

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA

Lynchburg Division

ROBERT A. NITTI,) Civil Action No.
)
Plaintiff,) _____
)
v.)
)
PENN CREDIT CORPORATION,)
)
Defendant.)

CLASS ACTION COMPLAINT

COMES NOW Robert A. Nitti, personally, and on behalf of a class of consumers similarly situated to him, who moves this Court to grant him judgment for the reasons stated herein.

JURISDICTION

1. This Court has jurisdiction pursuant to its federal question jurisdiction, 28 U.S.C. § 1331, and pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. § 1692k(d).

PARTIES

2. Plaintiff Robert A. Nitti ("Nitti") is a citizen of Virginia.
3. Nitti is a consumer within the meaning of the FDCPA, as defined in 15 U.S.C. § 1692a(3).
4. Defendant Penn Credit Corporation ("Penn") is a Pennsylvania corporation which regularly conducts business as a debt collector in this judicial district.
5. The principal purpose of Penn's business is the collection of debts for its clients, creditors to whom debts are allegedly

owed by consumers.

6. Penn regularly collects or attempts to collect debts owed or due or asserted to be owed or due another, and is a "debt collector" within the meaning of the FDCPA, as defined at 15 U.S.C. § 1692a(6).

7. Penn uses one or more instrumentalities of interstate commerce or the mails in its business, the principal purpose of which is the enforcement of security interests.

STATEMENT OF FACTS

1. Facts Regarding Nitti.

8. Penn sent to Nitti the "Broken Promise" letters attached as Exhibit A, on February 1, 2016. The letters were received by Nitti sometime after February 1, 2016.

9. Penn's letters were "an attempt to collect a debt." The letters stated that, "It is important that you either make payment or contact our office today." The letters listed a total of 21 debts allegedly owed to the Virginia Department of Taxation. At least one of the debts was for Virginia individual income tax that was first assessed more than seven years prior to the date of the letters.

10. Nitti did not owe the Virginia individual income tax debt that was listed in the letters because collection of the debt was time-barred. Va.Code § 58.2-1802.1 provides that the limitations period for collection of Virginia state taxes is seven years. The statute states (*italics added*):

Where the assessment of any tax imposed by this subtitle has been made within the period of limitation

properly applicable thereto, such tax may be collected by levy, by a proceeding in court, or by another means available to the tax commissioner under the laws of the commonwealth, *but only if such collection effort is made or instituted within seven years from the date of the assessment of such tax.*

2. Facts Regarding Penn's Regular Practices.

11. Penn regularly sends to Virginia residents collection letters seeking to attempt to collect time-barred Virginia income tax debts.

12. Penn is aware that there is a seven-year statute of limitations for the collection of Virginia individual income tax liabilities because it has received complaints from other Virginia residents regarding Penn's attempt to collect time-barred debts from the complaining Virginia residents.

13. Penn does not investigate, or have any procedure to verify, whether the Virginia individual income tax debts that it attempts to collect are time-barred. Under its contract with the Virginia Department of Taxation, the Virginia Department of Taxation uploads into a computer system a list of the persons from whom it seeks to collect tax debts, and Penn sends letters on its letterhead to those persons, with no intervention by Penn.

ALLEGATIONS REGARDING THE PROPOSED CLASS ACTION

14. Pursuant to Rule 23 of the Federal Rules of Civil Procedure, Nitti brings this action for himself and on behalf of a class initially defined as:

The Class

- (a) All persons, nationwide, to whom Penn sent, within the one year preceding the filing of this Complaint, a letter attempting to

collect a Virginia individual income tax liability,

- (b) Which was assessed more than seven years prior to the date of Penn's letter.

15. *Numerosity, Fed. R. Civ. P. 23(a)(1)*. Upon information and belief, the class members are so numerous that joinder of all class members individually is impractical. The names and addresses of the class members are identifiable through the internal business records maintained by Penn and the class members may be notified of the pendency of this action by published and/or mailed notice.

16. *Predominance of Common Questions of Law and Fact, Fed. R. Civ. P. 23(a)(2)*. Common questions of law and fact exist as to all members of the putative class. These questions predominate over the questions affecting only individual class members. The principal issues are:

- (a) Whether Penn is a debt collector;
- (b) Whether Penn mailed a letter attempting to collect individual income tax from members of the class;
- (c) Whether Penn's letters would have misled the least sophisticated consumer who received the Notice into believing that the tax debt could still be collected.

