

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 0:18cv62043

Aliveina Sproul, individually
and on behalf of all others similarly situated,

Plaintiff,

v.

COMPLAINT – CLASS ACTION

Pollack & Rosen P.A.,

Defendants.

**CLASS ACTION COMPLAINT SEEKING
INJUNCTIVE RELIEF AND STATUTORY DAMAGES**

JURY DEMAND

On behalf of the putative class, Plaintiff Aliveina Sproul (“Plaintiff”), seeks redress for the unlawful conduct of Defendant, United Collection Service, Inc. (“Defendant”), *to wit*, violation of 15 U.S.C. § 1692 *et seq.*, the Fair Debt Collection Practices Act (“FDCPA”). Simply put, Defendant has dispatched thousands unlawful collection letters to Florida consumers, whereby each such letter contains identical violations § 1692g(a)(4)-(5), 1692e and 1692(e)(10) of the FDCPA.

INTRODUCTION

1. The FDCPA “is a consumer protection statute that ‘imposes open-ended prohibitions on, *inter alia*, false, deceptive, or unfair” debt-collection practices. Crawford v. LVNV Funding, LLC, 758 F.3d 1254, 1257 (11th Cir. 2014) (*quoting Jerman v. Carlisle, McNellie, Rini, Kramer & Ulrich LPA*, 559 U.S. 573, 587 (2010)).

2. “Congress enacted the FDCPA after noting abundant evidence of the use of abusive, deceptive, and unfair debt collection practices by many debt collectors.” Brown v. Card Serv. Ctr., 464 F.3d 450 (3rd Cir. 2006) (internal quotations omitted); *see, e.g., Id.* at 453 (quoting 15 U.S.C. §1692(a)) (“Abusive debt collection practices contribute to the number of personal bankruptcies, to marital instability, to the loss of jobs, and to invasions of individual privacy.”).

3. As set forth in more detail below, Defendant has dispatched thousands of unlawful collection letters to consumers in an attempt to collect a debt, and in each such letters, Defendant has failed to adequately inform consumers that in order to exercise their rights under §1692g(a)(4)-(5) such requests must be made in writing. Accordingly, Plaintiff, on behalf of the putative class, seeks statutory damages under the FDCPA.

JURISDICTION AND VENUE

4. Jurisdiction of this Court arises under 15 U.S.C. §1692k(d), 28 U.S.C §1331, and 28 U.S.C §1337.

5. Venue in this District is proper because Plaintiff resides here, Defendant transacts business here, and the complained of conduct occurred within the venue.

DEMAND FOR JURY TRIAL

7. Plaintiff is entitled to, and hereby respectfully demands, a trial by jury on all counts alleged and on any issues so triable. *See Sibley v. Fulton DeKalb Collection Service*, 677 F.2d 830 (11th Cir.1982) (wherein the Eleventh Circuit held that, “a plaintiff, upon timely demand, is entitled to a trial by jury in a claim for damages under the FDCPA.”).

PARTIES

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

9. Plaintiff is a “consumer” within the meaning of the FDCPA. *See* 15 U.S.C §1692a.

10. Defendant is a Florida corporation, with its principal place of business located in Coral Gables, Florida.

11. Defendant engages in interstate commerce by regularly using telephone and mail in a business whose principal purpose is the collection of debts.

12. At all times material hereto, Defendant was acting as a debt collector in respect to the collection of Plaintiff’s debts.

FACTUAL ALLEGATIONS

13. The debt at issue (the “Consumer Debt”) is a financial obligation Plaintiff incurred primarily for personal, family, or household purposes.

14. The Consumer Debt is a “debt” governed by the FDCPA and FCCPA. *See* 15 U.S.C §1692a(5).

15. On a date better known by Defendant, Defendant began attempting collect the Consumer Debts from Plaintiff.

16. On or about June 13, 2018, Defendant sent a collection letter to Plaintiff (the “Collection Letter”) in an attempt to collect the Consumer Debt. A copy of the Collection Letter is attached hereto as Exhibit “A.”

17. The Collection Letter was Defendant’s first and/or initial communication with Plaintiff in connection with the Consumer Debt.

18. Exhibit A (the Collection Letter) states in pertinent part:

Unless you, the consumer, within thirty (30) 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 us, the debt collector. ***If you, the consumer, notifies us, the debt collector, within the thirty-(30) day period that the debt***, or any portion thereof, is disputed, we, the debt collector, will obtain verification of the debt or a copy of a judgment (if a judgment exists) against you, the consumer, and a copy of such verification or judgement will be mailed to you, the consumer, by us, the debt collector. ***Upon your, the consumer's request within the thirty-day period***, we, the debt collector, will provide you, the consumer, with the name and address of the original creditor, if different from the current creditor.

