

January 20, 2015

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: **Notice of Ex Parte – CG Docket No. 02-278**
The Association of Credit and Collection Professionals (“ACA
International” or “ACA”)

Dear Ms. Dortch:

On January 15, 2015, Monica Desai, counsel to ACA International, Robert L. Föehl (Vice President and General Counsel, ACA International), and Maria Wolvin (Regulatory Counsel, ACA International), held a series of meetings with the following Federal Communications Commission (FCC or Commission) staff: Maria Kirby (Legal Advisor, Office of the Chairman) and Matthew Collins (Honors Attorney, Office of General Counsel); Nicholas Degani (Legal Advisor, Office of Commissioner Pai); Amy Bender (Legal Advisor, Office of Commissioner O’Rielly); Adonis Hoffman (Legal Advisor, Office of Commissioner Clyburn), Yosef Getachew (Law Clerk, Office of Commissioner Clyburn), Carter McMillan (Law Clerk, Office of Commissioner Clyburn), and Allante Keels (Law Clerk, Office of Commissioner Clyburn); Valery Galasso (Special Advisor and Confidential Assistant, Office of Commissioner Rosenworcel); and, from the Consumer & Governmental Affairs Bureau: Mark Stone (Deputy Bureau Chief), Kurt Schroeder (Chief, Consumer Policy Division), Kristi Lemoine (Legal Advisor, Consumer Policy Division), and Aaron Garza (Legal Advisor to the Bureau Chief).

In the meetings, ACA requested that the Commission modernize its rules promulgated under the Telephone Consumer Protection Act (“TCPA”), and move forward with addressing the issues raised and issuing the clarifications requested in its pending Petition.¹ ACA highlighted recent developments that have emerged in the year since ACA

¹ 47 U.S.C. § 227; *see also* Petition for Rulemaking of ACA International, *Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991*, CG Docket No. 02-278 (filed Jan. 31,

filed its Petition. ACA emphasized the increasingly urgent need for covered communications to be governed by a clear, fair, and consistent framework that protects the interests Congress contemplated in enacting the TCPA without impeding normal, expected and desired communications.

TCPA-Related Developments Since the Filing of ACA's Petition

ACA noted several developments since the filing of its Petition.

1) In Defending the TCPA Against an Argument that it is Constitutionally Overbroad, the Department of Justice Explained that "Capacity" Means "Present Ability."

ACA has urged the Commission to clarify that "capacity," as referenced in the definition of an Automatic Telephone Dialing System, means the *present* ability of equipment "(A) to store or produce telephone numbers to be called, using a random or sequential number generator; and (B) to dial such numbers," at the time the call is made.² Any other definition – for example, one that finds that "capacity" means future hypothetical ability made possible through future modification – potentially exposes anyone with a smart phone, a PC with a modem, or a host of other devices to TCPA liability.³

The Department of Justice ("DoJ") has now confirmed that "capacity" under the TCPA definition of an ATDS means "present" capacity – a position consistent with ACA's requested clarification of that term.⁴ In a federal TCPA lawsuit, the defendant challenged the constitutionality of the TCPA, stating that the statute was unconstitutionally overbroad because the term ATDS applies to most smartphones and computers.⁵ In a memorandum filed in defense of the statute, the DoJ explained that the TCPA is not constitutionally

2014) ("ACA Petition"), and related Comments (filed Mar. 24, 2014) ("ACA Comments") and Reply Comments (filed Apr. 8, 2014) ("ACA Reply Comments") of ACA.

² 47 U.S.C. § 227(a)(1); *see also* ACA Petition at 1, 9-12.

³ *See Hunt v. 21st Mortgage Corp.*, 2013 U.S. Dist. LEXIS 132574, at *11 (D. Ala. Sept. 17, 2013) ("Hunt P").

⁴ *See Aja de Los Santos v. Millward Brown, Inc.*, United States' Memorandum in Support of the Constitutionality of the Telephone Consumer Protection Act, 2014 U.S. Dist. Ct. Pleadings LEXIS 3897 (S.D. Fl. Jan. 31, 2014) ("DoJ Memorandum"); *see also Aja de los Santos v. Millward Brown, Inc.*, Order Denying Defendant's Motion to Dismiss Plaintiff's Second Amended Complaint, 2014 U.S. Dist. LEXIS 88711 (S.D. Fl. June 29, 2014) ("Millward Brown, Inc. Order").

⁵ *Millward Brown, Inc. Order* at *19.

overbroad because the scope of the TCPA is limited.⁶ The DOJ emphasized that the device in question, in order to be an ATDS under the TCPA, “had to have *present* capacity, at the time the calls were being made, to store or produce and call numbers from a number generator.”⁷ The court agreed with that analysis, and decided that because capacity refers to “present” ability, found that the TCPA is not constitutionally overbroad.⁸ The court confirmed that “‘capacity’ refers to ‘present, not potential, capacity’ to produce and dial numbers” because “[o]therwise, the term autodialer would have no ‘outer limit,’ for [v]irtually every telephone in existence, given a team of sophisticated engineers working doggedly to modify it, could possibly store or produce numbers using a random or sequential number generator.”⁹ ACA emphasized that the FCC should similarly confirm that “capacity” must mean present, not potential, hypothetical ability.

2) Litigation Has Continued Unabated in Part Due to Arguments by Certain Plaintiffs that the FCC has Nullified Elements of the Definition of an ATDS (Which Obviously the FCC Did Not, and Could Not, have Done).

ACA has asked the Commission to confirm that it did not (and could not) nullify the statutory definition of an ATDS, and that just because a piece of equipment is called a “predictive dialer,” it still must have the statutory elements of an ATDS in order to be an ATDS under the statute. ACA agrees with the FCC that a telemarketer cannot circumvent the statutory definition of an ATDS by using a predictive dialer: “We believe the purpose of the requirement that equipment have the ‘capacity to store or produce telephone numbers to be called’ is to ensure that the prohibition on autodialed calls not be circumvented.”¹⁰ However, litigation continues unabated under the legally unsupportable theory that the FCC has declared *every* piece of equipment that is called a “predictive dialer” an ATDS under the statute, *even if it does not have the required statutory elements of an ATDS*.¹¹ It is critical, then, that the Commission simply state the obvious – that it did not, and could not, nullify or alter the

⁶ See DOJ Memorandum at *22-29.

⁷ *Id.* at *26 (emphasis added).

⁸ *Millward Brown, Inc. Order* at *19-21, citing *Gragg v. Orange Cab Co., Inc.*, 995 F. Supp. 2d 1189 (W.D. Wash. Feb. 7, 2014).

⁹ *Millward Brown, Inc. Order* at *20, quoting *Hunt v. 21st Mortgage Corp.*, 2014 U.S. Dist. LEXIS 13469, at *14 (N.D. Ala. Feb. 4, 2014) (“*Hunt IP*”).

¹⁰ *Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991, Report and Order*, 18 FCC Rcd 14104 ¶ 133 (2003) (“2003 TCPA Order”).

