Exhibit A

IN THE COURT OF COMMON PLEAS OF MONTGOMERY COUNTY, PENNSYLVANIA

LATOYA BONK

vs.

AR RESOURCES INC

NO. 2025-04257

CIVIL COVER SHEET

State Rule 205.5 requires this form be attached to any document commencing an action in the Montgomery County Court of Common Pleas. The information provided herein is used solely as an aid in tracking cases in the court system. This form does not supplement or replace the filing and service of pleadings or other papers as required by law or rules of court.

Name of Plaintiff/Appellant's Attorney: ROBERT P COCCO, Esq., ID: 61907

Self-Represented (Pro Se) Litigant [ ]

Class Action Suit [X] Yes [ ] No

MDJ Appeal [ ] Yes [X] No

Money Damages Requested [X]

Commencement of Action:

Complaint

Amount in Controversy:

More than $50,000

Case Type and Code

Miscellaneous:

Other

Other: FDCPA

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Attorney for Plaintiff

LATOYA BONK, *on his own behalf and on behalf of other similarly situated persons,* 100 Lizzette St. Richboro, PA 18954, Plaintiff, v. AR RESOURCES, INC., 350 Sentry Pkwy Building 630 Suite 100 Blue Bell, PA 19422, Defendants.	MONTGOMERY COUNTY COURT OF COMMON PLEAS CIVIL TRIAL DIVISION No. **CLASS ACTION** **JURY TRIAL DEMANDED**

NOTICE

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.
YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Montgomery Bar Association
100 West Airy Street, Norristown, Pennsylvania 19401
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CLASS ACTION COMPLAINT

I. INTRODUCTION

Herein Defendant, a debt collector, attempted to collect a medical debt against Plaintiff by an unlawful practice often described as "debt parking" or "passive debt collection," which is the practice of placing purported debts on consumers' credit reports without first attempting to communicate with the consumer about the debt. Consumers often don't learn about it until a mortgage company, prospective employer, or other decision maker pulls their credit report and spots what appears to be an unpaid debt. With a house, car, or job in the balance, many people feel pressured to pay even when they may not actually owe the money.

The FTC has recently sued and then settled with a debt collector, Midwest Recovery Systems, over its debt parking tactics as an unfair practice under the FDCPA[1]. Over 43 million consumers have outstanding medical debts on their credit reports, and medical debt accounts for

[1] https://www.ftc.gov/legal-library/browse/cases-proceedings/1923042-midwest-recovery-systems-llc

more than half of the debts reported by third-party collection companies. Medical billing is a frequent source of confusion and uncertainty for consumers, given the complex and often opaque system of insurance coverage and cost sharing.

Plaintiff Latoya Bonk ("Plaintiff"), individually and on behalf of all others similarly situated, upon personal knowledge as to the facts pertaining to herself and upon information and belief as to all other matters, and based on the investigation of counsel, brings this class action against defendant AR Resources, Inc. ("AR" or "Defendant"), for violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq*. ("FDCPA"), and alleges as follows:

II. PARTIES

1. Plaintiff Latoya Bonk is a natural person residing in Richboro, Pennsylvania.

2. Plaintiff is a "consumer" within the meaning of section 1692a(3) of the FDCPA.

3. Defendant AR is a corporation with principal offices at 350 Sentry Pkwy Building 630 Suite 100, Blue Bell, PA 19422 and has an agent for service of civil process in this Commonwealth at HAMBURG, RUBIN, MULLIN & MAXWELL CORPORATION SERVICE, INC., 1684 S Broad Street Suite 230, Lansdale, PA 19446.

4. AR regularly attempts to collect debts alleged to be due another and is a debt collector as defined by 15 U.S.C. §1692a(6).

III. FACTUAL ALLEGATIONS

5. The debt which is the subject of Defendant's collection is a $123.00 deductible payment towards an emergency hospital debt owed to Doylestown Hospital in Pennsylvania for treatment in December 2023 (hereinafter "the debt").

