UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA

Case No.

JOSEPH GOLDEN,
individually and on behalf of all others similarly situated,

CLASS ACTION

Plaintiff,

v.

JURY TRIAL DEMANDED

REVNOW LLC,

Defendant.
______________________________________/

CLASS ACTION COMPLAINT

Plaintiff Joseph Golden ("Plaintiff") sues Defendant RevNow LLC ("Defendant") for violations of the Telephone Consumer Protection Act ("TCPA"), the Fair Debt Collection Practices Act ("FDCPA"), and the Florida Consumer Collection Practices Act ("FCCPA").

JURISDICTION AND VENUE

1. This Court has federal question subject matter jurisdiction over Plaintiff's TCPA and FDCPA claims pursuant to 28 U.S.C. § 1331, as the TCPA and FDCPA are federal statutes. Additionally, this Court has supplemental jurisdiction over Plaintiff's claims under the FCCPA pursuant to 28 U.S.C. § 1367.

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2. This Court has personal jurisdiction over Defendant because Defendant is headquartered in the state of Florida.

3. Venue of this action is proper in this Court because the cause of action alleged below arose in Brevard County, Florida.

PARTIES

4. Plaintiff is a natural person, and a citizen of the State of Florida, residing in Brevard County, Florida.

5. Defendant is a Florida limited liability company, with its principal place of business located at 100 S Ashley Drive, Suite 600, Tampa, Florida 33602.

DEMAND FOR JURY TRIAL

6. Plaintiff, respectfully, demands a trial by jury on all counts and issues so triable.

FACTUAL ALLEGATIONS

7. On or about April 5, 2025, Defendant began attempting to collect an alleged debt (the "Consumer Debt") from Plaintiff.

8. The Consumer Debt is an obligation allegedly had by Plaintiff to pay money arising from a transaction between the creditor of the Consumer Debt and Plaintiff (the "Subject Service").

9. Plaintiff is unaware of who the original creditor of the Consumer Debt may be.

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10. Defendant is a business entity engaged in the business of soliciting consumer debts for collection.

11. Defendant is a business entity engaged in the business of collecting consumer debts.

12. Defendant regularly collects or attempts to collect, directly or indirectly, debts owed or due or asserted to be owed or due to another.

13. Defendant is registered with the Florida Office of Financial Regulation as a "Consumer Collection Agency."

14. Defendant "Consumer Collection Agency" license number is CCA9904772.

15. Defendant maintains all the records specified in Rule 69V-180.080, Florida Administrative Code.

16. The records specified by Rule 69V-180.080, Florida Administrative Code, of which Defendant does maintain, are current to within one week of the current date.

17. For example, Defendant does maintain and keep updated within seven (7) days the records required by, *inter alia*, Florida Administrative Code Rule 180.080(1), (3), (6), (7), (9), (10), and (11).

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18. Further, Defendant has written policies and procedures for the secure handling of all consumer documents and information received in the course of collecting a debt from a consumer as required by Rule 69V-180.090(2).

19. Defendant is a "debt collector" within the meaning of 15 U.S.C. § 1692a(6).

20. Defendant is a "person" within the meaning of Fla. Stat. § 559.72.

Background

21. On or about April 5, 2025, Plaintiff received a letter in the mail from Defendant bearing Account No. 8609980, stating that Plaintiff owes an alleged debt in the amount of three-thousand six hundred eighty-two dollars and seventy-eight cents ($3,682.78) (the "Collection Letter").

22. Upon receipt of the Collection Letter, Plaintiff mailed correspondence back to Defendant, via US Certified Mail, requesting that Defendant provide confirmation that the alleged debt in fact belongs to Plaintiff, and additionally requested Defendant to not contact Plaintiff until the validity of the debt was confirmed (the "Response Letter").

23. A copy of the Response Letter, along with a certified mail receipt and delivery confirmation (evidencing delivery of the Response Letter to Defendant) are attached hereto as Composite Exhibit "A."

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24. The Response Letter was delivered to Defendant at 100 S Ashley Drive, Suite 600, Tampa, Florida 33602 on or about April 14, 2025. *See* Composite Exhibit A.

25. On or about April 15, 2025, ***despite already receiving the Response Letter***, Defendant contacted Plaintiff in an attempt to collect the Consumer Debt by placing a telephone call to Plaintiff's cellular telephone number (the "8957 Number") and leaving a pre-recorded voice message (the "Collection Call").