¹¹ See, e.g., *Griffith v. Consumer Portfolio Serv. Inc.*, 838 F. Supp. 2d 723, 727 (N.D. Ill. 2011).

statutory definition of an ATDS – and that in order for any equipment to be an ATDS under the TCPA, it must meet the statutory definition given by Congress.¹²

ACA emphasized that the FCC has the responsibility to clarify what is the correct legal framework for evaluating whether or not an ATDS has in fact been used in a communication. The lack of a clarification and uncertainty on this point has contributed to the continuing, and ever increasing, volume of litigation brought pursuant to the TCPA.¹³

ACA reiterated to the Commission that debt collection companies are responsible for creating 231,300 jobs, particularly in the small business sector.¹⁴ The majority of debt collection companies are small businesses, with over 59 percent maintaining nine or fewer employees, and over 74 percent maintaining fewer than 20 employees.¹⁵ Companies of this size typically do not possess the resources required to defend against costly TCPA class-action litigation.

Since the filing of ACA's petition, a group of fifteen members of the U.S. House of Representatives sent a letter to the FCC urging the agency to act on ACA's Petition; the

¹² 47 U.S.C. § 227(a)(1).

¹³ See *supra* Exhibits 1 and 2. A search for TCPA cases on Bloomberg Law's docket monitoring database demonstrates the dramatic increase in TCPA litigation observed in the last five years (Exhibit 1). In 2010, 344 TCPA cases were filed, primarily in federal courts. In 2011, the number of TCPA cases filed increased by 64 percent to 563 cases. In 2012, the number increased by 55 percent to 872 cases. In 2013, the number increased by 52 percent to 1,326 cases. In 2014, an astonishing 1,604 TCPA cases were filed. Indeed, the searches in 2013 and 2014 returned so many results that, due to Bloomberg Law's 1,000 "hit" display limit, the searches had to be broken into two parts, each covering one-half of that year. The dramatic increase in TCPA litigation observed in Bloomberg Law's data is also reflected in the data distributed by WebRecon for TCPA cases (Exhibit 2). Although WebRecon's data and Bloomberg Law's data differ as to the exact number of TCPA cases filed, WebRecon's data reflects an even higher number of TCPA cases filed in every year from 2010 to 2014, and an even sharper rise in the number of TCPA cases filed from 2010 to 2014 (a 527 percent increase).

¹⁴ See Ernst & Young, *The Impact of Third-Party Debt Collection on the National and State Economies*, at 10 (July 2014), available at <http://www.acainternational.org/files.aspx?p=/images/21594/theimpactofthird-partydebtcollectiononthenationalandstateeconomies2014.pdf>.

¹⁵ *Id.* at 18.

letter observed that “[the TCPA] is being unfairly applied with great unintended consequences.”¹⁶

ACA also discussed with staff the chilling effect of extensive TCPA litigation and liability on essential business transactions, including insurance coverage and corporate combinations. Insurers have become reluctant to provide coverage for businesses burdened by actual or potential TCPA litigation or liability, which, considering the active nature of the TCPA plaintiffs’ bar, is a real concern for the entire debt-collection industry. Business relationships may be damaged if the distraction of frivolous TCPA litigation reduces efficiency or output. And efficiency generating mergers and acquisitions are unlikely to occur if companies are saddled with court costs and liabilities.

In addition, ACA highlighted that since the filing of its Petition, the number of consumers relying either exclusively or predominantly on wireless telephone service has increased to 58.8%, further underscoring the need for the FCC to clarify the applicability of the TCPA to informational, non-marketing communications.¹⁷

3) The Ability to Use Modern Dialing Technology for Debt Collection Benefits State and Local Governments, as well as the Federal Government.

The Office of Management and Budget estimates that the efficiencies gained from allowing the use of autodialers to contact mobile phones for the purpose of debt collection would save the federal government \$120 million over a ten-year window.¹⁸ Accordingly, the President’s FY2015 budget request called on Congress to reform the TCPA to allow the

¹⁶ Letter from Rep. Marsha Blackburn, *et al.* to Chairman Tom Wheeler, *Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991*, CG Docket No. 02-278 (Aug. 1, 2014).

¹⁷ Centers for Disease Control & Prevention (CDC), *Wireless Substitution: Early Release of Estimates from the National Health Interview Survey, January-June 2014*, Stephen J. Blumberg, Ph.D. & Julian V. Luke, Division of Health Interview Statistics, National Center for Health Statistics, at 1, 5 (Dec. 2014) (“CDC Wireless Telephone Data”), *available at* <http://www.cdc.gov/nchs/data/nhis/earlyrelease/wireless201412.pdf>.

¹⁸ The Office of Management and Budget, Fiscal Year 2015 Analytical Perspectives Budget of the U.S. Government, Budget.gov, at 123 (2014) (“FY2015 Budget Analytics”), *available at* <http://www.whitehouse.gov/sites/default/files/omb/budget/fy2015/assets/spec.pdf>; *see also* ACA International, Inc. Notice of Ex Parte, *Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991*, CG Docket No. 02-278, at 2 (May 5, 2014) (“ACA May 5 Ex Parte”).

Treasury Department to employ the use of autodialers to call mobile phones in the collection of delinquent government debts.¹⁹ The White House determined that:

In this time of fiscal constraint . . . the Federal Government should ensure that all debt owed to the United States is collected as quickly and efficiently as possible and this provision could result in millions of defaulted debt being collected. While protections against abuse and harassment are appropriate, changing technology should not absolve these citizens from paying back the debt they owe their fellow citizens.²⁰

ACA submitted detailed information in the record further explaining the vital role that debt collectors play in recovering revenue for federal, state, and local governments.²¹ For example, the Department of Treasury detailed over \$3 billion in collections made by “private collection agencies” on behalf of the Departments of Health and Human Services, Treasury, and Education in FY2012 alone.²²

Debt collectors have a key impact at the state and local level, as well. As the City of Philadelphia explained, “[debt] funds are essential to support important community services, like public safety, a clean environment, and quality public schools,”²³ and noted that failure to collect on debts owed to the government “jeopardizes much needed services and increases the financial burden on compliant taxpayers and residents.”²⁴ ACA provided many examples of state and local governments engaging debt collectors to collect urgently needed

¹⁹ Executive Office of the President of the United States, *Fiscal Year 2015 Budget of the U.S. Government*, Budget.gov, at 185 (rel. Mar. 4, 2014), *available at* <http://www.whitehouse.gov/sites/default/files/omb/budget/fy2015/assets/budget.pdf>; *see also* ACA May 5 Ex Parte at 2.

²⁰ FY2015 Budget Analytics at 123; *see also* ACA May 5 Ex Parte at 2.

²¹ *See* ACA May 5 Ex Parte.

²² Department of the Treasury, *Fiscal Year 2012 Report to the Congress, U.S. Government Receivables and Debt Collection Activities of Federal Agencies*, at 16 (Mar. 2013), *available at* <http://www.fms.treas.gov/news/reports/debt12.pdf>; ACA May 5 Ex Parte at 2.

²³ City of Philadelphia, Request for Information, Accounts Receivable Management & Collection, The Office of the Chief Revenue Collections Officer, at 2 (Aug. 7, 2013) (“Philadelphia RFI”); ACA May 5 Ex Parte at 1-2.

²⁴ *Id.*

and duly owed revenue.²⁵ Additionally, debt collectors play an important role in sophisticated, long-term state government revenue recovery programs, such as California's ongoing collection program for "Court-Ordered and other Debt," which contracts with debt collection agencies to recover revenue owed to the state.²⁶ These examples reflect the confidence of the public sector in private debt collection efforts and the vital role that debt collectors play in recovering much needed revenue for federal, state and local governments.

4) ACA Urged that the Commission Address the Problem of Wrong Number Calls.

