

FILED

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF FLORIDA

2018 OCT 30 PM 3: 04

**BRUCE WRIGHT**, individually, and on  
behalf of all others similarly situated,

*Plaintiff,*

v.

**EXP REALTY, LLC**, a Texas company,

*Defendant.*

Case No. **18-cv-01851-ORL-40-TBS**  
CLASS ACTION

**DEMAND FOR JURY TRIAL**

**CLASS ACTION COMPLAINT**

Plaintiff Bruce Wright (“Wright” or “Plaintiff”) brings this Class Action Complaint and Demand for Jury Trial against Defendant eXp Realty, LLC (“eXp Realty” or “Defendant”) to stop eXp Realty from directing its agents to violate the Telephone Consumer Protection Act (“TCPA”) by making unsolicited, autodialed calls to consumers without their consent, and to other obtain injunctive and monetary relief for all persons injured by eXp Realty’s conduct. Plaintiff, for his Complaint, alleges as follows upon personal knowledge as to himself and his own acts and experiences, and, as to all other matters, upon information and belief, including investigation conducted by his attorneys.

**INTRODUCTION**

1. eXp Realty is a real estate brokerage that is headquartered in Houston, Texas with over 10,000 agents working throughout the U.S.<sup>1</sup>
2. eXp Realty touts itself as one of the country’s most innovative brokerages, and provides its agents with some of the most powerful technologies in real estate. This includes

<sup>1</sup> <https://www.markzproperties.com/blog/why-i-left-keller-williams-and-chose-exp-realty.html>

top-tier, lead-generation software, marketing tools, advertising support and different platforms that all feature the use of an autodialer to impement eXp's marketing plan.<sup>2</sup>

3. In addition, eXp Realty provides its agents more than 15 hours of live training *each week* and live support from a variety of different realty-based fields.<sup>3</sup>

4. Relevant here, a key component of eXp Realty's marketing plan has been for agents to purchase lists of potential leads for real estate listings from lead provider companies such as Landvoice and Kunversion – companies that generate leads from a variety of sources, match phone numbers to those leads, including cellular telephone numbers, and provide web-hosted autodialers for agents to make marketing calls *en masse* to those numbers without the recipients' consent.

5. In fact, eXp Realty provides all of its agents with a cost-free autodialer, which eXp directly benefits from, since eXp shares in the profits of each real estate agent's commission.<sup>4</sup>

6. In Plaintiff's case, eXp Realty agents placed two unsolicited, autodialed calls to Plaintiff's cellular phone numbers.

7. In response to these calls, Plaintiff files this lawsuit seeking injunctive relief, requiring Defendant to cease directing its agents to violate the TCPA by placing unsolicited calls to consumers' cellular telephone numbers using an automatic telephone dialing system, as well as an award of statutory damages to the members of the Class and costs.

## PARTIES

8. Plaintiff Wright is a Point Roberts, Washington resident with a property in Orlando, Florida.

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<sup>2</sup> <http://join.exprealty.com/powerful-technology/>

<sup>3</sup> *Id.*

<sup>4</sup> <https://www.markzproperties.com/blog/why-i-left-keller-williams-and-chose-exp-realty.html>

9. Defendant eXp Realty is a Washington limited liability company headquartered in Bellingham, Washington. Defendant conducts business throughout this District, the State of Florida, and throughout the United States.

### **JURISDICTION AND VENUE**

10. This Court has federal question subject matter jurisdiction over this action under 28 U.S.C. § 1331, as the action arises under the Telephone Consumer Protection Act, 47 U.S.C. §227.

11. This Court has personal jurisdiction over Defendant and venue is proper in this District under 28 U.S.C. § 1391(b) because Defendant does significant business in this District and the state of Florida, and because the wrongful conduct giving rise to this case arose from this District. The agency that made the calls is located in this District, the property that the agents were calling about is located in this District, and the calls were directed towards Plaintiff in this district.

### **COMMON ALLEGATIONS**

#### **eXp Realty Directs Its Agents to Market its Services By Purchasing Lists of Leads from Lead Providers and Autodialing Them Without Consent**

##### ***Exploring Landvoice***

12. Landvoice is a company that sells agents lists of real estate leads, researches telephone numbers associated with the leads, and provides agents with an online automatic telephone dialing system which allows them to load the lists of leads using a sequential number generator and then dial them.

