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10 UNITED STATES DISTRICT COURT  
11 CENTRAL DISTRICT OF CALIFORNIA

12 CHRISTOPHER SANTANDER,

13 Plaintiff,

14 vs.

15 GENERAL REVENUE  
16 CORPORATION, INC., and DOES 1  
17 through 10 inclusive,

18 Defendant.  
19

**COMPLAINT**

- 1. Violation of the Rosenthal Fair Debt Collection Practices Act;
- 2. Violation of the Fair Debt Collection Practices Act;

20  
21 **INTRODUCTION**

22 1. This is an action for damages brought by an individual consumer for  
23 Defendant’s violations of the Rosenthal Fair Debt Collection Practices Act, Cal  
24 Civ. Code §1788, *et seq.* (hereinafter “RFDCPA”) and Fair Debt Collection  
25 Practices Act (“FDCPA”), 15 U.S.C. § 1692 *et seq.*, which prohibit debt collectors  
26 from engaging in abusive, deceptive, and unfair practices.  
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**PARTIES**

1  
2 2. Plaintiff CHRISTOPHER SANTANDER (“Plaintiff”), a natural  
3 person who at all times herein mentioned was a resident of the City of Baldwin  
4 Park, County of Los Angeles, and State of California and is a and is a “consumer”  
5 as defined by the FDCPA, 15 U.S.C. §1692a(3) and is a “debtor” as defined by  
6 Cal. Civ. Code §1788.2(h).

7 3. At all relevant times herein, Defendant, General Revenue  
8 Corporation, Inc., (hereinafter “Defendant”) was a company engaged, by use of  
9 mails and telephone, in the business of collecting a debt from Plaintiff which  
10 qualifies as a “debt” as defined by 15 U.S.C. §1692a(5) and a “consumer debt” as  
11 defined by Cal. Civ. Code §1788.2(f). Defendant regularly attempts to collect  
12 debts alleged to be due another, and therefore is a “debt collector” as defined by  
13 the FDCPA, 15 U.S.C. §1692a(6), and RFDCPA, Cal. Civ. Code §1788.2(c).

14 4. Plaintiff does not know the true names and capacities, whether  
15 corporate, partnership, associate, individual or otherwise, of Defendants sued  
16 herein as Does 1 through 10, inclusive, and therefore names said Defendants  
17 under provisions of *Section 474 of the California Code of Civil Procedure*.

18 5. Plaintiff is informed and believes, and on that basis alleges that  
19 Defendants Does 1 through 10 are in some manner responsible for acts,  
20 occurrences and transactions set forth herein and are legally liable to Plaintiff.

**JURISDICTION**

21  
22 6. This Court has jurisdiction under 15 U.S.C. § 1692k(d) and 28 U.S.C.  
23 § 1331, since the claims alleged against the Defendant arose under the FDCPA.  
24 This court has supplemental jurisdiction over Plaintiff’s state law claims contained  
25 herein.

26 7. Venue is proper in this Court under 28 U.S.C. § 1391(b)(1) & (b)(2),  
27 as a substantial part of the events or omissions giving rise to the claim occurred in  
28 this district.

1 **FACTUAL ALLEGATIONS**

2 8. At various and multiple times prior to the filing of the instant  
3 complaint, including within the one year preceding the filing of this complaint,  
4 Defendant contacted Plaintiff in an attempt to collect an alleged debt.

5 9. This alleged financial obligation was the result of a “consumer credit  
6 transaction”, as defined by Cal. Civ. Code §1788.2(e), and is therefore a  
7 “consumer debt”, as defined by Cal. Civ. Code §1788.2(f) and a “debt” under the  
8 FDCPA.

9 10. Defendant has regularly placed calls to Plaintiff in its attempt to  
10 collect the alleged debt via Plaintiff’s cellular phone.

11 11. Plaintiff has repeatedly requested that Defendant stop contacting him  
12 regarding this alleged debt. Nonetheless, Defendant continued and continues to  
13 call Plaintiff four or more times per day in an attempt to collect a debt.

14 12. Plaintiff alleges that Defendant violated 12 CFR Part 1006.14  
15 (Regulation F) by contacting Plaintiff more than seven (7) times in seven (7)  
16 consecutive days.

