant's June 25, 2016 letter purported to contain the notices required in an initial written communication by the FDCPA. *See* 15 U.S.C. § 1692g(a).

35. Defendant's notice stated:

If you dispute this debt or any portion of this debt, please do so within 30 days, or we will consider the debt to be valid and due. If you notify

us in writing, within 30 days, that the debt or any portion of the debt is disputed, we will obtain verification of the debt of a copy of the judgment and provide you with a copy of the verification or judgment.

Exhibit A.

36. Notably, Defendant's notice failed to state when the 30 day dispute period began.

37. Plaintiff, or the least sophisticated consumer, could reasonably believe that the Debt must be disputed either "within 30 days" from the date of the letter—which would be incorrect—or within 30 days from Plaintiff's receipt of the letter.

38. Therefore, Defendant failed to meaningfully convey the dispute period to the consumer and inform her that she has "thirty days after receipt of the notice" to dispute the Debt. *See* 15 U.S.C. 1692g(a)(3)-(5).

39. Plaintiff, or the least sophisticated consumer, could reasonably believe that "within 30 days" means from the date of the letter, which would significantly shorten the required 30-day dispute period.

40. Further, the June 25, 2016 letter also stated that Defendant "reserve[d] the right to pursue every legal remedy available to collect this debt during and after" the dispute period. *See* Exhibit A.

41. Although Defendant is able to continue collection of the Debt, Defendant's letter failed to meaningfully convey that if Plaintiff disputed the Debt

within the 30 day dispute period, “the debt collector shall cease collection of the debt, or any disputed portion thereof, until the debt collector” properly responds to Plaintiff’s dispute. *See* 15 U.S.C. § 1692g(b).

42. The least sophisticated consumer may well wonder what good it would do to dispute the debt, if his or her dispute would not prevent Defendant from continuing to collect the debt anyway.

43. Because Defendant failed to explain that Plaintiff could take advantage of her rights under § 1692g, notwithstanding the implicit threat to take legal action within the 30-day dispute period, Defendant overshadowed Plaintiff’s rights under the FDCPA. *See Bartlett v. Heibl*, 128 F.3d 497, 502 (7th Cir. 1997); 15 U.S.C. § 1692g(b).

CLASS ALLEGATIONS

44. Plaintiff repeats and re-alleges all factual allegations above.

45. The June 25, 2016 letter is based on a form or template used by Defendant to send collection letters to consumers in an attempt to collect a debt (the “Template”). *See* Exhibit A.

46. Defendant has used the Template to send collection letters to over 40 individuals in the State of Georgia within the year prior to the filing of the original complaint in this matter.

47. The Template fails to meaningfully convey when the 30-day dispute period begins.

48. The Template also threatens that it may “pursue every legal remedy available to collect this debt during and after” the 30-day dispute period without informing the consumer that written dispute of their debt would require the debt collector to “cease collection of the debt . . . until the debt collector” properly responds to the consumer’s dispute.

49. Plaintiff brings this action on behalf of herself and all others similarly situated. Specifically, Plaintiff seeks to represent the following class of individuals:

All individuals in the State of Georgia to whom Defendant sent, in connection with the collection of a consumer debt and within one year before the date of this complaint, a letter based on the Template.

50. The proposed class specifically excludes the United States of America, the State of Georgia, counsel for the parties, the presiding United States District Court Judge, the Judges of the United States Court of Appeals for the Eleventh Circuit, and the Justices of the United States Supreme Court, all officers and agents of Defendant, and all persons related to within the third degree of consanguinity or affection to any of the foregoing persons.

51. The class is averred to be so numerous that joinder of members is impracticable.

52. The exact number of class members is unknown to Plaintiff at this time and can be ascertained only through appropriate discovery.

53. The class is ascertainable in that the names and addresses of all class members can be identified in business records maintained by Defendant.

