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13 **UNITED STATES DISTRICT COURT**
 14 **CENTRAL DISTRICT OF CALIFORNIA**

15) Case No.
 16 COREY WEISS, individually and on)
 17 behalf of all others similarly situated,) **CLASS ACTION**
 18)
 19 Plaintiff,) **COMPLAINT FOR VIOLATIONS**
 20) **OF:**
 21 vs.)
 22)
 23 FRONTIER COMMUNICATIONS OF)
 24 AMERICA, INC., and DOES 1 through)
 25 10, inclusive, and each of them,)
 26 Defendant.)

1. NEGLIGENT VIOLATIONS OF THE TELEPHONE CONSUMER PROTECTION ACT [47 U.S.C. §227(b)]
2. WILLFUL VIOLATIONS OF THE TELEPHONE CONSUMER PROTECTION ACT [47 U.S.C. §227(b)]
3. NEGLIGENT VIOLATIONS OF THE TELEPHONE CONSUMER PROTECTION ACT [47 U.S.C. §227(c)]
4. WILLFUL VIOLATIONS OF THE TELEPHONE CONSUMER PROTECTION ACT [47 U.S.C. §227(c)]

27) **DEMAND FOR JURY TRIAL**
 28)

1 Plaintiff COREY WEISS (“Plaintiff”), individually and on behalf of all
2 others similarly situated, alleges the following upon information and belief based
3 upon personal knowledge:

4 **NATURE OF THE CASE**

5 1. Plaintiff brings this action individually and on behalf of all others
6 similarly situated seeking damages and any other available legal or equitable
7 remedies resulting from the illegal actions of FRONTIER COMMUNICATIONS
8 OF AMERICA, INC. (“Defendant”), in negligently, knowingly, and/or willfully
9 contacting Plaintiff on Plaintiff’s cellular telephone in violation of the Telephone
10 Consumer Protection Act, *47 U.S.C. § 227 et seq.* (“TCPA”) and related
11 regulations, specifically the National Do-Not-Call provisions, thereby invading
12 Plaintiff’s privacy.

13 **JURISDICTION & VENUE**

14 2. Jurisdiction is proper under *28 U.S.C. § 1332(d)(2)* because Plaintiff,
15 a resident of California, seeks relief on behalf of a Class, which will result in at
16 least one class member belonging to a different state than that of Defendant, a
17 Delaware company. Plaintiff also seeks up to \$1,500.00 in damages for each call
18 in violation of the TCPA, which, when aggregated among a proposed class in the
19 thousands, exceeds the \$5,000,000.00 threshold for federal court jurisdiction.
20 Therefore, both diversity jurisdiction and the damages threshold under the Class
21 Action Fairness Act of 2005 (“CAFA”) are present, and this Court has jurisdiction.

22 3. Venue is proper in the United States District Court for the Central
23 District of California pursuant to *28 U.S.C. 1391(b)* and because Defendant does
24 business within the State of California and Plaintiff resides within the County of
25 Los Angeles.

26 **PARTIES**

27 4. Plaintiff, COREY WEISS (“Plaintiff”), is a natural person residing in
28 Los Angeles, California and is a “person” as defined by *47 U.S.C. § 153 (39)*.

1 12. Defendant's calls constituted calls that were not for emergency
2 purposes as defined by 47 U.S.C. § 227(b)(1)(A).

3 13. During all relevant times, Defendant did not possess Plaintiff's "prior
4 express consent" to receive calls using an automatic telephone dialing system or an
5 artificial or prerecorded voice on his cellular telephone pursuant to 47 U.S.C. §
6 227(b)(1)(A).

7 14. Further, Plaintiff's cellular telephone number ending in -8101 was
8 added to the National Do-Not-Call Registry on or about December 11, 2004.

9 15. Defendant placed multiple calls soliciting its business to Plaintiff on
10 his cellular telephone ending in -8101 in or around April of 2019.

