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Attorney for Plaintiff

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MARISOL TORRES-GARCIA,
individually, and on behalf of all other
similarly situated consumers

Plaintiff,

vs.

J&L COLLECTION SERVICES, INC.
d/b/a J&L TEAMWORKS,

Defendant.

) Docket No.:

) **COMPLAINT** for violations of the
) Fair Debt Collection Practices Act, 15
) U.S.C. § 1692 *et seq.* and the Rosenthal
) Fair Debt Collections Practices Act,
) Cal. Civ. Code § 1788 *et seq.* and
) **DEMAND FOR JURY TRIAL**

Plaintiff alleges:

INTRODUCTION

1. Plaintiff, Marisol Torres-Garcia, (“Plaintiff”) brings this action against Defendant, J&L Collection Services, Inc. (“Defendant”), for engaging in illegal debt collection tactics in violation of the Fair Debt Collection Practices Act, 15 U.S.C. §1692 *et seq.* (“FDCPA”) and the Rosenthal Act, Cal. Civ. Code § 1785.88 *et seq.*

JURISDICTION AND VENUE

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2 2. Plaintiff brings this action under the FDCPA, a federal statute, thereby
3 invoking jurisdiction pursuant to 28 U.S.C. §1331 and supplemental jurisdiction
4 pursuant to 28 U.S.C. §1367.
5

6 3. Venue is proper in this District under 28 U.S.C. 1391(b) because
7
8 Defendant's improper conduct alleged in this complaint occurred in, was directed
9 to, and/or emanated within this judicial district.
10

11
12 **PARTIES**

13 4. Plaintiff is a natural person, who at all relevant times has resided in Eureka,
14 California, and is a “consumer” as the phrase is defined under 15 U.S.C. §1692(a)
15 of the FDCPA.
16

17 5. Defendant is a debt collector as that term is used and defined under 15
18 U.S.C. § 1692a. Its headquarters is located at 651 S Cherokee Lane, Lodi,
19 California 95240.
20

21
22 **ALLEGATIONS APPLICABLE TO ALL COUNTS**

23 6. Plaintiff is a natural person, obligated, or allegedly obligated to pay a
24 medical debt to St. Joseph Hospital.
25

26 7. Medical bills have long been considered a consumer debt, as that term is
27 defined under the FDCPA.
28

1 8. On October 31, 2016, in attempt to collect said debt, Defendant sent the
2 dunning letter attached as Exhibit A.

3
4 9. The letter sought to collect \$281.04.

5 10. Of this amount, \$280.66 was the principal, and \$0.38 is interest.

6 11. The dunning letter did not indicate the rate of interest, or as of what date the
7 payment would be considered satisfied in the event Plaintiff sent the "Total"
8 amount. In other words, were Defendant to receive Plaintiff's payment of \$281.04
9 on November 10, 2016, this amount would not satisfy the obligation because the
10 interest would have increased the debt from October 31, 2017 until November 10,
11 2017. Yet, Defendant failed to inform Plaintiff of this fact.

12 12. Numerous courts around the country have adopted the Miller safe harbor
13 language to prevent this violation from continuing to occur, but the Defendant did
14 not provide this safe harbor language within its letter. See *Miller v. McCalla,*
15 *Raymer, Padrick, Cobb, Nichols, & Clark, L.L.C.*, 214 F.3d 872 (7th Cir. 2000).

16 13. Accordingly, Defendant's letter is false, deceptive, and misleading in
17 violation of the FDCPA.

18 14. Notwithstanding the above, Defendant has not provided the required
19 disclosures of the FDCPA.

20 15. Under the FDCPA, a debt collector must provide a statement that if the
21 consumer notifies the debt collector in writing within the thirty-day period that the
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1 debt, or any portion thereof, is disputed, the debt collector will obtain verification
2 of the debt or a copy of a judgment against the consumer and a copy of such
3 verification or judgment will be mailed to the consumer by the debt collector.
4

5 16. Defendant did not provide any information concerning a judgment within its
6 initial dunning letter.
7

8 CLASS ACTION ALLEGATIONS

9 The Class

10 17. Plaintiff brings this as a class action pursuant to Fed. R. Civ. P. 23 on behalf
11 of herself and all others similarly situated who have received similar debt
12 collection notices and/or communications from Defendant which, as alleged
13 herein, are in violation of the FDCPA.
14
15