54. There exists a well-defined community of interest in the questions of law and fact involved that affect the parties to be represented. These common questions of law and fact predominate over questions that may affect individual class members. Such issues include, but are not limited to: (a) the existence of Defendant's identical conduct particular to the matters at issue; (b) Defendant's violations of the FDCPA; (c) the availability of statutory penalties; and (d) attorneys' fees and costs.

55. Plaintiff's claims are typical of those of the class she seeks to represent.

56. The claims of Plaintiff and of the class originate from the same conduct, practice, and procedure on the part of Defendant. Thus, if brought and prosecuted individually, the claims of the members of each class would require proof of the same material and substantive facts.

57. Plaintiff possesses the same interests and has suffered the same injuries as each class member. Plaintiff asserts identical claims and seeks identical relief on behalf of the unnamed class members.

58. Plaintiff will fairly and adequately protect the interests of the class and has no interests adverse to or which directly and irrevocably conflict with the interests of other members of the class.

59. Plaintiff is willing and prepared to serve this Court and the proposed class.

60. The interests of Plaintiff are co-extensive with and not antagonistic to those of the absent class members.

61. Plaintiff has retained the services of counsel who are experienced in consumer protection claims, as well as complex class action litigation, will adequately prosecute this action, and will assert, protect and otherwise represent Plaintiff and all absent class members.

62. Class certification is appropriate under Fed. R. Civ. P. 23(b)(1)(A) and 23(b)(1)(B). The prosecution of separate actions by individual members of the class would, as a practical matter, be dispositive of the interests of other members of the class who are not parties to the action or could substantially impair or impede their ability to protect their interests.

63. The prosecution of separate actions by individual members of the class would create a risk of inconsistent or varying adjudications with respect to individual members of the class, which would establish incompatible standards of conduct for

the parties opposing the class. Such incompatible standards of conduct and varying adjudications, on what would necessarily be the same essential facts, proof and legal theories, would also create and allow the existence of inconsistent and incompatible rights within the class.

64. Class certification is appropriate under Fed. R. Civ. P. 23(b)(2) in that Defendant has acted or refused to act on grounds generally applicable to the class, making final declaratory or injunctive relief appropriate.

65. Class certification is appropriate under Fed. R. Civ. P. 23(b)(3) in that the questions of law and fact that are common to members of the class predominate over any questions affecting only individual members.

66. Moreover, a class action is superior to other methods for the fair and efficient adjudication of the controversies raised in this Complaint in that: (a) individual claims by the class members will be impracticable as the costs of pursuit would far exceed what any one plaintiff or class member has at stake; (b) as a result, very little litigation has commenced over the controversies alleged in this Complaint and individual members are unlikely to have an interest in prosecuting and controlling separate individual actions; and (c) the concentration of litigation of these claims in one forum will achieve efficiency and promote judicial economy.

COUNT I
VIOLATION OF 15 U.S.C. § 1692g(a)

67. Plaintiff repeats and re-alleges each and every factual allegation above.

68. Defendant violated 15 U.S.C. § 1692g(a) by failing to meaningfully convey Plaintiff's rights to dispute the Debt, including by failing to state that Plaintiff's 30-day dispute period began "after receipt of the notice" rather than the date of the letter.

WHEREFORE, Plaintiff prays for relief and judgment, as follows:

- a) Determining that this action is a proper class action, certifying Plaintiff as a class representative under Rule 23 of the Federal Rules of Civil Procedure, and designating this Complaint the operable complaint for class purposes;
- b) Adjudging that Defendant violated 15 U.S.C. § 1692g(a) with respect to Plaintiff and the class she seeks to represent;
- c) Awarding Plaintiff and the class she seeks to represent actual damages, pursuant to 15 U.S.C. § 1692k(a)(1);
- d) Awarding Plaintiff additional damages in the amount of \$1,000, pursuant to 15 U.S.C. § 1692k(a)(2)(B)(i);
- e) Awarding all other class members such amount as the court may allow, without regard to a minimum individual recovery, not to exceed the

lesser of \$500,000 or one percent of the net worth of the debt collector, pursuant to 15 U.S.C. § 1692k(a)(2)(B)(ii);

- f) Awarding Plaintiff and the class she seeks to represent reasonable attorneys' fees and costs incurred in this action pursuant to 15 U.S.C. § 1692k(a)(3) and Rule 23;
- g) Awarding Plaintiff and the class she seeks to represent pre-judgment and post-judgment interest as permissible by law; and
- h) Awarding such other relief as the Court may deem just and proper.

