

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION

2018 JUL -5 A 11:27

STEPHANY WASHINGTON,

Plaintiff,

-v.-

DISH NETWORK, LLC,

Defendant.

DEBRA P. HACKETT, CLK  
U.S. DISTRICT COURT  
MIDDLE DISTRICT ALA

CASE NO.:

3:18-cv-636-CSC

Demand for Jury Trial

**COMPLAINT**

COMES NOW, Plaintiff, Stephany Washington, by and through the undersigned counsel, and sues Defendant, DISH NETWORK, LLC, and in support thereof respectfully alleges violations of the Telephone Consumer Protection Act, 47 U.S.C. § 227 *et seq.* ("TCPA").

**INTRODUCTION**

1. The TCPA was enacted to prevent companies like DISH NETWORK, LLC ("Dish") from invading American citizen's privacy and to prevent abusive "robo-calls."

2. "The TCPA is designed to protect individual consumers from receiving intrusive and unwanted telephone calls." *Mims v. Arrow Fin. Servs., LLC*, 132 S. Ct. 740 (2012).

3. "Senator Hollings, the TCPA's sponsor, described these calls as 'the scourge of modern civilization, they wake us up in the morning; they interrupt our dinner

at night; they force the sick and elderly out of bed; they hound us until we want to rip the telephone out of the wall.' 137 Cong. Rec. 30, 821 (1991). Senator Hollings presumably intended to give telephone subscribers another option: telling the auto-dialers to simply stop calling." *Osorio v. State Farm Bank, F.S.B.*, 746 F.3d 1242, 1256 (11<sup>th</sup> Cir. 2014).

4. According to the Federal Communications Commission (FCC), "Unwanted calls and texts are the number one complaint to the FCC. There are thousands of complaints to the FCC every month on both telemarketing and robo-calls. The FCC received more than 215,000 TCPA complaints in 2014." *Fact Sheet: Wheeler Proposal to Protect and Empower Consumers Against Unwanted Robo-calls, Texts to Wireless Phones*, Federal Communications Commission, (May 27, 2015), [https://apps.fcc.gov/edocs\\_public/attachmatch/DOC-333676A1.pdf](https://apps.fcc.gov/edocs_public/attachmatch/DOC-333676A1.pdf).

#### **JURISDICTION AND VENUE**

5. Jurisdiction and venue for purposes of this action are appropriate and conferred by 28 U.S.C. § 1331, Federal Question Jurisdiction, as this action involves violations of the TCPA.

6. Subject matter jurisdiction, federal question jurisdiction, for purposes of this action is appropriate and conferred by 28 U.S.C. § 1331, which provides that the district courts shall have original jurisdiction of all civil actions arising under the Constitution, laws, or treaties of the United States; and this action involves violations of 47 U.S.C. § 227(b)(1)(A)(iii). See *Mims v. Arrow Fin. Servs., LLC*, S.Ct. 740, 748 (2012) and *Osorio v. State Farm Bank, F.S.B.*, 746 F.3d 1242, 1249 (11<sup>th</sup> Cir. 2014).

7. The alleged violations described herein occurred in Russell County, Alabama. Accordingly, venue is appropriate with this Court under 28 U.S.C. §1391(b)(2), as it is the judicial district in which a substantial part of the events or omissions giving rise to this action occurred.

### **FACTUAL ALLEGATIONS**

8. Plaintiff is a natural person, and citizen of the State of Alabama, residing in Phenix City, Russell County, Alabama.

9. Plaintiff is the “called party.” See *Breslow v. Wells Fargo Bank, N.A.*, 755 F.3d 1265 (11<sup>th</sup> Cir. 2014) and *Osorio v. State Farm Bank, F.S.B.*, 746 F.3d 1242 (11<sup>th</sup> Cir. 2014).

10. Defendant is a corporation which was formed in Colorado with its principal place of business located at 9601 S. Meridian Boulevard, Englewood, Colorado 80112, and which conducts business in the State of Alabama through its registered agent, Corporation Service Company, Inc., located at 641 South Lawrence Street, Montgomery, Alabama 36104.