11 16. Such calls constitute solicitation calls pursuant to 47 C.F.R. §
12 64.1200(c)(2) as they were attempts to promote or sell Defendant's services.

13 17. Plaintiff received numerous solicitation calls from Defendant within a
14 12-month period.

15 18. Plaintiff requested for Defendant to stop calling Plaintiff during one
16 of the initial calls from Defendant, thus revoking any prior express consent that had
17 existed and terminating any established business relationship that had existed, as
18 defined under 16 C.F.R. 310.4(b)(1)(iii)(B).

19 19. Despite this, Defendant continued to call Plaintiff in an attempt to
20 solicit its services and in violation of the National Do-Not-Call provisions of the
21 TCPA.

22 20. Upon information and belief, and based on Plaintiff's experiences of
23 being called by Defendant after requesting they stop calling, and at all relevant
24 times, Defendant failed to establish and implement reasonable practices and
25 procedures to effectively prevent telephone solicitations in violation of the
26 regulations prescribed under 47 U.S.C. § 227(c)(5).

27 **CLASS ALLEGATIONS**

28 21. Plaintiff brings this action individually and on behalf of all others

1 similarly situated, as a member the four proposed classes (hereafter, jointly, “The
2 Classes”). The class concerning the ATDS claim for no prior express consent
3 (hereafter “The ATDS Class”) is defined as follows:

4 All persons within the United States who received any
5 solicitation/telemarketing telephone calls from
6 Defendant to said person’s cellular telephone made
7 through the use of any automatic telephone dialing
8 system or an artificial or prerecorded voice and such
9 person had not previously consented to receiving such
10 calls within the four years prior to the filing of this
11 Complaint

12 22. The class concerning the ATDS claim for revocation of consent, to the
13 extent prior consent existed (hereafter “The ATDS Revocation Class”) is defined
14 as follows:

15 All persons within the United States who received any
16 solicitation/telemarketing telephone calls from
17 Defendant to said person’s cellular telephone made
18 through the use of any automatic telephone dialing
19 system or an artificial or prerecorded voice and such
20 person had revoked any prior express consent to receive
21 such calls prior to the calls within the four years prior to
22 the filing of this Complaint.

23 23. The class concerning the National Do-Not-Call violation (hereafter
24 “The DNC Class”) is defined as follows:

25 All persons within the United States registered on the
26 National Do-Not-Call Registry for at least 30 days, who
27 had not granted Defendant prior express consent nor had
28 a prior established business relationship, who received
more than one call made by or on behalf of Defendant
that promoted Defendant’s products or services, within
any twelve-month period, within four years prior to the

1 filing of the complaint.

2 24. The class concerning the National Do-Not-Call violation following
3 revocation of consent and prior business relationship, to the extent they existed
4 (hereafter “The DNC Revocation Class”) is defined as follows:

5 All persons within the United States registered on the
6 National Do-Not-Call Registry for at least 30 days, who
7 received more than one call made by or on behalf of
8 Defendant that promoted Defendant’s products or
9 services, after having revoked consent and any prior
10 established business relationship, within any twelve-
11 month period, within four years prior to the filing of the
12 complaint.

13 25. Plaintiff represents, and is a member of, The ATDS Class, consisting
14 of all persons within the United States who received any solicitation telephone calls
15 from Defendant to said person’s cellular telephone made through the use of any
16 automatic telephone dialing system or an artificial or prerecorded voice and such
17 person had not previously not provided their cellular telephone number to
18 Defendant within the four years prior to the filing of this Complaint.

19 26. Plaintiff represents, and is a member of, The ATDS Revocation Class,
20 consisting of all persons within the United States who received any
21 solicitation/telemarketing telephone calls from Defendant to said person’s cellular
22 telephone made through the use of any automatic telephone dialing system or an
23 artificial or prerecorded voice and such person had revoked any prior express
24 consent to receive such calls prior to the calls within the four years prior to the
25 filing of this Complaint.

