

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

KIMBERLY HORN
PLAINTIFF,

v.
ASSOCIATED CREDIT SERVICES, INC.
DEFENDANT.

CASE No.

COMPLAINT AND DEMAND FOR JURY
TRIAL

INTRODUCTION

1. This is an action for actual, statutory damages, attorney's fees, and costs brought by Plaintiff Kimberly Horn, an individual consumer, against Defendant Associated Credit Services, Inc. (hereinafter "Defendant") for violations of the Fair Debt Collection Practices Act, 15 U.S.C § 1692 *et seq.* (hereinafter "FDCPA"), which prohibits debt collectors, such as Defendant from engaging in abusive, deceptive, and unfair practices.

JURISDICTION AND VENUE

2. This Court has jurisdiction over this matter pursuant to 15 U.S.C. § 1692k(d) and 28 U.S.C. § 1331.
3. Venue is appropriately established in this District because the Defendant conducts business within Jamesburg, New Jersey, and the actions giving rise to the claims occurred within Jamesburg, New Jersey.

PARTIES

4. Plaintiff Kimberly Horn (hereinafter “Plaintiff”) is a natural person residing in Jamesburg, New Jersey.
5. Plaintiff qualifies as a "consumer" under the Fair Debt Collection Practices Act (FDCPA), 15 U.S.C. §1692a(3), which defines the term "consumer" as “any natural person obligated or allegedly obligated to pay any debt.”
6. Upon information and belief, Defendant is a Massachusetts corporation.
7. Defendant engages in the use of instrumentalities of interstate commerce or the mails as part of its business, the principal purpose of which is the collection of debts, or regularly collects or attempts to collect, either directly or indirectly, debts owed or alleged to be owed by others. As such, Defendant is a “debt collector” as defined by 15 U.S.C. §1692a(6).
8. The term "debt" is defined under the FDCPA, 15 U.S.C. §1692a(5), as “any obligation or alleged obligation of a consumer to pay money arising out of a transaction in which the money, property, insurance, or services that are the subject of the transaction are primarily for personal, family, or household purposes, whether or not such obligation has been reduced to judgment.”

FACTS OF THE COMPLAINT

9. On or about June 25, 2025, Plaintiff mailed a letter to Defendant, and it was received on July 1, 2025.
10. As Plaintiff’s rights under the FDCPA, the letter stated, “I’m not able to talk on the phone Monday-Friday. If you need to reach out to me, please only communicate with me on the weekends 4 PM-6 PM....”

11. Despite this, on Thursday, July 10, 2025, at 4:33 PM, Defendant called Plaintiff, communicating and attempting to collect on the alleged debt.
12. This failure to comply with the statutory requirements of the Fair Debt Collection Practices Act (FDCPA) resulted in continued harassment and caused undue emotional distress for Plaintiff.
13. As a direct and proximate result of the Defendant's unlawful conduct, Plaintiff has suffered, and continues to suffer, significant damages. These include, but are not limited to: intrusion upon her solitude and seclusion, frustration, anxiety, and loss of sleep, which negatively impacted her daily performance.

FIRST CLAIM FOR RELIEF
Fair Debt Collection Practices Act
15 U.S. Code § 1692c(a)(1)

14. Plaintiff re-alleges and reincorporates by reference paragraphs 1-13 above.
15. The Defendant violated the FDCPA.
16. Defendant violated the provisions of 15 U.S. Code § 1692c(c) by communicating with Plaintiff at a known inconvenient time.
17. As a result of the above violations of the FDCPA, Defendant is liable to Plaintiff actual damages, statutory damages, costs, and attorney's fees.

