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

23 **FEDERAL TRADE COMMISSION,**

24 Plaintiff,

25 v.

26 **BLACKROCK SERVICES, INC.,** a
27 corporation,

28 **LIBERTY CREDIT**
29 **MANAGEMENT, INC.,** a corporation,

30 **CIVIL COMPLAINT**
31 **ADMINISTRATION,** a corporation,

CASE NO. 8:25-cv-00363-HDV-(ADSx)

**COMPLAINT FOR PERMANENT
INJUNCTION, MONETARY
JUDGMENT, AND OTHER
RELIEF**

FILED UNDER SEAL

1 **PACIFIC BILLING SOLUTIONS,**
2 **INC.,** a corporation,

3 **CORNERSTONE LEGAL GROUP,**
4 **LLC,** a limited liability company,

5 **RYAN EVANS,** individually and as an
6 officer of Blackrock Services, Inc., Civil
7 Complaint Administration, Pacific
8 Billing Solutions, Inc., and Cornerstone
9 Legal Group LLC; and

10 **MITCHELL EVANS,** individually and
11 as an officer of Liberty Credit
12 Management, Inc.

13 Defendants.

14 Plaintiff, the Federal Trade Commission (“FTC”), for its Complaint alleges:

15 1. The FTC brings this action for Defendants’ violations of Section 5(a)
16 of the Federal Trade Commission Act (“FTC Act”), 15 U.S.C. § 45(a), the Fair
17 Debt Collection Practices Act (“FDCPA”), 15 U.S.C. §§ 1692-1692p, and its
18 associated Regulation F, 12 C.F.R. Part 1006, Section 521 of the Gramm-Leach-
19 Bliley Act (“GLB Act”), 15 U.S.C. § 6821, and the FTC’s Trade Regulation Rule
20 on Impersonation of Government and Businesses (“Impersonation Rule”), 16
21 C.F.R. Part 461. Defendants’ violations relate to their deceptive and abusive debt
22 collection practices. For these violations, the FTC seeks relief, including a
23 temporary, preliminary, and permanent injunction, monetary relief, and other
24 relief, including an asset freeze, appointment of a receiver, and immediate access
25 to Defendants’ business premises, pursuant to Sections 13(b) and 19 of the FTC
26 Act, 15 U.S.C. §§ 53(b) and 57b, Section 814 of the FDCPA, 15 U.S.C. § 1692l(a),
27 Section 5581(b)(5)(C)(ii) of the Consumer Financial Protection Act (“CFP Act”),
12 U.S.C. § 5581(b)(5)(C)(ii), and Section 522(a) of the GLB Act, 15 U.S.C.

1 § 6822(a).

2 **SUMMARY OF CASE**

3 2. Defendants have deceived and threatened consumers into paying debts
4 that consumers do not actually owe or that Defendants do not have the authority to
5 collect.

6 3. Defendants' fraudulent scheme includes sending consumers letters
7 representing that (1) consumers owe some purported amount from an outstanding
8 payday loan; (2) Defendants are law firms and plan on imminently filing a lawsuit;
9 (3) consumers' credit scores are being damaged due to these purportedly
10 outstanding debts; and (4) consumers can avoid a lawsuit if they pay to settle the
11 purported debt.

12 4. But Defendants' representations are false. Consumers do not owe
13 these purported amounts. Defendants are not law firms, nor are they affiliated with
14 law firms. And these purported debts have not impacted consumers' credit scores.

15 5. Through this action, the FTC seeks to put an end to Defendants'
16 scheme and secure redress for the consumers whom Defendants have harmed.

17 **JURISDICTION AND VENUE**

18 6. This Court has subject matter jurisdiction pursuant to 28 U.S.C.
19 §§ 1331, 1337(a), and 1345.

20 7. Venue is proper in this District under 28 U.S.C. §§ 1391(b)(2), (c)(1),
21 (c)(2), and (d), and 15 U.S.C. § 53(b).

22 **PLAINTIFF**

23 8. The FTC is an independent agency of the United States Government
24 created by the FTC Act, which authorizes the FTC to commence this district court
25 civil action by its own attorneys. 15 U.S.C. §§ 41-58. The FTC enforces Section
26 5(a) of the FTC Act, 15 U.S.C. § 45(a), which prohibits unfair or deceptive acts or
27 practices in or affecting commerce. The FTC also enforces the FDCPA, 15 U.S.C.

1 §§ 1692-1692p, which prohibits abusive, deceptive, and unfair debt collection
2 practices and imposes duties upon debt collectors. The FTC also enforces the GLB
3 Act, 15 U.S.C. §§ 6821-27, which prohibits any person from obtaining or
4 attempting to obtain customer information of a financial institution relating to
5 another person by making a false, fictitious, or fraudulent statement or
6 representation to a customer of a financial institution. The FTC also enforces the
7 Impersonation Rule, 16 C.F.R. Part 461, which prohibits the impersonation of the
8 government and businesses.

9 DEFENDANTS

10 9. **Defendant Blackrock Services, Inc.** (“Blackrock”) is a California
11 corporation with its principal place of business at 506 S Spring St, #13308, Los
12 Angeles, California, 90013. Blackrock also does business as Blackstone Legal
13 Group, Aegis Legal Group, Blackrock Legal Group, Blackrock Mitigation,
14 Blackwater Legal Group, Capital Legal Services, Countrywide Legal Group,
15 Fidelity Legal Services, Frontier Legal Group, Heritage Legal Group, Nationwide
16 Legal Services, Parker & Ellis Law Group, Progressive Legal Group, Quest Legal
17 Group, Vanguard Legal Group, and Viking Legal Services, although none of those
18 names are registered with the California Secretary of State as fictitious business
19 names. Blackrock transacts or has transacted business in this District and
20 throughout the United States. At all times relevant to this Complaint, acting alone
21 or in concert with others, Blackrock has engaged in the collection or the attempted
22 collection of debts from consumers throughout the United States.

