

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

JULIA PERLIN,

Plaintiff,

v.

QUEST DIAGNOSTICS
INCORPORATED, a foreign corporation;
and CCS GLOBAL HOLDINGS, INC. a
foreign corporation,

Defendant(s).

CASE NO.:

State Circuit Court Case No.:
CACE-22-011811

NOTICE OF REMOVAL

NOTICE OF REMOVAL

Pursuant to 28 U.S.C. Sections 1332, 1441 and 1446, Defendant Credit Control Services, Inc. d/b/a Credit Collection Services (“CCS”), incorrectly identified in Plaintiff’s Complaint as CCS Global Holdings, Inc., by and through its undersigned attorney of record, Gordon Rees Scully Mansukhani, LLP, hereby removes this action brought by Plaintiff, Julia Perlin, originally filed in the Circuit Court for the Seventeenth Judicial Circuit, in and for Broward County Florida, Case No.: CACE-22-01181, to the United States District Court for the Southern District of Florida, and CCS, reserving all defenses other than removal states as following in support:

1. On August 12, 2022, Plaintiff Julia Perlin (“Plaintiff”) filed a Class Action Complaint alleging causes of action in the Circuit Court for the Seventeenth

Judicial Circuit in and for Broward County, Florida, entitled and captioned: *Julia Perlin, on behalf of herself and all others similarly situated v Quest Diagnostics Incorporated, a foreign corporation, and CCS Global Holdings, Inc., a foreign corporate*, which was assigned Case No.: CACE-22-011811.

2. On or about August 25, 2022, CCS was served with the Complaint. Attached as **Exhibit A** is a copy of the Summons and Complaint in the State Court Action.

3. CCS has timely filed this Notice of Removal pursuant to 28 U.S.C. §1446(b).

4. Removal to this Court is proper pursuant to 28 U.S.C. §1441(a), which provides, in relevant part, that “any civil action brought in a State Court of which the district courts of the United States have original jurisdiction, may be removed by the Defendant or Defendants, to the district court of the United States for the district and division embracing the place where such action is pending.”

5. As more fully set forth below, this Court has original jurisdiction based upon diversity, all prerequisites for removal under 28 U.S.C. §1332 have been met, and this Court is vested with subject matter jurisdiction over this action.

6. Pursuant to 28 U.S.C. §1367, to the extent jurisdiction is not otherwise provided in this Notice, CCS respectfully requests that this Court exercise supplemental jurisdiction over Plaintiff’s state law claims.

7. Pursuant to 28 U.S.C. § 1446(d), written notice of the filing of this Notice of Removal will be given to Plaintiff, and a copy of the Notice of Removal

will be filed with the Circuit Court for the Seventeenth Judicial Circuit, in and for Broward County Florida, Case No.: CACE-22-011811.

8. Plaintiff, Julia Perlin, is a natural person and citizen of the state of Florida, residing in Broward County Florida.

9. Plaintiff, Julia Perlin filed her Complaint asserting damages greater than \$100,000. *See Exhibit A*, Civil Cover Sheet.

10. CCS is a foreign corporation with its principal place of business in Massachusetts.

11. Upon information and belief, Defendant Quest Diagnostics is a foreign corporation with its principal place of business in New Jersey.

12. CCS reserves all defenses including but not limited to those specified in FRCP 12(b).

13. CCS files with this Notice, true and correct copies of all pleadings filed in the above-captioned State action.

14. Written notice of the filing of this Notice of Removal on this date has been given to the Plaintiff, Julia Perlin, through Plaintiff's attorneys of record, Jordan A. Shaw, Esq., Zebersky Payne Shaw Lewenz, LLP, via electronic mail at jshaw@zpllp.com.

15. The undersigned certifies that the Defendant, CCS, has consented to the removal of this action from the Seventeenth Judicial Circuit Court of Broward County, Florida to the United States District Court, Southern District.

16. The undersigned further certifies that Defendant, Quest Diagnostics

Incorporated has consented to the removal of this action from the Circuit Court for the Seventeenth Judicial Circuit, Broward County, Florida to the United States District Court, Southern District. *Attached as **Exhibit B** is the Consent of Quest Diagnostics Incorporated.*

17. The undersigned counsel is authorized by CCS to file this Notice of Removal, is licensed in the State of Florida, and is a member in good standing of the Bar of this Court.

WHEREFORE, Defendant removes to this Court the above-entitled action, pending in the Circuit Court of the Seventeenth Judicial Circuit in and for Broward County, Florida, and requests this action be placed on the docket of this Court for further proceedings as though this action had originally been instituted in this Court. Additionally, Defendant respectfully requests that the docket of the Court notice this firm's representation of Defendant Credit Control Services, Inc., d/b/a Credit Collection Services for all further proceedings.

Dated: September 23, 2022

Respectfully submitted,

**GORDON REES
SCULLY MANSUKHANI, LLP**

By: /s/Chantel C. Wonder

Chantel C. Wonder
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Miami, FL 33131
Tel: (Direct) 813-523-4945
Facsimile 813-377-3505

*Attorneys for Defendant Credit Control
Services, Inc. d/b/a*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on September 23, 2022, a true and correct copy of the foregoing was electronically filed with the Clerk of the Court by using the CM/ECF system and was sent via electronic email to:

Jordan A. Shaw, Esq.
Zebersky Payne Shaw Lewenz, LLP
110 S.E. 6th Street, Suite 2900
Fort Lauderdale, FL 33301
jshaw@sp LLP.com
Attorney for Plaintiff

**GORDON REES
SCULLY MANSUKHANI, LLP**

By: /s/Chantel C. Wonder

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*Attorneys for Defendant Credit Control
Services, Inc d/b/a Credit Collection
Services*

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

I. (a) PLAINTIFFS

Julia Perlin

DEFENDANTS

Quest Diagnostics Inc. & CCS Global Holdings,

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

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

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

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

Attorneys (If Known)

Jordan A. Shaw - jshaw@spllp.com

Chantel C. Wonder - cwonder@grsm.com

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

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

- 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
4 4
5 5
6 6

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

Grid of categories: CONTRACT, REAL PROPERTY, TORTS, CIVIL RIGHTS, PRISONER PETITIONS, LABOR, IMMIGRATION, FORFEITURE/PENALTY, SOCIAL SECURITY, FEDERAL TAX SUITS, BANKRUPTCY, OTHER STATUTES. Includes items like 110 Insurance, 210 Land Condemnation, 310 Airplane, 440 Other Civil Rights, etc.

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 or 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):

FCCPA
LENGTH OF TRIAL via 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 \$ 100,000 CHECK YES only if demanded in complaint:

JURY DEMAND: Yes No

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

DATE SIGNATURE OF ATTORNEY OF RECORD

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. Nature of Suit. Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).

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.

EXHIBIT A

FORM 1.997. CIVIL COVER SHEET

The civil cover sheet and the information contained in it neither replace nor supplement the filing and service of pleadings or other documents as required by law. This form must be filed by the plaintiff or petitioner with the Clerk of Court for the purpose of reporting uniform data pursuant to section 25.075, Florida Statutes. (See instructions for completion.)