26. The Collection Call requested Plaintiff to contact Defendant to be connected with a "live-representative" regarding Plaintiff's supposed RevNow Financial account.

27. Plaintiff is unaware of the validity of the Consumer Debt as Defendant has failed to confirm such. Moreover, Defendant continued to contact Plaintiff ***after*** Plaintiff's explicit request that Defendant refrain from communication.

28. At no point in time did Plaintiff provide Defendant with their consent to be contacted by Defendant with a pre-recorded call.

29. Plaintiff is the subscriber and sole user of the 8957 Number and is financially responsible for phone service to the 8957 Number.

30. Defendant's unsolicited prerecorded call caused Plaintiff and the Class members actual harm, including intrusion into the peace and quiet in a realm that is private and personal to Plaintiff and the Class members.

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CLASS ALLEGATIONS

PROPOSED CLASSES

31. Plaintiff brings this case as a class action pursuant to Fed. R. Civ. P. 23, on behalf of Plaintiff and all others similarly situated.

32. Plaintiff brings this case on behalf of the "TCPA Class", "FDCPA Class" and "FCCPA Class" (hereinafter collectively known as the "Classes") defined as follows.

> **The "TCPA Class" consists of: [1] all persons in the United States who, [2] within four years prior to the filing of this action through the date of class certification, [3] received a prerecorded voice call on their cellular telephone from Defendant.**
>
> **The "FDCPA Class" consists of: [1] all persons in the United States who, [2] within the one year prior to the filing of this action through the date of class certification, [3] received a communication from Defendant in connection with the collection of a consumer debt [3] *after* said person requested that Defendant cease from initiating such communications to said person.**
>
> **The "FCCPA Class" consists of: [1] all persons with Florida addresses who, [2] within the two years prior to the filing of this action through the date of class certification, [3] received a communication from Defendant in connection with the collection of a consumer debt [3] *after* said person requested that Defendant cease from initiating such communications to said person.**

33. Plaintiff reserves the right to modify the definitions of the Classes as warranted and as facts are learned in further investigation and discovery.

34. Defendant and its employees or agents are excluded from the Classes.

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NUMEROSITY

35. Upon information and belief, Defendant has placed automated and/or prerecorded calls to cellular telephone numbers belonging to at least 50 consumers throughout the United States without their consent. The members of the TCPA Class, therefore, are so numerous that joinder of all members is impracticable.

36. Upon information and belief, Defendant has initiated communications in connection with the collection of a consumer debt to at least 50 consumers in the United States *after* said consumers requested Defendant to cease from further such communications. The members of the FDCPA Class, therefore, are believed to be so numerous that joinder of all members is impracticable.

37. Upon information and belief, Defendant has initiated communications in connection with the collection of a consumer debt to at least 50 consumers with Florida addresses *after* said consumers requested Defendant to cease from further such communications. The members of the FCCPA Class, therefore, are believed to be so numerous that joinder of all members is impracticable.

38. Identification of the members of the Classes is a matter capable of ministerial determination from Defendant's internal call, text message, and other communication records.

COMMON QUESTIONS OF LAW AND FACT

39. There are numerous questions of law and fact common to the Classes

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which predominate over any questions affecting only individual members of the Class. Among the questions of law and fact common to the Classes are:

a. As to the TCPA Class:

   i. Whether Defendant made non-emergency prerecorded calls to Plaintiff's and Class members' cellular telephones;

   ii. Whether Defendant can meet its burden of showing that it obtained prior consent to make such calls;

   iii. Whether Defendant's conduct was knowing and willful; and

   iv. Whether Defendant is liable for damages, and the amount of such damages.

b. As to the FDCPA Class:

   i. Whether Defendant communicated with consumers in connection with the collection of a consumer debt after said consumers requested Defendant to cease from further such communications; and

   ii. Whether Defendant is liable for damages, and the amount of such damages.

c. As to the FCCPA Class:

   i. Whether Defendant communicated with consumers in connection with the collection of a consumer debt after said consumers requested Defendant to cease from further such communications; and

   ii. Whether Defendant is liable for damages, and the amount of such damages.