17. *Typicality, Fed. R. Civ. P. 23(a)(3)*. Nitti's claims are typical of the claims of each putative class member. In addition, Nitti is entitled to relief under the same causes of action as the other members of the putative class. All are based on the same facts and legal theories.

18. *Adequacy of Representation, Fed. R. Civ. P. 23(a)(4)*.

Nitti is an adequate representative of the putative class, because his interests coincide with, and are not antagonistic to, the interests of the members of the class he seeks to represent; he has retained counsel competent and experienced in such litigation; and he has and intends to continue to prosecute the action vigorously. Nitti and his counsel will fairly and adequately protect the interests of the members of the Class. Neither Nitti nor his counsel have any interests which might cause him not to vigorously pursue this action.

19. *Superiority, Fed. R. Civ. P. 23(b)(3)*. Questions of law and fact common to the class members predominate over questions affecting only individual members, and a class action is superior to other available methods for fair and efficient adjudication of the controversy. The damages sought by each member are such that individual prosecution would prove too burdensome and expensive for individual class members to litigate, which would allow Nitti to continue to violate the law with impunity. It would be virtually impossible for members of the class individually to effectively redress the wrongs done to them. Even if the members of the class themselves could afford such individual litigation, it would be an unnecessary burden on the courts. Furthermore, individualized litigation presents a potential for inconsistent or contradictory judgments and increases the delay and expense to all parties and to the court system presented by the legal and factual issues raised by defendant's conduct. By contrast, the class action device will result in substantial benefits to the

litigants and the Court by allowing the Court to resolve numerous individual claims based upon a single set of proof in this case.

20. *Injunctive Relief Appropriate for the Class, Fed. R. Civ. P. 23(b)(2)*. Class certification is appropriate because Penn has acted on grounds generally applicable to the class, making appropriate the grant of equitable injunctive relief with respect to Nitti and the class members.

COUNT ONE

(VIOLATION OF THE FDCPA, 15 U.S.C. § 1692e)

(By Nitti, Personally, and in his capacity as
representative of the Class)

21. Plaintiff incorporates the allegations of paragraphs 1-20 herein.

22. Penn's letters were an attempt to collect a debt because the letters state that, "This is an attempt to collect a debt," and the letters have no purpose other than to seek to collect payment from the addressee of the letters.

23. Penn's letters sent to Nitti would have misled the least sophisticated consumer into believing that Penn and the Virginia Department of Taxation still had the right to collect the individual income tax debts listed in the letters, even though the individual income tax debts were time-barred.

23. Accordingly, Penn violated 15 U.S.C. § 1692e by attempting to collect a debt from Nitti, and each member of the class, through misleading means. Penn's letters would have been misleading to the least sophisticated consumer whose individual income tax debt was time-barred from collection that neither Penn

nor the Virginia Department of Taxation could take any action to collect the debt if the consumer did not pay the debt.

24. WHEREFORE Nitti, individually, and as class representative, is entitled to judgment against Penn, is entitled to an injunction against Penn, permanently enjoining Penn from violating 15 U.S.C. § 1692e by sending collection letters attempting to collect time-barred Virginia individual income tax debt, is entitled to an award of statutory damages in the amount of \$1000.00 for himself and for each class member and an award of his reasonable attorney fees and costs, pursuant to 15 U.S.C. § 1692k.

COUNT TWO

(VIOLATION OF THE FD CPA, 15 U.S.C. § 1692f)

(By Nitti, Personally, and in his capacity as representative of the class)

25. Plaintiff incorporates the allegations of paragraphs 1-20 herein.

26. Penn's letters were an attempt to collect a debt because the letters state that, "This is an attempt to collect a debt," and the letters have no purpose other than to seek to collect payment from the addressee of the letters.

27. Penn's letters were unfair and unconscionable because they sought to induce the least sophisticated consumer into believing that such consumer still owed a Virginia individual income tax debt that could be collected even though more than seven years had elapsed since the assessment of the tax liability, and the tax liability was no longer collectable.

28. Penn's letters were unfair and unconscionable because the letters falsely informed Nitti, and the members of the class, that the debt was collectable, when the debt was not collectable, and the letters sought to shame Nitti, and the members of the class, into paying the debt because they had "broken" their "promise," even though the statute of limitations to collect the debt had expired.

29. Accordingly, Nitti violated 15 U.S.C. § 1692f by attempting to collect a debt and obtain money from Nitti, and each member of the class, that was not owed, through unfair and unconscionable means.