11. Defendant called Plaintiff approximately three hundred (300) times in an attempt to collect an alleged debt related to cable services and hardware.

12. Defendant intentionally, knowing and/or willfully harassed and abused Plaintiff on numerous occasions by calling Plaintiff’s cellular telephone, beginning in or around October of 2015, with such frequency as can reasonably be expected to harass and in effort to collect upon alleged debt.

13. Upon information and belief, some or all of the calls Defendant made to Plaintiff's cellular telephone number were made using an "automatic telephone dialing system" which has the capacity to store or produce telephone numbers to be called, using a random or sequential number generator (including but not limited to a predictive dialer) or an artificial or prerecorded voice; and to dial such numbers as specified by 47 U.S.C § 227(a)(1) (hereinafter "auto-dialer calls"). Plaintiff will testify that she knew it was an auto-dialer because of the vast number of calls she received and because she heard a pause when she answered her phone before an agent/representative of Defendant would come on the line. Additionally, Plaintiff would often be met with a pre-recorded message and/or artificial voice from Defendant.

14. Plaintiff is the subscriber, regular user and carrier of the cellular telephone number (706) \*\*\*-9931, and was the called party and recipient of Defendant's calls.

15. Defendant placed an exorbitant amount of automated calls to Plaintiff's cellular telephone (706) \*\*\*-9931, in an attempt to reach an individual.

16. Plaintiff does not currently know, nor has ever known, the individual.

17. Plaintiff does not currently have any account or business dealings with Defendant.

18. On several occasions since the inception of her account, Plaintiff instructed Defendant's agent(s) to stop calling her cellular telephone.

19. Upon receipt of the calls Plaintiff's caller ID identified the calls were being initiated from, but not limited to, the following number: (866) 668-8047, and when

that number is called, the caller is met with an automated message that states “Thank you for choosing Dish.”

20. While Plaintiff had an account with Defendant, Defendant would often call Plaintiff’s cellular telephone number and ask for a male individual unknown to the Plaintiff.

21. In or about March 2016, Plaintiff answered a call from Defendant, was met with an extended pause, held on the line to be connected to a live agent/representative and informed the agent/representative to immediately cease all calls to her cellular telephone and that she is not the individual they were calling about. Plaintiff informed Defendant’s agent/representative that the calls to her cellular telephone were harassing and demanded Defendant immediately cease all calls to her cellular telephone.

22. During the aforementioned telephone conversation with Defendant’s agent/representative, Plaintiff explicitly revoked any previously perceived expressed consent Defendant may have believed it had for placement of telephone calls to Plaintiff’s cellular telephone by the use of an auto-dialer or artificial voice or pre-recorded message.

23. Each call Defendant made to Plaintiff’s aforementioned cellular telephone number was done so without the “express consent” of Plaintiff.

24. Each call Defendant made to Plaintiff’s aforementioned cellular telephone number was knowing and willful.

25. Despite actual knowledge of their wrongdoing, Defendant continued the campaign of abuse, calling Plaintiff's continually despite Plaintiff informing Defendant that she was not the individual for whom they were calling, and not having her express permission to call her aforementioned cellular telephone number.

26. Again, on or about January 13, 2017, Plaintiff answered a call from Defendant to her aforementioned cellular telephone number. Plaintiff spoke to an agent/representative of Defendant and informed the agent/representative that the calls to her cellular telephone were harassing, that she had previously requested they stop calling her cellular telephone, and demanded that they cease calling her cellular telephone number.

27. Similarly, on or about January 20, 2017, Plaintiff received a call from Defendant, was met with an extended pause, eventually was connected to agent/representative of Defendant, and demanded that Defendant stop calling her cellular telephone number.

28. Plaintiff's numerous conversations with Defendant's agent/representative over the telephone wherein she demanded a cessation of calls were in vain as defendant continued to bombard her with automated calls unabated.

