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9 **UNITED STATES DISTRICT COURT**
10 **CENTRAL DISTRICT OF CALIFORNIA**

11 **BRANDON FIELDS,**

12 Plaintiff,

13 vs.

14 **NATIONWIDE RECOVERY**
15 **SYSTEMS, LTD.; PENDRICK**
16 **CAPITAL PARTNERS, LLC; and**
17 **DOES 1 through 10, inclusive,**

18 Defendants.

Case No.

COMPLAINT

1. Violations of the Rosenthal Fair Debt Collection Practices Act [Cal. Civ. Code § 1788 *et. seq.*]; and
2. Violations of the Fair Debt Collection Practices Act [15 U.S.C. § 1692 *et. seq.*].

20 **I. INTRODUCTION**

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

II. PARTIES

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2 2. Plaintiff, Brandon Fields (“Plaintiff”), is a natural person residing in
3 the City of Los Alamitos, County of County of Orange, and State of California.
4 Plaintiff is a “debtor” as defined by Cal. Civ. Code § 1788.2(h) and is a
5 “consumer” as defined by the FDCPA, 15 U.S.C. § 1692a(3).

6 3. At all relevant times herein, Defendant, Nationwide Recovery
7 Systems, LTD. (“Defendant Nationwide”), was a company engaged, by use of
8 the mails, and telephone, in the business of collecting debts. Defendant
9 Nationwide’s principal place of business is located at 501 Shelley Drive, #300,
10 Tyler, TX 75701.

11 4. Defendant Nationwide primary business purpose is to regularly
12 attempts to collect debts. Defendant Nationwide is a “debt collector” as defined
13 by 15 U.S.C. § 1692a(6) and California Civil Code § 1788.2(c). Defendant
14 Nationwide is a “person” as defined by California Civil Code § 1788.2(c).

15 5. Defendant Pendrick Capital Partners, LLC (“Defendant Pendrick”)
16 primary business purpose is to purchase and collect debts. Defendant Pendrick
17 is a “debt collector” as defined by 15 U.S.C. § 1692a(6) and California Civil
18 Code § 1788.2(c). Defendant Pendrick is a “person” as defined by California
19 Civil Code § 1788.2(c). Defendant Pendrick’s principal place of business is
20 located at 1714 Hollinwood Drive, Alexandria, VA 22307.

21 6. Does 1-10, fictitious names of individuals and businesses alleged for
22 purposes of substituting names of Defendants whose identities will be disclosed
23 in discovery and should be made parties to this action.

1 13. On information and belief, at the conclusion of the previously
2 mentioned case, Defendant Nationwide returned the collection files to Defendant
3 Pendrick.

4 14. On information and belief, Defendant Nationwide noted in the
5 collection file that Plaintiff was/is represented by an attorney with respect to the
6 two alleged medical debts previously mentioned.

7 15. On information and belief, Defendant Pendrick received the
8 collection file note that Plaintiff was/is represented by an attorney respect to these
9 two medical accounts.

10 16. On information and belief, sometime in 2023, Defendant Pendrick
11 re-assigned the collection of these two alleged medical accounts to Defendant
12 Nationwide and instructed Defendant Nationwide to contact Plaintiff in an
13 attempt to collect a debt knowing Plaintiff was/is represented by an attorney.

14 17. On information and belief, the collection account file(s) Defendant
15 Pendrick provided Defendant Nationwide when it re-assigned the accounts for
16 collection contained the original note from Defendant Nationwide stating that
17 Plaintiff was/is represented by an attorney with respect to these two medical
18 accounts.

19 18. Thereafter, Defendant Nationwide began contacting Plaintiff again
20 with respect to these two medical accounts in an attempt to collect a debt.

21 19. As a result of the above violations of the FDCPA and RFDCPA,
22 Plaintiff has suffered economic harm and emotional harm from Defendants
23 repeated unlawful collection attempts. As such, Defendant are liable to Plaintiff
24 for Plaintiff's actual damages, statutory damages, costs and attorney's fees.
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27

1 Defendant is liable to Plaintiff for Plaintiff's actual damages, statutory damages,
2 and costs and attorney's fees.

3 **COUNT II: VIOLATIONS OF THE**
4 **FAIR DEBT COLLECTION PRACTICES ACT**

5 **15 U.S.C. § 1692 et seq.,**

6 24. Plaintiff repeats and re-alleges and incorporates by reference the
7 preceding paragraphs.

8 25. Defendants and each of their conduct violated the FDCPA by:

9 a) With anyone except the consumer, consumer's attorney, or the
10 credit bureaus concerning the alleged debt (15 U.S.C. § 1692c(b));

11 b) Any conduct the natural consequence of which is to harass,
12 oppress, or abuse any person (§ 1692d);

13 c) Caused the telephone to ring or engaged any person in
14 telephone conversations repeatedly (§ 1692d(5));

15 d) Any false, deceptive, or misleading representation or means in
16 connection with the debt collect (§ 1692e(10)); and

17 e) Any unfair or unconscionable means to collect or attempt to
18 collect the alleged debt (§ 1692f); and

19 f) Contacting a consumer before 8:00am and/or after 9:00pm in
20 an attempt to collect a debt (15 U.S.C. § 1692c(a)(1).

21 26. As a result of the above violations of the FDCPA, Plaintiff suffered
22 and continues to suffer injury to Plaintiff's feelings, personal humiliation,
23 embarrassment, mental anguish and emotional distress, and Defendant are liable
24 to Plaintiff for Plaintiff's actual damages, statutory damages, and costs and
25 attorney's fees.