13. Landvoice's leads are in the first instance aggregated from expired listings, for-sale-by-owner properties, old expired leads, and pre-foreclosure leads. Landvoice then uses state-of-the-art technology to "take additional steps to deliver the highest quality and quantity of

owner contact information including cell phone numbers.”<sup>5</sup> Landvoice generates multiple phone numbers (including cell phone numbers) for each lead to ensure that the agent calling has the best chance of reaching the client.<sup>6</sup> (This type of lead gathering information has been commonly used by debt collectors for instance who use skip-tracing to track every possible contact related to a particular individual.)

14. Landvoice’s service includes the automatic loading of the Landvoice-generated list, using a sequential number generator, into a “Power Dialer,” an automatic telephone dialing system that “dial[s] leads” at a rate of 80 to 300 per hour and delivers a pre-recorded message if calls are not answered:<sup>7 8</sup>

https://landvoice.com/power-dialer/

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ptofanc... D New Tab Helpdesk : Report T... Mail :: Inbox Lucky Orange | Site... Form Builder · JotFo... Dashboard Report Do Not Call C... Internet

**LANDVOICE** SOLUTIONS ▾ PRICING CONTACT US ▾ LOG IN 888-678-0905 C

# POWER DIALER

[pou-er] [dahy-ler] | noun

Starting at  
**\$100/mo**

**GET STARTED**

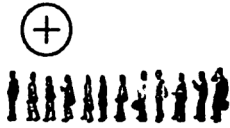
1. A computerized system that will dial leads for you.
2. A tool used by top agents to dial more leads in less time to help them list more properties.

<sup>5</sup> <https://www.linkedin.com/company/landvoice/>

<sup>6</sup> Landvoice is owned by Omega, Inc., “the world leader of data aggregation and lead generation [which uses] hi-tech creative systems to give clients hard-to-get data and leads.” *See* <https://www.linkedin.com/company/omega-inc-/>

<sup>7</sup> Advertisement available at, <https://landvoice.com/power-dialer/>.

<sup>8</sup> Landvoice’s lists of leads are also intended by Landvoice to be easily integrated and loaded to any autodialer, not just the one provided as part of Landvoice’s service. *See* blog available at, <http://activerain.com/blogsviw/1170875/mojo-and-landvoice--we-play-well-together--->.



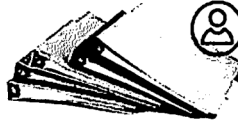
**Save Time**

Contact more leads in less time. By using the Landvoice single-line dialer, you can dial up to 80 calls per hour. Upgrade to the 4-line dialer to call more than 300 leads each hour.



**Answer Detection**

The Landvoice dialer allows you to quickly move from one call to the next. Instantly leave pre-recorded messages with a simple click. Avoid busy signals, disconnected phone numbers, and unanswered calls.



**Stay Organized**

Call the right people at the right time with the built-in lead management tools. Access customer history and notes. Keep track of your effectiveness with system analytics and reports.



**Integrated System**

Your new Landvoice expired, FSBO, and pre-foreclosure leads are automatically pushed into the dialer. Have other leads you want to call? Simply import a CSV file.

15. The problem with this whole system is that Landvoice is providing multiple phone numbers (including cell phone numbers) along with access to an autodialer system to agents and neither Landvoice nor the agents have consent to call these consumers' phone numbers using an autodialer in clear violation of the TCPA.

16. Notwithstanding, eXp Realty specifically directs its agents to use the Landvoice system, which by definition knowingly directs their violating the TCPA.

17. eXp Realty imposes its marketing plan on its network of agents through its coaching and training programs. Coaching and training is provided on eXp Cloud, a cloud-based system where agents have access to classes and learn important strategies for generating new clients from eXp.<sup>9</sup>

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<sup>9</sup> Prior to having eXp Cloud, eXp Realty utilized RETech Campus, an online website where agents could access coaching and training programs. Today, RETech Campus still features a small selection of the programs for agents to learn from.