I. CASE STYLE

IN THE CIRCUIT/COUNTY COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT,
IN AND FOR BROWARD COUNTY, FLORIDA

Julia Perlin
Plaintiff

Case # _____
Judge _____

vs.

Quest Diagnostics Incorporated, CCS Global Holdings, Inc.
Defendant

II. AMOUNT OF CLAIM

Please indicate the estimated amount of the claim, rounded to the nearest dollar. The estimated amount of the claim is requested for data collection and clerical processing purposes only. The amount of the claim shall not be used for any other purpose.

- \$8,000 or less
- \$8,001 - \$30,000
- \$30,001- \$50,000
- \$50,001- \$75,000
- \$75,001 - \$100,000
- over \$100,000.00

III. TYPE OF CASE (If the case fits more than one type of case, select the most definitive category.) If the most descriptive label is a subcategory (is indented under a broader category), place an x on both the main category and subcategory lines.

CIRCUIT CIVIL

- Condominium
- Contracts and indebtedness
- Eminent domain
- Auto negligence
- Negligence—other
 - Business governance
 - Business torts
 - Environmental/Toxic tort
 - Third party indemnification
 - Construction defect
 - Mass tort
 - Negligent security
 - Nursing home negligence
 - Premises liability—commercial
 - Premises liability—residential
- Products liability
- Real Property/Mortgage foreclosure
 - Commercial foreclosure
 - Homestead residential foreclosure
 - Non-homestead residential foreclosure
 - Other real property actions
- Professional malpractice
 - Malpractice—business
 - Malpractice—medical
 - Malpractice—other professional
- Other
 - Antitrust/Trade regulation
 - Business transactions
 - Constitutional challenge—statute or ordinance
 - Constitutional challenge—proposed amendment
 - Corporate trusts
 - Discrimination—employment or other
 - Insurance claims
 - Intellectual property
 - Libel/Slander
 - Shareholder derivative action
 - Securities litigation
 - Trade secrets
 - Trust litigation

COUNTY CIVIL

- Small Claims up to \$8,000
- Civil
- Real property/Mortgage foreclosure

- Replevins
- Evictions
 - Residential Evictions
 - Non-residential Evictions
- Other civil (non-monetary)

COMPLEX BUSINESS COURT

This action is appropriate for assignment to Complex Business Court as delineated and mandated by the Administrative Order. Yes No

IV. REMEDIES SOUGHT (check all that apply):

- Monetary;
- Nonmonetary declaratory or injunctive relief;
- Punitive

V. NUMBER OF CAUSES OF ACTION: []

(Specify)

2

VI. IS THIS CASE A CLASS ACTION LAWSUIT?

- yes
- no

VII. HAS NOTICE OF ANY KNOWN RELATED CASE BEEN FILED?

- no
- yes If "yes," list all related cases by name, case number, and court.

N/A

VIII. IS JURY TRIAL DEMANDED IN COMPLAINT?

- yes
- no

IX. DOES THIS CASE INVOLVE ALLEGATIONS OF SEXUAL ABUSE?

- yes
- no

I CERTIFY that the information I have provided in this cover sheet is accurate to the best of my knowledge and belief, and that I have read and will comply with the requirements of Florida Rule of Judicial Administration 2.425.

Signature: s/ Jordan Alexander Shaw
Attorney or party

Fla. Bar # 111771
(Bar # if attorney)

Jordan Alexander Shaw
(type or print name)

08/10/2022
Date

IN THE CIRCUIT COURT FOR THE SEVENTEENTH JUDICIAL CIRCUIT
IN AND FOR BROWARD COUNTY FLORIDA

Case No.
CLASS REPRESENTATION

JULIA PERLIN, on behalf of
herself and all others similarly
situated,

Plaintiff,

-vs-

QUEST DIAGNOSTICS
INCORPORATED, a foreign
corporation, and CCS GLOBAL
HOLDINGS, INC., a foreign
corporation,

Defendants.
_____ /

CLASS ACTION COMPLAINT

Plaintiff, JULIA PERLIN ("Plaintiff"), hereby sues Defendants, QUEST DIAGNOSTICS INCORPORATED ("Quest Diagnostics"), and CCS GLOBAL HOLDINGS, INC. ("CCS") (collectively, "Defendants"), for damages and other legal and equitable remedies resulting from Defendants' violations of the Florida Consumer Collection Practices Act (the "FCCPA"), and in support thereof states the following.

INTRODUCTION

1. This case is one brought on behalf of consumers as a result of Defendants' billing practices in contravention of Florida law.
2. Plaintiff brings this action seeking damages against Defendants for abusive and illegal medical-debt collection practices. Indeed, as further elaborated *infra*, Defendants billed Plaintiff for medical services rendered in contravention of Florida's Workers' Compensation

(“Workers’ Comp”) statute and therefore in violation of the Florida Consumer Collection Practices Act (“FCCPA”).

3. Defendants have routinely and systematically attempted to collect payment for medical services from injured employees fully covered by Workers’ Comp in contravention of the statute.

4. Plaintiff brings this action on behalf of herself and all others similarly situated to prevent Defendants from enriching themselves at the expense of Florida consumers.

PARTIES, JURISDICTION, AND VENUE

5. This is an action for damages in excess of thirty thousand dollars (\$30,000.00), exclusive of attorneys’ fees and costs.

6. Plaintiff is a natural person and citizen of the state of Florida, residing in Broward County, Florida.

7. Quest Diagnostics is a foreign corporation incorporated in the State of New Jersey.

8. CCS is a foreign corporation incorporated in the State of Massachusetts.

9. Quest Diagnostics is a conglomerate comprising clinical laboratories that provide laboratory services to consumers across the United States, Mexico, and Brazil.

10. CCS is a debt collector that touts itself as “one of the nation’s largest and most respected collection firms.”

11. Defendants sent improper bills to Plaintiff in Broward County, Florida, attempting to collect an illegal debt in contravention of Florida law. They therefore committed a tort in the State of Florida and are subject to personal jurisdiction in the courts thereof.¹

¹ *Wendt v. Horowitz*, 822 So. 2d 1252 (Fla. 2002) (holding that committing a tortious act within the ambit of Florida’s long-arm statute can comprise a telephonic, electronic, or written

12. Venue is proper in this Court because the events or omissions giving rise to Plaintiff's claims occurred in Broward County, Florida.

13. Plaintiff is a "consumer" as defined by the FCCPA.

14. Defendant is a "person" as contemplated by the FCCPA.

15. Any necessary conditions precedent to bringing this action have either occurred or have been excused by Defendants.

LEGAL BACKGROUND
(WORKERS' COMP & THE FCCPA)

16. Florida's Workers' Compensation statutes prohibit medical providers from attempting to collect payments from employees that are injured in the course and scope of their employment. Injured employees are not liable for payment of these medical services.²

17. Providers attempting to collect payment from injured workers in violation of this protection also violate the FCCPA, which prohibits creditors from claiming, attempting, or threatening to enforce any debt that is not legitimate.³

18. The FCCPA, sections 559.55 through 559.785, Florida Statutes, was adopted to reinforce and augment the consumer rights established by federal law for individuals who owe money to others.

communication into Florida, provided that the tort alleged arises from such communications, which is exactly the case here).