6. On or about August 15, 2024, AR reported the debt on plaintiff's credit report.

7. A credit alert notified plaintiff of the reporting of the debt to her credit by AR.

8. Prior to placing the debt on her report, AR did not attempt to speak to Plaintiff or notify her by any paper or electronic writing of its intention to collect the debt.

9. AR's reporting of the debt on plaintiff's credit report was her first notice of anyone attempting to collect the debt.

10. Reporting to a CRA about a debt without first taking steps to provide notice of collection to the consumer is prohibited under FDCPA Regulation F, 12 C.F.R. § 1006.30(a):

> (a) Required actions prior to furnishing information.
> (1) In general. Except as provided in paragraph (a)(2) of this section, a debt collector must not furnish to a consumer reporting agency, as defined in section 603(f) of the Fair Credit Reporting Act (15 U.S.C. 1681a(f)), information about a debt before the debt collector:
>
> (i) Speaks to the consumer about the debt in person or by telephone; or
>
> (ii) Places a letter in the mail or sends an electronic message to the consumer about the debt and waits a reasonable period of time to receive a notice of undeliverability. During the reasonable period, the debt collector must permit receipt of, and monitor for, notifications of undeliverability from communications providers. If the debt collector receives such a notification during the reasonable period, the debt collector must not furnish information about the debt to a consumer reporting agency until the debt collector otherwise satisfies paragraph (a)(1) of this section.

IV. CLASS ACTION ALLEGATIONS

11. The prerequisites of Pennsylvania Rule 1702 can be met by this proposed class action.

12. The Plaintiff proposes the following class, subject to amendment:

> All persons residing in the United States whose first notice of an attempt to collect a debt by Defendant was reporting of the debt on a credit report during the one year prior to the filing of this Complaint and continuing through the final resolution of this case.

13. The identities of all class members are readily ascertainable from Defendant's records to collect debts owed to them so it is able to identify particular categories of debtors from its electronic systems.

14. The Class is so numerous that joinder of all members is impracticable.

15. Upon information and belief, Defendant has failed to properly review hundreds if not thousands of student loan borrower requests for rehabilitation and applied the same improper income analysis applied to Plaintiff here. Thus, the precise number of Class members is known only to the Defendant who regularly services federal student loan debts.

16. The principal question of law common to the Classes predominate over any questions affecting only individual Class members. The principal questions are (1) whether Defendant made any attempt by phone or writing to collect the debt prior to reporting it as a credit item in plaintiff's consumer file; (2) whether debtors are significantly injured by the use of such collection tactics; and, (3) whether Defendant violated the FDCPA by its aforesaid collection tactics. Such proofs are matters of Defendant's regular policies, routines and practices.

17. Plaintiff's claim is typical of the claims of the Classes, which all arise from the same operative facts and are based on the same legal theories.

18. Plaintiff will fairly and adequately protect the interests of the Classes. Plaintiff is committed to vigorously litigating this matter and has hired attorneys who meet the criteria of Rule 1709 as they can adequately represent the class since they are experienced attorneys with substantial class action experience. Plaintiff and counsel have adequate financial resources to assure that the class will not be harmed.

19. Neither Plaintiff nor her counsel has any interests which might cause them not to vigorously pursue this claim.

20. This action should be maintained as a class action because the prosecution of separate actions by individual members of the Classes would create a risk of inconsistent or varying adjudications with respect to individual members which would establish incompatible standards of conduct for the parties opposing the Classes, as well as a risk of adjudications with respect to individual members which would as a practical matter be dispositive of the interests of other members not parties to the adjudications or substantially impair or impede their ability to protect their interests.