29. From about March of 2016 through the filing of this Complaint, Defendant has placed approximately three hundred (300) actionable calls to Plaintiff's aforementioned cellular telephone number. (Please see attached **Exhibit "A"** representing a non-exclusive call log of one hundred forty (140) calls between March 31, 2017 and September 30, 2017.

30. Defendant has a corporate policy to use an automatic telephone dialing system or a pre-recorded or artificial voice to individuals just as they did to Plaintiff's cellular telephone in this case.

31. Defendant has a corporate policy to use an automatic telephone dialing system or a pre-recorded or artificial voice, just as they did to the Plaintiff's cellular telephone in this case, with no way for the consumer, or Defendant to remove the number.

32. Defendant's corporate policy is structured so as to continue to call individuals like Plaintiff, despite these individuals explaining to Defendant they do not wish to be called.

33. Defendant has numerous other federal lawsuits pending against them alleging similar violations as stated in this Complaint.

34. Defendant has numerous complaints against it across the country asserting that its automatic telephone dialing system continues to call despite being requested to stop.

35. Defendant has had numerous complaints against it from consumers across the country asking to not be called; however Defendant continues to call these individuals.

36. Defendant's corporate policy provided no means for Plaintiff to have Plaintiff's number removed from Defendant call list.

37. Defendant has a corporate policy to harass and abuse individuals despite actual knowledge the called parties do not wish to be called.



38. Not one of Defendant's telephone calls placed to Plaintiff were for "emergency purposes" as specified in 47 U.S.C. § 227(b)(1)(A).

39. Defendant willfully and/or knowingly violated the TCPA with respect to Plaintiff.

40. From each and every call placed without express consent by Defendant to Plaintiff's cell phone, Plaintiff suffered the injury of invasion of privacy and the intrusion upon her right of seclusion.

41. From each and every call without express consent placed by Defendant to Plaintiff's cell phone, Plaintiff suffered the injury of the occupation of her cellular telephone line and cellular phone by unwelcome calls, making the phone unavailable for legitimate callers or outgoing calls while the phone was ringing from Defendant call.

42. From each and every call placed without express consent by Defendant to Plaintiff's cell phone, Plaintiff suffered the injury of unnecessary expenditure of her time. For calls she answered, the time she spent on the call was unnecessary as she repeatedly asked for the calls to stop. Even for unanswered calls, Plaintiff had to waste time to unlock the phone and deal with missed call notifications and call logs that reflect the unwanted calls. This also impaired the usefulness of these features of Plaintiff's cellular phone, which are designed to inform the user of important missed communications.

43. Each and every call placed without express consent by Defendant to Plaintiff's cell phone was an injury in the form of a nuisance and annoyance to the Plaintiff. For calls that were answered, Plaintiff had to go to the unnecessary trouble of answering them. Even for unanswered calls, Plaintiff had to waste time to unlock the



phone and deal with missed call notifications and call logs that reflected the unwanted calls. This also impaired the usefulness of these features of Plaintiff's cellular phone, which are designed to inform the user of important missed communications.

44. Each and every call placed without express consent by Defendant to Plaintiff's cell phone resulted in the injury of unnecessary expenditure of Plaintiff's cell phone's battery power.

45. Each and every call placed without express consent by Defendant to Plaintiff's cell phone where a voice message was left which occupied space in Plaintiff's phone or network.

46. Each and every call placed without express consent by Defendant to Plaintiff's cell phone resulted in the injury of a trespass to Plaintiff's chattel, namely her cellular phone and her cellular phone services.

47. As a result of the calls described above, Plaintiff suffered an invasion of privacy. Plaintiff was also affect in a personal and individualized way by stress, anxiety and aggravation.

**COUNT I**  
**(Violation of the TCPA)**


48. Plaintiff fully incorporates and re-alleges paragraphs one (1) through forty-seven (47) as if fully set forth herein.

