UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA
PITTSBURGH DIVISION

LYNNE THOMPSON, Plaintiff, v. COLLECTION MANAGEMENT COMPANY d/b/a CREDIT MANAGEMENT COMPANY, Defendant.	Case No. 2:25-cv-01132

COMPLAINT

NOW COMES LYNNE THOMPSON ("Plaintiff"), by and through her undersigned attorney, complaining of COLLECTION MANAGEMENT COMPANY d/b/a CREDIT MANAGEMENT COMPANY. ("Defendant"), as follows:

NATURE OF THE ACTION

1. Plaintiff brings this action seeking redress for violations of the Telephone Consumer Protection Act ("TCPA"), 47 U.S.C. § 227 *et seq.*, and the Fair Debt Collection Practices Act ("FDCPA"), 15 U.S.C. § 1692 *et seq.*

2. "The primary purpose of the TCPA was to protect individuals from the harassment, invasion of privacy, inconvenience, nuisance, and other harms associated with unsolicited, automated calls." *Parchman v. SLM Corp.*, 896 F.3d 728, 738-39 (6th Cir. 2018) *citing* Telephone Consumer Protection Act of 1991, Pub. L. No. 102-243, § 2, 105 Stat. 2394 (1991).

3. As the Supreme Court recently observed, “Americans passionately disagree about many things. But they are largely united in their disdain for robocalls.” *Barr v. Am. Ass’n of Political Consultants*, 140 S. Ct. 2335, 2343 (2020).

JURISDICTION AND VENUE

1. The Court has federal question jurisdiction pursuant to 28 U.S.C. §1331 as the FDCPA is a federal statute.

2. Venue in this district is proper under 28 U.S.C. § 1391(b)(2) as a substantial part of the events and omissions giving rise to Plaintiff’s claims occurred in this judicial district.

PARTIES

3. Plaintiff is a natural person over 18-years-of-age, who at all times relevant resided in Pittsburgh, Pennsylvania.

4. Plaintiff is a “consumer” as defined by 15 U.S.C. § 1692a(3).

5. Defendant is a debt collection company with its principal office located at 661 Anderson Dr., Ste. 110, Pittsburgh, Pennsylvania 15220, and it specializes in collecting debts owed to others. Defendant regularly and systematically does business in Pennsylvania and across the United States.

6. Defendant regularly attempts to collect debts allegedly owed by consumers residing in Pennsylvania.

7. Defendant is a “debt collector” as defined by 15 U.S.C. § 1692a(6) because (1) the principal purpose of Defendant’s business is the collection of debt owed or due or asserted to be owed or due another; and (2) it regularly collects consumer debt owed to others.

FACTUAL ALLEGATIONS

8. At all times relevant, Plaintiff was the sole operator, possessor, and subscriber of the cellular telephone number ending in 3517.

9. At all times relevant, Plaintiff's number ending in 3517 was assigned to a cellular telephone service.

10. At all times relevant, Plaintiff was financially responsible for her cellular telephone equipment and services.

11. Prior to the events that give rise to this action, Plaintiff allegedly obtained a loan from a lender agency.

12. Due to Cancer diagnosis and the resulting medical bills, Plaintiff failed to make payments towards the loan.

13. At some point in time, the subject debt was placed with Defendant for collection.

14. Plaintiff started receiving collection calls from Defendant in an attempt to collect the subject debt.

15. Shortly after the collection calls began, Plaintiff answered a call from Defendant and requested that Defendant cease its harassing collection calls.

16. Despite Plaintiff's verbal request to cease its calls, Defendant continued placing harassing collection calls to Plaintiff's cellular phone.

17. Defendant told Plaintiff that it will not cease the calls until Plaintiff continues making payments towards the loan.

18. Defendant has not provided a receipt nor a collection letter to Plaintiff.

19. In total, Defendant placed numerous collection calls to Plaintiff's cellular phone after Plaintiff requested that the collection calls cease.

20. Moreover, Defendant left numerous prerecorded voicemails on Plaintiff's cellular phone after Plaintiff requested that the calls cease.

21. At no point in time did Plaintiff provide her cellular phone number to Defendant or otherwise consent to Defendant's phone calls.

22. Frustrated with Defendant's harassing and deceptive conduct, Plaintiff was forced to retain counsel to compel Defendant to cease its unlawful collection practices.

DAMAGES

23. Defendant's harassing collection calls invaded Plaintiff's privacy and caused Plaintiff damages, including: aggravation that accompanies unwanted calls, increased risk of personal injury resulting from the distraction caused by the unwanted calls, wear and tear to Plaintiff's cellular phone, loss of battery charge, loss of concentration, mental anguish, nuisance, the per-kilowatt electricity costs required to recharge Plaintiff's cellular telephone as a result of increased usage of Plaintiff's cellular phone, and wasting Plaintiff's time.

24. Moreover, each time Defendant placed a call to Plaintiff's cellular phone, Defendant occupied Plaintiff's cellular phone such that Plaintiff was unable to receive other phone calls or otherwise utilize her cellular phone while her phone was ringing.

25. Due to Defendant's repeated refusal to honor Plaintiff's request that the calls cease, Plaintiff was forced to file this lawsuit to compel Defendant to cease its abusive collection practices.