26 27. Plaintiff represents, and is a member of, The DNC Class, consisting
27 of all persons within the United States registered on the National Do-Not-Call
28 Registry for at least 30 days, who had not granted Defendant prior express consent
nor had a prior established business relationship, who received more than one call

1 made by or on behalf of Defendant that promoted Defendant's products or services,
2 within any twelve-month period, within four years prior to the filing of the
3 complaint.

4 28. Plaintiff represents, and is a member of, The DNC Revocation Class,
5 consisting of all persons within the United States registered on the National Do-
6 Not-Call Registry for at least 30 days, who received more than one call made by or
7 on behalf of Defendant that promoted Defendant's products or services, after
8 having revoked consent and any prior established business relationship, within any
9 twelve-month period, within four years prior to the filing of the complaint.

10 29. Defendant, its employees and agents are excluded from The Classes.
11 Plaintiff does not know the number of members in The Classes, but believes the
12 Classes members number in the thousands, if not more. Thus, this matter should
13 be certified as a Class Action to assist in the expeditious litigation of the matter.

14 30. The Classes are so numerous that the individual joinder of all of its
15 members is impractical. While the exact number and identities of The Classes
16 members are unknown to Plaintiff at this time and can only be ascertained through
17 appropriate discovery, Plaintiff is informed and believes and thereon alleges that
18 The Classes includes thousands of members. Plaintiff alleges that The Classes
19 members may be ascertained by the records maintained by Defendant.

20 31. Plaintiff and members of The ATDS Class and The ATDS Revocation
21 Class were harmed by the acts of Defendant in at least the following ways:
22 Defendant illegally contacted Plaintiff and ATDS Class members via their cellular
23 telephones thereby causing Plaintiff and ATDS Class and ATDS Revocation Class
24 members to incur certain charges or reduced telephone time for which Plaintiff and
25 ATDS Class and ATDS Revocation Class members had previously paid by having
26 to retrieve or administer messages left by Defendant during those illegal calls, and
27 invading the privacy of said Plaintiff and ATDS Class and ATDS Revocation Class
28 members.

1 32. Common questions of fact and law exist as to all members of The
2 ATDS Class which predominate over any questions affecting only individual
3 members of The ATDS Class. These common legal and factual questions, which
4 do not vary between ATDS Class members, and which may be determined without
5 reference to the individual circumstances of any ATDS Class members, include,
6 but are not limited to, the following:

- 7 a. Whether, within the four years prior to the filing of this
8 Complaint, Defendant made any telemarketing/solicitation call
9 (other than a call made for emergency purposes or made with
10 the prior express consent of the called party) to a ATDS Class
11 member using any automatic telephone dialing system or any
12 artificial or prerecorded voice to any telephone number
13 assigned to a cellular telephone service;
- 14 b. Whether Plaintiff and the ATDS Class members were damaged
15 thereby, and the extent of damages for such violation; and
- 16 c. Whether Defendant should be enjoined from engaging in such
17 conduct in the future.

18 33. As a person that received numerous telemarketing/solicitation calls
19 from Defendant using an automatic telephone dialing system or an artificial or
20 prerecorded voice, without Plaintiff's prior express consent, Plaintiff is asserting
21 claims that are typical of The ATDS Class.

22 34. Common questions of fact and law exist as to all members of The
23 ATDS Revocation Class which predominate over any questions affecting only
24 individual members of The ATDS Revocation Class. These common legal and
25 factual questions, which do not vary between ATDS Revocation Class members,
26 and which may be determined without reference to the individual circumstances of
27 any ATDS Revocation Class members, include, but are not limited to, the
28 following:

- 1 a. Whether, within the four years prior to the filing of this
2 Complaint, Defendant made any telemarketing/solicitation call
3 (other than a call made for emergency purposes or made with
4 the prior express consent of the called party) to an ATDS
5 Revocation Class member, who had revoked any prior express
6 consent to be called using an ATDS, using any automatic
7 telephone dialing system or any artificial or prerecorded voice
8 to any telephone number assigned to a cellular telephone
9 service;
- 10 b. Whether Plaintiff and the ATDS Revocation Class members
11 were damaged thereby, and the extent of damages for such
12 violation; and
- 13 c. Whether Defendant should be enjoined from engaging in such
14 conduct in the future.