49. Defendant willfully violated the TCPA with respect to Plaintiff, specifically for each of the auto-dialer calls made to Plaintiff's cellular telephone after Plaintiff notified Defendant that Plaintiff wished for the calls to stop

50. Defendant repeatedly placed non-emergency telephone calls to Plaintiff's cellular telephone using an automatic telephone dialing system or prerecorded or artificial voice without Plaintiff's prior express consent in violation of federal law, including 47 U.S.C § 227(b)(1)(A)(iii).

**WHEREFORE**, Plaintiff respectfully demands a trial by jury on all issues so triable and judgment against DISH NETWORK, L.L.C. for statutory damages, punitive damages, actual damages, treble damages, enjoinder from further violations of these parts and any other such relief the court may deem just and proper.

Respectfully submitted,

  
\_\_\_\_\_  
SHAUGHN C. HILL, ESQ.  
MORGAN & MORGAN TAMPA P.A.  
Florida Bar No.: 105995  
201 N. Franklin Street, 7<sup>th</sup> Floor  
Tampa, FL 33602  
Phone: (813) 223-5505  
Facsimile: (813) 223-5402  
shill@forthepeople.com  
*Attorney for Plaintiff*

**Phone Call Log for (706) \*\*\*-9931**

	<b>Date</b>	<b>Time</b>	<b>Caller Number</b>
1.	3/31/17	5:54	(866) 668-8047
2.	4/3/17	3:54	(866) 668-8047
3.	4/5/17	10:56 am	(866) 668-8047
4.	4/5/17	1:47	(866) 668-8047
5.	4/6/17	6:40	(866) 668-8047
6.	4/10/17	5:48	(866) 668-8047
7.	4/14/17	6:09	(866) 668-8047
8.	4/19/17	6:44	(866) 668-8047
9.	4/20/17	5:39	(866) 668-8047
10.	4/21/17	5:34	(866) 668-8047
11.	4/26/17	3:41	(866) 668-8047
12.	4/27/17	3:01	(866) 668-8047
13.	4/27/17	6:51	(866) 668-8047
14.	5/1/17	6:46	(866) 668-8047
15.	5/2/17	10:42	(866) 668-8047
16.	5/3/17	10:38	(866) 668-8047
17.	5/3/17	6:20	(866) 668-8047
18.	5/4/17	10:37	(866) 668-8047
19.	5/5/17	4:52	(866) 668-8047
20.	5/8/17	4:52	(866) 668-8047
21.	5/10/17	1:45	(866) 668-8047
22.	5/11/17	6:39	(866) 668-8047
23.	5/12/17	6:16	(866) 668-8047
24.	5/15/17	5:35	(866) 668-8047
25.	5/16/17	5:15	(866) 668-8047
26.	5/17/17	3:48	(866) 668-8047
27.	5/18/17	3:27	(866) 668-8047
28.	5/19/17	5:13	(866) 668-8047
29.	5/22/17	6:51	(866) 668-8047
30.	5/24/17	10:04 am	(866) 668-8047
31.	5/25/17	10:03 am	(866) 668-8047
32.	6/7/17	6:33	(866) 668-8047
33.	6/8/17	10:03 am	(866) 668-8047
34.	6/9/17	10:42 am	(866) 668-8047
35.	6/10/17	3:25	(866) 668-8047