COUNT II
VIOLATION OF 15 U.S.C. § 1692g(b)

69. Plaintiff repeats and re-alleges each and every factual allegation above.

70. Defendant violated 15 U.S.C. § 1692g(b) for making statements that overshadowed, or were inconsistent with, Plaintiff's right to dispute the Debt, including by failing to meaningfully convey that Plaintiff could take advantage of her rights under § 1692g notwithstanding the implicit threat to take legal action within the 30-day dispute period.

WHEREFORE, Plaintiff prays for relief and judgment, as follows:

- a) Determining that this action is a proper class action, certifying Plaintiff as a class representative under Rule 23 of the Federal Rules of Civil

Procedure, and designating this Complaint the operable complaint for class purposes;

- b) Adjudging that Defendant violated 15 U.S.C. § 1692g(b) with respect to Plaintiff and the class she seeks to represent;
- c) Awarding Plaintiff and the class she seeks to represent actual damages, pursuant to 15 U.S.C. § 1692k(a)(1);
- d) Awarding Plaintiff additional damages in the amount of \$1,000, pursuant to 15 U.S.C. § 1692k(a)(2)(B)(i);
- e) Awarding all other class members such amount as the court may allow, without regard to a minimum individual recovery, not to exceed the lesser of \$500,000 or one percent of the net worth of the debt collector, pursuant to 15 U.S.C. § 1692k(a)(2)(B)(ii);
- f) Awarding Plaintiff and the class she seeks to represent reasonable attorneys' fees and costs incurred in this action pursuant to 15 U.S.C. § 1692k(a)(3) and Rule 23;
- g) Awarding Plaintiff and the class she seeks to represent pre-judgment and post-judgment interest as permissible by law; and
- h) Awarding such other relief as the Court may deem just and proper.

TRIAL BY JURY

71. Plaintiff is entitled to and hereby demands a trial by jury.

Dated: November 17, 2016.

Respectfully submitted,



Marques J. Carter
Georgia Bar No. 105133
Law Office of Marques J. Carter, LLC
3400 Chapel Hill Road, Suite 100
Douglasville, GA 30135
(888) 332-7252
866) 842-3303 (fax)
mcarter@consumerlawinfo.com

Correspondence address:
Thompson Consumer Law Group, PLLC
5235 E. Southern Ave., D106-618
Mesa, AZ 85206

CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 5.1

The undersigned hereby certifies that the foregoing document has been prepared in accordance with the font type and margin requirements of Local Rule 5.1 of the Northern District of Georgia, using a font type of Times New Roman and a point size of 14.

Respectfully submitted,



Marques J. Carter
Georgia Bar No. 105133
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3400 Chapel Hill Road, Suite 100
Douglasville GA 30135
(888) 332-7252
(866) 842-3303 (fax)
mcarter@consumerlawinfo.com
Attorney for Plaintiff

Exhibit "A"

Trace Dillon, Esq.
Admitted to GA, SC & TN
Bars

THE DILLON LAW FIRM, PC
ATTORNEYS AT LAW

Dwayne Kinney, Esq.
Admitted to GA Bar

2346 Wisteria Drive
Suite 220
Snellville, GA 30078

Office (770) 513-6400
Facsimile (770) 513-6577
www.dillonlawfirmpc.com

June 25, 2016

VIA FIRST CLASS MAIL

TAMERA S SHEARON
1 PEACHTREE HILLS AVE NE APT D3
ATLANTA GA 30305

RE: CONRAD ACCEPTANCE CORP ASO VELEZ LTD DBA GREAT
EXPECT.