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40. The common questions in this case are capable of having common answers. If Plaintiff's claim that Defendant routinely transmits prerecorded messages to telephone numbers assigned to cellular telephone services is accurate, Plaintiff and the members of the TCPA Class will have identical claims capable of being efficiently adjudicated and administered in this case. Additionally, if Plaintiff's claim that Defendant routinely initiates communications to consumers in connection with the collection of a debt *after* said consumers have requested Defendant to cease from further such communications is accurate, Plaintiff and the members of the FDCPA and FCCPA Classes will have identical claims capable of being efficiently adjudicated and administered in this case

TYPICALITY

41. Plaintiff's claims are typical of the claims of the members of the Classes, as they are all based on the same factual and legal theories.

ADEQUACY

42. Plaintiff is a representative who will fully and adequately assert and protect the interests of the Classes, and has retained competent counsel. Accordingly, Plaintiff is an adequate representative and will fairly and adequately protect the interests of the Classes.

43. Plaintiff and his counsel are committed to vigorously prosecuting this action on behalf of the other respective members of the Classes and have the

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financial resources to do so. Neither Plaintiff nor his counsel have any interests adverse to those of the other members of the Classes.

PROCEEDING VIA CLASS ACTION IS SUPERIOR AND ADVISABLE

44. A class action is superior to all other available methods for the fair and efficient adjudication of this lawsuit, because individual litigation of the claims of all members of the Classes is economically unfeasible and procedurally impracticable. While the aggregate damages sustained by each of the Classes are in the millions of dollars, the individual damages incurred by each member of the Classes resulting from Defendant's wrongful conduct are too small to warrant the expense of individual lawsuits. The likelihood of individual members of the Classes prosecuting their own separate claims is remote, and, even if every member of the Classes could afford individual litigation, the court system would be unduly burdened by individual litigation of such cases.

45. The prosecution of separate actions by members of the Classes would create a risk of establishing inconsistent rulings and/or incompatible standards of conduct for Defendant. For example, one court might enjoin Defendant from performing the challenged acts, whereas another may not. Additionally, individual actions may be dispositive of the interests of the Classes, although certain class members are not parties to such actions.

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COUNT I
VIOLATIONS OF THE TCPA
(on behalf of Plaintiff and the TCPA Class)

46. Plaintiff realleges and incorporates by reference ¶¶ 1-45 of this Class Action Complaint.

47. It is a violation of the TCPA to make "any call (other than a call made for emergency purposes or made with the prior express consent of the called party) using any …artificial or prerecorded voice to any telephone number assigned to a … cellular telephone service …." 47 U.S.C. § 227(b)(1)(A)(iii).

48. It is a violation of the TCPA regulations promulgated by the FCC to "initiate any telephone call…using 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." 47 C.F.R. § 64.1200(a)(1)(iii).

49. Defendant used prerecorded messages to make non-emergency telephone calls to the cellular telephones of Plaintiff and other members of the TCPA Class.

50. Defendant did not have prior consent to call the telephones of Plaintiff and the other members of the TCPA Class when its calls were made.

51. Defendant has, therefore, violated §§ 227(b)(1)(A)(iii) and

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64.1200(a)(1)(iii) by using prerecorded messages to make non-emergency telephone calls to the cellular telephones of Plaintiff and the other members of the putative Class without their consent.

52. Defendant knew that it did not have consent to make these calls, and knew or should have known that it was using prerecorded messages. The violations were therefore willful or knowing.

53. "[D]ebt-collection calls are not exempt from 47 U.S.C. § 227(b)(1)(A)(iii); they are exempt only from 'the TCPA's separate restrictions on 'telephone solicitations.''" *Osorio v. State Farm Bank, F.S.B.*, 746 F.3d 1242, 1254 (11th Cir. 2014).

54. As a result of Defendant's conduct and pursuant to § 227(b)(3) of the TCPA, Plaintiff and the other members of the TCPA Class were harmed and are each entitled to a minimum of $500.00 in damages for each violation. Plaintiff and the members of the TCPA Class are also entitled to an injunction against future calls. *Id*

55. **WHEREFORE**, Plaintiff, individually and on behalf of the TCPA Class, prays for the following relief:

(a) An order certifying this case as a class action on behalf of the TCPA Class as defined above, and appointing Plaintiff as the representative of the TCPA Class and Plaintiff's counsel as Class Counsel;

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(b) An award of statutory damages for Plaintiff and each member of the TCPA Class as applicable under the TCPA;

(c) An order declaring that Defendant's actions, as set out above, violate the TCPA;

(d) An injunction requiring Defendant to cease its conduct in placing prerecorded calls in violation of the TCPA;

(e) Costs and reasonable attorneys' fees, as allowed under applicable law; and

(f) Such further and other relief as the Court deems necessary.