² "A health care provider may not collect or receive a fee from an injured employee within this state." § 440.13(13)(a), Fla. Stat. (2021).

³ "In collecting consumer debts, no person shall . . . [c]laim, attempt, or threaten to enforce a debt when such person knows that the debt is not legitimate, or assert the existence of some other legal right when such person knows that the right does not exist." § 559.72(9), Fla. Stat. (2021).

19. The FCCPA does not limit or restrict the continued applicability of the federal Fair Debt Collection Practices Act to consumer collection practices in this state, but rather, is in addition to the requirements and regulations of the federal act.

20. In the event of any inconsistency between the FCCPA and any provision of the federal act, the provision which is more protective of the consumer or debtor shall prevail.

21. The FCCPA prohibits the collection of amounts that are not agreed to by contract or expressly provided for by law, in this case, the Workers' Comp Statute. In fact, the United States Eleventh Circuit Court of Appeals expressly held that to determine whether a violation exists under the FCCPA, section 559.72(9), Florida Statutes, courts must refer to other statutes that establish the legitimacy of the debt and define legal rights—statutes like section 440.13(13)(a), Florida Statutes.⁴

22. Importantly, a debt or consumer debt need not be in default or “in collection” to be encompassed by the FCCPA. Under section 559.55(1), “debt” or “consumer debt” is “any obligation or alleged obligation of a consumer to pay money arising out of a transaction in which the money, property, insurance, or services which are the subject of the transaction are primarily for personal, family, or household purposes, whether or not such obligation has been reduced to judgment.”

23. Defendants have routinely and systematically ignored the FCCPA and attempt to collect payment for medical services rendered directly from injured employees in violation of the FCCPA.

⁴ *Cliff v. Payco Gen. Am. Credits, Inc.*, 363 F.3d 1113, 1126 (11th Cir. 2004) (citations omitted); *Groves v. U.S. Bank*, 23 Fla. L. Weekly Fed. D 261 (U.S. M.D. Fla. 2011).

24. Quest Diagnostics has been repeatedly sued for the exact same allegations contained in the instant Complaint, and despite these lawsuits, Quest continues to engage in this illegal conduct.

25. A few examples include: a class action lawsuit in which Quest Diagnostics was alleged to have engaged in the exact same conduct that is at issue in the instant lawsuit. *See Sanchez v. Quest Diagnostics, Inc.*, Case No. 17-cv-20262-KMW (S.D. Fla. Jan. 20, 2017)

26. An individual action filed in Pinellas County, Florida for balance billing under Workers' Comp. *See Mekhail v. Quest Diagnostics Inc.*, Case No. 21-008901-SC (Fla. Pinellas Cty. Ct. 2021)

27. And another individual action filed for balance billing under Workers' Comp. *See Haynie v. Quest Diagnostics, Inc.*, Case No. 5020-19-SC-019779-XXXX-MB (Fla. Palm Beach Cty. Ct. 2019)

28. Finally, the Florida Supreme Court has definitively stated that any attempt to collect a workers' compensation debt from an injured worker is a per se violation of the Florida Consumer Collection Practices Act. *See Lab. Corp. of Am. v. Davis*, 339 So. 3d 318 (Fla. 2022).

FACTUAL ALLEGATIONS

29. Plaintiff, in the course and scope of her employment, was injured and sought medical care.

30. Plaintiff sought medical care for her injuries—injuries covered by her employer's Workers' Comp carrier—BroadSpire, Inc. ("BroadSpire").

31. As part of that medical care, Plaintiff sought Quest Diagnostics' services and incurred debt for medical services rendered. The debt, however, was covered by her Workers' Comp insurer—BroadSpire.

32. Upon information and belief, Plaintiff's Workers' Comp carrier, through an adjuster named Victor Albury, informed *both* Quest Diagnostics and CCS that the debt was covered by BroadSpire.

33. Defendants therefore had actual knowledge that the debt was covered by Workers' Comp.

34. Despite possessing actual knowledge that the debt was to be paid via workers compensation, Defendants acted jointly and in concert in an attempt to collect the alleged debt from Plaintiff.

35. Despite BroadSpire informing Defendants to submit the bill in proper format to BroadSpire, Defendants repeatedly sent collection letters and called Plaintiff demanding payment in full. A true and correct copy of Defendants' Bills to Plaintiff is attached hereto as **Composite Exhibit A**.

36. The alleged debt is a consumer debt, incurred for personal, family, or household purposes.

37. The FCCPA defines a "consumer" (i.e., Plaintiff) as "any natural person obligated **or allegedly obligated** to pay any debt." Sec. 559.55(8), Fla. Stat. (emphasis added).

38. Defendants have intimate knowledge of Florida's Workers' Comp's restrictions and had actual knowledge that this debt was illegitimate.

39. Defendants continue their collection efforts against Plaintiff, despite knowing that the debt is illegitimate and violates section 440.13(13)(a), Florida Statutes.

40. All conditions precedent to the filing of this action have occurred or have been waived.

41. As a result of Defendants' conduct, Plaintiff and members of the class suffered damages.

CLASS REPRESENTATION ALLEGATIONS

42. Plaintiff brings this action pursuant to Florida Rules of Civil Procedure 1.220(b)(1)(B) and 1.220(b)(3), on behalf of herself and the Classes of similarly situated individuals defined as follows:

Quest Diagnostics Subclass

All Florida residents within two (2) years preceding the filing of this action through the date of class certification, to whom Quest Diagnostics, or a third party acting on its behalf, sent a bill for medical-related fees, where such fees arose from a Workers' Compensation claim under chapter 440, Florida Statutes.

CCS Subclass

All Florida residents within two (2) years preceding the filing of this action through the date of class certification, to whom CCS, or a third party acting on its behalf, sent a bill for medical-related fees, where such fees arose from a Workers' Compensation claim under chapter 440, Florida Statutes.

Plaintiff anticipates the need to amend the class definitions following appropriate discovery.

43. **Class Exclusions:** The following people are excluded from the Classes: 1) any Judge or Magistrate presiding over this action and members of their families; 2) Defendants, Defendants' subsidiaries, parents, successors, predecessors, and any entity in which Defendants or its parents have a controlling interest and its current or former employees, officers and directors; 3) persons who properly execute and file a timely request for exclusion from the Classes; 4) the legal representatives, successors, or assigns of any such excluded persons; 5) Plaintiff's counsel and Defendants' counsel; and 6) any person whom Defendants can prove through affirmative evidence was properly billed because of a proper insurance denial due to no fault of Defendants.

44. **Numerosity (Rule 1.220(a)(1)):** Although Plaintiff does not know the exact size of the Classes, since said information is in the exclusive control of Defendants, it is evident that the Classes are so numerous that joinder of all members into one action is impracticable. Based upon the nature and scope of the conduct involved herein, and the information available from public records, Plaintiff states that the approximate number in these Classes is in excess of five hundred (500) putative members, who are most likely geographically dispersed throughout Florida.

