



JUNE 27, 2014

## COMMUNICATIONS QUICK FACTS

Nearly 20 attorneys experience in communications issues:

- former FCC attorneys
- former state public utilities attorneys

Two attorneys recognized as “among the top 25 privacy experts” *Computerworld*

Authors of the Communications and Cyber Security chapter of LexisNexis®' *The Homeland Security Deskbook: Private Sector Impacts of the Defense Against Terrorism*

## HONORS AND AWARDS

Ranked in 2011 *U.S. News-Best Lawyers* “Best Law Firms”



A *SmartCEO Magazine* Legal Elite

## VENABLE SNAPSHOT

More than 600 lawyers in nine offices

*American Lawyer's* AmLaw 100

94 practice groups ranked, “Best Law Firms” *U.S. News & World Report-Best Lawyers* 2012-2013

76 attorneys and 29 practice areas ranked, *Chambers USA* 2013

Counsel to 38 of the Fortune 100

## QUICK LINKS

[Communications Practice](#)

**PLAINTIFFS:** MARK FITZHENRY, INDIVIDUALLY AND ON BEHALF OF A CLASS OF ALL PERSONS AND ENTITIES SIMILARLY SITUATED

**DEFENDANTS:** FIFTH THIRD BANK

**COURT NAME:** USDC South Carolina Charleston, South Carolina

**CASE NUMBER:** 2:14CV2076

**FILING DATE:** 5/28/2014

**SUMMARY:** Violation of the Telephone Consumer Protection Act. Class Action. Defendant allegedly wrongly continues to engage in harassment by placing computer-dialed calls to plaintiffs' cell phones.

**PLAINTIFF:** DESHA ROBERTS

**DEFENDANTS:** VERDE ENERGY USA INC.; DOES 1-10

**COURT NAME:** USDC Southern District of New York, New York

**CASE NUMBER:** 1:14CV3811

**FILING DATE:** 5/29/2014

**SUMMARY:** Action for violations of the Telephone Consumer Protection Act concerning defendants unlawfully placing numerous calls to plaintiff's telephone using an automatic telephone dialing system ("ATDS").

**PLAINTIFFS:** ZAK HURICKS; TRISTA ROBINSON BY THEMSELVES AND ON BEHALF OF ALL OTHERS SIMILARLY SITUATED

**DEFENDANTS:** SHOPKICK INC.

**COURT NAME:** USDC Northern District of California, California

**CASE NUMBER:** 4:14CV2464

**FILING DATE:** 5/28/2014

**SUMMARY:** Class action for violation of the Telephone Consumer Protection Act. Defendant's shopping app allegedly sent users unsolicited text message advertisements.

**PLAINTIFFS:** MARK FITZHENRY, INDIVIDUALLY AND ON BEHALF OF A CLASS OF ALL PERSONS AND ENTITIES SIMILARLY SITUATED

**DEFENDANTS:** LOWE'S COMPANIES INC.; GE CAPITAL RETAIL BANK

**COURT NAME:** USDC South Carolina Charleston, South Carolina

**CASE NUMBER:** 2:14CV2081

**FILING DATE:** 5/29/2014

**SUMMARY:** Violation of the Telephone Consumer Protection. Defendant allegedly wrongfully used a computer-dialed device to make telemarketing calls to plaintiff's cell phone that he did not consent to receive.

**PLAINTIFFS:** BARRON'S OUTFITTERS INC.  
**DEFENDANTS:** CFN CAPITAL LLC DBA CAPITAL FUNDS NETWORK LLC  
**COURT NAME:** USDC South Carolina Columbia, South Carolina  
**CASE NUMBER:** 3:14CV2073  
**FILING DATE:** 5/28/2014  
**SUMMARY:** Violation of the Telephone Consumer Protection Act. Defendants allegedly wrongfully inundated plaintiff business with unsolicited "junk" faxes.

