

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO.

KENNETH J. PARSONS, *on behalf of himself
and all others similarly situated,*

Plaintiff,

v.

ADVANCED CALL CENTER TECHNOLOGIES, LLC,
a Georgia Limited Liability Company,

Defendant.

CLASS ACTION COMPLAINT

1. Plaintiff, Kenneth J. Parsons, alleges violations of the *Fair Debt Collection Practices Act*, 15 U.S.C. §1692 *et seq.* (“FDCPA”).

JURISDICTION AND VENUE

2. This Court has jurisdiction under 28 U.S.C. §1331, and 15 U.S.C. §1692k. Venue in this District is proper because Plaintiff resides here, and Defendant conducts business in this District.

PARTIES

3. Plaintiff, Kenneth J. Parsons (“Plaintiff”), is a natural person and citizen of the State of Florida, residing in Saint Lucie County, Florida.

4. Defendant, Advanced Call Center Technologies, LLC (“Defendant”), is a Georgia Limited Liability Company engaged in the business of collecting consumer debts, which operates from offices located at 1235 Westlakes Drive, Suite 160, Berwyn, Pennsylvania 19312.

5. Defendant regularly uses the United States Postal Service and telephone in the collection of consumer debt.

6. Defendant regularly collects or attempts to collect debts for other parties. Defendant is a “debt collector” as defined in the *FDCPA*.

7. At all times material to the allegations of this Complaint, Defendant was acting as a debt collector with respect to the collection of Plaintiff’s alleged debt.

FACTUAL ALLEGATIONS

8. Defendant sought to collect from Plaintiff an alleged debt incurred by Plaintiff for personal, family, or household purposes; more specifically, the debt at issue was a delinquent credit card debt.

9. On or about September 20, 2017, Defendant sent a letter to Plaintiff that sought to collect an alleged debt due to Synchrony Bank (the “Demand Letter”). Attached hereto as “Exhibit 1.”

10. The Demand Letter was Defendant’s initial communication with Plaintiff with respect to the debt alleged therein.

11. The Defendant’s Demand Letter stated in part:

FIRST NOTICE

XXXX

If circumstances are preventing you from paying the Amount Currently Due referenced above, please call our office today at 844-458-3452 so that we may assist you in resolving this matter.

XXXX

If you notify this office in writing within 30 days from receiving this notice, this office will: obtain verification of the debt or obtain a copy of a judgment and mail you a copy of such judgment or verification.

12. Pursuant *15 U.S.C §1692g(a)* Defendant must provide Plaintiff with:

Validation of debts

(a) Notice of debt; contents

Within five days after the initial communication with a consumer in connection with the collection of any debt, a debt collector shall, unless the following information is contained in the initial communication or the consumer has paid the debt, send the consumer a written notice containing—

(1) the amount of the debt;

(2) the name of the creditor to whom the debt is owed;

(3) a statement that unless the consumer, within thirty days after receipt of the notice, disputes the validity of the debt, or any portion thereof, the debt will be assumed to be valid by the debt collector;

(4) a statement that if the consumer notifies the debt collector in writing within the thirty-day period **that the debt, or any portion thereof**, is disputed, the debt collector will obtain verification of the debt or a copy of a judgment against the consumer and a copy of such verification or judgment will be mailed to the consumer by the debt collector; and

(5) a statement that, upon the consumer's written request within the thirty-day period, the debt collector will provide the consumer with the name and address of the original creditor, if different from the current creditor.

(Emphasis added).

13. *15 U.S.C. §1692e(10)* states:

A debt collector may not use any false, deceptive, or misleading representation or means in connection with the collection of any debt. Without limiting the general application of the foregoing, the following conduct is a violation of this section:

XXXX

(10) The use of any false representation or deceptive means to collect or attempt to collect any debt or to obtain information concerning a consumer.