18. For example, on April 22, 2017, Brad Andersohn, Director of Education for eXp Realty engaged Christoph Malzl, the VP of Business Development & Public Relations for Landvoice to present a course entitled “How to Dominate Your FSBO (For Sale By Owner) & Expireds (expired property listings) Market” to eXp Realty’s agents nationwide. The sole purpose of the course was to encourage eXp Realty agents to use the Landvoice service and platform. In fact, during the course, Malzl (the VP of eXp’s business development and public relations) guaranteed eXp Realty agents success if they would try using Landvoice.<sup>11</sup>

19. Consistent with this endorsement of Landvoice’s services by eXp to its agents, Landvoice sponsors part of the eXp Realty Annual Shareholders Summit,<sup>12</sup> and Landvoice is also a regular participant and presenter regarding its lead generating and autodialing services at eXpcon, an annual event eXp Realty holds for its agents.<sup>14</sup>

20. Not surprisingly, eXP has arranged with Landvoice special discounted pricing and packages exclusive for eXp Realty agents.

### ***Exploring the Kunversion System***

21. Every eXp agent is provided a lead management system called Kunversion, which on its own can cost \$499 per month.<sup>17</sup>

22. Kunversion is a software package that, most notably, includes an automatic telephonic dialing system (“ATDS” or “autodialer”) for real estate agents, and which allows

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<sup>11</sup> *Id.*  
<sup>12</sup>

<https://www.facebook.com/photo.php?fbid=2015996148621206&set=pcb.2015996978621123&type=3&theater>

<sup>14</sup> <https://www.facebook.com/christoph.malzl.1/videos/1940376072849881/>

<sup>17</sup> <https://hooquest.com/platform/kunversion/>

agents to create lists of leads and/or produce them to be called using a random or sequential number generator.<sup>18</sup>

23. The Kunversion dialer functions as software that is installed as an application on an agent's cellular phone. According to Kunversion's website, the dialer does not function on a computer:

## **[K+] Why must I use my smart phone app to use the dialer?**

It's against federal law to auto-dial cell phone numbers from a computer.

19

24. The Kunversion dialer allows an agent to select from a group of consumers that the agent, or Kunversion itself has generated. Once the agent has selected a group, they simply click on "START" for the dialer to begin running through the phone numbers present in the selected group. The process of running through the list is done without human intervention as the calls are made sequentially until a live person picks up one of the calls. All the agent does is click on "START" and the dialer will move from lead to lead until it is manually switched off, or until all of the contacts have been called.

25. eXp Realty provides its agents with access to kvCORE, a Kunversion extension that allows teams of agents to be joined in a single system allowing for management to easily monitor the activity of its workforce. Besides the lead-generation tools, kvCORE includes a mobile dialer that allows agents to place autodialed calls while on the road so they can increase their productivity in soliciting consumers for business.<sup>20</sup>

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<sup>18</sup> <https://support.insiderealestate.com/portal/kb/articles/video-kunversion-mobile-app-dialer;>  
<https://support.insiderealestate.com/portal/kb/articles/what-do-i-have-to-do>

<sup>19</sup> <https://support.insiderealestate.com/portal/kb/articles/why-must-i-use-my-smart-phone-app-to-use-the-dialer>

<sup>20</sup> <https://insiderealestate.com/features/kvcore-platform/>

26. Use of the kvCORE dialer is so integral to the daily workings of eXp Realty agents, Defendant provides instructions on how to use the dialer right on its website:

<https://support.expcloud.com/portal/kb/articles/how-to-daily-phone-calls> ☆ ⓘ f? ▼ ⌵ ⌵ ⌵ |

- Support
  - Agent Attraction
  - Branding
  - CINC
  - Email Forwarding
  - eXp Passport
  - eXp Realty Workplace
  - eXp World
  - General
  - IT Support
  - **KVCore**
    - Getting kvCORE
    - kvCORE Basics
    - kvCORE Migration

## How to: Daily Phone Calls

**What are Daily Calls?**

Daily Calls are generated by the system, and by you. Calls can be created by campaigns, or they can be created by kvCORE on your behalf when your leads and contacts do interesting things. You can also schedule calls yourself. Each call is an opportunity to generate a client! Your number one priority every day in kvCORE should be to complete all of your calls.