ACA urged that the Commission move forward in clarifying that "called party" means "intended recipient" for purposes of the exemption from liability under the TCPA when a call is made with the "prior express consent of the called party."²⁷ It is impossible for callers to know with complete certainty to whom a telephone number is currently assigned,²⁸ or who will happen to pick up the phone when a number is called. Congress

²⁵ See ACA May 5 Ex Parte at 3-5. For example, in 2013, the City of Lima, Ohio contracted with a debt collection agency to address outstanding accounts owed to the Lima Municipal Court, which totaled approximately \$6 million; Tulare, California contracted with a debt collection agency to recover on fines from municipal legal violations and miscellaneous receivables; and the City of Philadelphia sought information from debt collectors regarding best practices the City could use to improve its own collection practices. See The City of Lima, Ohio, Request for Proposals, Professional Collection Services: Collection of the Lima Municipal Court's Outstanding Accounts (Oct. 2, 2013); Lima Municipal Court – Collections Services – Determination (Oct. 31, 2013); City of Tulare, Request for Proposal, RFP 14-531, Delinquent Revenue Collection Services (Jul. 24, 2013); City of Tulare, Contract Agreement 14-531, Delinquent Revenue Collection Services; Philadelphia RFI at 2.

²⁶ Judicial Council of California, Administrative Office of the Courts, Statewide Collection Services for Court-Ordered and other Debt, RFP No. ECU-2013-01, at 1-2, 21 (Sept. 17, 2013); Judicial Council of California, Administrative office of the Courts, Statewide Collection Services for Court-Ordered and other Debt, RFP No. ECU-2013-01, Questions and Answers, at 1 (Oct. 18, 2013).

²⁷ 47 U.S.C. § 227(b)(1)(A)(iii).

²⁸ There is no database that reliably verifies whether a number has been reassigned. See Comments of ACA International in Support of CBA's Petition for Declaratory Ruling, CG Docket No. 02-278, at 3 (filed Nov. 17, 2014) ("ACA Comments on CBA Petition"); Petition for Declaratory Ruling of the Consumer Bankers Association, *Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991*, CG Docket No. 02-278, at 9 (Sept. 19, 2014) ("CBA Petition"), discussing the inadequacy of even the most stringent compliance measures to eliminate inadvertently calling reassigned numbers.

could not have intended liability to be a matter of “sheer luck.” Accordingly, the “intended recipient” approach is the only one that gives meaning to Congress’s intent that calls made with prior express consent are not subject to TCPA liability. If the Commission decides for any reason not to move forward with this approach, ACA continues to support the safe harbor approach it outlined in its pending Petition, as long as there is a concurrent path for retroactive relief.²⁹

5) ACA Members Remain Subject to Stringent Federal, State, and Local Laws and Regulations.

ACA emphasized that its members contact consumers exclusively for non-telemarketing purposes, and that these calls do not involve advertising or soliciting the sale of products or services. The purpose of such communications is strictly to facilitate the recovery of payment for services, goods, or loans that have already been given to the consumer, and to explain to the consumer the options available for repayment. Therefore, unlike marketing calls, there is no incentive for ACA members to “mass call” or make random or sequential calls to consumers. Calls by ACA members are specific and targeted contacts made for a very particular purpose – to complete an ongoing transaction. Collections professionals are not telemarketing, and their communications are clearly distinguishable from those of telemarketers.

In response to recent fear-mongering by some that ACA’s requested clarifications would somehow “open the floodgates” to harassing and unwanted calls, or “gut” the basic privacy rights of called parties, ACA reminded staff that its members remain governed by multiple agencies – including the Consumer Financial Protection Bureau (CFPB) and the Federal Trade Commission (FTC), in addition to the FCC – and remain subject to a strict framework of federal, state, and local laws and regulations designed to protect consumers from debt collection practices deemed to be harassing or otherwise unconscionable.³⁰ These

²⁹ See ACA Comments on CBA Petition at 2.

³⁰ See ACA Comments at 2, 18-19 (explaining that the collection activity of ACA members is governed by the Federal Trade Commission Act, 15 U.S.C. § 45 *et seq.*; the Fair Debt Collection Practices Act (“FDCPA”), *codified at* 15 U.S.C. § 1692 *et seq.*; the Fair Credit Reporting Act, 15 U.S.C. § 1681 *et seq.* (as amended by the Fair and Accurate Credit Transactions Act); the Gramm-Leach-Bliley Act, 15 U.S.C. § 6801 *et seq.*; the Fair Credit and Charge Card Disclosure Act, 15 U.S.C. § 1637(c), Pub. L. No. 100-583, 102 Stat. 2960; the Federal Bankruptcy Code, Title 11 of the U.S.C., Pub. L. No. 95-598, 92 Stat. 2549; and numerous other federal, state, and local laws. *See, e.g.*, Illinois Collection Agency Act, 225 ILCS 425 *et seq.*; California Rosenthal Fair Debt Collection Practices Act, Cal. Civ. Code § 1788 *et seq.*; Florida Fair Consumer Credit Practices Act, Fla. Stat. Ann. § 559.55 *et seq.*; West Virginia Collection Agency Act of 1973, W. Va. Code Ann. § 47-16-1 *et seq.*); ACA Petition at 2, 5; ACA Reply Comments at 10.

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laws constrain numerous aspects of debt collection communications, including the timing and frequency of those calls. For example, debt collectors are prohibited from making collection calls to consumers at any unusual time or place known or which should be known to be inconvenient to the consumer.³¹ Additionally, debt collectors are prohibited from engaging in harassing or abusive collection tactics, such as making excessive or continuous calls to the consumer's telephone or engaging the consumer in repeated conversation with the intent to annoy the consumer.³² Moreover, a consumer has a legal right to opt-out of receiving collections communications from the debt collector altogether.³³

The CFPB, which issued an Advanced Notice of Proposed Rulemaking on the topic of debt collection in November, 2013, is in the process of evaluating additional rules to further regulate debt-collection communications.³⁴

ACA urged the Commission to move forward with the requested clarifications expeditiously, so that normal, expected and desired communications are not unfairly impeded.

Respectfully submitted,



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Counsel to ACA

cc:

Maria Kirby
Nicholas Degani
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Valery Galasso

³¹ 15 U.S.C. § 1692c(a)(1).

³² 15 U.S.C. § 1692d.

³³ *See* 15 U.S.C. § 1692c(c).

³⁴ Bureau of Consumer Financial Protection, *Advanced Notice of Proposed Rulemaking on Consumer Debt Collection Practices*, Docket No. CFPB-2013-0033 (Nov. 2013), available at http://files.consumerfinance.gov/f/201311_cfpb_anpr_debtcollection.pdf.

Squire Patton Boggs (US) LLP

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Adonis Hoffman

Matthew Collins

Mark Stone

Kurt Schroeder

Aaron Garza

Kristi Lemoine

EXHIBIT 1

Search Results for “TCPA” or “telephone consumer protection” or “47 USC 227” on Bloomberg Law’s Docket Monitoring Database, 2010-2014.

Bloomberg Law’s docket monitoring database is a searchable online database of federal and state court dockets. Each search “hit” reflects a unique docket, and thus a unique TCPA case. The search included the terms “telephone consumer protection”, “TCPA”, and “47 USC 227” (the TCPA statute) in order to return as complete results as possible. Summary of cases captured by the database:

2010: 344 TCPA cases.

2011: 563 TCPA cases, a 64 percent increase over 2010.

2012: 872 cases, a 55 percent increase over 2011.