45. **Typicality (Rule 1.220(a)(3)):** Plaintiff's claims are typical of the claims that would be asserted by other members of the Classes in that, in proving her claims, Plaintiff will simultaneously prove the claims of all Class members. Plaintiff and each Class member was charged an amount in excess of the amount legally permitted under Florida law. Plaintiff's claims are typical of those of all members of the Classes. Plaintiff and all members of the Classes were damaged by the same conduct of Defendants as complained of herein.

46. **Commonality (Rule 1.220(a)(2)):** Plaintiff's and Class members' claims raise predominantly factual and legal questions that can be answered for all Class members through a single Class-wide proceeding. Questions of law and fact arising out of Defendants' conduct are common to all members of the Classes, and such common issues of law and fact predominate over any questions affecting only individual members of the Classes. For example, to resolve the claims, it will be necessary to answer the following questions, each of which can be answered through common, generalized evidence:

- (a) Whether Defendants are engaging in billing consumers in violation of Florida Workers' Comp Statute;

- (b) Whether Defendants violated the FCCPA by balance billing patients in connection to Workers' Comp claims;
- (c) Whether Plaintiff and the Classes are entitled to actual damages as a result of Defendants' actions;
- (d) Whether Plaintiff and the Classes are entitled to statutory damages as a result of Defendants' actions;
- (e) Whether the Plaintiff and the Classes are entitled to attorney's fees and costs; and
- (f) Whether Defendants should be enjoined from engaging in such conduct in the future.

47. **Adequacy (Rule 1.220(a)(4)):** Plaintiff will fairly and adequately protect the interests of the Classes she represents because it is in her best interests to prosecute the claims alleged to obtain full redress due to her for the illegal conduct of which she complains. Her interests do not conflict with the interests of the respective Classes because one or more questions of law and/or fact regarding liability are common to all class members and by prevailing on her own claims, Plaintiff necessarily will establish liability to other class members. Plaintiff will fairly and adequately represent the interests of the Classes and has no interests that are antagonistic to the interests of Class members. Plaintiff has retained counsel experienced in class action litigation and complex civil litigation to prosecute this action on behalf of the Classes.

48. **Superiority (Rule 1.220(b)(3)):** With respect to Florida Rule of Civil Procedure 1.220(b)(3), a class action is the superior procedural vehicle for the fair and efficient adjudication of the claims asserted herein, given that Common questions of law and fact predominate over any individual questions that may arise, and significant economies of time, effort, and expense will

inure to the benefit of the Court and the parties in litigating the common issues on a Class-wide basis instead of a repetitive individual basis. Many Class members' individual damage claims are too small to make individual litigation an economically viable alternative, and few Class members have an interest in individually controlling the prosecution of a separate action. Despite the relatively small size of many individual Class members' claims, their aggregate volume, coupled with the economies of scale inherent in litigating similar claims on a common basis, will enable this case to be litigated as a Class action on a cost-effective basis, especially when compared with repetitive individual litigation. Given the size of individual Class members' claims, few Class members could afford to seek legal redress individually for the wrongs Defendants committed against them. When the liability of Defendants is adjudicated, claims of all members of the Classes can be determined by the Court. This action will facilitate the orderly and expeditious administration of the Classes' claims, economies of time, effort, and expense will be fostered and uniformity of outcome will be ensured. Without a class action, the Class members will continue to suffer damages and Defendants' violations of law will proceed without remedy while Defendants continue to reap and retain the proceeds of its wrongful conduct. And no unusual difficulties are likely to be encountered in the management of this class action. The forum is desirable because Plaintiff is located in and the acts or omissions giving rise to the claims occurred in Broward County, Florida.

49. **Ascertainability:** Members of the Classes can be identified, and Class membership ascertained objectively through Defendants' records, specifically, Plaintiff will be able to ascertain whether Defendants received notice of a workers' compensation claim and to whom Defendants sent billing statements after receipt of such notice.

50. Plaintiff satisfies the numerosity, commonality, typicality, and adequacy prerequisites for suing as a representative party pursuant to Florida Rule of Civil Procedure 1.220(a).

COUNT I
VIOLATION OF FCCPA, SECTION 559.72 (9), FLORIDA STATUTES
(as to Quest Diagnostics)

Plaintiff reaffirms, realleges, and incorporates by reference Paragraphs 1 through 50 above as if fully set forth herein.

51. By knowingly asserting the right to collect, and by attempting to collect from Plaintiff and the Class any amount in contravention of section 440.13(13)(a), Florida Statutes, Defendant claimed, attempted, or threatened to enforce a debt when Defendant knew that the debt was not legitimate, and asserted the existence of a legal right when Defendant knew that the right did not exist.

52. Defendant therefore violated the FCCPA, section 559.72(9), Florida Statutes.

53. As a direct and proximate result of Defendant's actions, Plaintiff suffered damages.

WHEREFORE, Plaintiff respectfully requests that this Court enter judgment in favor of Plaintiff and the Class, and against Defendant:

- a. certifying the instant case as a class action pursuant to Florida Rule of Civil Procedure 1.220;
- b. appointing Plaintiff as class representative and the undersigned attorneys as class counsel;
- c. awarding Plaintiff and the class actual and statutory damages pursuant to 559.77(2);
- d. awarding Plaintiff and the class attorneys' fees and litigation costs pursuant to 559.77(2); and

- e. awarding further relief as the Court deems just and proper.

COUNT II
VIOLATION OF FCCPA, SECTION 559.72 (9), FLORIDA STATUTES
(as to CCS)

Plaintiff reaffirms, realleges, and incorporates by reference Paragraphs 1 through 50 above as if fully set forth herein.

54. By knowingly asserting the right to collect, and by attempting to collect from Plaintiff and the Class any amount in contravention of section 440.13(13)(a), Florida Statutes, Defendant claimed, attempted, or threatened to enforce a debt when Defendant knew that the debt was not legitimate, and asserted the existence of a legal right when Defendant knew that the right did not exist.

55. Defendant therefore violated the FCCPA, section 559.72(9), Florida Statutes.

56. As a direct and proximate result of Defendant's actions, Plaintiff suffered damages.

WHEREFORE, Plaintiff respectfully requests that this Court enter judgment in favor of Plaintiff and the Class, and against Defendant:

- a. certifying the instant case as a class action pursuant to Florida Rule of Civil Procedure 1.220;
- b. appointing Plaintiff as class representative and the undersigned attorneys as class counsel;
- c. awarding Plaintiff and the class actual and statutory damages pursuant to 559.77(2);
- d. awarding Plaintiff and the class attorneys' fees and litigation costs pursuant to 559.77(2); and
- e. awarding further relief as the Court deems just and proper.

JURY TRIAL REQUEST

Plaintiff, individually, respectfully requests a jury trial on issues so triable.