Count I – Violations of the Telephone Consumer Protection Act

26. Plaintiff restates and reallages all previous Paragraphs as though fully set forth herein.

27. Plaintiff is a "person" as defined by 47 U.S.C. § 153(39) because she is an individual.

28. Defendant is a "person" as defined by 47 U.S.C. § 153(39) because it is a corporation.

29. Section 227(b)(1)(A)(iii) of the TCPA prohibits "any call (other than a call made for emergency purposes or made with the prior express consent of the called party) using any automatic telephone dialing system or *an artificial or prerecorded voice*" to "any telephone number assigned to a paging service, *cellular telephone service*, specialized mobile radio service, or other radio common carrier service, or any service for which the called party is charged for the call." *Barr v. Am. Ass'n of Political Consultants*, 140 S. Ct. 2335, 2344 (2020) (emphasis added).

30. Defendant violated § 227 (b)(1)(A)(iii) of the TCPA by placing no less than four (4) non-emergency calls to Plaintiff's cellular phone number utilizing an artificial or prerecorded voice without Plaintiff's consent.

31. As pled above, Defendant used an artificial or prerecorded voice which automatically played upon the call reaching Plaintiff's voicemail.

32. Defendant did not have consent to place calls to Plaintiff's cellular phone because (1) Plaintiff never provided her number to Defendant or otherwise consented to Defendant's calls; and (2) Plaintiff revoked any prior consent that Defendant may have believed it had.

33. Upon information and belief, Defendant does not maintain adequate policies and procedures to ensure compliance with the TCPA.

34. Upon information and belief, Defendant knows its collection practices are in violation of the TCPA, yet it continues to employ them to maximize profits at the expense of Plaintiff.

35. As set forth above, Plaintiff suffered damages as a result of Defendant's unlawful collection calls.

WHEREFORE, Plaintiff, LYNNE THOMPSON, requests the following relief:

a. a finding that Defendant violated 47 U.S.C. § 227 *et seq*.;

b. an award of statutory damages of at least $500.00 for each and every violation;

c. an award of treble damages of up to $1,500.00 for each and every violation; and

d. an award of such other relief as this Court deems just and proper

Count II – Violations of the Fair Debt Collection Practices Act

36. Plaintiff restates and reallages all previous Paragraphs as though fully set forth herein.

37. Plaintiff is a "consumer" as defined by FDCPA § 1692a(3) because she is an individual.

38. The subject debt is a "debt" as defined by § 1692a(5) as it is an alleged personal debt that was allegedly incurred for personal or family purposes.

39. Defendant is a "debt collector" as defined by § 1692a(6) because its primary business purpose is the collection of delinquent debts owed to third parties.

40. Defendant violated 15 U.S.C. §§ 1692c(a)(1), d, and d(5) through its unlawful debt collection practices.

a. Violations of FDCPA § 1692c

41. Pursuant to § 1692c(a)(1) of the FDCPA, a debt collector is prohibited from contacting a consumer "at any unusual time or place or a time or place known, or which should be known to be inconvenient to the consumer…" 15 U.S.C. §1692c(a)(1).

42. As set forth above, Plaintiff requested that Defendant cease its collection calls to her cellular phone on multiple occasions.

43. Despite having actual knowledge that its collection calls were unwanted, Defendant made the conscious decision to continue its harassing collection calls, which were clearly inconvenient to Plaintiff.

44. Defendant violated § 1692c(a)(1) by placing at least sixty-seven (67) collection calls to Plaintiff's cellular phone number at a time Defendant knew to be inconvenient for Plaintiff.

45. Specifically, since Plaintiff did not want *any* calls from Defendant, *any* call placed by Defendant after the initial cease request was placed at a time that Defendant knew was an inconvenient time for Plaintiff.

b. Violations of FDCPA § 1692d and d(5)

46. Pursuant to § 1692d of the FDCPA, a debt collector is prohibited from engaging "in any conduct the natural consequence of which is to harass, oppress, or abuse any person in connection with the collection of a debt." 15 U.S.C. §1692d.

47. Section 1692d(5) of the FDCPA prohibits a debt collector from "causing a telephone to ring or engaging any person in telephone conversation repeatedly or continuously with intent to annoy, abuse, or harass any person at the called number." 15 U.S.C. §1692d(5).

48. Defendant violated §§ 1692d and d(5) by placing at least sixty-seven (67) collection calls to Plaintiff's cellular phone in an attempt to collect the subject debt after Plaintiff initially requested that the collections calls cease.

49. Defendant's conduct in systematically placing unwanted collection calls to Plaintiff's cellular phone is inherently harassing and abusive.

50. Defendant's collection calls to Plaintiff were made with the specific intent of annoying, harassing, and abusing Plaintiff as Defendant had actual knowledge that Plaintiff did not want to be called on her cellular phone.

51. The fact that Defendant knowingly placed calls to Plaintiff after Plaintiff made multiple requests that the calls cease is illustrative of Defendant's intent to harass and annoy Plaintiff.

52. As set forth above, Plaintiff suffered damages as a result of Defendant's abusive collection practices.

WHEREFORE, Plaintiff, LYNNE THOMPSON, requests the following relief:

a. A judgment in Plaintiff's favor for Defendant's violations of the FDCPA;

b. An award of statutory damages in the amount of $1,000.00;

c. An award of actual damages;

d. An award of reasonable attorney's fees and costs; and

e. Any further relief this Court deems just and proper.

DEMAND FOR JURY TRIAL

Pursuant to Fed. R. Civ. P. 38(b), Plaintiff demands a trial by jury.

Date: July 28, 2025

Respectfully submitted,

By: */s/ Alexander J. Taylor*

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