(Emphasis added).

19. Pursuant to 15 U.S.C. § 1692g(a), 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.

15 U.S.C. § 1692g(a)(1)-(5) (Emphasis added).

20. The Collection Letter fails to inform Plaintiff and members of the class that in order to invoke the provisions and protections of 15 U.S.C. §1692g(a)(4)-(5), such requests must be *in writing*.

21. Any potential *bona fide* error defense which relies upon Defendant's mistaken interpretation of the legal duties imposed upon them by the FDCPA would fail as a matter of law. Jerman v. Carlisle, McNellie, Rini, Kramer & Ulrich, L.P.A., 130 S.Ct. 1605 (2010).

CLASS ACTION ALLEGATIONS

20. This action is brought on behalf of the following class:

(i) all persons in the State of Florida (ii) who were sent a letter (iii) between April 23, 2017 and April 23, 2018 (iv) from Defendant (v) in an attempt to collect a debt incurred for personal, family, or household purposes, (vi) of which Defendant failed to disclose the "in writing" requirements of 15 U.S.C §1692g(a)(4) and/or § 1692g(a)(5).

21. Plaintiff alleges on information and belief that the class is so numerous that joinder of all members is impracticable because Defendant has dispatched thousands of identical dunning letters to members of the class attempting to collect consumer debts.

A. EXISTENCE AND PREDOMINANCE OF COMMON QUESTIONS OF LAW & FACT

22. Common questions of law and fact exist to the class and predominate over any issues involving only individual class members.

23. With respect to the class:

(a) The *factual issues common* to the class is whether members received a collection letter from Defendant, in an attempt to collect a consumer debt, within the class period; and

- (b) The *principal legal issue* of the Class is whether Defendant violated 15 U.S.C. 1692g(a)(4)-(5), 1692(e) and/or §1692e(10) by failing to inform class members that such provisions can only be invoked by a written request.

- 24. Excluded from the Class is Defendant's agents and employees, Plaintiff's attorneys

and their employees, the Judge to whom this action is assigned, and any member of the Judge's staff and immediate family.

B. TYPICALITY

- 25. Plaintiff's claims are typical of the claims of each class member and are based on the same facts and legal theories.

C. ADEQUACY

- 26. Plaintiff is an adequate representative for the Class.
- 27. Plaintiff will fairly and adequately protect the interests of the Class.
- 28. Plaintiff has retained counsel experienced in handling actions involving unlawful practices under the FDCPA and consumer-based class actions. Neither Plaintiff nor Plaintiff's counsel have any interests which might cause them to not vigorously pursue this action.

D. PREDOMINANCE AND SUPERIORITY

- 29. Certification of the classes under Rule 23(b)(3) of the Federal Rules of Civil Procedure is also appropriate in that:

- (a) The questions of law or fact common to the members of the class predominate over any questions affecting an individual member.
- (b) A class action is superior to other available methods for the fair and efficient adjudication of the controversy.

30. Certification of a classes under Rule 23(b)(2) of the Federal Rules of Civil Procedure is also appropriate, in that, Defendant has acted on grounds generally applicable to the class thereby making appropriate declaratory relief with respect to the class as a whole. Plaintiff requests certification of a hybrid class under Rule 23(b)(3) for monetary damages and to Rule 23(b)(2) for injunctive and equitable relief.

COUNT I.
VIOLATIONS OF 15 U.S.C. § 1692 et seq.

31. Plaintiff repeats, and re-alleges, and incorporates by reference the preceding paragraphs.

32. Debt collectors are required in their initial communication, or within five (5) days thereof, to include 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, pursuant to 15 U.S.C. § 1692g(a)(4).

33. Debt collectors are required in their initial communication, or within five (5) days thereof, to include 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, pursuant to 15 U.S.C. § 1692g(a)(5).

34. Debt collectors are forbidden from using “any false, deceptive, or misleading representation or means in connection with the collection of any debt,” pursuant to 15 U.S.C. § 1692e.

35. Debt collectors are forbidden from “the use of any false representation or deceptive means to collect or attempt to collect any debt or to obtain information, pursuant to 15 U.S.C. § 1692e(10).

36. The Collection Letter was Defendant’s initial communication to Plaintiff.

37. The Collection Letter did not inform Plaintiff or members of the proposed class of their obligation to provide a written request to invoke their rights under 15 U.S.C. §1692g(a)(4)-(5).

38. Failing to inform consumers of information that the law *requires* debt collectors such as defendant to disclose is a false, deceptive and or misleading representation or means in connection with the collection of the Consumer Debt.