**PLAINTIFF:** YOLANDA CAZAREZ  
**DEFENDANTS:** CREDIT SERVICE COMPANY INC.  
**COURT NAME:** USDC Arizona - Phoenix, Arizona  
**CASE NUMBER:** 2:14CV1182  
**FILING DATE:** 5/30/2014  
**SUMMARY:** Telephone Consumer Protection Act complaint. Defendant allegedly contacted plaintiff on the phone without plaintiff's permission.

**PLAINTIFFS:** DAVID KAUFFMAN, ON BEHALF OF HIMSELF AND ALL OTHERS SIMILARLY SITUATED  
**DEFENDANTS:** CALLFIRE, INC., A DELAWARE CORPORATION  
**COURT NAME:** USDC Southern District of California, California  
**CASE NUMBER:** 3:14CV1333  
**FILING DATE:** 5/30/2014  
**SUMMARY:** Class action for violations of the Telephone Consumer Protection Act. Defendant allegedly sent unsolicited text messages to plaintiff's cellular telephone via an "automatic telephone dialing system."

**PLAINTIFFS:** CHARLES LEE, INDIVIDUALLY AND ON BEHALF OF ALL OTHERS SIMILARLY SITUATED  
**DEFENDANTS:** OMNICARE, INC.  
**COURT NAME:** USDC Southern District of California, California  
**CASE NUMBER:** 3:14CV1335  
**FILING DATE:** 6/1/2014  
**SUMMARY:** Class action for violations of the Telephone Consumer Protection Act. Defendant allegedly placed numerous unsolicited phone calls to plaintiff's cellular telephone using an ATDS.

**PLAINTIFFS:** GERALDINE ONG, INDIVIDUALLY AND ON BEHALF OF ALL OTHERS SIMILARLY SITUATED  
**DEFENDANTS:** HOVG, LLC, DBA BAY AREA CREDIT SERVICE, A NEVADA LIMITED LIABILITY COMPANY  
**COURT NAME:** USDC Southern District of California, California  
**CASE NUMBER:** 3:14CV1334  
**FILING DATE:** 5/30/2014  
**SUMMARY:** Class action for violations of the Telephone Consumer Protection Act. Defendant allegedly placed repeated phone calls to plaintiff's cellular telephone without her consent and via an "automatic telephone dialing system."

**PLAINTIFFS:** TSP MAINTENANCE SUPPLY INC, ON BEHALF OF THEMSELVES AND ALL OTHER INDIVIDUALS AND COMPANIES SIMILARLY SITUATED

**DEFENDANTS:** MATISS INC. DBA CITY WINDOW FASHIONS; WINDOW WORLD SHOP; MIHAELA CUCEU AKA MIHAELA KALNINS CUCEU; DOES

**COURT NAME:** USDC New Jersey, New Jersey

**CASE NUMBER:** 14-21417

**FILING DATE:** 6/2/2014

**SUMMARY:** Class action for Telephone Consumer Protection Act violation. Defendants allegedly sent unwanted junk and advertising faxes.

**PLAINTIFFS:** STEVE VARGEM; PATRICK FAIRON, ON BEHALF OF THEMSELVES AND ALL OTHERS SIMILARLY SITUATED

**DEFENDANTS:** TAX DEFENSE PARTNERS; PROFESSIONAL SERVICES SYSTEMS; DOES

**COURT NAME:** USDC Central District of California, California

**CASE NUMBER:** 8:14CV826

**FILING DATE:** 5/29/2014

**SUMMARY:** Class action complaint for damages and injunctive relief pursuant to the Telephone Consumer Protection Act.

**PLAINTIFFS:** BRITTANY INEMAN, INDIVIDUALLY AND ON BEHALF OF OTHERS SIMILARLY SITUATED

**DEFENDANTS:** KOHLS' CORP.

**COURT NAME:** USDC Western District of Wisconsin, Wisconsin

**CASE NUMBER:** 3:14CV398

**FILING DATE:** 6/2/2014

**SUMMARY:** Class action complaint for Violation of Telephone Consumer Protection Act. Plaintiff was allegedly contacted on behalf of defendant by an auto-dialer multiple times, despite not giving consent to receive calls.