23 10. **Defendant Liberty Credit Management, Inc.** (“Liberty”) is a
24 California corporation with its principal place of business at 7111 Garden Grove
25 Boulevard, #119, Garden Grove, CA 92841. All Defendants operate from office
26 space located at this address. Liberty also does business as Liberty Billing
27 Solutions, although this name is not registered with the California Secretary of

1 State as a fictitious business name. Liberty transacts or has transacted business in
2 this District and throughout the United States. At all times relevant to this
3 Complaint, acting alone or in concert with others, Liberty has engaged in the
4 collection or the attempted collection of debts from consumers throughout the
5 United States.

6 11. **Defendant Civil Complaint Administration** (“CCA”) is a California
7 corporation with its principal place of business at 5267 Warner Avenue, #388,
8 Huntington Beach, CA 92649. CCA also does business as Civil Complaint
9 Services, although this name is not registered with the California Secretary of State
10 as a fictitious business name. CCA transacts or has transacted business in this
11 District and throughout the United States. At all times relevant to this Complaint,
12 acting alone or in concert with others, CCA has engaged in the collection or the
13 attempted collection of debts from consumers throughout the United States.

14 12. **Defendant Pacific Billing Solutions** (“Pacific Billing”) is a
15 California corporation with its principal place of business at 5267 Warner Avenue,
16 #280, Huntington Beach, CA 92649. Pacific Billing transacts or has transacted
17 business in this District and throughout the United States. At all times relevant to
18 this Complaint, acting alone or in concert with others, Pacific Billing has engaged
19 in the collection or the attempted collection of debts from consumers throughout
20 the United States.

21 13. **Defendant Cornerstone Legal Group, LLC** (“Cornerstone”) is a
22 California limited liability company with its principal place of business at 11947
23 Valley View Street, #5307, Garden Grove, CA 92846. Cornerstone also does
24 business as Cornerstone Legal Services, although this name is not registered with
25 the California Secretary of State as a fictitious business name. Cornerstone
26 transacts or has transacted business in this District and throughout the United
27 States. At all times relevant to this Complaint, acting alone or in concert with

1 Cornerstone (collectively, “Corporate Defendants”) have operated as a common
2 enterprise while engaging in the unlawful acts and practices described below.
3 Corporate Defendants have conducted the business practices described below
4 through an interrelated network of companies that have common ownership,
5 officers, business functions, employees, managers, telephone numbers, and office
6 locations, and that have commingled funds. Because these Corporate Defendants
7 have operated as a common enterprise, each of them is liable for the acts and
8 practices alleged below.

9 **COMMERCE**

10 17. At all times relevant to this Complaint, Defendants have maintained a
11 substantial course of trade in or affecting commerce, as “commerce” is defined in
12 Section 4 of the FTC Act, 15 U.S.C. § 44.

13 **DEFENDANTS’ DECEPTIVE AND ABUSIVE DEBT COLLECTION** 14 **PRACTICES**

15 18. Since at least 2020, Defendants have engaged in a scheme to defraud
16 consumers using sensitive consumer information to collect payments for debts that
17 consumers do not actually owe or that Defendants do not have authority to collect.

18 19. Defendants’ scheme is predicated on convincing consumers that a
19 lawsuit has been, or will soon be, filed against them and will result in dire
20 consequences unless consumers pay Defendants promptly. In furtherance of the
21 scheme, Defendants often use a multipronged collection process to reinforce their
22 misrepresentations that the consumer owes a debt and that legal action against a
23 consumer has begun or is imminent.

24 20. Defendants generally initiate contact with consumers by sending
25 letters to consumers that contain consumers’ sensitive personal information and
26 threaten damage to consumers’ credit scores. In some instances, however,
27 Defendants initiate contact by placing telephone calls to consumers.

1 21. As seen below, many of Defendants’ letters threaten to “run”
2 consumers’ “credit report which will result in a hard inquiry being reported to the
3 credit bureaus [that] will significantly impact [their] credit score[s].”
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Countrywide Legal Group
COUNTRYWIDE LEGAL GROUP
OFFICIAL BUSINESS
4800 EXPRESS DR. # 19769
CHARLOTTE, NC 28208

CIVIL LAWSUIT NOTIFICATION

Creditor: EZMONEY
Type: INSTALLMENT LOAN
Additional Activity: NSF FRAUD
SSN: *** ** [REDACTED]
Defendant: [REDACTED]
File No.: [REDACTED]
Amount Due: \$695.69
Due Date: April 19, 2024

RESPONDENT
[REDACTED]

For questions, please call:
1-800-329-5497

Visit us online: www.CountrywideLG.com

NOTIFICATION OF LAWSUIT & CIVIL COMPLAINT

Dear [REDACTED]

This letter is to inform you that due to the severe delinquency of your previous installment payday loan originating with EZMONEY while working at or for [REDACTED] we are now reviewing your account for immediate legal action (filing a lawsuit) against you, of which would result in a civil court judgment. A civil judgment will immediately be reported to the credit bureaus and will be aggressively enforced. In addition to the current balance owing on your account, any back interest, court costs and attorney fees will be added to this debt and the total amount sought in a lawsuit.

Civil judgments generally result in a wage garnishment and/or lien against personal property or bank account, depending on the applicable form of enforcement allowed by state law. Criminal charges are not usually pursued in civil court.

CAUSE OF ACTION TWO (2): Because you obtained this loan and immediately closed or changed your bank account, and because your check (ACH payment) was returned unpaid by your bank due to non-sufficient funds (NSF) for an amount greater than \$100.00, we have noted your case with fraudulent activity and with a malicious intent to commit wire fraud.

We further reserve the right to subpoena the following reference(s) listed on the original application as witnesses to testify against you should this matter go to trial:
[REDACTED]

It is very important that you pay the outstanding balance owing on your account no later than the due date referenced above. If you mail your payment, please be sure to allow enough mailing time to ensure that your payment is received by our office prior to your due date. If your payment is not received by our office by the due date, or if we do not hear from you, our intent is to immediately have you served a court summons by the County Sheriff's Office to appear in civil court for further action.