39. Therefore, Defendants violated 15 U.S.C. § 1692g(a)(4), 1692g(a)(5), 1692e and 1692e(10).

WHEREFORE, Plaintiff, individually and on behalf of the Class, request that the Court enter an order certifying the described Class and judgment in favor of Plaintiff and Class and against Defendant for:

- (1) Statutory damages, as provided under 15 U.S.C. § 1692k(a)(2)(B);
- (2) Punitive damages;
- (3) Attorney’s fees, litigation expenses and costs of the instant suit, as provided under 15 U.S.C. § 1692k(a)(3); and
- (4) Such other or further relief as the Court deems proper.

DATED: August 28, 2018

Respectfully Submitted,

/s/ Jibrael S. Hindi

JIBRAEL S. HINDI, ESQ.

Florida Bar No.: 118259

E-mail: jibrael@jibraellaw.com

THE LAW OFFICES OF JIBRAEL S.
HINDI

110 SE 6th Street, Suite 1744

Fort Lauderdale, Florida 33301

Phone: 954-907-1136

Fax: 855-529-9540

COUNSEL FOR PLAINTIFF

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 Aliveina Sproul, individually and on behalf of all others similarly situated DEFENDANTS Pollack & Rosen P.A. (b) County of Residence of First Listed Plaintiff Broward (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) The Law Office of Jibrael S. Hindi, PLLC, 610 SE 6th St., Suite 1744 Fort Lauderdale FL, 33301. (954)628-5793. (d) Check County Where Action Arose: [] MIAMI-DADE [] MONROE [x] BROWARD [] PALM BEACH [] MARTIN [] ST. LUCIE [] INDIAN RIVER [] OKEECHOBEE [] HIGHLANDS

II. BASIS OF JURISDICTION (Place an "X" in One Box Only) III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant) [] 1 U.S. Government Plaintiff [x] 3 Federal Question (U.S. Government Not a Party) [] 2 U.S. Government Defendant [] 4 Diversity (Indicate Citizenship of Parties in Item III) Citizen of This State [] 1 Citizen of Another State [] 2 Citizen or Subject of a Foreign Country [] 1 Incorporated or Principal Place of Business In This State [] 4 [] 1 Incorporated and Principal Place of Business In Another State [] 5 [] 3 Foreign Nation [] 6

IV. NATURE OF SUIT (Place an "X" in One Box Only) CONTRACT [] 110 Insurance [] 120 Marine [] 130 Miller Act [] 140 Negotiable Instrument [] 150 Recovery of Overpayment & Enforcement of Judgment [] 151 Medicare Act [] 152 Recovery of Defaulted Student Loans (Excl. Veterans) [] 153 Recovery of Overpayment of Veteran's Benefits [] 160 Stockholders' Suits [] 190 Other Contract [] 195 Contract Product Liability [] 196 Franchise REAL PROPERTY [] 210 Land Condemnation [] 220 Foreclosure [] 230 Rent Lease & Ejectment [] 240 Torts to Land [] 245 Tort Product Liability [] 290 All Other Real Property TORTS PERSONAL INJURY [] 310 Airplane [] 315 Airplane Product Liability [] 320 Assault, Libel & Slander [] 330 Federal Employers' Liability [] 340 Marine [] 345 Marine Product Liability [] 350 Motor Vehicle [] 355 Motor Vehicle Product Liability [] 360 Other Personal Injury [] 362 Personal Injury - Med. Malpractice PERSONAL INJURY [] 365 Personal Injury - Product Liability [] 367 Health Care/Pharmaceutical Personal Injury Product Liability [] 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY [] 370 Other Fraud [] 371 Truth in Lending [] 380 Other Personal Property Damage [] 385 Property Damage Product Liability PRISONER PETITIONS Habeas Corpus: [] 463 Alien Detainee [] 510 Motions to Vacate Sentence Other: [] 530 General [] 535 Death Penalty [] 540 Mandamus & Other [] 550 Civil Rights [] 555 Prison Condition [] 560 Civil Detainee - Conditions of Confinement FORFEITURE/PENALTY [] 625 Drug Related Seizure of Property 21 USC 881 [] 690 Other LABOR [] 710 Fair Labor Standards Act [] 720 Labor/Mgmt. Relations [] 740 Railway Labor Act [] 751 Family and Medical Leave Act [] 790 Other Labor Litigation [] 791 Empl. Ret. Inc. Security Act IMMIGRATION [] 462 Naturalization Application [] 465 Other Immigration Actions BANKRUPTCY [] 422 Appeal 28 USC 158 [] 423 Withdrawal 28 USC 157 PROPERTY RIGHTS [] 820 Copyrights [] 830 Patent [] 840 Trademark SOCIAL SECURITY [] 861 HIA (1395ff) [] 862 Black Lung (923) [] 863 DIWC/DIWW (405(g)) [] 864 SSID Title XVI [] 865 RSI (405(g)) FEDERAL TAX SUITS [] 870 Taxes (U.S. Plaintiff or Defendant) [] 871 IRS—Third Party 26 USC 7609 OTHER STATUTES [] 375 False Claims Act [] 400 State Reapportionment [] 410 Antitrust [] 430 Banks and Banking [] 450 Commerce [] 460 Deportation [] 470 Racketeer Influenced and Corrupt Organizations [] 480 Consumer Credit [] 490 Cable/Sat TV [] 850 Securities/Commodities/Exchange [] 890 Other Statutory Actions [] 891 Agricultural Acts [] 893 Environmental Matters [] 895 Freedom of Information Act [] 896 Arbitration [] 899 Administrative Procedure Act/Review or Appeal of Agency Decision [] 950 Constitutionality of State Statutes