14. Defendant's Demand Letter falsely and misleadingly pronounces the verification rights of Plaintiff provided by *15 U.S.C. §1692g*. Defendant's statement "If you notify this office in writing within 30 days from receiving this notice, this office will: obtain verification of the debt or obtain a copy of a judgment and mail you a copy of such judgment or verification." omits that the Plaintiff's written notification must dispute the debt or any portion thereof, as stated in *15 U.S.C. §1692g(4)*.

15. In addition, Defendant's statement "If you notify this office in writing within 30 days from receiving this notice, this office will: obtain verification of the debt or obtain a copy of a judgment and mail you a copy of such judgment or verification." is misleading and confusing as it is subject to more than one interpretation. Defendant's statement does not inform the Plaintiff of what they need to notify Defendant's office of, i.e. that they need to dispute the debt or any portion thereof, as opposed to, for example, writing to notify the Defendant that the consumer cannot afford to make any payment on the debt.

16. Any potential *bona fide* error defense which relies upon Defendant's mistaken interpretation of the legal duties imposed upon it by the *FDCPA* would fail as a matter of law.

CLASS ACTION ALLEGATIONS
AS TO DEFENDANT

17. This action is brought on behalf of a Class consisting of (i) all persons with addresses in the State of Florida (ii) to whom initial communication letters that contained the language: "If you notify this office in writing within 30 days from receiving this notice, this office will: obtain verification of the debt or obtain a copy of a judgment and mail you a copy of such judgment or verification." and "If circumstances are preventing you from paying the Amount

Currently Due referenced above, please call our office today at 844-458-3452 so that we may assist you in resolving this matter.” (iii) that were mailed, or caused to be mailed, by the Defendant (iv) and were not returned undeliverable by the U.S. Post Office (v) in an attempt to collect a debt incurred for personal, family, or household purposes (vi) during the one-year period prior to the filing of the original Complaint in this action.

18. Plaintiff alleges on information and belief, based upon the Defendant’s use of the phrase: “If you notify this office in writing within 30 days from receiving this notice, this office will: obtain verification of the debt or obtain a copy of a judgment and mail you a copy of such judgment or verification.” and “If circumstances are preventing you from paying the Amount Currently Due referenced above, please call our office today at 844-458-3452 so that we may assist you in resolving this matter.” in its initial communication letters served upon the Class, is so numerous that joinder of all members of the Class is impractical.

19. There are questions of law or fact common to the Class, which common issues predominate over any issues involving only individual Class members. The factual issue common to each Class member is that each was served with an initial communication letter by Defendant that contained the phrase: “If you notify this office in writing within 30 days from receiving this notice, this office will: obtain verification of the debt or obtain a copy of a judgment and mail you a copy of such judgment or verification.” and “If circumstances are preventing you from paying the Amount Currently Due referenced above, please call our office today at 844-458-3452 so that we may assist you in resolving this matter.” The common principal legal issue is whether Defendant’s wording violated the *FDCPA* by giving the incorrect validation notice required by *15 U.S.C. §1692g* after an “initial communication” by a debt collector and whether Defendant’s

request that the Plaintiff and the members of the Class “call our office today” violates *15 U.S.C. 1692g(b)* and overshadows the validation period allowed under *15 U.S.C. 1692g(a)*.

20. Plaintiff’s claims are typical of those of the Class members. All are based on the same facts and legal theories.

21. Plaintiff will fairly and adequately protect the interests of the Class. He has retained counsel experienced in handling actions involving unlawful practices under the *FDCPA* and Class actions. Neither Plaintiff nor his counsel have any interests which might cause them not to vigorously pursue this action.

22. Certification of the Class under *Rule 23(b)(3)* of the *Federal Rules of Civil Procedure* is also appropriate in that:

(1) The questions of law or fact common to the members of the class predominate over any questions affecting an individual member.

(2) A class action is superior to other available methods for the fair and efficient adjudication of the controversy.

23. Plaintiff requests certification of a Class under *Rule 23(b)(3)* of the *Federal Rules of Civil Procedure* for monetary damages; his appointment as Class Representative; and that his attorney Leo W. Desmond be appointed Class Counsel.