To pay online now, or to check the status of your case, please visit us at www.CountrywideLG.com, or call us at 1-800-329-5497.

Cc: U.S. District Court
Transunion credit bureau

Your Credit Score: [REDACTED]



During this process, our intent is to run your credit report which will result in a hard inquiry being reported to the credit bureaus.
A hard inquiry will significantly impact your credit score.

RE: EZMONEY
File #: [REDACTED]
Amount Due: \$695.69

Detach and Return With Your Payment



Make payable to:

COUNTRYWIDE LEGAL GROUP
4800 EXPRESS DR. # 19769
CHARLOTTE, NC 28208

This is an attempt to collect a debt, and any information obtained will be used for that purpose. A final determination to take legal action will be made on your due date should your payment not be received by our office, and after which time we have thoroughly reviewed your file to ensure any legal proceedings are in accordance with state law.

1 22. These letters include sensitive personal data, often including
2 consumers' purported credit scores, the last four digits of their social security
3 numbers, the specific names of family or friends, and the names of their
4 employers.

5 23. These letters claim that consumers owe a debt and threaten that a
6 lawsuit has been or will soon be filed against the consumer unless the consumer
7 "settles" the case with Defendants. Defendants' letters threaten that the consumer
8 will face wage garnishment or liens against their property and that family and
9 friends will be called upon to testify against the consumer. To bolster the
10 credibility of their representations and threats, Defendants use a variety of legal-
11 sounding business names, such as "Countrywide Legal Group" or "Progressive
12 Legal Group," many of which are unregistered d/b/a-s.

13 24. Defendants' letters direct consumers to make a payment in one of
14 three ways: (1) online via a website operated by Defendants; (2) by sending a
15 check through the mail; or (3) by calling a number and providing the payment
16 details to Defendants' collectors.

17 25. In a typical follow-up letter, Defendants additionally claim the ability
18 and intention to delete damaging information from consumers' credit bureau
19 reports if payment is made.

20 26. After receiving Defendants' letters, many consumers visit the
21 websites or call the phone numbers provided in Defendants' letters. Defendants'
22 websites, as seen below, reinforce the threats made in Defendants' letters,
23 including wage garnishment, lawsuits, and "derogatory mark[s] reported to the
24 credit bureaus":

MORE ABOUT WHAT WE DO

Litigation has proven results

Heritage specializes in filing nationwide civil complaints (lawsuits), which generally results in a wage garnishment depending on the applicable form of (judgment) enforcement allowed by state law.

Heritage is the final step in recovering your money and when it is time to file a lawsuit. This stage of the legal process tends to get quite serious as the law is now involved. Most defendants do not like the idea of appearing in court before a judge, especially in cases of which improprieties (illegal activity) may have taken place. This is a very challenging and somewhat scary process for the defendant, which begins with the local police department serving the initial court summons. We also take the next aggressive step of investigating and reporting any fraudulent claims to the authorities.

Credit Reporting: Credit Reporting has a vital role in recovering your assets. A derogatory mark reported to the credit bureaus can significantly impact a consumer's credit score. Heritage actively reports delinquent accounts to the credit bureaus, which is also a very popular service among our clients.

We hope that you find this additional information helpful and we look forward to hearing from you soon!

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27. In numerous instances, during phone calls with consumers, Defendants' collectors falsely represent that they are attorneys or work for attorneys and that Defendants are a law firm. For example, in numerous instances, Defendants' collectors have told consumers that they were from, among others, "Blackstone Legal Group," "Aegis Legal Group," "Blackrock Legal Group," "Blackrock Mitigation," "Blackwater Legal Group," "Capital Legal Services," "Cornerstone Legal Services," "Countrywide Legal Group," "Fidelity Legal Services," "Frontier Legal Group," "Heritage Legal Group," "Nationwide Legal Services," "Parker & Ellis Law Group," "Progressive Legal Group," "Quest Legal

1 Group,” “Vanguard Legal Group,” or “Viking Legal Services.” In some instances,
2 Defendants’ collectors identify themselves using names of legitimate businesses,
3 including law firms, unrelated to Defendants.

4 28. In numerous instances on these calls, Defendants’ collectors inform
5 consumers that they are delinquent on a payday loan or other debt and that legal
6 action has been taken or will be taken shortly against consumers. In numerous
7 instances, Defendants’ collectors advise consumers that they can settle the action
8 by making a payment over the telephone via credit or debit card.

9 29. In numerous instances, Defendants’ collectors possess, or claim to
10 possess, consumers’ private information, such as Social Security numbers or the
11 names and contact information of relatives and employers, convincing consumers
12 that the calls are legitimate collection efforts and that consumers must pay the
13 purportedly delinquent debts.

14 30. In numerous instances, to coerce consumers into paying the purported
15 debts, Defendants’ collectors threaten consumers with arrest if they fail to pay the
16 alleged debt immediately. For example, Defendants’ collectors have told
17 consumers that they have defrauded a financial institution, could be arrested at
18 their workplace, or that their homes could be seized if they do not settle.

19 31. In fact, in numerous instances when Defendants threaten consumers
20 with legal action, no legal action has been taken, Defendants do not intend to take
21 any such legal action, nor do Defendants have authority to take any such legal
22 action. Defendants also cannot have consumers arrested for non-payment of a
23 private debt. Further, neither Defendants nor their collectors are attorneys or work
24 for attorneys, and Defendants are not a law firm.

25 32. In numerous instances, Defendants represent that they will run
26 consumers’ credit reports, which will result in a hard inquiry and thus damage
27 consumers’ credit scores. Defendants also represent that if a consumer makes a

1 payment, then Defendants will have the outstanding debt deleted from the
2 consumer's credit report.

3 33. In fact, Defendants have not run consumers' credit reports, nor have
4 they had any entries removed from any consumer's credit reports.