2013: 1,326 cases, a 52 percent increase over 2012.

2014: 1,604 cases, a 21 percent increase over 2013.

From 2010-2014, the number of TCPA cases reflected in the Bloomberg database increased by 366%.

Note that due to Bloomberg Law’s 1,000 hit search limit, the 2014 search had to be performed in two parts, the first covering 1/31/2014 to 6/30/2014, and the second covering 7/1/2014 to 1/15/2014. Cover sheets for each search are attached.



List of Results (344)

Printed By: KMCCALL5 on Friday, January 9, 2015 - 5:30 PM

Related Search Criteria

Type	Search (Docket)
Sources	All US and International Dockets
Search Term	"47 USC 227" OR "telephone consumer protection" OR TCPA
Date	Jan 01, 2010 to Dec 31, 2010

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Related Search Criteria

Type	Search (Docket)
Sources	All US and International Dockets
Search Term	"47 USC 227" OR "telephone consumer protection" OR TCPA
Date	Jan 01, 2010 to Dec 31, 2010

Search Results

1. Brewer et al v. Bayer Healthcare Pharmaceuticals Inc et al, Docket No. 3:10-cv-13871 (S.D. Ill. Dec 30, 2010), Court Docket (12/30/2010)

22 Case 3: 10- cv- 13871- DRH -PMF Document 2 Filed 12/ 30/ 10 Page 23 of 24 COUNT VIII Violation of the Tennessee **Consumer Protection** Act of 1977 As to All Defendants 130. Plaintiffs incorporate by reference, as if fully set forth herein, each and every allegation set forth in the preceding paragraphs. 131. At all times relevant, the Tennessee **Consumer Protection** Act (hereinafter referred to as " **TCPA** ") of 1977, **47- 18- 104** et seq., prohibits

Parties	Bayer Healthcare Pharmaceuticals Inc; Bayer Schering Pharma A G; Cindie Holbert; Kimberly Brown; Marilu Brewer
Date Filed	Dec. 30, 2010
Last Updated	Nov. 03, 2013 01:43:53
Federal Nature of Suit	Personal Injury: Product Liability [365]
Judge(s)	David R. Herndon
Cause of Action	28:1332 Diversity-Personal Injury

2. Ashland Hospital Corporation v. Service Employees' International Union et al, Docket No. 0:10-cv-00131 (E.D. Ky. Dec 29, 2010), Court Docket (12/29/2010)

B. The **Telephone Consumer Protection** Act KDMC seeks damages and an injunction under the **TCPA** to redress the alleged harm caused by the IBEW and SEIU's robocall campaigns. The **TCPA** is a federal statute that broadly regulates the use of automated **telephone** equipment. Among other things, the **TCPA** prohibits certain unsolicited marketing calls, restricts the use of automatic dialers or

Parties	Ashland Hospital Corporation; John Doe #1; John Doe #2; Service Employees International Union
Date Filed	Dec. 29, 2010
Last Updated	Apr. 29, 2013 01:31:12
Federal Nature of Suit	Statutes: Other Statutory Actions [890]
Judge(s)	DAVID L. BUNNING
Cause of Action	28:1331 Fed. Question

3. Knight v. Bayer Healthcare Pharmaceuticals Inc et al, Docket No. 3:10-cv-13832 (S.D. Ill. Dec 29, 2010), Court Docket (12/29/2010)

COUNT VIII Violation of the Tennessee **Consumer Protection** Act of 1977 As to All Defendants 115. Plaintiff incorporates by reference, as if fully set forth herein, each and every allegation set forth in the preceding paragraphs. 116. At all times relevant, the Tennessee **Consumer Protection** Act (hereinafter referred to as " **TCPA** ") of 1977, **47- 18- 104** et seq., prohibits "Unfair or deceptive acts or practices affecting the

Parties	Bayer Healthcare Pharmaceuticals Inc; Bayer Schering Pharma AG; Ginny Knight
Date Filed	Dec. 29, 2010
Last Updated	Oct. 08, 2014 15:08:38
Federal Nature of Suit	Personal Injury: Product Liability [365]
Judge(s)	David R. Herndon
Cause of Action	28:1332 Diversity-Personal Injury

4. Roadtec, Inc v. Road Science, LLC, Docket No. 1:10-cv-00338 (E.D. Tenn. Dec 28, 2010), Court Docket (12/28/2010)

91. Roadtec. COUNT IV (Violation of Tennessee **Consumer Protection** Act, T.C.A. **47 - 18- 101** et seq.) Unless enjoined, Road Science's tortious conduct will cause irreparable harm to 92. Roadtec adopts and re- alleges the allegations of Paragraph 1 through 91 of this First Amended Complaint. 93. Road Science has engaged in unfair or deceptive acts or practices in violation of the Tennessee **Consumer Protection** Act (**TCPA**), codified at

Parties	Road Science, LLC; Roadtec, Inc
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List of Results (563)

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Related Search Criteria

Type	Search (Docket)
Sources	All US and International Dockets
Search Term	"47 USC 227" OR "telephone consumer protection" OR TCPA
Date	Jan 01, 2011 to Dec 31, 2011

Related Search Criteria

Type	Search (Docket)
Sources	All US and International Dockets
Search Term	"47 USC 227" OR "telephone consumer protection" OR TCPA
Date	Jan 01, 2011 to Dec 31, 2011