15 35. As a person that received numerous telemarketing/solicitation calls
16 from Defendant using an automatic telephone dialing system or an artificial or
17 prerecorded voice, after Plaintiff had revoked any prior express consent, Plaintiff
18 is asserting claims that are typical of The ATDS Revocation Class.

19 36. Plaintiff and members of The DNC Class and DNC Revocation Class
20 were harmed by the acts of Defendant in at least the following ways: Defendant
21 illegally contacted Plaintiff and DNC Class and DNC Revocation Class members
22 via their telephones for solicitation purposes, thereby invading the privacy of said
23 Plaintiff and the DNC Class and DNC Revocation Class members whose telephone
24 numbers were on the National Do-Not-Call Registry. Plaintiff and the DNC Class
25 and DNC Revocation Class members were damaged thereby.

26 37. Common questions of fact and law exist as to all members of The
27 DNC Class which predominate over any questions affecting only individual
28 members of The DNC Class. These common legal and factual questions, which do

1 not vary between DNC Class members, and which may be determined without
2 reference to the individual circumstances of any DNC Class members, include, but
3 are not limited to, the following:

- 4 a. Whether, within the four years prior to the filing of this
5 Complaint, Defendant or its agents placed more than one
6 solicitation call to the members of the DNC Class whose
7 telephone numbers were on the National Do-Not-Call Registry
8 and who had not granted prior express consent to Defendant and
9 did not have an established business relationship with
10 Defendant;
- 11 b. Whether Defendant obtained prior express written consent to
12 place solicitation calls to Plaintiff or the DNC Class members'
13 telephones;
- 14 c. Whether Plaintiff and the DNC Class member were damaged
15 thereby, and the extent of damages for such violation; and
- 16 d. Whether Defendant and its agents should be enjoined from
17 engaging in such conduct in the future.

18 38. As a person that received numerous solicitation calls from Defendant
19 within a 12-month period, who had not granted Defendant prior express consent
20 and did not have an established business relationship with Defendant, Plaintiff is
21 asserting claims that are typical of the DNC Class.

22 39. Common questions of fact and law exist as to all members of The
23 DNC Class which predominate over any questions affecting only individual
24 members of The DNC Revocation Class. These common legal and factual
25 questions, which do not vary between DNC Revocation Class members, and which
26 may be determined without reference to the individual circumstances of any DNC
27 Revocation Class members, include, but are not limited to, the following:

- 28 a. Whether, within the four years prior to the filing of this

1 Complaint, Defendant or its agents placed more than one
2 solicitation call to the members of the DNC Class whose
3 telephone numbers were on the National Do-Not-Call Registry
4 and who had revoked any prior express consent and any
5 established business relationship with Defendant;

6 b. Whether Plaintiff and the DNC Class member were damaged
7 thereby, and the extent of damages for such violation; and

8 c. Whether Defendant and its agents should be enjoined from
9 engaging in such conduct in the future.

10 40. As a person that received numerous solicitation calls from Defendant
11 within a 12-month period, who, to the extent one existed, had revoked any prior
12 express consent and any established business relationship with Defendant, Plaintiff
13 is asserting claims that are typical of the DNC Revocation Class.

14 41. Plaintiff will fairly and adequately protect the interests of the members
15 of The Classes. Plaintiff has retained attorneys experienced in the prosecution of
16 class actions.