5 34. Moreover, in numerous instances, consumers do not owe the
6 purported debt, nor are Defendants authorized to collect on the debt. In fact, in
7 many instances when consumers contact the purported creditors, they discover
8 either that they never had any debts with those creditors or that their debts had
9 already been paid.

10 35. In numerous instances, in communications with consumers,
11 Defendants' collectors fail to disclose that they are debt collectors.

12 36. In numerous instances, in calls to consumers, Defendants' collectors
13 do not identify that the call is being placed by or on behalf of Defendants, that the
14 call is coming from a debt collector who is attempting to collect a debt from the
15 consumer, or that any information obtained from the consumer will be used for that
16 purpose.

17 37. In numerous instances, Defendants fail to provide consumers, within
18 five days after the initial communication with consumers, a written notice
19 containing (1) the amount of the debt; (2) the name of the creditor to whom the
20 debt is owed; (3) a statement that unless the consumer disputes the debt, the debt
21 will be assumed valid; and (4) a statement that if the consumer disputes the debt in
22 writing, Defendants will obtain verification of the debt.

23 38. Many consumers pay the alleged debts that Defendants purport to be
24 collecting because they are afraid of the threatened repercussions of failing to pay,
25 because they believe Defendants are legitimate law firms, because they are worried
26 about damage to their credit, or because they want to stop Defendants' harassment.
27

1 Generally, consumers make these payments using a credit card, debit card,
2 electronic transfer from their bank account, or by sending checks through the mail.

3 39. Once in possession of consumers' private and sensitive financial
4 information, Defendants process consumers' payments through merchant accounts
5 controlled by Defendants. Consumers' payments are then deposited into
6 Defendants' bank accounts. Since at least May 2021, Defendants have collected
7 over \$6.2 million from consumers through their unlawful debt collection scheme.

8 **Ongoing Conduct**

9 40. Based on the facts and violations of law alleged in this Complaint, the
10 FTC has reason to believe that Defendants are violating or are about to violate laws
11 enforced by the FTC.

12 **VIOLATIONS OF THE FTC ACT**

13 41. Section 5(a) of the FTC Act, 15 U.S.C. § 45(a), prohibits "unfair or
14 deceptive acts or practices in or affecting commerce."

15 42. Misrepresentations or deceptive omissions of material fact constitute
16 deceptive acts or practices prohibited by Section 5(a) of the FTC Act.

17 **COUNT I**

18 **False or Unsubstantiated Representations That Consumers Owe Debt**

19 43. In numerous instances in connection with the collection of alleged
20 debts, Defendants represent, directly or indirectly, expressly or by implication,
21 that:

22 a) The consumer is delinquent on a payday loan or other debt that
23 Defendants have the authority to collect; or

24 b) The consumer has a legal obligation to pay Defendants.

25 44. Defendants' representations as described in Paragraph 43 are false or
26 misleading or were not substantiated at the time the representations were made.

27 45. Therefore, Defendants' representations as described in Paragraph 43

1 constitute deceptive acts or practices in violation of Section 5(a) of the FTC Act,
2 15 U.S.C. § 45(a).

3 **COUNT II**

4 **False or Misleading Representations Regarding Legal Action**

5 46. In numerous instances in connection with the collection of alleged
6 debts, Defendants represent, directly or indirectly, expressly or by implication,
7 that:

8 a) Defendants are attorneys or affiliated with attorneys, or
9 are a law firm or affiliated with a law firm;

10 b) The consumer will be arrested or imprisoned, their wages will
11 be garnished, or liens will be placed on their property for failing to
12 pay Defendants; or

13 c) Defendants have taken, intend to take, or have authority to take
14 formal legal action against a consumer who fails to pay, such as by
15 filing suit.

16 47. In fact, in numerous instances in which Defendants have made the
17 representations described in Paragraph 46:

18 a) Defendants are not attorneys or affiliated with attorneys, and
19 Defendants are not a law firm or affiliated with a law firm;

20 b) The consumer will not be arrested or imprisoned, their wages
21 will not be garnished, nor will liens be placed on their property for
22 failing to pay Defendants; and

23 c) Defendants have not taken, do not intend to take, or do not have
24 authority to take formal legal action against a consumer who fails to
25 pay, such as by filing suit.

26 48. Therefore, Defendants' representations as described in Paragraph 46
27 are false or misleading and constitute deceptive acts and practices in violation of

1 Section 5(a) of the FTC Act, 15 U.S.C. § 45(a).

2 **COUNT III**

3 **False or Unsubstantiated Representations Regarding Credit Reporting**

4 49. In numerous instances in connection with the collection of alleged
5 debts, Defendants represent, directly or indirectly, expressly or by implication,
6 that:

- 7 a) The consumer's outstanding debt has been or will be reported
8 to the credit bureaus; or
9 b) Upon payment of a purported debt, Defendants will have
10 consumers' outstanding debt deleted from the consumer's credit
11 bureau report.

12 50. Defendants' representations as described in Paragraph 49 are false or
13 misleading or were not substantiated at the time the representations were made.

14 51. Therefore, Defendants' representations as described in Paragraph 49
15 constitute deceptive acts or practices in violation of Section 5(a) of the FTC Act,
16 15 U.S.C. § 45(a).

17 **VIOLATIONS OF THE FDCPA AND REGULATION F**

18 52. In 1977, Congress passed the FDCPA, 15 U.S.C. §§ 1692-1692p,
19 which became effective on March 20, 1978, and has been in force since that date.
20 The purpose of the FDCPA, according to Congress, is "to eliminate abusive debt
21 collection practices by debt collectors, to insure that those debt collectors who
22 refrain from using abusive debt collection practices are not competitively
23 disadvantaged, and to promote consistent State action to protect consumers against
24 debt collection abuses." 15 U.S.C. § 1692(e).