16 Interest Classes:

17
18 **Subclass A: All consumers within the State of California that**
19 **received a collection letter from Defendant for a debt incurred by**
20 **St. Joseph Hospital Eureka that did not inform the debtor that**
21 **interest was accruing, the rate of accrual, or the result of**
22 **payment, in violation of the FDCPA, during a period beginning**
23 **one year prior to the filing of this initial action and ending 21 days**
24 **after the service of the initial complaint filed in this action.**

25 **Subclass B: All consumers within the State of California that**
26 **received a collection letter from Defendant for a debt incurred by**
27 **St. Joseph Hospital Eureka that did not inform the debtor that**
28 **interest was accruing, the rate of accrual, or the result of**
payment, in violation of the RFDCPA, during a period beginning
one year prior to the filing of this initial action and ending 21 days
after the service of the initial complaint filed in this action.

1 21. The exact number and identities of the Class members are unknown at this
2 time and can only be ascertained through discovery. Identification of the Class
3 members is a matter capable of ministerial determination from Defendant's
4 records.
5

6 **Common Questions of Law and Fact**

7
8 22. There are questions of law and fact common to the class that predominates
9 over any questions affecting only individual Class members. These common
10 questions of law and fact include, without limitation: (i) whether Defendant
11 violated various provisions of the FDCPA and RFDCPA; (ii) whether Plaintiff and
12 the Class have been injured by Defendant's conduct; (iii) whether Plaintiff and the
13 Class have sustained damages and are entitled to restitution as a result of
14 Defendant's wrongdoing and, if so, what is the proper measure and appropriate
15 statutory formula to be applied in determining such damages and restitution; and
16 (iv) whether Plaintiff and the Class are entitled to declaratory and/or injunctive
17 relief.
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22 **Typicality**

23 23. The Plaintiff's claims are typical of the claims of the class members.
24 Plaintiff and all members of the Plaintiff's Class defined in this complaint have
25 claims arising out of the Defendant's common uniform course of conduct
26 complained of herein. Plaintiff's claims are typical of the claims of the Class, and
27
28

1 Plaintiff has no interests adverse or antagonistic to the interests of other members
2 of the Class.

3
4
5 **Protecting the Interests of the Class Members**

6 24. Plaintiff will fairly and adequately represent the Class members' interests, in
7 that the Plaintiff's counsel is experienced and, further, anticipates no impediments
8 in the pursuit and maintenance of the class action as sought herein.
9

10 25. Neither the Plaintiff nor his counsel have any interests, which might cause
11 them not to vigorously pursue the instant class action lawsuit.
12

13 **Proceeding Via Class Action is Superior and Advisable**

14 26. A class action is superior to other methods for the fair and efficient
15 adjudication of the claims herein asserted, this being specifically envisioned by
16 Congress as a principal means of enforcing the FDCPA, as codified by 15 U.S.C. §
17 1692(k).
18

19 27. The members of the Class are generally unsophisticated individuals, whose
20 rights will not be vindicated in the absence of a class action.
21

22 28. Prosecution of separate actions by individual members of the Class would
23 create the risk of inconsistent or varying adjudications resulting in the
24 establishment of inconsistent or varying standards for the parties.
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1 29. Certification of a class under Rule 23(b)(2) of the Federal Rules of Civil
2 Procedure is also appropriate in that a determination that the said messages violate
3 15 U.S.C. § 1692e(11) is tantamount to declaratory relief and any monetary relief
4 under the FDCPA would be merely incidental to that determination.
5

6 30. Certification of a class under Rule 23(b)(3) of the Federal Rules of Civil
7 Procedure is also appropriate in that the questions of law and fact common to
8 members of the Plaintiff's Class predominate over any questions affecting an
9 individual member, and a class action is superior to other available methods for the
10 fair and efficient adjudication of the controversy.
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13 31. Depending on the outcome of further investigation and discovery, Plaintiff
14 may, at the time of class certification motion, seek to certify one or more classes
15 only as to particular issues pursuant to Fed. R. Civ. P. 23(c)(4).
16
17

18 32. A class action will permit a large number of similarly situated persons to
19 prosecute their common claims in a single forum simultaneously, efficiently, and
20 without the duplication of effort and expense that numerous individual actions
21 would engender. Class treatment also will permit the adjudication of relatively
22 small claims by many Class members who could not otherwise afford to seek legal
23 redress for the wrongs complained of herein.
24
25

26 33. Absent a class action, the Class members will continue to suffer losses borne
27 from Defendant's breaches of Class members' statutorily protected rights as well as
28

1 monetary damages, thus allowing and enabling: (a) Defendant's conduct to proceed
2 and; (b) Defendant to further enjoy the benefit of its ill-gotten gains.