Respectfully submitted this 10th day of August, 2022, by:

LAW OFFICES OF EVAN M. ROSEN, P.A.
2719 Hollywood Boulevard, B-224
Hollywood, FL 33020
Telephone: (754) 400-5150
Facsimile: (954) 400-5260
erosen@evanmrosen.com
For service: eservice@evanmrosen.com

By: /s/ Evan M. Rosen
EVAN M. ROSEN, ESQ.
Florida Bar No.: 120103

Co-Counsel for Plaintiff

CONSUMER LAW ORGANIZATION, P.A.
721 US Highway 1, Suite 201
North Palm Beach, Florida 33408
Telephone: (561) 822-3446
Facsimile: (305) 574-0132
Primary: dennis@cloorg.com
Secondary: karen@cloorg.com

By: /s/ J. Dennis Card Jr.
J. Dennis Card, Jr., Esq.
FL Bar No: 0487473

Co-Counsel for Plaintiff

ZEBERSKY PAYNE SHAW LEWENZ, LLP
110 SE 6th Street, Suite 2900
Fort Lauderdale, FL 33301
Telephone: (954) 989-6333
Facsimile: (954) 989-7781
Primary: jshaw@zpllp.com;
kslaven@zpllp.com
Secondary: mlomastro@zpllp.com;
msanchez@zpllp.com

By: /s/ Jordan A. Shaw
JORDAN A. SHAW, ESQ.
Florida Bar No.: 111771
KIMBERLY A. SLAVEN-HAETH, ESQ.
Florida Bar. No.: 117964

Co-Counsel for Plaintiff

COMPOSITE EXHIBIT A





Quest
Diagnostics™

Do not use address below:
P.O. Box 7308
Hollister, MO 65673-7308

Laboratory Invoice

For services not included in your physician's bill

AB 01 069817 02730 B 190 A

 MIA 00027195 3248712 8224509566 0
 JULIA PERLIN


Invoice Date	Amount Due	Due Date
Sep. 17, 2020	\$89.99	UPON RECEIPT

Invoice Number: **8224509566**
 Lab Code: **MIA**
 Patient Name: **JULIA PERLIN**
 Responsible Party: **JULIA PERLIN**
 Date of Service: **September 03, 2020**

Lab Results and Diagnosis Questions Must Be Answered By Your Physician.

Laboratory Tests Were Requested By:

Referring Physician: **HUSAIN, TARIK M**
 Physician Address: **4308 ALTON RD STE 940
 MIAMI BEACH, FL 33140**

Most Recent Insurance Claim Filed To:

Insurance Name:
 Insurance ID:
 Group Number:

Customer Service

LOG ON NOW at www.QuestDiagnostics.com/bill to conveniently pay your invoice, provide updated insurance information, or take a patient survey.

Pay by Phone: 1-800-488-8890 (24 hours/7 days)
Questions: 1-800-488-8890
 MON-TH 8:30AM-5:00PM; FRI 09:00 AM - 04:00 PM EST
 Se Habla Espanol!

Please have your invoice available for reference.

This invoice is for laboratory tests performed at the request of the referring physician. These charges are separate from your doctor's fees. If you have insurance coverage for the date of service listed, please contact us to provide your policy information. If payment is not received by the due date, we reserve the right to bill with any information we may have on file for you.

Date	CPT Code*	Test Description	Charge	Adjustment	Insurance Paid	Patient Paid	Patient Responsibility	Reason
09/03/20			\$89.99					
			\$89.99	\$0.00	\$0.00	\$0.00	\$89.99	

Tax ID: 38-2084239 ICD Codes:

Services Performed by: QUEST DIAGNOSTICS MIAMI MIRAMAR, FL

* The CPT codes provided are for information purposes only, and are based on AMA guidelines without regard to specific payer requirements

▲ Please fold and tear along perforation and remit with payment in the envelope provided. ▲



Quest
Diagnostics™

Pay your bill online securely at
QUESTDIAGNOSTICS.COM/BILL or call **1-800-488-8890**



Please make checks payable to QUEST DIAGNOSTICS.
 Be sure to include invoice number on your check.

Check here if address has changed.
 Please provide your new address information on the back.
 Quest Diagnostics reserves the right to assign this receivable to any of its affiliates.

Lab Code: MIA

Amount Due: \$89.99

Due Date: **UPON RECEIPT** Invoice Number: **8224509566**

Patient Name: **JULIA PERLIN**

Amount Enclosed \$

If you received an explanation of benefits showing your responsibility is less than the amount shown on this bill, please pay the lesser amount. To fully resolve your invoice, please provide a copy of your explanation of benefits.

MAIL PAYMENTS ONLY TO:

QUEST DIAGNOSTICS
 P.O. BOX 740781
 CINCINNATI, OH 45274-0781



01MIA51018224509566000089996091713301910135890000009



Laboratory Bill
For services not included in your physician's bill

Bill Date:	Amount Due:	Due Date:
Oct. 22, 2020	\$89.99	UPON RECEIPT
Bill Number	Lab Code	
8224509566	MIA	
Patient Name:	JULIA PERLIN	
Guarantor Name:	JULIA PERLIN	
Service Date:	September 03, 2020	

AB 01 079230 46238 B 207 A

 MIA 00027195 3248712 8224509566 1
 JULIA PERLIN

Lab Results and Diagnosis Questions Must Be Answered By Your Physician.

SECOND NOTICE

Payment for this bill is now past due.

Laboratory tests were requested by:
 Referring Physician: HUSAIN, TARIK M
 Physician Address: 4308 ALTON RD STE 940
 MIAMI BEACH, FL 33140

Most recent insurance claim filed to:
 Insurance Name:
 Insurance ID:
 Group Number:

Payment for this invoice is now past due. Please make payment immediately or contact us to provide your insurance policy information if you have coverage for the date of service listed. Because payment was not received by the due date, we reserve the right to bill with any information we may have on file for you. Prompt payment is appreciated. Thank you for using our laboratory. Please submit payment immediately.

Date	CPT Code*	Test Description	Charge	Adjustment	Insurance Paid	Patient Paid	Patient Responsibility	Reason
09/03/20			\$89.99					
Tax ID: 38-2084239 ICD Codes:			\$89.99	\$0.00	\$0.00	\$0.00	\$89.99	

Services Performed by: QUEST DIAGNOSTICS MIAMI MIRAMAR, FL

* The CPT codes provided are for information purposes only, and are based on AMA guidelines without regard to specific payer requirements

Pay Online: QuestDiagnostics.com/Bill to pay your bill or provide updated insurance information.

Pay by Phone: 1-800-488-8890 (24 hours a day/7 days a wk)

▲ Please fold and tear along perforation and remit with payment in the envelope provided. ▲



Pay your bill online securely at: QUESTDIAGNOSTICS.COM/BILL or call 1-800-488-8890

Make checks payable to Quest Diagnostics. Please include bill number on check.

Quest Diagnostics accepts most payment methods, including health savings accounts (HSA), debit, checking, and most major credit cards. Please visit QuestDiagnostics.com/Bill for more information.

Please provide your new address information on the back. Quest Diagnostics reserves the right to assign this receivable to any of its affiliates.

Lab Code: MIA

Amount due immediately: \$89.99

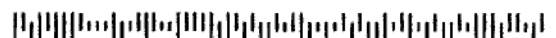
Due Date: UPON RECEIPT **Bill Number:** 8224509566

Patient Name: JULIA PERLIN

Amount enclosed:

If you received an explanation of benefits showing your responsibility is less than the amount shown on this bill, please pay the lesser amount. To fully resolve your bill, please provide a copy of your explanation of benefits.