25 53. The Consumer Financial Protection Bureau ("CFPB") promulgated
26 Regulation F, 12 C.F.R. Part 1006, pursuant to Sections 814(d) and 817 of the
27 FDCPA, 15 U.S.C. §§ 1692l(d) and 1692o, and Sections 5512, 5514(b), and 5532

1 of the CFP Act, 12 U.S.C. §§ 5512, 5514(b), and 5532, which became effective on
2 November 30, 2021, and has been in force since that date. The purpose of
3 Regulation F is to “carr[y] out the purposes of the FDCPA, which include
4 eliminating abusive debt collection practices by debt collectors, ensuring that debt
5 collectors who refrain from using abusive debt collection practices are not
6 competitively disadvantaged, and promoting consistent State action to protect
7 consumers against debt collection abuses.” 12 C.F.R. § 1006.1(b).

8 54. Section 803(3) of the FDCPA, 15 U.S.C. § 1692a(3), defines
9 “consumer” to mean “any natural person obligated or allegedly obligated to pay
10 any debt.” Section 1006.2(e) of Regulation F, 12 C.F.R. § 1006.2(e), similarly
11 defines “consumer” to mean “any natural person, whether living or deceased,
12 obligated or allegedly obligated to pay any debt.”

13 55. Section 803(5) of the FDCPA, 15 U.S.C. § 1692a(5), and Section
14 1006.2(h) of Regulation F, 12 C.F.R. § 1006.2(h), define “debt” to mean “any
15 obligation or alleged obligation of a consumer to pay money arising out of a
16 transaction in which the money, property, insurance, or services which are the
17 subject of the transaction are primarily for personal, family, or household purposes,
18 whether or not such obligation has been reduced to judgment.”

19 56. Section 803(6) of the FDCPA, 15 U.S.C. § 1692a(6), and Section
20 1006.2(i)(1) of Regulation F, 12 C.F.R. § 1006.2(i)(1), define “debt collector” to
21 mean “any person who uses any instrumentality of interstate commerce or the
22 mails in any business the principal purpose of which is the collection of any debts,
23 or who regularly collects or attempts to collect, directly or indirectly, debts owed
24 or due or asserted to be owed or due another. Notwithstanding the exclusion
25 provided by clause (F) of the last sentence of this paragraph, the term includes any
26 creditor who, in the process of collecting his own debts, uses any name other than
27 his own which would indicate that a third person is collecting or attempting to

1 collect such debts. For the purpose of section 1692f(6) of this title, such term also
2 includes any person who uses any instrumentality of interstate commerce or the
3 mails in any business the principal purpose of which is the enforcement of security
4 interests. The term does not include—(A) any officer or employee of a creditor
5 while, in the name of the creditor, collecting debts for such creditor; (B) any
6 person while acting as a debt collector for another person, both of whom are
7 related by common ownership or affiliated by corporate control, if the person
8 acting as a debt collector does so only for persons to whom it is so related or
9 affiliated and if the principal business of such person is not the collection of debts;
10 (C) any officer or employee of the United States or any State to the extent that
11 collecting or attempting to collect any debt is in the performance of his official
12 duties; (D) any person while serving or attempting to serve legal process on any
13 other person in connection with the judicial enforcement of any debt; (E) any
14 nonprofit organization which, at the request of consumers, performs bona fide
15 consumer credit counseling and assists consumers in the liquidation of their debts
16 by receiving payments from such consumers and distributing such amounts to
17 creditors; and (F) any person collecting or attempting to collect any debt owed or
18 due or asserted to be owed or due another to the extent such activity (i) is
19 incidental to a bona fide fiduciary obligation or a bona fide escrow arrangement;
20 (ii) concerns a debt which was originated by such person; (iii) concerns a debt
21 which was not in default at the time it was obtained by such person; or (iv)
22 concerns a debt obtained by such person as a secured party in a commercial credit
23 transaction involving the creditor.”

24 57. Defendants are “debt collectors” collecting “debts” from
25 “consumers.”

26 58. Section 806 of the FDCPA, 15 U.S.C. § 1692d, and Section
27 1006.14(a) of Regulation F, 12 C.F.R. § 1006.14(a), prohibit debt collectors from

1 “engag[ing] in any conduct the natural consequence of which is to harass, oppress,
2 or abuse any person in connection with the collection of a debt.” Without limiting
3 the general application of the foregoing, the following conduct is a violation of
4 Section 806 of the FDCPA and Section 1006.14(a) of Regulation F: (1) causing a
5 telephone to ring or engaging any person in telephone conversation repeatedly or
6 continuously with intent to annoy, abuse, or harass any person at the called
7 number, 15 U.S.C. § 1692d(5) and 12 C.F.R. § 1006.14(b), and (2) the placement
8 of telephone calls without meaningful disclosure of the caller’s identity. 15 U.S.C.
9 § 1692d(6) and 12 C.F.R. § 1006.14(g).

10 59. Section 807 of the FDCPA, 15 U.S.C. § 1692e, and Section
11 1006.18(a) of Regulation F, 12 C.F.R. § 1006.18(a), prohibit debt collectors from
12 “us[ing] any false, deceptive, or misleading representation or means in connection
13 with the collection of any debt.” Without limiting the general application of the
14 foregoing, the following conduct is a violation of Section 807 of the FDCPA and
15 Section 1006.18(a) of Regulation F: (1) the false representation of the character,
16 amount, or legal status of any debt, 15 U.S.C. § 1692e(2)(A) and 12 C.F.R.
17 1006.18(b)(2)(i); (2) the representation or implication that nonpayment of any debt
18 will result in the arrest or imprisonment of any person or the seizure, garnishment,
19 attachment, or sale of any property or wages of any person unless such action is
20 lawful and the debt collector or creditor intends to take such action, 15 U.S.C.
21 § 1692e(4) and 12 C.F.R. § 1006.18(b)(3); (3) the threat to take any action that
22 cannot legally be taken or that is not intended to be taken, 15 U.S.C. § 1692e(5)
23 and 12 C.F.R. § 1006.18(c)(1); (4) the use of any false representation or deceptive
24 means to collect or attempt to collect any debt or to obtain information concerning
25 a consumer, 15 U.S.C. § 1692e(10) and 12 C.F.R. § 1006.18(d); (5) the failure to
26 disclose in the initial written communication with the consumer and, in addition, if
27 the initial communication with the consumer is oral, in that initial oral

1 communication, that the debt collector is attempting to collect a debt and that any
2 information obtained will be used for that purpose, and the failure to disclose in
3 subsequent communications that the communication is from a debt collector,
4 except that this paragraph shall not apply to a formal pleading made in connection
5 with a legal action, 15 U.S.C. § 1692e(11) and 12 C.F.R. § 1006.18(e)(1); and (6)
6 the use of any business, company, or organization name other than the true name
7 of the debt collector's business, company, or organization. 15 U.S.C. § 1692e(14)
8 and 12 C.F.R. § 1006.18(c)(4).