17 13. Defendant also contacted Plaintiff’s family member(s) on numerous  
18 occasions regarding Plaintiff’s debt without Plaintiff’s or his family member(s)’  
19 consent. Plaintiff alleges Defendant had no lawful basis to contact Plaintiff’s  
20 family member(s).

21 **COUNT I: VIOLATION OF THE ROSENTHAL FAIR DEBT**  
22 **COLLECTION PRACTICES ACT**

23 14. Plaintiff reincorporates paragraphs 1 through 13 as if fully written  
24 herein.

25 15. § 1788.17 of the RFDCPA mandates that every debt collector  
26 collecting or attempting to collect a consumer debt shall comply with the  
27 provisions of Sections 1692b to 1692j, inclusive, of, and shall be subject to the  
28

1 remedies in Section 1692k of, Title 15 of the United States Code statutory  
2 regulations contained within the FDCPA, 15 U.S.C. § 1692d, and § 1692d(5).

3 16. Defendant's conduct violated the RFDCPA in multiple ways,  
4 including but not limited to:

- 5 a) Communicating, by telephone or in person, with plaintiff with such  
6 frequency as to be unreasonable and to constitute a harassment to  
7 Plaintiff under the circumstances (Cal. Civ. Code §1788.11(c));
- 8 b) Causing a telephone to ring repeatedly or continuously to annoy  
9 Plaintiff (Cal. Civ. Code §1788.11(d));
- 10 c) Committed any conduct the natural consequence of which is to  
11 harass, oppress, or abuse any person (Cal. Civ. Code § 1788.11(e));
- 12 d) Contacting someone other than the consumer regarding the  
13 consumer's debt letter (15 U.S.C. § 1692c(b)).
- 14 e) Contacting consumer by telephone after receipt of a written cease and  
15 desist letter (15 U.S.C. § 1692c(c)).
- 16 f) Any conduct that the natural consequence of which is to harass,  
17 oppress, or abuse any person (15 U.S.C. § 1692d).

18 17. As a result of the above violations of the RFDCPA, Plaintiff suffered  
19 and continues to suffer injury to Plaintiff's feelings, personal humiliation,  
20 embarrassment, mental anguish and emotional distress, and Defendant is liable to  
21 Plaintiff for Plaintiff's actual damages, statutory damages, and costs and  
22 attorney's fees.

23 18. To the extent that Defendant's actions, counted above, violated the  
24 RFDCPA, those actions were done knowingly and willingly.

1                                    **COUNT II: VIOLATION OF THE FAIR DEBT COLLECTION**  
2                                    **PRRACTICES ACT**

3            19. Plaintiff reincorporates by reference paragraphs 1 through 18 as if  
4 fully written herein.

5            20. The foregoing acts and omissions constitute numerous and multiple  
6 violations of the FDCPA, including but not limited to each and every one of the  
7 below:

- 8                    a) Contacting someone other than the consumer regarding the  
9                    consumer's debt letter (15 U.S.C. § 1692c(b)).  
10                   b) Engaging in any conduct the natural consequence of which is to  
11                   harass, oppress, or abuse a consumer (15 U.S.C. § 1692d);  
12                   c) Engaging in conduct that is unfair or unconscionable in an attempt to  
13                   collect a debt (15 U.S.C. § 1692f).  
14

15            21. As a result of reach and every violation of the FDCPA, Plaintiff is  
16 entitled to any actual damages pursuant to 15 U.S.C. § 1692k(a)(1); statutory  
17 damages in the amount up to \$1,000.00 pursuant to 15 U.S.C. § 1692k(a)(2)(A);  
18 and reasonable attorney's fees and costs pursuant to 15 U.S.C. § 1692k(a)(3) from  
19 each Defendant.

20                                    **PRAYER FOR RELIEF**

21            WHEREFORE, Plaintiff respectfully prays that judgment be entered against  
22 Defendant for the following:

- 23                    A. Actual damages;  
24                    B. Statutory damages;  
25                    C. Costs and reasonable attorney's fees; and  
26                    D. For such other and further relief as may be just and proper.  
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**PLAINTIFF HEREBY REQUESTS A JURY TRIAL**

Date: January 4, 2022

LAW OFFICE OF PAUL MANKIN, APC

/s/ Paul Mankin  
Paul Mankin, Esq.  
Attorney for Plaintiff

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