3
4 34. Defendant has acted, and will act, on grounds generally applicable to the
5 entire Class, thereby making appropriate a final injunctive relief or corresponding
6 declaratory relief with respect to the Class as a whole.
7

8
9 **COUNT I**
10 **VIOLATION OF THE FAIR DEBT COLLECTION PRACTICES ACT**
11 **15 U.S.C. §1692 et seq.**
12

13 35. Plaintiff repeats, realleges and reasserts the allegations contained in the
14 above paragraphs and incorporates them as if specifically set forth at length herein.
15

16 36. Defendant has engaged in unfair and deceptive acts and practices, in
17 violation of 15 U.S.C. §§1692e, 1692e(2), 1692e(10), 1692g and 1692f, by failing
18 to provide the proper notices, by continuing to collect a debt when it was
19 prohibited from doing so, and by reaging the account in question.
20

21 37. Section 1692e provides:

22 § 1692e. False or misleading representations

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

27 (2) The false representation of--

28 (A) the character, amount, or legal status of any
debt...

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

4 38. Section 1692g provides:

5 § 1692g. Validation of debts

6
7 (a) Notice of debt; contents. Within five days after the initial
8 communication with a consumer in connection with the collection of
9 any debt, a debt collector shall, unless the following information is
10 contained in the initial communication or the consumer has paid the
11 debt, send the consumer a written notice containing--

12 (1) the amount of the debt;

13 (2) the name of the creditor to whom the debt is owed;
14 a statement that unless the consumer, within thirty days after
15 receipt of the notice, disputes the validity of the debt, or any
16 portion thereof, the debt will be assumed to be valid by the debt
17 collector;

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

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

28 (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.

1 39. Section 1692f provides:

2 § 1692f. Unfair practices

3 A debt collector may not use unfair or unconscionable means to
4 collect or attempt to collect any debt. . . .

5
6 **COUNT II**
7 **VIOLATION OF THE ROSENTHAL ACT,**
8 **Cal. Civ. Code § 1788 et seq.**
9

10 40. Plaintiff repeats, realleges and reasserts the allegations contained in the
11 above paragraphs and incorporates them as if specifically set forth at length herein.

12
13 41. Under Cal. Civ. Code §1788.17, a violation of the FDCPA is also a violation
14 of the Rosenthal Act.

15
16 42. Accordingly, Defendant's numerous FDCPA violations are also violations of
17 the Rosenthal Act.

18
19
20 WHEREFORE, Plaintiff, Marisol Torres-Garcia, respectfully requests that
21 this Court do the following for the benefit of Plaintiff:

- 22
23 A. Enter an Order declaring Defendant's actions, as described
24 above, in violation of the FDCPA and RFDCPA;
25 B. Enter an Order for injunctive relief prohibiting such conduct in
26 the future;
27 C. Appoint Plaintiff as the Class Representative, and appoint
28 Plaintiff's Counsel as Lead Counsel for the Class;
D. Enter a judgment against Defendant for statutory damages;
E. Award costs and reasonable attorneys' fees; and
F. Grant such other and further relief as may be just and proper

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JURY TRIAL DEMAND

Plaintiff demands a jury trial on all issues so triable.

Dated: May 9, 2017 LAW OFFICES OF VERONICA M. AGUILAR

By: /s/ Veronica M. Aguilar
Veronica M. Aguilar

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

UNITED STATES DISTRICT COURT

for the

Northern District of California

Marisol Torres-Garcia

Plaintiff

v.

J&L COLLECTION SERVICES, INC.

Defendant

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)
)
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)
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Civil Action No.

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* J&L COLLECTION SERVICES, INC.
651 S Cherokee Lane
Suite b2
Lodi, California 95240.