MAIL PAYMENTS ONLY TO:
 QUEST DIAGNOSTICS
 P.O. BOX 740781
 CINCINNATI, OH 45274-0781



01MIA51018224509566000089996102223301910135890000007



Quest
Diagnostics™

Do not use address below:

P.O. Box 7306
Hollister, MO 65673-7306

Laboratory Bill

For services not included in your physician's bill

Bill Date:	Amount Due:	Due Date:
Nov 26 2020	\$89.99	UPON RECEIPT

Bill Number: **8224509566**
Lab Code: **MIA**

Patient Name: JULIA PERLIN
Guarantor Name: JULIA PERLIN
Service Date: September 03, 2020
Requested By: HUSAIN, TARIK M

AB 01 115916 94137 B 295 A



MIA 00027195 3248712 8224509566 6

JULIA PERLIN



THIRD NOTICE

Immediate Payment is Due

This notice is for lab tests ordered by your physician. Two bills requesting payment have already been sent, and payment has not been received. To prevent further collection efforts on the past due amount, please do not ignore this notice. Please pay immediately using one of our easy payment methods.

Amount due: **\$89.99**

Service Date: **09.03.2020**

Please pay today by one of the following methods:

- Automated phone system available 24 hours a day: **1-800-488-8890**
- Online at **QUESTDIAGNOSTICS.COM/BILL**
- Mail check with **payment slip below**

Questions: **1-800-488-8890**
Mon - Th 8:30 AM - 5:00 PM; Fri 9:00 AM - 4:00 PM

If you have Medicare, Railroad Medicare, or Medicaid as your primary or secondary insurance, please send us the information - see reverse side.

The CPT codes provided are based on American Medical Association guidelines and are for information purposes only. CPT coding is the sole responsibility of the billing party. Please direct any questions regarding coding to the payer being billed.

Quest Diagnostics Incorporated and its subsidiaries (Quest) complies with applicable Federal civil rights laws and does not discriminate on the basis of race, color, national origin, age, disability or sex.

▲ Please fold and tear along perforation and remit with payment in the envelope provided. ▲



Quest
Diagnostics™

Pay your bill online securely at:
QUESTDIAGNOSTICS.COM/BILL or call 1-800-488-8890

Make checks payable to **Quest Diagnostics**.
Please include bill number on check.

Quest Diagnostics accepts most payment methods, including health savings accounts (HSA), debit, checking, and most major credit cards. Please visit **QuestDiagnostics.com/Bill** for more information.

Please provide your new address information on the back.
Quest Diagnostics reserves the right to assign this receivable to any of its affiliates.

Lab Code: MIA

Amount due immediately:	\$89.99
Due Date: UPON RECEIPT	Bill Number: 8224509566

Patient Name: JULIA PERLIN

Amount Enclosed:	
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If you received an explanation of benefits showing your responsibility is less than the amount shown on this bill, please pay the lesser amount. To fully resolve your bill, please provide a copy of your explanation of benefits.



MAIL PAYMENTS ONLY TO:

QUEST DIAGNOSTICS
P.O. BOX 740781
CINCINNATI, OH 45274-0781



01MIA510182245095660000899611263330191013589000000

115916 1/2

AB 01 094711 32518 B 243 A

 MIA 00027195 3248712 8224509566 7
 JULIA PERLIN


Bill Date:	Amount Due:	Due Date:
09.03.2020	\$89.99	
Bill Number	Lab Code	
8224509566	MIA	
Patient Name:	JULIA PERLIN	
Guarantor Name:	JULIA PERLIN	
Service Date:	September 03, 2020	
Requested By:	HUSAIN, TARIK M	

FINAL NOTICE **NOTICE PRIOR TO SENDING TO COLLECTIONS**

Amount due immediately: \$89.99 **Service Date: 09.03.2020**

Notice of Delinquent Account

This is the final notice you will receive from our company regarding your delinquent account. At this point, your actions do not indicate any effort to resolve this account. We are now advising you that:

- Your account is seriously past due.
 - Lack of response or payment may result in your account being placed with a collection agency.
 - Placement with a collection agency may affect your credit score.
- To avoid communication from a collection agency, please pay today by one of the following methods:**
- Automated phone system available 24 hours a day: **1-800-488-8890**
 - Online at **QUESTDIAGNOSTICS.COM/BILL**
 - Mail: check with **payment slip below**

Questions: 1-800-488-8890 Please have this notice available when you call.
 Mon - Th 8:30 AM - 5:00 PM; Fri 9:00 AM - 4:00 PM

If you have Medicare, Railroad Medicare, or Medicaid as your primary or secondary insurance, please send us the information - see reverse side

The CPT codes provided are based on American Medical Association guidelines and are for informational purposes only. CPT coding is the sole responsibility of the billing party. Please direct any questions regarding coding to the payer being billed.

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Pay your bill online securely at:
QUESTDIAGNOSTICS.COM/BILL or call **1-800-488-8890**

Make checks payable to **Quest Diagnostics**.
 Please include bill number on check.


Quest Diagnostics accepts most payment methods, including health savings accounts (HSA), debit, checking, and most major credit cards. Please visit QuestDiagnostics.com/Bill for more information.

Please provide your new address information on the back.
 Quest Diagnostics reserves the right to assign this receivable to any of its affiliates.

Lab Code: MIA

Amount due immediately:	\$89.99
Patient Name: JULIA PERLIN	
Amount Enclosed:	

If you received an explanation of benefits showing your responsibility is less than the amount shown on this bill, please pay the lesser amount. To fully resolve your bill, please provide a copy of your explanation of benefits.

MAIL PAYMENTS ONLY TO:
 QUEST DIAGNOSTICS
 P.O. BOX 740781
 CINCINNATI, OH 45274-0781


01MIA51018224509566000089996123143301910135890000000

Julia Perlin Plaintiff vs. Quest Diagnostics Incorporated, et al Defendant

Broward County Case Number: CACE22011811
State Reporting Number: 062022CA011811AXXXCE
Court Type: Civil
Case Type: Contract and Indebtedness
Incident Date: N/A
Filing Date: 08/10/2022
Court Location: Central Courthouse
Case Status: Pending
Magistrate Id / Name: N/A
Judge ID / Name: 02 Bowman, John B.

- Party(ies)

Total: 3

Party Type	Party Name	? Address	? Attorneys / Address ★ Denotes Lead Attorney
Plaintiff	Perlin, Julia		★ Rosen, Evan M Retained Bar ID: 120103 2719 Hollywood Blvd. Ste. B-224 Hollywood, FL 33020 Status: Active
Defendant	Quest Diagnostics Incorporated		
Defendant	CCS Global Holdings, Inc.		