17 42. A class action is superior to other available methods of fair and
18 efficient adjudication of this controversy, since individual litigation of the claims
19 of all Classes members is impracticable. Even if every Classes member could
20 afford individual litigation, the court system could not. It would be unduly
21 burdensome to the courts in which individual litigation of numerous issues would
22 proceed. Individualized litigation would also present the potential for varying,
23 inconsistent, or contradictory judgments and would magnify the delay and expense
24 to all parties and to the court system resulting from multiple trials of the same
25 complex factual issues. By contrast, the conduct of this action as a class action
26 presents fewer management difficulties, conserves the resources of the parties and
27 of the court system, and protects the rights of each Classes member.

28 43. The prosecution of separate actions by individual Classes members

1 would create a risk of adjudications with respect to them that would, as a practical
2 matter, be dispositive of the interests of the other Classes members not parties to
3 such adjudications or that would substantially impair or impede the ability of such
4 non-party Class members to protect their interests.

5 44. Defendant has acted or refused to act in respects generally applicable
6 to The Classes, thereby making appropriate final and injunctive relief with regard
7 to the members of the Classes as a whole.

8 **FIRST CAUSE OF ACTION**

9 **Negligent Violations of the Telephone Consumer Protection Act**

10 **47 U.S.C. §227(b).**

11 **On Behalf of the ATDS Class and ATDS Revocation Class**

12 45. Plaintiff repeats and incorporates by reference into this cause of action
13 the allegations set forth above at Paragraphs 1-43.

14 46. The foregoing acts and omissions of Defendant constitute numerous
15 and multiple negligent violations of the TCPA, including but not limited to each
16 and every one of the above cited provisions of *47 U.S.C. § 227(b)*, and in particular
17 *47 U.S.C. § 227 (b)(1)(A)*.

18 47. As a result of Defendant's negligent violations of *47 U.S.C. § 227(b)*,
19 Plaintiff and the Class Members are entitled an award of \$500.00 in statutory
20 damages, for each and every violation, pursuant to *47 U.S.C. § 227(b)(3)(B)*.

21 48. Plaintiff and the ATDS Class and ATDS Revocation Class members
22 are also entitled to and seek injunctive relief prohibiting such conduct in the future.

23 **SECOND CAUSE OF ACTION**

24 **Knowing and/or Willful Violations of the Telephone Consumer Protection**

25 **Act**

26 **47 U.S.C. §227(b)**

27 **On Behalf of the ATDS Class and the ATDS Revocation Class**

28 49. Plaintiff repeats and incorporates by reference into this cause of action

1 the allegations set forth above at Paragraphs 1-43.

2 50. The foregoing acts and omissions of Defendant constitute numerous
3 and multiple knowing and/or willful violations of the TCPA, including but not
4 limited to each and every one of the above cited provisions of *47 U.S.C. § 227(b)*,
5 and in particular *47 U.S.C. § 227 (b)(1)(A)*.

6 51. As a result of Defendant's knowing and/or willful violations of *47*
7 *U.S.C. § 227(b)*, Plaintiff and the ATDS Class and ATDS Revocation Class
8 members are entitled an award of \$1,500.00 in statutory damages, for each and
9 every violation, pursuant to *47 U.S.C. § 227(b)(3)(B)* and *47 U.S.C. § 227(b)(3)(C)*.

10 52. Plaintiff and the Class members are also entitled to and seek injunctive
11 relief prohibiting such conduct in the future.

12 **THIRD CAUSE OF ACTION**

13 **Negligent Violations of the Telephone Consumer Protection Act**

14 **47 U.S.C. §227(c)**

15 **On Behalf of the DNC Class and the DNC Revocation Class**

16 53. Plaintiff repeats and incorporates by reference into this cause of action
17 the allegations set forth above at Paragraphs 1-43.

18 54. The foregoing acts and omissions of Defendant constitute numerous
19 and multiple negligent violations of the TCPA, including but not limited to each
20 and every one of the above cited provisions of *47 U.S.C. § 227(c)*, and in particular
21 *47 U.S.C. § 227 (c)(5)*.