30. WHEREFORE Nitti, individually, and as class representative, is entitled to judgment against Penn, is entitled to an injunction against Penn, permanently enjoining Penn from violating 15 U.S.C. § 1692f by sending letters to consumers in an attempt to collect time-barred Virginia individual income tax debt, is entitled to an award of statutory damages in the amount of \$1000.00 for himself and for each class member and an award of his reasonable attorney fees and costs, pursuant to 15 U.S.C. § 1692k.

JURY TRIAL

The Plaintiff demands trial by jury.

Respectfully Submitted,

ROBERT A. NITTI

By: /s/ Gary M. Bowman

Gary M. Bowman, Esq.
VSB No. 28866
2728 Colonial Ave., Ste. 100
Roanoke, Virginia 24015
Tel: (540) 343-1173
Fax: (540) 343-1157

EXHIBIT A

PennCredit

Corporation

Hours: Mon-Thur 8am-10pm EST
Fri 8am-8pm, Sat 8am-12pm EST
Phone: 800-900-1393

02/01/16

CLIENT: Virginia Dept. of Taxation
ID NUMBER: ██████████
TOTAL BALANCE DUE: \$155.48



BROKEN PROMISE

You have not made your payment as promised. It is important that you either make payment or contact our office today

Please note the amount referenced above does not include accruing interest. For current balance or payoff please call our office at the number listed above.

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

SERVICE RENDERED	SERVICE DATE	ACCOUNT NUMBER	BALANCE
STATE OF VIRGINIA TAXES INDIVIDUAL INCOME	2003/12/31	██████████	\$155.48



DETACH AND RETURN WITH PAYMENT TO EXPEDITE CREDIT TO YOUR ACCOUNT

P.O. Box 1259, Department 91047
Oaks, PA 17456
CHANGE SERVICE REQUESTED



IF PAYING BY VISA, MASTERCARD OR DISCOVER, FILL OUT BELOW			
<input type="checkbox"/> VISA	<input type="checkbox"/> MASTERCARD	<input type="checkbox"/> DISCOVER	EXP. DATE
AMOUNT		AMOUNT	

Visit <http://account.penncredit.com> to pay your bill online.

Payments received by check will be electronically deposited, unless you pay by non-consumer type check. You may opt out of this program by paying with a money order or a travelers check. In the unlikely event your check (payment) is returned unpaid, we may elect to electronically (or by paper draft) re-present your check (payment) up to two more times. You also understand and agree that we may collect a return processing charge by the same means, in an amount not to exceed that as permitted by state law.

ID NUMBER: Q0040237 02/01/16

02/01/16



ROBERT A NITTI
██████████
APPOMATTOX VA 24522-0184

91203-970

PENN CREDIT
916 S 14th ST
PO BOX 988
HARRISBURG PA 17108-0988



1 of 1

91203-CBPPA-970

PennCredit

Corporation

Hours: Mon-Thur 8am-10pm EST
Fri 8am-8pm, Sat 8am-12pm EST
Phone: 800-900-1393

02/01/16

CLIENT: Virginia Dept. of Taxation
ID NUMBER: [REDACTED]
TOTAL BALANCE DUE: \$86,459.67



BROKEN PROMISE

You have not made your payment as promised. It is important that you either make payment or contact our office today

Please note the amount referenced above does not include accruing interest. For current balance or payoff please call our office at the number listed above.