- Disposition(s)

Total: 0

Date	Statistical Closure(s)		
Date	Disposition(s)	View	Page(s)

- Event(s) & Document(s)

Total: 11

Date	Description	Additional Text	View	Pages
09/20/2022	Order Extending Time	Defendant, CREDIT CONTROL SERVICES, INC., d/b/a CREDIT COLLECTION SERVICES /GRANTED		2
09/14/2022	Motion for Extension of Time			3
09/12/2022	Summons Returned Served	08-25-2022 Party: <i>Defendant</i> Quest Diagnostics Incorporated		3
08/31/2022	Notice of Appearance	OF COUNSEL AND DESIGNATION OF ELECTRONIC MAIL ADDRESSES Party: <i>Plaintiff</i> Perlin, Julia		2
08/26/2022	Summons Returned Served	8/25/2022 Party: <i>Defendant</i> CCS Global Holdings, Inc.		3
08/12/2022	eSummons Issuance	CCS GLOBAL HOLDINGS, INC		2
08/12/2022	eSummons Issuance	QUEST DIAGNOSTICS INCORPORATED		2
08/11/2022	Clerk's Certificate of Compliance W-2020-73CIV/2020-74-UFC	NONE		1
08/10/2022	Per AOSC20-23 Amd12, Case is determined General			
08/10/2022	Civil Cover Sheet	Amount: \$100,001.00		3
08/10/2022	Complaint (eFiled)	CLASS ACTION Party: <i>Plaintiff</i> Perlin, Julia		18

— Hearing(s)

Total: 0

There is no Disposition information available for this case.

■ Related Case(s)

Total: 0

There is no related case information available for this case.

IN THE CIRCUIT COURT FOR THE SEVENTEENTH JUDICIAL CIRCUIT
IN AND FOR BROWARD COUNTY FLORIDA

JULIA PERLIN, on behalf of herself
and all others similarly situated,

Case No.: CACE-22-011811

Plaintiff,

CLASS REPRESENTATION

vs.

QUEST DIAGNOSTICS INCORPORATED,
a foreign corporation; and CCS GLOBAL
HOLDINGS, INC. a foreign corporation,

Defendants.

_____ /

SUMMONS

THE STATE OF FLORIDA:

TO All and Singular the Sheriffs of said State:

YOU ARE HEREBY COMMANDED to serve this **Summons and a copy of the Complaint**, in the above styled cause upon the Defendant:

CCS GLOBAL HOLDINGS, INC.

By Serving Its Registered Agent:

STEVEN SANDS

725 Canton Street

Norwood, MA 02062

Each Defendant is hereby required to serve written defenses to the Complaint or Petition on Plaintiff's attorney, whose name and address is:

JORDAN A. SHAW, ESQ.

ZEBERSKY PAYNE SHAW LEWENZ, LLP

110 S.E. 6th Street, Suite 2900

Fort Lauderdale, Florida 33301

jshaw@zpllp.com

within twenty (20) days after service of this Summons upon Defendant, exclusive of the day or service, and to file the original of said written defenses with the Clerk of said Court either before service on Plaintiff's attorney or immediately thereafter. If a Defendant fails to do so, a default will be entered against that Defendant for the relief demanded in the Complaint or Petition.

IN THE CIRCUIT COURT FOR THE SEVENTEENTH JUDICIAL CIRCUIT
IN AND FOR BROWARD COUNTY FLORIDA

JULIA PERLIN, on behalf of herself
and all others similarly situated,

Case No.: CACE-22-011811

Plaintiff,

CLASS REPRESENTATION

vs.

QUEST DIAGNOSTICS INCORPORATED,
a foreign corporation; and CCS GLOBAL
HOLDINGS, INC. a foreign corporation,

Defendants.

SUMMONS

THE STATE OF FLORIDA:

TO All and Singular the Sheriffs of said State:

YOU ARE HEREBY COMMANDED to serve this **Summons and a copy of the Complaint**, in the above styled cause upon the Defendant:

QUEST DIAGNOSTICS INCORPORATED
By Serving Its Registered Agent:
CORPORATION SERVICE COMPANY
1201 Hays Street
Tallahassee, Florida 32301

Each Defendant is hereby required to serve written defenses to the Complaint or Petition on Plaintiff's attorney, whose name and address is:

JORDAN A. SHAW, ESQ.
ZEBERSKY PAYNE SHAW LEWENZ, LLP
110 S.E. 6th Street, Suite 2900
Fort Lauderdale, Florida 33301
jshaw@zpllp.com

within twenty (20) days after service of this Summons upon Defendant, exclusive of the day or service, and to file the original of said written defenses with the Clerk of said Court either before service on Plaintiff's attorney or immediately thereafter. If a Defendant fails to do so, a default will be entered against that Defendant for the relief demanded in the Complaint or Petition.

AFFIDAVIT OF SERVICE

State of Florida

County of BROWARD

Circuit Court

Case Number: CACE-22-011811

Plaintiff: JULIA PERLIN, ON BEHALF OF HERSELF AND ALL OTHERS SIMILARLY
SITUTAED

vs.

Defendant: QUEST DIAGNOSTICS INCORPORATED, ET AL.,

For: JORDAN A. SHAW, ESQ.
ZEBERSKY PAYNE SHAW LEWENZ, LLP

Received by Caplan, Caplan & Caplan Process Servers on the 23rd day of August, 2022 at 7:43 am to be served on CCS GLOBAL HOLDINGS, INC. BY SERVING CT CORPORATION SYSTEM, 155 FEDERAL ST, #700, BOSTON, MA 02110. I, Gavin Castagna, being duly sworn, depose and say that on the 25 day of August, 2022 at 1:00 p.m., executed service by delivering a true copy of the **SUMMONS, CIVIL COVER SHEET, CLASS ACTION COMPLAINT AND EXHIBITS** in accordance with state statutes in the manner marked below:

- PUBLIC AGENCY: By serving _____ as _____ Served the named agency by delivering a true copy of pleadings and informed said person of the contents therein, with date, hour, initials of service endorsed thereon by me in compliance with State Statute
- CORPORATE SERVICE/CORPORATE LLC: By serving _____ as _____ Served the named person by delivering a true copy of pleadings and informed said person of the contents therein, with the date, hour and initials of service endorsed thereon by me in compliance with State Statute
- CORPORATE REGISTERED AGENT: By serving _____ as Registered Agent. Served the named person by delivering a true copy of pleadings and informed said person of the contents therein, with date, hour, initials of service endorsed by me in compliance with State Statute
- CORPORATE REGISTERED AGENT EMPLOYEE: By serving Ross Deanna as Service Rep Served the named person by delivering a true copy of pleadings and informed person of the contents therein, with date, hour, initials of service endorsed thereon by me in compliance with F.S. 48.081(3)(a) and F.S. 48.091, the registered agent failed to comply by not being available for service between the hours of 10am and 12pm
- CORPORATE SUBSTITUTE RESIDENTIAL :By serving _____ as _____ Served the named person at a residence by delivering true copy of pleadings and informed person of the contents therein, with the date hour and initials of service endorsed thereon by me in compliance with F.S. 48.081(3)(b) and 48.031(1)(a) as the registered agent failed to comply by not being available for service between 10am and 12pm
- SERVED: Served a Authorized person by delivering a true copy with date and hour of service endorsed to _____ as _____ who stated they are authorize to accept service for deponent and informed said person of the contents.
- NO SERVICE: For reason stated in comments

COMMENTS:

Under penalties of perjury, I declare that I have read the foregoing Affidavit of Service / Return of Service and that the facts stated in it are true. I certify that I have no interest in the above action, am of legal age and service was made within this state by an officer authorized to serve process where the person was served.