Search Results

1. Holt v. Redbox Automated Retail, LLC, Docket No. 3:11-cv-03046 (S.D. Cal. Dec 30, 2011), Court Docket (12/30/2011)
- (vam)(jrd) (Entered: 04/ 25/ 2013) 53 53 Apr. 25, 2013 RESPONSE re 42 MOTION to Dismiss for Failure to State a Claim in Support of the Constitutionality of the **TCPA** filed by United States of America. (Theis, John) (vam). (Entered: 04/ 25/ 2013) 54 54 May 03, 2013 NOTICE of Change of Address by Joshua Swigart (Attachments: # 1 Proof of Service)(Swigart, Joshua) (vam). (Entered: 05/ 03/ 2013) 55 55 May 03, 2013 RESPONSE re 54 Response - Other
- | | |
|-------------------------------|-------------------------------------------------------------------------------------------|
| Parties | Kathleen Holt; Redbox Automated Retail, LLC; Sebastian Biagioni; United States of America |
| Date Filed | Dec. 30, 2011 |
| Last Updated | June 21, 2013 03:55:23 |
| Federal Nature of Suit | Statutes: Other Statutory Actions [890] |
| Judge(s) | DANA MAKOTO SABRAW |
| Cause of Action | 28:1331 Fed. Question |
-
2. Dr. Mark W. Sturdy d/b/a Rochester Veterinary Clinic v. ALLACCEM, Inc. et al, Docket No. 3:11-cv-03452 (C.D. Ill. Dec 30, 2011), Court Docket (12/30/2011)
- U.S. District Court CENTRAL DISTRICT OF ILLINOIS (Springfield) CIVIL DOCKET FOR CASE #: 3: 11- cv- 03452- RM- BGC Judge Richard Mills **47 : 227 Telephone Consumer Protection Act** Dec. 30, 2011 Apr. 18, 2012 Federal Question None 890 Other Statutory Actions Magistrate Judge Byron G. Cudmore Dr. Mark W. Sturdy d/ b/ a Rochester Veterinary Clinic v. ALLACCEM, Inc. et al 890 Plaintiff Dr. Mark W. Sturdy d/ b/ a Rochester Veterinary Clinic Dulijaza Julie Clark
- | | |
|-------------------------------|--------------------------------------------------------------------------------------|
| Parties | ALLACCEM, Inc.; Dr. Mark W. Sturdy d/b/a Rochester Veterinary Clinic; John Does 1-10 |
| Date Filed | Dec. 30, 2011 |
| Last Updated | May 29, 2012 02:50:23 |
| Federal Nature of Suit | Statutes: Other Statutory Actions [890] |
| Judge(s) | RICHARD HENRY MILLS |
| Cause of Action | 47:227 Telephone Consumer Protection Act |
-
3. Wauters v. Bayer Healthcare Pharmaceuticals, Inc. et al, Docket No. 3:11-cv-13618 (S.D. Ill. Dec 30, 2011), Court Docket (12/30/2011)
- NINTH CAUSE OF ACTION Violation of Texas's **Consumer Protection Act** 131. Plaintiff incorporates by reference all preceding paragraphs as if fully set forth herein at length. 132. At all times relevant, the Texas Deceptive Trade Practice **Consumer Protection Act**, Tex Code Ann. 17.46 (hereinafter "**TCPA**") prohibits the use of any deception, fraud, false pretense, false promise, misrepresentation or concealment, suppression or omission of any
- | | |
|-------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|
| Parties | Bayer AG; Bayer Corporation; Bayer Healthcare AG; Bayer Healthcare LLC; Bayer Healthcare Pharmaceuticals, Inc.; Bayer Schering Pharma AG; Whitney Wauters |
| Date Filed | Dec. 30, 2011 |
| Last Updated | June 26, 2013 05:10:11 |
| Federal Nature of Suit | Personal Injury: Product Liability [365] |
| Judge(s) | David R. Herndon |
| Cause of Action | 28:1332 Diversity-Personal Injury |
-
4. Boyd v. General Revenue Corporation et al, Docket No. 3:11-cv-01243 (M.D. Tenn. Dec 30, 2011), Court Docket (12/30/2011)
-) No. 3: 11- cv- 1243 Chief Judge Haynes MEMORANDUM Plaintiff, William A. Boyd, filed this action under the **Telephone Consumer Protection Act ("TCPA")**, **47 U.S.C. 227** et al., and the Fair Debt Collection Practices Act ("FDCPA"), **15 U.S.C. 1692**, against the Defendants: General Revenue Corporation ("GRC"), United Student Aid Fund, Inc. ("USA Funds") and Sallie Mae Inc.1 ("Sallie Mae"). Plaintiff's claims are that



List of Results (872)

Printed By: KMCCALL5 on Friday, January 9, 2015 - 5:26 PM

Related Search Criteria

Type	Search (Docket)
Sources	All US and International Dockets
Search Term	"47 USC 227" OR "telephone consumer protection" OR TCPA
Date	Jan 01, 2012 to Dec 31, 2012

Related Search Criteria

Type	Search (Docket)
Sources	All US and International Dockets
Search Term	"47 USC 227" OR "telephone consumer protection" OR TCPA
Date	Jan 01, 2012 to Dec 31, 2012

Search Results

-
1. Whitman v. Lifewatch Corp. et al, Docket No. 4:12-cv-03765 (S.D. Tex. Dec 31, 2012), Court Docket (12/31/2012)
- U.S. District Court SOUTHERN DISTRICT OF TEXAS (Houston) CIVIL DOCKET FOR CASE #: 4: 12- cv- 03765 **47** : 0227
Telephone Consumer Protection Act Dec. 31, 2012 Nov. 08, 2013 \$25000 Federal Question Plaintiff 480 **Consumer Credit**
 Closed Whitman v. Lifewatch Corp. et al 480 Judge Vanessa D Gilmore Plaintiff Adam Whitman Jody Berke Burton Lemberg &
 Associates LLC 1100 Summer Street 3rd Floor Stamford CT 06905 (203) 653- 2250 ext 5501 jburton@ leMBERGLAW.COM ATTORNEY
 TO BE NOTICED
- | | |
|-------------------------------|------------------------------------------------|
| Parties | Adam Whitman; Lifewatch Corp.; Lifewatch, Inc. |
| Date Filed | Dec. 31, 2012 |
| Last Updated | Apr. 27, 2014 23:45:58 |
| Federal Nature of Suit | Statutes: Consumer Credit [480] |
| Judge(s) | VANESSA D. GILMORE |
| Cause of Action | 47:0227 Telephone Consumer Protection Act |
-
2. Johnson v. The Berkley Group, Inc. et al, Docket No. 1:12-cv-01184 (W.D. Tex. Dec 31, 2012), Court Docket (12/31/2012)
- U.S. District Court [LIVE] Western District of Texas (Austin) CIVIL DOCKET FOR CASE #: 1: 12- cv- 01184- LY **47** : **227** -
Telephone Consumer Protection Act Dec. 31, 2012 July 24, 2014 \$25000 Federal Question Both 480 **Consumer Credit** Closed
 Johnson v. The Berkley Group, Inc. et al 480 Judge Lee Yeakel Plaintiff Judy Johnson Jenny A. DeFrancisco Lemberg & Associates,
 LLC 1100 Summer Street, 3rd Floor Stamford CT 06905 (203) 653- 2250 Fax (203) 653- 3424 jdeFrancisco
- | | |
|-------------------------------|--------------------------------------------------------------------|
| Parties | Caribbean Cruise Line, Inc.; Judy Johnson; The Berkley Group, Inc. |
| Date Filed | Dec. 31, 2012 |
| Last Updated | July 28, 2014 00:48:25 |
| Federal Nature of Suit | Statutes: Consumer Credit [480] |
| Judge(s) | Lee Yeakel |
| Cause of Action | 47:227 - Telephone Consumer Protection Act |
-
3. Williams v. Chase Auto Finance Corporation et al, Docket No. 2:12-cv-15692 (E.D. Mich. Dec 31, 2012), Court Docket (12/31/2012)
- JURISDICTION 1. Jurisdiction of this Court arises pursuant to 15 **U.S.C.** 1692k(d) and **47 U.S.C.** 227 (c)(5). 2. This action arises
 out of Defendants' violations of Michigan law and the Fair Debt Collection Practices Act, 15 **U.S.C.** 1692 et seq. ("FDCPA") in its illegal
 acts in attempting to repossess a vehicle for which it had no valid security interest in. 3. Venue is proper in this Court because the acts
 and
- | | |
|-------------------------------|------------------------------------------------------------------------------|
| Parties | Best Recovery Services, LLC; Chase Auto Finance Corporation; Roslyn Williams |
| Date Filed | Dec. 31, 2012 |
| Last Updated | Apr. 29, 2013 05:28:45 |
| Federal Nature of Suit | Statutes: Other Statutory Actions [890] |
| Judge(s) | GERALD ELLIS ROSEN |
| Cause of Action | 15:1692 Fair Debt Collection Act |
-
4. Sickel v. State Farm Fire and Casualty Company (TV3), Docket No. 3:12-cv-00672 (E.D. Tenn. Dec 28, 2012), Court Docket (12/28/2012)
- (Entered: 02/ 11/ 2014) 35 33 Feb. 18, 2014 STIPULATION of Dismissal **TCPA** and UCSA claims with Prejudice by State Farm
 Insurance Co.. (Carpenter, Brigid) (Entered: 02/ 18/ 2014) 36 34 Mar. 12, 2014 STATUS REPORT Joint Status Report by State Farm
 Insurance Co.. (Carpenter, Brigid) (Entered: 03/ 12/ 2014) 37 35 Apr. 23, 2014 PROPOSED ORDER AND STIPULATION of Dismissal
 Case by Thomas Van Sickel. (Wright, Sonya) Modified text on 4/ 24/ 2014 (ABF). (Entered
- | | |
|-------------------|---------------------------------------------|
| Parties | State Farm Insurance Co.; Thomas Van Sickel |
| Date Filed | Dec. 28, 2012 |