**Which contacts are Daily Calls created for?**

*Contacts must fall into the following criteria:*

- Not 'Archive' status.
- Not Unsubscribed.
- Have a phone number.

**What conditions must be true for a call to be created?**

- The contact may not have a 'missed' call that was previously auto-created as a Daily Call. Manually scheduled calls do NOT count towards this.
- The Agent must have not reached the maximum number of calls created already for the day. (This is configured here.)

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27. eXp Realty impresses on its agents that “Each call is an opportunity to generate a client! Your number one priority every day in kvCORE should be to complete all of your calls.”<sup>22</sup> This is one of the many ways that eXp Realty encourages its agents to make use of a dialer to solicit consumers.

***Exploring the CINC Platform***

28. Another platform eXp Realty provides its agents is the CINC Internet Marketing Platform. This platform allows agents to maintain a greater internet presence and CRM system in order to “cultivate more clients and close more business.”<sup>23</sup>

<sup>21</sup> <https://support.expcloud.com/portal/kb/articles/how-to-daily-phone-calls>

<sup>22</sup> *id*

<sup>23</sup> <http://expressway.expcloud.com/course/powered-by-cinc/>



29. A significant feature of CINC is a multi-call autodialer. This dialer is included within CINC itself:

## Featuring

**Fully integrated Multi-Call Auto-Dialer**

**Targeted Email Capabilities**

**Real-Time Chat**

**Real-Time Home Buyer Activity Feed**

**Single-Text and Targeted-Text Messaging**

**Instant New Lead Alert Notifications**

**Instant Property Inquiry Notifications**

**CC Lead Alerts to Multiple Agents / Brokers**

24

The CINC dialer can be used on a computer to call potential clients. This is different from Kunversion and kvCORE, which can be used on a mobile smart phone. By providing the CINC dialer in addition to Kunversion and kvCORE, eXp provides its agents with a functioning autodialer no matter where they are working from.<sup>25</sup>

30. In sum, eXp Realty encourages its agents to use services like Landvoice, Kunversion, and CINC to generate leads and then to autodial those leads *en masse*. Those calls are placed without consent, making each call a TCPA violation.<sup>26</sup>

### **PLAINTIFF'S ALLEGATIONS**

#### **eXp Realty Agents Called Plaintiff's Cell Phone Numbers Without Plaintiff's Consent Using an Autodialer**

31. In 2017, Plaintiff Wright, through a Re/Max real estate agency, listed for sale an apartment he owns in Orlando, Florida. The official multiple listing service (MLS) listing for the

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<sup>24</sup> <https://www.commissionsinc.com/powerfulcommunication/>

<sup>25</sup> Recognizing that, consistent with eXp's marketing plan and training, many of its agents will use third-party dialers such as the Mojo dialer, eXp Realty posts instructions on its website so its agents can utilize the Mojo autodialer while using the CINC system.

<https://support.expcloud.com/portal/kb/support/cinc>

<sup>26</sup> *Id.*

property, provided the Re/Max agent's telephone number as a contact number, and did not list any of Wright's telephone numbers. In late 2017, at Wright's request, Re/Max removed Wright's listing from the market.

32. As soon as the listing was removed, Plaintiff Wright began receiving unsolicited autodialed calls on his cellular phones, presumably from agents who purchased 'expired listings.' The calls came in from a number of different realtors, eventually coming to a stop a month later. However, in July 2018, Plaintiff began to receive another onslaught of unsolicited calls, including calls from eXp Realty agents.

33. On July 2, 2018, Plaintiff received a phone call on his cell phone at 4:43 PM (EST) from an eXp Realty agent using phone number 407-602-1989.

34. At exactly the same time on July 2, 2018, Plaintiff received a call on his other cell phone from an eXp Realty agent also using phone number 407-602-1989. The call resulted in a 25-second blank voice message, indicating the use of an autodialer.