22 55. As a result of Defendant's negligent violations of *47 U.S.C. § 227(c)*,
23 Plaintiff and the DNC Class and DNC Revocation Class Members are entitled an
24 award of \$500.00 in statutory damages, for each and every violation, pursuant to
25 *47 U.S.C. § 227(c)(5)(B)*.

26 56. Plaintiff and the DNC Class and DNC Revocation Class members are
27 also entitled to and seek injunctive relief prohibiting such conduct in the future.

28 ///

FOURTH CAUSE OF ACTION

Knowing and/or Willful Violations of the Telephone Consumer Protection

Act

47 U.S.C. §227 et seq.

On Behalf of the DNC Class and DNC Revocation Class

57. Plaintiff repeats and incorporates by reference into this cause of action the allegations set forth above at Paragraphs 1-43.

58. The foregoing acts and omissions of Defendant constitute numerous and multiple knowing and/or willful violations of the TCPA, including but not limited to each and every one of the above cited provisions of 47 U.S.C. § 227(c), in particular 47 U.S.C. § 227 (c)(5).

59. As a result of Defendant’s knowing and/or willful violations of 47 U.S.C. § 227(c), Plaintiff and the DNC Class and DNC Revocation Class members are entitled an award of \$1,500.00 in statutory damages, for each and every violation, pursuant to 47 U.S.C. § 227(c)(5).

60. Plaintiff and the DNC Class and DNC Revocation Class members are also entitled to and seek injunctive relief prohibiting such conduct in the future.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff requests judgment against Defendant for the following:

FIRST CAUSE OF ACTION

Negligent Violations of the Telephone Consumer Protection Act

47 U.S.C. §227(b)

- As a result of Defendant’s negligent violations of 47 U.S.C. §227(b)(1), Plaintiff and the ATDS Class and ATDS Revocation Class members are entitled to and request \$500 in statutory damages, for each and every violation, pursuant to 47 U.S.C. 227(b)(3)(B).
- Any and all other relief that the Court deems just and proper.

///

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET

I. (a) PLAINTIFFS (Check box if you are representing yourself)

DEFENDANTS (Check box if you are representing yourself)

COREY WEISS, individually and on behalf of all others similarly situated,

FRONTIER COMMUNICATIONS OF AMERICA, INC., and DOES 1 through 10, inclusive, and each of them,

(b) County of Residence of First Listed Plaintiff Los Angeles

County of Residence of First Listed Defendant Fairfield County

(EXCEPT IN U.S. PLAINTIFF CASES)

(IN U.S. PLAINTIFF CASES ONLY)

(c) Attorneys (Firm Name, Address and Telephone Number) If you are representing yourself, provide the same information.

Attorneys (Firm Name, Address and Telephone Number) If you are representing yourself, provide the same information.

Law Offices of Todd M. Friedman, P.C., 21550 Oxnard St., Suite 780
Woodland Hills, CA 91367; (323)306-4234

II. BASIS OF JURISDICTION (Place an X in one box only.)

III. CITIZENSHIP OF PRINCIPAL PARTIES-For Diversity Cases Only
(Place an X in one box for plaintiff and one for defendant)

- 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)

- | | | | | | |
|---|--------------------------------|--------------------------------|---|--------------------------------|--------------------------------|
| Citizen of This State | PTF <input type="checkbox"/> 1 | DEF <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in this State | PTF <input type="checkbox"/> 4 | DEF <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. 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. Multi-District Litigation

V. REQUESTED IN COMPLAINT: JURY DEMAND: Yes No (Check "Yes" only if demanded in complaint.)

CLASS ACTION under F.R.Cv.P. 23: Yes No **MONEY DEMANDED IN COMPLAINT:** \$ 5,000,000.00

VI. 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.)

47 U.S.C. 227(c); Violations of the Telephone Consumer Protection Act

VII. NATURE OF SUIT (Place an X in one box only.)

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

FOR OFFICE USE ONLY:

Case Number:

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET**

VIII. VENUE: Your answers to the questions below will determine the division of the Court to which this case will be initially assigned. This initial assignment is subject to change, in accordance with the Court's General Orders, upon review by the Court of your Complaint or Notice of Removal.