VS. TAMERA S SHEARON
Our File No. : 16001154
Civil Action No. : 12MV00782
Judgment Principal: \$2,995.00
Judgment Interest: \$490.92
Judgment Attorney's Fees: \$373.59
Judgment Court Costs: \$109.50
Total Currently Due: \$4,768.02

Dear TAMERA S SHEARON:

THE DILLON LAW FIRM PC has been retained by the above creditor to collect your outstanding past due indebtedness. Please see our Substitution of Counsel attached. Accordingly, demand is hereby made that the above amount to be paid to this office.

If you dispute this debt or any portion of this debt, please do so within 30 days, or we will consider the debt to be valid and due. If you notify us in writing, within 30 days, that the debt or any portion of the debt is disputed, we will obtain verification of the debt or a copy of the judgment and provide you with a copy of the verification or judgment.

Furthermore, if you send a written request within 30 days, we will provide you with the name of the original creditor, if different from the current creditor. We reserve the right to pursue every legal remedy available to collect this debt during and after that time. Please note that this is an attempt to collect a debt and any information obtained, will be used for that purpose.



AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Northern District of Georgia

Tamera Shearon-Myers

Plaintiff

v.

The Dillon Law Firm, P.C.

Defendant

Civil Action No.

1:16-CV-4346

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

The Dillon Law Firm, P.C.
c/o Trace Dillon
2346 Wisteria DR Ste 220
Snellville, GA 30078

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:

Marques J. Carter
Law Office of Marques J. Carter, LLC
3400 Chapel Hill Road, Suite 100
Douglasville GA 30135

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.

JAMES N. HATTEN
CLERK OF COURT

Date: NOV 23 2016

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:

1:16-CV-4346

JS44 (Rev. 04/12 NDGA)

CIVIL COVER SHEET

The JS44 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 is required for the use of the Clerk of Court for the purpose of initiating the civil docket record. (SEE INSTRUCTIONS ATTACHED)

<p>I. (a) PLAINTIFF(S) Tamera Shearon-Myers</p> <p>(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF <u>Fulton</u> <small>(EXCEPT IN U.S. PLAINTIFF CASES)</small></p>	<p>DEFENDANT(S) The Dillon Law Firm, P.C.</p> <p>COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT _____ <small>(IN U.S. PLAINTIFF CASES ONLY)</small></p> <p><small>NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED</small></p>
<p>(c) ATTORNEYS <small>(FIRM NAME, ADDRESS, TELEPHONE NUMBER, AND E-MAIL ADDRESS)</small></p> <p>Marques J. Carter, Law Office of Marques J. Carter, LLC 3400 Chapel Hill Road, Suite 100, Douglasville GA 30135 Phone: (888) 595-9111</p>	<p>ATTORNEYS <small>(IF KNOWN)</small></p>

II. BASIS OF JURISDICTION
(PLACE AN "X" IN ONE BOX ONLY)

<input type="checkbox"/> 1 U.S. GOVERNMENT PLAINTIFF	<input checked="" type="checkbox"/> 3 FEDERAL QUESTION (U.S. GOVERNMENT NOT A PARTY)
<input type="checkbox"/> 2 U.S. GOVERNMENT DEFENDANT	<input type="checkbox"/> 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) (FOR DIVERSITY CASES ONLY)

PLF	DEF	PLF	DEF
<input type="checkbox"/> 1	<input type="checkbox"/> 1	<input type="checkbox"/> 4	<input type="checkbox"/> 4
1 CITIZEN OF THIS STATE		4 INCORPORATED OR PRINCIPAL PLACE OF BUSINESS IN THIS STATE	
<input type="checkbox"/> 2	<input type="checkbox"/> 2	<input type="checkbox"/> 5	<input type="checkbox"/> 5
2 CITIZEN OF ANOTHER STATE		5 INCORPORATED AND PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	
<input type="checkbox"/> 3	<input type="checkbox"/> 3	<input type="checkbox"/> 6	<input type="checkbox"/> 6
3 CITIZEN OR SUBJECT OF A FOREIGN COUNTRY		6 FOREIGN NATION	