35. The telephone number 407-602-1989 is owned and/or controlled by Team Freda, an eXp Realty agency.<sup>27</sup>

36. Upon information and belief, the CINC dialer, or another autodialer specifically provided or endorsed by eXp Realty, was used to place the 2 calls to Plaintiff's cellular phone numbers.<sup>28</sup> The CINC dialer offers multi-call capability, meaning it has the ability to dial multiple numbers at the same time.<sup>29</sup>

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<sup>27</sup> Matthew Freda, owner of Team Freda is a registered eXp Realty agent:  
<https://experts.expcloud.com>

<sup>28</sup> Team Freda utilizes the website <http://www.findorlandoareahouses.com>. This website utilizes a CINC website template that is provided to all subscribers of the CINC system. The template and its functionality are shown here: <https://www.youtube.com/watch?v=vfWSwwEgwkU>

<sup>29</sup> <https://www.commissionsinc.com/difference/>

37. Plaintiff does not have a relationship with eXp Realty or any of its agents, nor has he ever requested that eXp Realty agents call him or otherwise consented to any contact from Defendant.

38. Simply put, eXp Realty's agents did not have Plaintiff's prior express written consent to place solicitation telephone calls to him on his cellular telephones using an autodialer.

39. The unauthorized telephone calls made at eXp Realty's direction and on its behalf, as alleged herein, have harmed Plaintiff in the form of annoyance, nuisance, and invasion of privacy, and disturbed Wright's use and enjoyment of his phone, in addition to the wear and tear on the phones' hardware (including the phones' batteries) and the consumption of memory on the phones.

40. Seeking redress for these injuries, Wright, on behalf of himself and Class of similarly situated individuals, brings suit under the Telephone Consumer Protection Act, 47 U.S.C. § 227, *et seq.*, which prohibits unsolicited autodialed telephone calls to cellular telephones.

### CLASS ALLEGATIONS

#### **Class Treatment Is Appropriate for Plaintiff's TCPA Claims Arising From Calls Made by eXp Realty Agents at eXp Realty's Direction and on its Behalf**

41. Plaintiff brings this action pursuant to Federal Rule of Civil Procedure 23(b)(2) and Rule 23(b)(3) on behalf of himself and all others similarly situated and seeks certification of the following Class:

**Autodialed No Consent Class:** All persons in the United States who from four years prior to the filing of this action through the present (1) Defendant (or an agent acting on behalf of Defendant) called, (2) on the person's cellular telephone, (3) using an autodialer, and (4) for whom Defendant claims (a) it obtained prior express written consent in the same manner as Defendant claims it obtained prior express written consent to call Plaintiff, or (b) Defendant did not obtain prior express written consent.

42. The following individuals are excluded from the Class: (1) any Judge or Magistrate presiding over this action and members of their families; (2) Defendant, its subsidiaries, parents, successors, predecessors, and any entity in which Defendant or its parents have a controlling interest and their current or former employees, officers and directors; (3) Plaintiff's attorneys; (4) persons who properly execute and file a timely request for exclusion from the Class; (5) the legal representatives, successors or assigns of any such excluded persons; and (6) persons whose claims against Defendant have been fully and finally adjudicated and/or released. Plaintiff anticipates the need to amend the Class definitions following appropriate discovery.

43. **Numerosity:** On information and belief, there are hundreds, if not thousands of members of the Class such that joinder of all members is impracticable.

44. **Commonality and Predominance:** There are many questions of law and fact common to the claims of Plaintiff and the Class, and those questions predominate over any questions that may affect individual members of the Class. Common questions for the Class include, but are not necessarily limited to the following:

- (a) whether Defendant's agents used automatic telephone dialing systems to make calls at Defendant's direction and on its behalf to Plaintiff and the members of the Class;
- (b) whether Defendant's agents made autodialed telephone calls to Plaintiff and members of the Class without first obtaining prior express written consent to make the calls; and
- (c) whether Defendant's conduct constitutes a violation of the TCPA; and
- (d) whether members of the Class are entitled to treble damages based on the willfulness of Defendant's agents' conduct.

45. **Adequate Representation:** Plaintiff will fairly and adequately represent and protect the interests of the Class, and has retained counsel competent and experienced in class actions. Plaintiff has no interests antagonistic to those of the Class, and Defendant has no

defenses unique to Plaintiff. Plaintiff and his counsel are committed to vigorously prosecuting this action on behalf of the members of the Class, and have the financial resources to do so. Neither Plaintiff nor his counsel has any interest adverse to the Class.