V. ORIGIN (Place an "X" in One Box Only) [x] 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 [] 7 Appeal to District Judge from Magistrate Judgment [] 8 Remanded from Appellate Court

VI. RELATED/ RE-FILED CASE(S) (See instructions): a) Re-filed Case [] YES [x] NO b) Related Cases [] YES [x] 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): 15 U.S.C. § 1692, et seq. LENGTH OF TRIAL via days estimated (for both sides to try entire case)

VIII. REQUESTED IN COMPLAINT: [x] CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 DEMAND \$ CHECK YES only if demanded in complaint: JURY DEMAND: [x] Yes [] No

ABOVE INFORMATION IS TRUE & CORRECT TO THE BEST OF MY KNOWLEDGE DATE August 28, 2018 SIGNATURE OF ATTORNEY OF RECORD

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

Aliveina Sproul, individually
and on behalf of all others similarly situated

Plaintiff(s)

v.

Pollack & Rosen P.A.

Defendant(s)

Civil Action No. 0:18cv62043

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Pollack & Rosen P.A
806 DOUGLAS RD
SOUTH TOWER SUITE 200
CORAL GABLES, FL 33134

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: The Law Offices of Jibrael S. Hindi, PLLC. 110 SE 6th St., Suite 1744, Fort Lauderdale, FL 33301. Phone: (844)542-7235 Email: jibrael@jibraellaw.com Fax: (855)529-9540

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. 0:18cv62043

PROOF OF SERVICE

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

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

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

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

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

I returned the summons unexecuted because _____ ; or

Other *(specify)*:

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

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

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

Print

Save As...

Reset



Pollack & Rosen P.A.

806 S. DOUGLAS ROAD
SUITE 200, SOUTH TOWER
CORAL GABLES, FLORIDA 33134

PHONE: (305) 448-0006
TOLL FREE: (888) 448-1557
FACSIMILE: (305) 569-0101
WWW.POLLACKROSEN.COM

June 13, 2018

ACCOUNT IDENTIFICATION

ALIVEINA SPROUL
4120 INVERRARY BLVD APT 57B
LAUDERHILL, FL 33319-4123

Original Creditor: WESTLAKE FINANCIAL SERVICES
Original Creditor Acct No.: ***5596
Current Creditor: WESTLAKE FINANCIAL SERVICES
Balance: \$10808.09
Our File #: 3197159

Dear ALIVEINA SPROUL,

This firm has been retained by WESTLAKE FINANCIAL SERVICES to assist with the collection of funds believed to be due and owing on a debt incurred with WESTLAKE FINANCIAL SERVICES. Based on the records provided by WESTLAKE FINANCIAL SERVICES this account is currently in default and there is a total balance due of \$10808.09.

Unless you, the consumer, within thirty (30) 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 us, the debt collector. If you, the consumer, notifies us, the debt collector, within the thirty-(30) day period that the debt, or any portion thereof, is disputed, we, the debt collector, will obtain verification of the debt or a copy of a judgment (if a judgment exists) against you, the consumer, and a copy of such verification or judgment will be mailed to you, the consumer, by us, the debt collector. Upon your, the consumer's request within the thirty-day period, we, the debt collector, will provide you, the consumer, with the name and address of the original creditor, if different from the current creditor.

At this time, no attorney with this firm has personally reviewed the particular circumstances of your account. If you have any questions, please contact this office or via our live chat feature located in the consumer portal of our website at www.pollackrosen.com. Our consumer service agents are here to work with you in making mutually satisfactory arrangements to resolve this debt. For your convenience, payments can also be made via our website.

Sincerely,

Client Services

THIS IS A COMMUNICATION FROM A DEBT COLLECTOR AND IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

ClassAction.org

This complaint is part of ClassAction.org's searchable class action lawsuit database and can be found in this post: [Class Action Claims Pollack & Rosen Failed to Properly Convey Debt Dispute Rights in Letter](#)