List of Results (655)

Printed By: KMCCALL5 on Friday, January 9, 2015 - 5:18 PM

Related Search Criteria

Type	Search (Docket)
Sources	All US and International Dockets
Search Term	"47 USC 227" OR "Telephone consumer protection" OR TCPA
Date	Jan 01, 2013 to Jun 30, 2013

Related Search Criteria

Type	Search (Docket)
Sources	All US and International Dockets
Search Term	"47 USC 227" OR "Telephone consumer protection" OR TCPA
Date	Jan 01, 2013 to Jun 30, 2013

Search Results

-
1. Cain v. Power Home Technologies, Inc., Docket No. 3:13-cv-01507 (S.D. Cal. Jun 28, 2013), Court Docket (06/28/2013)
- 21 22 23 24 Class members the following relief against Defendant: 25 26 27 28 FIRST CAUSE OF ACTION FOR NEGLIGENT VIOLATION OF THE **TCPA**, **47 U.S.C. 227** ET SEQ. As a result of Defendant's negligent violations of **47 U.S.C. 227**(b)(1), Plaintiff seek for himself and each Class member \$500.00 CLASS ACTION COMPLAINT PAGE 8 OF 9 Case 3: 13- cv- 01507- H- WVG Document 1 Filed 06/ 28/ 13 Page 10 of 10 1 2 3 4 5 6 7 8 9 Kazerouni Law Group
- | | |
|-------------------------------|-------------------------------------------------------------------------|
| Parties | George Cain; National Energy Supply, LLC; Power Home Technologies, Inc. |
| Date Filed | Jun. 28, 2013 |
| Last Updated | Aug. 03, 2014 01:27:33 |
| Federal Nature of Suit | Statutes: Other Statutory Actions [890] |
| Judge(s) | MARILYN L. HUFF |
| Cause of Action | 28:1331 Fed. Question |
-
2. Howard v. Allied Interstate, L.L.C., Docket No. 1:13-cv-04542 (S.D.N.Y. Jun 28, 2013), Court Docket (06/28/2013)
- P l a i n t i f f s Complaint is based on the Fair D e b t Collection Practices Act, 15 14 **U.S.C. 1692** et seq. ("FDCPA") and the **Telephone Consumer Protection Act, 47 U.S.C. 227** etseq.^ TCVAr) 15 16 17 JURISDICTION AND VENUE 18 2. 19 20 Jurisdiction o f this court arises pursuant to 15 **U.S.C. 1692k**(d), which states that such actions may be brought and heard before "any appropriate United States
- | | |
|-------------------------------|-----------------------------------------|
| Parties | Allied Interstate, L.L.C.; Kevin Howard |
| Date Filed | Jun. 28, 2013 |
| Last Updated | Oct. 27, 2013 23:44:11 |
| Federal Nature of Suit | Statutes: Consumer Credit [480] |
| Judge(s) | ALVIN K. HELLERSTEIN |
| Cause of Action | 15:1692 Fair Debt Collection Act |
-
3. Humphreys v. Kohl's Department Stores, Inc., Docket No. 4:13-cv-00356 (E.D. Tex. Jun 27, 2013), Court Docket (06/27/2013)
- U.S. District Court [LIVE] Eastern District of TEXAS (Sherman) CIVIL DOCKET FOR CASE #: 4: 13- cv- 00356- RAS- DDB Federal **Telephone Consumer Protection Act** June 27, 2013 Nov. 22, 2013 \$25000 Federal Question Plaintiff 890 Other Statutory Actions Magistrate Judge Don D. Bush Closed Humphreys v. Kohl's Department Stores, Inc. 890 Judge Richard A. Schell Plaintiff David Humphreys Jody Berke Burton Lemberg & Associates, LLC 1100 Summer St. 3rd Floor Stamford CT 06905
- | | |
|-------------------------------|-------------------------------------------------|
| Parties | David Humphreys; Kohl's Department Stores, Inc. |
| Date Filed | Jun. 27, 2013 |
| Last Updated | Nov. 29, 2013 00:16:28 |
| Federal Nature of Suit | Statutes: Other Statutory Actions [890] |
| Judge(s) | Richard A. Schell |
| Cause of Action | Federal Telephone Consumer Protection Act |
-
4. Nieves Meza v. Veros Credit LLC et al, Docket No. 2:13-cv-04682 (C.D. Cal. Jun 27, 2013), Court Docket (06/27/2013)
- UNITED STATES DISTRICT COURT for the CENTRAL DISTRICT OF CALIFORNIA (Western Division - Los Angeles) CIVIL DOCKET FOR CASE #: 2: 13- cv- 04682- SVW- SH Judge Stephen V. Wilson **47 : 0227 Violation of Telephone Consumer Protection Act** June 27, 2013 Aug. 29, 2013 Federal Question Plaintiff 480 **Consumer Credit** Magistrate Judge Stephen J. Hillman Closed Nieves Meza v. Veros Credit LLC et al 480 Plaintiff Nieves Meza an individual George Thomas Martin , III Price Law Group
- | | |
|---------------------|-------------------------------------|
| Parties | Does; Nieves Meza; Veros Credit LLC |
| Date Filed | Jun. 27, 2013 |
| Last Updated | May 01, 2014 18:20:44 |



List of Results (671)

Printed By: KMCCALL5 on Friday, January 9, 2015 - 5:23 PM

Related Search Criteria

Type	Search (Docket)
Sources	All US and International Dockets
Search Term	"47 USC 227" OR "telephone consumer protection" OR TCPA
Date	Jul 01, 2013 to Dec 31, 2013

Related Search Criteria

Type	Search (Docket)
Sources	All US and International Dockets
Search Term	"47 USC 227" OR "telephone consumer protection" OR TCPA
Date	Jul 01, 2013 to Dec 31, 2013