9 60. Section 809 of the FDCPA, 15 U.S.C. § 1692g, and Section 1006.34
10 of Regulation F, 12 C.F.R. § 1006.34, require that, within five days after the initial
11 communication with a consumer in connection with the collection of any debt, a
12 debt collector shall, unless the following information is contained in the initial
13 communication or the consumer has paid the debt, send the consumer a written
14 notice containing: (1) the amount of the debt; (2) the name of the creditor to whom
15 the debt is owed; (3) a statement that unless the consumer, within thirty days after
16 receipt of the notice, disputes the validity of the debt, or any portion thereof, the
17 debt will be assumed to be valid by the debt collector; (4) a statement that if the
18 consumer notifies the debt collector in writing within the thirty-day period that the
19 debt, or any portion thereof, is disputed, the debt collector will obtain verification
20 of the debt or a copy of a judgment against the consumer and a copy of such
21 verification or judgment will be mailed to the consumer by the debt collector; and
22 (5) a statement that, upon the consumer's written request within the thirty-day
23 period, the debt collector will provide the consumer with the name and address of
24 the original creditor, if different from the current creditor.

25 61. Pursuant to Section 814(a) of the FDCPA, 15 U.S.C. § 1692l(a), a
26 violation of the FDCPA is deemed an unfair or deceptive act or practice in
27 violation of the FTC Act. Section 814(a) of the FDCPA further provides that all of

1 the functions and powers of the FTC under the FTC Act are available to the FTC to
2 enforce compliance by any person with the FDCPA, including the power to
3 enforce the provisions of the FDCPA in the same manner as if the violation had
4 been a violation of an FTC trade regulation rule.

5 62. Pursuant to Section 5581(b)(5)(C)(ii) of the CFP Act, 12 U.S.C.
6 § 5581(b)(5)(C)(ii), the FTC has the authority to enforce under the FTC Act any
7 rule prescribed by the CFPB with respect to a covered person subject to the
8 jurisdiction of the FTC under the FTC Act, and a violation of such a rule by such a
9 person shall be treated as a violation of a rule issued under section 18 of the FTC
10 Act with respect to unfair or deceptive acts or practices.

11 63. Section 19(a)(1) of the FTC Act, 15 U.S.C. § 57b(a)(1), provides that
12 the FTC may commence a civil action against “any person, partnership, or
13 corporation” who “violates any rule . . . respecting unfair or deceptive acts or
14 practices.” Section 19(b) of the FTC Act, 15 U.S.C. § 57b(b), provides that in any
15 action commenced under Section 19(a)(1), the court “shall have jurisdiction to
16 grant such relief as the court finds necessary to redress injury to consumers . . .
17 Such relief may include, but shall not be limited to, rescission or reformation of
18 contracts, [and] the refund of money or return of property”

19 **COUNT IV**

20 **Calls Without Meaningful Disclosure of Identity**

21 64. In numerous instances, in connection with the collection of alleged
22 debts, Defendants have engaged in conduct the natural consequence of which is to
23 harass, oppress, or abuse the caller, including, but not limited to, by placing
24 telephone calls without meaningful disclosure of the caller’s identity.

25 65. Therefore, Defendants’ acts or practices as set forth in Paragraph 64
26 violate Section 806(6) of the FDCPA, 15 U.S.C. § 1692d(6), and Section
27 1006.14(g) of Regulation F, 12 C.F.R. § 1006.14(g).

1 **COUNT V**

2 **False or Misleading Representations – False Claims as to Nature of Debt**

3 66. In numerous instances, in connection with the collection of alleged
4 debts, Defendants have used false, deceptive, or misleading representations or
5 means, including, but not limited to, falsely representing the character, amount, or
6 legal status of any debt.

7 67. Therefore, Defendants’ acts or practices as set forth in Paragraph 66
8 violate Section 807(2)(A) of the FDCPA, 15 U.S.C. § 1692e(2)(A), and Section
9 1006.18(b)(2)(i) of Regulation F, 12 C.F.R. § 1006.18(b)(2)(i).

10 **COUNT VI**

11 **False or Misleading Representations – False Claims as to Attorney**
12 **Representation**

13 68. In numerous instances, in connection with the collection of alleged
14 debts, Defendants have used false, deceptive, or misleading representations or
15 means, including, but not limited to, falsely representing or implying that any
16 individual representative is an attorney or that any communication is from an
17 attorney.

18 69. Therefore, Defendants’ acts or practices as set forth in Paragraph 68
19 violate Section 807(3) of the FDCPA, 15 U.S.C. § 1692e(3), and Section
20 1006.18(b)(1)(iii) of Regulation F, 12 C.F.R. § 1006.18(b)(1)(iii).

21 **COUNT VII**

22 **False or Misleading Representations – False Claims as to Arrest, Wage**
23 **Garnishment, or Liens on Property**

24 70. In numerous instances, in connection with the collection of alleged
25 debts, Defendants have used false, deceptive, or misleading representations or
26 means, including, but not limited to, falsely representing or implying that
27 nonpayment of a debt will result in the arrest or imprisonment of a person, wage

1 garnishment, or a lien on a person's property, when such action is not lawful or
2 when the Defendants have no intention of taking such action.