IV. ORIGIN (PLACE AN "X" IN ONE BOX ONLY)

<input checked="" type="checkbox"/> 1 ORIGINAL PROCEEDING	<input type="checkbox"/> 2 REMOVED FROM STATE COURT	<input type="checkbox"/> 3 REMANDED FROM APPELLATE COURT	<input type="checkbox"/> 4 REINSTATED OR REOPENED	<input type="checkbox"/> 5 TRANSFERRED FROM ANOTHER DISTRICT <small>(Specify District)</small>	<input type="checkbox"/> 6 MULTIDISTRICT LITIGATION	<input type="checkbox"/> 7 APPEAL TO DISTRICT JUDGE FROM MAGISTRATE JUDGE JUDGMENT
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V. CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE - DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

15 USC 1692

Violation of the Fair Debt Collection Practices Act

(IF COMPLEX, CHECK REASON BELOW)

<input type="checkbox"/> 1. Unusually large number of parties.	<input type="checkbox"/> 6. Problems locating or preserving evidence
<input type="checkbox"/> 2. Unusually large number of claims or defenses.	<input type="checkbox"/> 7. Pending parallel investigations or actions by government.
<input type="checkbox"/> 3. Factual issues are exceptionally complex	<input type="checkbox"/> 8. Multiple use of experts.
<input type="checkbox"/> 4. Greater than normal volume of evidence.	<input type="checkbox"/> 9. Need for discovery outside United States boundaries.
<input type="checkbox"/> 5. Extended discovery period is needed.	<input type="checkbox"/> 10. Existence of highly technical issues and proof.

CONTINUED ON REVERSE

FOR OFFICE USE ONLY

RECEIPT # _____	AMOUNT \$ _____	APPLYING IFP _____	MAG. JUDGE (IFP) _____
JUDGE _____	MAG. JUDGE _____	NATURE OF SUIT _____	CAUSE OF ACTION _____

(Referral)

CAP JFK 480 15:1692

VI. NATURE OF SUIT (PLACE AN "X" IN ONE BOX ONLY)

CONTRACT - "0" MONTHS DISCOVERY TRACK

- 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT
- 152 RECOVERY OF DEFAULTED STUDENT LOANS (Excl. Veterans)
- 153 RECOVERY OF OVERPAYMENT OF VETERAN'S BENEFITS

CONTRACT - "4" MONTHS DISCOVERY TRACK

- 110 INSURANCE
- 120 MARINE
- 130 MILLER ACT
- 140 NEGOTIABLE INSTRUMENT
- 151 MEDICARE ACT
- 160 STOCKHOLDERS' SUITS
- 190 OTHER CONTRACT
- 195 CONTRACT PRODUCT LIABILITY
- 196 FRANCHISE

REAL PROPERTY - "4" MONTHS DISCOVERY TRACK

- 210 LAND CONDEMNATION
- 220 FORECLOSURE
- 230 RENT LEASE & EJECTMENT
- 240 TORTS TO LAND
- 245 TORT PRODUCT LIABILITY
- 290 ALL OTHER REAL PROPERTY

TORTS - PERSONAL INJURY - "4" MONTHS DISCOVERY TRACK

- 310 AIRPLANE
- 315 AIRPLANE PRODUCT LIABILITY
- 320 ASSAULT, LIBEL & SLANDER
- 330 FEDERAL EMPLOYERS' LIABILITY
- 340 MARINE
- 345 MARINE PRODUCT LIABILITY
- 350 MOTOR VEHICLE
- 355 MOTOR VEHICLE PRODUCT LIABILITY
- 360 OTHER PERSONAL INJURY
- 362 PERSONAL INJURY - MEDICAL MALPRACTICE
- 365 PERSONAL INJURY - PRODUCT LIABILITY
- 367 PERSONAL INJURY - HEALTH CARE/ PHARMACEUTICAL PRODUCT LIABILITY
- 368 ASBESTOS PERSONAL INJURY PRODUCT LIABILITY