Search Results

-
1. Favela-Fair v. Bryant, Hodge & Associates, LLC, Docket No. 5:13-cv-00291 (N.D. Tex. Dec 31, 2013), Court Docket (12/31/2013)
- Plaintiff's award shall be as follows: \$1000 in damages under 15 U.S.C . 1692k(a)(2); \$3000 in attorney's fees under 15 U.S.C . 1692k(a)(3); \$475 in costs under 15 U.S.C . 1692k(a)(3); \$6500 in statutory damages under 47 U.S.C . 227 (b)(3)(B); and an injunction barring contact by Defendant under 47 U.S.C . 227(b)(3)(A). (Ordered by Judge Sam R Cummings on 6/ 27/ 2014) (lkw) (Entered: 06/ 27/ 2014) 13 13 June 27, 2014 JUDGMENT: IT IS ORDERED, ADJUDGED
- | | |
|-------------------------------|-------------------------------------------------------|
| Parties | Bryant, Hodge & Associates, LLC; Veronica Favela-Fair |
| Date Filed | Dec. 31, 2013 |
| Last Updated | July 11, 2014 01:21:45 |
| Federal Nature of Suit | Statutes: Other Statutory Actions [890] |
| Judge(s) | SAMUEL RAY CUMMINGS |
| Cause of Action | 15:1692 Fair Debt Collection Act |
-
2. Bergiste v. Capital One Bank, Docket No. 9:13-cv-81343 (S.D. Fla. Dec 31, 2013), Court Docket (12/31/2013)
- (jua) (Entered: 01/ 06/ 2014) 5 5 Apr. 03, 2014 Notice of Tag- Along Actions sent before The United States Judicial Panel on Multidistrict Litigation re: MDL- 2416 In Re: Capital One **Telephone Consumer Protection** Act Litigation (gp) (Entered: 04/ 03/ 2014) 6 6 Apr. 11, 2014 Transmittal Letter with attached Certified CONDITIONAL TRANSFER ORDER (CTO- 16) transferring case to the Northern District of Illinois re: MDL 2416 for consolidated pretrial proceedings
- | | |
|-------------------------------|------------------------------------------------------------------------------|
| Parties | Arthur Drew Rubin; Capital One Bank; Marjorie Bergiste; Rubin & Debski, P.A. |
| Date Filed | Dec. 31, 2013 |
| Last Updated | Apr. 27, 2014 23:50:23 |
| Federal Nature of Suit | Statutes: Consumer Credit [480] |
| Judge(s) | JAMES I. COHN |
| Cause of Action | 15:1692 Fair Debt Collection Act |
-
3. SETAREH GALLERY INC VS TOWER SELECT INSURANCE COMPANY, Docket No. BC532056 (Cal. Super. Ct. Dec. 31, 2013), Court Docket (12/31/2013)
- The Telephone Consumer **Protection** Act (**TCPA**), including any amendment of or addition to such law; or "Personal and advertising injury" arising directly or indirectly out of any action or omission that violates or is alleged to violate: a. The Telephone Consumer Protection Act (**TCPA**), including any amendment of or addition to su
- | | |
|---------------------|-----------------------------------------------------------------|
| Parties | DOES 1-100; SETAREH GALLERY INC; TOWER SELECT INSURANCE COMPANY |
| Date Filed | Dec. 31, 2013 |
| Last Updated | Jan. 03, 2014 16:23:57 |
| Case Type | Ins Coverage (not Complex) (General Jurisdiction) |
-
4. Skradski et al v. Pennsylvania Higher Education Assistance Agency et al, Docket No. 2:13-cv-03620 (D.S.C. Dec 31, 2013), Court Docket (12/31/2013)
- U.S. District Court District of South Carolina (Charleston) CIVIL DOCKET FOR CASE #: 2: 13- cv- 03620- SB Honorable Sol Blatt, Jr 47 : 227 Violation of the **Telephone Consumer Protection** Act Dec. 31, 2013 Aug. 28, 2014 Federal Question Both 890 Other Statutory Actions Closed Skradski et al v. Pennsylvania Higher Education Assistance Agency et al 890 Plaintiff Ann M Skradski Brian Morris Knowles Knowles Law Firm PO Box 50201 Summerville SC 29485 (843) 810- 7596
- | | |
|-------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Parties | Ann M Skradski; Doe 1 thru 25; Gretchen V Baraniak; NCO Financial Systems Inc; National Enterprise Systems Inc; Pennsylvania Higher Education Assistance Agency; Performant Recovery Inc; Thomas G Baraniak |
| Date Filed | Dec. 31, 2013 |
| Last Updated | Sept. 25, 2014 01:48:53 |
| Federal Nature of Suit | Statutes: Other Statutory Actions [890] |
| Judge(s) | SOLOMON BLATT, JR |
| Cause of Action | 47:227 Violation of the Telephone Consumer Protection Act |



List of Results (858)

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Related Search Criteria

Type	Search (Docket)
Sources	All US and International Dockets
Search Term	"47 USC 227" OR "Telephone consumer protection" OR TCPA
Date	Jan 01, 2014 to Jun 30, 2014

Related Search Criteria

Type	Search (Docket)
Sources	All US and International Dockets
Search Term	"47 USC 227" OR "Telephone consumer protection" OR TCPA
Date	Jan 01, 2014 to Jun 30, 2014

Search Results

1. Douglas Phillip Brust, D.C., P.C. v. Orthopedic Pharmaceuticals, Inc., Docket No. 4:14-cv-01170 (E.D. Mo. Jun 30, 2014), Court Docket (06/30/2014)
- U.S. District Court Eastern District of Missouri (St. Louis) CIVIL DOCKET FOR CASE #: 4: 14- cv- 01170- AGF District Judge Audrey G. Fleissig Circuit Court of St. Louis County, State of Missouri, 14SL- CC01422 **47** : 0227 **Telephone Consumer Protection Act** June 30, 2014 Federal Question Defendant 890 Other Statutory Actions Douglas Phillip Brust, D.C., P.C. v. Orthopedic Pharmaceuticals, Inc. 890 Plaintiff Douglas Phillip Brust, D.C., P.C. individually and on behalf of
- | | |
|-------------------------------|---------------------------------------------------------------------------------------|
| Parties | Douglas Phillip Brust, D.C., P.C.; John Does 1 - 10; Orthopedic Pharmaceuticals, Inc. |
| Date Filed | Jun. 30, 2014 |
| Last Updated | Oct. 22, 2014 15:06:13 |
| Federal Nature of Suit | Statutes: Other Statutory Actions [890] |
| Judge(s) | Audry Fleissig |
| Cause of Action | 47:0227 Telephone Consumer Protection Act |
-
2. CHARVAT v. PHH MORTGAGE CORPORATION, Docket No. 1:14-cv-04165 (D.N.J. Jun 30, 2014), Court Docket (06/30/2014)
10. The **TCPA** prohibits persons from initiating any **telephone** call to a residential **telephone** line using a prerecorded voice to deliver a message without the prior express consent of the called party, unless the call is initiated for emergency purposes or is exempted by rule or order of the FCC. **47 U.S.C . 227 (b)(1)(B)**; see also **47 C.F.R. 64.1200(a)(2)**. 11. The National Do Not Call
- | | |
|-------------------------------|---------------------------------------------------|
| Parties | PHH MORTGAGE CORPORATION; PHILIP J. CHARVAT |
| Date Filed | Jun. 30, 2014 |
| Last Updated | Sept. 24, 2014 01:52:46 |
| Federal Nature of Suit | Statutes: Other Statutory Actions [890] |
| Judge(s) | JOSEPH ERON IRENAS |
| Cause of Action | 28:1331 Fed Question: Fed Communications Act of 1 |
-
3. Reo v. National Rifle Association of America, Docket No. 1:14-cv-01445 (N.D. Ohio Jun 30, 2014), Court Docket (06/30/2014)
- U.S. District Court Northern District of Ohio (Cleveland) CIVIL DOCKET FOR CASE #: 1: 14- cv- 01445- DAP **47** : **227** Violation of the **Telephone Consumer Protection Act/ Junk Fax Prevention Act** June 30, 2014 Oct. 14, 2014 Federal Question Both 890 Other Statutory Actions Reo v. National Rifle Association of America 890 Judge Dan Aaron Polster Plaintiff Bryan Reo Individually And On Behalf Of All Others Similarly Situated Matthew M. Loker Kazerouni Law Group
- | | |
|-------------------------------|-----------------------------------------------------------------------------------|
| Parties | Bryan Reo; National Rifle Association of America |
| Date Filed | Jun. 30, 2014 |
| Last Updated | Oct. 21, 2014 01:20:57 |
| Federal Nature of Suit | Statutes: Other Statutory Actions [890] |
| Judge(s) | DAN AARON POLSTER |
| Cause of Action | 47:227 Violation of the Telephone Consumer Protection Act/Junk Fax Prevention Act |
-
4. LeBlanc v. MYFOOTPATH, LLC, Docket No. 3:14-cv-02994 (N.D. Cal. Jun 30, 2014), Court Docket (06/30/2014)
- U.S. District Court California Northern District (San Francisco) CIVIL DOCKET FOR CASE #: 3: 14- cv- 02994- RS Hon. Richard Seeborg **47** : **227 Telephone Consumer Protection Act** June 30, 2014 Sept. 30, 2014 Federal Question Plaintiff 890 Other Statutory Actions Closed LeBlanc v. MYFOOTPATH, LLC 890 Plaintiff Rebecca LeBlanc Individually And On Behalf Of All Others Similarly Situated Seyed Abbas Kazerounian Kazerouni Law Group, APC 245 Fischer Avenue Suite D1 Costa
- | | |
|-------------------------------|------------------------------------------|
| Parties | MYFOOTPATH, LLC; Rebecca LeBlanc |
| Date Filed | Jun. 30, 2014 |
| Last Updated | Oct. 01, 2014 03:08:30 |
| Federal Nature of Suit | Statutes: Other Statutory Actions [890] |
| Judge(s) | Richard G. Seeborg |
| Cause of Action | 47:227 Telephone Consumer Protection Act |