COUNT I
VIOLATION OF 15 U.S.C. § 1692g(a)(4)
CLASS CLAIM AGAINST DEFENDANT

24. Plaintiff re-alleges Paragraphs 1 through 16.

25. *15 U.S.C. §1692g(a)(4)* states after an initial communication the Defendant must provide Plaintiff with:

(4) a statement that if the consumer notifies the debt collector in writing within the thirty-day period that the debt, or any portion thereof, is disputed, the debt collector will obtain verification of

the debt or a copy of a judgment against the consumer and a copy of such verification or judgment will be mailed to the consumer by the debt collector; and

26. Defendant sent the Demand Letter to Plaintiff on behalf of Plaintiff's creditor in an attempt to collect a consumer debt, namely to collect alleged debts due to Plaintiff's credit card account.

27. Defendant's Demand Letter omits that the consumer, in order to receive the benefits provided by *15 U.S.C. §1692g(a)(4)*, must specifically dispute the debt or any portion thereof.

28. Defendant's statement in its Demand Letter only states that the Plaintiff needs to "notify" Defendant's office, however it does not inform the Plaintiff of what he needs to "notify" Defendant's office of, i.e. that the consumer needs to dispute the amount of the debt, or any portion thereof, to receive verification of the debt or a copy of a judgment if one exists.

29. Defendant's statement "If you notify this office in writing within 30 days from receiving this notice, this office will: obtain verification of the debt or obtain a copy of a judgment and mail you a copy of such judgment or verification." could mislead the least sophisticated consumer to believe that he or she could notify Defendant's office in writing of their inability to pay the debt or to request a payment plan and the Defendant would send the consumer verification of the debt pursuant to the statute, and while not stated, invoke the protections afforded to consumers by *15 U.S.C. §1692g(b)*.

30. The request that Plaintiff and the Class "call our office today" overshadows the validation period allowed for under *15 U.S.C. §1692g(a)*.

31. As a result of Defendant's conduct, Plaintiff and the Class are entitled to an award of statutory damages pursuant to *15 U.S.C. §1692k*.

32. As a result of Defendant's conduct, Plaintiff and the Class are entitled to an award of costs and attorney fees pursuant to *15 U.S.C. §1692k*.

COUNT II
VIOLATION OF 15 U.S.C. §1692e
CLASS CLAIM AGAINST DEFENDANT

33. Plaintiff re-alleges Paragraphs 1 through 16 and Paragraphs 25 through 30.

34. *15 U.S.C. §1692e* states:

A debt collector may not use any false, deceptive, or misleading representation or means in connection with the collection of any debt. Without limiting the general application of the foregoing, the following conduct is a violation of this section:

XXXX

(10) The use of any false representation or deceptive means to collect or attempt to collect any debt or to obtain information concerning a consumer.

35. Defendant sent the Demand Letter to Plaintiff on behalf of Plaintiff's creditor in connection with the collection of a consumer debt, namely to collect an alleged debt due on Plaintiff's personal credit card account.

36. Defendant's Demand Letter omits that the consumer may dispute the debt, or any portion of the debt, in writing, despite the clear wording of *15 U.S.C. §1692g(a)(4)*.

37. Defendant's Demand Letter is a misstatement of *15 U.S.C. §1692g(a)(4)* that would be confusing and misleading to the least sophisticated consumer with regard to his/her legal rights as it omits to inform the Plaintiff (and the Class) that he/they must dispute the debt, or any portion thereof, in writing, in order to receive verification of the debt as well as the protections available pursuant to *15 U.S.C. §1692g(b)*.

38. Defendant's statement in its Demand Letter only states that the Plaintiff needs to "notify" Defendant's office, however it does not inform the Plaintiff of what he needs to "notify"

Defendant's office of, i.e. that the consumer needs to dispute the amount of the debt, or any portion of the debt, to receive verification of the debt or a copy of a judgment if one exists.