TORTS - PERSONAL PROPERTY - "4" MONTHS DISCOVERY TRACK

- 370 OTHER FRAUD
- 371 TRUTH IN LENDING
- 380 OTHER PERSONAL PROPERTY DAMAGE
- 385 PROPERTY DAMAGE PRODUCT LIABILITY

BANKRUPTCY - "0" MONTHS DISCOVERY TRACK

- 422 APPEAL 28 USC 158
- 423 WITHDRAWAL 28 USC 157

CIVIL RIGHTS - "4" MONTHS DISCOVERY TRACK

- 441 VOTING
- 442 EMPLOYMENT
- 443 HOUSING/ ACCOMMODATIONS
- 444 WELFARE
- 440 OTHER CIVIL RIGHTS
- 445 AMERICANS with DISABILITIES - Employment
- 446 AMERICANS with DISABILITIES - Other
- 448 EDUCATION

IMMIGRATION - "0" MONTHS DISCOVERY TRACK

- 462 NATURALIZATION APPLICATION
- 463 HABEAS CORPUS- Alien Detainee
- 465 OTHER IMMIGRATION ACTIONS

PRISONER PETITIONS - "0" MONTHS DISCOVERY TRACK

- 510 MOTIONS TO VACATE SENTENCE
- 530 HABEAS CORPUS
- 535 HABEAS CORPUS DEATH PENALTY
- 540 MANDAMUS & OTHER
- 550 CIVIL RIGHTS - Filed Pro se
- 555 PRISON CONDITION(S) - Filed Pro se
- 560 CIVIL DETAINEE: CONDITIONS OF CONFINEMENT

PRISONER PETITIONS - "4" MONTHS DISCOVERY TRACK

- 550 CIVIL RIGHTS - Filed by Counsel
- 555 PRISON CONDITION(S) - Filed by Counsel

FORFEITURE/PENALTY - "4" MONTHS DISCOVERY TRACK

- 625 DRUG RELATED SEIZURE OF PROPERTY 21 USC 881
- 690 OTHER

LABOR - "4" MONTHS DISCOVERY TRACK

- 710 FAIR LABOR STANDARDS ACT
- 720 LABOR/MGMT. RELATIONS
- 740 RAILWAY LABOR ACT
- 751 FAMILY and MEDICAL LEAVE ACT
- 790 OTHER LABOR LITIGATION
- 791 EMPL. RET. INC. SECURITY ACT

PROPERTY RIGHTS - "4" MONTHS DISCOVERY TRACK

- 820 COPYRIGHTS
- 840 TRADEMARK

PROPERTY RIGHTS - "8" MONTHS DISCOVERY TRACK

- 830 PATENT

SOCIAL SECURITY - "0" MONTHS DISCOVERY TRACK

- 861 HIA (1395IT)
- 862 BLACK LUNG (923)
- 863 DIWC (405(g))
- 863 DIWW (405(g))
- 864 SSID TITLE XVI
- 865 RSI (405(g))

FEDERAL TAX SUITS - "4" MONTHS DISCOVERY TRACK

- 870 TAXES (U.S. Plaintiff or Defendant)
- 871 IRS - THIRD PARTY 26 USC 7609

OTHER STATUTES - "4" MONTHS DISCOVERY TRACK

- 375 FALSE CLAIMS ACT
- 400 STATE REAPPORTIONMENT
- 430 BANKS AND BANKING
- 450 COMMERCE/ICC RATES/ETC.
- 460 DEPORTATION
- 470 RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS
- 480 CONSUMER CREDIT
- 490 CABLE/SATELLITE TV
- 891 AGRICULTURAL ACTS
- 893 ENVIRONMENTAL MATTERS
- 895 FREEDOM OF INFORMATION ACT
- 950 CONSTITUTIONALITY OF STATE STATUTES
- 890 OTHER STATUTORY ACTIONS
- 899 ADMINISTRATIVE PROCEDURES ACT / REVIEW OR APPEAL OF AGENCY DECISION