List of Results (746)

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Related Search Criteria

Type	Search (Docket)
Sources	All US and International Dockets
Search Term	"47 USC 227" OR "Telephone consumer protection" OR TCPA
Date	Jul 01, 2014 to Dec 31, 2014

January 20, 2015

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Related Search Criteria

Type	Search (Docket)
Sources	All US and International Dockets
Search Term	"47 USC 227" OR "Telephone consumer protection" OR TCPA
Date	Jul 01, 2014 to Dec 31, 2014

Search Results

-
1. Dorothy Machele Greene, Docket No. 3:14-bk-36133 (Bankr. N.D. Tex. Dec 31, 2014), Court Docket (12/31/2014)
- 20507 Kansas City, MO 64195 Comptroller of Public Accounts Revenue Accounting Division P.O. Box 13528 Austin, TX 78711
Creditors Bankruptcy Service P.O. Box 740933 Dallas, TX 75374 El Centro Finance Cp 209 W. Jefferson Dallas, TX 75208 Gehrich
TCPA Settlement c/ o GCG P.O. Box 35112 Seattle, WA 98124- 5112 Home Depot Credit Svcs/ Citibank PO Box 182676 Columbus,
OH 43218 HSBC Retail Services PO Box 49353 San Jose, CA 95161 Internal Revenue Service Special Procedures - Insolvency P.O.
- | | |
|---------------------|-----------------------------------------------|
| Parties | Dorothy Machele Greene; United States Trustee |
| Date Filed | Dec. 31, 2014 |
| Last Updated | Dec. 31, 2014 13:30:36 |
-
2. Albee v. Sonny's Franchise Company, Docket No. 3:14-cv-01538 (M.D. Fla. Dec 31, 2014), Court Docket (12/31/2014)
- THE TELEPHONE CONSUMER PROTECTION ACT OF 1991, 47 U.S.C. 227, et seq. 6. The TCPA, 47 U.S.C. 227, et seq., was enacted by Congress in 1991 to address consumer complaints about rampant telemarketing practices. 7. It has been determined that the term "any call," which is undefined in the TCPA, includes text messages sent to cellular telephones using an automatic telephone-dialing system. 8. section 227(b)(1)
- | | |
|-------------------------------|---------------------------------------------|
| Parties | Sonny's Franchise Company; Stephen F. Albee |
| Date Filed | Dec. 31, 2014 |
| Last Updated | Dec. 31, 2014 17:17:39 |
| Federal Nature of Suit | Statutes: Other Statutory Actions [890] |
| Judge(s) | Marcia Morales Howard |
| Cause of Action | Restrictions on Use of Telephone Equipment |
-
3. Reardon et al v. Uber Technologies, Inc., Docket No. 3:14-cv-05678 (N.D. Cal. Dec 31, 2014), Court Docket (12/31/2014)
- U.S. District Court California Northern District (San Francisco) CIVIL DOCKET FOR CASE #: 3: 14- cv- 05678- JCS Magistrate Judge Joseph C. Spero 47 : 227 Telephone Consumer Protection Act Dec. 31, 2014 Federal Question Plaintiff 890 Other Statutory Actions Reardon et al v. Uber Technologies, Inc. 890 Plaintiff Kerry Reardon Hassan Ali Zavareei Tycko & Zavareei, LLP 2000 L Street, N.W., Suite 808 Washington DC 20036 (202) 973- 0900 Fax (202) 973- 0950 hzavareei@ tzlegal
- | | |
|-------------------------------|------------------------------------------------------------------------------------------|
| Parties | James Lathrop; Jonathan Grindell; Julie McKinney; Kerry Reardon; Uber Technologies, Inc. |
| Date Filed | Dec. 31, 2014 |
| Last Updated | Jan. 06, 2015 12:58:00 |
| Federal Nature of Suit | Statutes: Other Statutory Actions [890] |
| Judge(s) | JOSEPH C. SPERO |
| Cause of Action | 47:227 Telephone Consumer Protection Act |
-
4. Ashe v. Synchrony Bank et al, Docket No. 3:14-cv-01980 (D. Conn. Dec 31, 2014), Court Docket (12/31/2014)
17. The telephone number called by Defendants was assigned to a cellular telephone service for which Plaintiff incurs charges for incoming calls pursuant to 47 U.S.C. 227 (b)(1). 18. The calls from Defendants to Plaintiff were not placed for "emergency purposes" as defined by 47 U.S.C. 227(b)(1)(A)(i). 19. Plaintiff is entitled to an award of \$500.00 in statutory damages for each call made in negligent violation of the
- | | |
|-------------------------------|-----------------------------------------|
| Parties | Does; Glenn Ashe; Synchrony Bank |
| Date Filed | Dec. 31, 2014 |
| Last Updated | Jan. 08, 2015 01:37:38 |
| Federal Nature of Suit | Statutes: Other Statutory Actions [890] |
| Judge(s) | WARREN WILLIAM EGINTON |
| Cause of Action | Telecommunications Act |

EXHIBIT 2

Number of TCPA Cases Filed According to WebRecon, 2010-2014.

WebRecon's litigation database is compiled by retrieving all relevant litigation from Pacer – the electronic public access service for U.S. federal court documents – on suits filed against creditors, debt collectors and law firms, and then reviewing and mining the data from each complaint.

2010: 345 TCPA cases.

2011: 825 TCPA cases, a 139% increase over 2010.

2012: 1,101 TCPA cases, a 34% increase over 2011.

2013: 1,862 cases, a 69% increase over 2012.

2014 (through the end of November): 2,164, a 22% increase over the same time period in 2013.

From 2010-2014, the number of TCPA cases reflected in WebRecon's data increased by 527%.

Link to WebRecon's Litigation Statistics: <http://dev.webrecon.com/category/fdcpa-case-statistics/>