39. Defendant's statement "If you notify this office in writing within 30 days from receiving this notice, this office will: obtain verification of the debt or obtain a copy of a judgment and mail you a copy of such judgment or verification." could mislead the least sophisticated consumer to believe that he or she could notify Defendant's office in writing of their inability to pay the debt or to request a payment plan and the Defendant would send the consumer verification of the debt. Defendant's statement is susceptible to more than one interpretation.

40. As a result of Defendant's conduct, Plaintiff and the Class are entitled to an award of statutory damages pursuant to *15 U.S.C. §1692k*.

41. As a result of Defendant's conduct, Plaintiff and the Class are entitled to an award of costs and attorney's fees pursuant to *15 U.S.C. §1692k*.

COUNT III CLASS CLAIM
VIOLATION OF 15 U.S.C. §1692g(b)
CLASS CLAIM AGAINST DEFENDANT

42. Plaintiff re-alleges Paragraphs 1 through 16, Paragraphs 25 through 30, and Paragraphs 34 through 39.

43. *15 U.S.C. §1692g(b)* states:

(b) Disputed debts

If the consumer notifies the debt collector in writing within the thirty-day period described in subsection (a) of this section that the debt, or any portion thereof, is disputed, or that the consumer requests the name and address of the original creditor, the debt collector shall cease collection of the debt, or any disputed portion thereof, until the debt collector obtains verification of the debt or a copy of a judgment, or the name and address of the original creditor, and a copy of such verification or judgment, or name and address of the original creditor, is mailed to the consumer by the debt collector. Collection activities and communications that do not otherwise violate this subchapter may continue during the 30-day period

referred to in subsection (a) of this section unless the consumer has notified the debt collector in writing that the debt, or any portion of the debt, is disputed or that the consumer requests the name and address of the original creditor. **Any 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.**

(Emphasis added).

44. Pursuant to the *FDCPA*, the Demand Letter was an initial communication between Defendant and Plaintiff.

45. Defendant's statement "If circumstances are preventing you from paying the Amount Currently Due referenced above, please call our office **today** at 844-458-3452 so that we may assist you in resolving this matter." overshadows Plaintiff's verification right as provided by *15 U.S.C. §1692g*. (Emphasis added).

46. Defendant's statement instructing Plaintiff to contact the office "today" to allow Defendant to "assist [Plaintiff and the Class] in resolving this matter" creates a sense of urgency that overshadows the notice requirement of *15 U.S.C. §1692g(a)* by encouraging the Plaintiff and members of the Class to disregard the required debt validation notice prescribed by *15 U.S.C. §1692(g)* and call Defendant immediately upon receiving the Demand Letter to arrange for payment.

47. The verification rights provided by *15 U.S.C. §1692g* must be effectively conveyed to the consumer.

48. Defendant's demand that immediate arrangements be made for payment of the debt by use of the phrase in Defendant's Demand Letter "If circumstances are preventing you from paying the Amount Currently Due referenced above, please call our office today at 844-458-3452 so that we may assist you in resolving this matter." overshadows and contradicts Plaintiff's verification rights as provided by *15 U.S.C. §1692g(a)*.

49. As a result of Defendant's conduct, Plaintiff and the Class are entitled to an award of statutory damages pursuant to *15 U.S.C. §1692k*.

50. As a result of Defendant's conduct, Plaintiff and the Class are entitled to an award of costs and attorney's fees pursuant to *15 U.S.C. §1692k*.

WHEREFORE, Plaintiff requests that the Court enter judgment in his favor against Defendant for:

- a. An Order certifying this matter as a Class action and appointment of Plaintiff as Class Representative as to all claims against Defendant;
- b. An Order appointing Leo W. Desmond as Class Counsel;
- c. An award of statutory damages for Plaintiff and the Class pursuant to *15 U.S.C. §1692k* for all Class claims;
- d. An award of attorney's fees, litigation expenses and costs of the instant suit; and
- e. Such other or further relief as the Court deems proper.