OTHER STATUTES - "8" MONTHS DISCOVERY TRACK

- 410 ANTI TRUST
- 850 SECURITIES / COMMODITIES / EXCHANGE

OTHER STATUTES - "0" MONTHS DISCOVERY TRACK

- 896 ARBITRATION (Confirm / Vacate / Order / Modify)

*** PLEASE NOTE DISCOVERY TRACK FOR EACH CASE TYPE. SEE LOCAL RULE 26.3**

VII. REQUESTED IN COMPLAINT:

CHECK IF CLASS ACTION UNDER F.R.Civ.P. 23 DEMAND \$ _____
 JURY DEMAND YES NO (CHECK YES ONLY IF DEMANDED IN COMPLAINT)

VIII. RELATED/REFILED CASE(S) IF ANY

JUDGE _____ DOCKET NO. _____

CIVIL CASES ARE DEEMED RELATED IF THE PENDING CASE INVOLVES: (CHECK APPROPRIATE BOX)

- 1. PROPERTY INCLUDED IN AN EARLIER NUMBERED PENDING SUIT.
- 2. SAME ISSUE OF FACT OR ARISES OUT OF THE SAME EVENT OR TRANSACTION INCLUDED IN AN EARLIER NUMBERED PENDING SUIT.
- 3. VALIDITY OR INFRINGEMENT OF THE SAME PATENT, COPYRIGHT OR TRADEMARK INCLUDED IN AN EARLIER NUMBERED PENDING SUIT.
- 4. APPEALS ARISING OUT OF THE SAME BANKRUPTCY CASE AND ANY CASE RELATED THERETO WHICH HAVE BEEN DECIDED BY THE SAME BANKRUPTCY JUDGE.
- 5. REPETITIVE CASES FILED BY PRO SE LITIGANTS.
- 6. COMPANION OR RELATED CASE TO CASE(S) BEING SIMULTANEOUSLY FILED (INCLUDE ABBREVIATED STYLE OF OTHER CASE(S)):

7. EITHER SAME OR ALL OF THE PARTIES AND ISSUES IN THIS CASE WERE PREVIOUSLY INVOLVED IN CASE NO. _____, WHICH WAS DISMISSED. This case IS IS NOT (check one box) SUBSTANTIALLY THE SAME CASE.

 SIGNATURE OF ATTORNEY OF RECORD

11/17/2016
 DATE

Thompson Consumer Law Group, PLLC

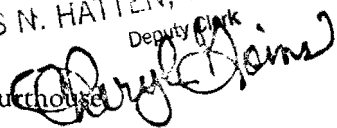
5235 E. Southern Ave. D106-618
Mesa, Arizona 85206
E-mail: zlandis@ConsumerLawInfo.com
ConsumerLawInfo.com

Telephone: 602-845-5968
Toll Free: 888-332-7252 ext. 268
Facsimile: 866-317-2674

RECEIVED IN CLERK'S OFFICE
U.S.D.C. - Atlanta

NOV 22 2016

November 17, 2016

JAMES N. HATTEN, Clerk
By:  Deputy Clerk

Clerk of the Court
Richard B. Russell Federal Building and Courthouse
2211 United States Courthouse
75 Ted Turner Dr SW
Atlanta, GA 30303-3309

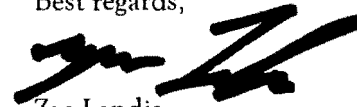
1:16-CV-4346

Re: Shearon-Myers, Tamera v. The Dillon Law Firm, P.C.

Dear Clerk of the Court:

Enclosed please file the original Summons and Complaint in the above referenced matter. Please return the conformed copies in the enclosed self-addressed stamped envelope. Also enclosed is a check for filing fees in the amount of \$400.00.

Best regards,



Zac Landis
Paralegal

ClassAction.org

This complaint is part of ClassAction.org's searchable class action lawsuit database and can be found in this post: [Georgia Law Firm Hit with Class Action Over Debt Collection](#)