QUESTION A: Was this case removed from state court? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "no," skip to Question B. If "yes," check the box to the right that applies, enter the corresponding division in response to Question E, below, and continue from there.	STATE CASE WAS PENDING IN THE COUNTY OF:	INITIAL DIVISION IN CACD IS:
	<input type="checkbox"/> Los Angeles, Ventura, Santa Barbara, or San Luis Obispo	Western
	<input type="checkbox"/> Orange	Southern
	<input type="checkbox"/> Riverside or San Bernardino	Eastern

QUESTION B: Is the United States, or one of its agencies or employees, a PLAINTIFF in this action? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "no," skip to Question C. If "yes," answer Question B.1, at right.	B.1. Do 50% or more of the defendants who reside in the district reside in Orange Co.? check one of the boxes to the right →	<input type="checkbox"/> YES. Your case will initially be assigned to the Southern Division. Enter "Southern" in response to Question E, below, and continue from there. <input type="checkbox"/> NO. Continue to Question B.2.
	B.2. Do 50% or more of the defendants who reside in the district reside in Riverside and/or San Bernardino Counties? (Consider the two counties together.) check one of the boxes to the right →	<input type="checkbox"/> YES. Your case will initially be assigned to the Eastern Division. Enter "Eastern" in response to Question E, below, and continue from there. <input type="checkbox"/> NO. Your case will initially be assigned to the Western Division. Enter "Western" in response to Question E, below, and continue from there.

QUESTION C: Is the United States, or one of its agencies or employees, a DEFENDANT in this action? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "no," skip to Question D. If "yes," answer Question C.1, at right.	C.1. Do 50% or more of the plaintiffs who reside in the district reside in Orange Co.? check one of the boxes to the right →	<input type="checkbox"/> YES. Your case will initially be assigned to the Southern Division. Enter "Southern" in response to Question E, below, and continue from there. <input type="checkbox"/> NO. Continue to Question C.2.
	C.2. Do 50% or more of the plaintiffs who reside in the district reside in Riverside and/or San Bernardino Counties? (Consider the two counties together.) check one of the boxes to the right →	<input type="checkbox"/> YES. Your case will initially be assigned to the Eastern Division. Enter "Eastern" in response to Question E, below, and continue from there. <input type="checkbox"/> NO. Your case will initially be assigned to the Western Division. Enter "Western" in response to Question E, below, and continue from there.

QUESTION D: Location of plaintiffs and defendants?	A. Orange County	B. Riverside or San Bernardino County	C. Los Angeles, Ventura, Santa Barbara, or San Luis Obispo County
Indicate the location(s) in which 50% or more of <i>plaintiffs who reside in this district</i> reside. (Check up to two boxes, or leave blank if none of these choices apply.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Indicate the location(s) in which 50% or more of <i>defendants who reside in this district</i> reside. (Check up to two boxes, or leave blank if none of these choices apply.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

D.1. Is there at least one answer in Column A? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "yes," your case will initially be assigned to the SOUTHERN DIVISION. Enter "Southern" in response to Question E, below, and continue from there. If "no," go to question D2 to the right. →	D.2. Is there at least one answer in Column B? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "yes," your case will initially be assigned to the EASTERN DIVISION. Enter "Eastern" in response to Question E, below. If "no," your case will be assigned to the WESTERN DIVISION. Enter "Western" in response to Question E, below. ↓
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QUESTION E: Initial Division?	INITIAL DIVISION IN CACD
Enter the initial division determined by Question A, B, C, or D above: →	WESTERN

QUESTION F: Northern Counties?	Do 50% or more of plaintiffs or defendants in this district reside in Ventura, Santa Barbara, or San Luis Obispo counties? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET**

IX(a). IDENTICAL CASES: Has this action been previously filed in this court?