Subscribed and Sworn to before me on the 25th day of August, 2022 by the affiant who is personally known to me.

Elena Marduzzi
NOTARY PUBLIC

Gavin Castagna
PROCESS SERVER # N/A
Appointed in accordance with State Statutes

Caplan, Caplan & Caplan Process Servers
12505 Orange Drive
Suite 907
Davie, FL 33330
(305) 374-3426

Our Job Serial Number: 2022026466

ELENA M. NARDIZZI
Notary Public
COMMONWEALTH OF MASSACHUSETTS
My Commission Expires
November 28, 2025

RETURN OF SERVICE

State of Florida

County of BROWARD

Circuit Court

Case Number: CACE-22-011811

Plaintiff:

**JULIA PERLIN, ON BEHALF OF HERSELF AND ALL OTHERS SIMILARLY
SITUTAED**

vs.

Defendant:

QUEST DIAGNOSTICS INCORPORATED, ET AL.,

For:

JORDAN A. SHAW, ESQ.
ZEBERSKY PAYNE SHAW LEWENZ, LLP
110 SE 6TH STREET
#2900
FT LAUDERDALE, FL 33301

Received by CAPLAN AND CAPLAN PROCESS SERVICE on the 25th day of August, 2022 at 9:02 am to be served on **QUEST DIAGNOSTICS INCORPORATED BY SERVING CSC, 1201 HAYS STREET, TALLAHASSEE, FL 32301.**

I, ERIC L. LARSON, do hereby affirm that on the **25th day of August, 2022 at 11:50 am, I:**

served a **CORPORATION** by delivering a true copy of the **SUMMONS, CIVIL COVER SHEET, CLASS ACTION COMPLAINT AND EXHIBITS** with the date and hour of service endorsed thereon by me, to: **CORPORATION SERVICE COMPANY** as **REGISTERED AGENT** at the address of: **1201 HAYS STREET, TALLAHASSEE, FL 32301** on behalf of **QUEST DIAGNOSTICS INCORPORATED,** and informed said person of the contents therein, in compliance with F.S. 48.081(3)

Additional Information pertaining to this Service:

KAITLYN MANNIX, CLERK FOR RA, WF 33 YRS 5'4 130 LBS BROWN HAIR NO GLASSES

Under penalty of perjury, I declare that I have read the forgoing Verified return of Service and the facts stated in it are true, that I that I am over the age of 18, have no interest in the above action, and am a Certified Process Server, in good standing, in the judicial circuit in which the process was served. I also certify that the above stated facts are correct to the best of my knowledge.. Pursuant to F.S. 92.525(2), Notary not required.



ERIC L. LARSON
CPS #063, 2ND JUDICIAL CIRCUIT

CAPLAN AND CAPLAN PROCESS SERVICE
14160 Palmetto Frontage Road
Ste 105
Miami LAKES, FL 33161
(305) 374-3426

Our Job Serial Number: CPN-2022026467
Ref: 26467

**IN THE CIRCUIT COURT OF THE 17th JUDICIAL CIRCUIT
IN AND FOR BROWARD COUNTY, FLORIDA**

CASE NO: CACE-22-011811 Division: 02

JULIA PERLIN, on behalf of herself and all
others similarly situated,

Plaintiff,

v.

QUEST DIAGNOSTICS INCORPORATED,
a foreign corporation, and CCS GLOBAL
HOLDINGS, INC., a foreign corporation,

Defendants.

_____ /

**DEFENDANT, CREDIT CONTROL SERVICES, INC. d/b/a
CREDIT COLLECTION SERVICES MOTION FOR
EXTENSION OF TIME TO RESPOND TO PLAINTIFF'S COMPLAINT**

The Defendant, CREDIT CONTROL SERVICES, INC. d/b/a CREDIT COLLECTION SERVICES, incorrectly identified in Plaintiff's Class Action Complaint as CCS GLOBAL HOLDINGS, INC., by and through the undersigned counsel and in accordance with the Florida Rules of Civil Procedure, hereby file this Motion for Extension of Time to Respond to Plaintiff's Complaint and in support hereof states as follows:

1. On or about August 25, 2022, Defendant CREDIT CONTROL SERVICES, INC. d/b/a CREDIT COLLECTION SERVICES, was served with the Summons and Complaint.
2. A response to the Complaint is due on or before September 14, 2022.
3. The undersigned has not yet received the case file for the above-styled

**IN THE CIRCUIT COURT OF THE 17TH JUDICIAL CIRCUIT
IN AND FOR BROWARD COUNTY, FLORIDA**

CASE NO. CACE22011811 DIVISION: 02 JUDGE: Bowman, John B. (02)

Julia Perlin

Plaintiff(s) / Petitioner(s)

v.

Quest Diagnostics Incorporated, et al

Defendant(s) / Respondent(s)

_____ /


**AGREED ORDER ON DEFENDANT, CREDIT CONTROL SERVICES, INC., D/B/A
CREDIT COLLECTION SERVICES MOTION FOR EXTENSION OF TIME TO RESPOND
TO PLAINTIFF'S COMPLAINT**

THIS MATTER having come before the Court upon the Agreement of the parties as to Defendant, CREDIT CONTROL SERVICES, INC., d/b/a CREDIT COLLECTION SERVICES Motion for Extension of Time To Respond To Plaintiff's Complaint, and the Court being otherwise fully advised in the premises, it is hereby:

ORDERED AND ADJUDGED:

1. Defendant, CREDIT CONTROL SERVICES, INC., d/b/a CREDIT COLLECTION SERVICES Motion for Extension of Time to Respond to Plaintiff's Complaint is **GRANTED**.
2. Defendant shall serve a response to the Complaint on or before October 14, 2022.

DONE AND ORDERED in Chambers at Broward County, Florida on 19th day of September, 2022.


CACE22011811 09-19-2022 10:48 AM

CACE22011811 09-19-2022 10:48 AM
Hon. John Bowman
CIRCUIT COURT JUDGE
Electronically Signed by John Bowman

EXHIBIT B

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

<p>JULIA PERLIN, on behalf of herself and all others similarly situated,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">-against-</p> <p>QUEST DIAGNOSTICS INCORPORATED, a foreign corporation; and CCS GLOBAL HOLDINGS, Inc. a foreign corporation,</p> <p style="text-align: center;">Defendants.</p>	<p>Civil Action No.:</p>
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CONSENT TO REMOVAL

Defendant, Quest Diagnostics Incorporated, acknowledges its consent to the removal of this action from the Circuit Court for the Seventeenth Judicial Circuit, in and for Broward County Florida to the United States District Court for the Southern District of Florida.

Dated: September 22, 2022



Counsel for Quest Diagnostics
Incorporated

ClassAction.org

This complaint is part of ClassAction.org's searchable class action lawsuit database and can be found in this post: [Quest Diagnostics, CCS Unlawfully Demand Payment for Debts Covered by Workers' Comp, Lawsuit Says](#)