**PLAINTIFFS:** JOE LANZA, INDIVIDUALLY AND ON BEHALF OF ALL OTHERS SIMILARLY SITUATED

**DEFENDANTS:** COLUMBUS ADVISORY GROUP, LTD

**COURT NAME:** USDC Central District of California, California

**CASE NUMBER:** 2:14CV4257

**FILING DATE:** 6/2/2014

**SUMMARY:** Class action complaint for violation of the Telephone Consumer Protection Act.

**PLAINTIFF:** EVELYN DAVIS

**DEFENDANTS:** OXFORD LAW LLC

**COURT NAME:** USDC Eastern District of Pennsylvania, Pennsylvania

**CASE NUMBER:** 2:14CV3109

**FILING DATE:** 6/2/2014

**SUMMARY:** Fair Debt Collection Practices Act and Telephone Consumer Protection Act case involving collection calls.

**PLAINTIFFS:** DESIREE ALVARADO, INDIVIDUALLY AND ON BEHALF OF ALL OTHERS SIMILARLY SITUATED

**DEFENDANTS:** BAY AREA CREDIT SERVICES LLC

**COURT NAME:** USDC Northern District of California, California

**CASE NUMBER:** 3:14CV2549

**FILING DATE:** 6/3/2014

**SUMMARY:** Class action for violation of the Telephone Consumer Protection Act. Defendant allegedly contacted plaintiff on her cell phone without her express prior consent.

**PLAINTIFFS:** TSP MAINTENANCE SUPPLY INC, ON BEHALF OF THEMSELVES AND ALL OTHER INDIVIDUALS AND COMPANIES SIMILARLY SITUATED

**DEFENDANTS:** PREMIUM ROOFING; NICKY D. MITLO; DOES

**COURT NAME:** USDC New Jersey, New Jersey

**CASE NUMBER:** 14-21434

**FILING DATE:** 6/3/2014

**SUMMARY:** Telephone Consumer Protection Act class action. Defendants allegedly sent unwanted junk and advertising faxes.

**PLAINTIFFS:** MARK ELENOWITZ

**DEFENDANTS:** JT WALTERS AKA WALTERS CONSULTING

**COURT NAME:** USDC Southern District of New York, New York

**CASE NUMBER:** 1:14CV4032

**FILING DATE:** 6/4/2014

**SUMMARY:** Class action for violation of Telephone Consumer Protection Act. Defendants allegedly sent unsolicited fax advertisements to plaintiffs and failed to properly inform the plaintiffs of their ability to opt-out of receiving such fax advertisements from defendants in the future.

