IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
ST. LOUIS DIVISION

Michael Abron,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 4:25-cv-825
	)	
Stenger and Gaines, P.C., a Michigan professional corporation,	)	
	)	
Defendant.	)	Jury Demanded

COMPLAINT

Plaintiff, Michael Abron, brings this action under the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, et seq. ("FDCPA"), for a finding that Defendant's collection actions violated the FDCPA, and to recover damages, and alleges:

JURISDICTION AND VENUE

1. This Court has jurisdiction, pursuant to § 1692k(d) of the FDCPA and 28 U.S.C. § 1331.

2. Venue is proper in this District because: a) the acts and transactions occurred here; b) Plaintiff resides here; and c) Defendant transacts business here.

PARTIES

3. Plaintiff, Michael Abron ("Abron"), is a citizen of the State of Missouri, from whom Defendant attempted to collect a defaulted consumer debt that he allegedly owed to Citibank.

4. Defendant, Stenger & Stenger, P.C. ("Stenger"), is a Michigan professional corporation and law firm that acts as a debt collector, as defined by § 1692a of the FDCPA, because it regularly uses the mails and/or the telephone to

collect, or attempt to collect, delinquent consumer debts. Defendant Stenger operates a regional collection law firm that sends collection letters via U.S. Mail to, and files collection lawsuits against, thousands of consumers.

5. Defendant Stenger was acting as a debt collector as to the defaulted consumer debt it attempted to collect from Plaintiff.

6. Defendant Stenger's principal business purpose is the collection of defaulted consumer debts originated by others.

7. Although Defendant Stenger is not authorized to conduct business in Missouri, it does in fact conduct business in Missouri.

FACTUAL ALLEGATIONS

8. Plaintiff was a resident of Youngstown, Ohio until September 2019, at which time he relocated to St. Louis, Missouri. Around this time, he was experiencing financial difficulties and was unable to pay his debts, including a defaulted consumer debt (incurred for personal, family or household purposes) that he owed to Citibank. Sometime after this debt went into default, Defendant Stenger & Stenger was retained by Citibank to collect the debt. Defendant then filed a lawsuit against Mr. Abron on September 19, 2019, in a matter styled Citibank v. Michael Abron, No. 19CV-04133Y, in an Ohio court (the "State Court Lawsuit".).

9. Mr. Abron was allegedly served with the State Court Lawsuit via certified mail at his former residence in Ohio (which was impossible because he no longer lived there). Unaware of the lawsuit filed against him, a default judgment was entered against him on January 17, 2020.

10. Without registering the judgment in Missouri, Defendant then issued a

Notice of Garnishment, and then served it upon Plaintiff's employer in Missouri on December 17, 2024. A copy of this garnishment is attached as Exhibit A.

11. When Mr. Abron discovered that his wages were being garnished, he had to take the time, effort and expense to contact an attorney and send them the order. On March 13, 2025, Mr. Abron's attorney wrote to the Defendant to inform it that the garnishment had not been registered in Missouri, nor was there a verified petition to serve the garnishment, and thus, the garnishment was improper. Mr. Abron's attorney also demanded that the garnishment be released, and that the money which had been garnished from Mr. Abron be returned to him. A copy of this letter is attached as Exhibit B.

16. Defendant's collection actions caused Plaintiff emotional distress (headaches and lost sleep) and deprived him of his wages without proper legal process. Mr. Abron had to take additional time and effort to contact his attorney to report that his wages were being garnished which forced Mr. Abron's attorney to investigate the garnishment and initiate communication with the Defendant by writing a letter to notify it that its garnishment actions were unlawful and an abuse of process and to demand that it release the garnishment and return the funds it garnished from Mr. Abron (about $200), see, Mack v. Resurgent Capital Services, 70 F.4th 395, 406-407 (7th Cir, 2023), Walters v. Fast AC, LLC, 60 F.4th 642, 649 (11th Cir. 2023) and Ebaugh v. Medicredit, Inc., 2025 U.S.App.LEXIS 8530 at [*1]-[*2] (8th Cir. 2025).

COUNT I
Violation Of § 1692e Of The FDCPA --
Taking An Action That Could Not Be Legally Taken
And False Representations

17. Plaintiff adopts and realleges ¶¶ 1-16.

18. Section 1692e of the FDCPA prohibits a debt collector from using any false and/or any deceptive or misleading representation or means in connection with the collection of a debt, including, but not limited to, the false representation of the character, amount or legal status of any debt, see, 15 U.S.C. § 1692e(2)(A), as well as taking of any actions that cannot be legally taken, see, 15 U.S.C. § 1692e(5).

19. Garnishing wages without lawfully registering the foreign judgment in Missouri, or filing a verified petition to serve the garnishment upon Plaintiff in Missouri, is false and/or deceptive or misleading, falsely represents the legal status of a debt, is akin to fraud, and violates § 1692e of the FDCPA, see, 15 U.S.C. §1692e.

20. Defendant's violation of § 1692e of the FDCPA renders it liable for actual and statutory damages, costs, and reasonable attorneys' fees, see, 15 U.S.C. § 1692k.

COUNT II
Violation Of § 1692d Of The FDCPA –
Abusive Collection Actions

21. Plaintiff adopts and realleges ¶¶ 1-16.

22. Section 1692d of the FDCPA prohibits a debt collector from engaging in any conduct, the natural consequence of which is to harass, oppress or abuse any person in connections with the collection of a debt, see, 15 U.S.C. § 1692d.

23. Garnishing wages without lawfully registering the foreign judgment in Missouri or filing a verified petition to serve the garnishment in Missouri is conduct, the natural consequence of which harassed, oppressed and abused Plaintiff, in violation of § 1692d of the FDCPA.

24. Defendant's violation of § 1692d of the FDCPA renders it liable for actual and statutory damages, costs, and reasonable attorneys' fees, see, 15 U.S.C. § 1692k.

COUNT III
Violation Of § 1692f Of The FDCPA --
Unfair Or Unconscionable Collection Actions

25. Plaintiff adopts and realleges ¶¶ 1-14.

26. Section 1692f of the FDCPA prohibits a debt collector from using any unfair or unconscionable means to collect or attempt to collect a debt, see, 15 U.S.C. § 1692f.

27. Defendant, by garnishing Mr. Abron's wages without lawfully registering the foreign judgment in Missouri or filing a verified petition to serve the garnishment in Missouri, used unfair or unconscionable means to collect a debt, in violation of § 1692f of the FDCPA.

28. Defendant's violations of § 1692f of the FDCPA render it liable for actual and statutory damages, costs, and reasonable attorneys' fees, see, 15 U.S.C. § 1692k.

PRAYER FOR RELIEF

Plaintiff, Michael Abron, prays that this Court:

1. Find that Defendant's collection practices violate the FDCPA;

2. Enter judgment in favor of Plaintiff Abron, and against Defendant, for actual and statutory damages, costs, and reasonable attorneys' fees as provided by § 1692k(a) of the FDCPA; and,

3. Grant such further relief as deemed just.

JURY DEMAND

Plaintiff, Michael Abron, demands trial by jury.

Michael Abron,

By: s/ David J. Philipps_____________
One of Plaintiff's Attorneys

Dated: June 5, 2025

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