NO YES

If yes, list case number(s): _____

IX(b). RELATED CASES: Is this case related (as defined below) to any civil or criminal case(s) previously filed in this court?

NO YES

If yes, list case number(s): _____

Civil cases are related when they (check all that apply):

- A. Arise from the same or a closely related transaction, happening, or event;
- B. Call for determination of the same or substantially related or similar questions of law and fact; or
- C. For other reasons would entail substantial duplication of labor if heard by different judges.

Note: That cases may involve the same patent, trademark, or copyright is not, in itself, sufficient to deem cases related.

A civil forfeiture case and a criminal case are related when they (check all that apply):

- A. Arise from the same or a closely related transaction, happening, or event;
- B. Call for determination of the same or substantially related or similar questions of law and fact; or
- C. Involve one or more defendants from the criminal case in common and would entail substantial duplication of labor if heard by different judges.

X. SIGNATURE OF ATTORNEY

(OR SELF-REPRESENTED LITIGANT): s/Todd M. Friedman

DATE: 07/18/19

Notice to Counsel/Parties: The submission of this Civil Cover Sheet is required by Local Rule 3-1. This Form CV-71 and the information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. For more detailed instructions, see separate instruction sheet (CV-071A).

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405 (g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))

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

UNITED STATES DISTRICT COURT

for the

Central District of California

COREY WEISS, individually and on behalf of all others similarly situated,

Plaintiff(s)

v.

FRONTIER COMMUNICATIONS OF AMERICA, INC., and DOES 1 through 10, inclusive, and each of them,

Defendant(s)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) FRONTIER COMMUNICATIONS OF AMERICA, INC. c/o CSC-Lawyers Incorporated Service 2710 Gateway Oaks Drive, Suite150N, Sacramento, CA 95833

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: Todd M. Friedman, Esq. Law Offices of Todd M. Friedman, P.C. 21550 Oxnard Street, Suite 780 Woodland Hills, CA 91367

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

NAME, ADDRESS, AND TELEPHONE NUMBER OF ATTORNEY(S)
 OR OF PARTY APPEARING IN PRO PER
 Todd M. Friedman, Esq. (SBN 216752)
 Law Offices of Todd M. Friedman, P.C.
 21550 Oxnard St., Suite 780
 Woodland Hills, CA 91367
 Phone: (323) 306-4234
 Fax: (866) 633-0228
 tfriedman@toddfllaw.com
 Attorneys for Plaintiff
 ATTORNEY(S) FOR: Plaintiff, COREY WEISS

**UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA**

COREY WEISS, individually and on behalf of all
 others similarly situated,
 Plaintiff(s),
 v.
 FRONTIER COMMUNICATIONS OF
 AMERICA, INC., and DOES 1 through 10,
 inclusive, and each of them,
 Defendant(s)

CASE NUMBER:

**CERTIFICATION AND NOTICE
 OF INTERESTED PARTIES
 (Local Rule 7.1-1)**

TO: THE COURT AND ALL PARTIES OF RECORD:

The undersigned, counsel of record for COREY WEISS
 or party appearing in pro per, certifies that the following listed party (or parties) may have a pecuniary interest in
 the outcome of this case. These representations are made to enable the Court to evaluate possible disqualification
 or recusal.

(List the names of all such parties and identify their connection and interest. Use additional sheet if necessary.)

PARTY	CONNECTION / INTEREST
COREY WEISS	PLAINTIFF
FRONTIER COMMUNICATIONS OF AMERICA, INC.	DEFENDANT

July 18, 2019
 Date

s/Todd M. Friedman
 Signature

Attorney of record for (or name of party appearing in pro per):

COREY WEISS

ClassAction.org

This complaint is part of ClassAction.org's searchable class action lawsuit database and can be found in this post: [Frontier Communications Placed Robocall to Number on Do-Not-Call List, Class Action Claims](#)