JURY DEMAND AND PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully demands a jury trial and requests that judgment be entered in favor of Plaintiff and against Defendant

A. Actual damages in an amount to be determined at trial, as provided under 15 U.S.C. § 1692k(a)(1);

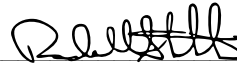
B. Statutory damages of up to \$1,000 pursuant to 15 U.S.C §1692k(a)(2)(A);

C. Costs of the action and reasonable attorney's fees, as authorized by 15 U.S.C. § 1692k(a)(3); and

D. Any other further relief that the Court deems just and appropriate.

Dated: September 22, 2025

Respectfully submitted:



Randall Steketee, Esq.

randall@steklawfirm.com

27 N. Broad Street, 1st Floor

Ridgewood, NJ 07450

Attorney for Plaintiff

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS KIMBERLY HORN	DEFENDANTS ASSOCIATED CREDIT SERVICES, INC.
(b) County of Residence of First Listed Plaintiff <u>MIDDLESEX, NJ</u> (EXCEPT IN U.S. PLAINTIFF CASES)	County of Residence of First Listed Defendant <u>MIDDLESEX, MA</u> (IN U.S. PLAINTIFF CASES ONLY)
(c) Attorneys (Firm Name, Address, and Telephone Number) Randall Steketee, Esq. 27 North Broad Street, 1st Floor, Ridgewood NJ 07450; 917-819-2966	NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED. Attorneys (If Known) Unknown

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)	III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)																								
☐ 1 U.S. Government Plaintiff ☐ 2 U.S. Government Defendant	<table><tr><td></td><td>PTF</td><td>DEF</td><td></td><td>PTF</td><td>DEF</td></tr><tr><td>☒ 3 Federal Question (U.S. Government Not a Party)</td><td>☐ 1</td><td>☐ 1</td><td>Citizen of This State</td><td>☐ 4</td><td>☐ 4</td></tr><tr><td>☐ 4 Diversity (Indicate Citizenship of Parties in Item III)</td><td>☐ 2</td><td>☐ 2</td><td>Citizen of Another State</td><td>☐ 5</td><td>☐ 5</td></tr><tr><td></td><td>☐ 3</td><td>☐ 3</td><td>Citizen or Subject of a Foreign Country</td><td>☐ 6</td><td>☐ 6</td></tr></table>		PTF	DEF		PTF	DEF	☒ 3 Federal Question (U.S. Government Not a Party)	☐ 1	☐ 1	Citizen of This State	☐ 4	☐ 4	☐ 4 Diversity (Indicate Citizenship of Parties in Item III)	☐ 2	☐ 2	Citizen of Another State	☐ 5	☐ 5		☐ 3	☐ 3	Citizen or Subject of a Foreign Country	☐ 6	☐ 6
	PTF	DEF		PTF	DEF																				
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	☐ 3	☐ 3	Citizen or Subject of a Foreign Country	☐ 6	☐ 6																				