21. A class action is a superior method for the fair and efficient adjudication of this controversy. The quintessential purpose of the class action mechanism is to permit litigation against wrongdoers even when damages to the individuals may not be sufficient to justify individual litigation. Here, the damages suffered by Plaintiff and the Class regarding reporting debt on consumer's credit prior to phone or written contacts for purposes of debt collection may be relatively small compared to the burden and expense required to individually litigate their claims against AR. Management of the Class claims is likely to present significantly fewer difficulties than those presented in many class claims. The identities of the Class members may be obtained from Defendant's records by ministerial inspection of Defendant's records.

IV. CAUSES OF ACTION

COUNT I - FAIR DEBT COLLECTION PRACTICES ACT

22. The allegations above are re-alleged and incorporated herein by reference.

23. Plaintiff is a natural person, a resident of Philadelphia, Pennsylvania and is a "Consumer" as defined by 15 U.S.C. § 1692a(3).

24. DEFENDANT uses the instrumentalities of interstate commerce or the mails to engage in the principal business of collecting debt.

25. DEFENDANT uses the instrumentalities of interstate commerce or the mails to regularly engage in the collection or attempt to collect debt asserted to be due or owed to another.

26. DEFENDANT is a "Debt Collector" as that term is defined by 15 U.S.C. § 1692(a)(6).

27. At all times relevant hereto Defendant was attempting to collect an alleged debt which was incurred for personal, family or household purposes and is a "debt" as defined by 15 U.S.C. § 1692a(5).

28. Defendant, by reporting Plaintiff's debt to a CRA without first taking steps to provide collection notice to the Plaintiff by a phone call or writing, engaged in prohibited collection conduct under FDCPA Regulation F, 12 C.F.R. § 1006.30(a):

> (a) Required actions prior to furnishing information.
>
> (1) In general. Except as provided in paragraph (a)(2) of this section, a debt collector must not furnish to a consumer reporting agency, as defined in section 603(f) of the Fair Credit Reporting Act (15 U.S.C. 1681a(f)), information about a debt before the debt collector:
> (i) Speaks to the consumer about the debt in person or by telephone; or
> (ii) Places a letter in the mail or sends an electronic message to the consumer about the debt and waits a reasonable period of time to receive a notice of undeliverability. During the reasonable period, the debt collector must permit receipt of, and monitor for, notifications of undeliverability from communications providers. If the debt collector receives such a notification during the reasonable period, the debt collector must not furnish information about the debt to a consumer reporting agency until the debt collector otherwise satisfies paragraph (a)(1) of this section.

29. Defendant by its acts and omissions herein violated the FDCPA, including, but not limited to the following:

a. Engaging in conduct the natural consequence of which is to abuse a person, 15 U.S.C. § 1692d;

b. Using false and deceptive means to collect the debt, 15 U.S.C. § 1692e(10)

c. In the alternative, using unfair or unconscionable means to collect or attempt to collect a debt, 15 U.S.C. § 1692f.

TRIAL BY JURY

30. Plaintiff is entitled to and hereby respectfully demands a trial by jury.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff and the Classes pray for relief as follows:

A. Pursuant to Count I of this Complaint, Plaintiff asks this Court to determine the issue of Cenlar's liability to the Plaintiff and class members under the FDCPA and award them on an aggregate basis (i) statutory damages pursuant to 15 U.S.C.A. § 1692k(a)(2)(B) in the amount of $1,000 per class member or $500,000.00 for the Class collectively, and (iii) reasonable attorney fees and reasonable costs as authorized by 15 U.S.C.A. § 1692k(a)(3).

B. That the Court grant such other and further relief as may be just and proper.

Dated: February 25, 2025

/s/Robert P. Cocco
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Pro Hac Vice pending

Attorneys for Plaintiff and the Class

VERIFICATION

I, Latoya Bonk, plaintiff in this matter, verify that I have read the foregoing complaint and the factual information contained therein is true and correct to the best of my personal knowledge, information and belief.

To the extent that the foregoing complaint contains legal conclusions, they are the product of my attorney.

I understand that the statements made in the foregoing complaint are made subject to the penalties of 18 Pa. §4904 relating to unsworn falsification to authorities.

Dated:

Latoya Bonk