**PLAINTIFFS:** STEVEN WITT, INDIVIDUALLY AND ON BEHALF OF ALL OTHERS SIMILARLY SITUATED

**DEFENDANTS:** S&S CENTRE INC., D/B/A SOLAR PLANET

**COURT NAME:** USDC Central District of California, California

**CASE NUMBER:** 2:14CV4321

**FILING DATE:** 6/4/2014

**SUMMARY:** Class action complaint for violation of the Telephone Consumer Protection Act.

**PLAINTIFFS:** JAY SCOTT COHEN, INDIVIDUALLY AND ON BEHALF OF ALL OTHERS SIMILARLY SITUATED

**DEFENDANTS:** OAKLEY INC., A WASHINGTON CORP.; DOES

**COURT NAME:** USDC Central District of California, California

**CASE NUMBER:** 2:14CV4310

**FILING DATE:** 6/4/2014

**SUMMARY:** Class action complaint for damages and injunctive relief pursuant to the Telephone Consumer Protection Act.

**PLAINTIFF:** JEFF HIBLER

**DEFENDANTS:** MACY'S CREDIT AND CUSTOMER SERVICES INC.

**COURT NAME:** USDC Central District of California, California

**CASE NUMBER:** 5:14CV1118

**FILING DATE:** 6/3/2014

**SUMMARY:** Removal of complaint for violation of the Telephone Consumer Protection Act.

**PLAINTIFFS:** ANDREY KRYLYUK

**DEFENDANTS:** FIRSTSOURCE ADVANTAGE LLC; DOES

**COURT NAME:** USDC Eastern District of Pennsylvania, Pennsylvania

**CASE NUMBER:** 2:14CV3199

**FILING DATE:** 6/5/2014

**SUMMARY:** Fair Debt Collection Practices Act and Telephone Consumer Protection Act class

action involving automated calls by a debt collector.

**PLAINTIFF:** SHARON BOLDS  
**DEFENDANTS:** NAVIENT SOLUTIONS INC. FKA SALLIE MAE INC.  
**COURT NAME:** USDC Northern District of Georgia, Georgia  
**CASE NUMBER:** 1:14CV1741  
**FILING DATE:** 6/5/2014  
**SUMMARY:** Telephone Consumer Protection Act. Defendant allegedly repeatedly placed non-emergency calls to plaintiff's cell number using an automated telephone dialing system and/or prerecorded or artificial voice message without plaintiff's prior express consent.

**PLAINTIFFS:** WILLIAM CODY, INDIVIDUALLY AND ON BEHALF OF ALL OTHERS SIMILARLY SITUATED  
**DEFENDANTS:** THE NIELSEN COMPANY (US) LLC, A DELAWARE LLC; NIELSEN AUDIO INC., A DELAWARE CORP.; SCARBOROUGH RESEARCH, A DELAWARE GENERAL PARTNERSHIP  
**COURT NAME:** Cook County Circuit Court, Illinois  
**CASE NUMBER:** 2014 CH 9529  
**FILING DATE:** 6/6/2014  
**SUMMARY:** Class action complaint under the Telephone Consumer Protection Act. Defendants allegedly engaged in practice of making "unsolicited and harassing" phone calls to consumers' cellular phones "to collect survey data."

**PLAINTIFFS:** DREW HILL, INDIVIDUALLY AND ON BEHALF OF ALL OTHERS SIMILARLY SITUATED  
**DEFENDANTS:** VAN RU CREDIT CORPORATION  
**COURT NAME:** USDC Southern District of California, California  
**CASE NUMBER:** 3:14CV1384  
**FILING DATE:** 6/6/2014  
**SUMMARY:** Class action for violations of the Telephone Consumer Protection Act. Defendant allegedly placed repeated unsolicited phone calls to plaintiff's cellular telephone via an "automatic telephone dialing system."

**PLAINTIFFS:** SANDRA ZARICHNY  
**DEFENDANTS:** COMPLETE PAYMENT RECOVERY SERVICES INC. DBA CPRS DBA WWW.PAYMENTPOST.COM; FIDELITY NATIONAL INFORMATION SERVICES DBA FIS DBA WWW.PAYMENTPOST.COM; DOES  
**COURT NAME:** USDC Eastern District of Pennsylvania, Pennsylvania  
**CASE NUMBER:** 2:14CV3197  
**FILING DATE:** 6/5/2014  
**SUMMARY:** Fair Debt Collection Practices Act and Telephone Consumer Protection Act class action involving automated telephone calls by debt collectors.

**PLAINTIFF:** AYMEN JAYYUSI  
**DEFENDANTS:** CALI GROWN COLLECTIVE  
**COURT NAME:** USDC Central District of California, California  
**CASE NUMBER:** 8:14CV878  
**FILING DATE:** 6/7/2014  
**SUMMARY:** Violation of the Telephone Consumer Protection Act.