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

SERVICE RENDERED	SERVICE DATE	ACCOUNT NUMBER	BALANCE
STATE OF VIRGINIA TAXES CONVERTED ASSESSMENT	1999/12/31	[REDACTED] 0000	\$3,857.10
STATE OF VIRGINIA TAXES CONVERTED ASSESSMENT	1999/12/31	[REDACTED] 0000	\$336.58
STATE OF VIRGINIA TAXES CONVERTED ASSESSMENT	2000/03/31	[REDACTED] 0000	\$106.95
STATE OF VIRGINIA TAXES CONVERTED ASSESSMENT	1999/08/31	[REDACTED] 0000	\$79.55
STATE OF VIRGINIA TAXES CONVERTED ASSESSMENT	1999/09/30	[REDACTED] 0000	\$5,285.90
STATE OF VIRGINIA TAXES CONVERTED ASSESSMENT	2000/02/29	[REDACTED] 0000	\$956.66
STATE OF VIRGINIA TAXES CONVERTED ASSESSMENT	1999/12/31	[REDACTED] 0000	\$1,388.83
STATE OF VIRGINIA TAXES CONVERTED ASSESSMENT	1999/12/31	[REDACTED] 0000	\$115.86
STATE OF VIRGINIA TAXES CONVERTED ASSESSMENT	1999/01/31	[REDACTED] 0000	\$1,734.39
STATE OF VIRGINIA TAXES CONVERTED ASSESSMENT	1999/02/28	[REDACTED] 0000	\$1,600.60
STATE OF VIRGINIA TAXES CONVERTED ASSESSMENT	1999/03/31	[REDACTED] 0000	\$1,330.69
STATE OF VIRGINIA TAXES CONVERTED ASSESSMENT	1999/04/30	[REDACTED] 0000	\$2,261.40
STATE OF VIRGINIA TAXES CONVERTED ASSESSMENT	1999/05/31	[REDACTED] 0000	\$1,678.67
STATE OF VIRGINIA TAXES CONVERTED ASSESSMENT	1999/06/30	[REDACTED] 0000	\$828.15
STATE OF VIRGINIA TAXES CONVERTED ASSESSMENT	1999/12/31	[REDACTED] 0000	\$5,145.05
STATE OF VIRGINIA TAXES CONVERTED ASSESSMENT	2000/02/29	[REDACTED] 0000	\$1,770.76
STATE OF VIRGINIA TAXES CONVERTED ASSESSMENT	1999/09/30	[REDACTED] 0000	\$20,632.61
STATE OF VIRGINIA TAXES CONVERTED ASSESSMENT	1999/09/30	[REDACTED] 0000	\$33,319.21
STATE OF VIRGINIA TAXES CONVERTED ASSESSMENT	1999/12/31	[REDACTED] 0000	\$3,011.61
STATE OF VIRGINIA TAXES CONVERTED ASSESSMENT	2000/02/29	[REDACTED] 0000	\$809.00



DETACH AND RETURN WITH PAYMENT TO EXPEDITE CREDIT TO YOUR ACCOUNT

P.O. Box 1259, Department 91047
Oaks, PA 17456
CHANGE SERVICE REQUESTED



IF PAYING BY VISA, MASTERCARD OR DISCOVER, FILL OUT BELOW		
<input checked="" type="checkbox"/> VISA	<input type="checkbox"/> MASTERCARD	<input type="checkbox"/> DISCOVER
EXPIRATION DATE	EXP. DATE	
SIGNATURE	ADDRESS	

Visit <http://account.penncredit.com> to pay your bill online.

Payments received by check will be electronically deposited, unless you pay by non-consumer type check. You may opt out of this program by paying with a money order or a travelers check. In the unlikely event your check (payment) is returned unpaid, we may elect to electronically (or by paper draft) re-present your check (payment) up to two more times. You also understand and agree that we may collect a return processing charge by the same means, in an amount not to exceed that as permitted by state law.

ID NUMBER: Q0040237 02/01/16

2000



ROBERT A NITTI
[REDACTED]
APPOMATTOX VA 24522-0284

91203-988

PENN CREDIT
916 S 14th ST
PO BOX 788
HARRISBURG PA 17106-0788



3 of 1

91203-CBPPA-988

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

ROBERT A. NITTI

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

(c) Attorneys (Firm Name, Address, and Telephone Number)
GARY M. BOWMAN, ESQ.
2728 COLONIAL AVE., STE. 100
ROANOKE VA 24015 TEL: (540) 343-1173

DEFENDANTS

PENN CREDIT CORPORATION

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

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

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff
- 3 Federal Question (U.S. Government Not a Party)
- 2 U.S. Government Defendant
- 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

	PTF	DEF		PTF	DEF
Citizen of This State	<input checked="" type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in This State	<input type="checkbox"/> 4	<input 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	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <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 PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 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 checked="" 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 <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 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	PRISONER PETITIONS <input type="checkbox"/> Habeas Corpus: <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 <input type="checkbox"/> Other: <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	IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions		

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):
15 USC 1692e

Brief description of cause:
FAIR DEBT COLLECTION PRACTICES ACT

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ 1,000.00

CHECK YES only if demanded in complaint:
JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE
01/31/2017

SIGNATURE OF ATTORNEY OF RECORD
/s/ GARY M. BOWMAN

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: [Penn Credit Corporation Facing FDCPA Lawsuit](#)