Dated: December 14, 2017.

Respectfully submitted,

/s/ Leo W. Desmond
Leo W. Desmond, Esquire
Florida Bar Number 0041920
DESMOND LAW FIRM, P.C.
5070 Highway A1A, Suite D
Vero Beach, Florida 32963
Telephone: 772.231.9600
Facsimile: 772.231.0300
lwd@desmondlawfirm.com
Attorney for Plaintiff

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.) NOTICE: Attorneys MUST Indicate All Re-filed Cases Below.

I. (a) PLAINTIFFS KENNETH J. PARSONS

DEFENDANTS ADVANCED CALL CENTER TECHNOLOGIES, LLC

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

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

(c) Attorneys (Firm Name, Address, and Telephone Number) Leo W. Desmond Desmond Law Firm, P.C. 5070 A1A, Suite d, Vero Beach, FL 32963772.231.9600

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED. Attorneys (If Known)

(d) Check County Where Action Arose: MIAMI-DADE MONROE BROWARD PALM BEACH MARTIN ST. LUCIE INDIAN RIVER OKEECHOBEE HIGHLANDS

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

- 1 U.S. Government Plaintiff Federal Question (U.S. Government Not a Party)
2 U.S. Government Defendant 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)

- Citizen of This State
Citizen of Another State
Citizen or Subject of a Foreign Country
PTF DEF
1 1 Incorporated or Principal Place of Business In This State
2 2 Incorporated and Principal Place of Business In Another State
3 3 Foreign Nation

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Grid of categories: CONTRACT, REAL PROPERTY, CIVIL RIGHTS, TORTS, PRISONER PETITIONS, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER STATUTES.

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding
2 Removed from State Court
3 Re-filed (See VI below)
4 Reinstated or Reopened
5 Transferred from another district (specify)
6 Multidistrict Litigation Transfer
7 Appeal to District Judge from Magistrate Judgment
8 Multidistrict Litigation - Direct File
9 Remanded from Appellate Court

VI. RELATED/ RE-FILED CASE(S)

(See instructions): a) Re-filed Case YES NO b) Related Cases YES NO JUDGE: DOCKET NUMBER:

VII. 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): Violations of the Fair Debt Collection Practices Act, 15 U.S.C. Section 1692 et seq. LENGTH OF TRIAL via 4 days estimated (for both sides to try entire case)

VIII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 DEMAND \$ 500,000.00 CHECK YES only if demanded in complaint: JURY DEMAND: Yes No

ABOVE INFORMATION IS TRUE & CORRECT TO THE BEST OF MY KNOWLEDGE

DATE December 14, 2017

SIGNATURE OF ATTORNEY OF RECORD

/s/ Leo W. Desmond FL Bar 0041920

FOR OFFICE USE ONLY

RECEIPT # AMOUNT IFP JUDGE MAG JUDGE

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading 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. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

I. (a) Plaintiffs-Defendants. Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.

(b) County of Residence. For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)

(c) Attorneys. Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".

II. Jurisdiction. The basis of jurisdiction is set forth under Rule 8(a), F.R.C.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.

United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.

United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.

Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.

Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; federal question actions take precedence over diversity cases.)

III. Residence (citizenship) of Principal Parties. This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.

IV. Nature of Suit. Place an "X" in the appropriate box. If the nature of suit cannot be determined, be sure the cause of action, in Section VI below, is sufficient to enable the deputy clerk or the statistical clerks in the Administrative Office to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive.

V. Origin. Place an "X" in one of the seven boxes.

Original Proceedings. (1) Cases which originate in the United States district courts.

Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.

Refiled (3) Attach copy of Order for Dismissal of Previous case. Also complete VI.

Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.

Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.

Multidistrict Litigation. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407. When this box is checked, do not check (5) above.

Appeal to District Judge from Magistrate Judgment. (7) Check this box for an appeal from a magistrate judge's decision.