**PLAINTIFFS:** LESLIE INTRIAGO, INDIVIDUALLY AND ON BEHALF OF ALL OTHERS SIMILARLY

SITUATED

DEFENDANTS: PREMIERE CREDIT OF NORTH AMERICA LLC  
COURT NAME: USDC Northern District of California, California  
CASE NUMBER: 3:14CV2631  
FILING DATE: 6/7/2014  
SUMMARY: Telephone Consumer Protection Act demand.

PLAINTIFF: KATHI JEAN BARRINGER  
DEFENDANTS: THE FITNESS CONNECTION INC.  
COURT NAME: USDC Northern District of Ohio, Ohio  
CASE NUMBER: 1:14CV1239  
FILING DATE: 6/9/2014  
SUMMARY: Violation of the Telephone Consumer Protection Act/Junk Fax Prevention Act.

PLAINTIFF: JENNIFER JAMES  
DEFENDANTS: EVEREST COLLEGE PHOENIX INC.  
COURT NAME: USDC Middle District of Georgia, Georgia  
CASE NUMBER: 4:14CV136  
FILING DATE: 6/9/2014  
SUMMARY: Telephone Consumer Protection Act. Plaintiff alleged that defendants failed to stop automatic telephone dialing system calls to plaintiff's cell phone.

PLAINTIFFS: STEVEN SOJKA; JEFFREY NEWBY; CAROLINE ST. PETER, INDIVIDUALLY AND ON BEHALF OF ALL OTHERS SIMILARLY SITUATED  
DEFENDANTS: JUSTICE POLITICAL ACTION COMMITTEE; TINA MCKINNOR; LIBERTY CAMPAIGN SOLUTIONS, LLC; PATRICK FUREY; COALITION OF \$99 OR LESS DONORS; DOES  
COURT NAME: Ventura County Superior Court, California  
CASE NUMBER: 56-2014-00453855-CU-AT-VTA  
FILING DATE: 6/5/2014  
SUMMARY: Class action for violations of the Telephone Consumer Protection Act.

PLAINTIFFS: JOSEPH MANNING JR., INDIVIDUALLY AND ON BEHALF OF ALL OTHERS SIMILARLY SITUATED  
DEFENDANTS: LENDIO INC.  
COURT NAME: USDC Central District of California - Santa Ana Division, California  
CASE NUMBER: 8:14CV899  
FILING DATE: 6/11/2014  
SUMMARY: Class action complaint for violations of the Telephone Consumer Protection Act. Defendant allegedly repeatedly made unsolicited marketing telephone calls to plaintiff's cell phone utilizing a prerecorded voice or automatic telephone dialing system without consent.

PLAINTIFF: TERESA VANWORMER  
DEFENDANTS: DISCOVER FINANCIAL SERVICES INC.  
COURT NAME: USDC Northern District of New York, New York  
CASE NUMBER: 1:14CV690  
FILING DATE: 6/9/2014  
SUMMARY: Telephone Consumer Protection Act. The defendant allegedly placed repeated calls to the plaintiff using an automatic telephone dialing system.

**PLAINTIFFS:** MICHAEL DICKERSON, INDIVIDUALLY AND ON BEHALF OF ALL OTHERS SIMILARLY SITUATED  
**DEFENDANTS:** LABORATORY CORP. OF AMERICA INC., A DELAWARE CORP. DBA LABCORP DBA LCA COLLECTIONS  
**COURT NAME:** USDC Middle District of Florida - Tampa Bay, Florida  
**CASE NUMBER:** 8:14CV1390  
**FILING DATE:** 6/11/2014  
**SUMMARY:** Telephone Consumer Protection Act. Defendant allegedly repeatedly called plaintiff's cell phone looking for another debtor.

**PLAINTIFFS:** JEREMEY BAUMAN, INDIVIDUALLY AND ON BEHALF ALL OTHERS SIMILARLY SITUATED  
**DEFENDANTS:** V THEATER GROUP LLC; SAXE MANAGEMENT LLC; DAVID SAXE; DOES  
**COURT NAME:** Clark County District Court, Nevada  
**CASE NUMBER:** A-14-702332-C  
**FILING DATE:** 6/12/2014  
**SUMMARY:** Class action for unfair business practices and violation of the Telephone Consumer Protection Act. Defendants allegedly used an automated telephone dialing system to send text message advertisements to plaintiffs.