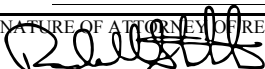
IV. NATURE OF SUIT (Place an "X" in One Box Only)					Click here for: Nature of Suit Code Descriptions.	
CONTRACT ☐ 110 Insurance ☐ 120 Marine ☐ 130 Miller Act ☐ 140 Negotiable Instrument ☐ 150 Recovery of Overpayment & Enforcement of Judgment ☐ 151 Medicare Act ☐ 152 Recovery of Defaulted Student Loans (Excludes Veterans) ☐ 153 Recovery of Overpayment of Veteran's Benefits ☐ 160 Stockholders' Suits ☐ 190 Other Contract ☐ 195 Contract Product Liability ☐ 196 Franchise	TORTS PERSONAL INJURY ☐ 310 Airplane ☐ 315 Airplane Product Liability ☐ 320 Assault, Libel & Slander ☐ 330 Federal Employers' Liability ☐ 340 Marine ☐ 345 Marine Product Liability ☐ 350 Motor Vehicle ☐ 355 Motor Vehicle Product Liability ☐ 360 Other Personal Injury ☐ 362 Personal Injury - Medical Malpractice PERSONAL INJURY ☐ 365 Personal Injury - Product Liability ☐ 367 Health Care/Pharmaceutical Personal Injury Product Liability ☐ 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY ☐ 370 Other Fraud ☐ 371 Truth in Lending ☐ 380 Other Personal Property Damage ☐ 385 Property Damage Product Liability	FORFEITURE/PENALTY ☐ 625 Drug Related Seizure of Property 21 USC 881 ☐ 690 Other LABOR ☐ 710 Fair Labor Standards Act ☐ 720 Labor/Management Relations ☐ 740 Railway Labor Act ☐ 751 Family and Medical Leave Act ☐ 790 Other Labor Litigation ☐ 791 Employee Retirement Income Security Act IMMIGRATION ☐ 462 Naturalization Application ☐ 465 Other Immigration Actions	BANKRUPTCY ☐ 422 Appeal 28 USC 158 ☐ 423 Withdrawal 28 USC 157 PROPERTY RIGHTS ☐ 820 Copyrights ☐ 830 Patent ☐ 835 Patent - Abbreviated New Drug Application ☐ 840 Trademark SOCIAL SECURITY ☐ 861 HIA (1395ff) ☐ 862 Black Lung (923) ☐ 863 DIWC/DIWW (405(g)) ☐ 864 SSID Title XVI ☐ 865 RSI (405(g)) FEDERAL TAX SUITS ☐ 870 Taxes (U.S. Plaintiff or Defendant) ☐ 871 IRS—Third Party 26 USC 7609	OTHER STATUTES ☐ 375 False Claims Act ☐ 376 Qui Tam (31 USC 3729(a)) ☐ 400 State Reapportionment ☐ 410 Antitrust ☐ 430 Banks and Banking ☐ 450 Commerce ☐ 460 Deportation ☐ 470 Racketeer Influenced and Corrupt Organizations ☒ 480 Consumer Credit ☐ 485 Telephone Consumer Protection Act ☐ 490 Cable/Sat TV ☐ 850 Securities/Commodities/Exchange ☐ 890 Other Statutory Actions ☐ 891 Agricultural Acts ☐ 893 Environmental Matters ☐ 895 Freedom of Information Act ☐ 896 Arbitration ☐ 899 Administrative Procedure Act/Review or Appeal of Agency Decision ☐ 950 Constitutionality of State Statutes		
REAL PROPERTY ☐ 210 Land Condemnation ☐ 220 Foreclosure ☐ 230 Rent Lease & Ejectment ☐ 240 Torts to Land ☐ 245 Tort Product Liability ☐ 290 All Other Real Property	CIVIL RIGHTS ☐ 440 Other Civil Rights ☐ 441 Voting ☐ 442 Employment ☐ 443 Housing/Accommodations ☐ 445 Amer. w/Disabilities - Employment ☐ 446 Amer. w/Disabilities - Other ☐ 448 Education	PRISONER PETITIONS Habeas Corpus: ☐ 463 Alien Detainee ☐ 510 Motions to Vacate Sentence ☐ 530 General ☐ 535 Death Penalty Other: ☐ 540 Mandamus & Other ☐ 550 Civil Rights ☐ 555 Prison Condition ☐ 560 Civil Detainee - Conditions of Confinement				

V. ORIGIN (Place an "X" in One Box Only)
☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District (specify) ☐ 6 Multidistrict Litigation - Transfer ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION	Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): <u>Fair Debt Collection Practices Act, 15 U.S.C § 1692 et seq.</u>
	Brief description of cause: <u>Defendant violated statute.</u>

VII. REQUESTED IN COMPLAINT:	☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.	DEMAND \$	CHECK YES only if demanded in complaint: JURY DEMAND: ☒ Yes ☐ No
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VIII. RELATED CASE(S) IF ANY	(See instructions): JUDGE _____ DOCKET NUMBER _____
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DATE 9/22/2025	SIGNATURE OF ATTORNEY OF RECORD 
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FOR OFFICE USE ONLY				
RECEIPT #	AMOUNT	APPLYING IFP	JUDGE	MAG. JUDGE
Print	Save As...			Reset

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
 - (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
 - (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
- United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.
- United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
- Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
- Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. Origin.** Place an "X" in one of the seven boxes.
- Original Proceedings. (1) Cases which originate in the United States district courts.
- Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441.
- Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
- Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
- Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
- Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
- Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket. **PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7.** Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
- Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
- Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.