3 71. Therefore, Defendants' acts or practices as set forth in Paragraph 70
4 violate Section 807(4) of the FDCPA, 15 U.S.C. § 1692e(4), and Section
5 1006.18(b)(3) of Regulation F, 12 C.F.R. § 1006.18(b)(3).

6 **COUNT VIII**

7 **False or Misleading Representations – False Claims as to Legal Action**

8 72. In numerous instances, in connection with the collection of alleged
9 debts, Defendants have used false, deceptive, or misleading representations or
10 means, including, but not limited to, threatening to take action that is not lawful or
11 the Defendants do not intend to take, such as filing a lawsuit.

12 73. Therefore, Defendants' acts or practices as set forth in Paragraph 72
13 violate Section 807(5) of the FDCPA, 15 U.S.C. § 1692e(5), and Section
14 1006.18(c)(1) of Regulation F, 12 C.F.R. § 1006.18(c)(1).

15 **COUNT IX**

16 **False or Misleading Representations – Using False Representations**

17 74. In numerous instances, in connection with the collection of alleged
18 debts, Defendants have used false, deceptive, or misleading representations or
19 means, including, but not limited to, using false representations or deceptive means
20 to collect or attempt to collect a debt or to obtain information concerning a
21 consumer.

22 75. Therefore, Defendants' acts or practices as set forth in Paragraph 74
23 violate Section 807(10) of the FDCPA, 15 U.S.C. § 1692e(10), and Section
24 1006.18(d) of Regulation F, 12 C.F.R. § 1006.18(d).

25 **COUNT X**

26 **False or Misleading Representations – Failure to Provide Required** 27 **Disclosures**

1 76. In numerous instances, in connection with the collection of alleged
2 debts, Defendants have used false, deceptive, or misleading representations or
3 means, including, but not limited to, failing to disclose (1) in the initial oral
4 communication with consumers that Defendants are debt collectors attempting to
5 collect a debt and that any information obtained by Defendants from consumers
6 will be used for the purpose of attempting to collect a debt and (2) in subsequent
7 communications with consumers that Defendants are debt collectors.

8 77. Therefore, Defendants' acts or practices as set forth in Paragraph 76
9 violate Section 807(11) of the FDCPA, 15 U.S.C. § 1692e(11), and Section
10 1006.18(e) of Regulation F, 12 C.F.R. § 1006.18(e)(1), (2).

COUNT XI

False or Misleading Representations – False Claims as to Name

12 78. In numerous instances, in connection with the collection of alleged
13 debts, Defendants have used false, deceptive, or misleading representations or
14 means, including, but not limited to, using any business, company, or organization
15 name other than the true name of Defendants' business, company, or organization.
16

17 79. Therefore, Defendants' acts or practices as set forth in Paragraph 78
18 violate Section 807(14) of the FDCPA, 15 U.S.C. § 1692e(14), and Section
19 1006.18(c)(4) of Regulation F, 12 C.F.R. § 1006.18(c)(4).

COUNT XII

Failure to Provide a Validation Notice

21 80. In numerous instances, in connection with the collection of alleged
22 debts, Defendants have failed to send consumers, within five days after the initial
23 communication with consumers, a written notice containing (1) the amount of the
24 debt; (2) the name of the creditor to whom the debt is owed; (3) a statement that
25 unless the consumer, within thirty days after receipt of the notice, disputes the
26 validity of the debt, or any portion thereof, the debt will be assumed to be valid by
27

1 Defendants; (4) a statement that if the consumer notifies Defendants in writing
2 within the thirty-day period that the debt, or any portion thereof, is disputed,
3 Defendants will obtain verification of the debt or a copy of a judgment against the
4 consumer and a copy of such verification or judgment will be mailed to the
5 consumer by Defendants; and (5) a statement that, upon the consumer's written
6 request within the thirty-day period, Defendants will provide the consumer with
7 the name and address of the original creditor, if different from the current creditor.

8 81. Therefore, Defendants' acts or practices as set forth in Paragraph 80
9 violate Section 809(a) of the FDCPA, 15 U.S.C. § 1692g(a), and Section 1006.34
10 of Regulation F, 12 C.F.R. § 1006.34.

11 **VIOLATIONS OF THE GRAMM-LEACH-BLILEY ACT**

12 82. Section 521 of the GLB Act, 15 U.S.C. § 6821, became effective on
13 November 12, 1999, and remains in full force and effect. Section 521(a) of the
14 GLB Act, 15 U.S.C. § 6821(a), prohibits any person from "obtain[ing] or
15 attempt[ing] to obtain . . . customer information of a financial institution relating to
16 another person . . . by making a false, fictitious, or fraudulent statement or
17 representation to a customer of a financial institution."

18 83. The GLB Act defines "customer" to mean "with respect to a financial
19 institution, any person (or authorized representative of a person) to whom the
20 financial institution provides a product or service, including that of acting as a
21 fiduciary." 15 U.S.C. § 6827(1).

22 84. The GLB Act defines "customer information of a financial institution"
23 as "any information maintained by or for a financial institution which is derived
24 from the relationship between the financial institution and a customer of the
25 financial institution and is identified with the customer." 15 U.S.C. § 6827(2).

26 85. The GLB Act defines "financial institution" to include "any institution
27 engaged in the business of providing financial services to customers who maintain

1 a credit, deposit, trust, or other financial account or relationship with the
2 institution.” 15 U.S.C. § 6827(4)(A).