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:

VERONICA M. AGUILAR
LAW OFFICES OF VERONICA M. AGUILAR
4231 Balboa Avenue, #176
San Diego, California 92117

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

Civil Action No. _____

PROOF OF SERVICE

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

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

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

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

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

I returned the summons unexecuted because _____; or

Other *(specify)*: _____

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

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

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

MARISOL TORRES-GARCIA

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

(c) Attorneys (Firm Name, Address, Email and Telephone Number)
VERONICA M. AGUILAR Law Offices of Veronica M. Aguilar
4231 Balboa Avenue #176 San Diego, CA 92117; Telephone:
858.213.7853; veronica@vaguilarlaw.com

DEFENDANTS

J&L COLLECTION SERVICES, INC

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.

Attorneys (If Known)

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

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

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

	PTF	DEF		PTF	DEF
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

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

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input checked="" type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

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

- 1 Original Proceeding
- 2 Removed from State Court
- 3 Remanded from Appellate Court
- 4 Reinstated or Reopened
- 5 Transferred from Another District *(specify)*
- 6 Multidistrict Litigation

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
15 usc 1692

VI. CAUSE OF ACTION

Brief description of cause:
Unfair debt collection

VII. REQUESTED IN COMPLAINT:

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

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

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE _____

DOCKET NUMBER _____

DATE _____ SIGNATURE OF ATTORNEY OF RECORD

05/09/2017

/s/ Veronica M. Aguilar

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING 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.Cv.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; **NOTE: 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 clerk(s) 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 six 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.
 Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
 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.
- VI. 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
- VII. 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 actual dollar amount 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.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

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

EXHIBIT "A"

651 N CHEROKEE LN STE B2
LODI CA 95240-4267

ADDRESS SERVICE REQUESTED

October 31, 2016

J&L TEAMWORKS
651 N Cherokee Ln Ste B2
Lodi, CA 95240
800-481-6006



ACCOUNT IDENTIFICATION

RE: St Joseph Hospital Eureka
REFERENCE: 4425003
ACCOUNT NUMBER : ██████████9595
PATIENT NAME : Torres Garcia, Marisol
PRINCIPAL : \$280.66
INTEREST : \$0.38
BALANCE OWING : \$281.04

PERSONAL & CONFIDENTIAL
MARISOL TORRES GARCIA



NOTIFICATION

Your account has been assigned for collection. Resolving this debt is your responsibility. Your prompt attention to this account will help insure the cooperation of your creditor and this office. Failure to notify us of your intentions may cause further collection activity against you.

Federal law requires we state the following:

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

Our toll free number is 800-481-6006.

At St Joseph Hospital Eureka, we are committed to providing quality care to all our patients, regardless of ability to pay. If you believe that you may qualify for financial assistance and would like additional information, please contact our office.

M. Moran
J&L Teamworks

This is an attempt to collect a debt by a debt collector. Any information obtained will be used for that purpose.

**PLEASE SEE REVERSE FOR IMPORTANT INFORMATION
INFORMACIÓN IMPORTANTE AL REVERSO**

----- Detach and Return with Payment -----

Enter the requested information in the spaces provided below:

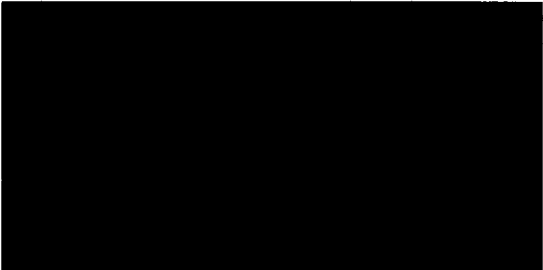
From: Marisol Torres-Garcia 4425003
Change of Address: _____
City, State, Zip: _____
Telephone: _____

If you wish to pay your account by credit card, please
our secure online web payment site at:

www.jltwpayments.com

All other payments can be mailed to the address listed
the bottom of this page. Enclosing this notice with your
payment will expedite credit to your account.

J&L TEAMWORKS
651 N CHEROKEE LN STE B2
LODI CA 95240-4267



ClassAction.org

This complaint is part of ClassAction.org's searchable class action lawsuit database and can be found in this post: [Consumer Claims Debt Collector Ignores Disclosure Requirements](#)