**EXHIBIT "A"**

**Phone Call Log for (706) \*\*\*-9931**

36.	6/12/17	10:37 am	(866) 668-8047
37.	6/13/17	10:02 am	(866) 668-8047
38.	6/14/17	11:44 am	(866) 668-8047
39.	6/16/17	2:02	(866) 668-8047
40.	6/16/17	4:49	(866) 668-8047
41.	6/17/17	10:44 am	(866) 668-8047
42.	6/19/17	3:53	(866) 668-8047
43.	6/19/17	6:18	(866) 668-8047
44.	6/20/17	4:26	(866) 668-8047
45.	6/21/17	1:54	(866) 668-8047
46.	6/21/17	6:32	(866) 668-8047
47.	6/22/17	5:36	(866) 668-8047
48.	6/26/17	3:06	(866) 668-8047
49.	6/27/17	4:57	(866) 668-8047
50.	6/28/17	3:41	(866) 668-8047
51.	6/28/17	6:50	(866) 668-8047
52.	6/29/17	3:56	(866) 668-8047
53.	6/30/17	3:22	(866) 668-8047
54.	7/1/17	3:52	(866) 668-8047
55.	7/5/17	3:51	(866) 668-8047
56.	7/5/17	6:21	(866) 668-8047
57.	7/6/17	3:19	(866) 668-8047
58.	7/7/17	4:41	(866) 668-8047
59.	7/8/17	3:05	(866) 668-8047
60.	7/10/17	5:33	(866) 668-8047
61.	7/11/17	3:50	(866) 668-8047
62.	7/11/17	6:08	(866) 668-8047
63.	7/12/17	4:44	(866) 668-8047
64.	7/13/17	5:18	(866) 668-8047
65.	7/14/17	3:19	(866) 668-8047
66.	7/15/17	3:00	(866) 668-8047
67.	7/17/17	4:15	(866) 668-8047
68.	7/18/17	10:02 am	(866) 668-8047
69.	7/19/17	10:32 am	(866) 668-8047
70.	7/20/17	10:02 am	(866) 668-8047

**EXHIBIT "A"**

**Phone Call Log for (706) \*\*\*-9931**

71.	7/21/17	10:03 am	(866) 668-8047
72.	7/22/17	11:50 am	(866) 668-8047
73.	7/24/17	10:03 am	(866) 668-8047
74.	7/25/17	10:02 am	(866) 668-8047
75.	7/26/17	10:04 am	(866) 668-8047
76.	7/27/17	10:02 am	(866) 668-8047
77.	7/28/17	3:14	(866) 668-8047
78.	7/28/17	6:26	(866) 668-8047
79.	7/29/17	3:17	(866) 668-8047
80.	7/31/17	1:22	(866) 668-8047
81.	8/1/17	1:06	(866) 668-8047
82.	8/1/17	4:13	(866) 668-8047
83.	8/2/17	1:24	(866) 668-8047
84.	8/3/17	3:37	(866) 668-8047
85.	8/4/17	3:48	(866) 668-8047
86.	8/5/17	4:09	(866) 668-8047
87.	8/7/17	4:19	(866) 668-8047
88.	8/8/17	4:30	(866) 668-8047
89.	8/9/17	1:56	(866) 668-8047
90.	8/9/17	6:21	(866) 668-8047
91.	8/10/17*	3:14	(866) 668-8047
92.	8/11/17	1:50	(866) 668-8047
93.	8/11/17	5:45	(866) 668-8047
94.	8/11/17	1:50	(866) 668-8047
95.	8/12/17	3:27	(866) 668-8047
96.	8/15/17	4:24	(866) 668-8047
97.	8/16/17	4:39	(866) 668-8047
98.	8/17/17	4:19	(866) 668-8047
99.	8/18/17	5:47	(866) 668-8047
100.	8/19/17	3:36	(866) 668-8047
101.	8/21/17	4:24	(866) 668-8047
102.	8/22/17	4:00	(866) 668-8047
103.	8/23/17	4:51	(866) 668-8047
104.	8/24/17	6:21	(866) 668-8047
105.	8/25/17	4:26	(866) 668-8047
106.	8/28/17	4:13	(866) 668-8047