3 86. Section 522(a) of the GLB Act, 15 U.S.C. § 6822(a), empowers the
4 FTC to enforce Section 521 of the GLB Act “in the same manner and with the
5 same power and authority as the [FTC] has under the Fair Debt Collection
6 Practices Act [FDCPA] . . . to enforce compliance with such Act.” Pursuant to
7 Section 814(a) of the FDCPA, 15 U.S.C. § 1692l(a), a violation of the FDCPA is
8 deemed an unfair or deceptive act or practice in violation of the FTC Act. Section
9 814(a) of the FDCPA further provides that all of the functions and powers of the
10 FTC under the FTC Act are available to the FTC to enforce compliance by any
11 person with the FDCPA, including the power to enforce provisions of the FDCPA
12 in the same manner as if the violation had been a violation of an FTC trade
13 regulation rule. Section 19(a)(1) of the FTC Act, 15 U.S.C. § 57b(a)(1), provides
14 that the FTC may commence a civil action against “any person, partnership, or
15 corporation” who “violates any rule . . . respecting unfair or deceptive acts or
16 practices.” Section 19(b) of the FTC Act, 15 U.S.C. § 57b(b), provides that in any
17 action commenced under Section 19(a)(1), the court “shall have jurisdiction to
18 grant such relief as the court finds necessary to redress injury to consumers . . .
19 Such relief may include, but shall not be limited to, rescission or reformation of
20 contracts, [and] the refund of money or return of property”

21 **Count XIII**

22 **Use of False Statements to Obtain Customer Information**

23 87. In numerous instances in connection with the collection of alleged
24 debts, Defendants have made false, fictitious, or fraudulent statements or
25 representations to customers of financial institutions to obtain or attempt to obtain
26 customer information of a financial institution, such as credit or debit card
27 numbers, bank account numbers, and routing numbers, including by representing,

1 directly or indirectly, expressly or by implication, that:

- 2 a) The consumer is delinquent on a payday loan or other debt that
3 Defendants have the authority to collect;
- 4 b) The consumer has a legal obligation to pay Defendants;
- 5 c) Defendants are attorneys or affiliated with attorneys, or are a
6 law firm or affiliated with a law firm;
- 7 d) The consumer will be arrested or imprisoned, their wages will
8 be garnished, or liens will be placed on their property for failing to
9 pay Defendants;
- 10 e) Defendants have taken, intend to take, or have authority to take
11 formal legal action against a consumer who fails to pay, such as by
12 filing suit;
- 13 f) The consumer's outstanding debt has been or will be reported
14 to the credit bureaus; or
- 15 g) Upon payment of a purported debt, Defendants will have
16 consumers' outstanding debt that has been or will be reported to the
17 credit bureaus be deleted.

18 88. Therefore, Defendants' acts and practices as set forth in Paragraph 87
19 violate Section 521(a) of the GLB Act, 15 U.S.C. § 6821(a).

20 **VIOLATIONS OF THE TRADE REGULATION RULE ON**
21 **IMPERSONATION OF GOVERNMENT AND BUSINESSES**

22 89. The Impersonation Rule, promulgated by the FTC under Section 18 of
23 the FTC Act, 15 U.S.C. § 57a, became effective on April 1, 2024, and remains in
24 full force and effect. The Impersonation Rule is codified at 16 C.F.R. Part 461.

25 90. Section 461.3(a) of the Impersonation Rule prohibits "materially and
26 falsely pos[ing] as, directly or by implication, a business or officer thereof, in or
27 affecting commerce as commerce is defined in the Federal Trade Commission Act

1 (15 U.S.C. 44).”

2 91. The Impersonation Rule defines “materially” to mean “likely to affect
3 a person’s choice of, or conduct regarding, goods or services.” 16 C.F.R. § 461.1.
4 The Impersonation Rule defines “business” to mean “a corporation, partnership,
5 association, or any other entity that provides goods or services, including not-for-
6 profit entities.” *Id.*

7 92. Pursuant to Section 18(d)(3) of the FTC Act, 15 U.S.C. § 57a(d)(3), a
8 violation of the Impersonation Rule constitutes an unfair or deceptive act or
9 practice in or affecting commerce, in violation of Section 5(a) of the FTC Act, 15
10 U.S.C. § 45(a). Section 19(a)(1) of the FTC Act, 15 U.S.C. § 57b(a)(1), provides
11 that the FTC may commence a civil action against “any person, partnership, or
12 corporation” who “violates any rule . . . respecting unfair or deceptive acts or
13 practices.” Section 19(b) of the FTC Act, 15 U.S.C. § 57b(b), provides that in any
14 action commenced under Section 19(a)(1), the court “shall have jurisdiction to
15 grant such relief as the court finds necessary to redress injury to consumers . . .
16 Such relief may include, but shall not be limited to, rescission or reformation of
17 contracts, [and] the refund of money or return of property”

18 **COUNT XIV**

19 **Impersonation of Businesses**

20 93. In numerous instances on or after April 1, 2024, in connection with
21 the collection of alleged debts, Defendants have materially and falsely posed as,
22 directly or by implication, a law firm.

23 94. Therefore, Defendants’ representations as set forth in Paragraph 93
24 violate Section 461.3(a) of the Impersonation Rule, 16 C.F.R. § 461.3(a).

25 **CONSUMER INJURY**

26 95. Consumers are suffering, have suffered, and will continue to suffer
27 substantial injury as a result of Defendants’ violations of the FTC Act, the FDCPA,

1 Regulation F, the GLB Act, and the Impersonation Rule. Absent injunctive relief
2 by this Court, Defendants are likely to continue to injure consumers and harm the
3 public interest.

4 **PRAYER FOR RELIEF**

5 Wherefore, Plaintiff requests that the Court:

6 A. Enter a permanent injunction to prevent future violations of the FTC
7 Act, the FDCPA, Regulation F, the GLB Act, and the Impersonation Rule;

8 B. Grant preliminary injunctive and ancillary relief as may be necessary
9 to avert the likelihood of consumer injury during the pendency of this action and to
10 preserve the possibility of effective final relief, including temporary and
11 preliminary injunctions, an order freezing assets, immediate access to Corporate
12 Defendants' premises, and appointment of a receiver;

13 C. Award monetary and other relief within the Court's power to grant,
14 including the rescission or reformation of contracts, the refund of money, or other
15 relief necessary to redress injury to consumers; and

16 D. Award any additional relief as the Court determines to be just and
17 proper.

18
19 Dated: February 24, 2025

Respectfully submitted,

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