46. **Appropriateness:** This class action is also appropriate for certification because Defendant has acted or refused to act on grounds generally applicable to the Class and as a whole, thereby requiring the Court's imposition of uniform relief to ensure compatible standards of conduct toward the members of the Class and making final class-wide injunctive relief appropriate. Defendant's business practices apply to and affect the members of the Class uniformly, and Plaintiff's challenge of those practices hinges on Defendant's conduct with respect to the Class as wholes, not on facts or law applicable only to Plaintiffs. Additionally, the damages suffered by individual members of the Class will likely be small relative to the burden and expense of individual prosecution of the complex litigation necessitated by Defendant's actions. Thus, it would be virtually impossible for the members of the Class to obtain effective relief from Defendant's misconduct on an individual basis. A class action provides the benefits of single adjudication, economies of scale, and comprehensive supervision by a single court. Economies of time, effort, and expense will be fostered and uniformity of decisions will be ensured.

**FIRST CAUSE OF ACTION**  
**Telephone Consumer Protection Act**  
**(Violations of 47 U.S.C. § 227)**  
**(On Behalf of Plaintiff and the Autodialed No Consent Class)**

47. Plaintiff repeats and realleges paragraphs 1 through 46 of this Complaint and incorporates them by reference herein.

48. At Defendant's direction and on its behalf, Defendant's agents made unwanted solicitation telephone calls to cellular telephone numbers belonging to Plaintiff and the other members of the Autodialed No Consent Class using an autodialer.

49. These solicitation telephone calls were made *en masse* without the consent of the Plaintiff and the other members of the Autodialed No Consent Class to receive such solicitation telephone calls.

50. Defendant and its agents did not have consent from the Plaintiff orally or in writing to call him.

51. Defendant has, therefore, violated 47 U.S.C. § 227(b)(1)(A)(iii), and Plaintiff and the other members of the Autodialed No Consent Class are each entitled to between \$00 and \$1,500 per violative call.

### **PRAYER FOR RELIEF**

**WHEREFORE**, Plaintiff, individually and on behalf of the Class, prays for the following relief:

- a) An order certifying the Class as defined above; appointing Plaintiff as the representative of the Class; and appointing his attorneys as Class Counsel;
- b) An award of actual and/or statutory damages and costs;
- c) An order declaring that Defendant's actions, as set out above, violate the TCPA;
- d) An injunction requiring Defendant to cease all unsolicited calling activity, and to otherwise protect the interests of the Class; and
- e) Such further and other relief as the Court deems just and proper.


### **JURY DEMAND**

Plaintiff requests a jury trial.

Respectfully Submitted,

**BRUCE WRIGHT**, individually and on behalf of  
those similarly situated individuals

Dated: October 29, 2018



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*Attorneys for Plaintiff and the putative Class*

JS 44 (Rev. 06/17)

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

Bruce Wright, individually and on behalf of all others similarly situated

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

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

Kafuman P.A. 400 NW 26th Street, Miami, FI 33127 (305) 469-5881;

DEFENDANTS

EXP REALTY, LLC, a Washington limited liability company,

County of Residence of First Listed Defendant Whatcom County, WA (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, 2 U.S. Government Defendant, 3 Federal Question (U.S. Government Not a Party), 4 Diversity (Indicate Citizenship of Parties in Item III)

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

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

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

Table with columns: CONTRACT, REAL PROPERTY, TORTS, CIVIL RIGHTS, PRISONER PETITIONS, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER STATUTES. Includes various codes like 110 Insurance, 310 Airplane, 365 Personal Injury, etc.

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 - Transfer, 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): 47 U.S.C. § 227

Brief description of cause: Violation of the Telephone Consumer Protection Act

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: October 29, 2018 SIGNATURE OF ATTORNEY OF RECORD: s/ Avi Kaufman

FOR OFFICE USE ONLY RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE



# ClassAction.org

This complaint is part of ClassAction.org's searchable class action lawsuit database and can be found in this post: [eXp Realty Accused of Making Unauthorized, Autodialed Telemarketing Calls](#)

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