COUNT II
VIOLATIONS OF THE FDCPA
(on behalf of Plaintiff and the FDCPA Class)

56. Plaintiff realleges and incorporates by reference ¶¶ 1-45 of this Class Action Complaint.

57. Pursuant to 15 U.S.C. § 1692c(c), "if a consumer notifies a debt collector in writing that the consumer wishes the debt collector to *cease further communication* with the consumer, the debt collector *shall not communicate further* with the consumer with respect to such debt." 15 U.S.C. § 1692c(c) (emphasis added).

58. Defendant was notified by Plaintiff and members of the FDCPA class to refrain from further debt collection communications directed at them.

59. Upon information and belief, Defendant knew that Plaintiff and members of the FDCPA Class had requested Defendant to cease further debt

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collection communications directed at them. Despite knowing this, Defendant continued to initiate debt collection communications directed at Plaintiff and members of the FDCPA Class.

60. Accordingly, Defendant violated 15 U.S.C. § 1692c(c) by initiating debt collection communications directed at Plaintiff and members of the FDCPA Class after Plaintiff and members of the FDCPA Class requested Defendant to cease from further such communications.

61. **WHEREFORE**, Plaintiff, individually and on behalf of the TCPA Class, prays for the following relief:

(a) An order certifying this case as a class action on behalf of the FDCPA Class as defined above, and appointing Plaintiff as the representative of the FDCPA Class and Plaintiff's counsel as Class Counsel;

(b) Statutory damages for Plaintiff and members of the FDCPA Class as provided by 15 U.S.C. §1692k;

(c) An injunction prohibiting Defendant from engaging in further collection activities directed at Plaintiff and members of the FDCPA Class that are in violation of the FDCPA;

(d) Costs and reasonable attorneys' fees pursuant to 15 U.S.C. §1692k; and

(e) Any other relief that this Court deems appropriate under the circumstances.

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COUNT III
VIOLATIONS OF THE FCCPA

62. Plaintiff realleges and incorporates by reference ¶¶ 1-46 of this Class Action Complaint.

63. Pursuant to Fla. Stat. § 559.72(7) "persons" are prohibited from "[w]illfully communicat[ing] with the debtor or any member of her or his family with such frequency as can reasonably be expected to harass the debtor or her or his family, or *willfully engag[ing] in other conduct which can reasonably be expected to abuse or harass the debtor or any member of her or his family."* Fla. Stat. § 559.72(7) (emphasis added).

64. Defendant was notified by Plaintiff and members of the FCCPA class to refrain from further debt collection communications directed at them.

65. Upon information and belief, Defendant knew that Plaintiff and members of the FCCPA Class had requested Defendant to cease further debt collection communications directed at them. Despite knowing this, Defendant continued to initiate debt collection communications directed at Plaintiff and members of the FDCPA Class.

66. Accordingly, Defendant violated Fla. Stat. § 559.72(7) by initiating debt collection communications directed at Plaintiff and members of the FDCPA

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Class after Plaintiff and members of the FDCPA Class requested Defendant to cease from further such communications.

67. **WHEREFORE**, Plaintiff, individually and on behalf of the TCPA Class, prays for the following relief:

(f) An order certifying this case as a class action on behalf of the FCCPA Class as defined above, and appointing Plaintiff as the representative of the FCCPA Class and Plaintiff's counsel as Class Counsel;

(g) Statutory damages for Plaintiff and members of the FCCPA Class as provided by Fla. Stat. § 559.77(2);

(h) An injunction prohibiting Defendant from engaging in further collection activities directed at Plaintiff and members of the FCCPA Class that are in violation of the FCCPA;

(i) Costs and reasonable attorneys' fees pursuant to Fla. Stat. § 559.77(2); and

(j) Any other relief that this Court deems appropriate under the circumstances.

JURY DEMAND

Plaintiff hereby demands a trial by jury.

DOCUMENT PRESERVATION DEMAND

Plaintiff demands that Defendant take affirmative steps to preserve all records, lists, electronic databases or other itemizations associated with the allegations herein, including all records, lists, electronic databases or other itemizations in the possession of any vendors, individuals, and/or companies contracted, hired, or

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directed by Defendant to assist in sending the communications alleged herein.

DATED: August 25, 2025

Respectfully Submitted,

/s/ Faaris K. Uddin______
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