**EXHIBIT "A"**

**Phone Call Log for (706) \*\*\*-9931**

107.	8/28/17	6:54	(866) 668-8047
108.	8/29/17	5:15	(866) 668-8047
109.	8/30/17	3:11	(866) 668-8047
110.	8/30/17	5:49	(866) 668-8047
111.	8/31/17	3:57	(866) 668-8047
112.	9/1/17	4:53	(866) 668-8047
113.	9/2/17	2:45	(866) 668-8047
114.	9/5/17	2:03	(866) 668-8047
115.	9/6/17	1:27	(866) 668-8047
116.	9/8/17	3:33	(866) 668-8047
117.	9/8/17	6:47	(866) 668-8047
118.	9/9/17	12:50	(866) 668-8047
119.	9/11/17	1:02	(866) 668-8047
120.	9/11/17	6:34	(866) 668-8047
121.	9/13/17	12:51	(866) 668-8047
122.	9/15/17	1:41	(866) 668-8047
123.	9/15/17	4:47	(866) 668-8047
124.	9/16/17	12:56	(866) 668-8047
125.	9/18/17	6:18	(866) 668-8047
126.	9/19/17	3:30	(866) 668-8047
127.	9/20/17	3:08	(866) 668-8047
128.	9/20/17	6:17	(866) 668-8047
129.	9/21/17	3:09	(866) 668-8047
130.	9/21/17	5:41	(866) 668-8047
131.	9/22/17	3:35	(866) 668-8047
132.	9/22/17	6:15	(866) 668-8047
133.	9/25/17	1:52	(866) 668-8047
134.	9/25/17	4:57	(866) 668-8047
135.	9/26/17	1:47	(866) 668-8047
136.	9/26/17	4:41	(866) 668-8047
137.	9/28/17	3:53	(866) 668-8047
138.	9/29/17	1:39	(866) 668-8047
139.	9/29/17	4:58	(866) 668-8047
140.	9/30/17	1:54	(866) 668-8047
141.	9//17	12:50	(866) 668-8047
142.	10//17	1:02	(866) 668-8047

**EXHIBIT "A"**



## Phone Call Log for (706) \*\*\*-9931

143.	10//17	6:34	(866) 668-8047
144.	10//17	12:51	(866) 668-8047
145.	10//17	1:41	(866) 668-8047
146.	10//17	4:47	(866) 668-8047
147.	10//17	12:56	(866) 668-8047

**EXHIBIT “A”**

## CIVIL COVER SHEET

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

STEPHANY WASHINGTON

## DEFENDANTS

DISH NETWORK, LLC

(b) County of Residence of First Listed Plaintiff **RUSSELL**  
(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant  
(IN U.S. PLAINTIFF CASES ONLY)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Shaughn C. Hill, Esq., Morgan & Morgan, 201 North Franklin Street, 7th  
Floor, Tampa FL 33602, T: 813-223-5505

Attorneys (If Known)

## II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question  
(U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity  
(Indicate Citizenship of Parties in Item III)

## III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |   | PTF                        | DEF                        |   | PTF                        | DEF                        |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State                   | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

## IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<b>PERSONAL INJURY</b> <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input checked="" type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	<b>PRISONER PETITIONS</b> <b>Habeas Corpus:</b> <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <b>Other:</b> <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 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):  
47 USC 227

Brief description of cause:  
Violation of the Telephone Consumer Protection Act

## 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

## VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE  
06/22/2018SIGNATURE OF ATTORNEY OF RECORD  
/s/ Shaughn C. Hill, Esquire

FOR OFFICE USE ONLY

RECEIPT # \_\_\_\_\_ AMOUNT \_\_\_\_\_ APPLYING IFP \_\_\_\_\_ JUDGE \_\_\_\_\_ MAG. JUDGE \_\_\_\_\_

Court Name: U S DISTRICT COURT - AL/M  
Division: 2  
Receipt Number: 4602049912  
Cashier ID: bhill  
Transaction Date: 07/05/2018  
Payer Name: MORGAN AND MORGAN

---

CIVIL FILING FEE  
For: MORGAN AND MORGAN  
Amount: \$400.00

---

CHECK  
Check/Money Order Num: 586581  
Amt Tendered: \$400.00

---

Total Due: \$400.00  
Total Tendered: \$400.00  
Change Amt: \$0.00

---

3:18-CV-636

Washington v. Dish Network LLC