**PLAINTIFF:** CATHERINE GOULD  
**DEFENDANTS:** LTF CLUB OPERATIONS COMPANY DBA LIFE TIME FITNESS  
**COURT NAME:** USDC Eastern District of Missouri, Missouri  
**CASE NUMBER:** 4:14CV1093  
**FILING DATE:** 6/13/2014  
**SUMMARY:** Telephone Consumer Protection Act.

**PLAINTIFF:** MEGAN DEMORY  
**DEFENDANTS:** BARCLAYS BANK DELAWARE  
**COURT NAME:** USDC Middle District of Pennsylvania, Pennsylvania  
**CASE NUMBER:** 3:14CV1141  
**FILING DATE:** 6/13/2014  
**SUMMARY:** Telephone Consumer Protection Act.

**PLAINTIFF:** DAVID TRISTAN  
**DEFENDANTS:** SILVERLEAF RESORTS INC.  
**COURT NAME:** USDC Western District of Texas, Texas  
**CASE NUMBER:** 5:14CV544  
**FILING DATE:** 6/16/2014  
**SUMMARY:** Telephone Consumer Protection Act. Plaintiff alleged that defendant repeatedly called plaintiff trying to collect a debt. Even after plaintiff asked defendant to stop calling him at work, defendant continued to call and harass him. All of defendant's non-emergency telephone calls to plaintiff's cellular telephone number were made using an automatic telephone dialing system.

**PLAINTIFF:** MOSHE LASDUN  
**DEFENDANTS:** ONE CLICK CASE  
**COURT NAME:** USDC New Jersey, New Jersey  
**CASE NUMBER:** 14-8159  
**FILING DATE:** 6/16/2014  
**SUMMARY:** Violation of the Telephone Consumer Protection Act. The defendant allegedly used an

automated dialing system to call the plaintiff for sales purposes without her permission.

**PLAINTIFFS:** BEVERLY NUNES, INDIVIDUALLY AND ON BEHALF OF A CLASS OF SIMILARLY SITUATED INDIVIDUALS

**DEFENDANTS:** TWITTER INC.

**COURT NAME:** USDC Northern District of California, California

**CASE NUMBER:** 3:14CV2843

**FILING DATE:** 6/19/2014

**SUMMARY:** Class action for violation of the Telephone Consumer Protection Act. Defendant allegedly sent text messages without prior authorization.

**PLAINTIFFS:** LAUREN MINNITI, INDIVIDUALLY AND ON BEHALF OF ALL OTHERS SIMILARLY SITUATED

**DEFENDANTS:** CHRISTOPHER S. EILERS; ASPIRE FINANCIAL PARTNERS; JOHN HANCOCK FINANCIAL NETWORK INC.; JOHN HANCOCK LIFE & HEALTH INSURANCE CO.; JOHN HANCOCK LIFE INSURANCE CO. (U.S.A.); JOHN DOES 1-10

**COURT NAME:** USDC Southern District of Florida, Florida

**CASE NUMBER:** 1:14CV22294

**FILING DATE:** 6/20/2014

**SUMMARY:** Telephone Consumer Protection Act class action. Defendant allegedly sent unsolicited faxes.

**PLAINTIFFS:** MICHAEL C. ZIMMER DC PC, INDIVIDUALLY AND ON BEHALF OF ALL OTHERS SIMILARLY SITUATED

**DEFENDANTS:** INTEGRATED PAIN MANAGEMENT SC

**COURT NAME:** USDC Eastern District of Missouri, Missouri

**CASE NUMBER:** 4:14CV1121

**FILING DATE:** 6/20/2014

**SUMMARY:** Telephone Consumer Protection Act.