Remanded from Appellate Court. (8) Check this box if remanded from Appellate Court.

VI. Related/Refiled Cases. This section of the JS 44 is used to reference related pending cases or re-filed cases. Insert the docket numbers and the corresponding judges name for such cases.

VII. Cause of Action. Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.**

Example: U.S. Civil Statute: 47 USC 553

Brief Description: Unauthorized reception of cable service

VIII. Requested in Complaint. Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.

Demand. In this space enter the dollar amount (in thousands of dollars) being demanded or indicate other demand such as a preliminary injunction.

Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.

Date and Attorney Signature. Date and sign the civil cover sheet.

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

UNITED STATES DISTRICT COURT

for the

Southern District of Florida

KENNETH J. PARSONS, on behalf of himself
and all others similarly situated

Plaintiff(s)

v.

ADVANCED CALL CENTER TECHNOLOGIES, LLC,
a Georgia Limited Liability Company

Defendant(s)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

ADVANCED CALL CENTER TECHNOLOGIES, LLC
c/o C T Corporation System (Registered Agent)
1200 South Pine Island Road
Plantation, Florida 33324

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:

Leo W. Desmond, Esquire
Desmond Law Firm, P.C.
5070 Highway A1A, Suite D
Vero Beach, FL 32963

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:

ADVANCED CALL CENTER TECHNOLOGIES, LLC

PO Box 9091
Gray, TN 37615-9091
844-458-3452
TTY#: 844-252-5490

ACCOUNT #: ENDING IN 7200
TOTAL ACCOUNT BALANCE: \$1,612.18
AMOUNT NOW DUE: \$278.00

STATEMENT DATE: September 20, 2017

RE: Walmart® MasterCard®

FIRST NOTICE

Dear Kenneth J Parsons:

This account has been listed with our office for collection.

This notice has been sent by a collection agency. This is an attempt to collect a debt, and any information obtained will be used for that purpose.

If the Amount Currently Due is paid to Synchrony Bank and your account is brought up to date, we will stop our collection activity. All payments should be made directly to Synchrony Bank using the enclosed envelope. Do not send payments to this office.

If circumstances are preventing you from paying the Amount Currently Due referenced above, please call our office today at 844-458-3452 so that we may assist you in resolving this matter. Our office hours are Monday – Thursday 8 am to 10 pm, Friday & Saturday 8 am to 8 pm and Sunday 11 am to 8 pm, Eastern Time Zone (EST).

Synchrony Bank may continue to add interest and fees as provided in your agreement. If you pay the balance shown above, an additional payment may be necessary to pay your account balance in full. Because of interest, late charges, credits or charges that may vary from day to day, the amount due on the day you pay may differ. For further information call 844-458-3452.

Unless you notify this office within 30 days after receiving this notice that you dispute the validity of the debt or any portion thereof, this office will assume this debt is valid. If you notify this office in writing within 30 days from receiving this notice, this office will: obtain verification of the debt or obtain a copy of a judgment and mail you a copy of such judgment or verification. If you request this office in writing within 30 days after receiving this notice, this office will provide you with the name and address of the original creditor, if different from the current creditor.

Very truly yours,
Advanced Call Center Technologies, LLC
844-458-3452
TTY#: 844-252-5490

PLEASE DETACH AND RETURN BOTTOM PORTION WITH YOUR PAYMENT

311

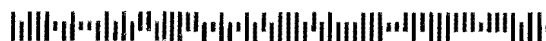
PO Box 9091
Gray, TN 37615-9091

STATEMENT DATE: 09/20/17
URL: www.walmart.com/credit
ACCOUNT #: ENDING IN 7200
TOTAL ACCOUNT BALANCE: \$1,612.18
AMOUNT NOW DUE: \$278.00



Kenneth J Parsons
PO Box 8911
Port St Lucie, FL 34985-8911

7266



Synchrony Bank/Walmart MasterCard
PO Box 960024
Orlando, FL 32896-0024

ClassAction.org

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