

UNITED STATES DISTRICT COURT
IN THE WESTERN DISTRICT COURT OF NORTH CAROLINA

FILED
CHARLOTTE, NC

JUL 23 2012

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NC

Regina Boston
Plaintiff.

Case No. 3:12-cv-452 (FDW)

-v-

ENHANCED RECOVERY COMPANY, LLC.
(‘Enhanced Recovery’)
Defendant.

COMPLAINT

Regina Boston, hereby sues Defendant, ENHANCED RECOVERY COMPANY LLC.
and alleges:

PRELIMINARY STATEMENT

1. This is an action for damages brought for damages for violations of the Fair Credit Reporting Act (FCRA) 15 U.S.C. §1681 *et seq.*

JURISDICTION AND VENUE

2. The jurisdiction of this Court is conferred by 15 U.S.C. §1681p.
3. Venue is proper in this District Court pursuant to 28 U.S.C. §1391b.
4. This is an action for damages which do not exceed \$5,000.00.
5. Plaintiff, Regina Boston is a natural person and is a resident of the State of North Carolina.
6. Defendant, Enhanced Recovery’, is a Florida Corporation, and is authorized to do business in North Carolina.
7. All conditions precedent to the bringing of this action have been performed, waived or excused.

FACTUAL ALLEGATIONS

8. On 12/11/2010, ENHANCED RECOVERY COMPANY LLC pulled Plaintiff’s credit report without a permissible purpose which appears as an inquiry on her Experian credit report.

9. Plaintiff contacted and spoke to Robert Moore of Enhanced Recovery Company LLC on July 6, 2012 to inquire of the pull.

COUNT I

VIOLATION OF FAIR CREDIT REPORTING ACT (FCRA), 15 U.S.C. §1681 WILLFUL NON-COMPLIANCE BY DEFENDANT ENHANCED RECOVERY COMPANY LLC.

10. Paragraphs 1 through 9 are realleged as though fully set forth herein.

11. Plaintiff is a consumer within the meaning of the FCRA, 15 U.S.C. §1681a(c).

12. ENHANCED RECOVERY COMPANY LLC. is a furnisher of information within the meaning of the FCRA, 15 U.S.C. §1681s-2.

13. ENHANCED RECOVERY COMPANY LLC. willfully violated the FCRA. Defendant's violations include, but are not limited to, the following:

- (a) ENHANCED RECOVERY COMPANY LLC. willfully violated 15 U.S.C. §1681b(f) by obtaining Plaintiff's consumer report without a permissible purpose as defined by 15 U.S.C. §1681b.

WHEREFORE, Plaintiff demands judgment for damages against ENHANCED RECOVERY COMPANY LLC. for actual or statutory damages, and punitive damages, attorney's fees and costs, pursuant to 15 U.S.C. §1681n.

COUNT II

VIOLATION OF FAIR CREDIT REPORTING ACT (FCRA), 15 U.S.C. §1681 NEGLIGENT NON-COMPLIANCE BY DEFENDANT ENHANCED RECOVERY COMPANY LLC.

14. Paragraphs 1 through 13 are realleged as though fully set forth herein.

15. Plaintiff is a consumer within the meaning of the FCRA, 15 U.S.C. §1681a(c).

16. ENHANCED RECOVERY COMPANY LLC. is a furnisher of information within the meaning of the FCRA, 15 U.S.C. §1681s-2.

17. ENHANCED RECOVERY COMPANY LLC. negligently violated the FCRA. Defendant's violations include, but are not limited to, the following:

- (a) ENHANCED RECOVERY COMPANY LLC. negligently violated 15 U.S.C. §1681b(f) by obtaining Plaintiff's consumer report without a permissible purpose as defined by 15 U.S.C. §1681b.

WHEREFORE, Plaintiff demands judgment for damages against ENHANCED RECOVERY COMPANY LLC. for actual damages, and attorney's fees and costs, pursuant to 15 U.S.C. §1681o.

DEMAND FOR JURY TRIAL

Plaintiff hereby demands a trial by jury of all issues so triable as a matter of law.

Dated: July 20, 2012

Respectfully submitted,

A handwritten signature in cursive script that reads "Regina Boston".

Regina Boston
1220 Ballina Way
Charlotte, NC 28214